give any Estate or property Whatever, to the said Complainant. Further answering, these Respondents, jointly answering as aforesaid, say, and this Respondent, Henry V. D. Johns, severally answering as aforesaid, says, that after the said testament and last Will of said Testator, of which said Exhibit A. is a Copy, had been admitted to probate, and when this Respondent, Henry V. D. Johns, accompanied by William A. Stewart, as his friend and Counsel, visited the said Farm called Snow Hill, for the purpose of taking possession thereof as devised, and for the purpose as one of the executors, to take measures for the due administration of the personalty, the said Complainant stated that there was a will at the Testators own safe, and the safe was opened in the presence of the said Complainant, of Richard Johns, the brother of the said Complainant, of R. Horace Loe, the brother in law of the said Complainant, of this Respondent Henry V. D. Johns, aged of the said William A. Stewart: and the same, and a Codicil thereto found therein, were then and there read, by said Stewart, in the presence and hearing of all the said persons there present, a true Copy of which said Will is herewith filed Marked Exhibit C., and a true Copy of which said Codicil is herewith filed marked Exhibit D. and these Respondents respectfully suggest, that in neither of said papers is the name of the Complainant found. Further answering, these Respondents jointly answering as aforesaid say, and this Respondent Henry V. D. Johns separately answering as aforesaid says, that whilst they do not feel disposed needlessly, to assail the Complainant in any Way, yet they are informed, and they believe that the conduct deportment and conversation of the Complainant were exceedingly annoying and disagreeable to the said Testator, and were calculated to prevent him from devising or bequeathing to him any portion of his estate, even if he had at any time, entertained a purpose of doing so: and these Respondents make this Statement, only for the reason that if occasion there shall be, they may be at liberty to adduce proofs for this behalf. Further answering these Respondents, jointly, answering as aforesaid, say, and this Respondent Henry V. D. Johns, separately answering as aforesaid says, that the said Complainant as was well known to the said Nancy Johns, and the said Testator, and to said Richard Johns (the Father of the Complainant) had acquired under the will of his maternal grand father, John Dolly Worthington, who departed this life about the year 1834, a large and valuable estate, very much larger than had been acquired respectively by the other children of said Richard Johns, above named and therefore much larger than the Estate acquired by Richard Johns the brother of the Complainant from the Will of said John Dolly Worthington: and these Respondents have been informed, that there was some understanding or at a least a rumor prevailed at one time that there was some understanding between Richard Johns, the Father of the Complainant, and the said John Dolly Worthington the maternal Grand father of the Complainant, that as the said Worthington by his Will, had provided so largely of his Estate for the Complainant, that the father of the Complainant would leave more largely to his son Richard Johns, than to the Complainant. Further answering these Respondents jointly answering as aforesaid, say, and this Respondent Henry V. D. Johns separately answering as aforesaid says, that they have been informed, and they believe, that it was mentioned to the said Testator, John Johns in his life time, and some years since that there was a report that he had Entered into some Engagement or had made some promise, that he would devise his home place, or some other part of his Estate, to the said Complainant, and that his instant and Emphatic reply thereto was, that if the person whose name had been mentioned as the author of said report, had so said, he had

uttered an untruth. And these Respondents have been informed, and they believe it to be true, that the said John Johns, in his life time, having been spoken to by persons in relation to this alleged Engagement and promise, uniformly and in the most unqualified language, denied that there was any such engagement or promise. Further answering, these Respondents, jointly answering as aforesaid say, and the said Henry V. D. Johns, separately answering as aforesaid says, that they have been informed, and they believe, that the said Complainant, on different occasions during the life time of the said Testator John Johns, stated that he had no Expectation of any devise or bequest to himself, under the will of the said John Johns, but that he stated that he wished to ascertain how the said John Johns had made his will, as he felt anxious that he should not give his property to the Worthingtons who were the children of a deceased Sister of the said John Johns and that the will should be so executed, that the Worthingtons would not be able to find any flaw therein. And these Respondents jointly answering as aforesaid, say, and each, answering separately for himself, says, that the fact, was not known to them, or either of them, that they were appointed by the deceased, by any will, the executors of his Estate, until after his decease, nor was the fact known to them, or to either of them, that he had, by any Will made devises or bequests to this Respondent Henry V. D. Johns until after his decease. No conversation on the subject of his Will, or the disposition of his property, took place, at any time between the said Testator and these Respondents, or either of these Respondents; unless the hope expressed by this Respondent Henry V. D. Johns, upon one occasion, after the destruction by fire, of the House, in which two Elderly Sisters of the said Testator had resided, that he, the said Testator should make provision for their then present comfort, and provide against inconvenience to them in view of his own advanced age: and the reply of the said John Johns, that the remark was a very proper one, can by construction be regarded as a reference to the disposition of a portion of his property after his decease. The said John Johns was a man of much delicacy, and whilst it is now clearly manifested, that his purpose was long since formed, and deliberately fixed to dispose of his Home place, and some other property in addition thereto to this Respondent Henry V. D. Johns, yet it is characteristic of the man, that his benevolence in this respect, as in many other acts of his life, should be bestowed where it was not only unsolicited, but wholly unexpected. Further answering, these Respondents state, that the immediate family, of which the said Testator was a member, consisted, originally of the following persons: that is to say; first said Nancy Johns, who was the Eldest Child: second, said John Johns: third Susanna Johns, fourth Mary Johns: fifth Sarah Johns: sixth Richard Johns, and seventh, said Benjamin Johns: that said Susanna Johns became the wife of Charles Worthington, and died in or about the year 1843, leaving a family of six children: that said Mary Johns is still living and was never married; that said Sarah Johns, became the wife of Thomas B. Pettingen, and is still living. These Respondents have then answered, as they believe, all the allegations of said Bill, and they deny and each of them denies, any fraud charged or insinuated, in said Bill and they are advised, and they respectfully insist, that even if it were true, that in the year 1842, or at any other time the said John Johns by his testament and last Will, as then made and executed had devised any property, the said Home farm, or said Mills Place, or both, or any other property, such instrument, from the very