Gentleman, Greeting, Be it known that you are appointed Commissioner to examine evidence in a cause depending in Washington County Court as a Court of Equity, between Peter Bell and als, complainants, and William Webb & als, defendants, 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 evidence as shall be named or produced to you by either the Complainants or Defendants, 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 solicitors 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 this Court, with all convenient speed — Witness the Hon John Buchanan Esq. Chief Judge of our said Court the 28th day of March 1842, Issued the 15th day of April 1842. — O. H. Williams, Clk.

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 within Commission, 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. —

Sworn before — F. Gelwicks —

Clerk's Oath. — You shall truly, faithfully and without partiality to any or either of the parties, ~~take the examinations~~ in this 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 within commission, as far forth as you are directed and employed by the said Commissioner, to take, write down and transcribe the said depositions or any of them, So help you God.

Sworn before. —

And thereupon further process of and upon the premises aforesaid, between the parties aforesaid, in conformity with the act of assembly were continued unto the first Monday of July, next. —

At which said first Monday of July, being the fourth day of the same Month, in the year of our Lord one thousand eight hundred and forty two, come into Court here as well the said Peter, Daniel and Frederick Bell, administrators of Frederick Bell deceased, the complainants aforesaid, by their solicitor aforesaid, as the said William Webb, Peter Mong and Marmaduke W Boyd, Defendants aforesaid by their solicitor aforesaid, At the same time, also, appears in Court here Benjamin F. Yoe, Gentleman, to whom the foregoing Commission was directed, and makes return of the execution thereof, to the Court here, as follows, to wit. — At the execution of a Commission issued out of Washington County

Court as a Court of Equity, the 15th day of April 1842, directed to Benjamin F. Yoe, empowering him to examine evidences in a cause depending in the said Court between Peter Bell and others complainants and William Webb and others, Defendants, I the said Benjamin F. Yoe, having first taken the oath to the said Commission annexed, proceeded to take the following depositions on the 20th day of July 1842, and also, on the 27th day of July 1842, pursuant to notice, to wit. —

Jacob Tittle of lawful age, being first duly sworn on the Holy Evangely of Almighty God. —

Interrogatories. To the first Interrogatory, this Deponent deposeth and saith, that he knows the greater part of them. —

To the 2d Inter. This Deponent saith, that he knew the land alluded to, in this Interrogatory, but knows nothing about the Mortgage, of his own knowledge, yet he has heard of it, This Deponent cannot exactly say, what the land at that time was worth, because there was so much talk about Mortgages and the widow's dower, but if there had not been any incumbrance upon it, he thinks that it might have brought upwards of twenty dollars per acre — The land was not in good order. — The talk was about Bell's Mortgage and some other Mortgage or other instrument of writing of Webb and Mong. —

Cross examined by Mr. Price, This Deponent saith, that the times were hard and land was low, The land was out of order and strong. —

The 3d Interr, excepted to. —

To the 4th Interrogatory, this Deponent saith, that he knows nothing about the sale mentioned in this Interrogatory. —

To the 5th Interr. This Deponent saith, that he does not know entirely who had the management and received the profits of said land, at the time. — But some time afterwards, he thinks, from his best recollection, that Mr. Mong had the management of it and received the profits, and he has no recollection of anybody else, receiving the profits thereof. This Deponent did live adjoining said land at the time referred to. —

To the 6th Interr. This Deponent saith that he knows nothing about it. —

To the 7th Interr. This Deponent saith that the Mortgages were still spoken of but he does not know to what effect or purpose. —

To the 8th Interr. This Deponent saith, that he knows nothing about the subject of this Interrogatory. —

To the 9th Interr. This Deponent saith, that he does not. —

Michael Gross — affirmed. —

To the 1st Interr. This Deponent answers and says, that he knows the most of them. —

To the 2d Interr. This Deponent says that he knows the land, and that Bell had a Mortgage upon it, that the land was very much out of order, and very strong at that time, That he would not like to have given, more than twenty or twenty five dollars per acre, at that time for it, with a clear title. —

Cross examined by Mr. Price, This Deponent does not remember any sale that took place, in that neighborhood, at that time land were a dull sale. —

3d Interr. excepted to. —

To the 4th Interr. This Deponent says, that he heard of the sale, but was