in Frederick-town, in and for said County, on the third Monday of February next to answer the Bill and Complaint of Samuel Dutrow, against you in our said Court exhibited, and so forth.

Hereof, fail you not, as you will answer the Contrary at your peril. ~ Witness the Honorable Madison Nelson Chief Judge of our said Court, the 13th day of December 1869. ~ Issued the 8th day of January 1870 ~

To the Sheriff of Frederick County ~ Charles Mantz, Clerk

Filed January 13th 1870 ~

Endorsed "Summoned"

A Bartgis, Sheriff

Subpoena

Maryland, Sct:

(Seal)

The State of Maryland, To Columbia T Duvall, Samuel Duvall Edwin Duvall, Arthur Delashmutt and Benjamin H Duvall Executors of the last Will and Testament of Grafton Duvall decd of Frederick County, Greeting. ~ You are hereby Commanded that all excuses set apart, you personally appear before the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity, to be held at the Court House in Frederick-town, in and for said County on the third Monday of February next to answer the Bill and Complaint of Samuel Dutrow, against you in our said Court Exhibited, and so forth.

Hereof fail you not, as you will answer the same at your peril. Witness the Honorable Madison Nelson, Chief Judge of our said Court, the 13th day of December 1869 ~ Issued the 8th day of January 1870. ~

To the Sheriff of Frederick County. ~

Charles Mantz, Clerk

Endorsed "Summoned"

Filed Jan. 13th 1870 ~ A Bartgis, Sheriff

Answer of Benj^a Amos Cunningham

The Answer of Benjamin Amos Cunningham of Frederick County Maryland to the Bill of Complaint of Samuel Dutrow filed in the Circuit Court for Frederick County in Equity against himself and others. ~

This Respondent for answer to said Original and amended Bills of Complaint or to so much and such parts thereof as may be necessary, Answers and says, that he admits that the said Grafton Duvall, Arthur Delashmutt, Daniel Baker and your Respondent B Amos Cunningham, purchased the property described in Exhibit No. 9 filed in said Cause, and further admits that said Grafton Duvall purchased of your Respondent and the other tenants in Common with said Grafton Duvall as Charged in said Bill, their interest in said property, And died before receiving a deed for the same, and that at the time of his death was sole owner of said land — And your Respondent further states that at the time of the sale of said property by your respondent to the said Grafton Duvall, said property was sold subject to the Condition that if ever any liquor or Andent Spirits of any kind was sold on said property, or if said property was ever used as a place of vending liquor or Andent spirits of any kind, that said property in that event should revert to your Respondent and the other tenants in Common with the said Duvall or their heirs ~

Your Respondent agrees that a decree be passed by your Honorable Court for the Sale of the real estate therein mentioned, and pray your Honorable Court that the land and property described in Exhibit No. 9 filed in said proceedings, may be sold by and under a decree to be passed by your Honorable