

No 4805 Equity

between of James Duvall and Mary D Duvall his wife, Mary R Duvall, Elizabeth A Sank and Ellen S Ditzbaugh Complainants and George F Duvall, Charles E Duvall & Daniel P Duvall, William Mount and Alice S Mount his wife Nancy Jane Duvall Nettie P Duvall and others Defendants. You are therefore required, having first taken the Oath herunto 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 administered upon the Holy Evangelly of Almighty God, touching their knowledge or remembrance of anything that may relate to the Cause afore said; 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 John Ritchie, Chief Judge of our said Court the Eighth day of May Anno Domini 1882,

Issued the 11th day of August 1882

(U. & C.)

Adolphus Fearhake Jr 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 herunto 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 herunto 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 sitting as a Court of Equity and directed to John E R Hood and Clayton O Keady Commissioners therein named and empowering them or either of them to examine evidences in a Cause depending in said Court between of James Duvall and Mary D Duvall, his wife, Mary R Duvall, Elizabeth A Sank and Ellen S Ditzbaugh Complainants and George F Duvall Charles E Duvall and Daniel P Duvall and others Defendants, I Clayton O Keady one of the Commissioners named in said Commission having met at my office in Frederick City Maryland, pursuant to previous notice thereof given and in the absence of John E R Hood, Commissioner, on the fifteenth day of August A.D. 1882, did then and there proceed to take the following testimony, to wit:

The Complainants filed with the Commissioner as evidence Exhibits No 1 & 2 & 3 which are herewith returned by said Commissioner.

James Duvall a witness of lawful age produced on the