April Term 1869

Witness the Honorable Madison Nelson, Judge of our said Court the 15th day of October 1866.

Issued the 1st day of December 1866

To the Sheriff of Frederick County } Jos. W. L. Carty Clk. (Seal)

Ross

And also issued as prayed for the following Subpoena to the Sheriff of Carroll County, to wit:

— Subpoena —

Maryland Set.

The State of Maryland to Joseph Englar of Carroll County, Greeting.

You are hereby Commanded that all Excuses set apart, you personally appear before the Judge of the Circuit Court for Frederick County sitting as a Court of Equity, to be held at the Court House in Frederick Town in and for said County, on the first Monday of January next to answer the Bill and Complaint of David Plaine et al against you in our said Court Exhibited and soforth.

Hereof fail you not, as you will answer the Contrary at your peril.

Witness the Honorable Madison Nelson, Judge of our said Court the 15. day of October 1866.

Issued the 1st day of December 1866.

To the Sheriff of Carroll County } Jos. W. L. Carty Clerk

Ross (Seal)

And the Sheriff of Frederick County aforesaid to whom the Subpoena first aforesaid was duly delivered, made return thereof to the Court here on the 1st day of January 1867. thus Endorsed to wit: "Summoned" W. B. Tabler Sheriff.

And the Sheriff of Carroll County aforesaid to whom the

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Subpoena last aforesaid was duly delivered made return thereof to the Court here on the 19th day of December 1866 thus Endorsed. "Summoned" J. D. Hoffer Shff:

And afterwards to wit on the Eighteenth day of December A.D. 1866. was filed in the said Circuit Court here sitting in Equity, the following answer of Reuben Saylor, by his Solicitors William P. Maulsby and William P. Maulsby Jr. who appear for him in this cause, viz:

— Answer of Reuben Saylor —

The separate answer of Reuben Saylor to the Bill of Complaint of David Plaine & others against him and Joseph Englar in the Circuit Court for Frederick County sitting in Equity Exhibited. This respondent for answer unto said Bill of Complaint or unto so much thereof as he is advised that it is material or necessary for him to make answer unto, saving and reserving to himself all benefit of Exception to the manifold Errors & uncertainties in said Bill contained answers and says, that he admits it to be true that he is the Eldest son of Jacob Saylor late of Frederick County deceased, who was the same person named as devisee in the last will and testament of Jonathan Plaine deceased and that Exhibit No 4 filed with said Bill of Complaint is a copy of said last will and that said Jacob Saylor survived Martin Diehl Thomas Ogle and Abraham Wolf of Martin in said last will named, and that letters of administration de bonis non with the will annexed on the personal estate of said Jonathan Plaine have been granted to this respondent as stated in said Bill and that the said Jonathan Plaine died seized of the real estate in said Bill mentioned and that the said Jonathan died in the early part of the year 1835 and that letters testamentary on his estate were granted to said Lydia Plaine as stated in said Bill. and