necessary for him to reply to, answers and says, that he admits that the complainants are the children and legal representatives of Peter Troxell deceased that Peter Troxell died at or near the time mentioned in the said bill, and that John Troxell the father of said Peter Troxell, executed his last will and testament in the manner and form described in the said bill and departed this life at or near the time mentioned leaving the children and representatives as stated in said bill him surviving. This respondent further states, that he is utterly ignorant and has no personal knowledge of any covenant or contract of sale, for the parcels of land between John Troxell the father and Peter Troxell the son, that he knows nothing in reference thereto, either in reference to the contract the price thereof the number and amount of bonds, the amount paid, the amount still due the distinction of the bonds and agreement by John Troxell, senior on the subsequent contract with Magdalena Troxell the widow of Peter Troxell deceased. This defendant further says, that he admits the execution by Jacob Troxell of the deed of trust as set forth in the said bill, and marked Exhibit H. T. and that in pursuance of the power vested in him by said deed he legaied the property mentioned therein to George Wolf one of the complainants in this cause, who is now in possession of said property as tenant your respondent further says that no portion of the rent has been received by him and that the same, has been arranged and settled between the said George Wolf and John Troxell the cestui que use, without this, that there is any other matter or thing to be answered &c. Wherefore this defendant prays to be hence dismissed with his reasonable costs and charges in this behalf most wrongfully sustained.

Joshua Motter.

State of Maryland Frederick County ss. On this — day of — in the year 1836 personally appears before the subscriber a Justice of the peace in and for the County and State aforesaid and makes oath that the facts stated in the within answer are true as within stated to the best of his knowledge information and belief. Sworn before

Order for commission to take answers of infants filed 6th October 1836.

George Troxell George Wolf and wife and others.
vs.
John Troxell of John Joshua Motter and others.

In Frederick County Court sitting as a Court of Equity No. 1516 Equity Docket July Term 1836. On motion, ordered that a commission issue to Lewis Motter to appoint a guardian to answer for Catherine Troxell, Samuel Troxell, William Troxell and Amanda Troxell all infants defendants named in this case who appear to have been duly summoned and to take the answer of the said infants by the said guardian so to be appointed. October 6th. 1836. Abr. Shriver.

Thereupon the following commission issued as ordered as follows:

Maryland, &c. The State of Maryland, To Lewis Motter Esq. of Frederick County, greeting: Whereas George Troxell, George Wolf and wife and others hath lately exhibited their bill of complaint before us in our County Court as a Court of Chancery against John Troxell of John Joshua Motter and others, and whereas we have by our writ lately commanded the said defendants to appear before us, in our said Court as a Court of Chancery at a certain day now past, to answer the bill but for as much as the said Catherine Troxell, Samuel Troxell, William Troxell and Amanda Troxell are infants under age, and cannot answer the said bill nor defend this suit, without having a guardian assigned in that behalf. Know ye therefore, that we have given unto you full power and authority

in pursuance of the special order in our said Court to assign and appoint a guardian for the aforesaid infants, and to take the answer of the said infants by such guardian to the said bill, and therefore we command you, that at such reasonable day and place as you shall think fit, you go to the said defendants if they cannot conveniently come to you, and assign and appoint a guardian for the aforesaid infants and take the answers of the said infants, by such guardian to the said bill on such guardians' corporal oath upon the Holy Evangely to be administered by you the said answers being distinctly and plainly wrote: and when you shall have so taken the said answers, you are to send the same closed up under your seal, together with your certificate of your having assigned and appointed such guardian as aforesaid, and this writ unto us, in our said Court. Witness the Honorable John Buchanan, Esq. Chief Judge of our said Court the 23d. day of February Anno Domini 1836. (W.S.) Oct. 6th. 1836. Test, Henry Hehley, Clk.

Thereupon further process of and upon the premises aforesaid between the parties aforesaid, by consent of the said parties and their attornies aforesaid and by order of the Court here thereon is further continued until the fourth Monday of October next. Whereupon the following answers by their guardian was filed October 24th. 1836.

The answer of Catherine Troxell, Samuel Troxell William Troxell and Amanda Troxell infants under the age of twenty one years by Andrew Annan, their guardian to the bill of complaint filed in Frederick County Court as a Court of Equity by George Troxell George Wolf and wife and others, and marked No. 1516 Equity. These defendants for answer to the said bill of complaint by their guardian aforesaid, answer and say that they are entirely ignorant of the several matters and things charged in the complainants bill. They neither admit nor do they deny the same, and require that the several matters and things charged therein should be proved. Hoping as they are infants this Honourable Court will protect their rights and pray hence to be dismissed their reasonable costs and charges in this behalf &c.

Andrew Annan, Guard.

State of Maryland Frederick County ss. On this twenty second day of October in the year 1836 personally appeared before the subscriber the Commissioner named and appointed in the commission herewith returned the above named Andrew Annan the Guardian appointed by me to take the answers of the infant defendants above named and made oath on the Holy Evangely of Almighty God, that the facts stated in the foregoing answer are true as therein stated to the best of his knowledge information and belief. Sworn before — Lewis Motter, Commissioner.

To the Honorable the Judges of Frederick County Court sittings as a Court of Equity. I Lewis Motter the Commissioner named in the commission herewith returned do report, that in pursuance of the power vested by said commission I caused the said Catherine Troxell Samuel Troxell William Troxell and Amanda Troxell the infants named in the said commission to come before me on the twenty second day of October in the year 1836, and I then assigned and appointed Andrew Annan Guardian to take the answer of said infants which said answer with the affidavit thereto annexed is herewith transmitted to your Honourable Court under my hand and seal as by said commission directed; all of which is respectfully submitted and Returned this twenty