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particularly answered, she believes to be true- And she prays hence to be dismissed with her reasonable costs &c.-
Magdalena her mark Troxell

Test, Peter Wise, Thos. Hays.-

State of Maryland Frederick County to wit: On this twenty seventh day of December, in the year of our Lord eighteen hundred and thirty six before me the subscriber one of the Justices of the peace of the State of Maryland in and for Frederick County personally appeared Magdalena Troxell named in the caption of the foregoing answer and made oath on the Holy Evangely of Almighty God, that the facts and matters therein set forth are true as therein stated to the best of her knowledge information and belief- sworn before-
Thomas Hays-

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 hereof is further continued until the fourth Monday of February next- and 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 first Monday of July next- Whereupon the following replication was filed August 23d. 1837- The replication of George Troxell, George Wolf and wife and others complainants to the several answers of John Troxell (of John) of Joshua Motter, of Michael Wise and Eliza Wise, his wife, of Mary Herlinger and Elizabeth Showers and of Catherine Troxell Samuel Troxell William Troxell and Amanda Troxell, infants defendants to the said complainants bill of complaint- The said replicants saving and reserving unto themselves all and all manner of advantage of exception to the manifold insufficiencies of the said answers for replication thereunto say, that they will aver and prove their said bill to be true certain and sufficient in the law to be answered unto and that the said several answers of the said defendants are, and each of said answers is uncertain untrue and insufficient to be replied unto by these replicants; without this that any other matter or things in the said answers contained material or effectual in the law to be replied unto confessed and avoided traversed or denied is true; all which matters and things these replicants are and will be ready to aver and prove as this Honorable Court shall direct, and humbly pray as in and by their said bill they have already prayed-
Wm Schley, Solr. for Complainants-

Agreement to issue commission to examine evidence and order thereon filed August 23d. 1837 as follows:

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

No. 1516 Equity- In Frederick County Court Sitting as a Court of Equity- We agree that a commission to examine evidence in this case shall be issued by consent to John H. Williams Esqr.
Wm Schley, Solr. for Compl.
Wm J. Rols. Solr. for Defendants-

August 22d. 1837-

Let a commission be issued according to the above agreement, August 22d. 1837-
Abm Shriver-

Thereupon the following commission issued as ordered (to wit:)

Maryland, SC: The State of Maryland To John H. Williams Esqr. of Frederick County greeting- Be it known, that you are appointed commissioner to examine evidences in a cause depending in Frederick County Court as a Court of Chancery, between George Troxell George Wolf and wife and

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others complainants and John Troxell of John Joshua Motter and others 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 plaintiffs or defendant and that you examine them on their corporal oaths to be by you administered upon the Holy Evangely of Almighty God touching their knowledge or remembrance of any thing 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 this commission before you execute the same; and having reduced the depositions of the witnesses so taken by you into writing you send the same with this commission, close under your hand and seal into the Court as a Court of Chancery with all convenient speed- Witness the Honorable John Buchanan Esqr. Chief Judge of our said Court the 27th day of February Anno Domini 1837. Issued the 23d. day of August 1837- Test, Henry Schley, Clk.

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 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 the said parties- So help you God- Sworn before- J. H. Harding- Augt. 24th. 1837-

Clerk's Oath- you shall truly, faithfully and without partiality to any or either of the parties in this cause, take write down and transcribe the depositions of all and every the witness and witnesses produced and examined by the commissioner named in the commission hereunto 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- Sworn before- John H. Williams, Commissioner-

At the same time the following interrogatories were filed to wit:

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

No. 1516 Equity- In Frederick County Court Sitting as a Court of Chancery- Interrogatories to be propounded on the part of the complainants to the several witnesses to be produced sworn and examined on behalf of the complainants before John H. Williams, Esquire the commissioner:

1st. Do you know the parties complainants and defendants, in this suit or any and which of them, and how long have you known them or any and which of them respectively?

2d. Did you know Peter Troxell, of John late of Frederick County deceased in his lifetime? If yea, how long did you know him and when did he die? Did he, to your knowledge, leave any testament and last will, or did he die intestate? Be good enough if known to you, to enumerate the family which the said Peter Troxell of John left at his decease, and the ages of his children respectively-

3d. Did you know John Troxell, Senr. late of Frederick County, deceased in his lifetime? If yea how long did you know him, and when did he depart this life?

4th. Do you or do you not know whether the said Peter Troxell of John in the second interrogatory above named died at any time, and if at any time when