

you are appointed Commissioner to examine evidences in a cause depending in the Circuit Court for Frederick County as a Court of Equity between John W Miller and wife complainants and Josiah A Miller et al 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 Complainant or Defendant and that you examine them on their corporal Oaths to be by you administered upon the Holy Evangel 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 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 closed under your hand and seal into this Court as a Court of Equity with all convenient speed

Witness the Honorable Richard J Bowie Chief Judge of our said Court 10th day of May Anno Domini 1875.  
 Given the 2nd day of Sept 1875

Thomas Gorsuch 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.

Interrogatories

Miller  
 vs  
 Miller

No. 4000 Equity

Interrogatories propounded to witnesses produced on the part of the Complainants

- 1st Int Do you know the parties to this suit, if you how long have you known them.
- 2nd. Do you know the Land described in the proceedings in this cause, if you how many acres does it contain and where is it situated.
- 3rd. Did you know John Miller, if you is he living or dead, if dead when did he die and what Real Estate did he die possessed of and what heirs at Law did the said John Miller leave and where do they reside
- 4th. Did he leave at the time of his death a widow, if you is she living or dead, when did she die.
- 5th State whether the said Land described in these proceedings of which John Miller died seized and possessed is capable of division and partition amongst the heirs at Law of said John Miller without injury and loss, if not state why not.
- 7th Will it be to the interest and advantage of the parties to

Testimon