to take testimony in the above case. ~

Dec. 12th 1865. ~

Grayson Eichelberger
Solr. for Complainants

Commission

Maryland Jct.

The State of Maryland to William B. Nelson and Robert Wilson Esqrs of Frederick County Greeting, Be it known, That you are appointed Commissioner, to examine witnesses in a cause depending in the Circuit Court for Frederick County as a Court of Equity, between Benjamin Moffett Jr. and Drusilla T. Moffett Complainants and Benjamin F. Shauffer and Ellen E. his wife Trs 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 witnesses 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 Evangely 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 witnesses, 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 Hon. Madison Nelson, Judge of our said Court the 16th day of October Anno Domini 1865. ~

Issued the 12th day of December 1865. ~

J. W. L. Carty Clerk. ~

G. E.

Commissioner's 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 witnesses 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 witnesses 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

Benjamin Moffett Jr &
Drusilla T. Moffett

vs

Benjamin F. Shauffer Trs.

No 3252 Equity. ~

In the Circuit Court for Frederick County, in Equity.

Interrogatories to be propounded to witnesses to be examined on behalf of Complainants. ~

First ~ Are you or not acquainted with the parties to this suit and how long have you known them and each of them. ~

Second ~ Were you or not acquainted with Benjamin Moffett Senr. ~ if yes, is he living or dead, when did he die ~ State if you know, the names of his children and heirs at law ~ which are adults and which infants under twenty one years of age and where they reside. ~

Third ~ Look at the paper now shown you marked Exhibit No 1, and at the first signature "Benjn Moffett" thereto and state whether you ever saw said Benjn Moffett write and whether said signature is or not in his handwriting ~ State fully your knowledge herein.

Fourth ~ Are you or not the administrator of the personal estate of Benjn Moffett decd ~ if yes, is or not the personal estate sufficient for the payment of the debts due and owing