

You are therefore required, having first taken the Oaths 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 come to come before you all such evidence as shall be named and produced to you by either the Complainant and Defendant; and that you examine them on their corporal oaths, to be by you administered upon the Holy Evangelij 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 witnesses, as taken by you, into writing, you send the same, with this commission, closed under your hand and seal, into this Court as a Court of Equity, with all convenient speed.

Witness, the Honourable Richard J. Bowie, Chief Judge of our said Court 19th day of February Anno Domini 1872.

Issued the 14th day of March 1872

Charles Martz, Clerk.

Commissioner's Oath

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 either 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.

Testimony

At the execution of the annexed commission issued out of the Circuit Court for Frederick County, sitting as a Court of Equity, and to us directed and empowering us to examine evidence in a cause depending in said Court between Henry Clay Preston and others as Complainants and Thomas Preston Preston and others as Defendants, we William B. Stelow and J. S. Wood, Commissioners therein named having met at our office in Frederick City, Maryland on Tuesday the 19th day of March A. D. 1872, did then and there proceed to take the following testimony to wit:

The Complainants filed with the commissioners as evidence Exhibits A and B. The Commissioners then proceeded to take the following depositions to wit: John P. Thompson, a witness of lawful age produced on the part of the Complainants being duly sworn and examined to interrogatories filed with the commissioners by the Complainants and herewith returned deposes and says to 1st Int. I know all the parties and have known them for some years, to 2nd Int. I know Thomas Preston one of the Defendants, He is about sixty years of age, resides in a Morrona, Frederick County Maryland. His ^{children} are Henry C. Preston, George A. Preston, Ann S. Preston, Howard P. Preston, William A. Preston and Mary C. Preston. Henry C. Preston, Ann S. Preston and George A. Preston are adults, the rest are all infants under twenty-one years of age, Henry C. resides in Iowa Geo. A. resides in Illinois, all the rest reside in Frederick County Maryland.

To 3rd Int. I look at Exhibits A and B, here shown me, The said Exhibits describe the property of which Thomas Thomas is now in possession which is the same property devised to him and his children by Mary Baldwin, it is devised to Thomas Preston for and during his life