

herewith 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 Ordinances as shall be named and produced to you by either the Complainant or Defendant and that you examine them on their corporal oaths, to be by you administered on the Holy Evangelists of Almighty God, touching their knowledge or remembrance of anything 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 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, First day of July Anno Domini 1867

Issued the 30th day of July 1867

Daniel S. Brier
Clerk

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 witness and witnesses produced and examined by virtue of the Commission herewith 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

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 herewith 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

Ann Eliza Surr
Geo Surr and Sophia his wife, Jacob Surr and Nancy his wife, Joseph Surr, Andrew Surr & Malinda his wife, Elizabeth A. & Prater, & John Beck & Mary his wife

N^o. 8342 Equity

In the Circuit Court for Frederick County as a Court of Equity

Interrogatories to be proposed to witnesses, to be produced on the part of the Complainant.

1st Int. Are you or not acquainted with the parties to this suit, or either and which of them? If yes, state how long you have known them, and each of them, their ages, residences and to whom married.

2^d Int. Are or are not the aforesaid parties seized and possessed as tenants in common of valuable real estate situate and lying in Frederick County? Look at the papers now shown you marked Exhibit N^o. 1. Does or does not the said paper contain a description of all the lands whereof the said parties are seized and possessed as tenants in common? If yes, state fully your knowledge herein together with the interest of the parties.

3^d Int. Is or is not the aforesaid tract of land (described in Exhibit N^o. 1) susceptible of partition without loss or injury to the parties interested? If not, state any circum-

Testimon