

appeared before me Commissioner, and made oath, that the matters and things stated in the foregoing answers are true to the best of his knowledge and belief.

Attest for 

John W. Miller & } No 2389 Equity  
 Joanna Miller his } In the Circuit Court, for Frederick County  
 wife and others } Sitting as a Court of Equity Feb Term 1852.  
 " } The Clerk will enter a general Replication  
 Thomas A. Miller & } in this cause to the answer of Frederick U-  
 Sarah Miller his wife } Francis Koontz by his guardian John M. Mc-  
 & others } Comb, and to the answer of Zachariah Miller  
 by his guardian John Lynch Esq: the said Koontz being a minor &  
 the said Zachariah Miller being a Lunatic.

Ross for Compt.

The following Order for a Commission was filed 28 Feb 1852

John W. Miller & wife } No 2389 Equity In the Circuit Court for -  
 and others } Frederick County sitting in Equity  
 " } Feby Term 1852

Thomas A. Miller & wife } To the Hon. Madison Nelson Judge. The -  
 and others } answers of the Infant, and Lunatic by -  
 their respective guardians in this case appointed, having been re-  
 turned, and filed as will appear by reference to the papers in  
 the cause. your Complainants therefore pray your Honor to pass  
 an Order in the premises directing a Commission to be issued -  
 to Robert Wilson Jr & Frederick J. Nelson. empowering them to take  
 testimony to sustain the allegations in the Bill

Ross for Compt.

Therefore the following Commission was issued

Maryland &c The State of Maryland to Robert Wilson Jr & Frederick J  
 Nelson Esqs of Frederick County Greeting: Be it known that you  
 are appointed Commissioners, to examine & execute in a cause -  
 depending in the Circuit Court, for Frederick County, as a Court of  
 Chancery, between John W. Miller & wife and others Complainants  
 and Thomas A. Miller & wife & others, defendants You are therefore  
 required, having first taken the oath hereunto annexed, and also  
 administered the annexed oath to the person whom you shall ap-  
 point 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 witnesses as shall be named and produ-  
 ced 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  
 Evangel 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 ex-  
 ecution of the Commission, before you execute the same & having  
 reduced the depositions of the witnesses so taken by you into writ-  
 ing, you send the same, with this Commission closed under your hand  
 & seal into the Court as a Court of Chancery with all convenient  
 speed. Witness The Hon. Madison Nelson Judge of said Court the 23<sup>d</sup>  
 Day of February Anno Domini 1852 Issued 28<sup>th</sup> Day of February 1852  
 E. Shivers cko