

the name of the said fund of David Kemp & son. These defendants further admit that the Real Estate exhibited & referred to in the said bill of Complaint was purchased by the Coparceners and paid for out of partnership funds, and that the said Real Estate is in truth & fact partnership property. These defendants admit that David Kemp is dead, and that his Interest in the said Real Estate descended to the heirs of said David, charged with a Trust in favour of the Complainant the surviving partner of the fund, for the payment of the debts of the firm, and the winding up of the partnership estate. These defendants admit that the personal estate of the said partnership is wholly insufficient for the payment of the partnership debts, and that the said Real Estate is answerable for the said debts, and that the defendants assets ought to be decreed to be sold for the purpose prayed, - prayed for in said Bill of Complaint. These defendants do not interpose any objections to the passage of the Decree as prayed for & pray to be hence dismissed, with their reasonable costs in this behalf sustained.

Daniel M Kemp
 Richard J. Lamm
 Caroline A. Lamm
 Isaac Walker
 Margaret A. Walker
 J. William Schmitt

Geo J. Remsburg
 Mary G. Remsburg
 Louisa Kemp
 David E. Charlton
 Mary E. Charlton
 Caroline J. Charlton
 Wm. S. Kemp

I agree to accept the following answers, without the usual oath of the parties. May 22^d 1856. R. H. Marshall, Tell For Comp^{te}

John D. A. Kemp
 surviving partner

N. 2668. In the Circuit Court for Frederick County sitting as a Court of Equity. The Complainant in the above cause, represents unto your Honor

Daniel Kemp & others that under the Commission to take the Testimony to sustain the allegations of his Bill it is important that he should be authorized by an order of your Court to examine William H. C. Kemp, one of the Defendants in the said cause, your petitioner would respectfully pray your Honor to pass an order authorizing & permitting your petitioner to examine the said William H. C. Kemp, under the Commission, & your Petitioner will also pray. R. H. Marshall Tell For Comp^{te}

Ordered on this 22^d day of May 1856. that the Complainant in the above cause, be and he is hereby authorized & empowered to examine William H. C. Kemp, one of the Defendants to prove the allegations of his Bill. M. Nelson.

Court Maryland Sec. The State of Maryland, to George N. Shellman and Robt Johnson Esq of Frederick County 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 Equity between John D. A. Kemp, surviving partner, Complainant, and Daniel Kemp, & Isaac Walker & others Defendants you are therefore required, having first taken the oath, have us answer?

