Agree to accept this answer without oath.
Wm. Schley, Solr. for Complainant.

And on the day and year last aforesaid, came the complainants aforesaid by their solicitor aforesaid and caused to be entered on the Docket of the Court a General Replication to the answers of the defendants filed in the said cause. And at the same time a commission was issued to the standing commissioners for the City of Baltimore to take Testimony in the said cause. And afterwards to wit on the twenty eighth day of March, one thousand eight hundred and forty six the said commissioners made return of the said Commission with their proceedings under the same in the words following to wit.

Maryland Ss. The State of Maryland To Benjamin C. Presstman and Frederick Pinkney of Baltimore County Greeting. Know that we have appointed you to be our commissioners to examine evidences in a cause depending in our High Court of Chancery, between Robert M. Gibbes, Charles & Thomas Oliver complainants, and William C. Cunningham Henry Wayman & others defendants, We therefore require you, 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 plaintiff or defendant, and that you examine them on their corporal oaths, to be by you administered upon the Holy Evangels of Almighty God touching their knowledge or remembrance of any thing 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 our commission, close under your hand and seal to us in our High Court of Chancery, with all convenient speed. Witness the Honorable Theodorick Bland Esquire Chancellor this 20th day of January Anno Dominii 1846. Test. Louis Gassaway Reg. Cur. Can.

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 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 the said parties. So help you God.

Clerks Oath. You shall truly, faithfully, and without partiality to any or either of the parties in this cause, take, write down and transcribe the depositions of all and every the witness and witnesses produced before and examined by the Commissioners, named in the Commission hereunto annexed, as far forth as you are directed and employed by the said commissioners to take, write down and transcribe the said depositions or any of them. So help you God. The execution of this commission appears by certain schedules hereunto annexed.

B. C. Presstman (Seal) Frederick Pinkney (Seal) Commrs.

Complainants costs for executing this Commission $16.00.
Paid by Complainants.
B. C. Presstman,
Frederick Pinkney, Commissioners.

Robert M. Gibbes, Charles Oliver and Thomas Oliver, vs. William C. Cunningham Henry Wayman and others.

In the High Court of Chancery.
Interrogatories to be propounded to the witnesses to be produced sworn & examined on the part of the complainants in the cause above entitled before the Commissioners &c.

1. Do you know the parties to this suit or any & which of them, and how long have you known them respectively.
2. Did you know the late James Cunningham of Frederick County, deceased, in his life time, If yea, how long did you know him & when did he die.
3. Look upon the paper now shewn to you, marked exhibit 3, and when you shall have examined it, please say, if known to you, in whose hand writing the name James Cunningham thereto subscribed is written & state also your sources & means of knowledge.
4. Look upon the paper, now shewn to you, and marked exhibit No. 4, Do you know in whose hand writing said paper is written, Do you know whether or not, the same is an original or a copy, and if a copy do you know where the original paper is, or what has become of it, and if lost, or destroyed to your knowledge, do you know whether or not the original paper was signed by said James Cunningham deceased in his life time, State all your knowledge in the premises fully and particularly.
5. Do you know any other matter or thing material to the matters in controversy between the parties in this cause if yea please state the same.
Wm. Schley Solr. for Compt.

Robert M. Gibbes, Charles Oliver and Thomas Oliver vs. William C. Cunningham Henry Wayman and others.

In the High Court of Chancery.
At the execution of the annexed commission issued out of the High Court of Chancery and to us directed, and empowering us to examine evidence in the cause depending in said Court between Robert M. Gibbes, Charles Oliver and Thomas Oliver as complainants, and William C. Cunningham, Henry Wayman, and others, as defendants, We Benjamin C. Presstman and Frederick Pinkney, the commissioners therein named having met on the eighteenth day of March, in the year of our Lord eighteen hundred and forty six at the City of Baltimore, and having appointed the twenty sixth day of March in the year aforesaid at the hour of five o'clock in the afternoon, at the office of David M. Raine Esq. Register of Wills for Baltimore County, in the City of Baltimore, for the execution thereof, met at the last mentioned time and place pursuant to notice, when the complainants solicitor filed with us the exhibits hereunto annexed and respectively marked exhibits No. 4 and 5, and we then and there proceeded to take the following depositions, that is to say.

William Schley, a witness of lawful age, being first duly sworn on the Holy Evangels of Almighty God, produced on behalf of the complainants and examined upon interrogatories filed on behalf of the complainants and hereunto annexed, makes oath, deposeth and saith as follows, that is to say.