

Genl. Replication

Niriam McLain and Barbara McLain his wife and others

John J. McLain & others

No 3157 Equity. In the Circuit Court for Frederick County in Equity, W. Learty Clerk.

Enter a general replication to the answers of the infant defendants. W. S. & Chas. W. Ross Solicitors for Complainants.

Order to issue Com. & take testimony

Niriam McLain & others

John J. McLain and others

No 3157 Equity.

In the Circuit Court for Frederick County in Equity. J. W. L. Carty Esq. Clerk.

Leave Commission to William S. Nelson and Robert Wilson Esq. Commissioners to take testimony in this cause. W. S. & Chas. W. Ross Solicitors for Complainants.

Commission

Master J. S. The State of Maryland, To William S. Nelson and Robert Wilson Esq. of Frederick County, greeting. Be it known, that you are appointed Commissioners, to examine evidence in a cause depending in the Circuit Court for Frederick County as a Court of Equity, between Niriam McLain and Barbara McLain his wife Et al Complainants; John J. McLain and others defendants. You are therefore required, having first taken the oaths hereunto annexed, and also administered the annexed oath to the persons whom you shall appoint as Clerk to attend the execution of this Commission, that at such times and places as to you shall seem convenient, you cause to come before you all such evidence as shall be named and produced to you by either the Complainant or defendant - and that you examine them on their corporal oaths, to be by you administered upon the Holy Evangelists 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, and seal, into the Court as a Court of Equity, with all convenient speed. Witness the Hon. Madison Nelson, Judge of our said Court, 17th day of October A.D. 1864, James the 3rd day of November 1864.

Testimony

Commissioner's Oath

Chas. You shall, according to the best of your skill and acknowledge, 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 herunto annexed, upon the interrogatories now, or in which way hereafter, before the said Commission is closed, be produced to and left with you, by either of said parties. To keep you good.

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 Commissioner named in the Commission herunto annexed, as far forth as you are directed and employed by the said Commissioner to take, write down, and transcribe the said depositions, or any of them. To keep you good.

Interrogatories

Niriam McLain & Barbara his wife & others

John J. McLain, Selas McLain & others

No 3157 Equity. In the Circuit Court for Frederick County in Equity. Interrogatories to be proposed to witnesses.