

to the execution of said Mortgage by him to said W. R. Sanderson, to wit: sometime in the year 1850, the said John Miller sold to your respondent John W. Miller One Hundred Acres of land, part of the tract called "John Miller's Runway", at and for the sum of Seven Hundred and forty dollars, of which sum your Respondent John W. Miller paid to said John Miller One Hundred dollars in the life time of said John Miller, leaving the sum of Six Hundred still due and unpaid; that the said John Miller was to execute a deed of said land to said John W. Miller upon payment of the purchase money, and that preparations were being made to have said deed executed by said John Miller, when in the providence of God, said John Miller was stricken down with palsy, and died without executing said deed.

Your Respondent, John W. Miller further answering, says, that in pursuance of the Contract aforesaid entered into by himself and said John Miller, the said John Miller transferred said tract of land thus sold as aforesaid, to said John W. Miller in the Assessment books of Frederick District in said County, sometime in the year 1850 or prior thereto, and that he the said John W. Miller entered into possession of said land and now remains in possession thereof, having paid the taxes thereon from the time the land was transferred to him by said John Miller in said tax books in the year 1850.

Your Respondent further answering admits that said John Miller died intestate, leaving a widow Sarah Miller, and the Children and grand children, the heirs at law as described in said Bill of Complaint.

These Respondents object and protest against the passage of any Decree for the sale of that part of said land heretofore sold, but not conveyed, in his life time by the said John Miller to your Respondent John W. Miller, and which is now in the possession and occupancy of said Respondent. And these Respondents pray hence to be dismissed &c.  
Filed September 18<sup>th</sup> 1868

Frederick A. Nelson  
Sol. for Defndt

Answer of John Bowers et al.

The joint and several answer of John Bowers and Sarah E. his wife, Jacob Ezra Palmer and Matilda C. his wife, and William Le Brunner and Julia A. Mrs. his wife, Edward A. Brunner, and Sarah A. R. his wife and Thomas Le Miller to the Bill of Complaint of William R. Sanderson Trustee of Thomas Sanderson against these Respondents and others in the Circuit Court for Frederick County sitting in Equity, Exhibited.

These Respondents for answer to said Bill of Complaint, say, that the Complainant has by mistake in his said Bill called this Respondent William Le Bowers instead of Brunner, which is his correct name, and has also by mistake stated that this Respondent Thomas Le. is a minor, whereas he is of full age, and for further answer say that this Respondent Sarah E. is the wife of the Respondent John Bowers, and the Respondent Matilda C. is the wife of the Respondent Jacob Ezra Palmer, and that both are children and heirs at Law of John Miller deceased, and that these Respondents Thomas Le Miller, Julia A. Mrs. Brunner who is the wife of William Le Brunner, mis-called in said Bill William Le Bowers, and Sarah A. R. who is the wife of the Respondent Edward A. Brunner, are, together with Winfield S. Miller and John P. Miller the infants in said Bill named, all the children and heirs at Law of George Miller deceased, who was a child and heir at Law of the said John Miller deceased, and that they, together with John W. Miller, Jacob N. Miller, and Daniel O. Miller in the said Bill named who are children of the said John Miller deceased, constitute all the heirs at Law of the said John Miller deceased. And these Respondents admit the Mortgage debt mentioned in said Bill of Complaint, to be due and

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