

Debrah's further in case of her marriage again This respondent admits that Thomas O Peare and Rachel Peare, who has intermarried with a certain Johs. Mills are now of age and have received the benefits of the provision as aforesaid. This respondent admits that James Peare and the said Debrah Peare were appointed the Exec^{rs} of the said will of Joshua Peare and as such assumed the duties of the office. This respondent admits that she the said Debrah, refused to abide by the will, that she has renounced the same and has elected to take her dower and share of personal estate in lieu of the devises and bequests. This respondent admits that the Executors as aforesaid under the direction of the Orphans Court sold the personal estate of Joshua Peare and after the payment of all debts, expenses and widow's thirds they directed the surplus to be applied to the support and education of the infant children of Joshua Peare. This respondent admits that Caroline Matilda Peare the Complainant has arrived at the age fixed for the appraisement and distribution to be made as directed by the will and that said appraisement and distribution has been made as shown in Exhibit No 2 which admits the value of the property and the distributive shares and which is adopted as part of this answer. This respondent Debrah Peare admits that Lucretia Clay Peare died in infancy after her father and unmarried and that letters of administration were duly granted to said Debrah Peare by the Orphans Court of Frederick County upon the personal estate of said Lucretia. This respondent further admits that Charles Morgan Peare, Francis Virginia Peare and Laura Sophronia Peare are infants under twenty one years of age. This respondent Debrah Peare for herself, in her own right and as the Mother of Charles M Peare expressly admits that it will most unquestionably tend to his advantage to sell the estate charged with the legacies and support of the other children and distribute into the fund. This defendant further states that the interest and advantage of all parties interested in the estate, especially of Charles Morgan Peare, requires that the said lands should be sold, and the proceeds of sale appropriated to discharge the legacies charged thereon, that an election by the Court in behalf of said Charles Morgan Peare to take said lands charged with said legacies would be extremely prejudicial to his interests and this defendant agrees that her dower right in said land should be sold upon receiving the usual allowance in lieu thereof, and now prays hence to be dismissed.

Debrah Peare

Debrah Peare Adm^r of Lucretia C Peare

Filed April 22. 1852

I agree to accept the above answer without oath M^r A. Ross Solicitor for Complainant

Answer

The joint and several answer of Debrah Peare and James Peare Executors of Joshua Peare dec'd to the Bill of Complaint of Caroline Matilda Peare filed in the Circuit Court for Frederick County as a Court of Equity, by W^m Sins her next friend against themselves & others

These respondents for answer to said bill answer and say that they admit to be true as charged therein that Joshua Peare the father of the Complainant died in the year eighteen hundred and forty four or five, and that he directed by his will duly executed that his wife and family should retain the farm, that his children should be supported and educated and that his executors should dispose of his personal property if they thought there was a redundancy which together with the profit of the farm were to be invested. These respondents further admit that the said will provided for the appraisement of the whole of the testator's property real and personal on the arrival at the age of eighteen years by the said Complainant, under the direction of the Orphans Court and these respondents admit that the distribution to be made under such appraisement was to be in the manner stated in the bill.

These respondents admit that the said Debrah Peare and Charles Morgan Peare were to take the estate both real and personal after the appraisement and at the appraised value charged with the support of the three younger children of Joshua Peare until they attained the age of sixteen years and charged with their distributive shares.

These respondents further admit that in said will provision was made for the support