

the real estate described in the bill, that letters of administration have been granted to Solomon Beard one of these respondents, that his personal estate is wholly inadequate to the payment of his debts and that recourse must be had to his real for the purpose, and they pray hence to be dismissed to

Witness B. Baker

Sarah ^{the} Beard
wife
Solomon Beard

I agree to accept of the above answer without oath

Filed May 13 1852

M^r. J Rice Solicitor for Compts

Answers

The joint and several answer of Jacob Beard Peter Beard, Ezra Smith and Mary Smith his wife, Solomon Earnest, Thomas P Williams and Christiana Williams his wife, Mathias Smith and Sarah Smith his wife to the bill of Complaint of John Reifneider filed in the Circuit Court for Frederick County sitting as a Court of Equity against themselves and others. These respondents for answer to said bill, answer & say that they admit to be true as charged therein that John Beard executed his single bill or sealed note in favour of Christiana Williams one of these respondents for the sum of ninety seven dollars, which is the note filed in these proceedings as Exhibit No 1 and that the said Christiana Williams and her said husband Thomas P Williams another of these respondents assigned the said single bill under their hands and seal to the said John Reifneider. These respondents admit that Jacob Beard devised to his two sons Solomon Beard and John Beard as tenants in common, in fee simple his Home Farm charged with the payment of legacies to his other children amounting in the aggregate to three thousand dollars as follows to Jacob Beard, Peter Beard, Mary Beard (married to Ezra Smith), Elizabeth Beard married to Solomon Earnest, the said Elizabeth now dead, Christiana Beard married to Thomas P. Williams and Sarah Beard married to Mathias Smith. These respondents admit that five hundred dollars was the amount of the legacies to which they were respectively entitled under the provisions of the will of the said Jacob Beard the same to be paid in five years commencing one year after the decease of the said Jacob Beard who died in or about the year 1848.

These respondents admit that Solomon Beard and John Beard entered upon the Home Farm and make a parcel partition of it, and that each party has taken the part selected by them and held the same ever since the division free from all claims by the other to their respective divisions. These respondents admit that John Beard is dead, that he left a widow by the name of Sarah and two infant children George M. Beard and ^{Beard} and that they are residents of Frederick County. These respondents admit that an arrangement was entered into between Solomon Beard and John Beard, in reference to the payment of the legacies charged upon the Home Farm, that John assumed the payment of the legacy owing to Peter Beard and the legacy owing to Christiana Beard, and they admit that Peter has been paid in full and Christiana in part viz, the sum of two hundred dollars, and they admit that by the said arrangement Solomon Beard assumed upon himself the payment of the legacies coming to the residue of the legacies under the will. These respondents admit that John Beard did not execute or sign of the real estate described in the bill and that letters of administration on his personal estate have been granted to Solomon Beard, that his personal estate is wholly inadequate to the payment of his debts and that recourse must be had to his real, and they pray hence to be dismissed

Witness Peter Beard
John Philip Beard
John Philip Beard

Jacob Beard Jr. Peter Beard, Sol^r. Earnest
Salome ^{the} Smith Mathias Smith Christiana ^{the} Williams
wife
Thomas P. Williams Mary ^{the} Smith Ezra Smith
wife

Answer

Sol. order

Genl. Rept