which he is & will be ready to prove as this Honorable Court may direct.

T. M. Campbell. Complt. Solr.

And on the same ninth day of June, the said Complainant by his Solicitors aforesaid, filed in said Cause, the following Order to issue Commission, to wit:-

Flannigain vs West — Mr. Dowling

Issue Commn. to take Testimony, to the Stated Commrs.

T. M. Campbell, Complt. Solr.

and the same was issued accordingly.

The said Cause so standing was Continued from term to term until the first day in October next.

At which said Term, to wit, on the nineteenth day of October in the year aforesaid, the Complainant by his said Solicitors, preferred to the Court here his petition, in writing, to take testimony. of which the following is a Copy, to wit:-

Flannigain vs West — In the Superior Court of Baltimore City.

In Equity.

To the Honorable William Frick Judge of the Superior Court of Baltimore City, sitting in Equity.

The petition of the Complainant in this Cause humbly Sheweth.

That he desires to take testimony in reference to the allegation of the Bill in this Cause to the end that the same on the hearing of the motion to dissolve may be considered in Connection with the Bill and Answer in the Cause. and he prays an order accordingly.

T. M. Campbell, Complt. Solr.

Which being read and heard, the Court thereupon passed the following Order granting leave to take Testimony, and to issue a Commission &c. to wit:

In the Superior Court

In Equity.

Ordered this 19th October A.D. 1852. that the petitioner have leave to take testimony as prayed & that a Commission issue for that purpose to the Stated Commissioners, to be returned by 10 A.M. on Saturday the 23d Inst. & that Copies of this petition & order be served on Defendants Solicitor, in the course of this day.

Wm. Frick.

And on the same day a Commission issued to John Carrere and Joseph B. Williams Esquires, accordingly.

And on the same nineteenth day of October, the said Defendant by his Solicitors aforesaid filed in said Cause the following service of Copies of petition and order of Court, to wit:-

Flannigain vs West — Service of Copy of Complainants petition & of the Order of Court thereon of the 19th October 1852. Admitted this 19th October 1852, by

T. H. B. Latrobe Deft. Solr.

The said cause so standing was continued until the

first day of November next.

At which said Term to wit, on the twenty second day of October in the year aforesaid, the said John — Carrere, one of the said Commissioners, returned to the Court here, Closed up under his hand and seal the said last Commission, together with his proceedings thereunder, as follows, to wit:-

The State of Maryland. - To John Carrere & Joseph B. Williams Esquires, Commissioners named on the part of the Complainant. (Seal place) Know ye, that you are appointed Commissioners to examine Witnesses in a cause depending in the Superior Court of Baltimore City, on the Equity side thereof, between Andrew Flanigain Complainant & William West. Defendant.

Therefore you, or either of you are requested, after having 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, or either of you shall seem convenient, you cause to come before you, or either of you all such Witnesses as shall be named or produced to you or either of you by the Complainant. and that you, or either of you, examine them upon their Corporal oaths, told by you, or either of you administered on the Holy Evangels of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid; and having reduced the depositions of the Witnesses so taken by you or either of you, into writing, you send the same with this Commission Closed under your, or either of your hand and seal to the Judge of the said Court by 10 O'Clock, A.M. on Saturday the 23rd instant. - Witness, the Honorable William Frick Judge of our said Court, the first day of October, in the year of our Lord eighteen hundred and fifty two.

Issued the 19th day of October 1852.

Edwd. Dowling, Clk

Commissioner's Oath

You shall according to the best of your skill and knowledge, truly, faithfully and with partiality to any, or either of these 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 the parties. So help you God.

Sworn to by John Carrere, one of the within named Commissioners before the Subscriber a Justice of the Peace of the State of Maryland, in and for the City of Baltimore.

Geo. Gale.

Clerks Oath.

You shall truly faithfully, and without partiality to any or either of the parties in this Case, take write down, and transcribe the depositions of all and every the Witness or Witnesses, produced before, and examined by the