But because it doth not certainly appear to what relief the Complainants are entitled, — it is further ordered and adjudged, that a Commission issue to Robert Wilson and Wm. B. Nelson Esq. to take testimony to support the allegations of the bill,

W. Nelson

Maryland Sct.

The State of Maryland, to Robert Wilson and William B. Nelson Esquires of Frederick County, Greeting. Be it Known, that you are appointed Commissioner, to Examine Evidences in a cause depending in the Circuit Court for Frederick County as a Court of Equity, between Joshua Dill and Hugh McAleer Complainants, and James A. Emworthy, Martha Emworthy & William A. Laley defendants, You are therefore required, having first 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 shall seem convenient, you cause to come before you all such Evidences as shall be named and produced to you by either the complainants or defendants; and that you Examine them on their corporal oaths to be by you administered upon 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 attornies, of the Execution of the Commission, before you execute the same; and having reduced the depositions of the witness, so taken by you, into writing, you send the same, with this Commission, close under your hand and Seal, into the Court as a Court of Equity, with all convenient Speed.

Witness the Honorable Madison Nelson, Judge of our said Court, Sixth day of July A.D. 1863, Issued the 28th day of August 1863.

Ross

B. G. Fitzhugh Clerk

Commissioners Oath — You shall, according to the best of your Skill and knowledge, 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 said parties,

So help you God

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 and Examined by the Commissioner named in the commission hereunto annexed, as far forth as you are directed and employed by the said Commissioner to take write down, and transcribe the said depositions, or any of them.

So help you God.

Interrogatories — Joshua Dill & Hugh McAleer vs James A. Emworthy & others } No. 3073 Equity in Equity. — In the Circuit Court for Frederick County

Interrogatories to be proposed to witnesses to be produced on the part of the complaint,

1st = Are you or not acquainted with the parties to this suit or either or which of them? If Yea how long have you known them and each of them?

2d = Do you or do you not know the handwriting of Joshua Dill and Nathan Emworthy, if Yea =