

the 6th day of August 1864 at 11 O'clock A.M., at my law office, in the City of Frederick, to testify on behalf of the Complainants.

Witness my hand and seal this 29th day of July 1864 ~
 To pro Exchange Sheriff
 of Carroll County

Wm B. Nelson
 Commissioner

Endorsed Summons

Pro Exchange
 Sheriff

Testimony

At the execution of the within Commission issued out of the Circuit Court for Frederick County, and to me directed, and empowering me to examine evidences, in the cause depending in the said Court, between Leurgusht Phillips Ex^r &c of Noah Phillips deceased as Complainants, and Charles Wolfe et al. as defendants; I, William B. Nelson, Commissioner, did, on the Twenty Ninth day of July, in the year Eighteen hundred and sixty four, at my Office in Frederick City, Maryland, proceed to take the following testimony, to wit:

The Complainant filed with the Commissioner, as evidence, Exhibits Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, which are herewith returned by the Commissioner.

There being no Witnesses present to be examined, and the Complainants requiring further time for the production of his evidences, the said Commission was adjourned to the sixth day of August, Eighteen hundred and sixty four, at which time, and at my Office aforesaid I proceeded to take the following depositions, to wit:

Isaac Wright, 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 Int: ~ That he knows all the parties to this suit and has known them for some years ~

To the 2nd Int. ~ That he looks at Exhibits Nos. 1, 2, 3 & 4, that he knows the signatures attached to said Notes, that said notes were signed by Isaac Wright and Abraham Wolfe. That said notes were secured by Mortgage, executed by Isaac Wright to Noah Phillips, that Exhibit No. 5 is a copy of said Mortgage ~

To the 3rd Int. ~ That he did execute Exhibit No. 6, or the conveyance of which Exhibit No. 6, is a copy. The property therein described is the same as is described in Exhibit No. 5. That Abraham Wolfe was to pay certain claims against deponent in the hands of Isaac E. Pearson, amounting to about Four Hundred Dollars - That said Wolfe paid said claims to Isaac E. Pearson - That said Wolfe paid no money either to deponent or Noah Phillips ~

To the 4th Int. That he looks at Exhibits Nos. 7 & 8 - That he knows nothing in reference thereto, at least, that he has no recollection of the matter. ~

To the 5th Int: ~ That he was the Agent of Abraham Wolfe for the sale of the property described in Exhibit No. 6 - that said property was sold to Isaac E. Pearson for Seventeen hundred and Fifty or Eighteen hundred dollars. That none of the purchase money therefor was paid to this deponent or to Abraham Wolfe ~

To the 6th Int. ~ That the terms of said sale were to pay to Noah Phillips the amount of his Mortgage, and the balance to be applied by Isaac E. Pearson to deponent's use, that is, by payment of outstanding paper of deponent, and balance to deponent. ~

To the 7th Int. That he has seen Isaac E. Pearson write, and knows his handwriting - to the best of his knowledge the words in Exhibit No. 9 "the above is correct up to April 1st 1854," on the 4th of July 1854 paid Noah Phillips seven Hundred Dollars

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