

No 1777. Equity.

Answer & Exhibits

Filed March 30. 1842.

The joint and several answer of William M. Beall administrator and Teresa McElfresh administratrix of John N. McElfresh deceased, two of the defendants to the bill of complaint of Carlus J. Harding, Eleanor C. Harding Ann Louisa Harding and John L. Harding infants under the age of twenty one years of age by James M. Harding their next friend in the Federal County Court sitting as a Court of Equity.

The said defendants having to themselves all and all manner of advantages of exception to the many contents now and imperfections in the said bill of complaint contained for answer unto or to so much thereof as these defendants are advised is material for them to make answer Casper Maule late of Frederick deceased was in valuable real and personal estate and that he died on the twenty ninth day of August eighteen hundred and thirty two in due form of law made and execute his testament, a true and Certified Copy thereof is exhibited in this case as part of the Complaints said bill of complaint marked "Exhibit K" considered as a part of this answer as if here inserted at length in words and figures. These defendants state further for answer that they do not pretend to have any legal knowledge, except what they obtain from their Counsel, as to the true Construction of said will, as it related to the pretended rights of the complainants, and therefore they are willing to submit all the questions in relation to that subject to the court for its determination These defendants admit that the said Casper Maule departed this life on the twenty ninth day of October eighteen hundred and thirty three without having revoked said testament and last will; and that John N. McElfresh the executor and trustee named and appointed in and by said will took possession of all the property both real and personal, of which the said Casper Maule died the owner and possessor; that the said John N. McElfresh accepted the trusts reposed in him in said will, and obtained letters testamentary from the Orphan's Court of Frederick County, but within he executed a good bond, in pursuance of the act of Assembly, with security for paying all just debts of and Claims against the said Casper Maule; and all demands