

Exhibit. No. 2. to said answer is as follows. \$498.554. Baltimore Jan. 25. 1853.  
(254 Stamp.) Ninety days after date. I promise to pay to the Order of Adam Kahler  
four hundred & ninety eight dollars and <sup>55</sup>/<sub>100</sub> dollars, valued received.

"Endorsed" "Adam Kahler" Jacob Beam.

Thereupon the following Decree was passed.

Noah A. Gasaway, & John W. Ross.

No. 2523. Equity. In the Circuit Court, for  
Frederick County, sitting as a Court of Equity.  
January Term 1854.

Jacob Beam & Adam Kahler.

Jacob Beam, one of the defendants in this  
cause, having been duly summoned to appear to the Bill of Complaint & having  
failed to appear thereto. It is thereupon this 20<sup>th</sup> day of January, 1854 by Madison  
Nelson, Circuit Judge of the Circuit Court for Frederick County, sitting in Equity,  
and by the authority of said Court adjudged, ordered, and decreed, that the Complain-  
ants, are entitled to relief in the premises. But because it doth not certainly  
appear, to what relief the Complainants are entitled, it is further adjudged  
and ordered, that a Commission be issued to some person, as shall be named  
by the Complainant, to take Testimony to sustain the allegations in the Bill of  
Complaint.

To the Clerk of Circuit Court, for Frederick County In Equity.  
Issue a Commission to standing Commissioners.

Ross.

Maryland &c. The State of Maryland, to Robert Wilson Jr. & J. J. Nelson Esqrs. of  
Frederick Countyreeting - Be it known, that you are appointed Com-  
missioners, to examine evidence, in a Cause depending in the Cir-  
cuit Court for Frederick County, as a Court of Chancery - Between  
Noah Gasaway &c. Complainants, and Jacob Beam, and Adam Kahler defendants,  
you are therefore required, having first taken the Oath hereunto annexed  
and also administered the annexed Oath, to the person whom you shall ap-  
point 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 Evangelij of Almighty God, touching  
their knowledge, or remembrance of any thing that may relate to the Cause -  
aforesaid, and that you cause notice to be given to the parties, or their attornies -  
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, Close under your hand & Seal into  
Court, as a Court of Chancery, with all convenient speed.

Witness The Hon. Madison Nelson, Judge of said Court, the 2<sup>d</sup> day of January, Anno  
Domini 1854. Issued 20<sup>th</sup> day of January, 1854. Edw<sup>d</sup>. Shriver, ck.

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 and examined  
by virtue of the Commission hereunto annexed, upon the Interrogatories now -  
or which may hereafter befor said Commission is closed be produced & left with  
you, by either of said parties.

So help you God.

Clerks Oath.

You shall truly, faithfully, and without partiality, to any, or either of the parties.