"Commissioners Return"

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County, sitting as a Court of Equity, and to me directed, empowering me to examine witnesses in a cause depending in said Court between John A Castle, as Complainant and William Tabler of Levi, as Defendant, I George H. Shellman the Commissioner therein named, having taken the oath annexed to the said commission – did on the seventeenth day of February eighteen hundred and fifty five, at the store of H. Nixdorff in Frederick Town, proceed to take the following depositions, to wit; Henry Nixdorf – a witness of lawful age produced on the part of the Complainant being duly sworn & examined to interrogatories filed with the Commissioner by the Complainants Counsel and herewith returned – deposes and says – To the 1st Int. That he does know said parties and has known them for many years.

To 2nd Int – That he did know said Peter Tabler – That he is dead – That deponent cannot recollect the precise time at which said Peter Tabler died, but supposes it was about three years ago.

To 3rd Int – That he knows of his, deponents, own knowledge, that said Peter Tabler was, at the time of his death possessed of the property in the bill of said Complainant mentioned as lying in Frederick County – and that from the declarations of said Peter in his life time, deponent knows that said Peter was possessed of property in Hyatts town, Montgomery County.

To 4th Int – That he does know the handwriting of said Peter, and that the signature to Exhibit No 1 in said cause is the handwriting of said Peter

To 5th Int – That deponent does not know – To 6th Int That deponent knows nothing further

The Counsel for the Complainant then filed with the Commissioner as evidence in said cause under responsive to said 5th Interrogatory the papers herewith returned marked Exhibits A. B. C. & D.

There being no further evidence produced before the Commissioner and no further time being desired the Commissioner closed said Commission and hereunto returns the same closed under his hand and seal

Feby 18th 1855 Geo H. Shellman (Seal)

"Interrogatories"

Castle vs Tabler } In the Circuit Court for Frederick County, sitting in Equity.

Interrogatories to be propounded to witnesses produced by Complainant.

Int 1st Do you know the parties Complainant and Defendant? If you? How long have you known them

Int 2nd Did you know Peter Tabler in said Bill mentioned. If you do he dead, and when died he died?

Int 3rd Do you know whether the said Peter Tabler was seized of the real estate in the Bill mentioned at the time of his death?

Int 4th Do you know the signature of the said Peter Tabler deceased? If yes, look at the papers herewith shewn you marked Exhibit No 1 and state whether the signature thereto is in the handwriting of said Peter

Int 5th Do you know whether the said Peter Tabler died possessed of sufficient personal property to pay his debts

Int 6th Do you know any other matter or thing material to either of the parties, If yes state it?

Wm P Maulsby Solr for Complainant

The 1st page of William Tabler, Executor of Peter Tabler of Frederick County, decd (Exhibit A)

This accountant charges himself with the Inventory of P.P. by him returned on the 11th day of May 1852 — 19.25

Also with the increase or sales of P.P. by him returned on the 15th day of June 1852 — 3.26

Also with the following sums received from the following persons heretofore returned in list of debts

Geo. N. Tabler on a/c $86.30 Levi Hyatt on do a/c	96.55
From Jacob Umstead on do part by note in bar	12.00 $225.07

And this accountant prays an allowance for the following payments & c to wit.

1 Hereto sum paid Levi Hyatt, constable for Eli Wolf Adm of D. Wolfe on judgt Prov. Trans & costs & apps	94.52
2 Ditto do paid do for do Adm of do ondo per do do do & do aps.	67.45
3 Ditto do paid do for Isaiah Wolfe on do do do & do aps	3.59
4 Ditto paid H. M. Anderson fr. a/c do do & do aps	15.00
5 Ditto paid Geo. Rhodes fr. do do do & do aps	1.50
6 Ditto do paid Jacob Umstead by a/c note in bar & per do do do & do aps	49.45
7 Ditto paid Wm. T. Webster per do do do & do aps	1.50
8 Ditto do paid J. S. L. Wilson for Mchdg. per a/c & rect aps	1.00
9 Ditto do paid Henry Nixdorff on full of Mortgage held against the real estate of said dect. for rect aps	5.68.66
10 Ditto do paid Reg. for entry on original docket	15
11 Ditto do paid do for stating recording & c this a/c & copy same	3.05 $96.61
Balance due Extr	5.81.09
10 per cent Commission on $225.09 allowed by the Orphans Court to this accountant	22.50
Overpaid by Executor	$ 603.59

State of Maryland, Frederick County, to wit: On the thirteenth day of August eighteen hundred and fifty three came William Tabler Extr. of Peter Tabler, late of Frederick County, decd. and made oath on the Holy Evangelists of Almighty God the foregoing a/c as stated is just and true to the best of his knowledge and belief and that he has paid or secured to be paid the several sums for which he has prayed an allowance, which upon due examination is granted by the Orphans Court