No. 4242 Equity

as shall be named, and produced to you by either the Complainant or Defendant, and that you examine them on their Corporal oaths, to by you administered upon the Holy Evangely 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 witness, 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. Bowie, Chief Judge of our said Court the 13 day of May, Anno Domini, 1878.

Issued the 25 day of May 1878.

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 is 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 deposition of all and every the witness 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, & to me directed, Empowering me to examine Witnesses in the cause therein depending, In the matter of Exceptions to Report of Sales of Joshua J. Zimmerman & Samuel J. Shellman, Trustees of Mary Ann Fraley & Francis M. Fraley, I, William B. Nelson, Commissioner therein named, did on the 31st day of May, A. D. 1878, at my Office in Frederick City, Maryland, then & there, in the presence of the Solicitors for the Exceptants and Respondents, proceed to take the following Testimony, to wit:

The Complainant filed with the Commissioner as Evidence "Exhibit No 1," which is herewith returned by the Commissioner

Francis M. Fraley, a witness of lawful age, produced upon the part of the Exceptant, being duly sworn and examined to Interrogatories filed with the Commissioner by the Exceptants, and herewith returned, deposes and says, to the

1st Interrogatory.— What is your name and residence?

Answer.— My name is Francis M. Fraley, & I reside in Frederick County, Maryland

2nd Interrogatory.— Do you know the parties to this suit?

Answer.— Yes Sir.