-nience, and also to clothe and educate the children of his said brother. The said John Hoye, also from the death of said Paul Hoye up to the time of his the said John's death, paid all the taxes on said trust property. That this defendant has, in his examination of the said John Hoye's papers found memoranda of sundry payments made by him for work done and improvements made on said trust estate and for its benefit, to increase its value and productiveness. That he finds that in the year 1832 he paid to Henry White the sum of one hundred dollars for work done on the Gleanings to Henry Treadlock the sum of 350 dollars for work done in the years 1844 & 1845 To N. Castee the sum of 444 dollars and 81 cents paid in the years 1844, 1845 & 1846. That he paid to Saml W. Friend for the building of a tobacco house & other work on the said tract called the Gleanings, divers sums of money. W & N. Castee have also since the death of said Jno Hoye, passed an account against his estate, amounting to upwards of 570 dollars for improvements made on said trust estate, and Saml Williams has also passed his account against the said John Hoye's estate for 50 dollars for work and improvements done and made on said trust estate. In addition to a former account of 210 dollars paid him by said John Hoye. That the taxes on said trust property paid by said John Hoye amount to upwards of six hundred dollars. That in addition to the above considerable sums of money paid by the said John Hoye for and on account of said trust estate, this defendant has no doubt from the best information he has been able thus far to obtain, there are many others to large amounts of which he kept no account, because he knew they far exceeded any means of payment by the receipts & income of said estate, in the ability of said cestue qui trusts to meet and because he dealt, and always intended to deal in a liberal and even fatherly spirit with them, and never for one moment supposed that with their knowledge of his course towards them & the manner in which he had dealt with the trust estate, they would think of calling him to an account, he being in any event, a large creditor of said trust estate, having always acted towards them, and the interests not only the part of a bountiful benefactor, but almost of a father. This defendant further answering says, that the said John Hoye paid large sums of money out of his own funds, for the education of many of said children. The precise amount of which this defendant does not know, but he has ascertained that he paid the sum of Three hundred dollars to one John Goulding, who was a teacher for schooling several of said children in the year 1820 & 1821 when the income of said trust estate could not furnish one dollar for that purpose, and therefore had not the means

been afforded by the said John Hoye in the spirit of a father, these children must have grown up without any of the lights and benefits of the education they now enjoy. He also paid to James Warren 640 dollars on account of schooling and the education of said children from the year 1840 to the year 1844. He also paid to others much larger sums, much though not of all of which, this defendant thinks he will be able to prove if required so to do. And this defendant further answering says that so far from the said John Hoye receiving and appropriating to his use, the profits and proceeds of said trust estate, the same were in fact greatly insufficient properly to support and educate the children, numerous as they were, of said William W. Hoye, and consequently he the said John Hoye had to advance money out of his own funds for that purpose, as herein before stated. And this defendant would here remark and state as a fact within his own knowledge that the said John Hoye boarded four or five of said children in his own family, whilst he was sending them to school in the Town of Cumberland; and this too, for a considerable time. This defendant further states that the said William W. Hoye, and his children from the death of said Paul Hoye up to the time of the death of said William, possessed, used and enjoyed the whole of said trust estate, and appropriated the proceeds of the same to their own use and benefit, and for their natural support and maintenance so far as the same would avail for that purpose, and the deficiency was supplied by the said John Hoye out of his own funds and means. And that too, to very large amounts. That after the death of the said William W. Hoye his family being very large, and their support expensive, the said John Hoye took under his more immediate care the improvement of said real estate, and expended considerable sums of money in clearing land and putting up necessary and suitable improvement, so as to increase the income thereof for the mutual benefit and support of the children of said William W. Hoye, who remained on the same. That notwithstanding these improvements and the consequent increased income, it proved insufficient for the proper support and education of said children, who consumed the whole, and the said John Hoye had from time to time, to pay considerable sums of money in addition for their schooling, clothing & boarding. And this defendant would here state that the said John Hoye to the day of his death continued his kind acts to such of the children of the said W. W. Hoye, as required the same. That Thomas H. Armstrong one of the complainants, has proved an account against the estate of the said John Hoye for the boarding of Mariam Hoye and Elizabeth Hoye & Catherine Ridgely, three of the children of said William W. Hoye, from January 1849 to June 1849, amounting to