

advantage and interest of all the parties interested that said real estate should be sold under the decree of your Honorable Court and further desires that she will not agree to unite in a sale and conveyance of said property. This Respondent further answering says that all the parties interested are adults that she is the mother of the other but joint owners that she has never refused to unite in any reasonable sale of said real estate and will at any time unite with them in any reasonable sale thereof. that the acts of proceedings and sale under a decree in your Honorable Court will nearly if not quite equal one third of the proceeds of sale that all the parties interested including this Respondent are in very moderate circumstances poor in fact and that it would be a great hardship upon this Respondent and the other joint owners of said real estate and grossly inequitable to decree a sale when this Respondent is perfectly willing to unite in any reasonable sale that in fact the other joint owners do not desire a decree for sale and have filed a petition in this cause alleging that they do not desire a decree and that the bill for a decree was filed without their authority the Solicitor who filed the bill laboring under an erroneous impression and being misinformed as to their assenting to the filing of a bill in their names. This Respondent prays that she may be herein dismissed with her reasonable costs - And as in duty bound

Filed Feb'y 3. 1877

C. V. S. Levy
Solicitor for Complainant

Petition of
Jacob F.
Boyer wife

Bernard Le Rothenhauffer wife
Jacob F. Boyer & wife
vs
Elizabeth M. Boyer

No 4207 Equity
In the Circuit Court for Frederick
County, in Equity.

To the Honorable the Judges of the Circuit Court for Frederick County, sitting, as a Court of Equity. Jacob F. Boyer and Elizabeth Boyer his wife complainants respectfully, represent unto your Honorable Court that the Bill in this cause was filed in their names with their authority and consent, that they wish said Bill prosecuted and desire said property to be decreed to be sold and further state that Francis Baughman obtained from us just previous to the filing of the Bill full authority to do the same and has ever since had such authority to prosecute the same and still has authority to prosecute the said Bill and to do in the premises for us whatever is best for our interests and rights. We do further state that the Petition in this case purporting to be signed by us filed February 3rd 1877, is not our Petition but the said Petition was brought to us and the contents of it entirely misrepresented to us we not reading it. It was understood by us that it was an agreement to have the property sold.

Test
L. Victor Baughman
Filed May 10. 1877

Elizabeth M. Boyer
Jacob F. Boyer