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then was a great body of wood land, a part of the wood land was on the right and a part on the left hand, but the greatest body on the right - John Troxell of John did improve the farm by putting post and rail fence on some portion of the farm I do not know the exact quantity and also by hauling straw for manure he also planted a fine orchard on the farm.

Additional interrogatories on the part of the complainants. - 1st. I do not know how old George Troxell of Peter was when he hauled the wood away - he was old enough to drive a Team but I suppose he was under age the wood was hauled for John Troxell of Jno.

2d. No. I do not think that it ought all to have been cut down though a part might.

John Shorb aged 75 - being produced on the part of the complainants deposeth and saith to the additional interrogatories.

1st. I do know the land I have known it ever since John Troxell of John has had it and I knew it during part of the time John Troxell, Senr. had it.

2d. I know that a great deal of cord wood was cut and sold I bought myself two years for the Sisterhood and they bought a year before I went from John Troxell of John I bought myself upwards of 100 cords this was all from the left hand side of the road leading from Emmitsburg to Frederick.

Cross Interrogatory - 1st. It must have been 15 or 16 years and it may be more I cannot recollect distinctly.

2d. Cord wood in this neighbourhood was at that time worth 75 cents per cord on the stump, the wood land was worth more than when the wood was cut.

Answers to additional interrogatories on the part of the complainants 1st. It would yield about 50 cords per acre the timber was very good.

2d. Land was very high at times and would have brought from 30 to 40 $ pr acre.

3d. It has been worth very little these few years back but formerly it was worth more it would average about $120 to $140 per year. I include in this estimate all that part of John's farm which lies on the right side of the Big road the right side has only been cleared 5 or 6 years.

Benjamin Ierahs aged 28 - produced on the part of the complainants deposeth and saith in answer to the same interrogatories propounded to the last.

1st. Interr. - I have known it 18 years or perhaps more John Troxell Senr. then had it in possession afterwards Jacob had it then John Troxell of Jno. or Joshua Motter for him.

2d. I cannot tell the quantity there was a great deal cut down I hauled saw logs George Wolf assisted me Wm. Martin hauled some also William Martin hauled from the right David Morrison got a great many logs and some plank for his barn I think these were from the left side but he might have got from both, there was a great deal of cord wood cut and sold from the place all these logs and wood were cut and sold by John Troxell of John, on the left hand side but little timber is left and what remains is very thin, there cannot be more than 8 - or 10 or 12 acres.

Cross interrogatory - 1st. It was from the left side of the road George Wolf is one of the complainants, George Wolf was a tenant at the time under John Troxell of Jno. or Joshua Motter they were cut for John Troxell's benefit. I do not know how many trees were cut.

2d. I do not know which side of the road Morrison's logs were cut or hauled from nor did I see Morrison haul them away - I did not mention to any one that he took them from the right side I know that Morrison

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got some locust posts from John Troxell I think they were brought from the mountain, I think they were bought from Petticord by John Troxell of Jno.

3d. Yes he did haul lime shale but I do not know that it improved the land although the farm is better for farming purposes since the timber has been cut down I do not think it so valuable as before. John Troxell of Jno put up a good deal of fencing.

Additional interrogatories on the part of complainant - 1st. I cannot answer that question - but I understand that bargains had been made with John Troxell Senr. after the death of his son Peter for the place at 40 $ per acre by one, by a man named O'Donnelly but the neighbours advised him not to take it as the title was not good. another bargain by Elias Troxell and Peter sons of Jacob Troxell this Jacob Troxell was half brother of John Troxell Senr.

Jacob Troxell aged 70 produced on the part of the defendants deposeth and saith.

1st. Interr. - I know Peter Troxell's children I know all John Troxell, Senr's children.

2d. I know nothing of the contract from my own knowledge but I have always understood it was 1000 pounds - I know Peter was in possession of the property I had a conversation with Peter a short time before his death he was always very fond of wagoning and having sold his horses I asked him why he had broken up his Team - he said his father was always grumbling that he did not make payment for the land and by selling two Horses he would be unable to make a payment from the conversation I inferred it was the first payment.

3d. Peter did occupy the property on the left side of the road from Emmitsburg to Frederick I do not recollect when Peter died. Peter's widow and family occupied the old place containing 160 and Jno. Troxell Senr. and Jno. Troxell Junr. occupied the balance after Peters death.

4th. I do know the widow of Peter Troxell and Peters children immediately after his death and until within the last few years they all resided with their mother. Elk. Wolf is married and George is now gone and the remainder of the children are with the mother - they have all been supported since the death of Peter Troxell by the proceeds of the home farm.

5th. I do not know that he was in affluent circumstances he was a common liver, I do not think he had any money a head - he was a hard working industrious man one year I remember his crop failed him, I do not think he was a nice farmer nor a successful one.

6th. - I know the property but do not know the value of it at that time.

7th. The barn on the part occupied by Peters widow was burned down and the old man was there every day until it was rebuilt but at whose expense I do not know - it could not have cost much as the neighbors assisted in putting it up I assisted myself.

8th. All the children of Peter Troxell have attained the age of twenty one the balance of the question I cannot answer.

9th. There has been considerable improvement as the land was very poor and out of order when John Troxell of Jno. got it, it has been much improved by cultivation and fencing but I would rather have it with the timber than without John cleared several fields on the left hand side of the road I do not think it has been much injured by clearing, but taking the farm as it was when John got it with the timber on it was more valuable than now. I think Johns property would be very dear at $25 per acre. There being no further evidence to be produced on the part of the parties in this cause the Commission was then closed.