

NO. 7871. Equity.

5. Answering the 5th paragraph of said Petition these respondents admit the facts stated in said paragraph but insist that only they the other heirs at law of said James Baker are entitled to the Surplus mentioned in said paragraph of said Petition these Respondents admit that the debt of said Levy mentioned in the Petition is in said paragraph but these Respondents utterly deny that any other debts exist or are entitled to be paid out of said Surplus, but charge that the same must be distributed among the heirs at law said Petition is entitled to be paid out of the Surplus from real estate mentioned in said paragraph, but these Respondents utterly deny that any other debts exist or are entitled to be paid out of said Surplus, but charge that the same be distributed among the heirs at law said James Baker, or any heir Creditors of said heirs at law.

7. And further answering said Petition these Respondents say that they and each of them set up and rely upon the Bar of the Statute of Limitations against any and every claim mentioned or referred to in said Petition or which may come into this cause and may seek to be made a party thereto or may seek to be paid out of the Surplus of the proceeds of real estate in said Petition mentioned, except as to the debt of said Levy in said Petition mentioned.

And further answering these Respondents say that the Petition meant and referred to herein is the Petition of Charles P. Levy filed in your Honorable Court on the 2nd day of February 1905
And having fully answered &c.

Wm N. Smith

Attys for Respondents

Answer of Robert
Baker & wife

Filed August 26-1907.

Charles P. Levy Assignee of
Mortgage from James Baker
to Mary L. Stephens
on
Petition

NO. 7871. Equity.
In the Circuit Court for
Fresno County in
Equity.

To the Honorable the Judge of the Circuit Court