

No. 2957. Equity.

the hand writing of John B. Mills and Rachel B. Mills - I look at the signatures to the papers marked Exhibit J. E. M. No. 1-6-13 and they are in hand writing of the parties purporting to have signed them, as also of the witness. I was present at the signing of said papers except the one marked Exhibit No. 5, the signature to which I think is genuine. To the 6th. Interrogatory, she was entitled to be a distribution share, in the Estate of her Grand father, James Peare Sr. deceased, amounting to something over one hundred dollars which was paid to her in my presence, after the execution of the deed of Trust, marked Exhibit A. in this cause, by Lemuel Peare, Executor of said deceased, without the intervention or consent of said Greenberry R. Sappington, Trustee and she receipted for the same in her own name to the said Executor, and did not receipt to or discharge the Trustee, for the same, who was entitled to receive the same. The Trustee was never informed of or consented to the action of the said Rachel B. Mills, at the time in the premises. To the 7th Interrogatory, the said Rachel B. Mills and John B. Mills, after their Marriage did enter upon the possession of the lands mentioned in Exhibit A, and use & occupy and enjoy the whole proceeds, rents, and incomes thereof from the date of June 1857, to the month of May 1859.

To the 8th. Interrogatory, the said John B. Rachel B. Mills did sell with the consent of the Complainants, certain of the said Trust lands which are mentioned in Exhibit A, No. 1, filed in this cause, to Levi G. Famer, the purchase money of which was disposed of as follows: Seven hundred & forty eight dollars, were invested in the purchase of 48 acres of land from James Peare & Deborah Peare, trustees to sell the real estate of Joshua Peare, deceased, who made and delivered a deed of and for the said land, to the said John B. Mills in my own name and sight - Without the assent and knowledge of Greenberry R. Sappington, Trustee, who afterwards protested to me against my holding the same, and demanded a reconveyance of said land to him. I look at the paper marked Exhibit B. I describe the