

Should be sold under a decree of this Court, and the proceeds of sale, divided, among the parties interested in the same. It is thereupon this 7th day of August 1855 adjudged and ordered that the complainants by causing a copy of this order to be inserted in some newspaper published in Frederick County for one month before the sixteenth day of September eighteen hundred and fifty five, give notice to the said Elizabeth and Catharine daughters of Hugh McGee, deceased, and two of the heirs at law of said Peter McGee, and their respective and unknown husbands, the absent defendants of the object and substance of this bill, and warn them to appear in this Court in person or by solicitor on or before the seventeenth day of December next, to answer the premises, and show cause if any they have why a decree should not pass as prayed,

M. Nelson

True Copy, Test, Edward Shriver, Clerk.

Printers Certificate

"Examiner Office" Feby 1st 1856. This is to certify that the annexed order of publication, was duly inserted in the Frederick Examiner for one month prior to the 16th day of Sept 1855.

Schley & Haller

Answer M. B. Brumbaugh & Others

The answer of Jacob Brumbaugh and Mary Catharine his wife, and George B. Replogle and Ann Catharine his wife of the State of Pennsylvania to the Bill of Complaint of John M. Dermott and Mary M. Dermott his wife and John McGee, filed in the Circuit Court for Frederick County in Equity, These defendants for answer to said Bill answer and say, that they admit that Peter McGee of Frederick County, State of Maryland, died intestate in the month of July eighteen hundred and fifty five, seized and possessed of the real estate lying in Frederick and Montgomery Counties, State of Maryland, described in said Bill, that said lands descended to a sister named Mary now wife of John M. Dermott of Frederick County and to James M. McGee, Joseph McGee, John McGee, Mary C. now wife of Jacob Brumbaugh, Ann Catharine now wife of George B. Replogle, Martha McGee and Beccelia McGee, children of Hugh McGee, deceased, a brother of said Peter McGee, and James McGee and Elizabeth McGee, children of Patrick McGee a brother of said Peter McGee, That all of the said heirs at law are of full age, except Beccelia, James and Elizabeth McGee, and that all reside in the State of Maryland, except your defendants who reside in the State of Pennsylvania, These defendants admit that the lands of which said Peter McGee died seized and possessed are not susceptible of division among his said heirs, that the interests of all parties interested, infants as well as adults requires that the lands should be sold and the proceeds of sale divided among the parties, and these defendants agree that the same may be sold under a decree of the Court, waiving all right to a commission to view and value and to take the estate at a valuation, and they submit that such decree may be passed, as to the Court may seem right, and pray hence to be dismissed &c

Witness present,

her
Mary Elizabeth Brumbaugh
Jacob C. Brumbaugh
her
Ann Catharine Replogle
her
Geo. B. Replogle