

his estate, and into whose hands and possession the same passed, by virtue of the said administration, since deceased, leaving one child, *James Hook*, one of the defendants to this bill; and three daughters, *Margaret Knight*, *Catherine Ordin* and *Barbara Morrow*; and one grandchild, *Anne Barbine*, wife of *Charles Barbine*, who is the only child and heir at law of *Joseph Hook*, deceased, son of the said *Anthony Hook*.' But this bill prays process only against those who were defendants to the original bill; it does not ask for a *subpœna* against *James Hook*. It was, however, agreed, that the answers which had been previously filed, and 'since amended, should be taken as answers to the said amended bill.'

A commission was issued to take testimony, under which the depositions of several witnesses were taken; and several deeds and instruments were returned with the commission.

From all which it appears, that during the last illness of *Anthony Hook*, he was visited by the late Catholic Bishop *Carroll*, who having been told that there had been some misunderstanding between him and his son *John*, respecting a conveyance of his property, the Bishop caused a bond to be prepared expressive of the fact, to be signed as a stipulation and acknowledgment by *John*, that the deed of the 17th of August, had been made in trust for the payment of *Anthony's* debts, and nothing more; which instrument *John*, on some account, not now known, refused to execute; that *Anthony* died soon after, and *John* administered upon his estate; and after *John's* death, which happened in September, 1800, letters of administration *de bonis non* of the personal estate of *Anthony* were, on the 8th of November, 1800, granted to his widow *Mary Hook*; after which she applied, by petition, to the Orphans Court to compel *Barbara*, the administratrix of *John*, to execute the trust specified in the deed of the 17th of August; to which petition *Barbara* demurred; because the matter belonged properly and exclusively to the Court of Chancery; and the Orphans Court sustained the demurrer.

That afterwards the sale of the ten acre lot was agreed upon and made; and the defendants *Hagthrop* and wife, by an indenture bearing date on the 29th of May, 1804, conveyed a part of it to *Mary Hook*, in discharge and satisfaction of the thirds of the said *Mary*, of, and in the estate of the said *Anthony Hook*, her late husband; whereupon *Mary*, on the same day, by an instrument of writing under seal, acknowledged the receipt of £429 19s. 10d., being the full amount of her dower, thirds and proportion of the