

Endorsed to wit: How Est John W Gummert, Legges Gummert Read & Harret Read Summoned the residue

John Swearer Sheriff

Filed July 6 1876

Subpoena

Maryland Sub:



The State of Maryland to Cecilius Fogle, Susan Cochran, Rachel B Cochran, Effie Cochran, Sally Cochran, Francis Gummert Gend & Hely & Gennell of Carroll County, Greeting You are hereby commanded that all of you set apart you personally appear before the Judges 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 third Monday of September next to answer the bill and complaint of Jacob H Nail & wife against you & others in said Court exhibited and so forth Hereof fail you not as you will answer the contrary at your peril Witness the Honorable Richard J Bove Chief Judge of our said Court the 8th day of May 1876.

Issued the 23rd day of June 1876 To the Sheriff of Carroll County

Endorsed, Summoned 'Came'

Morris Gornuch

James W White Cliff

Alert.

Filed July 5 1876.

Answer of Margt & Susan & Jas & Cochran

No. 4176 Equity

In the Circuit Court for Frederick County, sitting as a Court of Equity

The joint several answers Margaret & Susan & James & Cochran two of the Defendants to the Bill of Complaint of Jacob H Nail & Hannah Nail his wife heretofore in this Honorable Court against said Defendants and others exhibited

These Defendants now and at all times hereafter seeing & running into the shadow all manner of benefit & advantage of exception to the many errors and imperfections in the Complainants Bill of Complaint contained for answer the counts or to so much such parts thereof as they are advised is material for them to make answer unto these Defendants answering say

These Defendants admit that a certain John Cochran late of Frederick County died sometime in the month of June in the year 1876 and was at the time of his death seized and possessed of a large and valuable Estate consisting of both real & personal property that the said John Cochran by his last Will and Testament executed sometime in the month of December in the year 1864 devised all of his property Real & Personal to his Executor therein named to be by him sold and after payment of the debts of said John Cochran a specific legacy of one thousand dollars to a certain Cecilius Fogle said Will directed that 1/4 of the proceeds so remaining after the payments aforesaid should be paid to said Hannah Nail for release of the marital rights of her husband the said Jacob H Nail and these Defendants further answering admit that said last Will & Testament of said John Cochran made numerous other devises of the remainder of his Estate left over from the payment of his said debts and the specific legacy aforesaid to the persons and in the manner and proportions mentioned in said Bill of Complaint and the copy of said Will therewith exhibited

And these Defendants further answering admit that said John Cochran by his said Will appointed a certain John Washington Cochran the sole Executor of said Will and that the said John Washington Cochran named as Executor in said Will died some years before the death of said John Cochran the Testator.

And these Defendants further answering admit that they are children of said John Cochran and were so named in said Will of said John Cochran their father and these Defendants further answering admit that all the parties mentioned in said Bill of Complaint and in the Will of said John Cochran are devisees, legatees and heirs at Law of said John Cochran reside in the State of Maryland and are all of full & lawful age except one Effie Cochran a daughter of said John Washington Cochran deceased who is an infant. And these Defendants further answering aver that the said Will of said John