

No. 5595 Equity
 and have, improperly been made parties hereto because Pliny O. H. Stier the
 intestate mentioned in said bill was only a brother of the half blood of
 these defendants and that the real estate mentioned in said bill
 was acquired by the said Pliny O. H. Stier by purchase and therefore
 these defendants have no interest therein.
 Wherefore these defendants pray that said bill may be dismissed
 as to them and that they be permitted to go hence with their reasonable costs.

And as in duty so
 Clayton O. Leary
 Sol. for Defts.

Filed Oct. 21. 1889.

General Replication

Nichols et wife }
 " }
 Stier et al }
 " }

No. 5595 Equity
 The Clerk, will enter the general replication
 to the answers filed
 J. C. Matter
 Sol. for Plt.

Filed October 21. 1889.

Petition

Nichols vs wife }
 " }
 Stier and others }
 " }

No. 5595 Equity
 In the Circuit Court for Frederick County
 sitting as a Court of Equity.

To the Honorable the Judges of said Court
 The Plaintiffs in the above entitled cause respectfully represent unto your
 Honors that the above entitled cause is at issue and they pray your
 Honors to pass an order referring the papers to one of the regular
 Examiners of said Court in order that testimony may be taken
 in said cause

And as in duty so
 J. C. Matter
 Sol. for Plaintiff

Court's Order

Upon the foregoing Petition it is ordered this 24th day of October A. D.
 1889 by the Circuit Court for Frederick County sitting as a Court
 of Equity that the above entitled cause be and the same hereby
 is referred to William Wilcoxson Esq. one of the regular Examiners
 of said Court to take the testimony in said cause.

John A. Lynch
 John J. Winslow
 Judges of the Circuit Court

Filed October 24. 1889.