and given due notice to the solicitors of the parties did appoint Saturday the 19th day of April in the year aforesaid at the Chancery office in the city of Annapolis to examine evidences on the part of the complainant in the above cause. Saturday 19th April 1834 Commission met, No witnesses attending the commission was adjourned at the request of Complainants solicitor until Wednesday 23d April 1834. Wednesday 23d April 1834 Commission met according to adjournment on part of Complainant.

Edward Dubois a witness of lawful age produced on the part of the complainant being first duly sworn saith.

To 1st Interr. answers that he is acquainted with the hand writing of Lewis Neth Junior late of the City of Annapolis deceased.

To 2d Interr. The paper marked "L.N." being shewn to deponent answers that the signature Lewis Neth Junr. to the paper now shewn him marked "L.N." as a witness is in the proper hand writing of Lewis Neth Junr. late of the City of Annapolis deceased.

Commission adjourned until Wednesday 30th April 1834 at request of complainants solicitor.

Wednesday 30 April 1834 commission met according to adjournment on part of Complainant.

Nicholas Brewer Senr. a witness of lawful age produced on the part of complainant being first duly sworn saith.

To 1st Interr. answers, That he is acquainted with the hand writing of William Cooke formerly of the City of Annapolis but now deceased.

To the 2d Interr. The paper marked "L.G. No 1, being shewn deponent answers that the assignment on said paper and the signature "W. Cook" thereto is in the proper hand writing of the said William Cooke.

To 1st Interr. answers, That he is acquainted with the hand writing of Thomas Buchanan formerly of the City of Annapolis.

To 2d Interr. The paper marked L.G. No 1, being shewn to Deponent answers that the signature "Th. Buchanan" to the assignment on said paper is in the proper hand writing of the said Thomas Buchanan.

Edward Dubois, a witness heretofore examined on the part of Complainant being again produced on the part of Complainant being first duly sworn saith.

To 1st Interr. answers that he is acquainted with the hand writing of Lewis Neth Junr. late of the City of Annapolis deceased.

To 2d Interr. The paper marked "L.G. No 2, being shewn deponent answers that the signature "Lewis Neth Junr. as a witness is in the proper hand writing of the said Lewis Neth Junr. late of the City of Annapolis deceased.

The Complainants solicitor then filed with the commissioners the papers marked "L.G. No 3" and L.G. No 4"

There being no further Testimony offered the Commission was closed.

In witness of all which we have hereto set our hands and seals this 7 day of May 1834.

Louis Gassaway (Seal)
James F. Brice (Seal)

"L.G. No 1. Filed with Commrs. 30th April 1834. L. Gassaway
James F. Brice

Mary Fitzhugh
George Fitzhugh Junr.
and Daniel D. Fitzhugh
Mortgage To
Rebecca Dulany and
Walter Dulany.

This Indenture made this twenty seventh day of April in the year of our Lord one thousand eight hundred and five Between Mary Fitzhugh George Fitzhugh the younger and Daniel D Fitzhugh of Baltimore County in the State of Maryland children of George Fitzhugh of the same place of the one part and Rebecca Dulany now of London relict of Daniel Dulany Esquire late of Baltimore deceased and Walter Dulany of Kent County in the State of Delaware Gentleman of the other part, Whereas the said Walter Dulany by Indenture bearing equal date with these presents for the consideration therein mentioned did grant bargain sell alien enfeoff convey assign transfer and set over unto the said Mary Fitzhugh, George Fitzhugh the younger and Daniel D Fitzhugh their heirs executors administrators and assigns all and singular the property both real and personal heretofore conveyed to him in trust by George Fitzhugh the elder and which before the execution of the said Indenture remained and undisposed of as by reference to said Indenture may more fully and at large appear and whereas the said Mary Fitzhugh George Fitzhugh Jr. and Daniel D. Fitzhugh are entitled to undivided shares of and in certain lands granted to their late deceased mother Mary Fitzhugh by the State of Maryland subject however to the life estate of the said George Fitzhugh the elder therein, and whereas there is due and owing from the said George Fitzhugh the elder to Rebecca Dulany aforesaid executrix of the testament and last will of her late husband the sum of four hundred pounds current money with interest thereon from the fourth day of November seventeen hundred and ninety three over and above the debt mentioned in the deed of trust from George Fitzhugh to the said Walter Dulany and thereby intended to be secured. and whereas there is due and owing to the said Mary Fitzhugh party to these presents the sum of three hundred and ten pounds current money for that sum advanced by her and out of her own private estate for and towards discharging the bond mentioned in the said deed of trust from George Fitzhugh to Walter Dulany to have been given by them to Philip Richard Fendall it being one other of the debts intended to be secured by the said deed of trust, And whereas the intentions of the said parties are that the aforesaid debts or sums of money so due and owing to the said Rebecca Dulany and Mary Fitzhugh shall be amply secured to them, and that the surplus of the said property or so much thereof as may be necessary shall be applied to the discharge and payments of the residue of the debts mentioned in the said deed of trust and which yet remain unpaid. and also that the said Walter Dulany shall be indemnified from and against the payment of all and every of the said debts in the said deed of trust recited, and also the debt of four hundred pounds and interest due to Rebecca Dulany executrix aforesaid and from and against the consequences of all acts done by him in relation to the said trust therefore this present deed is executed Now this Indenture Witnesseth that the said Mary Fitzhugh, George Fitzhugh the younger and Daniel D. Fitzhugh for and in consideration of the above recited premises and of five dollars current money