

No. 4739. Equity.

Hereof fail you not as you will answer the contrary at your peril
Witness, the Hon. John Ritchie, Chief Judge of the said Court, the
19th day September A. D. 1881.

Issued the 3d day of December, A. D. 1881.
To the Sheriff of Frederick County.

(Purs)

Adolphus Searchake J. Clerk

Endorsed
"Summoned"

Robert Parritz

Att.

Filed Dec. 9, 1881

John. Rouzer

Susan Birley, widow, Susan
Birley Administratrix of John
Birley dec'd. John M. Birley & wife
Others

No. 4739 Equity.
In the Circuit Court for Frederick County
in Equity.

Interlocutory
Decree

The Defendants having been duly summoned to appear
to the Bill of Complaint and having failed to appear thereat
It is thereupon, this 3rd day of March 1882 by the Circuit Court for Frederick County
sitting as a Court of Equity, and by the Authority of said Court adjudged, ordered and de-
creed, that the Complainant is entitled to relief in the premises But because it doth not cer-
tainly appear what relief the Complainant is entitled to it is further ^{adjudged and} ordered that a Com-
mission issue to William B. Nelson and John E. R. Wood Esqs. Commissioners appoint-
ed by the Court to take testimony in Equity, to take testimony to support the allegations of the
Bill of Complaint.

Filed March 3rd 1882

John A. Lynch
Judge of the Cir. Court.



Maryland, etc.

The State of Maryland, To
William B. Nelson and John E. R. Wood Es-
quires, of Frederick County, Greeting:

Commission
to Commrs
to take testi-
mony.

Be it known, That you are appointed Commissioners to examine Evi-
dences in a Cause depending in the Circuit Court for Frederick County as a
Court of Equity, between John Rouzer, Complainant, and Susan Birley, widow,
and Susan Birley Admtr. of Johnth Birley, John M. Birley and 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 Corporal Oaths to be by you ad-
ministered upon the Holy Evangelists of Almighty God, touching their Knowledge or re-
membrance 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

Inter