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and if yea, how long and during what period or periods?

2d. During the time you so lived as mentioned in your answer to the last interrogatory, did you at any time and when understand from the statement of said John Troxell, Senr. or otherwise and how, whether any and what contract had been made between the said John Troxell, Senr. and said Peter Troxell of John for the sale by the former to the latter of any and what lands? If yea, at what price, and when was such contract made. State your knowledge herein fully and at large?

3d. Be good enough to say, whether or no the said Peter Troxell of John was an industrious man or how otherwise; and whether he was a good farmer or not.

4th. Did the said Peter Troxell of John make good crops or not, during the time of which you speak?

5th. Be good enough to say whether or no you knew, and if yea whether you remember a negro man named Lim who lived with the said Peter Troxell of John? If yea, do you know whether the said Lim was a freeman or a slave, and if a slave to whom he belonged. — Wm. Schley, Solr. for complainant. —

William Null cross interrogatory by defendants counsel

1st cross interrogatory, you say that George Troxell hauled away some of the wood - is he a son of Peter Troxell, and one of the complainants? was any wood on the left hand side cleared away after you left? what quantity of wood was hauled away to your knowledge; what amount of land cleared was any of the wood used in fences &c.

2d. Has the farm not benefitted by clearing it, did John improve the land by fixing post and rails, and manuring it?

Wm. I. Ross, Solr. for defendants.

Cross examination - Benjamin Crabbs, you say that George Wolf and and yourself hauled saw logs which way was it from the left side or right side of the road, is George Wolf one of the complainants, was he not a tenant upon this land at the time for whose benefit were the logs cut how many trees were cut?

2d. Were not the logs hauled away by Morrison from the right side of the road. Did you mention to any person that Morrison logs were cut from the right side of the road?

3d. Did not John Troxell, Sr. improve the land very much by lime manure, and fencing.

Additional Interrogatories to be propounded on the part of the complainants to William Null after his cross examination.

1st. In your answer to the first cross interrogatory you say that George Troxell son of Peter hauled off some of the wood, Be good enough to say how old the said George Troxell then was, and also at whose instance he hauled the same away, and who received the proceeds of the wood?

2d. In your answer to the second cross interrogatory you say that there are a great body of timber on the place; and that you thought the farm was benefitted by clearing it, Be good enough to say whether or no, if and in case the wood on the right hand had not belonged to the farm and there had been no wood except on the left hand of the road you would have thought the place benefitted by cutting down the 13 acres, and if yea give your reasons.

Wm. Schley, Solr. for complainants.

Additional Interrogatories to John Thorp after his cross examination.

1st. Do you know what amount of wood that is to say, what number of

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cords per acre, the timber land of said place could probably yield. If yea state the same?

2d. Do you know what was the probable value of that farm in and about the year 1816? what would it probably have brought on an average per acre

2d. Do you know what is the yearly value of said farm at this time and what has been the yearly average value since 1816. — Wm. Schley, Solr. for Compts.

Additional Interrogatories to Benjamin Crabbs after his cross examination.

1st. Do you know what the said farm would have brought in and about the year 1816 per acre, at the then prices of land in the neighbourhood of said farm. —

Wm. Schley, Solr. for Compts.

At the execution of a commission issued out of Frederick County Court sitting as a Court of Equity the twenty third day of August in the year eighteen hundred and thirty seven and directed to John H. Williams empowering him to examine evidences in a cause now depending in said Court wherein George Troxell George Wolf and wife and others are complainants and John Troxell Joshua Motter and others are defendants - I John H. Williams having opened the said commission this twenty fifth day of August in the year eighteen hundred and thirty seven at the Tavern of David Agnew in the town of Emmitsburg in the County aforesaid pursuant to notice and taken the oath to the said commission annexed and Eli Smith being appointed clerk and having likewise taken the oath to the said commission annexed I, the said commissioner then proceeded to take the following depositions to wit - Ignatius Brawner aged 66 years of lawful age produced on the part of the complainants being first duly sworn on the Holy Evangely of Almighty God - Interrogatory to the first interrogatory this deponent deposeth and saith. I know all the complainants and have known them all for 5 or 6 years and some of them longer. I do not know all the defendants I know some of them. —

2d. Interrogatory - yes I did know him I knew him a good many years before his death - He died about the month of Feby 1816. I don't know whether he died intestate or made a will I never heard that he made a Will - He left a widow Magdalena who is yet living he left Children of whom I know the complainant George Troxell Charlotte now Charlotte Wolf complainant John Troxell and the complainant Harriet Troxell I cannot specify the ages of said children at the time of the decease of said Peter Troxell they were young at the time. —

3d. Int'g. I knew him very well he was a neighbour, I knew him a great many years - since I was a boy - he died some six or seven years ago I cannot say exactly. —

4th. Int'g. I know nothing particular upon that subject, all that I know is, that some time after Peters death, I heard the old man say that Peter was behind some 4 or 5 hundred or 5 or 6 hundred dollars as I think but it might have been more and that he meant to take some of the land back to pay the debt. - he took about 105 acres as I understood him - this land is now in possession of Jno. Troxell of Jno. one of the defendants and held by Joshua Motter one of the defendants as his Trustee it is situated on the left hand of the road leading from Emmitsburg to Frederick on the South side of Toms Creek. — The residue of the interrogatories waved as to this witness. — Jo. Hughes, aged 75 deposeth and