

defendant Alexander, discharged from all incumbrance; that the defendant Warner, might account for the rents and profits; and that the plaintiffs might have such other relief as was suited to the nature of their case.

An order of publication was passed, warning the absent defendants to appear and answer on or before the 31st of July, 1821, which was published as directed.

The defendant, Alexander B. Hanna, on the 2d of December, 1820, put in his separate answer, in which he said, that he had conveyed the property to the defendant Warner, as stated in the bill, for the purpose of securing to his wife her separate fortune, amounting to about \$5,000, which he had received and agreed to settle on her; that he was then in good and solvent circumstances, and owned effects sufficient to pay all his debts, leaving a very considerable surplus, without the property so conveyed; that he
28 * afterwards met with considerable losses at sea, and otherwise, by reason whereof he was compelled to take the benefit of the insolvent laws, as stated; and he denied all fraud, &c. To this answer the plaintiffs filed exceptions on the 15th of December, 1820.

The defendant, Warner, by his answer, admitted, that the conveyance was made to him, as set forth in the bill, and said, that afterwards the defendant, Sarah, the wife of Alexander, furnished him with \$1,698.42, with which he had satisfied the claims upon the property held by the defendants Jacquin and Burling; that ever since the execution of the deed to him by the defendant Alexander, the property had been held and enjoyed by his wife and children; and this defendant denied all fraud, &c.

After the subpoena against Jacquin had been returned summoned, and before he had answered, his death was suggested; and the case thus abated as to him.

The defendant, Tyson, by his answer, admitted, that he had been appointed one of the trustees of the defendant, Jacquin; but averred, that he had no knowledge of any other matter set forth in the bill.

The defendant, Hall, by his answer, admitted, that he had been appointed one of the trustees of the defendant, Jacquin, as stated; but averred that he had never accepted the trust; and disclaimed all interest in this suit.

KILTY, C., 15th December, 1820.—On motion it is ordered, that the bill be dismissed as against the defendant, Andrew Hall, with costs.

The defendant, Sarah, wife of the defendant, Alexander, having failed to answer, and having been attached for not answering, the