No. 6360 Equity.

real estate sold under a decree it will be against their interests so to proceed, and decidedly to their disadvantage, for the reason that a better price can in all probability be realized at private sale and the costs of this proceeding can be avoided, wherefore the said defendants say that they oppose the passage of a decree as prayed in said Bill and that they hereby pray that said Bill be dismissed with Costs.

And as in duty bound &c.

Frank E. Norwood
attorney for Adam J. Etter and
Emma F. Etter, his wife.

Filed March 14th 1895.

— Answer of Martin L. Nicodemus. —

Lewis F. Carter and Alice E. Carter, his wife, et al, plaintiffs.
vs.
Martin L. Nicodemus et al. defendants.

No. 6360 Equity.

In the Circuit Court for Frederick County, sitting as a Court of Equity.

The defendant Martin L. Nicodemus, by Frank E. Norwood, his Attorney, for answer to the Bill of Complaint filed against him and other defendants in this Cause says,

I. That he admits the truth of the matters and things alleged in the 1st, 2nd, 3rd, 4th, 5th, and 6th paragraphs of said Bill.

II. That as to the matters and things set forth in the 7th and 8th paragraphs of said Bill he is not fully advised, hence he can at this time neither admit nor deny the same.

III That the allegations of the 9th paragraph of said Bill are true, and that he, the said Martin L. Nicodemus, is seized and possessed of an undivided three fifths interest in said real estate.

IV. That he denies the allegations of the 10th paragraph of said Bill; that all the parties interested in said real estate are adults over the age of twenty-one years and fully capable of making deeds of Conveyance of their said interest therein, that he is advised and believes that all of said parties, except the plaintiffs, are willing to sell the said real Estate without the aid of a Court of Equity, that so far as the said defendant is concerned he is quite willing to join in the sale thereof at a fair price, and he believes the other defendants are also willing so to do; that if such arrangement be not effected it will only be because the plaintiffs will not agree that it will not be to the interest and advantage of any of the parties interested in the said real Estate to have the same sold by a trustee under a decree of this Court, but that on the Contrary it will be decidedly against the interest of all of said