

To the Honorable Judges of said Court:-

The Answer of Olive Frances Beall and Louis C. Beall, her husband, to the Bill of Complaint filed against them and others, in the above entitled Cause, respectfully shows unto your Honors:-

- 1st. They admit the allegations of the first paragraph of the said Bill of Complaint.
- 2nd. They admit that the plaintiff May Bussard, widow, on the 24th day of Jan. 1931, executed and filed the Paper Writing, purporting to be a renunciation of the last Will and Testament of James O. Bussard, but these defendants say, that it is for the Court to say what is the extent and legal effect of said paper writing, in view of the rights of the infants in this cause.
- 3rd. Answering the Third and Fourth paragraphs of said Bill of Complaint, these respondents say:- That said two paragraphs correctly state the names of the widow and children of James O. Bussard, deceased, who in the absence of a will by the said James O. Bussard, would have been the heirs at law and next of kin of the said deceased. But these respondents say, and it is so alleged in said Bill of Complaint, that the said James O. Bussard, left a last Will and testament, a copy of which is filed in this cause. That by the terms of said Will this respondent, the youngest child and daughter of the said James O. Bussard, was devised specifically the Real-estate mentioned and described in this cause, and prayed to be sold herein. And these respondents say, that said third and fourth paragraphs of said bill, are bad in substance and in law, and that said parties mentioned therein have no right, title or interest, in or to the real estate described herein; and the only parties having any right, title or interest, in said real estate, is this respondent Olive Frances Beall to whom the same is devised in trust during her life, and after her death, the same to be sold and the proceeds divided among her living children, which said children have now been made parties to this bill, and have filed their Answer herein.
- 4th. These respondents admit the allegations of the Fifth paragraph of said bill.
- 5th. As to the allegations contained in the Sixth paragraph of said Bill of Complaint, these respondents neither admit nor deny the same, and in view of the rights of the infant defendants herein, they demand full proof of the same. But further answering the same say that no other persons have any rights or interests in said real estate, save and except the widow, these respondents, and the said infant children of these respondents as herein before alleged.
- 6th. And these respondents further say that in the event that the Court shall decree the sale of said Real-estate herein, that in view of the fact that these respondents and their children are entitled to two thirds of said real-estate, that their Solicitor Geo. A. Pearre Jr be named as one of two Trustees to make said sale. And these respondents pray for such other and further relief as the nature of their case and that of their infant children may require.

Olive F. Beall

Louis C. Beall

Geo. A. Pearre Jr.  
Solicitor for Respondents.

(Filed April 9, 1931)

T E S T I M O N Y.

May Bussard	:	No. 12,196 Equity.
	:	
vs.	:	In the Circuit Court
	:	
Olive Frances Beall and Louis C. Beall,	:	for Frederick County,
her husband; Ida E. Lighter and	:	
Lorenza Lighter, her husband; Anna	:	Sitting as a Court of
Kate Wagaman and Samuel M. Wagaman,	:	
her husband; Mary E. Wagaman and Frank	:	Equity.
G. Wagaman, her husband.	:	

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