

of the said Samuel L. Proyer, and were to be paid by him, and that the said Samuel L. should in all respects comply with the terms of said in the place and stead of said Duval and that upon the conveyance of the said land to the said Duval, upon the payment of the full purchase money therefor the said Duval was to convey the same to the said Samuel L. Proyer?

Int: 4th - Do you know whether the said agreement was actually carried into execution? And if so, what was done in pursuance thereof?

Int: 5th - Do you know who has been in possession of the land spoken of since the ratification of sale?

Int: 6th - Do you know whether such possession has been with the knowledge and consent of the said Duval up to his death, and of John L. Proyer one of the executors of Samuel Proyer?

Int: 7th - Do you know whether Samuel L. Proyer has paid or accounted for all the cash payments upon said land which were paid by or chargeable against said Stephen Duval?

Int: 8th - Do you know whether or not the said Samuel L. Proyer has made any improvements upon said land, since his possession thereof, and erected buildings thereon, and if so whether it was done with the knowledge and approval of said Duval, and in pursuance of the agreement you have testified to?

Int: 9th - Do you know whether or not since the agreement mentioned, Stephen Duval has departed this life, and if so, when, and did he leave a widow and children, and if so, state their names.

Wm. P. Mauldy & Wm. D. Mauldy Jr.  
Attorneys for Complainant

Commissioners State of Maryland  
Testimony

The State of Maryland to Francis Pringle and John E. Wood Esqrs of Frederick County, Esquires. Be it known, that you are appointed Commissioners to examine Evidence on a cause depending in the Circuit Court for Frederick County as a Court of Equity, between Samuel L. Proyer, Complainant, and John L. Proyer, Columbus F. Duval and others Defendants. You are therefore required, having first taken the oath hereunto annexed, and 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 evidences as shall be named and produced to you by either the Complainant or Defendants; and that you then on their solemn 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 witness so taken by you into writing, you send the same, with this commission, closed under your hand and seal, into the Court as a Court of Equity, with all convenient speed.

Witness the Honorable Madison Nelson, Chief Judge of our said Court, 14th day of December Anno Domini 1868

Issued the 20th day of January 1869

Charles Mealy, Clerk

Commissioners 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 hereunto 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 the parties. So help you God