And afterwards to wit on the day and year last aforesaid came the defendant aforesaid by his Counsel Henry W. Archer and Albert Constable Esquires and filed in the said cause service of the foregoing order in the words following to wit.

Thomas Hope } In Chancery 25th Feby 1841
vs. } The Defendant having filed his answer and entered
Thomas Hutchins } on the Docket, notice of motion to dissolve Injunction
It is thereupon ordered that the said motion stand for hearing at the next Term, provided a copy of this order be served on the complainant or his solicitor on or before the sixth day of march next

Theodorick Bland Clk.

Service admitted the 25th of Feby 1841 — Otho Scott Sol for Compt.

And afterwards to wit on the 26th day of April 1841 the Chancellor passed in the said cause the following order

In Chancery 26 April 1841

The motion to dissolve the Injunction standing ready for hearing and having been submitted by the plaintiff on notes, and by the defendant without argument the proceedings were read and considered — Whereupon it is ordered that the Injunction heretofore granted in this case be and the same is hereby continued until the final hearing or further order.

Theodorick Bland Clk.

And afterwards to wit on the 20th day of November 1841 the defendant aforesaid by his counsel aforesaid prayed an appeal from the said order of the Chancellor of the 26th day of April 1841 continuing the Injunction to the next Court of Appeals to be holden for the Western Shore of Maryland — And the said appeal was granted and the proceedings were ordered to be transmitted and the same were transmitted accordingly — And afterwards to wit on the 19th day of May 1842 came the complainant aforesaid by his solicitor Otho Scott Esquire and caused to be entered on the docket of the Court a general replication to the answer of the defendant filed in the said cause.

And at the same time came the parties aforesaid by their solicitors aforesaid and filed in the said cause the following agreement.

Thomas Hope } In Chancery.
vs. } It is agreed that a commission shall issue to
Thomas Hutchins } A. L. Parrett Esquire to take testimony in the above case

Otho Scott Sol. for Compt.
H. W. Archer, for Defendants.

And thereupon a commission was accordingly issued in pursuance of the said agreement to Abraham L. Parrett Esquire of Harford County to take testimony in the said cause.

And the said cause thus standing was continued from term to term until December Term 1848 at which term the commissioner aforesaid made return of his said Commission with his proceedings under the same in the words following to wit.

Maryland Ss. The State of Maryland to Abraham L. Parrett of Harford County Greeting, Know that we have appointed you to be our commissioner to examine witnesses in a cause depending in

our High Court of Chancery between Thomas Hope Complainant and Thomas Hutchins Defendant, We therefore require you 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 and produced to you by either the plaintiff or defendant and that you examine them on their corporal oaths to be by you administered upon 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 close under your hand and seal to us in our High Court of Chancery with all convenient speed — Witness the Honourable Theodorick Bland Esq. Chancellor this 19th day of May Anno Domini 1842.

Test. — Louis Gassaway Reg. Cur. Cam.

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 commission hereto 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.

The above oath administered by the undersigned a Justice of the peace on the 31st May 1842. — Stephen Jones

Clerks Oath. You shall truly faithfully and without partiality to any or either of the parties in this cause take write down & transcribe the depositions of all and every the witness and witnesses produced before and examined by the commissioners named in the commission hereunto annexed as far forth as you are directed and employed by the said Commissioners to take write down and transcribe the said depositions or any of them So help you God.

The above oath administered by me to Parker H. Lee whom I have appointed Clerk to attend the execution of this Commission this 31 May 1842. — A. L. Parrett, Comr.

No. 1.

Hope, } In Chancery.
vs. } Interrogatories to be propounded to William Nelson a wit-
Hutchins } ness summoned on the part of the defendant.

1st Do you know the parties to this cause.

2d Look at the paper now shewn you marked "Articles of agreement N. Hope and T. Hope and say whether or no it was executed in your presence by the parties whose names are attached thereto.

3 When you and Abel Alderson appraised the personal property of Thomas Hope Senior at whose request and for what purpose did you make the appraisement and did you or not understand from both