

No. 4515 Equity

Robert G. Samar and Kate Samar his wife, Charles E. Samar, John P. Jones, James McSherry and James M. Hood having been duly summoned to appear to the Bill of Complaint, and having failed to appear thereto within the time prescribed by the rules of this Court -

It is therefore this Twenty first day of October in the year Eighteen hundred and seventy nine by the Circuit Court for Frederick County sitting as a Court of Equity adjudged, ordered and decreed that the Complainant is entitled to relief in the premises. But because it does not, certainly appear to what relief the Complainant is entitled it is further ordered and adjudged that a Commission issue to the Commissioners of this Court to take testimony to support the allegations of the Bill

John A. Lynch
Judge of the Cir - Court

Filed Oct 21, 1879.

No 4515 Equity

Maryland, Oct.

The State of Maryland, To William B. Shelton and John E. St. Wood Esqs of Frederick County, Greeting



Be it known, that you are appointed Commissioners to examine Evidence in a cause depending in the Circuit Court for Frederick County as a Court of Equity, between Jacob B. Tyson, Surg. Partner of Jona. Tyson tradg. &c as J. Tyson & Son, Complainant; and Richard H. Samar, Robert G. Samar & others 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 Evangel 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 witness, so taken by you, into writing, you send the same, with this Commission, closed under your hand and seal, in to this Court as a Court of Equity, with all convenient speed.

Witness, the Honorable Richard J. Bowie, Chief Judge of our said Court, the 15th day of September, Anno Domini, 1879.

Issued the 21st day of Oct, 1879

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 examination and deposition of all and every witness and witnesses produced and examined by either of the Commission hereto 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.

Commission
to Commrs to
Take testimony