

depositions of all and every the witness and witnesses produced and examined by virtue of the Commission herunto 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 are sworn, faithfully and without partiality to any or either of the parties to this cause, take write down, and transcribe, the depositions of all and every the witness and witnesses produced and examined, by the Commissioners named in the Commission herunto annexed, as far forth as you are directed and employed by the said Commissioners to take, write down, and transcribe the said depositions or any of them, ~ So help you God. ~

Interrogatories } No 3789 Equity ~  
Mary A. Weller et al } In the Circuit Court for Frederick County sitting in  
vs } Equity ~  
Geo H S Weller et al }

Interrogatories to be propounded to Complainant's Witnesses

1<sup>st</sup> Int. ~ Do you know the parties to this suit?

2<sup>nd</sup> Int. ~ Did you know John Weller in his life time? Is he at present living? If dead, when did he die, and did he die intestate, leaving heirs? Give the names of his heirs, also their ages and residences. ~

3<sup>rd</sup> Int. ~ Did the said John Weller die seized and possessed of any real estate? If yes, state where it is located, look at Exhibits marked "A" & "B," and filed as such in this Bill of Complaint, and state whether the real estate described therein is that of which the said John Weller died seized and possessed?

4<sup>th</sup> Int. ~ Is the real estate described in Exhibits "A" & "B" susceptible of division among the heirs of the said John Weller, without loss or injury? Would it be to the advantage and interest of all parties both adults and infants to have the same sold, and the proceeds of said sale distributed among them? If yes, give your reasons for such an opinion. ~

John C. Motter  
Sol<sup>r</sup> for Complainants

Filed May 28<sup>th</sup> 1872 ~

At the execution of the annexed Commission, issued out of the Circuit Court for Frederick County, and to us directed, and empowering us to examine evidences in the cause therein depending, between Mary A. Weller and others as Complainants, and George H. S. Weller and others, as Defendants. ~ We William B. Nelson and John C. R. Wood Commissioners therein named, did, on the Twenty third day of May Eighteen Hundred and Seventy two, at the Office of William B. Nelson in Frederick City Md. then and there proceed to take the following testimony, to wit:

The Complainants filed with the Commissioners as Evidence Exhibits "A" & "B" which are herewith returned, and there being no witnesses present to be examined, the said Commission was adjourned to the twenty eighth day of May, Eighteen hundred and seventy two, at which time, and at the place aforesaid, We, then and there, in the presence of the Complainant's Solicitor proceeded to take the following depositions.

Christian Sautz, a witness of lawful age produced upon the part of the Complainants, being duly sworn and examined to interrogatories filed with the Commissioners for the Complainants and herewith returned, deposes and says ~