

No 5304 Equity

John Mirdock

Noah Bowler and John C. Hagan
Executors of and Trustees under the
Will of John Hagan, deceased, and Others

No. 5304 Equity
In the Circuit Court for
Frederick County
in Equity:

To the Honorable the Judges of said Court - The Answer, joint, and
several of Eugene Hagan and Rosa Hagan his wife to the Bill of Complaint
filed in this cause -

Answer of
Eugene Hagan & wife

1. These Respondents neither admit nor deny the allegations of Paragraphs 1, 2, 3, 4 and 5 of the Bill of Complaint but require full proof of the same.
2. These Respondents admit the allegations contained in paragraphs 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of the Bill of Complaint.
3. These Respondents in answer to the 16th paragraph of the Bill of Complaint deny that the proceeds of sale of the Real and Personal Property sold by the Executors of said John Hagan deceased are insufficient to pay the just debts of said decedent, and further own that said proceeds of sale and the personal estate of said decedent are amply sufficient to pay all his just debts.
4. These Respondents in answer to the 17th paragraph of the Bill of Complaint again deny that the Personal Estate of said John Hagan passed together with the proceeds of sale of Real Estate which have come into the hands of his Executors were insufficient to pay all his just debts, but they admit that a large portion of said funds have been misapplied by said Executors and not properly administered and paid out by them, but further own that complainant and the other creditors of said John Hagan deceased must look to and pursue the funds which came into the hands of his Executors for the payment of their debts and that the real estate devised to this Respondent Eugene Hagan for life and at his death as specified in said Will is not responsible for and not liable to be sold for the payment of the same.
5. These Respondents neither admit nor deny the allegations of the 18th paragraph of the Bill, but believe that the Executors have not rendered to the creditors any just Account of the Estate in their hands.
6. These Respondents in answer to the 19th paragraph of the Bill of Complaint again deny that the personal Estate and proceeds of sale of Real Estate which came into the hands of said Executors were not sufficient to discharge all the just debts of said decedent and again deny that complainants are entitled to a Sale of the Real Estate devised to this Respondent Eugene Hagan for life and at his death as specified in said Will.
7. These Respondents admit the allegations of the Petition to the amount the Bill filed in this cause.

And these Respondents having fully answered said Bill pray to be hence dismissed with their reasonable costs. And as it

E. W. Searcy,

Solicitor for Eugene Hagan and
Rosa Hagan his wife.

Petition of
Sarah White &
Geo. W. Rouse
adms. & co
made parties by