

## No 11118 Equity

ants, and Sophia Horner, John Agnew Vmfg and other defendants.

Commissioners  
Commissioner

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 merits and that to be by you administered upon the Holy Evangelist of Almighty God, touching their knowledge or remembrance of anything that may relate to the cause aforesaid, and that you cause notice 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. Berne Chief Judge of our said Court 12th day of May Anno Domini 1879.

Issued the 7th day of August 1879.

Filed Jan. 19, 1880

Thomas Gorsuch, Clerk

### Commissioners 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 depositions of all and every the witnesses and witnesses produced and examined by virtue of the commission hereunto annexed, upon the interrogatories now, or which may hereafter, before the said commission, closed, be produced to and left with you, by either of said parties. So help you God.

### Clerk's Oath

You shall truly, faithfully, and without partiality to, any or either of the parties to this cause, take, write down, and transcribe, the depositions of all and every the witnesses and witnesses produced and examined by the Commissioner named in the commission hereunto annexed, as far forth as you are directed and employed by the said Commissioner to take, write down, and transcribe the said depositions, or any of them. So help you God.

At the execution of the annexed Commission, issued out of the Circuit Court for Frederick County, and to me directed, and empowering me to examine evidences in the cause No 11118 Equity, then depending, between Newton M. Horner & others, as Complainants, and Sophia Horner & others, as Defendants, I William B. Nelson, Commissioner therein named, did on the 7th day of August, A. D. 1879 at my office in Frederick City, Maryland, open the said Commission and issue subpoena for witnesses to testify on the part of the Complainants, returnable on 11th day of August A. D. 1879, at which time and at the place aforesaid, I, then & there by consent, adjourned the said Commission to the 9th day of September A. D. 1879, at which time and at the place aforesaid, I, then and there in the presence of the Solicitors for the Complainants, and Defendants, proceeded to take the following testimony, to wit:

Teste  
of  
In witness