for said County on the first Monday of February next to answer the Bill and Complaint of William Joshua Dell Abraham K Dell and others against you in said Court exhibited, and so forth. Hereof fail not as you will answer the Contrary at your peril. Witness the Hon Thomas Perry Judge of said Court the 31 day of December 1859

Issued the 31 day of December 1859. Isaac Moskell clk

At which said first Monday of February being the sixth day of the same month in the year of our Lord 1860 and the return day of the foregoing Writ came into Court here the Complainants aforesaid by their Solicitors aforesaid and the Sheriff of Washington County to Wit, Edward M Mobley Esquire to return the said Writ executed delivered makes return of said Writ of Injunction to the Court here this endorsed to Wit.

Executed upon Cyrus Hunter John M Hanck James M Harbaugh Jos Kelley and R H Alvey".

And the said Sheriff of the County aforesaid makes return of said writ of Sub poena to the Court here this endorsed to Wit

Summoned E M Mobley Shff"

And thereupon all further proceedings in the premises aforesaid between the parties aforesaid by order of Court here and in conformity with the Act of Assembly are continued until the first Monday of March next. At which said first Monday of March being the 5 day of the same month in the year of our Lord One thousand eight hundred and sixty come again into Court here as well the Complainants aforesaid by their said Solicitors as the said defendants by William H Alvey and George Schley Esquires their Solicitors And the said Cyrus Hunter one of the said defendants by his Solicitors aforesaid on this 31 day of March 1860 files in Court here his answer to the Original Bill of Complaint as follows viz

William J Dell Abraham K Dell and others. vs. Cyrus Hunter and John M Hanck late Sheriff	No 1602 Equity.

To the Honorable the Judge of the Circuit Court sitting in Equity.

The respondent answer of Cyrus Hunter one of the above named defendants to the Bill of Complaint of the said William J Dell Abraham K Dell and others lately exhibited in the Circuit Court against him the said Cyrus Hunter and John M Hanck late Sheriff as defendants. This Respondent saving all right of exception to the said Bill of Complaint for answer thereto says. That he admits the death of the said William Dell as alleged in the said Bill and that he died seized and possessed of the said Estate as alleged and that the said William made a last Will and Testament before his death, which was duly admitted to probate after his death and thereby he devised his Lands and Real Estate to be sold by his Executors. That this Respondent admits the sale by the said Executors of the said Real Estate as alleged and that the said Isaac Ankeny, one of the said purchasers has since sold the part purchased by him to the said Abraham K Dell as alleged. And this respondent also admits that the undivided fifth part of the said Real Estate of which the said William Dell died seized and possessed as aforesaid was by him the said William Dell in his life time on or

about the 1st day of April 1849 purchased of his Brother a certain James B Dell by parol contract but whether the said contract was duly performed by the said William Dell in his life time or whether the same has been performed since his death, this defendant, not knowing cannot admit or deny But this defendant avers that upon payment on the said purchase of the said undivided fifth parts of the said Real Estate as aforesaid, the said William Dell agreed with the said James B Dell at the time of the said purchase of the said undivided fifth parts and as part of the said contract of purchase to pay off and satisfy the lien Judgments of Joseph Fiery against the said James B Dell, and that the said Judgments were not to be kept alive and subsisting as liens upon said land or any part thereof but were to be paid off and extinguished by the said William Dell, and the amount paid thereon to be so much money paid on the said purchase, and of the said William Dell failed or refused to pay off the said Judgments to the end that he might fulfil the said contract of purchase made with his said brother James B Dell. And this defendant avers that the said Judgments and each of them in favor of the said Joseph Fiery against his son against the said James B Dell were rendered on the 11th day of April in the year 1846 and that the said Judgments were permitted to remain unsatisfied until about the 25 day of March in the year 1857 when Scire facias issued on the said Judgments against the said James B Dell and his tenants at the instance as this defendant avers of the said Complainants or one of them or of the Executors of the said William Dell deceased, and this defendant avers that the said Scire facias were issued and the said Judgments attempted to be revived merely to embarrass and throw difficulties and obstacles in the way of this defendant in the execution and enforcement of his Judgment against the said James B Dell and which was and is still a lien upon the land so as aforesaid sold by the said James B Dell to the said William Dell and this defendant is advised and so believes that inasmuch as the said Judgments in favor of Fiery as aforesaid were not revived or attempted to be revived and no proceedings taken thereon to that end, within twelve years from the rendition thereof the lien created by the said Judgments was lost and became extinct and if revived by the Judgment first rendered at the November Term of the Circuit Court for Washington County 1858 it only attached from the rendition of the said first or Judgment for execution on the said Scire facias as aforesaid. And this defendant admits that Exhibit B and certified short copies of the original Judgments and first thereon of the said Fiery against the said James B Dell and against the said James B Dell and his tenants but which said Exhibits or short copies were not filed in the cause until the 28 day of February 1860 and more than a month after the granting and issuing the injunction in this cause.

And this defendant admits that the said James B Dell before the sale of the said his undivided fifth parts of the said Real Estate to the said William Dell as aforesaid confessed Judgment in the Circuit County Court for Washington County at the November Term thereof 1847 in favor of this defendant for the sum of four thousand dollars