

to be invested and secured under the direction of this court, and that the award may be established, as well against the complainant, as his children, and their trustees.

The arbitration bonds were filed as exhibits with the answer, and their recitals are fully set out in the opinion of the Chancellor. The award made by the arbitrators and George M. Bibb, the umpire selected by them, on the 20th of January, 1848, after reciting the submission, makes the award set out in the opinion of the Chancellor.

There was also filed with the answer exhibits C. B. C., Nos. 3 and 4, the first being a statement of payments made to complainant and wife by George Calvert in his lifetime, with the memorandum at the foot, "deduct 160 acres at \$5," referred to in the answer, the second a statement of payments made by Charles B. Calvert, executor of George Calvert, to the same parties.

The answer of the infant defendants was taken by guardian, *ad litem*, not admitting the allegations of the bill, and asking the court to protect their interests. The answers of the other parties are immaterial.

A large mass of testimony, both oral and documentary, was then taken, the substance of which is stated in the Chancellor's opinion. It may be proper, however, to add, that the settlement in reference to the paternal succession referred to in the proof of R. H. Stewart, and in the opinion of the Chancellor, was made in 1835, the amount due being ascertained by Walter Jones, Esq. and Charles B. Calvert, acting as agent for his father, and if this settlement had not been disturbed by the award the amount which the arbitrators would have adjudged as due the complainant would have been \$12,037 54, as of the 12th of January, 1838. It was further proved by one of the arbitrators that they never gave notice to the parties of the time and place of any of their meetings.]

THE CHANCELLOR :

Whatever may be said of several of the questions raised and and discussed by the counsel on both sides in this case with so