-string, and left said homestead in 1841, all the rest of said family; except two of the girls remained at their said home. These two are Elizabeth & Marion who went with their sister Sabitha after her marriage & resided with her. but were supported by their said uncle John Hoye whilst so residing with their said sister. After residing there for some time, they then returned to the town of Cumberland, and lived with their said uncle, who sent them to school, and clothed and supported them as if they were his own daughters. Catherine Hoye aforesaid married the said William Ridgely in the year 1844 or 1845. she having previous to her marriage left the said farm. This defendant further states that all the improvements made on said farm were made, and paid for by his said uncle, and that he his said uncle from time to time, from the earliest recollection of this defendant, supplied nearly all the wants of the family of the said William H. Hoye sending them sheep, horses, sugar coffee and various other things necessary for their proper support, and maintenance. This defendant knows that the income of the said farm, and trust estate was greatly insufficient for the support & proper maintenance and education of the large family of his said father, and that his said uncle took upon himself the burden of supplying out of his own funds all the deficiencies resulting from the very limited income of said trust estate. And this defendant well knows that the kindness and generosity of his said uncle to all the brothers & sisters of this defendant, as also to himself, was the subject of conversation amongst them very often, and they all admitted it, and expressed their gratified feelings towards him for it. And this defendant further answering says that so far from the said John Hoye's concealing from him or any of his brothers or sisters the value of either their fathers or grandfathers estate they had every opportunity, and means of knowing, and did or might have known the same at any and at all times, and further that they all well knew that the rents and profits of said estate of their said grandfather Paul Hoye, were at all times, greatly insufficient for their support, and maintenance, and that they must have greatly suffered but for the generous, did, and liberal kindness of their said uncle. This defendants admits that he did execute, and deliver to the said John Hoye his deed of bargain & sell as stated in the Complainants bill & that the same is recorded though he did not receive the consideration of the same because of the sudden death of his said uncle and this defendant insists that the

several deeds, copies of which are exhibited by the Complainants in their Bill of Complaint as exhibits marked B. C. D. E. and H. were at the time they were made, and now are, good, and valid deeds, and will avail as such against the grantors therein respectively named, and their heirs at law. This defendant further answering admits that he was on the 13th day of November 1849 by the Orphans Court of Allegany County appointed trustee of the heirs of William H. Hoye under the will of Paul Hoye, decd, as stated in said Bill of Complaint, and being so appointed submits to this Honorable Court whether he is to settle his said trust with this Court, or with said Orphans Court, it being to him a matter of entire indifference with which of said Courts he makes such settlement, provided the same will be valid when made. This defendant as such trustee further answering says that since he has entered upon the execution of said trust he has taken into his possession & under his care, and control, all the property, real and personal which he considers & believes to be the trust property belonging to the heirs at law of William H. Hoye, decd, under the will of the said Paul Hoye, and that he has hired out the negroes, and rented out the lands, which constituted said estate, and receive said hire, and rents from time to time to certain amounts, and has paid for taxes on the real estate, and for clothing of the servants and medical attendance on them, and various other matters, and things properly chargeable against said trust estate, of all which this defendant now renders a more particular account herewith exhibited marked E. H. and which he prays may be taken & considered as a part of this his answer. And this defendant would here remark, and state that two of said negroes named Rhody, and Milly for a long time have been, still are, and to the time of their respective deaths will continue to be, a considerable annual expense to said estate, the one Rhody being superannuated, and the other Milly being permanently diseased. And this defendant is now ready, and willing to settle his said account as said trustee with said trust estate in this court if the Court shall so order, and direct. Without that, that there is, any other matter or thing material or necessary for this defendant to make answer unto, and not herein, and hereby well & sufficiently answered unto, confessed or, avoided, traversed or denied, is true. All which several matters, and things this defendant is ready to aver, and approve, in such manner as this Honorable Court shall award, and determine. And he prays to be hence dismissed with his reasonable costs and charges in this behalf wrongfully sustained. And as in duty bound &c.