answers of Susan A. M. Taggart and Daniel M. Stump defendants to the said Complainants bill.

These Repliants saving and reserving unto themselves all and all manner of advantage of Exception to the manifold insufficiencies of the said answer for replication thereunto say that they will aver and prove their said bill to be true certain and sufficient in law to be answered unto and that the said answers of the said defendants are uncertain untrue and insufficient to be replied unto by these repliants. Without this that any other matter or thing whatsoever in the said answers contained without material or effectual in the law to be replied unto confessed and avoided traversed or denied is true. All which matters and things these repliants are and will be ready to aver and prove as this Honorable Court shall direct and humbly pray as in and by their said Bill they have already prayed

Thomas Devecmon & Solrs for
Geo. A. Pearre } Complainants

And afterwards towit on the Seventeenth day of March in the year last aforesaid the said Charles Bolden and John M. Thayer by their Solicitors aforesaid file in Court here an Agreement in the words and of the tenor following towit

Charles Bolden & John M. Thayer
vs.
Susan A. M. Taggart & others

In the Circuit Court for Allegany County as a Court of Equity
No 1067 Chy

We agree that a Commission to take testimony shall be issued in the above cause to Charles W. White of Oakland. We further agree that Daniel M. Stump one of the defendants may be examined as a Witness under said Commission to have the same force and effect as though a special order of Court had been previously obtained authorizing such examination his testimony however to be subject to all legal exceptions as to its admissibility, relevency and competency.

J. H. Gordon. For Defendant.
Thomas Devecmon for Plaintiffs

Whereupon Commission issued in form following towit

Maryland Allegany County Sct. The State of Maryland to Charles W. White Esquire of Allegany County, Maryland: Greeting: (Seal) Be it known that you are appointed Commissioner to examine Witnesses in a cause depending in the Circuit Court for Allegany County as a Court of Equity between Charles Bolden and John M. Thayer Complainants and Susan Taggart and others defendants. Therefore you are requested having first taken the Oath hereunto annexed and also administered the annexed oath to the person whom you shall appoint as Clerk to attend to 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 Witnesses as shall be named or produced to you by either the plaintiff or defendant and that you examine them upon their corporal oaths to be by you administered on the Holy Evangelys 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 attorneys of the execution of this Commission, before you execute the same and having received the depositions of the Witnesses so taken by you into writing you send the same

with this Commission closed under your hand and seal to the said Court with all convenient speed. Witness the Honorable Thomas Perry Judge of the said Court the 1st day of January 1855. Issued the 17th day of March 1855.

W. Kelley Clerk of the Circuit Court for Allegany County, Maryland

Commissioners Oath.

You shall according to the best of your skill and judgment 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 the said parties. So help you God.

Sworn to by C. W. White before me. Isaac Wolverton J. P.

And afterwards towit on the twelfth day of June in the year last aforesaid the Commissioner named in the aforegoing Commission made return of said Commission to the Court here together with his proceedings under and in pursuance thereof which proceedings are in the words and of the tenor following towit:

At the Execution of the annexed Commission issued out of the Circuit Court for Alleganey County sitting as a Court of Equity and to me directed and empowering me to Examine Witnesses in a cause depending in the said Court wherein Charles Bolden and John M. Thayer are Complainants and James Taggart and others are defendants. I Charles W. White Commissioner therein named having met at Tuesday the 27th day of March 1855 at 9 O'Clock A.M. at the Glades Hotel in Oakland in Alleganey County pursuant to previous notice thereof given to the said parties and having taken the Oath annexed to the said Commission by me to be taken before Isaac Wolverton Esq. a Justice of the Peace of the State of Maryland in and for said County and having dispensed with the appointment of a Clerk did proceed then and there to take the following depositions, towit:

Daniel M. Stump a Competent Witness of lawful age produced on the part of the Complainants being duly sworn and examined to interrogatories filed with the Commission and herewith returned deposes and says

To the 1st Interrogatory. That he knows the parties, has known them some time

To the 2d Interrogatory. In the month of March 1852 James Taggart came to me and stated that he owed J. L. Townshend Two hundred dollars balance of purchase money on Lot No 14 in Oakland and that if Witness would pay Townshend the Two hundred dollars Townshend might make the deed for said lot to Witness to secure him the money so paid by him. Witness and Taggart then went to Townshend and Witness paid Townshend the Two hundred dollars and Taggart told Townshend to make Witness the deed for said lot which Townshend agreed to do.

To the 3d Interrogatory. That the amount paid was two hundred dollars It was in the Month of March 1852.

To the 4th Interrogatory. A short time before Taggart went away he came to Witness and told me that he had sold out his store to Messrs White and Porter and they were to give him notes payable first of April said he would give Witness a note of White and Porter for two hundred dollars and when said note was paid Witness was to make a deed to Mrs Taggart