such claim part of the fund awarded to John Lewis in and by the Auditors Report filed in this cause and that they are all desirous of taking testimony in support of their said respective claims and also to take the testimony of George Earle the trustee in this cause heretofore appointed to be used at the final hearing in relation to their said claims, They therefore pray your Honor to pass an order authorizing them to take testimony generally for the purpose aforesaid and especially authorizing them to take testimony of George Earle trustee as aforesaid,

John C Groome Atty for self
Wm A T Cresswell atty for
Horrell and Dialogue

And afterwards to Wit on the same 20 day of April 1859 the Court here passed and entered an order in the words and figures following to Wit

Sarah C Earle vs John Lewis & E T Cannon | In the Circuit Court for Cecil County
In Chancery April 20 1859

On the foregoing petition it is ordered that the petitioner be and they are hereby authorized to take testimony generally in support of their said claims in the said petition mentioned and especially that they are hereby authorized to take testimony of George Earle the trustee in this cause all said testimony to be taken before any Commissioner of this Court to take testimony on giving three days Notice thereof to the adverse party or the Solicitor or Solicitors of said party and that the said testimony be used at the hearing in relation to the said claims subject to all legal exceptions,

And afterwards to Wit on the said 20 day of April 1859 an agreement in the words and figures and filed to Wit

Sarah C Earle vs John Lewis and Edwin T Cannon | In the Circuit Court for Cecil County
In Chancery,

It is agreed in this case that all the papers and proceedings in the three attachment cases pending in the answer of George Earle trustee to the petition of the said John Lewis and all mentioned and referred to in the several petitions of John V Wenrich John C Groome Admr of Jacob Hack and John Dialogue shall and may be used at the hearing on the petitions aforesaid in the same manner for all legal purposes as if duly proved and filed as part of the case,

John C Groome
Alexander Evans
Henry Archer } for Lewis
Wm A T Cresswell atty for Horrell & Dialogue

And afterwards to Wit on the 12 day of July 1859 the following order was filed to Wit.

J C Earle vs John Lewis and Edwin T Cannon | In the Circuit Court for Cecil County
In Chancery,

W H Richards Esq
Issue Commission to this court
Frances A Ellis and James S Crawford Esq Commissioners in Chancery for Cecil County take testimony.
W A T Cresswell Solr for Horrell & Dialogue.

Whereupon Commission issued in form following to Wit

Cecil County The State of Maryland to Frances A Ellis and James S Crawford Esquires Commissioners In Chancery &c Greeting Be it known that we are assured you are appointed Commissioners to examine witnesses in a cause depending in the Circuit Court for Cecil County in Equity between S E Earle Complainant and John Lewis and Edwin T Cannon defendants therefore we are requested having first taken the oath hereto 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 or produced to you by either the Plaintiff or defendant and that you examine them upon their respective oaths to be by you administered with the Holy Evangels of Almighty God touching their knowledge or remembrance of anything that may relate to the cause aforesaid and that you cause their answers to be reduced to be given to the parties or their attorneys of the execution of this commission before you execute the same and being reduced to the depositions of the witnesses so taken by you into writing you send the same with this commission closed up under your hand and seal to the said Circuit Court to be held at the Court House in Elkton in and for Cecil County aforesaid with all convenient speed Witness the Honorable John H Price Judge of the 6th Judicial Circuit of Maryland and as such Judge of the said Circuit Court the 12 day of July Anno Domini 1859.

Issued the 12 day of July 1859. Wm H Richards Clk

And afterwards to Wit on the 14 day of July in the year 1859 James S Crawford Esq one of the Commissioners named in the foregoing Commission made return of the same to the Court here therein endorsed to Wit, The execution of this Commission appears by a certain schedule thereto annexed,

J S Crawford (Seal)
Commissioner

The schedules referred to in the foregoing return are in the words and figures following to Wit

At the execution of the annexed Commission issued out of the Circuit Court for Cecil County in Chancery and directed to Frances A Ellis and James S Crawford and empowering them to examine witnesses in a cause depending in said Court between S E Earle Complainant and John Lewis and Edwin T Cannon defendants I James S Crawford one of the Commissioners therein named did on the 14 day of July A D 1859 pursuant to previous Notice thereof given to said parties proceed to the office of the County Commissioners of Cecil County in Elkton and in presence of John A T Cresswell Esq one of the Solicitors for the Petitioner named in said cause to take the following deposition to Wit. John A T Cresswell Esquire solicitor as above filed with your Commissioner certain written interrogatories to be propounded to George Earle a Witness produced on the part of the Petitioners named in the cause, and also certain paper writing marked respectively Exhibit C & D hereunto returned, George Earle a Witness of lawful age produced on the part of the Petitioners in this cause being duly sworn and examined to the Interrogatories aforesaid deposes and says, To the first Interrogatory He answers and says I am acquainted with John