No. 4068 Equity

Answer of Infant Defts.

The answer of Benjamin Franklin Rickets, Edward G Rickets, Eva C. Rickets and Lilly Jane Rickets, infants under the age of twenty one years, by Edward M Sutire their Guardian to the Bill of Complaint of John W Yingling and others against them in the Circuit Court for Frederick County, sitting as a Court of Equity exhibited.

The Defendants cannot admit any of the matters and things alleged in the Bill, and being infants of tender years, submit their rights to the protection of this Court.

Edward M Sutire,
Guardian

Guardian's Affidavit

On this Eighth day of July A. D. 1880, the above named Edward M Sutire, 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.

Filed July 8th A. D. 1880. Alfred Ritter, Commissioner

John W. Yingling and Hannie Yingling his wife & others
vs
Daniel J. Fout, and Sarah A. Fout his wife, Ruben B Rickets & others

No. 4608 Equity

In the Circuit Court of Frederick County in Equity

General Replication

To Adolphus Tearhake Jr. Clk.

Enter a general replication to the answer of the infant Defendants.

Charles H Pole
Sol. for Complainant

Filed July 8, 1880

Petition of J. W. Yingling

To the Honorable the Judges of the Circuit Court of Frederick County, sitting as a Court of Equity.

The Petition of John W. Yingling, and Hanny Yingling his wife, Edmund L. Yingling and Sarah Yingling his wife, Jacob A. Yingling and Margaret A. E. Yingling his wife, and William S Yingling and Eva Yingling his wife respectfully show to your Honors that on the ninth day of June, 1880, they filed their Bill of Complaint in your Honorable Court against a certain Daniel J. Fout and Sarah A. Fout his wife and others for the sale of the Real estate of which a certain William B. Yingling died seized and possessed, and which descended to your Petitioner and others as heirs at Law of the said William B. Yingling as Tenants in common.

That since the filing of said Bill of Complaint, and the filing of the answers of the said Daniel J. Fout and Sarah A. Fout his wife, the said Sarah A. Fout the wife of the said Daniel J. Fout and daughter, and one of the heirs at Law of said William B. Yingling, has departed this life, intestate and without leaving issue and her interest in the said lands mentioned in said proceedings have descended to your Petitioners, her surviving brothers and, to Benjamin Franklin Rickets, Edward G. Rickets and Eva C. Rickets, the infant Children of Eliza J. Rickets, a deceased sister as her heirs at Law, subject however to the life estate of the said Daniel J. Fout the surviving husband of the said Sarah A. Fout.