

No 4448 Equity

and unjust for this Honorable Court to pass a decree for the sale of said Real Estate upon the prayer of the Complainants mentioned in said Bill of Complaint

These defendants further answering, neither admit, nor deny that said Estate is not susceptible of division among those entitled thereto and, so they say, as to all the other allegations in said Bill of Complaint which they have not hitherto specially answered

These defendants pray to be dismissed, with their reasonable costs, and that the Bill of Complaint filed in this cause be likewise dismissed

And as my duty bound will ever pray &c

John C. Motta
Guardian

Guardians Afft

On this 14th day of May A. D. 1879 the abovesaid John C. Motta appeared before me the Commissioner, and made oath that the matters and things stated in the foregoing answer, are true to the best of his knowledge, and belief, and from information by him received

Filed May 14, 1879

Clayton C. Robinson
Commissioner

Newton W. Horner and
Caroline Horner his wife & others

vs
Sophia Horner John Agnew
& wife & others

No 4448 Equity

In the Circuit Court for Frederick
County, in Equity

To Thomas Gorsuch Esq. Clk.

Enter, a general replication

to the answer of the Defendants filed in this cause

Filed August 7, 1879

Ross
Sol for Complainants

General Rep-
lication

Newton W. Horner and
Caroline Horner his wife & others

vs
Sophia Horner John Agnew
& wife & others

No 4448 Equity

In the Circuit Court for Frederick
County, in Equity.

To Thomas Gorsuch Esq. Clk.

Issue a Commission in the abovesaid

titled cause to Messrs B. Stollen and John C. R. Hood Esqrs to take testimony
in the part of the Complainants

Filed August 7, 1879

Spencer J. Ross
John W. Ross
Sols for Complainants

Order for
Commission



Maryland, Set

The State of Maryland, To William B. Stollen and
John C. R. Hood Esquires of Frederick County Greeting

Be it known, that you are appointed Commissioners, to
examine Evidence in a cause depending in the Circuit Court for Frederick County as
a Court of Equity, between Newton W. Horner, John Agnew & wife and others, complain-