

Circuit Court for Frederick County) as a Court of Equity between Lewis O Butler Administrator of Joseph Butler dec'd Complainant, and Mary Brooks and Henry Brooks her husband 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 evidence 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 Evangelists 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 this Commission before you execute the same, and having reduced the depositions of the witnesses so 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 Honorable Richard J. Power Chief Judge of our said Court the 18th day of September Anno Domini 1876.

Issued the 31st day of October 1876.

Thomas Gorsuch, 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 be produced to and left with you by either of said parties So help you God

Interrogatory

Lewis O Butler Administrator of Joseph Butler dec'd
vs
Mary Brooks & Henry Brooks her husband

No 4161 Equity
In the Circuit Court for Frederick County, as a Court of Equity

Interrogatories to be propounded to witnesses to be produced on the part of the Complainant

- 1 Are you acquainted with the parties to this suit or any or either of them, if you state how long you have known them and each of them
- 2 Were you or not acquainted with one Joseph Butler late of Frederick County, if you or he dead or alive, if dead when and where did he die
- 3 Look at paper now shown you marked Exhibit No 2, state whose signatures are attached thereto by whom made, and all your knowledge herein
- 4 State all you know as to what has been done under said agreement and how far the same has been carried out, and any conversation you had with the Defendant or either of them in regard to the same, who is in possession of the Real Estate which Joseph Butler by said Agreement agreed to sell to the Defendants

C. F. Levy
Solicitor for Complainants

Filed Nov 3 1876.

Testimony

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County and to me directed and empowering me to evidence in the cause between Lewis O Butler Administrator of Joseph Butler deceased as Complainant and Mary Brooks and Henry Brooks her husband as Defendants, I, William B. Nelson Commissioner