no witness to examine, and no other Evidence being desired the Commissioner closed the Commission & herewith returnes the same under his hand this twelfth day of November 1846.

Richard H Mitchell Clk James McCormick Commissioner

The oaths refered to in the aforegoing return are as follows towit:

Commissioners 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 the Commission hereto annexed upon the interrogatories now or which may be hereafter before the said Commission is closed produced to you and left with you by the said Complainants so help you God

Sworn before me this 23d day of July 1846 Thos A Emery J.P.

Clerks Oath, you shall faithfully and without partiality to any or either of the parties in this Cause take write down and transcribe the depositions of all and every the witness and witnesses produced before and examined by the Commissioner named in the Commission hereto annexed, as far forth as you are directed and employed by the said Commissioner to take write down & transcribe the said Deposition or any of them so help you God

Sworn before me this 23d day of July 1846.

James McCormick Comr

Exhibit A. Charles County Court March Term 1844.

State of Maryland at the instance & for the use of Sylvester F Gardiner Adr of Richard Coomes
vs
Elizabeth Ford Admx of Wm P Ford

Debt Judgt signed 29th March 1844 for 300$ Debt 600$ Dal & Costs, the Dal to be released on Payt of Int on the debt from the 22d day of Decr 1840 till paid & Costs. Costs $9.48¾

True Copy Test Walter Mitchell Clerk

On the back of which is thus Endorsed towit:

Recd this 28th of September 1845 of Thos I Marshall one hundred and ninety Dollars in part of the within Judgment.
$190.00
Sylvester F Gardiner

Recd of Thos I Marshall fourteen Dollars & twenty five cents the balance in full of Miss Elizabeth Fords part of the within Judgment.
Sylvester F Gardiner

The following are the documents refered to in the aforegoing Commissioners return towit:

Charles County towit: At a County Court of the First Judicial District of the State of Maryland begun & held at Charles Town in and for Charles County aforesaid on the first monday of November being the sixth day of the same month in the year of our Lord one thousand Eight hundred and twenty and in the forty fifth year of Independence of the United States of America.

Were Pres
The Hon { John Johnson Chief Judge
Edmund Key & John R Plater } Associate Judges
William Bruce Esquire Sheriff

John Barnes Clerk

In the record of proceedings of the same Court amongst others were the following towit:

Be it remembered that heretofore towit on the first day of September in the year of our Lord one thousand Eight hundred & eighteen Leonard Coomes of Charles County profered to the Judges of Charles County Court his petition in the words & figures following towit:

To the Honorable the Judges of Charles County Court. The petition of Leonard Coomes one of the Children and heirs of Richard Coomes (decd) who died intestate a Considerable time since humbly represents unto your Honors that Richard Coomes died in Charles County possessed of a fee simple estate in the following land towit: his dwelling plantation Containing about two hundred and twenty acres, and leaving the following persons his heirs at Law towit; Richard Coomes, Sarah A Coomes, Eleanor Coomes, Aloysius Hamilton and Jane his wife and your petitioner Leonard Coomes one of which heirs is a married woman and they cannot agree upon the division of the real Estate which has descended to them by the death of their farther intestate.

Your petitioner therefore prays that the Honorable Court will order that Commission issue to five discreet & sensible men of the County authorizing & directing them to make partition of the said real Estate among the heirs agreeably to the provisions of the act of Act of Assembly in such Case made & provided and the several supplements thereto and he as in duty bound will Ever pray &c

A Stonestreet Atty for Petitioner

Whereupon on reading the aforegoing petition it is ordered by the Court here that Commission issue as therein prayed which said Commission accordingly issues in the words following towit:

Charles County towit: The State of Maryland to William P Ford, George H Spalding, Wilson Smoot, Samuel Smallwood and Gerard Greenwell of Charles County Gentlemen; Whereas on the third monday in August in the year of our Lord one thousand eight hundred and eighteen Leonard Coomes of Charles County profered to the Judges of Charles County Court his petition setting forth and alleging that a certain Richard Coomes the Father of the said Leonard Coomes died in Charles County aforesaid possessed of a fee simple Estate in the following land towit: his dwelling plantation Containing about two hundred and twenty acres and leaving the following persons his heirs at Law towit Richard Coomes, Sarah A Coomes, Eleanor Coomes, Aloysius Hamilton & Jane his wife and the said Leonard Coomes one of which heirs is a married woman and they cannot agree upon a division of the real Estate which descended to them by the death of their father intestate and prayed the Court that Commission issue to five discreet and sensible men of the County aforesaid, authorizing & directing them to make partition of the said real Estate among the heirs and representatives of the said Richard Coomes deceased agreably to the provisions of the act of Assembly in such case made & provided and the several supplements thereto.

Be it therefore known that the said Court have given you or a Majority of you full power and authority to enquire whether the said allegations be true, and if true to go to and enter upon the aforesaid