

you all such Evidences as shall be named and produced to you by either the Complainant or defendants, 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 and seal, into the Court as a Court of Equity, with all convenient speed, Witness the Honorable Madison Nelson, Judge of our said Court, the 7th day of July Anno Domini 1856,

Edw^d. 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 witness and witnesses produced and examined by virtue of the Commission herewith 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 Gods.

Sworn before M^r Higgins

Com^r
Return

N^o 2679 Equity. At the execution of the annexed Commission issued out of the Circuit Court for Frederick County sitting as a Court of Equity, and to me directed and empowering me to examine evidences in the Cause depending in the said Court, between John J. Atkins as Complainant and David Keller & others as defendants, J. George K. Shellman the Commissioner therein named, having taken the oath annexed to the said Commission, & dispensed with a clerk did on the 16th day of August A. D. 1856 at my office in Frederick Town in the presence of the Complainant, & Solicitor, proceed to take the following depositions, to wit, Andrew Baet, a witness of lawful age, produced on the part of the Complainant being duly sworn & examined to interrogatories filed with the Commissioner by the Complainant's Solicitor and herewith returned deposes & says, To the 1st Interrogatory, that he does know all the parties, To 2^d Int. that he did know Jonathan Keller, he is dead having died in the month of June 1855, To 3^d Int. that said Jonathan Keller did leave a widow and children, his widow's name is Elizabeth Keller, the names of his children are, Lydia Keller, Casandra Keller, Elizabeth Keller, John Keller, Martin Keller, Robert Keller, James Keller & Charles Keller, who are under the age of twenty one years & Sarah, married to Solomon Shaaf, whom deponent thinks is under twenty one years of age, & Malinda, married to John J. Atkins, as to whom deponent is uncertain whether she is over or under said age, the widow & children all reside in Frederick County, Maryland, To 4th Int, that said Jonathan Keller did die seized of real estate, lying in Jefferson District of Fred^d County, which he purchased from Joseph Darnes, it is bounded on one side by the lands of Jonathan Rontzahn, by the lands of George Shafer on two sides & the lands of Barbara Baet on the other side. It contains five acres of land & is the same land described in a deed from Thomas J. Marlow & John Shafer to Joseph Darnes filed with the Commissioner & now shown deponent marked Exhibit N^o 1. The Complainant, & Solicitor then filed with the Commissioner as part of the testimony on the part of Complainant the certified copy of the 1st & final account of Daniel Keller, adm^r of Jonathan Keller, dec^d herewith returned. There being no other witnesses to be examined & no further time being desired for the production of evidences, the Commissioner closed the said Com=

Exhibit
N^o 1 to
Com^r Return