expressed to appear personally appear before the Judge of the Circuit Court for Washington County sitting as a Court of Chancery to be held at the Court House in Hagerstown in and for said County on the 4th Monday of November next to answer the Bill of Review and complaint of Andrew K Sysler Insolvent Trustee of Benjamin Cushwa dec'd against you and another in our said Court exhibited and set forth Hereof fail not as you will answer the contrary at your peril. Witness the Hon James Weisel Esquire Judge of said Court the 27th day of July 1863.

Issued the 4th day of September 1863. I Nesbit clerk

Washington County Court. The State of Maryland to Sheriff James R Ward of Baltimore County Greeting You are hereby commanded that all excuses set apart you personally appear before the Judge of the Circuit Court for Washington County sitting as a Court of Chancery to be held at the Court House in Washington in and for the said County on the 4th Monday of November next to answer the bill of Complaint of Andrew K Sysler Trustee of Benjamin Cushwa dec'd an insolvent debtor against you and others in our said Court exhibited and set forth Hereof fail not as you will answer the contrary at your peril Witness the Hon James Weisel Esqr and Judge of said Court the 27th day of July 1863 Issued the 4th day of Sept 1863.

Isaac Nesbit clerk.

At which said fourth Monday of November being the 23d day of the same month in the year 1863 came into Court here the Complainant aforesaid by his Solicitor aforesaid and the Sheriff of Washington County to whom Writ aforesaid was awarded came and makes return thereof to the Court here that he executed the same. Summoned Henry Gantt Sheriff Also the Writ of Subpoena sent to the Sheriff of Baltimore County was returned to the Court here that executed the same. Served and delivered Sheriff of Balto County 7th day of Sept 1863

Per H Carman clk

Summons Post Master Sheriff's And thereupon the following answer of Isaac Brewer and wife to the Bill of Review was filed to wit.

In the Circuit Court of Washington County as a Court of Equity No 1216.

William Dietz

vs

David Brewer wife and others

The joint and separate and answer of Isaac Brewer and Elizabeth Brewer his wife to the Bill of review or bill in the nature of a bill of review in this cause exhibited against them and others These defendants reserving to themselves all manner of exceptions to the many and manifold errors and imperfections in the said bill of review believe the nature of a bill of review in answer to the same or to such parts thereof as may be material to be answered say and admit that on or about the 22d day of April A D 1852 William Dietz as the third creditor insolvent trustee of Benjamin Cushwa deceased filed his bill of Complaint in said Court against these defendants and others and for the objects as prayed, as all the same is alleged in said bill of review or bill in the nature of a bill of review but these defendants in their further answer say that they cannot admit that the said William Dietz was such insolvent trustee as alleged regularly constituted and appointed. And these defendants further admit that these defendants as also the other defendants in said bill of complaint answered the same as alleged and admit that afterward the said John S Cushwa one of the said defendants died intestate and leaving Sarah A Cushwa and Ann K Cushwa as his only children and heirs at law and that were infants under the age of twenty one years as alleged and that afterwards and on or about the 24th day of March A D 1855 William Price Esquire as next friend to such infants filed a petition suggesting the death of the said John S and praying

that said infants be made parties defendants to said cause and that they might be made as alleged and further admit by agreement, in ending it was agreed that the general replication should be considered as having been filed and that a commission issued to take testimony as alleged; and further saith that said William Dietz the said Complainant departed this life as alleged but these defendants in further answer say that they cannot admit that Andrew K Sysler was duly constituted and appointed insolvent trustee for the benefit of the Creditors of Benjamin Cushwa dec'd as alleged or that he has executed a proper bond in that behalf as alleged, nor do these defendants admit that said Andrew K Sysler hath sufficient cause or right to be entitled thereto to have said bill of complaint which hath abated revived as prayed by said bill of review a bill in the nature of a bill of review and objecting to all the several defendants pray that they may be hence dismissed with their reasonable costs.

Isaac Brewer Elizabeth Brewer

State of Maryland Washington County to wit. On this 18th day of November A D 1863 before me the subscriber a justice of the peace of the State of Maryland in and for Washington County aforesaid personally appeared the aforementioned Isaac Brewer and Elizabeth Brewer his wife and made oath on the Holy Evangels of Almighty God that the matters and things stated in the foregoing answer are true to the best of their knowledge and belief.

Sworn before James Dorsey J P

The solemn answer of William Cushwa Isaac R Cushwa Ann K Cushwa and Sarah Trump and was also filed to wit

No 1216 Equity

Andrew K Sysler Insolvent Trustee

vs

Elizabeth S Brewer David Brewer et al

To the Honorable James Weisel Judge of the Circuit Court for Washington County sitting as a Court of Equity.

The joint and several answers of William Cushwa Ann Elizabeth Cushwa Isaac R Cushwa and Sarah Trump to the Bill of Review in the nature of a Bill of Review by A K Sysler Insolvent Trustee against them and others in the Circuit Court for Washington County sitting as a Court of equity exhibited These defendants admit the several matters and things set forth and charged in the said Bill of Review or in the nature of a Bill of Review to be true as therein charged and submit to such decree as the Court may pass in the premises

Wm Cushwa

Isaac R Cushwa Ann E Cushwa Sarah Trump

The following answer of James R Ward was also filed to wit

No 1216

Andrew K Sysler Insolvent Trustee vs David Brewer and Elizabeth his wife and others. Equity.

To the Honorable James Weisel Judge of the Circuit Court for Washington County sitting as a Court of Equity

The answer of James R Ward of Baltimore County to the Bill of complaint or in the nature of a Bill of Review with the Circuit Court for Washington County sitting as a Court of Equity of A K Sysler Insolvent Trustee &c against this respondent and others exhibited. This respondent admits the several matters and things set forth and charged in the said Bill of Review or in the nature of a Bill of Review exhibited, as therein charged and set forth and submits to such decree as the Court may see proper to pass James R Ward

And thereupon the following order of Court appointing Commissioner to assign as Guardian for the infant defendants was filed to wit.

In the Circuit Court for Washington County as a Court of Equity No 1216. In the case of the subpoena being summoned issued as to all the resident defendants and two of said

Andrew K Sysler Trustee of Benjamin Cushwa

vs

David Brewer et al

parties namely Sarah A Cushwa and Ann K Cushwa are infants under the age of twenty one years and it is necessary to appoint a guardian ad litem and to answer the said bill of review filed in this cause It is therefore this 30th day of November in the year 1863 ordered by this Court as a Court of