

as aforesaid. This defendant states further for answer, that if the said Complainants, have any claim or demand for rent, or for any thing else - against the said Elizabeth M. Ebert, one of the Defendants in this case, which is utterly denied, they have a complete, and full remedy in a Court of Common law for the recovery thereof, without the aid of this Court as a Court of Equity, and that the said pretended Claims, and demands set forth, and exhibited by the complainants, by said bill &c. did not, nor did any part thereof accrue at any time within three years, before the filing of the Bill in this case, and the said Statute of limitations is insisted upon as a full, and complete bar of any right to recover the same and a full and perfect defense to this suit. This defendant states further for answer, that he is informed, that the said Elizabeth M. Ebert, the widow of said Augustus F. Ebert, decd and the mother of this defendant claims a right, title, & Interest, in and to said Real Estate & premises, and she refuses to have said property sold as prayed to. And this defendant denies, all & all manner of right to any sum for repairs, expenditures and improvements of said House & Lot, of any kind in the Complainants said Bill, charged against this defendant, &c. as there can be no such claim due, against this Defendant, and in truth, if there ever was any such claim, it did not accrue at any time within three years next before the filing of this Bill, and is barred by the Statute of limitations as aforesaid, without that, that any other matter, or thing, in the Complainants said bill of Complaint contained, material, or effectual for this defendant to make answer unto, and not herein, and hereby sufficiently answered unto, Confessed, or avoided, traversed, or denied is true to the knowledge and belief of this defendant, all which matters, and things this defendant is ready to aver, maintain and prove as this Honorable Court shall award, and humbly prays to be hence dismissed with his reasonable Costs & charges, in this behalf most wrongfully sustained.

John Palmer, Solr.
 For this defendant

Eberts } N. 2613. Equity. In the Circuit Court, for Frederick County.
 n.s } sitting as a Court of Equity, for this case, we consent & agree
 Eberts } that a Commission to take testimony shall issue to one
 Commissioner, and that George K. Shellman be appointed
 Commissioner for that purpose

John Palmer Sol. for Opp.
 Edward Lowe, Solr for Com,

Maryland &c. The State of Maryland, to George K. Shellman, Esqr. of Frederick County; Greeting: Be it known, that you are appointed Commissioner, to examine evidences, in a cause depending in the Circuit Court, for Frederick County, as a Court of Equity, Between Valens Ebert, & John M. Ebert, Complainants, and Elizabeth M. Ebert, Octavia A. Ebert, Maria L. Ebert, & Augustus Ebert, Defendants, you are therefore required, having first taken the Oath hereunto 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 & produced to you by either the Complainants, or Defendants; and that you examine them, on their

