

Interlocutory
Decree

Samuel W Plummer & others } No 3319
 vs. }
 Lyde Griffith and others }
 as a Court of Equity, January Term 1867.
 Lyde Griffith and Louisa Griffith his wife
 and C Columbus Griffith three of the Defendants knowing them duly sum-
 moned to appear to the Bill of the Complainants and having failed to
 appear thereto it is therefore this 4th day of February in the year 1867
 by Madison Nelson Judge of the Circuit-Court for Frederick County
 sitting as a Court of Equity and by the authority of the said Court
 adjudged ordered and decreed that the Complainants are entitled to
 relief in the premises but because it doth not certainly appear to what
 relief the Complainants are entitled, it is further adjudged and order-
 ed that a Commission issue to take testimony to support the allega-
 tions of the Bill to the standing Commissioners
 Filed Feb'y. 11 1867. M Nelson

Application
for leave to
answer and
Obtain Order

Samuel W Plummer et al } No 3319 Equity
 vs. }
 Lyde Griffith et al }
 In the Circuit-Court for Frederick County,
 C. Columbus Griffith one of the Defendants
 to the above cause by Fred J Nelson his Solicitor
 hereby makes application to the Court for leave to file his answer
 to the Bill of Complaint therein exhibited against him.
 Fred J Nelson
 Solicitor for A. H.

Court
Order

Ordered by the Court this 5th day of February 1867 that C Columbus
 Griffith the above Complainant have leave to answer the Bill of Com-
 plaint exhibited against him in the above cause any time within
 ten days from the date of this Order
 Filed February 5. 1867. M Nelson.

Answer of
C Columbus
Griffith

The separate answer of C Columbus Griffith to the Bill of Complaint
 of Samuel W Plummer and Mary A Plummer and others filed
 against Defendant and others in the Circuit-Court for Frederick County
 sitting in Equity. This Defendant for answer to said Bill of
 Complaint as to so much thereof as he is advised is material
 for him to answer says that he admits as charged in said Bill of
 Complaint, that a certain Lyde Griffith of Montgomery County
 in his life time made and executed his last Will and Testament
 in due form of Law to pass Real Estate and died some time dur-
 ing the year 1839 without having in any manner revoked the same
 that said last Will and Testament was by the Orphan Court
 for Montgomery County in this State, duly admitted to probate
 and recorded among the Will records in the office of the Register of
 Wills for said County that Lyde Griffith by his said last Will
 and Testament did amongst other things devise and bequeath as
 follows viz: "I give unto my son Lyde One hundred and
 sixty Acres to include the buildings where Benjamin Spingnow lives in
 trust together with the Negroes to wit: Maria, Chadler, Pilly, Phaler,