October 1847 before the subscriber a Justice of the peace of the State of Maryland in and for the City of Baltimore. William Warfield.

Clerk's 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.

John Hopkins & others vs Orville Horwitz and George W. Nutwell — In Chancery

Complainants Interrogatories to Thomas S. Alexander.

1st. Are you or not acquainted with the parties to this suit? If yea how long have you known them?

2d. Look at the paper now shown you marked T. S. A. Is or is not the signature G. W. Nutwell in the hand writing of the defendant Nutwell?

3. Look at the endorsement on said paper "Battee and Lowe" Is or is not the same in the hand writing of the said Battee and Lowe or one of them?

4th. Do you or not know any thing of the assignment of said paper to the Complainant Hopkins? If yea state upon what Consideration the same was made.

John Hopkins & others vs George W. Nutwell and Orville Horwitz. — In Chancery

In pursuance of the annexed Commission issued to me in the above cause I John Carrer do hereby certify that having taken the oath annexed to said Commission I did on the fourth day of October 1847 at the City of Baltimore and in the presence of the solicitor of the Complainants take the following depositions, the said Complainants having filed in evidence on said day the paper writing marked T. S. A. and Complainants Exhibit B. Thomas S. Alexander of lawful age produced sworn and examined on the part of the Complainants deposes as follows

1. To the first Inty. he answers that he has been acquainted with all the parties for a number of years.

2. To the second Inty. he answers that he cannot say that he is sufficiently acquainted with the hand writing of George W. Nutwell the defendant to say from the inspection of said paper "T. S. A." alone that the signature "G. W. Nutwell" thereto is in the hand writing of said Nutwell but that the said paper was in deponents hands as Counsel for Battee and Lowe two of the Complainants for years and he believes, it was in his possession at the time he prepared the mortgage the original of Complainants Exhibit B that he has had frequent conversations with said Nutwell in reference to said claim and said Nutwell has always admitted the said note to be his.

3. To the Third Inty. he answers that the signatures Battee and Lowe endorsed on said paper T. S. A. is in the proper hand writing of the Complainant Richard H. Battee with whose hand writing deponent is familiar having frequently seen him write and having frequently received letters from

him on the subject of business in deponents hands as his Counsel, and he is strongly impressed with the belief that said endorsement was made by Battee in his presence

4. To the Fourth Inty he answers that the said endorsement was made by the said Battee for the purpose of transferring said paper, the debt thereby secured and the mortgage of which Complainants Exhibit B is a Copy to the Complainant John Hopkins and the Consideration of the assignment was the sum of nine hundred and ninety nine and forty six cents the principal and interest due on said paper T. S. A. at the time of said assignment which sum was paid to the said Battee and Lowe by this deponent on behalf of said Hopkins and from an entry in his check book he believes the said payment was made on the 18th day of September 1846 — There were matters of account existing between the said Hopkins and the said Battee and Lowe which were adjusted about that time and that adjustment was in part, or perhaps entirely, the motive with said Hopkins for purchasing said paper deponent knows that the payment of the sum above mentioned was made by him on behalf of said Hopkins and was received by the said Battee and Lowe as the estimated balance due on said paper and as a Consideration for the assignment thereof. The Commission was then closed.

In Testimony whereof I hereto set my hand and seal this 4th day of October Eighteen hundred and forty seven. Jno Carrer (Seal)

Exhibit T. S. A. filed with Commissioner the 4 Oct 1847.

Jno Carrer Comr

$1293 97/100 Balt May 24th 1842.

On demand I promise to pay Battee and Lowe or order twelve hundred and ninety three 97/100 dollars value received. G. W. Nutwell.

1846 June 24th By Cash $500.

For value received we direct payment of the within to John Hopkins and assign to him all our interest and estate in a mortgage made by G. W. Nutwell to us to secure this note. Battee and Lowe.

Dr.	1293-97
Int from 24 May 1842 to 24 June 1846 4 yr 1 m	317-02
	1610-99
	500-00
	1110-99

Complts Exhibit B. filed the 4th of Oct 1847 by Complainants

Jno Carrer Comr

This Indenture made this seventh day of March in the year eighteen hundred and forty two between George W. Nutwell of Anne Arundel County of the 1st part and Richard H. Battee and William L. Lowe of the City of Baltimore of the other part. Witnesseth that the said George W. Nutwell for the purpose of securing payment of the sum of twelve hundred and ninety three dollars and ninety seven cents current money which is now justly due and owing from the said George W. Nutwell unto the said Richard H. Battee and William L. Lowe with interest thereon as is hereinafter mentioned and for and in Consideration of the sum of one dollar current money to the said George W. Nutwell in hand paid by the said Richard H. Battee and William L. Lowe at or before the sealing and delivery of these presents the receipt whereof is hereby