

No. 7387 Equity,

Answer of Mary  
C. Hickman et al

Lloyd D. Smoot & Loran Smoot  
his wife  
Julia Duval Smoot et al

No. 7387 Equity,

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

The joint and several answer of Mary C. Hickman, John O. Hayden and Charles C. Waters to the Bill of Complaint in the above entitled cause filed.

These Respondents and each of them answering said Bill of Complaint respectfully state,

First:— That they admit the allegations contained in the first, second, third, fourth, fifth, sixth and seventh paragraphs, of said Bill of Complaint to be true.

Second. That they admit that your Respondent, Mary C. Hickman purchased Lot No. 3 as designated in Exhibit No. 3 filed with said Bill at and for the sum of \$102.00 Lot No. 4 at and for the sum of \$104.00 Lot No. 9 at and for the sum of \$60.00 and that your Respondent John O. Hayden purchased Lot No. 5 at and for the sum of \$100.00 and Lot No. 8 at and for the sum of \$68.00 and that your Respondent Charles C. Waters purchased Lot No. 6 for the sum of \$150.00 and Lot No. 7 at and for the sum of \$120.00 as alleged in the Eighth paragraph of said Bill of Complaint, but these Respondents aver and charge that all the aforesaid lots purchased as aforesaid by these respondents were purchased in fee simple, clear and discharged of all the interests of the parties to this cause together with a free unobstructed and perpetual right of way for the use and benefit of said lots over and to whatever is designated on said Plat. Exhibit No. 3, as Kanawha Avenue and 30th Street so as to give a free and unobstructed Roadway to Clay Street as designated on said Plat and also a free and unobstructed right of way for ingress & egress as designated on said plat and your Respondent further aver that said purchases were made upon the distinct understanding and condition that the rights of way aforesaid were to be appurtenant to said lots and that these Respondents are ready and willing to pay the said purchase money in accordance with the terms and conditions of said sale.

Third:— These Respondents admit the allegations contained in the 9th, 10th and 11th paragraphs of said Bill of Complaint.

Emory L. Cablentz  
Charles C. Waters

Sol. for Respondent.

Filed July 17th 1901.

Lloyd D. Smoot et al  
Julia Duval Smoot et al

In the Circuit  
Court for Frederick County in  
Equity

Ordered by the Court this 17th day of July A.D. 1901 sitting as a Court of Equity and by the authority thereof that William C. Kirby be and he is hereby appointed Guardian Ad Litem to answer and defend this

Court's Order

Reports

Answers  
Ad. 2

Petitions  
Or