

No. 4736 Equity

Answer of Ellen Nelson

Frederick County, sitting as a Court of Equity against herself and others. This Respondent for answer to the allegations, and charges in said Bill of Complaint, contained, answer, and says, that she admits that the said Robert W Nelson did as charged in the said Bill, intestate and seized in fee of the revenues in the lands described in Exhibits Nos 1, 2 & 3 and seized in fee of the Land in No 4, that Robert Nelson the tenant for life died in the year 1875, and that the children of Robert W Nelson as named in said Bill, are now seized in fee and in possession of said Lands, that the said Lands, cannot be divided without loss and injury, and that this Respondent agrees that said lands be sold under a decree of Court free, clear and discharged of her dower interest therein she agreeing to take such portion of the proceeds of sale as she may be entitled to under the rules of Court

And

Ellen Nelson

Affidavit as to age

State of Maryland, Frederick County, D

I hereby certify that on this twelfth day of December 1881, before me the subscriber a Justice of the Peace of the State of Maryland, in and for Frederick County personally appeared John M. Nicodemus, and made oath in due form of law, that he is acquainted with Ellen Nelson, widow of Robert W. Nelson decd, that her age is about fifty-three years, and that her general health is good. This December 12th 1881. Chas H Anders J.P.

Answer of John C. Nicodemus and wife & Hanson Stauffer

The answer of John M. Nicodemus and Mary R. Nicodemus his wife and of John H. Stauffer the husband of Ellen S. Stauffer defendants to the Bill of Complaint of Robert J. Nelson, and Annie E. Nelson his wife filed in the Circuit Court for Frederick County sitting as a Court of Equity against themselves and others.

These Respondents for answer to the allegations and charges in said Bill contained answer and say, that they admit that Robert W Nelson died in the year 1863 intestate seized in fee of the revenues of the Lands described in Exhibits Nos 1, 2 & 3, which are true certified copies of said deeds and also seized in fee of the lands described in the deed of which Exhibit 4 is a true certified copy. That said Robert W Nelson left surviving him a widow named Ellen Nelson, and the children named in said Bill of Complaint as his heirs at law and also have married as therein charged, and that the said lands described in Exhibits Nos. 1, 2 & 3 upon the death of Robert Nelson the life tenant in 1875, and upon the death of Robert W. Nelson in 1863, descended to them in fee and in possession, as tenants in Common, that said lands cannot be divided without loss or injury among the parties interested, and that it would be to the interest and advantage of all parties interested that the said lands be sold, and the proceeds divided among the parties interested, and these Respondents hereby agree to the passage of such decrees by your Honorable Court

Filed December 13th, 1881

John M. Nicodemus, Mary R. Nicodemus, J. Hanson Stauffer.

Robert J. Nelson wife Ellen Nelson, John M. Nicodemus & wife bothers

No 4736 Equity In the Circuit Court for Frederick County In Equity

To Adolphus Fearhake, Jr. Clerk Ct Ct for Frederick County.