the same fully and at large as if you had been particularly interrogated thereto.

Thomas I. M. Craig, atty for defendants.

John Young vs. Mesheck Frost, Isaiah Frost & others. In Allegany County Court sitting as a Court of Equity.

Cross interrogatories to be put to Josiah Frost on the part of the complainant.

1st Is or is not the paper shown to you by the defendants marked with the letter "A" a true copy of the agreement made & entered into between Isaiah Frost, Mesheck Frost & John Neff on the 27th day of October in the year 1828. If not state in what respects it differs from the original agreement.

2d Were any privileges or rights secured to you by that agreement. If yea, what were these privileges or rights, and to what land did your rights & privileges attach.

3d Were or were not Isaiah Frost, Mesheck Frost and John Neff equally interested in the coal belonging to the property which was devised by Josiah Frost to his three sons by his last will after said agreement was entered into, and was not the object of said agreement to secure to the said parties an equal share in the coal in said property state all you know fully & particularly.

4th Do you know any thing else which would be of benefit or advantage to the complainant. If yea, state it fully & particularly.

E. M. Semmes, atty for Complainant.

Whereupon the following commission was issued, to wit.

Maryland Allegany County, Set. The State of Maryland to E. B. John Stockton, Esquire, of Knox County, in the State of Ohio, Greeting, Be it known, that you are appointed Commissioner to examine witnesses in a cause depending in Allegany County Court, between John Young complainant and Mesheck Frost, Isaiah Frost & others defendants: Therefore you are required 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 witnesses as shall be named or produced to you, by either the complainant 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 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 Court with all convenient speed. Witness the Honorable Robert N. Martin, Esquire, Chief Judge of our said Court the 21st day of April 1845. Issued the 14th day of June 1845.

Henry Bruce, Clerk, Allegany County Court, Maryland.

Commissioners Oath. You shall according to the best of your skill and judgment, 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 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 commissioner to take, write down and transcribe the said depositions, or any of them. So help you God.

And afterwards, to wit on the 12th day of September in the year last aforesaid, the commissioner named in the foregoing commission made return of the said commission to the Court here, together with his proceedings under and in pursuance thereof which proceedings are in the words and of the tenor following to wit,

John Young vs. Mesheck Frost, Isaiah Frost & others. Pending in Allegany County Court as a Court of Equity. In the County of Allegany, Md. Depositions taken to be read in this case. The execution of this commission will appear by certain schedules annexed.

E. W. Colton, Clk. John Stockton Commissioner.

Mount Vernon, Knox Cty O. September 5th 1845.

At the execution of a commission issued out of Allegany County Court as a Court of Equity in the State of Maryland & to me directed, empowering me to take the evidence of all such witnesses as shall be named or produced to me, by either the complainant or Defendants, and having appointed my own officer in the town of Mt. Vernon County of Knox State of Ohio, as Clerk therein and the hour of eleven O'clock, on the fifth day of September 1845, at the office of the s.d Clerk as the time and place of taking the said evidence, and having first taken the oath to the said commission annexed and appointed me to take, and having appointed Mr. Emmet W. Colton Esq. Clerk to the said commission and administered to him his oath to the said commission annexed, and appointed for him to take, and having met at the time and place so appointed and the followed named witnesses being present viz. Josiah Frost, William M'Nair & Joseph Waddle witnesses named on the part of the Defendants and being sworn by me on the Holy Evangelists of almighty God, that they will true answers make, to all such interrogatories as may be propounded to them & therein to speak the truth, the whole truth & nothing but the truth, I proceeded to take the evidence of the aforesd witnesses as follows.

Depositions of witnesses taken in a cause pending in the Allegany County Court as a Court of Equity. In the County of Allegany in the State of Maryland wherein John Young is Plaintiff & Mesheck Frost, Isaiah Frost & others are defendants. and taken for the parties in pursuance of the commission hereto attached and taken at the