

int.

4.

That he admits the allegations as contained in the 5th. paragraph of said original Bill of Complaint, except those alleging that said Winfield Scott Cromwell, Philemon I. Cromwell, and Mary E. Holtz, survived their mother, and avers that all three of them predeceased their mother, and that both the said Winfield Scott Cromwell, and Philemon I. Cromwell were never married.

5.

That he admits all the allegations as contained in the said amended Bill of Complaint.

6.

And further answering said Bills of Complaint this defendant says that his testator, Zacharias T. Cromwell, in his lifetime, both by expending and laying out various large sum of his own money aggregating about \$600.00, and by his own labor and services, made valuable and necessary improvements upon the said real estate mentioned in said Exhibit "B" consisting of an excellent well, part dug and walled and part drilled and completed, and equipped with pumping outfit, a front porch to the dwelling house with foundation, a summer kitchen, and an out house or summer kitchen with foundation and mason work, plastering and painting said dwelling house and other buildings, building a meat shop, a slaughter shop and carriage house, and stable, making and erecting fences, and other improvements thereon, whereby said real estate has been greatly enhanced to at least \$600.00 in value; that it will be to the best interest and advantage of all parties in interest to have the said real estate and improvements sold as a whole, instead of removing such of the said improvements as are of a temporary structure, or are trade fixtures, and removable by law; and this defendant consents to the passage of a decree and the appointment of trustees for the sale thereof as prayed; provided he is paid for the said improvement out of the proceeds of such sale, And as in duty bound, &c.

J. F. R. Heagey
Solicitor for Defendant.

Jesse F. R. Heagey
Executor of the Will of Zacharias T. Cromwell.

It is agreed by all the parties to these proceedings that whatsoever rights J. F. R. Heagey Executor may have with respect to the improvements alleged to have been made by Zacharias T. Cromwell in his life time on the premises mentioned in these proceedings if any shall be satisfied out of the proceeds of sale the amount if any to be determined by the Court after certain testimony in regard to the claim set up in the foregoing answer.

Jessie F. R. Heagey
Sol. for Jessie F. R. Heagey
Executor Deft.

Charles C. Waters
Sols. for Plff.

Jacob Rohrback
Sol. for residue of Defendants.

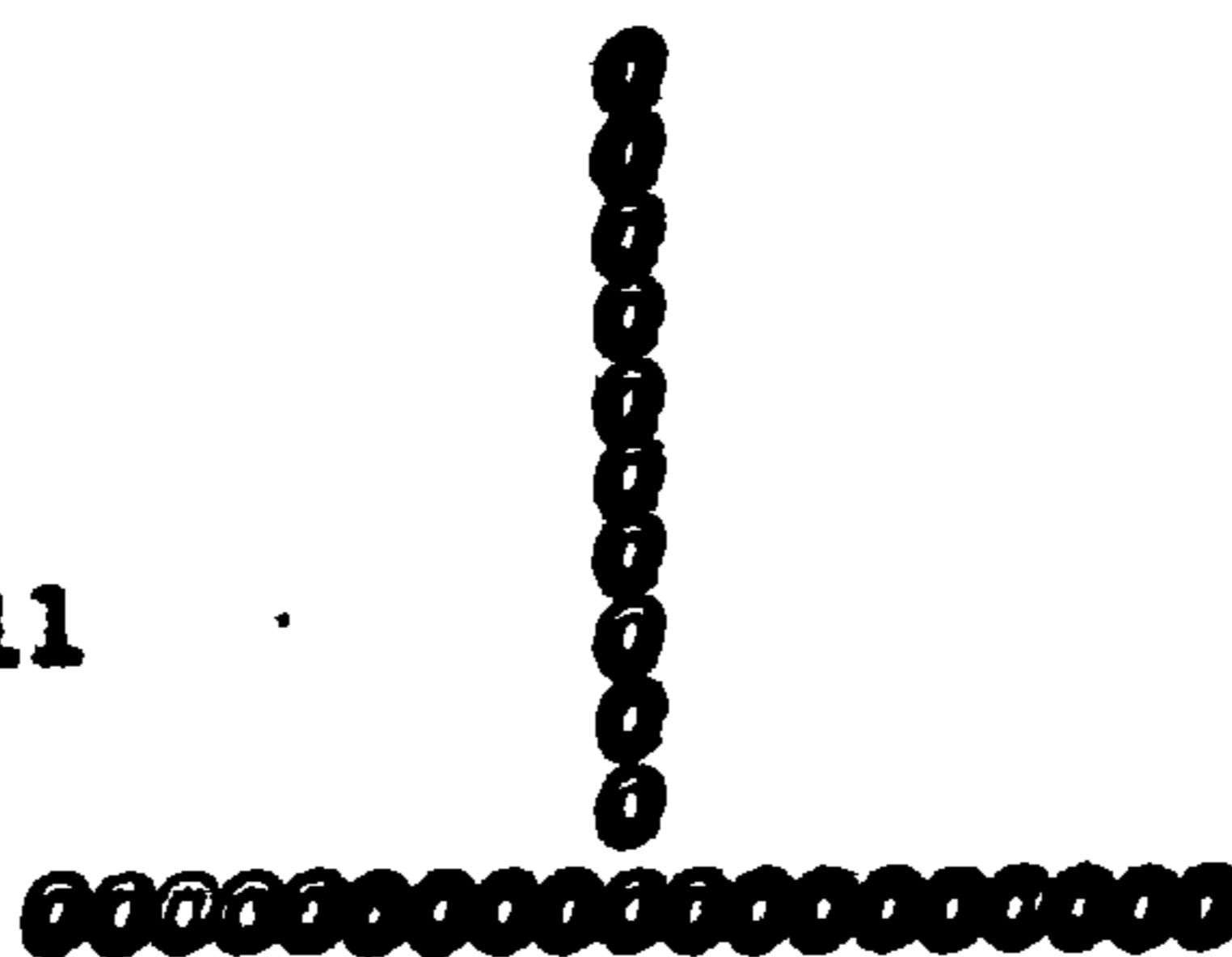
Filed February 7'1916.

GENERAL REPLICATION

Arthur H. Cromwell, and
Harriet E. Cromwell, his wife,
VS.

Robert Cromwell and Emma Cromwell
his wife, et al.

No. 9395 EQUITY.
In the Circuit Court for
Frederick County in Equity.



To the Honorable the Judges of said Court:-

The Plaintiff joins issue upon the matters alleged in the answers of the the various defendants in the above entitled cause, so far as the same may be taken to deny or avoid the allegations of the Bill of Complaint.

Filed February 26'1916.

Chas. C. Waters
Solicitor for Complainants.

DECREE

Arthur H. Cromwell, et al.
VS.
Robert E. Cromwell, et al.

No. 9395 EQUITY.
In the Circuit Court for Frederick
County, sitting as a Court of Equity.
February-----TERM, 1916.

The above cause standing ready for a hearing, and being submitted, the Bill, answers, Exhibits and all other proceedings were by the Court read and considered.