The Plaintiff to support the issue on his part gave in evidence to the Jury that a certain Joseph Bankson then of the City of Baltimore was on the fourteenth day of May 1792 the owner in fee simple of the Lot of ground in the City of Baltimore for which this ejectment suit was brought, and that on that day he executed the following deed for said Lot and that the same was, on the same day recorded in the Land Records of Baltimore County.

Less this Deed on page 10. 11 & 12 of the Records

The Plaintiff further gave in evidence the Deposition of Lloyd Bankson taken under a Commission as follows.

The State of Maryland, To E. Spencer Miller Esq. of Philadelphia a Commissioner named on the part of the Plaintiff and Defendants,

Seal

Know ye, that you appointed Commissioner to examine witnesses in a case depending in Baltimore County Court, between Elizabeth Cooke (Plaintiff) and Mary Ann Kell (widow) Mary Ann Kell, Thomas Kell, Emeline Kell, James Reynolds & Eleanora his wife, and Augustus W. Bradford and Elizabeth his wife. Therefore you are requested, after having taken the oath hereunto annexed and also administered the annexed oath, to the persons 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 witnesses as shall be named or produced to you either by the plaintiff or defendants and that you examine them upon their Corporal oaths to be by you administered on the holy Evangels of Almighty God touching their knowledge or remembrance of anything that may relate to the cause aforesaid, and having reduced the depositions of the witnesses so taken by you into writing you send the same, with this Commission closed under your hands and seal to the Judge, of the said County Court, with all convenient speed.

Witness the Honorable William Frick Chief Judge of our said County Court, the thirteenth day of January in the year Eighteen hundred and fifty one. Issued the Eleventh day of March 1851

A. W. Bradford Clk.

John Nelson } Plaintiff's Attorneys
Nelson Poe }
Kennedy Johnson Defendants Attorney

Commissioners Oath

You shall according to the best of your skill and knowledge truly faithfully and without partiality to any or either of these parties take the examinations and depositions of all and any witness and witnesses produced and examined by virtue of the Commission hereunto annexed, upon their interrogatories now, or which may hereafter, before the said Commission is closed, be produced to and left with you, by either of the parties, so help you God.

City of Philadelphia ss: The above oath was administered by me this Fifteenth day of March A.D. 1851 to E. Spencer Miller Commissioner within named.

Stephen N. Simmons

Alderman & ex officio Justice of the Peace in and for said City

Clerks Oath -

You shall truly, 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 hereunto annexed, as far forth as you are directed and employed by the said Commission or to take, write down and transcribe the said depositions or any of them. So help you God.

The execution of this Commission will appear by a certain Schedule or return hereto annexed

E. Spencer Miller
Commissioner

Elizabeth Cooke
vs
Mary Ann Kell (widow)
Mary Ann Kell
Thomas Kell
Emeline Kell
James Reynolds
Eleanora his wife &
Augustus W. Bradford
& Elizabeth his wife

In Baltimore County Court
January Term 1851.

Interrogatories to be propounded to Lloyd Bankson of the City of Philadelphia, on the part of the Plaintiff

1. Do you know Elizabeth Cooke the Plaintiff in this action and how long have you known her, what was her maiden name, and what was the name of her Father and her Mother?
2. Did you know Joseph Bankson the elder, formerly of the city of Baltimore. How was she related to you. Is he dead or living & if dead, when and where did he die. State whether Elizabeth Cooke the plaintiff in this suit was a daughter of the said Joseph Bankson the elder, and whether she is the person named as Elizabeth Bankson in a deed from Joseph Bankson the elder to his three Children, Harriet Giles Bankson Joseph Bankson & Elizabeth Bankson, dated the fourteenth day of May 1792 a copy whereof is annexed to this Commission marked E.C. No 1.
3. State whether the other grantees in the said deed are dead or living & if dead when and where they died, to the best of your knowledge & belief & whether they died intestate and without issue.
4. Did you know the wife of the said Joseph Bankson the Elder Nelly Bankson & if so state whether she is now living and if not living when