

The seperate answer of Thoas Hill to the bill of complaint filed against him and others (former Trustees of Nancy Academy) by John Brabson & others (Trustees of Nancy Academy) in the Chancery Court at Sevierville-

This Respondent now and at all times saving and reserving to himself the benefit of all manner of exception to the manifold errors, uncertainties, and imperfections in said complainants Bill contained for answer thereto or to so much thereof as he is advised it is material for him to respond unto answering says- that it is true as alleged in complainants bill that he was once appointed and acted as a Trustee for said accademy - respondent doesn't now recollect the precise time when he was appointed Trustee, but was one of the first Trustees who were appointed for said academy, which was prhaps about the year 1807-8 or 9, at the tiem of Respdt's. appointment there being no funds in the possession of the Trustees, a subscription was taken up for the purpose of building a house and getting a school into operation, and about the sum of \$268. in money, work, merchandize &c, was subscribed- about this time James McMahon & Isaac Thomas, having made a donation of two acres of ground in the vicinity of Sevierville to the Trustees, it was determined to build a house thereon- This building together with a large chimney was let out to the lowest bidder, and was bid off by Cannon at four hundred and seventy five dollars, his being the lowest bid, said house was built and the school commenced about the year 1811, as well as respondent now recollects, at which time there were no funds belonging to the academy, the donations above named were applied as far as they would go to the erection of the house, which left a considerable balance due for the house and chimney- this House after being used and occupied for some time as an academy was burnt down- after which time it was never rebuilt. the reasons why the Trustees did not rebuild on said grounds was owing to its inconvenient situation and because the well which the Trustees had procured to be dug thereon frequently failed during the summer and fall seasons- some time after this the Trustees made an arrangement with the Baptists to get the use of their church for the purpose of having a school taught therein and the Trustees as a consieeration for the use of the house procured some repairs to done thereon- in a short time the Baptists became dissatisfied with having a school taught in their church, and as well as Respondent now recollects paid back to the Trustees, the amount that they had expended on said church in repairs- this respdt. together with the other Trustees being desirous to have a permanent school, determined to build or buy a house for that purpose. they accordingly purchased the Brick building and two lots fo which complainants speak in their bill, from M.C. Rogers, for the price of four hundred dollars, believing at the time ( and respondent still believes and insists) that the price was a very low one, and instead of this purchase being a waste or mismanagement of the funds of said Academy, respondent insists that it was a judicious one, and one too loudly called for by the best interests of the institution- As to the lands donated by McMahon & Thomas to the institution, being adversely held until a recovery is barred by the statute of limitations, this respondent does not know that it is now or ever has been adversely held- In relation to the funds of the academy respondent states, that there were funds received by the Trustees from the state, but what amounts & at what times respondent does not now recollect, but the amounts recd. and the times when it was recd. will appear from the books of said Trustees, now in possession of the complainants, and which they are called upon to produce- In relation to the loan-

ing of the funds of the Institution, respondent has not at this time a very distinct recollection, nor can he recollect the amount of interest recd. by the Trustees- in fact it is not reasonable to suppose that he could at this late day, tell the amount of interest recd. by said Trustees whrn the books of said Trustees are the only guides he could have to refresh his recollection, and they are in the possession of the complainants respondent would however state that as well as his recollection serves him the monies of the institution were loaned to good and solvent men(at least the Trustees endeavored so to loan it) who were required to execute their notes with security, renew every six months. respondent believes that upon a careful examination of the books keppt by Said Trustees complainants will find that instead of being careless and inattentive to their duties as trustees, and mismanaging and wasting the funds of the institution, that they have on all occasions done that which seemed calculated to promote the best interests of the academy- with regard to the interrogatories in reference to the disbursements of the funds of the institution this Respondent cannot now recollect at this time either the amounts or the particulars- the money &c raised by subscription, as herein before mentioned was applied to the building of the house, as before stated, which left a considerable balance due the builder, which was paid as respdt. supposes- there were also disbursements made to teachers for teaching but what amount or at what time respondent cont recollect- there was also money paid for repairs done on the church, in fitting it up for a school as before stated, but respdt. does not recollect the amt. there may have been, and no doubt was other disbursements, made which have excaped the recollection of respdt., all of which will doubtless appear from an inspection of the books- respondent denies, that so far as he has been concerned, there has been any waste or mismanagement of the funds of the institution, ans asserts that all disbursements that were made he believed to be proper and necessary to the well-fare of the institution & believes that his co-respondents so thought them, and that in all things it has been his endeavour to advance the interests of the institution and put it on such footing as would enable it to accomplish the very praise-worthy objects for which it was designed- This respondent now having answered all the allegations in complainants bill contained, prays to be dismissed hence with his reasonable costs &c.

McNutt Sol.

Thomas Hill

Certified, 11th April 1842, Wilson Duggan C & M.