

in Frederick-town in and for said County on the 3<sup>rd</sup> Monday of September next to answer the Bill and complaint of John B Kunkle surviving partner of John B. Kunkle and Jacob M. Kunkle against you in said Court exhibited and so forth Hereof fail you not - as you will answer the contrary at your peril Witness the Honourable Richard J Bowie Chief Judge of our said Court the 13<sup>th</sup> day of May 1872.

Dated the 21. day of June 1872. To the Sheriff of Frederick County  
Endorsed summoned Charles Mantz  
Thos. G. Millard's Shff. Clerk  
Filed Sept. 17. 1872.

Answer of George W Willhite

The answer of George W Willhite of Henry County State of Indiana to the Bill of Complaint of John B. Kunkle of Frederick County State of Maryland filed in the Circuit Court for Frederick County in Equity, against himself and others. This Defendant admits the facts stated in the Bill of Complaint to be true as therein stated and agrees to a sale of the premises mortgaged by Benjamin Willhite to John B. Kunkle and Jacob M. Kunkle as prayed in said Bill. Filed Oct. 10. 1872. Washington E. Willhite

Answer of Mary B Willhite et al

The answer of Franklin Herbert and Amelia Herbert his wife of Washington County State of Maryland of Arnold A Willhite Frederick A Willhite of Mary Barbara Willhite and Samuel Anders and Ann Anders his wife of Frederick County State of Maryland to the Bill of Complaint of John B. Kunkle surviving partner of Jacob M. Kunkle filed in the Circuit Court for Frederick County in Equity against themselves and others. These Defendants admit that Benjamin Willhite in his life time was indebted to John B. Kunkle and Jacob M. Kunkle as partum in a note for two thousand two hundred dollars dated on the 3 day of January 1863 payable two years after date with interest from date that to secure the payment of the said sum of money when due the said Benjamin Willhite executed the Mortgage on his Real and Personal Estate in Frederick County described and set forth in Exhibit No. 2. These Defendants admit that no part of the said Mortgage debt has been paid except the credit given up on the note filed in said case and that the balance of the note is still due and unpaid, These Defendants further admit that Benjamin Willhite died intestate as stated in said Bill leaving the widow and children as stated in said Bill. These Defendants further admit the death of Jacob M. Kunkle as stated and agree that a decree for the sale of the Mortgaged premises may pass as prayed.

Barbara <sup>per</sup> Willhite  
Arnold A Willhite  
Samuel S Anders  
Ann <sup>per</sup> Willhite  
B. F. Herbert  
Amelia Herbert  
Frederick A Willhite

Filed Oct. 10. 1872.

Recommendation of Trustees

John B Kunkle & Franklin Herbert et al } No 3803 Equity  
Circuit Court for Fred County  
To the Hon. the Judges of the Circuit Court for Frederick County in Equity.