

Testimony

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County, and to us directed, empowering us to examine evidence in the cause depending in the said Court, between George Kramer and Henry Fogle, we, Francis Brangle and J. C. Wood, Commissioners therein named, did on the 30th day of November A.D. 1868, at our office in Frederick City Md., then and there proceed to take Testimony, as: — the Complainant filed with the Commissioners as Evidence Exhibits herewith returned, and then and there, in the presence of the Complainant's Solicitor proceeded to take the following depositions, to wit:

D. W. Scholl, a witness of lawful age, produced on the part of the Complainant, being duly sworn and examined to Interrogatories filed with the Commissioners by the Complainant and herewith returned, deposes and says: —

To the 1st Int. — That he knows the parties to this suit, has known them for many years —

To the 2nd Int. — Exhibit "le" is in the hand writing of Deponent. —

To the 3rd Int. — April 2nd 1866, \$100. was paid, in 1867, he paid \$38.04. On the 1st of April 1868, principal and interest he owed \$209.90 on said property —

To the 4th Int. — Kramer agreed to let Fogle cut wood on the premises in consideration that the money arising from the sale of said wood, should be appropriated to the payment of the last installment under said Contract. \$38.04 was paid by Fogle on last installment on the first of May A.D. 1867. —

The 5th Int. — Waived. —

To the 6th Int. — The whole amount of purchase money was \$1000. and the amount due at the institution of this suit was \$871.86 —

There being no other witnesses present, the Commissioners, adjourned the Commission to the 7th day of December A.D. 1868, at which time and the place aforesaid, and in presence of Complainant's Solicitor, we took the following depositions, to wit: —

George Kramer a Witness of lawful age produced on the part of the Complainant being duly sworn and examined to Interrogatories filed with the Commissioners by the Complainant and herewith returned, deposes and says: —

To the 1st Int. — Waived. — To the 2nd Int. — Waived

To the 3rd Int. — Looks at Exhibit "le" — \$100. was paid April 2nd 1866. On May 1st 1867 he paid 38.04. Received on the 7th of May A.D. 1867, \$85.00 upon the second payment, leaving a balance of \$209.90 due and owing on the first of April 1868. Have received no other payments of money on the Contract other than what is to be credited to the last payment. —

The 4th, 5th and 6th Interrogatories, Waived. —

There being no other Witnesses present to be examined, on the Complainant's requiring no further time for the production of his Evidence, the Commissioners closed the said Commission and herewith return the same under their hands and seals, on the 8th day of December A.D. 1868 —

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| Commissioners fees | \$ 16.00 | J | Francis Brangle | (Seal) |
| Sheriffs | .80 | | J. C. Wood | (Seal) |
| D. W. Scholl | .75 | | Kramer | |
| George Kramer | .75 | | Francis Brangle | (Seal) |
| | | | J. C. Wood | (Seal) |

Which is thus endorsed —

The Execution of the within Commission will appear by certain Schedules thereto annexed. —
Filed Dec 7th 1868 —
Francis Brangle (Seal)
J. C. Wood (Seal)