Interlocutory Decree

Randolph Dudrear Assignee of George Wachter vs Jacob H Staley

No. 3481 Equity. ~

In the Circuit Court for Frederick County. ~

The Defendant in the above case having been duly summoned Summoned and appearing to the Bill of Complaint but failing to file his answer thereto. ~ It is thereupon this 17th day of December in the year Eighteen hundred and Sixty Nine, by the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity, and by the Authority of the said Court, adjudged, ordered and decreed, that the Complainant is Entitled to relief in the premises, But because it doth not certainly appear to what relief the Complainant is entitled, it is further adjudged, Ordered and decreed, that a Commission issue to Francis Brengle and J E R Wood Esqrs, the standing Commissioners to take Testimony to support the allegations of the Bill. ~

Filed December 17th 1869 ~

John A Lynch

Commission to take Testimony

Maryland, Set:

The State of Maryland, To Francis Brengle and John E R Wood Esqrs of Frederick County, Greeting. ~

Be it Known, That you are appointed Commissioner, to examine Evidences in a Cause depending in the Circuit Court for Frederick County as a Court of Equity, between Randolph Dudrear Assignee of George Wachter Complainant, and Jacob H Staley Defendant. ~ You are therefore required, having first taken the oath hereunto annexed, 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 defendant, and that you examine them on their Corporal Oaths, to be by you administered upon the Holy Evangely of Almighty God, touching their knowledge or remembrance of anything 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, as 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, 13th day of December 1869 ~

Charles Mantz Clerk

Commissioner's 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 said parties. ~ So help you God!

Clerk's Oath

You shall truly, faithfully, and without partiality to any or either of the parties to 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 hereunto 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. So help you God! ~