

Thomas Toruck Esq. Clerk vs. You will please enter the General
Replication to the answer of the infant Defendants filed in this cause
Filed December 9th, 1876. C. P. S. Perry
Solicitor for Complainant

Interlocu-
tory Decree

James W. Eichelberger vs. No. 4159 Equity.
Casper Myers Executor vs. of In the Circuit Court for Frederick
Mary W. Toruck Decedent, et al. County, as a Court of Equity
September Term, 1876.

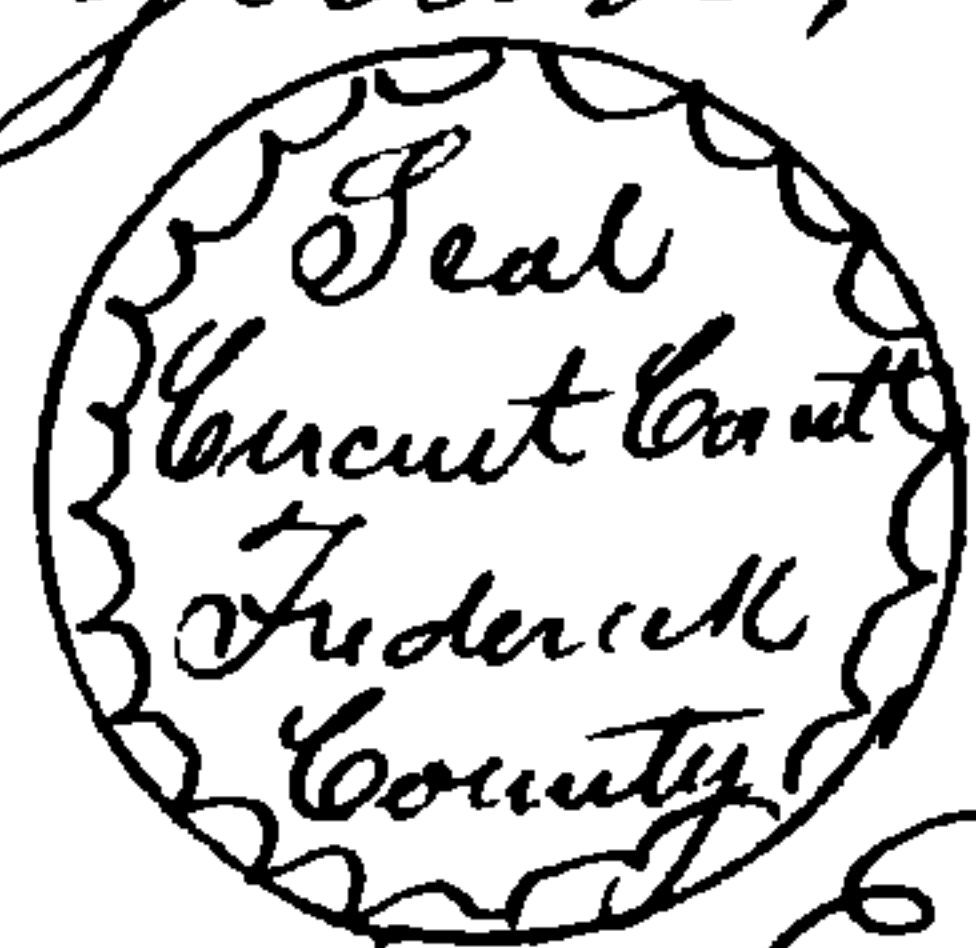
The Defendants William Henry Toruck and Leah Toruck, his wife,
Barbara W. Toruck and Catharine Toruck, having been duly summon-
ed to appear to the Bill of Complaint filed in this cause, and the Defen-
dants Joseph H. Toruck, Mary A. Myers, and the unknown representatives
and heirs of said Mary A. Myers having been duly satisfied by
publication to appear to the bill of Complaint filed in this cause as
required by the previous order of this Court, and all of said Defen-
dants having failed to appear to said Bill of Complaint It is there-
upon this 9th day of December A D 1876, by the Circuit Court for
Frederick County, as a Court of Equity, and by the authority thereof
adjudged, ordered and decreed, that the Complainant is entitled to
relief in the premises. But because it doth not certainly appear
to what relief the Complainant is entitled it is further adjudged
and ordered that a Commission issue to the Standing Commissioners
of this Court to take testimony to Support the allegation of the bill.

Filed December 9th, 1876

John A. Lynch
Judge of the Cir. Court

Commission
to take
Testimony

Maryland, Oct:



The State of Maryland, To Mr. B. Nelson and
J. E. R. Wood of Frederick County, Greeting.

Be it Known, That you are appointed Commissioners
to examine Evidences in a cause depending in the Circuit Court for
Frederick County as a Court of Equity, between James W. Eichelberger
Complainant, and Casper Myers Exr vs. of Mary W. Toruck de-
cedent, Defendants. You are therefore required, having first taken
the Oath heretofore 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 Complainant or Defendant, and that you
examine them on their solemn oaths, to be by you administered upon the
Holy Evangel of Almighty God, touching their knowledge or remembrance
of anything 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 this Com-
mission, before you execute the same; and having reduced the depositions
of the witnesses, so taken by you, into writing, you send the same,