Knowledge of matters tending to form the issue in the above case and your petitioner desires to examine them as Witnesses. Your petitioners therefore prays your Honor to pass an order authorizing your petitioners to examine said defendants as Witnesses,

P M Laughlin Solr for Complainant.

Which being read and heard the Court passed the following Order to Wit.

Ordered this 14 day of Decr 1860 on the foregoing petition that the Complainants be and they are hereby authorized to examine the defendants George Russell James Atchison and James Jackson Witnesses in the above cause, reserving all exceptions which can be made to their testimony.

Wm Ges Krebs.

And afterwards to Wit on the 24 day of December in the year aforesaid the Court here passed the following Order to Wit

Hodges and others vs Jackson and others

Circuit Court for Baltimore City

Ordered this 26th day of December 1860 that the proceedings under the execution in the cases of George Jackson John Foley and also against James Jackson be suspended until the further Order of this Court provided the said defendants on return of them bring into this Court the sum of five hundred dollars to be paid as the Court may direct said sum to be brought in on or before on Monday the 31st day of the present month, said sum to be paid to the Clerk of this Court and by him deposited in the usual manner in the Chesapeake & Bank to the Credit of the above cause,

Wm Ges Krebs

And afterwards to Wit on the 12 day of January in the year of our Lord 1861 the following Agreement was filed in the same cause to Wit,

Hodges and others vs Jackson and others

It is agreed in the above case that upon filing in this Court a certificate of City 6 per cent Stock for $500 or assigned by the defendant John Foley upon the 13th day of this Month, it shall in all respects be deemed and taken as a compliance with this Order of the Court filed the 24 Decr 1860 directing five hundred dollars to be brought into Court and deposited to the Credit of the cause Certificate to be made to G L Duany and Patrick M Laughlin trustees,

G L Duany for George Jackson
Patrick M Laughlin Solr for Complts.

14th January 1861. John Foley brings into Court Recd 25 Dividends of 5 Stock P M a certificate of Baltimore City Water Stock No 3708 for $520.50 in pursuance of Agreement,

And afterwards to Wit on the 19th day of March in the year last aforesaid Frances D Tormey Esquire to whom the Commission to take testimony in this cause was directed as aforesaid makes return of the Court here of the Commission in Chief together with his proceedings under and in pursuance thereof which are in the words and of the tenor following to Wit (see same with the further proceedings under the demand of the Commission on page 37 forward)

And the Commissioner aforesaid in like manner makes return to the Court here of the Commission & parts as follows to Wit.

The State of Maryland To F D Tormey Esq Commissioner named on the part of the Complainants, Know that you are appointed Commissioner to examine Witnesses

in a case depending in the Circuit Court for Baltimore City & between James Hodges and others Complainants and James Jackson John Foley James Atchison George Russell and George H Dallenkauff defendants. 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 after having given due 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 by the Complainants and that you examine them upon their Corporal Oaths to be by you administered on the Holy Evangels 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 Judge of the said Court with all Convenient Speed, Witness the Honorable William George Krebs Judge of our said Court this 13th day of November 1860.

Issued the 13th day of December 1860.

Robert T Rear Clerk

P M Laughlin Complainants Solr
G L Duany defendants Solr

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 examination 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 hereafter before the said Commission is closed be produced to and left with you by the parties. So help you God. Sworn to in Open Court

Robert T Rear Clerk

The Execution of this Commission appears by certain Schedules hereunto annexed

F D Tormey (Seal) Comr

James Hodges et al vs James Jackson et al

In the Circuit Court for Baltimore City.

By virtue of the annexed Commission issued out of the Circuit Court for Baltimore City in the cause above mentioned to me Frances D Tormey directed I hereby certify that having first taken the Oath to the said Commission annexed I met at my Office No 21 Lexington Street in the City of Baltimore State of Maryland at the request of the Solicitor of the Complainants on Monday the 17th day of December in the year 1861 and then and there proceeded to take the following depositions that is to say.

Monday 17th December 1860.

James Atchison a Witness for Complainants being sworn deposes and says, Knows none of the Complainants, but is acquainted with all the defendants Complainants Exhibit A filed under the Commission in Chief in this cause is now shown to Witness. Witness says that the property therein described was conveyed to him by George Jackson. I gave Jackson my Notes for the consideration money therein mentioned viz $5500 I gave him eleven Notes of $500 each. I paid no money on account of the said Notes. I renewed said Notes some six or six months ago. Jackson has never demanded payment of the Notes from me. I did not know I prepared the deed. I did not pay for preparing the deed. I presume Jackson did. Jackson paid for acknowledging the deed. he also paid for the recording of the deed. I never got possession of same property never got any profit from it. never paid any ground rent or taxes. I am not related to Jackson. Complainants Exhibit B filed under the Commission in Chief in this cause when shown to Witness. Witness says that on the same day that Jackson conveyed