the same in the words following to wit.

Maryland Set. The State of Maryland. To J. Watkins Ligon Esquire of Howard District of Anne Arundel 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 Hugh McElderry Complainant and James Shipley and William H. Worthington. Thomas Lester and Isaac C. Anderson defendants. 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 Evangels 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 attorneys 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 our Commission close under your hand and seal to us in our High Court of Chancery with all convenient speed. Witness The Honorable Theodorick Bland Esquire Chancellor this 25th day of November 1843.

Test

Louis Gassaway Reg. Cur. Cancr

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.

Sworn before. John Forrest Justice of the Peace

Clerk's 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 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. Sworn before.

J. Watkins Ligon Com'r

Hugh McElderry
against
James Shipley, Thomas Lester, William H. Worthington and Isaac C. Anderson.

In Chancery.

Interrogatories to be produced to witnesses produced on the part of Complainant.

1st Do you know the parties to this suit?

2d Do you or do you not know whether the complainant furnished lumber for the erection of a House at Ellicotts Mills belonging to James Shipley if so, who negotiated for the purchase of said lumber, through whom, and by what means was it furnished, to whom was it charged, when and how delivered and when purchased.

3d Who was the Carpenter employed by Shipley to build the house referred to in the last interrogatory and by whom was the Lumber selected and purchased for building said house?

4 Were you present at the execution or delivery of the mortgage deed from James Shipley to Thomas Lester marked Exhibit A, or do you know the objects

for which it was given or the agreement of the parties in relation thereto. If so state all the circumstances in relation to such agreement and consideration.

5th Were you present at the execution or delivery of the Deed from Thomas Lester to the Complainant filed and marked Exhibit B or do you know the consideration or reason for which the said deed was given. If so state all the circumstances within your knowledge in relation thereto fully.

6. Do you know whether James Shipley was indebted to Thomas Lester on the 3d day of November 1841, and if so to what amount and for what.

7. Do you know whether James Shipley was indebted to Hugh McElderry on the 3rd day of November 1841, and if so to what amount and for what on the second day of April 1842 and whether on the 2nd day of April 1842 Thomas Lester was indebted to the Complainant, and if so to what amount and for what?

8th Did James Shipley know that Thomas Lester was about to give the Deed above referred to as Exhibit B to Complainant and if so was it actually given with the privity and consent of said Shipley.

9. Do you or do you not know whether the note drawn by McLaughlin and Butler dated July 23d 1841 in favor of James Shipley or order for one hundred dollars payable three months after date marked Exhibit C and passed by Shipley to Complainant was given as collateral Security or in what other manner it was given. Is the note shown you marked Exhibit C the same note?

10. Were you present at the sale of the house above spoken of under execution by the Sheriff when the defendant William H. Worthington became the purchaser thereof. If so state if you can whether it was known generally at said sale that there was a mortgage on said house in favor of Thomas Lester or Hugh McElderry, and particularly whether such fact was known at that time or before by William H. Worthington?

11. What was the clear value of James Shipley's interest in the said mortgaged premises at the time it was sold by the Sheriff under execution as aforesaid free from all incumbrances but ground rent?

12. What property were you possessed of at the time of the execution of the mortgage by you to Thomas Lester marked Exhibit A what was the value thereof and of your Credits what was the amount of your liabilities at that time.

13. State whether or not you had a conversation with Thomas Lester about the assignment of a mortgage from Thomas Lester to Hugh McElderry marked Exhibit B if so state the same fully and particularly?

14. Did or did not Lester tell you for what purpose James Shipley mortgaged the said property to him the said Lester. if so state the same.

15. Look at the note marked C and state in whose possession it now is, and to whom it belongs whether it has been passed by McLaughlin & Butler the drawers or any other person and whether or not suit has been brought upon it and if so how far the same has progressed.

Complainants Interrogatories to George Bond.

1. Do you know the value of the Store house built by James Shipley at the village of Ellicotts Mills in 1841 and 42. Do you know whether any and what offers were made to said Shipley to purchase said house and when state particularly.

Hugh McElderry
against
James Shipley
Thomas Lester
William H. Worthington
& Isaac C. Anderson

In Chancery

Defendants Cross Interrogatories to James Shipley a witness produced on the part of the Complainant

1. Have you been sued on the note referred to in the 15th Interrogatory?