

the Oath annexed to said Commission, for me to take (dispensing with the services of a clerk, the same not being deemed necessary.) did then and there, in the presence of John W. Ross, one of the Complainants, and Nelson Poe Esq. Solicitor for the Complainants and both the defendants proceed to take the following depositions, to wit:

Samuel Gasaway, a witness of lawful age, produced on the part of the Complainants, being duly sworn, and examined to the general Interrogatories, filed with the Commission by the Complainants, and herewith returned, deposes & says, to

Int. 1. I know all the parties - am Clerk of the Complainants, one of them is my Brother, and know John W. Ross - three or four years, and Jacob Beam, one of the defendants about the same time. Adam Kahler the other defendant I have known about two years.

Int. 2. There is a firm trading in the City of Baltimore as Noah & Gasaway & Co. the members are Noah & Gasaway & John W. Ross. They are engaged in the flour & Commission business.

Int. 3. There were such dealings, from July, 1852, to March, 1853. Consisting of the purchase of wheat, and the sale of flour, and feed.

Int. 4. I presented the two accounts, on the first page of Exhibit A to Jacob Beam, about one week after they were made out, some time in March, 1853. Mr. Beam said the accounts were satisfactory. He made no further admissions as to the amounts.

Int. 5. Note by the Commission. By Consent of the parties present, and of Nelson Poe Esq. Solicitor for Complainants, the examination of the witness to this Interrogatory was postponed to the next Session of the Commission.

Whereupon the Defendants exhibited their general Cross Interrogatories to be put to said witness, which are herewith returned, and the said witness, being examined thereon, deposes & says, to Cross.

Int. 1. The firm was formed July 1st 1852. It consisted of John W. Ross & Noah & Gasaway.

Int. 2. This was a balance due upon all the dealings of the parties to that time, which embraced in the accounts current, now produced, and filed, marked & numbered, 1, 2, 3, 4, 5 & 6.

Int. 3. Mr. Beam in this conversation did not say what the indebtedness was for.

Int. 4. I know nothing about it.

Int. 5. I know nothing further.

Int. 6. I never presented this paper to Mr. Kahler, and he never saw it to my knowledge. Jacob Beam, a witness of lawful age, and one of the defendants, produced, on the part of the Complainants, being duly sworn, and examined to special Interrogatories filed with the Commission by the Complainants, and herewith returned deposes, and says, to

Int. 1. I know all the parties, and have known them for ten or twelve years, or more.

Int. 2. I have the firm consists of John W. Ross, and Noah & Gasaway. I have been dealing with them for several years. The dealings were in Flour, and Grain, with Noah & Gasaway & Co. the nature of the business was the purchase of wheat, and the sale of flour, on Commission.

Int. 3. I have seen the account marked A. I think it was presented to me, by the Clerk, Samuel Gasaway. It was either this account, or something of the like amount. It was presented, some time in March, or February, 1853.

Int. 4. I did become indebted to Noah & Gasaway & Co. I cannot state the amount. I think the account, Exhibit A is correct. I think some objections were made by me to the charges for storage, and drayage. This indebtedness has not been paid. I do not know the amount. It would appear there are \$2582.56 with interest, from March 19, 1853. These accounts I think show a correct statement of the balances due.