

which are herewith filed, which your Petitioners pray may, or taken and considered as part of, this their petition. The same as if herein inserted in words and figures. Your Petitioners further state, that the said testimony was taken in the office of the said William B Nelson Esq. Commissioner aforesaid, and also in the office of said Fred. J. Nelson Esq. and contains his books and papers shown at the taking of said testimony the said Frederick J. Nelson Esq. was present, and conducted the Examination on the part of the defendants Basil Wood and Charlotte Wood his wife and was and is now the Solicitor for said Basil Wood and Charlotte, i.e. Wood his wife. That, thereupon the Solicitor for the complainant served notice upon the said Frederick J. Nelson to produce said paper Writing the same to be used as Evidence in said cause; which notice was duly accepted by said Solicitor, but who refused to produce said paper Writing. Your Petitioners further state, that the said paper Writing, shown of by the Witness Charlotte C. Wood contains Evidence relating to the matter in dispute, between the parties, which is material and necessary, and shows that the said Thomas Hammond claimed and exercised ownership over the property, now claimed by the defendant, Charlotte C. Wood as a gift from said Thomas Hammond long subsequent to the date of the alleged gift. Your Petitioners further allege that they cannot in their judgment, further proceed with the cross Examination of said Witness on the trial of said cause, without the benefit of said paper Writing. Your Petitioner therefore pray your Honors to pass an order requiring the said Basil Wood & Charlotte C. Wood his wife or Frederick J. Nelson Esq. the Solicitor for the said Defendants Basil Wood and Charlotte C. Wood his wife, to produce said paper Writing, specifically in said Petition before William B Nelson Esq. Commissioner to take testimony as aforesaid, or show good cause to the contrary on or before some day to be named in said Order. Provided a copy of said order be served on the said Basil Wood and Charlotte C. Wood or Frederick J. Nelson Esq. on or before some day, to be named in said Order.

And as in duty, &c

Wm. P. Mansby Jr.,  
Charles W. Ross  
Sol for Complainant.

State of Maryland Frederick County, Md.  
I hereby certify that on this 30th. day of August, 1877, before me the Sub-  
scribed Clerk of the Circuit Court for Frederick County personally appeared  
John W. Board, one of the complainants and made Oath, in due form of  
law that the matters and things stated in said Petition are true to  
the best of his knowledge information and belief and that said paper  
writing therein referred to contains material and necessary evidence  
without the benefit of which they cannot safely proceed to trial

Thomas Gorsuch  
Clerk

Answer of  
Fred Nelson  
to Petition

Courts Order  
referring  
Petitioners  
Commissioner  
to take  
testimony