

Staley and others } No 2444 Equity

vs } The Clerk will issue a Commission in this case to F. J. Nelson Esq to take testimony

Filed Sep 27 1852 Maryland So.

M. B. Sackett Compt's collection

Comr. to take testimony

The State of Maryland To Frederick J. Nelson Esq of Frederick County Greeting. Be it known, that you are appointed Commissioner to examine Evidence, in a cause depending in the Circuit Court for Frederick County, as a Court of Chancery between Joshua Staley and wife and others complainants and John W. Brutaker, Mary J. Brutaker and others defendants. You are therefore required 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 evidences 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 Evangelist of Almighty God touching their knowledge or remembrance of anything that may relate to the cause aforesaid, and that you cause notes to be given to the parties or their attorneys of the execution of the 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 Commission, closed under your hand and seal, into the Court as a Court of Chancery, with all convenient speed.

Witness the Honourable Madison Nelson Judge of said Court the 5th day of July Anno Domini 1852. Issued the 27th day of September 1852

Edward Shriver Clerk

Commissioner's 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 witnesses and witnesses produced and examined by virtue of the Commission hereunto annexed upon the interrogatories now or which may hereafter before the said Commission or closed be produced to and left with you, by either of said parties So help you God

Clerk's Oath - You shall, truly faithfully and without partiality to any or either of the parties in this cause, take note down, and transcribe the depositions of all and every the witnesses and witnesses produced 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, note down, and transcribe the said depositions or any of them So help you God

Enclosed "The execution of the enclosed Commission appears by papers enclosed" F. J. Nelson Comr. Seal

Staley & others } No 2444 Equity in the Circuit Court for Frederick County

vs } Interrogatories filed with the Commission by the Complainant, Inter 1. Did you know John Brutaker, Is he dead or living? if dead when did he die? 2. Inter. Did he leave any children? If yes, name them; state their ages and places of residence, of the daughters, which, if any, are married and to whom? Inter 3. Do you know the farm devised to John Brutaker for life by his father? if yes, state whether in your opinion it would be for the interest and advantage of the parties that it should be sold, Give your reasons

M. B. Sackett Solr for Compt.

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