dollars, during their lives & the life of the Survivor of them, to be paid semi annually. Further I will and devise, that whatever property shall be possessed of at the time of my death, which shall have been or may be acquired by me since the execution of my said Will, shall go to and be the property of the Revd Henry V. D. Johns, the legatee named in my Will, and this is to be understood & considered as in addition to the bequests and devises made to him in said Will, Each and Every of which bequests and devises I do hereby ratify & confirm.

In testimony whereof, I have hereunto set my hand & affixed my Seal, this twenty sixth day of October, in the year of our Lord Eighteen hundred & fifty four.

John Johns (Seal)

Signed, Sealed, published and declared by John Johns, the above named testator as and for a codicil to his last Will & testament, in the presence of us, who at his request, in his presence, and in the presence of Each other, have subscribed our names as Witnesses thereto.

D. C. McGuire
Wm D. Cassin
Wm Meade Addison.

And afterwards to wit on the Eighth day of April, in the year aforesaid Frederick Pinkney and Francis D. Tormey Esquires the stated Commissioners of this Court here, made return of the Commission to them as aforesaid directed with their proceedings under and in pursuance thereof, which and in the words and of the tenor following to wit:

The State of Maryland. To Frederick Pinkney & F. D. Tormey Esquires.

(Seal)

Commissioners named on the part of the Complainant.

Know you that you are appointed Commissioners to examine Witnesses in a cause depending in the Circuit Court for Baltimore City between John T. Johns Complainant and Revd Henry V. D. Johns & Montgomery Johns, Defendants.

Therefore you are required after having taken the Oath hereunto annexed, and also administered the annexed Oath to the person whom you shall appoint a Clerk to attend the execution of the commission, that at such time and place as to you shall seem convenient, you cause to come before you Amos Richards of Baltimore County and that you examine him upon his corporal Oath to be by you administered on the Holy Evangels of Almighty God, touching his knowledge or remembrance of anything that may relate to the cause aforesaid; and having reduced the deposition of the Witness so taken by you into writing, you send the same, with this commission, closed under your hands and seals to the Judge of the said Court, with all convenient speed.

Witness the Honorable William George Krebs, Judge of our said Court, the Eleventh day of January 1858. Issued the 3d day of February 1858.

Slade & Pagget & Nelson Complainant's Solicitors
Stewart, Johns & Schley, Defendant's Solicitor
Wm H. H. Emmert Clerk.

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 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 parties. So Help you God.

Clerks Oath

You shall truly faithfully and without partiality to any or either of these parties in this case, take, write down, and transcribe the depositions of all and every the Witness or Witnesses produced, being and examined by the Commissioners — or — of them named in the Commission hereunto annexed, as far forth as you are directed and employed by the said Commissioners — or — of them, to take write down and transcribe the said depositions, or any of them. So Help you God.

The execution of the within commission appears by certain Schedules thereto annexed.

F. D. Tormey (Seal)
Frederick Pinkney (Seal)
Commissioners.

Complainants Exhibit J. T. J. No 1.
Fd with Commissioners 9th February 1858
F. D. Tormey. Commissioner.

Kensey Johns
Last Will & Testament

In the name of God Amen

I Kensey Johns of Baltimore County in the State of Maryland being in usual health, sound of mind disposing mind, memory and understanding, considering the certainty of death and the uncertainty of the time thereof, and being desirous to settle my worldly affairs, and thereby be the better prepared to leave this World when it shall please God to call me hence, do therefore make and publish this my last Will and Testament, in manner and form following, (that is to say)

First and principally, I commit my Soul into the hands of Almighty God, and my body to the Earth, to be decently buried at the discretion of my executor hereinafter named and after my debts and funeral Charges and Special I devise and bequeath as follows.

Item, I give and bequeath unto the Vestry of Christ Church in the City of Baltimore, situated at the S. W. Corner of Gay and Fayette Streets One Thousand dollars to be placed in some Stock in the City of Baltimore and the yearly or half yearly income to be applied to the payment of my pew rent in said Church for Ever, and I do hereby give and bequeath said Pew to my Brothers and Sisters, and their Heirs in fee simple.

Item, It is my will and desire that all my colored people shall be free at my death.

Item, I give and bequeath, unto my two Sisters Mary Johns and Sarah W. Pottinger my present residence near to the City of Baltimore, within the City limits known by the name of "Everdale" containing thirteen acres and a half acres more or less, with the houses thereon, and advantages thereto belonging to them, and their Heirs, in fee simple.

Item; I give and bequeath unto my brother Benjamin Johns the obligation