

provisions of said will are substantially, as stated in said bill of complaint. These Respondents further admit that on the 13th day of June 1874, the said Thomas Hammond, in consideration of "love and affection" & the sum of five Dollars executed a deed of conveyance to Dawson V. Hammond of all the Real Estate of said Thomas Hammond lying & being in Frederick County, Carroll & Howard Counties and that the said plaintiffs, Exhibit No. 8, is a true copy of such deed. These respondents further admit, that the said Thomas Hammond at the time of the execution of said deed was largely indebted to an amount exceeding the value of the personal property left by him and they admit that said deed was covinous and fraudulent, as to the creditors of said Thomas Hammond whose claims & demands were in existence at the time of the execution of said deed and these respondents insist that the said deed was not only covinous and fraudulent as to the creditors of the said Thomas Hammond but was also covinous & fraudulent as to these respondents and the other devisees of said Thomas Hammond under said last will & testament, that said Thomas Hammond at the time of the execution of said deed was by extreme old age and was very greatly enfeebled in body & mind by long and severe sickness and was induced to execute said deed by the over-weening influence of Dawson V. Hammond, the grantee named therein who was at the time the confidential agent, and adviser of said Thomas Hammond that said deed was & is fraudulent, and void to all intents & purposes and does not, nor did operate to, revoke said last will & testament, but that said last will is wholly unaffected by said deed by reason of said deed being fraudulent, void and of no effect as aforesaid and these respondents are entitled to their interests in said real estate, as devised by said will, wholly unaffected by said deed, void & fraudulent, as aforesaid. These respondents admit that their rights to said real estate, as devised under said will are subject to the rights of the creditors of said Thomas Hammond having just and legal claims against the said Estate, but these respondents are advised that being specific devisees they are entitled to have the assets of said Estate marshalled in their favor by having applied to the payment of said debts, first the personal Estate then the lands devised by said will to be sold for the payment of debts then the undeviseed lands of said Thomas Hammond and that the lands specifically devised are lastly liable for the payment of said debts. These respondents admit that said Thomas Hammond died sometime in the month of June in the year 1874, and that the said will was duly admitted to probate by the Orphans Court for Frederick County. These respondents further admit that said Thomas Hammond was largely indebted at the time of his death but they deny that the personal Estate of said Thomas Hammond at the time of his death was not sufficient to pay his debts as alleged in said bill but they aver & so charge that the said