

Return of Court

The joint & several answers of George Washington Beard and John David Beard infant children of John Beard deceased by John M. Melhede their guardian to the bill of Complaint of John Reifender filed in the Circuit Court for Frederick County as a Court of Equity against themselves and others, these defendants cannot admit any of the matters and things charged in the said bill and being infants of tender years submit their rights to the protection of this Honorable Court

John M. Melhede Guardian for the infant defendants

State of Maryland Frederick County Act

On the 24<sup>th</sup> day of April 1852 before the subscriber the Commissioner appointed in this cause personally appears John M. Melhede Guardian for the infant defendants and made oath in due form of law that the matters and things stated in the foregoing answer are true as stated to the best of his knowledge and belief

sworn before Brooke Baker Commissioner

To the Honorable Madison Nelson Judge of the Circuit Court for Frederick County in Equity I the subscriber the Commissioner named in the accompanying commission hereby certify that in execution of the powers thereby vested in me I have assigned and appointed John M. Melhede of Frederick County, Guardian to George Washington Beard and John David Beard the infant defendants in said commission named, and taken the answers of said infants by their guardian under oath by me administered to the bill of Complaint in said commission mentioned which said answer with said commission is herewith returned closed under my hand and seal this 24<sup>th</sup> day of April 1852

Endorsed Filed April 24 1852

Brooke Baker Comr. (Seal)

Answer

The joint and several answer of Solomon Beard and Sarah Beard widow of John Beard dec'd to the bill of Complaint of John Reifender filed in the Circuit Court for Frederick County setting as a Court of Equity against themselves and others These respondents for answers to said bill answer and say that they admit to be true as alleged therein that John Beard executed his single bill or sealed note for ninety seven dollars in favor of Christina Williams and that the said John Reifender is now the holder of the same by virtue of an assignment made therein by Christina Williams and Thomas P. Williams, these respondents admit that Jacob Beard dec'd to his two sons Solomon Beard and John Beard his Home Farm as tenants in common and in fee simple charged with the payment of legacies to his other children amounting in the aggregate to three thousand dollars which were to be paid in five years commencing one year after the decease of the said Jacob Beard who died in 1848 These respondents admit that Solomon Beard and John Beard entered upon the premises in pursuance of their father's will, that after remaining thereon for a short period holding as tenants in common they had the property surveyed and partitioned off that each party agreed by parol to take the part assigned to himself and to hold the same in severalty free from all claim or interest whatever of the other party in & to the same, that in accordance with this agreement the said Solomon and the said John Beard took possession of their respective allotments the said John Beard's part being that described in Exhibit No 3 'John Beard's' which they have held and enjoyed ever since free from all claim of the other in or to the same. These respondents admit that John Beard died in the month of December 1851 leaving a widow by the name of Sarah Beard (one of these respondents) and two infant children George M Beard and John David Beard all of whom are residents of Frederick County These defendants admit that an arrangement was made as stated in the bill that John Beard should assume the payment of the legacies coming to Peter Beard and Christina Beard, and that Solomon Beard should assume the payment of the residue, that Peter Beard has been paid in full and Christina Williams in part. These respondents admit that John Beard did not testate signed of