

Mary Neubaum his wife) vs Petition Complainant, and Jacob Neubaum Objector to ratification of sale, Defendant. 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 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 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 Attornies, 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 in a Court of Equity, with all convenient speed.

Witness the Honourable Richard D. Bove of our said Court the 9th day of December Anno Domini 1878.

Witness the 8th day of February 1879

Thos Genoch Clerk.

Commissioner's Oath.

You shall according to the best of your skill and knowledge, truly, faithfully and without partiality being 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.

Filed Feb'y. 20. 1879

Testimony

At the execution of the annexed Commission, issued out of the Court for Frederick County, sitting in Equity, and to me directed & empowering me to examine Evidences in the cause therein depending between Joseph H. Hartwick Mortgagee and Jacob Neubaum Exceptant &c. I, William B. Nelson, one of the Commissioners therein named did on the 8th day of February A.D. 1879 at my Office in Frederick City Maryland issue Subpoena for witnesses to testify before me in said cause, upon the part of the Exceptant, returnable on the 12th day of February A.D. 1879 at which time and at the place aforesaid, I then and there in the presence of the Solicitors for the Mortgagee & Exceptant proceed to take the following Testimony to wit. The Exceptant filed with the Commissioner as evidence Exhibits Nos. 1 & 2, which are herewith returned by the said Commissioner.

James Meyerly, a witness of lawful age produced upon the part of the Exceptant being duly sworn & examined