



Witness the Honorable Hammond Urner, Chief Judge of said Court, the 1st day of March A. D., 1937.

Issued the 15th day of April A. D., 1937.

Ellis C. Wachter,
Clerk.

To the Sheriff of Frederick County.

Holden S. Felton
Solicitor.

The defendant is required to file its answer or other defense in the Clerk's office within fifteen days after the return mentioned above, but the personal attendance of the defendant at Court on the return day is not required.

Sum. the Deft., by service upon George L. Doub, Burgess & Copy left with him, April 15, 1937.

Roy M. Hiltner
Sheriff.

Sheriff's fee .95

Filed April 16, 1937.

ANSWER AND DEMURRER OF
DEFENDANT.

William R. Crum and Susan	"	No. 13,505 Equity
M. Crum	"	In the Circuit Court
vs.	"	of Frederick County,
The Burgess and Commissioners	"	in Equity.
of Middletown, a body corporate	"	

TO THE HONORABLE, THE JUDGES OF SAID COURT:--

The Defendant, the Burgess and Commissioners of Middletown, a body corporate, answering the Bill of Complaint filed in the within cause, respectfully shows unto your Honors:

1. That the Defendant demurs to the Bill of Complaint and for cause of demurer says:
 - a. That the Plaintiffs have a full and adequate remedy at law,
 - b. That the Plaintiffs have not stated in their bill such a case entitles them to any relief in equity against the Defendant,
 - c. That the bill is vague, general and indefinite, and lacking in facts sufficient to entitle the Plaintiffs the relief prayed.
2. Answering the first and second paragraphs of the Bill of Complaint this Respondent admits the facts therein stated.
3. That answering the 3rd, 4th, and 5th paragraphs of the Bill of Complaint this Respondent admits the conveyance mentioned, but neither admits nor denies the facts as to the water rights and admits that the flour and feed mill on the premises of the Plaintiffs has been there for many years, and further answering said paragraphs this Respondent alleges that the improvements and land of the Plaintiffs have a very large and substantial value in themselves and the mill is only a part of the improvements.
4. Answering the sixth paragraph of the bill it is admitted that this Corporation has built a large and adequate reservoir for the storage of water for supplying the people of Middletown, and from time to time it has increased the supply of water by the acquisition of the springs located along the west side of Catoclin Mountain, and it has recently purchased three springs mentioned in the Bill of Complaint but it denies that it will appropriate from the creek flowing through the property of the Plaintiffs any large volume of water.
5. Answering the allegations of the 7th, 8th, 9th, 10th and 11th paragraphs of the Bill of Complaint this Respondent admits that in acquiring the Shepley springs it intends to increase the water supply for the people of Middletown at all seasons, and in the construction