

The subscriber being the Commissioner named in the annexed Commission hereby certifies that on Execution of the Oaths thereby vested in me, I did on the 19th day of November A.D. 1867 aforesaid, appoint Harriet M. Todd of Frederick County, and took the answers of the said Infants named in said Commission and took the answer of the said Infants by their said Guardian under the Oath of said Guardian by me administered to the Bill of Complaint in said Commission mentioned which said answer with said Commission is herewith returned closed under my hand and seal, this 19th day of November A.D. 1867.

H. M. Todd
Comm.

Answers of Infants

The answer of Benjamin Hammond Todd, and Jesse Edwin Todd, by Harriet M. Todd mother and Guardian of said Benjamin & Jesse Edwin Todd, Infants defendants to the Bill of Complaint of Ruth Moore and Samuel Moore her husband filed in the Circuit Court for Frederick County as a Court of Equity, against themselves and others,

The Respondents by Harriet M. Todd their mother and Guardian, answer and say, that they admit that said Benjamin Todd their Grandfather made the complainant (Ruth, sometime in the summer of the Year Eighteen Hundred and sixty six, and that they lived together as man and wife up to the time of the death of said Benjamin who died, intestate in the month of December in the Year Eighteen Hundred and sixty six,

The Respondents further admit, that said Benjamin died intestate as aforesaid seized and possessed of considerable Property, the amount and character of which upon Respondents have no knowledge, they being Infants, and that his brothers and sisters, and Descendants of Brothers and Sisters named in said Will, are his heirs at Law, and part of him.

These Respondents further admit, that shortly after the death of the said Benjamin Todd in the summer of the year Eighteen Hundred and sixty seven the said complainant Ruth widow of said Benjamin, married Samuel Moore, and of said Complainants, and are now living together as man and wife.

The Respondents by their said Guardian further answering said Bill of Complaint answer and say, that the said Benjamin Todd their Grandfather and the said Ruth his wife, on the Twentieth day of November in the year Eighteen Hundred and sixty six for and in consideration of natural Love and Affection which the said Benjamin bore to his said grandchilden, executed and delivered to his said grandchilden, Benjamin and Jesse Edwin Todd the deed for the land described by said Will a true copy of which deed is therein Exhibited marked Exhibit No. 1, and which said deed was duly executed and delivered by the said Benjamin Todd & Ruth Todd his wife and is now recorded among the Land Records of Frederick County.

The Respondents further answering said Bill of Complaint answer and say, that there was all and all manner of fraud on the part of their said Grandfather Benjamin Todd on the part of the said Rachel D. Todd in obtaining the deed of the said land conveyed as aforesaid, but distinctly aver that it was the free and voluntary act of their said Grandfather without any solicitation on their part or of any other person, or there be any but that it was the free and unconstrained act of their said Grandfather from the natural love and affection that he bore to these Respondents and for their better improvement in life and Respondents having been brought up reared and lived all their lives with their said Grandfather and supported by him up to the time of his marriage with the said complainant (Ruth,

Harriet M. Todd, Guardian