

1st Do you know the parties Complainant & Defendants, and if yea how long have you known them. Intq. 2^d. Did you know Charles Miles, late of Frederick County deceased. If yea when did he die? and did he die intestate? Int 3^d. Do you or not know whether he the said Charles Miles died seized of the Real Estate, in the bill, & proceedings mentioned? Intq. 4th Do you know the children, and heirs at Law of the said Charles Miles? If yea - State who they are. State also whether Elizabeth Dudderat, was a daughter of said Charles Miles, and if yea whether she is dead, and when she died, and what children she left, and whether they are now living, and whether they are Infants, under Twenty one years of age 1st. State also whether Albert F. Miles and Francis Miles, children of the said Charles Miles, are Infants, under the age of Twenty one years, and whether all the other children of said Charles Miles are adults. Intq. 5th State whether, or not, in your opinion it would be for the Interest & advantage of all the heirs at Law of the said Charles Miles, that the said Real Estate of which he died seized should be sold, and the proceeds of sale divided amongst them, and if it would state the reasons for your opinion. Intq. 6th Did the said Charles Miles leave a widow? If yea is she still living: what is her name, and what is her age. Intq. 7th Do you know any other matter, or thing, material to any of the parties? if yea State it.

Wm. P. Maulsby, Sall.
For Complainants.

At the execution of the annexed Commission, issued out of the Circuit Court for Frederick County, as a Court of Equity, and to me directed, empowering me to examine evidence in the Cause pending in said Court, in which Isaac Davis and Catharine his wife and others are Complainants, and Albert F. Miles, and others are Defendants, I the Commissioner therein named, having taken the Oath annexed to said Commission and having appointed John Ritchie my clerk, and administered to him the Oath annexed to the said Commission to be taken by him, did proceed then & there in the presence of the Complainant, previous notice having been given to the Solicitor for the Defendant to the following deposition, to wit: Joshua McClain a witness of lawful age having been produced upon the part of the Complainants, and being duly sworn, and examined to interrogations filed with me by said Complainants, and herewith returned, deposes & says. To 1st Interrogatory - That he knows all the parties to this suit, Complainants, and Defendants, has known them all for twenty or thirty years. 2^d Knew Charles Miles he is dead, died a long time since, say ten or fifteen years, never to his knowledge left any will. 3^d Charles Miles died possessed of the property described in the bill, and proceedings in this cause, as the property, lying in Frederick County, and to the best of his knowledge, and belief, died possessed of the property in like manner described as lying in Syatts Town - Montgomery County To 4th Interrogatory - Knows the children, and heirs at Law of Charles Miles: they are John W. Charles S. James or Catharine S. Elous, and Albert F. and Francis Miles. Elizabeth Dudderat was the daughter of Charles Miles she died about two years ago. she left five children; does not know their names, but believes they are as follows. Stony, Francis, George, Emily, and Charles W Dudderat they are all Infants, under the age of Twenty one years they are now living. Albert F. and Francis Miles are also the children of Charles Miles, and are infants, under twenty one years of age. all the other children of Charles Miles are adults. 5th Thinks it would be to the advantage of all the parties, concerned - that the property mentioned in these proceedings, should be sold, and the proceeds divided amongst the heirs - because the property is not susceptible of an advantageous division. 6th Charles Miles left a widow, she is still living, her name is Almira Miles, supposes she is about fifty five years of age -