

mitted the conveyance of the property, to the use of herself and her children, was made as set forth in the bill; but she averred, that it was made in consideration of her fortune, amounting to about \$5000; that the house on the lot was erected with her money so paid to her husband; that he was in good and solvent circumstances at the time he made the conveyance; and she denied all fraud, &c.

The infant defendants *Mary, John, and Robert*, answered by their guardian *ad litem*, and admitted the execution of the conveyance by their father as set forth; but averred, that he was then in solvent circumstances; and prayed that their interests might be protected, &c.

The plaintiffs, by their petition, stated, that the defendant *Sarah Hanna, Jr.* had attained her full age, since the issuing of the commission to take the answers of the infant defendants, and had refused to answer their bill of complaint. Whereupon they prayed process against her, &c.

19th November, 1822.—*JOHNSON, Chancellor.*—Leave is given to amend the bill, so as it shall appear by the bill, that the person, in this petition mentioned, has arrived at full age; and a *subpœna* being served on her, if disregarded, the necessary compulsory process will issue.

After which the defendant *Sarah Hanna, Jr.* put in her answer, in which she admitted the execution of the conveyance by her father, as charged in the bill; but declared, that he was then solvent, as she had heard and believed; and that she had no knowledge of any other matters set forth in the bill.

The plaintiffs' solicitor, by an application in writing, prayed, that a commission might issue to take testimony, &c. To which a solicitor, who appeared only for the defendants, *Alexander B. Hanna* and wife, and *Sarah* their daughter, subjoined his consent in these words, "the undersigned, as counsel for such of the above defendants as he appears for, consents to the above commission as prayed for by the complainants," upon which, on the 24th of April, 1823, the Chancellor said "let the commission issue;" and it was issued accordingly.

On the 15th of December, 1823, the plaintiffs, by their petition, stated, that the infant defendant, *Andrew Hanna*, had returned to this state, and was then a resident of the city of Baltimore, but