

of the Circuit Court, for Frederick County, this 21st day of March, 1855.

(Seal)

Edw. Shriver Ck.

Served on the this 21st day of March, 1855.

John J. Nelson

The following was filed 19 June 1855.

To the Hon. M. Nelson - Judge of the Circuit Court, for Frederick County, sitting in Equity. Having duly qualified as Commissioner, and no witnesses having been produced before me, on or before the 2^d day of May, 1855. I herewith return said Commission, in pursuance of the Order of the Court, heretofore passed in said Cause, in Equity No. 2523, where in Gassaway & Co. are Complainants, and Deam & Kahler are defendants.

In Testimony whereof, I hereunto set my hand & seal, this 19th day of June, 1855.

Grayson Eichelberger (Seal)

Comm.

Endorsed: The execution of the enclosed Commission will appear by the return.

G. Eichelberger Comm. (Seal)

Whereupon the following Commission was issued, viz.

Maryland &c. The State of Maryland, to Grayson Eichelberger, 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 Equity, between Noah A. Gassaway & John W. Ross partners, trading as Noah A. Gassaway & Co. Complainants & Jacob Deam & Adam Kahler, defendants you are therefore required, having first taken the Oath hereto annexed, & 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, and produced to you, by either the Complainants, or defendants; 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 any thing that may relate to the Cause aforesaid, and that you cause notice 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, close, under your hand & seal, into the Court, as a Court of Equity, with all convenient speed. Witness the Honble. Madison Nelson, Judge of our said Court, the 16th day of October, Anno Domini 1854. Issued 30th day of October, 1854.

E. Shriver Ck.

Commissioner's Oath.

You shall, according to the best of your skill, and knowledge, truly, faithfully & without partiality, to any or either of the parties, take the examinations & depositions of all and every witness, and witnesses, produced, & examined by virtue of the Commission hereto annexed, upon the Interrogatories now, or which may hereafter before the said Commission is closed, be produced to, and left with you by either of said parties. So help you God. Sworn Before. M. J. Fathall.

Clerk's Oath.

You shall truly, faithfully, and without partiality, to any or either of the parties, in this cause, take write down, and transcribe the depositions of all and every the witness and witnesses, produced, and examined by the Commissioners named in the Commission, hereto annexed, as far forth as you are directed & employed by the said Commissioners, to take write down, and transcribe the said depositions, or any of them. So help you God.