Smiths sisters Ann property to pay the Respondents alleged debts, Further answering the Respondent states that it is true that Complainant claims a judgment by default against the Respondent and against the same the extension as stated in the Bill but the Respondent further answering says that there is an unsettled account between the Complainant and their Respondent in which account the Complainant do not claim more than the sum of $42.83 and admits no claim against the Respondent do not admit and do not see how same to be true as claimed. This Respondent however gave his three acceptances each for $1000, an account making together the sum of $3000, and the statement that the alleged claims of the Complainant is seven thousand dollars or thereabouts is utterly incorrect and was probably made by the Solicitor who framed the Bill of from ignorance of the fact that the acceptances of this Respondent were in part and not in addition to the alleged claims of the Complainant an open account this Respondent also admits that the several other judgments mentioned in said Bill were obtained against him and although one of the said judgments is incorrect in the amount for which it was entered this respondent has advised that it is immaterial to state in this answer the facts in relation to such error. Further answering this Respondent denies that the said deeds or either of said deeds were or was made for the purpose of delaying hindering or defrauding the Creditors of this Respondent or with any fraudulent intent, or upon any improper motive but on the contrary he avers that the same were and each of them was made fairly and bona fide in payment and satisfaction of a real indebtedness of seven thousand dollars and he further avers that the price obtained by him for said property was more than the Market Value thereof at the time thereafter whilst and now is greatly beyond the Market value of said property, and he insists that the said deeds were and are valid and effectual conveyances. Further answering this Respondent admits that the said Abegail Cunningham departed this life as stated in said Bill and he further admits that he obtained Letters of administration upon her Estate, which Letters were afterwards revoked upon the discovery of the fact that she had left a testament and last Will and which said Will being duly admitted to probate Letters Testamentary were thereupon granted to this Respondent, who was named therein the Executor thereof and who duly gave Bond as such Executor This Respondent as Executor has duly returned an inventory but he admits that he did not formerly return and inventory as such administrator although the fact is that an inventory was duly made and and an appraisement was duly made by appraisers duly appointed in that behalf, and was about to be returned to the Orphans Court when the said Will was found Further Answering this Respondent states that the said Mortgage by Decdor James Hall in said Bill referred to, was duly made and executed, and is due and unpaid. This Respondent also admits that a levy had been made on said property by the Sheriff and that the same had been advertised, as alleged in said Bill but denies that there is any other matter or thing in said Bill contained and stated necessary or material for the said Respondent to answer unto either in his private capacity as Executor aforesaid and not herein answered unto confessed or denied traversed or denied as true, And he prays hence to be dismissed with his reasonable costs in this behalf most wrongfully sustained

Wm Schley Solr for Respondent

State of Maryland City of Baltimore to Wit.

On this 10th day of November 1858 before the Subscriber one of

the Justices of the peace of the State of Maryland in and for Baltimore City personally appeared Thomas A Cunningham the defendant named in the Caption of the foregoing Answer and made oath on the Holy Evangely of Almighty God that the facts therein set forth are true as stated to the best of his Knowledge information and belief.

Wm H Maynard

And afterwards to wit on the 30 day of November in the year aforesaid the said James Hall by his Solicitor aforesaid filed in said cause his Answer to the said Bill of Complaint in these following to Wit,

The answer of James Hall of the City of Baltimore to the Bill of Complaint of John Dwyer Excluded against him Defendant and others in the Circuit Court for Baltimore City. This Respondent reserving to himself all and all manner of Exception to the insufficiencies of the said Bill for answer thereto nevertheless or for so much thereof as this defendant is advised it is material for him to make answer unto. He says that in answer to the allegations of the Bill "that on or about the 28th of July 1854 prior to the Conveyance aforesaid thereinafter mentioned Cunningham by Mortgage duly executed and bearing date on or about the day and year aforesaid mortgaged unto Dr James Hall of the City of Baltimore to secure the payment to said Hall of the sum of $10000 and interest" This defendant admits the said statements to be true with this difference however that the said Mortgage was executed on the 29th day of July 1854 and not upon 28th day of said month as stated by Complainant But this defendant does not admit but on the contrary denies that the execution of his said Mortgage upon only one Lot parcel of the said property so unadvisedly and fraudulently Conveyed by the said Cunningham the heir of the said being prior to the said Conveyance and in every respect undisputed and unembarrassed and the said or complicate the equities of the other Creditors and parceners of the Complainants in relation to the said property and this defendant expressly avers that of the said Mortgage Lot or parcel of ground were of sufficient to satisfy the Mortgage debt there is every reason to believe that it would bring the said Market value and this defendant is advised that such being the case, it is unreasonable and contrary to Equity that he should be delayed in the collection of his said Mortgage debt for the reasons stated in the Bill of the Complainants. This defendant therefore prays that the said injunction may be dissolved and he hereof dismissed with his reasonable costs in this case most wrongfully sustained

Robert C Pleasants
Solr for Defendant.

State of Maryland Baltimore City to Wit On this 29th day of November 1858 before the Subscriber a Justice of the Peace of the State of Maryland in and for the said City personally appear James Hall the defendant above named and made oath on the Holy Evangely of Almighty God that the facts matters and accountances in the above answer set forth and contained are true to the best of his knowledge and belief.

Sworn before Me H Means JP

And on the same 30 day of November in the year aforesaid the said Samuel B Sexton by his Solicitor aforesaid filed in said cause his Answer to the said Bill of Complaint in these following to Wit

The separate answer of Samuel B Sexton to the Bill of Complaint of John Dwyer Excluded against him in the Circuit Court for