

Maryland, &c.

Subpoena

The State of Maryland To George W. Edmonston and Eleanor F. Edmonston his wife of Howard County, Gentlemen, You are hereby commanded, that all excuses set about you personally, appear 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 second Monday of May next to answer a Bill and Complaint of John E. Potiter Junr, against you in said Court exhibited and so forth, <sup>and</sup> fail not as you will answer the Court at your peril.

Witness the Honorably Richard J. Paine Chief Judge of Our said Court 17<sup>th</sup> day of February, 1873.

Passed the 21<sup>st</sup> day of April 1873.

To the Sheriff of Howard County,

Charles Henry, Sheriff



Expounded Rec<sup>d</sup> April 23<sup>d</sup> 1873, and forthwith delivered to Sheriff of Howard County Summors J. S. Tracy

Filed May 2<sup>d</sup> 1873

John E. Potiter and wife vs

No 3870 Equity In the Circuit Court for Frederick County in Equity,

George W. Edmonston & wife

The answer of Geo. W. Edmonston and Eleanor F. Edmonston his wife to the Bill of Complaint of John E. Potiter and Eliz<sup>th</sup> P. Potiter his wife in this Court filed

These Respondents admit that James Moberly did seize and possessed of a farm situated in Frederick County containing about two hundred & four acres of land, or possibly not quite so much, and that said Real Estate is described in Exhibit No. 1, to the Bill of Complaint, but whether or not the paper referred to in said Bill as Exhibit No. 2, contains a description of said Real Estate these Respondents do not know in as much as our files do not exhibit in the papers in this cause. These Respondents admit that said James Moberly died intestate leaving him surviving a widow Elizabeth Moberly, a son John Isaac Moberly who died without issue, a daughter Almada who married Charles Lewis and a daughter Elvira who married Harry Smith of G.

These Respondents admit that the interest of John Isaac Moberly in said Real Estate was sold at Sheriff's sale, but deny that the same was purchased by the widow Eliz<sup>th</sup> Moberly and say that the same was purchased by said Eliz<sup>th</sup> Moberly and her daughter Elvira Smith jointly, and that Elizabeth Moberly so sold at Sheriff's sale.

These Respondents further answering deny that said Elizabeth Moberly divided her interest in said Real Estate to the two daughters of Elvira Smith but say that she divided the same to the four children of said Elvira Smith namely George M. Smith James H. Smith Elizabeth C. Potiter and Eleanor F. Edmonston John Isaac Moberly having died before said Elizabeth Moberly.

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