of the said John Smoot, and that consequently the same Instrument of Writing is null and void in law, and no sort effect pass or transfer the said Estate of the said John Smoot, or any part thereof, to the persons in the said Instrument of Writing, mentioned or to either of them; and that the said John Smoot on or about the fifth day of September, in the year, one thousand eight hundred and ninety three therefore died intestate, and without leaving any will, or Testament, seized and possessed of Real, and Personal Estate of more than sufficient to pay, and satisfy all his Debts, to wit, at the County aforesaid, by reason whereof your Libellants, are justly and according to the Laws of this State, entitled each of them, to one forth part of such of the Real, and Personal Estate, of the said John Smoot, shall remain after the payment, of his Debts, which your Libellants humbly contend, must descend, and vest in them, as two of the Children and legal Representatives of the said John Smoot. Nevertheless your said Libellants further shew unto your Worships, that a certain John Sydenham Crapper (at the after mentioning and execution of the same Instrument of Writing, and before the intermarriage of the said John Smoot, with the said Elizabeth as aforesaid intermarried with said Catharine, one of the Children of the said John Smoot by his former Intermarriage) and the said Catharine, his Wife and a certain John Smoot, the other of the Children of the said John Smoot deceased, by his said Former Intermarriage) and a certain Joseph Douglass, and Alexander Douglass named as intended Exors, in the same Instrument of Writing all of the County aforesaid, well knowing that the several transactions sayings, and proceedings, herein before mentioned, have occasioned such an essential Alteration in the circumstances, and State and of the said John Smoot, the Deceased, as amount in law to a revocation of the same Instrument of Writing, and that the same Instrument of Writing is consequently, Null, and void in law, and can in no sort effect pass or transfer the said Estate of the said John Smoot dec'd, or any part thereof to the persons in the same mentioned, or either of them, and also well knowing that the said John Smoot the Deceased died intestate, and without leaving any Will, or Testament seized and possessed of considerable Estate, both real and personal more than sufficient to pay all his Debts, but combining together and conspiring, and intending to defraud, and defrive your said Libellants, of their respective Parts, and Shares, of the Real, and personal Estate of the said John Smoot the dec'd, which justly rightfully and lawfully belong to your said Libellants, as two of the Children and legal Representatives of the said John Smoot the Deceased have fraudulently, Offered, and exhibited the same Instrument of Writing, to the Register of Wills for the County aforesaid

as and for the last Will and Testament of the said John Smoot, the Deceased to be proved approved and recorded, as such in like manner, and form, as if in fact and in truth the same Instrument of Writing, was the last Will and Testament of the said John Smoot, the Deceased. Whereas your said Libellants do aver and expressly charge, that the same Instrument of Writing, is revoked, and void in law, and of no effect, and that the said John Smoot the Deceased died intestate, without leaving any will, or Testament whatsoever. Which said Acting and doing of the said John Sydenham Crapper, and Catharine his Wife, of the said John Smoot the Son, and the said Joseph Douglass, and Alexander Douglass, are contrary to Equity and good Conscience, and the Laws of the Land, and tend to the injury Oppression and Beggary of your said Libellants. To the end therefore that the said John Sydenham Crapper, and Catharine his Wife, the said John Smoot the Son, and the said Joseph Douglass, and Alexander Douglass, may upon their Corporal Oaths respectively, true and perfect Answer make, to all and singular the Matters, and things herein before alledged, set forth, and Charged as if the same were here again particularly interrogated, and repeated but more especially. Whether the said John Smoot, the Deceased, did not die seized and possessed, as before mentioned of a considerable Real and personal Estate, lying and being in the County aforesaid, more than sufficient to pay and satisfy all his Debts? Whether the said John Smoot the Deceased, at the time of making and executing the Instrument of Writing herein before mentioned purporting to be his last Will and Testament was not a Widower, and unmarried, having then living and surviving four Children, to wit two Sons and two Daughters, by a former intermarriage? Whether the said John Smoot, the Deceased, and the said Elizabeth, while she was sole, did not mutually made, and executed the Indenture of Writing herein before mentioned, to be made, on or about the ninth day of April, in the year seventeen hundred and ninety, and thirty mutually covenant, promise and agree, to and with each other, in manner, and form, as in and by the same Indenture, is set forth and specified? Whether the said John Smoot, the Deceased, did not, on or about the day and year last aforesaid intermarry with the said Elizabeth, in due form of law? Whether your said Libellants are not the Children of the same intermarriage, and the lawfull Issue, and two of the legal Representatives of the said John Smoot, and Elizabeth his wife by virtue of the said Intermarriage? Whether the said