

executors, and that this defendant states, and admits that since the death of said William Fischer, as one of the executors of said will and Testament, he has fully paid, and satisfied to said John A. Steiner, the whole residue of said purchase money. But that said John A. Steiner owing to the conflicting claims set up, to said Real Estate by said Harriet Fischer & Harriet Ann Gantzinger as alleged in said Bill of Complaint, has not yet executed a deed of Conveyance for the same. This defendant further answering admits that the personal Estate of said William Fischer is amply sufficient for the payment of all his debts, and this defendant believes, and so states that the whole of the debts of said Testator have been paid out of his personal Estate, leaving a large surplus, in the hands of said executors, and this defendant is informed, and believes that said Complainants are entitled to said real estate, as alleged in their bill of Complaint - but that owing to the claims set up to said real Estate by said Harriet Fischer, and Harriet Ann Gantzinger, the said Complainants have not been admitted to take possession thereof, nor has this defendant for the same reason paid over to Elizabeth Fischer, one of the said Complainants, the rents & profits of said lot & premises received by this defendant - This defendant further answering states that he has since the death of said Testator received as rent, accruing from said property - the sum of three hundred and seventy four dollars, being amount of rent to the first day of July 1854, and that forty dollars, another quarters rent, will be due on the first day of October 1854, which this defendant expects to receive as soon as due - That he has paid for insurance, taxes, and repairs, the sum of thirty one dollar & forty six cents, leaving some accounts for repairs, the taxes for the present year due & unpaid, the amounts of which this defendant has not ascertained, but this defendant is willing that said Elizabeth Fischer shall take possession of said property specified in said Bill of Complaint, and is ready & willing to pay over to said Elizabeth Fischer, all the rents & profits by him received, after deducting therefrom all necessary expenditures for insurance, taxes & repairs, whenever he will be protected in so doing by the order of your Honor. This defendant further answering says he admits all the facts set forth in said bill of Complaint & is willing a Decree shall pass as therein prayed & prays to be heard dismissed with his reasonable costs & charges in this behalf expended. ) 40

G. J. Fischer

State of Maryland, Frederick County, to wit: On this 21<sup>st</sup> day of September, 1854, before the subscribers - a Justice of the peace, in and for said County & State, personally appeared George J. Fischer & makes oath that the matters & things stated in the foregoing answer are true, to the best of his knowledge & belief. Sworn before,

J. M. Harding,

Democratic Union Office, Oct 31, 1854.

We hereby Certify that the annexed notice, and order were published, in the Democratic Union, once a week, for one month, prior to 24<sup>th</sup> day of July 1854.

J. Collins Davis Publ.

Whereupon the following Decree was passed, viz.

Joseph Devan & Sarah Devan his wife } No. 2561. In the Circuit Court for  
 William A. Cauliflower & Ann Elizabeth } Frederick County, sitting as a Court  
 wife, and others. } of Equity. October Term 1854

John A. Steiner, George J. Fischer } This cause standing ready for hearing  
 and others. } & being submitted, to the Court with  
 exhibits, and all other proceedings, which were duly read, and considered, and the } out, arguments, upon the bill, answers  
 order of Publication, heretofore passed in this cause, having been duly published } and the said Harriet Fischer, Harriet Ann Gantzinger, and William C. Gantzinger  
 and the said Harriet Fischer, Harriet Ann Gantzinger, and William C. Gantzinger } the said absent defendants, having failed to appear, and answer said -  
 bill