

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 herunto 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.

Filed April 18. 1873.

Testimony

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County and to us directed and empowering us to examine evidences in the cause therein depending between Mary Ann Stansbury as Complainant and Edward Gallagher and others as Defendants, We William B. Nelson and John C. Wood, Commissioners therein named did on the eighteenth day of April Eighteen Hundred and seventy three, at the Office of William B. Nelson, Esquire in Frederick City, and proceed to take the following testimony. The Complainant filed with the Commissioners as evidence Exhibits A, B, C, and D, which are herewith returned by the said Commissioners, and there being no witnesses present to be examined and further time being required for the production of evidences, the said Commission was adjourned to the twenty-fifth day of April Eighteen Hundred and seventy three, at which time and at the place aforesaid, We then and there in the presence of the Complainant's Solicitor proceeded to take the following depositions to-wit:

1st Sub: Nicholas Stansbury a witness of lawful age, produced upon 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 Sub: That he knows the parties to this suit and has known them for some years

2nd Sub: I was, he resided in Quanttsburg District, Frederick County, Maryland. He is dead, he died about a year ago in Quanttsburg District aforesaid without leaving a widow and intestate.

3rd Sub: He did namely; Mary Ann Stansbury, Adult and a sister, and Edward Gallagher Adult, a son of a sister Susanna Gallagher deceased, that said Mary Ann resided in Carroll County Md and Edward Gallagher resided out of the State of Maryland; that he knows of no other heirs.

4th Sub: He did, Looks at Exhibits A, B, C, D now here shown him and that they properly described the Real Estate of which Abdul S. Nagers died seized and possessed.

5th Sub: That said Real Estate is not susceptible of an advantageous division among the parties interested & that it would be for the benefit and advantage of all parties concerned, that the same should be sold and