declines the trust conferred on him, offered to him by said will, and has all times refused to accept said trust, or in any way or degree to act as trustee aforesaid. Your petitioners beg leave to state that it is impossible to their interest to have altruder under the devise aforesaid of said Creswell appointed in the place of said Alexander McKim - They accordingly pray that said Alexander McKim may be required to answer the premises, and that upon his renouncing the said trust, your honor will be pleased to constitute another trustee in his stead, and to grant your petitioners such other and further relief as to your honor may seem fit, and your petitioners &c.

Charles F. Mayer Sol for the pets.

The petitioners pray that Frederick Meinchin be appointed Trustee as above, instead of the said Alexander McKim -

Charles F. Mayer
Sol. for pets.

And at the same time came the defendant Alexander McKim by Addison Ridout Esquire his Solicitor and appeared to the said suit, and filed in Court his answer to the said petition in the words following, viz.

To the Honorable Theodorick Bland Chancellor of Maryland. The answer of Alexander McKim of the City of Baltimore to the petition of Hannah Slater Rebecca Roy, Lydia Ball Meinchin and her husband Frederick Minchin and Ann Sharp Lawson another husband Stephen Lawson - This respondent for answer to said petition says, that it is true that the said John Creswell died by his last will and testament, as set forth by said petition appoint this respondent trustee for the objects mentioned in said petition, of certain real estate as therein referred to. But this respondent declares that said Creswell named him as trustee as aforesaid without consulting him and without his assent, and without any previous acquaintance with him and that this respondent has never accepted said trusteeship, but has on all proper occasions rejected the same, and refused to assume said trust, and that he has never done any act as trustee aforesaid, or in affirmance of said appointment - and this respondent does accordingly now beg leave in this Court to decline and renounce said trusteeship, and to refuse to accept the same, and he accordingly prays that another person be appointed to fill the trust aforesaid, and this respondent accordingly prays to be hence dismissed with his costs &c.

A. McKim.
Addison Ridout Sol for resp.

Whereupon the Chancellor passed the following order.

In Chancery 22 Oct 1825

On considering the aforegoing petition and the answer thereto, It is ordered that Frederick Meinchin shall be and he is hereby appointed to act as trustee under the last will and testament of the said late John Creswell in the place and stead of the said Alexander McKim, who hath refused to act as such, and hath absolutely renounced the same.

Theodorick Bland Ch.

And on the 29th day of July 1829 came Rebecca Roy, Lydia Ball Meinchin Stephen Lawson and Ann Sharp Lawson, and filed in said cause the following petition.

Hannah Slater & others
agst
Alexander McKim.

In Chancery

To the Honorable Theodorick Bland, Chancellor of Maryland.

The petition of Rebecca Roy, widow of



John Roy, Lydia Ball Meinchin widow of Frederick Meinchin, Stephen Lawson and Ann Sharp Lawson wife of said Stephen, which said Rebecca and Lydia and Ann are the daughters and only issue of Hannah Slater deceased, widow of William Slater, respectfully represents, that once about the twenty second day of October in the year eighteen hundred and twenty five your petitioners with the said deceased Hannah Slater and Frederick Meinchin exhibited their petition in this cause, stating that a certain John Creswell had by his last will and testament appointed a certain Alexander McKim trustee of certain real estate in said will mentioned for the benefit of said Hannah and her children, and that said Alexander McKim declined the said trust, whereupon after considering the answer in that behalf of said McKim your honor appointed Frederick Meinchin aforesaid trustee instead of said McKim; all which will appear by reference to the said proceedings in this cause, which your petitioners pray may be taken as part of this their petition - Your petitioners have now to state to your honor that (as is shown by the subjoined affidavit) the said Frederick Meinchin has departed this life, and your petitioners are accordingly anxious that another person be appointed trustee in his stead, and they pray the Chancellor to make such appointment.

Charles F. Mayer Sol of pets.

The petitioners recommend as trustee in place of Frederick Minchin, Stephen Lawson of the City of Baltimore

Charles F. Mayer Sol of pets.

State of Maryland City of Baltimore to wit, On this 28th day of July in the year eighteen hundred and twenty nine before the subscriber a Justice of the Peace of said State in and for said City personally appeared Stephen Lawson and made oath that Frederick Meinchin of the said City departed this life on the twentieth day of July in the year eighteen hundred and twenty nine

From before I. A. B. Latimer

Whereupon the Chancellor passed the following order

In Chancery 29 July 1829.

On considering the foregoing petition and affidavit, It is ordered that Stephen Lawson of the City of Baltimore shall be and he is hereby appointed to act as trustee under the last will and testament of the said late John Creswell, in the place and in stead of Alexander McKim in said will named as trustee, who refused to act as such, and of Frederick Meinchin afterwards appointed such trustee by the order of this Court, who has departed this life.

Theodorick Bland Ch.

Maryland Sc. I hereby certify that the aforegoing is a true copy from the record of proceedings of the State of Maryland Court of Chancery.

In Testimony whereof I have hereto set my hand, and affixed the great seal of said State this 18th day of August 1831.

Seal

Ramsay Waters Reg Cur Cancr.

The plaintiff thereupon gave in evidence the following statement of facts.

"It is admitted that on the 16th day of March 1826 Frederick Meinchin's Lessee instituted in Baltimore County Court an action of ejectment agst. Daniel Boley for the following piece or parcel of ground