

amount of whatever may appear to be the amount due to the Complainant on said Notes, on the final hearing of this Cause, and this defendant now claims a credit for whatever amount of said Certificates, was held and owned by said Joseph G. Stays at the time of his death and has come into her hands as his administratrix.

This defendant further answering says that in reference to the Land conveyed by the said Joseph G. Stays to her sister Anna Higgins as specified and described in the Complainants exhibit marked A she claims her right of dower in the same, not having joined her said husband, in the Execution, or acknowledgment of said Deed - and she further says that the said Deed of which Complainants Exhibit A is a Copy was not made by her said husband, for the purpose or with the Intent - stated, and alleged in said Bill of Complaint - But was made for the purpose and with the intent as set forth by the said Anna Higgins, in her answer to said Bill of Complaint which this defendant has seen & read And this defendant further says - that her said husband, both before and after he had made said Deed stated to her that his object, and purpose, in making the same was as stated & set forth by the said Anna Higgins in her said answer and she feels perfectly confident that if his life had been spared a little longer he would have so arranged his affairs - as to have paid off fully all his just debts - and have secured the residue of his Estate for the benefit of his daughters after his death And this defendant - prays to be hence dismissed with her reasonable Costs & Charges in this behalf sustained

Redd A. Schley calls

For defendant

State of Maryland Frederick County to wit. On this 25th day of June 1852 the above-named Harriet A. Stays appeared before me the subscriber, a Justice of the peace of the State, and for the County aforesaid, and made oath, on the Holy Evangelists that the facts contained in the foregoing answer are true as therein stated to the best of her knowledge & recollection & belief, Sworn before John Lee Pickett

Justice of the peace for Frederick Co

ND Replication filed Sep^r 28/52 and agreement of Counsel for a Commission to take testimony filed Oct^r 1st 52 being mislaid or lost, will account for not being Recorded

Thereupon the following Commission was issued by  the Court

Maryland doth The State of Maryland to John G. Wilson & Arnold S. Stevens of Maryland in the State of Virginia: Greeting Best known that you are appointed Commissioners to examine Evidence in a Cause depending in the Circuit Court for Frederick County as a Court of Chancery - Between William Anderson & the Washington Savings Institution Complainant and Anna Higgins and Harriet A. Stays Defendants. You are therefore required, having first taken the Oath hereunto annexed & 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 plaintiff, or defendant, and that you examine them on their Corporal Oaths, to be by you administered upon the Holy Evangelists 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 attorneys of the execution of the Commission before you execute the same, & having reduced their positions as taken by law, you into writing you send the same with this Commission close under your hand & seal into the Court as a Court of Chancery - with all convenient speed.

Witness the Hon^{ble} William Nelson Judge of said Court