


their guardian to the Bill of Complaint of Michael F. Eichelberger & others, filed against these Infant defendants, and in the Circuit Court, for Frederick County, sitting as a Court of Equity. These defendants, answering by their said guardian say - they cannot admit the matters and things, alleged in said Bill of Complaint as the partition of said Real Estate, but say - that it will be to the benefit and advantage of all the parties interested - that the same should be sold by a Trustee to be appointed for that purpose, for distribution among the heirs at Law of said Joseph Eichelberger/dec'd, according to their respective rights. These defendants further answering say, they admit all the other facts alleged in said Bill of Complaint, and being infants of tender years, submit their rights to this Court for its protection. These defendants further answering state - that since the filing of said Bill of Complaint Virginia Eichelberger, one of said Complainants has departed this life, leaving as his only heirs at Law, her Brothers & sisters, named in said Bill of Complaint.

Lewis F. Coppersmith Esq,
Gov.

On this 9th day of November, 1854, before me the Commissioner, named in the enclosed Commission, appears Lewis F. Coppersmith, the above named Guardian, & made oath - That the facts & things set forth in the foregoing answer are true, to the best of his knowledge & belief

John A. Lynch,
Comr.

To the Honble, Madison Nelson, Judge of the Circuit Court, for Frederick County sitting as a Court of Equity. The subscriber being the Commissioner, named in the enclosed Commission, hereby certifies - That in execution of the powers thereby vested in me, I did, on the day of November 1854, take the answer of said Infants by their said guardian by me administered - to the Bill of Complaint in said Commission mentioned, which said answer with said Commission is herewith returned closed, under my hand, and seal, this 9th day of Nov. 1854.

John A. Lynch, Comr. 

The Separate answer of Virginia Eichelberger, one of the defendants to the bill of Complaint of Michael F. Eichelberger, & others, filed against this defendant & others in the Circuit Court, for Frederick County, sitting as a Court of Equity. This defendant for answer to said Bill of Complaint says she admits that Joseph Eichelberger dies intestate, seizer of the Real Estate therein described & leaving the parties therein named, as his only heirs at Law. But that Maria A. Eichelberger has since the filing of said Bill of Complaint departed this life intestate, leaving her brothers, and sisters - named in said Bill of Complaint, as her only heirs at Law. This defendant - further states - That said Real Estate will not admit of partition, among said heirs at Law, without injury, and loss, and that it will be for the Interest, and advantage of all the parties interested, that said Land should be sold, and the proceeds distributed among the parties, according to their respective rights. This defendant admits all the other facts stated in said bill of Complaint, and is willing a Decree shall pass as therein prayed.

Virginia Eichelberger

I hereby agree to accept, the within answer, without oath, to have the same effect, as if sworn to.

Grayson Eichelberger Sells.

The following Order was filed Nov. 11. 1854.

Michael F. Eichelberger and others.	} No. 2579 In the Circuit Court, for Frederick County sitting as a Court of Equity.	} Col. Edward Shriver clk. &c. you will please issue a Commission in the above cause to Robert Wil- son Jr. to take Testimony.	} Grayson Eichelberger Sells for Compt.
vs. Elizabeth Eichelberger and others.			