

No. 4406 Equity.

into writing, you send the same, with the Commission, closed under your hand and seal, into this Court, as a Court of Equity, with all convenient speed.

Witness, the Honorable Richard J. Dowie, Chief Judge of our said Court, the sixth day of December, Anno Domini, 1878

Given the 22^d day of January 1879.

Thomas Gorsuch, 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 the witnesses, 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 to help you God.

Clerk's Oath

You shall truly, faithfully, and without partiality to any or either of the parties to this cause, take, write down, and transcribe, the deposition of all, and every the witnesses, and witnesses produced, and examined by the Commissioner, named in the Commission herunto 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.

Filed Feb. 1, 1879.

Christian Sandy
vs
Anelia Miller & others

No. 4406 Equity
In the Circuit Court for Frederick County.

To the Honorable the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity.

Petition of
C. Sandy for
leave to amend
Bill

The Petition of Christian Sandy of Frederick County, respectfully shews unto your Honors, that on the fifth day of September A. D. 1878, he filed his Bill of Complaint in the above case, alleging that on or about the year 1867, he sold to one John A. Miller about One hundred, and twenty three, acres of Land situated in Frederick County, being part of a tract of Land described in a deed from James H. Baughen Executor & others, a copy of which is filed, as Exhibit No. 1, and that about the year 1871, he sold to said John A. Miller a further tract of about Twenty three Acres of Land, being part of the tract land described in a deed from John R. Harrington, a copy of which is filed as Exhibit No. 2. that no deeds had been executed for said Land & the whole of the purchase money was not paid but that there was a balance due on the 1st day of April, 1878, of three hundred & some few Dollars for which said John A. Miller executed his single Bill which is filed as Exhibit No. 3; the said Bill further charges that said John A. Miller has since died intestate leaving the parties mentioned in said Bill as his representatives and here at Law and the Bill prays that a decree be passed for the sale of said Real Estate to enforce your Petitioner's vendor's lien thereon & for general relief. -

Your Petitioner would respectfully state that when he gave his Subscribing information upon which to prepare said Bill he inadvertently omitted to inform him that the portion of the land described in said Exhibit No. 1 sold to said John A. Miller was sold to him, at two different times and in two different parcels, that he first sold him the tract of Eighty one Acres Eight perches more or less, described in the Plat herewith filed marked Exhibit No. 4, and that he afterwards sold him the tract of wood land adjoining, containing about Seventy five Acres, also described in said Plat, and that he sold the part of the land, described in said No. 2, which adjoins said first mentioned tract of Eighty one