

her husband's estate; and in the inventory returned the chattels real mentioned in the deed of the 17th of August, as a part of the property of her intestate; that some time after she had made return in the inventory of the said property, the children and heirs of Anthony Hook applied to her for their proportion of it, alleging that it had been conveyed to and held in trust by her intestate, and \*ought to be accounted for as a part of the estate of Anthony Hook; that after advising with counsel she agreed, **558** that the ten acre lot should be sold so as to effect a distribution thereof among the heirs and representatives of Anthony Hook, which was made accordingly; that several years after those transactions, and after her marriage with the defendant Edward, she and her husband preferred the petition, as stated in the bill, in which they deemed it proper to present to the view of the Orphans' Court the said paper upon which the said children and heirs of the said Anthony Hook had relied to prove, that the said property did not belong to the said John Hook as his absolute property, but was only held by him in trust for the said Anthony and his representatives; and which was accordingly received by the said Court, and the final account of the said administration of the said estate of John Hook, was passed and closed.

The defendant Bennett, by his answer filed on the 14th of February, 1822, says, that the defendants Hagthrop and wife for a valuable consideration, to them actually paid, did by indenture, made on the 3d of August, 1810, convey to him a part of the ten acre lot as therein described; "that he had no knowledge or notice of any claim of the said complainant, or of the heirs and representatives of the said Anthony Hook, deceased, either before or at the time of the said conveyance of the said property mentioned in the said indenture, of, in and to the said property therein mentioned; nor had this defendant any knowledge or notice of the said claim set forth in the said bill of complaint, until since the filing and exhibition of the said bill of complaint."

The defendant Fitzgerald put in his answer on the 14th of February, 1822, in which he says, that on the 4th of September, 1806, he purchased one piece of the ten acre lot of John H. Hill, and on the 9th of August, 1810, he purchased another piece of the defendant Edward Hagthrop; and on the 17th of September, 1811, he purchased a third piece of Girard Tipton; and on the 17th of June, 1815, he purchased a fourth piece of the defendant Edward Hagthrop; that the deeds made to him for these four pieces of ground were *bona fide*, for a valuable consideration, and without any notice of any claim being made thereto by this plaintiff, or the heirs of Anthony Hook, deceased, until the filing of this bill.

The defendant Benjamin Rawlings, as surviving executor of William Rawlings, deceased, put in his answer, on the 10th of