

No. 4675 Equity

depending in the Circuit Court for Frederick County, as a Court of Equity, between Ruth Johnson Rebecca Horney and Grafton Horney, Complainants, and Elizabeth and Hiram her husband, Isaac Hiram, and Hiram, his wife and others, Defendants. You are therefore required, having first taken the Oath hereunto annexed, and also administered the annexed oath to the person whom you shall appoint as Clerk to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such Evidences as shall be named and produced to you by either the Complainant or Defendant, and that you examine them on their Oath, to be by you administered on the Holy Evangel of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid, and that you cause notice to be given to the parties or their attorneys, of the execution of this Commission, before you execute the same, and having reduced the depositions of the witnesses so taken by you, into writing, you send the same, with this Commission, closed under your hand and seal, into this Court as a Court of Equity, with all convenient speed.

Witness, the Honorable Richard J. Power, Chief Judge of our said Court the twenty first day of February, Anno Domini, 1881.

Issued the Fifth day of May, 1881.

Adolphus Fearhake Jr., Clerk

Commissioner's Oath

You shall, according to the best of your skill and knowledge, truly, faithfully, and without partiality to any or either of the parties, take the examinations and depositions of all and every witness and witnesses produced and examined by virtue of this Commission hereunto annexed, upon the interrogatories now, or which may hereafter, before the said Commission is closed, be produced to and left with you by either of said parties. So help you God.

Clerk's Oath

You shall truly, faithfully, and without partiality to any or either of the parties to this Cause, take write down, and transcribe, the depositions of all and every the witness and witnesses produced and examined by the Commissioner named in the Commission hereunto annexed, as far forth as you are directed and employed by the said Commissioner to take, write down and transcribe the said depositions or any of them. So help you God.

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Interrogatories to be propounded to witnesses for Complainants.

- 1st. - State your name, age & residence.
- 2d. - Did you know Mary Johnson; is she living or dead, if dead, when & where did she die?
- 3d. - Did the said Mary Johnson devise and possessed of any real estate in this County; if yea, look at the paper now shown you, marked Exhibit No. 1, and state whether it is described said real Estate?
- 4th. - Did Mary Johnson leave husband, or any children or other heirs at law surviving her. If yea state their names, are any of them minors, If yea state their names?
- 5th. - Is the real estate mentioned, capable of advantageous division among

Interrogatories