aforesaid and their attornies aforesaid at March Court one thousand eight hundred and fifteen and the said Jacob Houser by his attorney aforesaid offers himself ready for trial in the plea aforesaid, thereupon the said John Denn lessee as aforesaid suggests to the court here that he cannot safely proceed now here to the trial of the cause because &c Therefore it is considered by the Court here that the said Jacob Houser recover against the said John Denn lessee as aforesaid the sum of three hundred and forty six dollars and forty two 1/3 cents for his cost and charges by him sustained in the defence of the action aforesaid and the parties aforesaid by their attornies aforesaid pray leave of the Court here to amend the said plats and certificates returned to the Court here in this cause and to add thereto if necessary by the fourth monday of March next and to them it is granted and the same are delivered to the sheriff and surveyor aforesaid for that purpose. and the said John Denn lessee as aforesaid by his attornies aforesaid prays the Court here that commission may issue to Jefferson County in the Commonwealth of virginia to examine evidences in the cause and the depositions returned with the said commission may be read in evidence at the trial hereof and it is granted him. Whereupon the said John Denn lessee as aforesaid and the said Jacob Houser by their said attornies pray the court here that the same Commission may be directed to John Baker Esquire of Shepherds Town in the Commonwealth of virginia aforesaid and that he examine & returnable with all convenient speed & and thereupon the same commission accordingly issues in the words and of tenor following towit

Washington County towit

Seal of Washington County

The State of Maryland to John Baker Esquire of Jefferson County in the State of virginia. Greeting Be it known that you are appointed a commissioner to examine evidences in a cause depending in Washington County Court of the State of Maryland aforesaid Between Joseph Chapline's lessee plaintiff and Jacob Houser defendant. Therefore you are requested 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 or produced to you by either the plaintiff or defendant and that you examine them upon their corporal oaths to be by you administered on the Holy Evangely 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 attornies 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 to the said County Court with all convenient speed. Witness the Honourable John Buchanan Esquire chief Judge of our said Court the 23d day of october in the year of our Lord one thousand eight hundred and fifteen Issued the 10th day of November 1815.

O.H. Williams clk W.C.C.

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 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 the said parties. So help you God.

Clerks oath.

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

Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of said parties and their attornies aforesaid and by order of the Court here thereon is further continued until the fourth monday of March next.

At which said fourth monday of March being the twenty fifth day of the same month in the year of our Lord one thousand eight hundred and sixteen comes again into court here as well the said John Denn lessee