

No. 4317 Equity.

Joshua Toms
@
Mary C. Toms and Isaiah
J. Toms her husband @ others

No. 4317 Equity.
In the Circuit Court for Frederick
County, in Equity.

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

Answer of Isai-
ah J. Toms &
Mary C. Toms his
wife

The joint and several answer of Mary C. Toms and Isaiah J. Toms her hus-
band, to the Bill of Complaint of Joshua Toms against them and others in this Court exhibited.
These Respondents and each of them admit the allegations in the said Bill of Com-
plaint to be true and consent to the passage of a decree as prayed.

Filed April 11th, 1881

Mary C. Toms,
Isaiiah J. Toms,

Joshua Toms
@
Isaiiah Toms and wife
Jacob Toms et al

No. 4317 Equity
In the Circuit Court for Frederick County
as a Court of Equity.

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

Answer of
Jacob Toms

The Answer of Jacob Toms to the Bill of Complaint of Joshua Toms against
him and others in this Court exhibited

This Respondent admits the allegations in said Bill contained and con-
sents to the passage of a decree as prayed.

Filed April 28th, 1881

Jacob Toms.

Joshua Toms
@
Jacob Toms and wife, Isaiiah
J. Toms and wife @ Thomas Clajett

No. 4317 Equity.
In the Circuit Court for Frederick
County, as a Court of Equity.

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

Petition
of
Complainant

The Petition of Joshua Toms the Complainant in this cause respectfully re-
presents, that since the filing of the Bill in this cause, and long after the return
day of the subpoena Mary Toms one of the defendants died, that she was the wife
of Jacob Toms, one of the defendants, that she signed the mortgage filed as
Exhibit No. 2, to the Bill of Complaint, that her only interest in the property
mentioned in the proceedings in this cause was, a contingent right of dower
in the one undivided third part of said property, subject to said mortgage
in said undivided third part, and that her interest therein, ceased with her
death, and vests now in no one.

Your Petitioner prays your Honorable Court to pass an order that this case be pro-
ceeded in as if no such death had occurred; And as in duty bound &c

Filed April 28, 1881.

C. C. J. Levy
Wilton G. Urner.
Solicitors for Complainant

and