The execution of this commission will appear by the annexed Schedule

C. L. L. Leary Comr (Seal)

The annexed Schedule referred to in said endorsement is as follows towit:-

To the Hon. the Judges of Baltimore County Court in Equity.

The subscriber being the Commissioner named in the annexed Commission hereby Certifies that in the execution of the powers thereby vested in him, he did on the eleventh day of May, Eighteen hundred and forty nine proceed to the dwelling House of William H Travers in the City of Baltimore where Emma A Travers, the infant named in the said Commission, then was, and Caused the said infant to be brought before me, and then and there in the presence of the said infant assigned and appointed Peter Larey of the City of Baltimore guardian to the said infant and took the answer of the said infant by her said Guardian, and under the oath of the said guardian by me administered, to the Bill of Complaint in said Commission mentioned which said answer with said Commission is herewith returned closed under my hand and seal Eleventh day of May Eighteen hundred and forty nine.-

Cornelius L L Leary Commr (Seal)

The answer of Emma A Travers an infant under the age of twenty one years by Peter Leary her Guardian, to the Bill of Complaint of Orville Horwitz against her in this Court exhibited.

This defendant Cannot admit any of the matters and things alleged in the said Bill, and being an infant of tender years submits her rights to the protection of this Court-

Peter Leary Guardian

On this Eleventh day of May, Eighteen hundred and forty nine before the subscriber the Commissioner named in the annexed Commission personally appeared Peter Leary the Guardian above named, and made oath that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief.-

C L L Leary, Commr.-

And afterwards towit: on the fifteenth day of May in the year last aforesaid, the Court passed and filed in said Cause the following Interlocutory Decree towit:

Horwitz vs Travers et al } In Baltimore County Court: Equity side

The Defendants, William Higgins and Anne Travers having been duly summoned to appear to the Bill of Complaint, and having failed to appear thereto: It is thereupon this 15th day of May in the year Eighteen hundred and forty nine by Baltimore County Court, adjudged ordered and decreed that the Complainant is entitled to relief in the premises as against the said Defendants, William Higgins & Anne Travers; but because it doth not certainly appear to what relief the Complainant is entitled, it is further adjudged and ordered that a Commission or Commissions issue to such person or persons as shall be named by the Complainant to take testimony to support the allegations of the Bill.-

John C Le Grand

And afterwards towit on the nineteenth day of May in the year last aforesaid, the said Complainant, filed in said Cause the following Replications to the several answers filed in this Cause towit:-

To the Hon. the Judges of Baltimore County Court:-

The Replication of Orville Horwitz to the the several



answers filed in this Cause respectfully sheweth. That he avers and alleges that the matters and things stated in the original and amended Bills filed in this Cause are true, and he further avers that he is ready to establish the same by proof & insists that he is entitled to the relief prayed for in the said Bills.

Orville Horwitz.-

And on the same nineteenth day of May the following order to issue Commission to John Carrere and Joseph B Williams Esquires to take testimony was filed in said Cause, towit:-

Horwitz vs Travers et al } In Equity

Mr Bradford. Issue Commission to take testimony in above Cause to John Carrere and Jo. B Williams Esq

May 19th 1849.- Orville Horwitz

And a Commission issued accordingly.-

And on the same nineteenth day of May Peter Larey Guardian as aforesaid appears in Court here by L Howard Griffith. Esquire his Solicitor

And afterwards towit: on the twenty fourth day of May in the year last aforesaid the said Commissioners returned to the Court here closed up, under their hands and seals the following Commission &c towit:-

The State of Maryland To John Carrere and Joseph B Williams Esq Commissioners named on the part of the Complainant and Defendants. Know ye that you are appointed Commissioners to Examine Witnesses in a Cause depending in Baltimore County Court, on the Equity side thereof, between Orville Horwitz Complainant and William Higgins, Ann Travers, Emma A Travers R Ridgely Battes, William H Travers and James Lant. Therefore you are requested, after having 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, having first given notice to the respective parties or their solicitors, you Cause to come before you, all such witnesses as shall be named or produced to you either by 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 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 Judges of the said County Court with all convenient speed: Witness the Honorable William Brick, Chief Judge of our said County Court, the first day of May in the year eighteen hundred and forty nine. Issued the 19th day of May 1849

A W Bradford, Clk.-

## 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 every witness and witnesses produced and examined by virtue of the Commission hereunto annexed, upon the interrogatories now or which may