

NO. 5788, Equity.

at Consequence thereof. Such parties appear to have an interest therein as his heirs at law.

Sixth:— This respondent avers that he is desirous of having the said property sold in order that he may obtain the proceeds thereof, and is informed that he has a right to have it sold, and that all the other parties to this cause are necessary and proper parties for that purpose, as also are James P. Perry Administrator of Lemuel Mark and Lemuel Mark Administrator of Susan A. Mark.

This respondent prays your Honor to pass a decree declaring all of said property to belong to him, and ordering and directing that the same may be sold, free, clear, and discharged of the claims and pretensions of all the parties mentioned, and the proceeds awarded to him.

1. May it please your Honor to grant unto your orator the Status writ of Subpoena directed to the said George W. Mark, James J. Mark, his wife, Thomas J. Mark, Mary A. Mark his wife, Lemuel Mark, Adam A. Wagner, Mary S. Wagner his wife, Lemuel G. McKee, Sarah E. McKee and Christopher G. Mark Ophelia G. Mark, James P. Perry administrator of Lemuel Mark and Lemuel Mark administrator of Mary A. Mark, Commanding them and each of them to be and appear in this Honorable Court at some day certain therein to be named, and abide by and perform such order or decree as may be granted in the premises? May it please your Honor to grant unto your orator such other and further relief and process as their case may require.

William F. Mark

And as in duty, &c.

J. R. Glendinning

Louis B. Bernier.

Solicitor for C. M. Funks

Answer of Ophelia
W. Mark.

Filed June 16-1891

To the Honorable, the Judge of the said Court,
The answer of Ophelia W. Mark one of the defendants in the above entitled cause, by and under William F. Mark her husband to the Bill of Complaint of George W. Mark and others against her and others in this Court exhibited this defendant, answering, says that having no interest in the matter in controversy