

Cause depending in said Court, between The Central Bank of Frederick, as Complainants and Ely Ann Derr and others, as defendants, & William S. Nelson, Commissioner therein named, did, on the 28th day of September, Eighteen hundred and sixty four, at my Office in Frederick City, proceed, in the presence of the Complainant's Solicitor, to take the following depositions, to wit: Daniel Derr, a witness of lawful age, produced upon the part of the Complainant, being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant and herewith returned, deposes and says, >

To the 1st That he knows all the parties named in the title to interrogatories and that he has known them for some years.

To the 2^d That he was acquainted with Frederick Derr - that he was deponent's brother - that he is dead - that he died during December 1863 - that he died intestate that deponent is his administrator that he left a widow named Ely Ann, aged about twenty four years who is now in good health - that he left the following children, namely John W. Derr, David, Albert S. Harriet A. M. Hannah R. and Amanda S. Derr, all infants under the age of twenty one year and all residing in Frederick County, Maryland, except John W. Derr, who is in the U. S. Army and out of the State of Maryland.

To the 3^d That he is the administrator of Frederick Derr's estate - that said Frederick's personal property is insufficient to pay his debts - that it will be necessary to sell his real estate to pay his debts - that the property described in Exhibit No 2, now shown him is that of which said Frederick died seized and possessed.


To the 4th That he is acquainted with Frederick Derr's handwriting - that he has frequently seen him write - that the signature "Frederick Derr" attached to Exhibit "F. D." now shown him is the proper handwriting of the said Frederick Derr - that said Frederick told deponent that the note Exhibit "F. D." had not been paid.

Peter S. Shown, a witness of lawful age produced on the part of the Complainant, being duly sworn and examined to interrogatories filed with the Commissioner and herewith returned deposes and says, >


To the Special Interrogatory, >

That he is Cashier of the Central Bank of Frederick - that he looks at Exhibit "F. D." now shown him - that said note was filled up by deponent and left at the Central Bank for discount by Frederick Derr - that no part of the said note has been paid - that said note is the property of the Central Bank that said Frederick Derr had the original note discounted at said Central Bank.

There being no other witnesses present to be examined and the Complainant desiring no further time for the production of his witnesses and having filed with the Commissioner as evidence Exhibits "F. D." No 2 and No 3, which are herewith returned, the Commissioner closed the said Commission and herewith returns the same under his hand and seal on this 28th day of September Eighteen hundred and sixty four.

W. S. Nelson Com. 

Endorsed - The Operation of the within Commission will appear by certain schedules thereunto annexed.

W. S. Nelson Com. 

The Central Bank of Frederick

Deere

Ely Ann Derr, John W. Derr and others

No 3162. >

In the Circuit Court for Frederick County sitting as a Court of Equity,

Oct. Term 1864.

This case being duly submitted to the Court upon the bill, answers, exhibits, testimony and other proceedings which were read

Extract from Deposition Court etc.