No 4850 Equity

Andrew J Tabler and Ellen Tabler his wife, Jacob Layman and ____ Layman his wife George Layman and Sophia Layman his wife, Henry Layman and Ann Layman his wife, John Layman and Elizabeth C Layman his wife, George Layman and Fannie Layman his wife, Virginia Stuart having been duly summoned to appear to the Bill of Complaint, and having failed to appear thereto and ~~and~~ answer the same. And the infant defendants Mary Margaret Stuart, Dallas Stuart and William Stuart having been duly summoned to appear to said to the bill of Complaint, and having appeared by guardian duly appointed and answered said bill, and the defendants George Layman and Mary Layman his wife Henry Layman, Clementine Ott and ____ Ott her husband, Sarilla Hovis, John H Hovis and Annie E Hovis his wife, Amanda Cahoe and Henry Cahoe her husband, Susan Ridgeway and James Ridgeway her husband having been duly notified by publication to appear to the bill of Complaint, and having failed to appear thereto after publication in the Examiner a weekly newspaper published in Frederick County once a week for four successive weeks, as ordered by the Court, and after two summons having been issued for the defendants John Stuart and Rebecca Stuart his wife, William Stuart and Elizabeth Stuart his wife, both of which Summons were returned non est

It is thereupon this 21st day of May, in the year Eighteen hundred and Eighty three by the Circuit Court for Frederick County, Sitting as a Court of Equity, and by the authority of this Court adjudged ordered and decreed, that the Complainants are entitled to relief in the premises. But because it doth not certainly appear to what relief the Complainants are entitled, it is further adjudged and ordered, that a Commission issue to the Commissioners of this Court to take testimony to support the allegations of the said bill of Complaint

John A Lynch
Filed May 21. 1883. Judge of the Cir Court

PLACE OF SEAL

Maryland, Sct.

The State of Maryland, to Clayton O Keedy and William Wilcoxon Esquires of Frederick County, Greeting

Be it Known, That you are appointed Commissioners to Examine Evidences in a cause depending in the Circuit Court for Frederick County as a Court of Equity, between William Funk and Catharine Funk his wife, John H Niles and Mary E Niles his wife, Jacob Stimell, Rachel Kohlenburg, Jeremiah Knode and Margaret Knode his wife and others, Complainants, and George Layman and Fannie Layman his wife, George Layman and Sophia his wife, Henry Layman and Mary Ann his wife, John Layman and Elizabeth Catharine 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 Corporal oaths, to be by you administered upon the Holy Evangely of Almighty God, touching their Knowledge or remembrance of anything 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 witness 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 John Ritchie, Chief Judge of our Said Court, the Fourteenth day of May Anno Domini, 1883.

Commission to take Testimony

Issued the 21st day of May 1883

Adolphus Markell Jr Clerk.