And these respondents further answering, say, that it is not true, as alleged in said bill of complaint, that at the time of making and publishing the said codicil, the said testator had become and was so affected and infeebled by reasons of age, domestic afflictions, and bodily, and mental infirmities, that he was no longer capable of remembering and appreciating either the necessities or claims upon him of the various natural objects of his testamentary bounty, or his means of gratifying their said claims, or his own previous testamentary provisions in their favor, or the effect of such changes therein, as the aforesaid codicil would cause, or the character and purport of the said codicil.

And these respondents further deny the allegation of said bill of complaint, that the said Jeremiah Townley Chase was not of sound and disposing mind, memory and understanding, at the time of executing said codicil, but, on the contrary, these respondents say, and so expressly charge, that at the time of the execution of the said sixth codicil, the said Jeremiah Townley Chase was of sound and disposing mind, memory and understanding, and capable of executing a valid deed and contract, and that the said sixth codicil is, in all respects, a valid instrument, and that the pretense now set up to the contrary, is an after thought, wholly inconsistent with all the facts in this connection.

And these respondents, further answering, say that it is wholly untrue as alleged in said bill of complaint, that at the time of receiving the two deeds from the said Hester Ann Chase, "Complainants' Exhibits 1. and 2." and at the time of taking possession of, and occupying thereafter, the lot and parcel of ground therein described, the said Thomas and William L. Winans had such notice and knowledge

of the character of the said sixth codicil, and of the mental and bodily condition of the testator, at the time of the execution of the same, as would have sufficed to put reasonably, careful and prudent men upon enquiry as to all the matters connected therewith, as charged in said bill.

And these respondents, further answering, say that at the time of receiving the two deeds aforesaid, from the said Hester Ann Chase, the said Jeremiah Townley Chase had long been dead, his will had been long since admitted to probate; the legatees and devisees under it had long been in possession of the interests given by it respectively, and there was nothing to suggest a suspicion even as to the validity of said last will and testament, or to set a reasonably prudent man upon the enquiry as to the capacity to make a will of the testator here referred to.

And these respondents, further answering, say that even if the said Thomas and William L. Winans had made enquiry among the friends of the testator, they would have been advised of his perfectly sound and disposing mind, memory and understanding, and of his perfect competency to execute a valid deed or contract, or make a last will and testament, at the date of said will, and the codicils thereto, respectively, and that if they had referred to the reports of the Court of Appeals of Maryland, they would have found in the case of Chase vs Lockerman, in 11th Gill and Johnson, page 185, a report of a litigation in regard to a distribution of a portion of the estate of said Jeremiah Townley Chase, in which the whole will, together with its several codicils, including the sixth, are set out at length, and in which no exceptions were taken to the validity of said will, or any part thereof. To the bill referred to in that case all the heirs and devisees of