necessary delay in as much as an injunction bond with competent security is approved and filed. Note 3d The rule day for dissolving injunctions is past & from the multifarious duties of the Clerk no copy of the answer could be seasonably obtained

D. C. Barnett Solicitor

Exhibit B.B. refers to in the above bill of complaint to wit:

In the Record of the proceedings of Somerset County Court among other things it is contained the following to wit

John Williams petition for a commission to make partition of Lands

To the honorable Court of Somerset County in Court sitting. The petition of John Williams sheweth unto your honors, that your petitioner also James Williams, Sarah Williams wife of William Porter, Mary Williams wife of Elijah Willis, Elizabeth Williams, Nancy Williams and Amelia Williams representatives of James Williams decd Levin Layfield James Layfield, Priscilla Layfield wife of William Duncan and William Layfield representatives of Hannah Layfield decd Mary Furnis alias Stevens, Josiah Furnis, Levin Borton and James Borton representatives of Sarah Borton deceased are entitled unto the lands late possessed by Jane Shawbridge decd daughter and heiress of Doctr William Shawbridge late of Somerset County deceased who died intestate, as heirs of said Jane by descent by which means your petitioner and others aforesaid became entitled and your petitioner further represent to your Honours that the said James Williams Elizabeth Williams, Nancy Williams, Amelia Williams, William Layfield Josiah Furnis Levin Borton and James Borton are minors under the age of twenty one years, and your petitioner being desirous that a partition be made of the said lands, pray that your Honors will grant a commission and appoint Commissioners to make partition or determine whether the said lands will admit of being divided without injury to all the parties entitled agreeable to the act of assembly in such case made and provided and your petitioner will ever pray

John Williams

The following commission was issued to wit: Somerset County to wit: The State of Maryland To John Wilson, James Wilson Junr. John Stewart, Samuel Smith and Henry James Carroll of Somerset County Gentlemen greeting: Know ye that we have appointed you or a majority of you to be our Commissioners on the petition of John Williams on behalf himself and the other heirs of Jane Shawbridge deceased to make partition of the real estate of said Jane Shawbridge or if the same will not admit of division you or a

majority of ascertain and fix the value thereof according to the direction of the act of assembly in such case made and provided, you first having taken your oaths on the Holy Evangels of almighty God according to the directions of the act of assembly aforesaid and that you or a majority of you proceed in the execution of this our commission agreeable to the directions of the act of assembly aforesaid and what you or a majority of you may do in virtue thereof, you or a majority of you return unto us or a majority of your hands and seals, together with this our commission to be annexed to us in our County Court of Somerset with all convenient speed. Witness, John Done Esquire Chief Justice of our said Court the 18th day of May Anno Domini 1795.

Issued this 11th day of June Anno Domini 1795

By order Wm Done Clk

Maryland Somerset County to wit: June the 23d day 1795 then came before me the Subscriber one of the Justices of the peace of Somerset County John Wilson, James Wilson Jr., John Stewart and Samuel Smith of Somerset County Gentlemen the Commissioners in the annexed commission mentioned and made oath on the Holy Evangels of Almighty God that they will well and truly and without favor, partiality or prejudice, adjudge and determine whether the real estate of Jane Shawbridge decd in the annexed commission mentioned will admit of being divided without injury and loss to all the parties entitled, and that they will ascertain the value of the said real estate in current money and if the said real estate can in the opinion and judgment of them the said Commissioners or a majority of them, be divided without loss and injury to all the parties entitled that they will then divide and make partition of the same fairly and equally in value between all the parties interested according to their several just proportions, and if the said Commissioners or a majority of them shall determine that the estate cannot be divided without loss and injury to all the parties that then they will make return to the County Court of their judgment and the reasons upon which the same is founded, and the real value of the said estate in current money of Maryland

Before Samuel Wilson

State of Maryland Somerset County to wit: July 13th 1795 then came before me one of the Justices of the peace for the County aforesaid Henry James Carroll of Somerset County one of the Commissioners