Copy Answer Commissioner
Oct 1st 1867
Oct 1st 1867

Wm J. Tripp Exr
vs
Nicholas H. Tripp
et al

Bill of Complt

Filed 4th May 1867

Tripp

To the Hon. D. Hopper,
Judge of the Circuit Court for
Talbot County.-

The bill of William J. Tripp of Talbot County humbly shew that, Richard Tripp late of Talbot County deceased, made and executed his last will and testament, bearing date on the twelfth day of December, in the year eighteen hundred and forty six, in which among other clauses and devises, is the following to wit

"Item. I give and bequeath unto my son William James Tripp, his executors and administrators, such of my negroes, as may fall to the share or portion of my son Nicholas Hammond, in the division of my personal estate, in trust and confidence that he will hire out, collect, and pay over to my son Nicholas Hammond, the hire of said negroes, as may be alotted to him in the division aforesaid, in such manner, and on such terms, as my said son William shall deem most advisable" a copy of which said last will and testament is herewith filed, marked exhibit A, and prayed to be taken as a part of this bill, as by reference thereto will more fully appear.-

And your orator further represents that, by said last will and testament, he was appointed sole executor to settle the Estate of the said Richard Tripp deceased; and was also appointed Trustee, under said will, for the benefit of said Nicholas H. Tripp, to carry out the intentions and purposes of his Testator, as expressed in said will.-

Your orator further represents that, in pursuance of the trust and confidence reposed in him by his testator, in the will aforesaid, he has paid over to the said Nicholas H. Tripp the hire of said negro slaves.-

And your orator further represents that, the said Nicholas H. Tripp, being desirous of leaving the County and State, applied to your orator to make sundry large advances to him, to enable him to carry out this object; which to grati-

by him your orator did, at great inconvenience to himself.—

Your orator further represents that, he permitted the said Nicholas H. Tripp to exceed largely his income, being a brother and those advances, and loans on the part of your orator, and other matters of account, have resulted in the creation of an account, by your orator against his said "Cestui que trust", Nicholas H. Tripp, amounting to the sum of eighteen hundred and seventy six dollars, and thirty two cents: which account is herewith filed, marked B, and prayed to be taken as a part of this bill, the same having been admitted by the said Nicholas H. Tripp, as true and correct; but which said account, the said Nicholas H. Tripp is wholly unable to pay, without the sale of the negroes, allotted to his share, to wit, Negro Man Isaac aged about 40 years. Negro man Samuel aged about twenty one years & girl Rachel aged about 14 years.

Your orator further makes known unto your Honor, that he is willing, and anxious, to purchase said negroes of said Nicholas H. Tripp, but is advised that he cannot do without the aid of this Honorable Court.—

Your orator further states, that the said Nicholas H. Tripp and himself have fully, and amicably, agreed upon the value and price of said negro slaves; and the said Nicholas H. Tripp is anxious, that the said negroes should remain with your orator and his family; as he fully believes, that it was the intention of his father, that they should so remain in the family.—

Your orator therefore prays your Honor, to take this trust under the cognizance of the Circuit Court, for Talbot County, on the Equity side thereof, to revoke the trust of your orator, and to appoint a new Trustee; and also to authorize said new Trustee to sell and dispose of said negroes at private sale, and to report said sale to this Honorable Court for its ratification; and also to authorize said Trustee to pay and allow the account of your orator, hereinbefore referred to.—

To the end therefore, that the said Nicholas H. Tripp may answer the several matters, and things, hereinbefore stated, as fully and particularly, as if they were herein again repeated, and he was thereunto specially interrogated; and that your orator may have such further relief, as the case may require.—

May it please your Honor to grant, unto your orator, the writ of subpoena, against the said Nicholas H. Tripp, commanding him to appear in this Court, (at some certain day to be therein named,) to answer the premises, and abide by, and perform such decree, as may be passed therein, and as in duty &c.—

Wm. Hamilton
W. Blake
Solrs for Compt.