Equity and to me directed, and empowering me to examine evidence in the cause depending in the said Court between Sarah Stiffler as Complainant and John Highberger and others, as defendants, I Francis M. Darby Commissioner therein named, having met on the 31st day of May A. D. 1859 at the office of J. S. Claggett in Hagerstown pursuant to previous notice thereof, given to the Solicitors of the said parties; and taken the oath annexed to said commission, did proceed there and then in the presence of Alfred D. Merrick and J. S. Claggett, Solicitors of the said parties respectively, to take the following depositions, to wit: Jeremiah Kuhn, a witness produced on the part of the Complainant, being duly sworn and examined to interrogatories filed with the Commissioner by the complainant and thereunto returned to - all of whose testimony the said J. S. Claggett, Solicitor for defendants excepts, deposes and says. 1. In answer to the first interrogatory, Witness say, that he is acquainted with the parties to this suit, has known Sarah Stiffler, John Highberger & Elizabeth his wife & Daniel Hill for about 26 or 27 years & Jonathan A. Hill, Daniel L. Hill, Ellen L. Hill, Mary E. Hill, Martha S. Hill, and Augustus L. Hill, witnesses, says he has known nearly all their lives. 2 In answer to the second interrogatory, Witness says, that in April 1849, Sarah Stiffler owned two houses and lots of ground, situate somewhat is called the "Back Street" in the town of Sharpsburg, Washington County, Maryland, that said lots adjoin each other, and one of said houses stands on the Square and the said Sarah occupied one of them at that time. 3 In answer to the third interrogatory, Witness says, that he was acquainted with George Stiffler in his life time and thinks he died in the fall of the year eighteen hundred and fifty-five, - that Sarah Stiffler lived with George Stiffler, and whenever the said George dealt with goodness in his store, and bought anything for the said Sarah, he (George) would not have it charged, but told him (witness) to keep a memorandum of the articles, and he would call and pay for them, as soon as he could draw some of the interest of his mothers money, which was entangled. - but when the said George bought goods for himself he sometimes had them charged and sometimes paid for them - that the said Sarah never came to the store to purchase goods for herself - Witness says, that about the year eighteen hundred and fifty one he was a Magistrate, and George Stiffler came to his office and asked him (Court) and also John Hill to go to his (George's) house; which they did, and there took a list of articles. Witness then asked the said Sarah whether she gave those articles to her son George, to which she answered "she did"; Mr. Hill opposed the transfer of the articles; but George Stiffler said he wished to save an administration on that property and that he would make all things right with the other heirs - Witness says, there were no other business

transactions that he knows of, except the acknowledgment of a deed before him (witness) as Magistrate and the transfer of three or four notes at the same time said deed was executed by the said Sarah - That he (witness) was not so very intimate with the said Sarah; but he thought that she did not know she was assigning those notes away to her own money at that time - that he supposed from the condition of her mind at that time that she was influenced to make those transfers by her son George and from his (witness's) conversations with George Stiffler, he thought that the said Sarah must have had unbounded confidence in him (George) and gave him charge of her money and business generally. 4 In answer to the fourth interrogatory, Witness says, that George Stiffler was in his (witness') store sometime in the year eighteen hundred and fifty one or fifty two, when Jacob H. Grove came in, and Mr. Grove then said to Stiffler, that as he (Stiffler) had all his mother's property transferred to him, he thought he ought to pay the claim that he, (Grove) held against his brother John Stiffler - And George Stiffler said that it should all be settled - Witness says he knows of no other representations as directed in said fourth interrogatory. 5 In answer to the fifth interrogatory, Witness says, that sometime in the year eighteen hundred and forty nine, George Stiffler sent for him to come to his (Stiffler's) house, and when he got there he found Mr. E. Cook & George Stiffler - That Stiffler then brought his mother in and told her he wanted her to acknowledge that deed which said Cook held in his hand, and make the mark; she then came forward very feebly (for she was about 80 years of age, witness thinks) and made her mark to the deed which Cook had - Cook then asked her if she acknowledged that deed to be her act to which she answered, yes! At that time Mr. Cook pulled out three or four notes, witness thinks that one of them was William Davis' note for $350. one of John Bakles' for $500 one Elie Bakes for $200. or $300, and the other Peter Showman's for what amount witness cannot say - that each of those notes had an assignment to George Stiffler written on its back, and to which assignments the said Sarah made her mark. Witness says that said deed was not read or explained to the said Sarah at that time; nor did any purchase money then pass between the parties thereto. Witness heard no other conversation as to said deed or other business transactions of the said Sarah. 6. In answer to the sixth interrogatory Witness says, that he thinks the said George Stiffler died in his lifetime, claim the said property that he sent lumber there to repair the fences; and persons regarded him as exercising ownership over it as he knew the property had been deeded to him; which is his (witness)