No. 5810 Equity.

Court for Frederick County sitting as a Court of Equity.

The Answer of Edward Carnes, Charles Carnes and Elmer Hahn infants under the age of twenty one years by Joseph W. Gaver their Guardian ad litem to the Bill of Complaint of John H. Stitely against them et al in the Circuit Court for Frederick County, sitting as a Court of Equity, exhibited. These 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.

Joseph W. Gaver, Guardian ad litem

Filed May 25th 1891.

General Replication

Stitely
vs
Stitely et al

No 5810 Equity. In the Circuit Court for Frederick County in Equity.

Mr. Clerk

Enter into the General replication to answers of infants defendants filed.

J. E. Motter sol for Pltff.

Filed May 25th 1891

Decree pro Confesso & Counter Order

John H. Stitely
vs
Joel A. Stitely et al

No. 5810 Equity. In the Circuit Court for Frederick County sitting as a Court of Equity.

All the defendants in the above entitled cause having been duly summoned to appear and answer the bill filed in the above cause, and all the said defendants with the exception of the infants, having failed to appear or answer said Bill as directed, it is thereupon on this 25th day of May 1891 by the Circuit Court for Frederick County sitting as a Court of Equity and by the authority thereof adjudged and decreed that said Bill be taken as pro Confesso against the said Joel A. Stitely and Ellen, his wife Jacob E. Stitely and Frances his wife, Troyer W. Stitely and Martha, his wife Daniel P. Zimmerman and Catharine E. Zimmerman, his wife, Samuel A. Stitely and Virginia, his wife, James W. Palmer and Laura V. Palmer, his wife Isaac Stitely and Harriet, his wife Olivia Taylor and Martha Taylor, his wife, Elgitt H. Waltz and Sarah E. Waltz, his wife, Marshall E. Waltz and Laura Waltz, his wife, John C. Waltz and Mary J. Waltz his wife, Samuel B. Waltz and Arabella Waltz, his wife & John Doe, the absent defendants and it is further ordered and decreed that although it appears to the Court that relief should be granted the plaintiff, he be referred to the Examiner of this Court to take such testimony as the plaintiff may offer in support of the allegations of the Bill, to be specified by one of said Examiners and that he shall return the same to this Court for its further action.

Jas. McSherry

Filed May 25 1891

Testimony —

John H. Stitely
vs
Joel A. Stitely and others

No. 5810. Equity
In the Circuit Court for Frederick County sitting as a Court of Equity.