thereof and that this defendant Elizabeth did afterwards by the persuasions of her said husband Francis join in such a deed for conveying the said lott to the said Nathan Hammond as in the complainants said bill of complaint is alleged; but these defendants do respectively further say, at the time of executing the said deed and acknowledge the same this Defendant Elizabeth was under the age of twenty one years and under the power and controul of her then husband by whom this defendant Elizabeth alleges she was persuaded to execute and acknowledge the said deed without knowing she had any power to prevent her said husband from selling the said lott, and that besides the weakness of her situation as a feme covert and under age she was at the time of her intermarriage with said Francis Spong, an Orphan without relations to advise and protect her; and that the said execution and acknowledgment of the said deed was urged with such pricipitancy, that it was compleated on the Day succeeding her marriage with the same Francis Spong. These Defendants, admit Nathan Hammond afterwards on or about the time alleged had executed such conveyance of the said lott to Thomas Rutland granfather of the complainant as in the said bill is alleged and that the said Thomas Rutland erected and put such buildings thereon as the said Complainant hath set forth; but these Defendants respectively say and allege that the said Defendant Elizabeth soon after the execution and acknowledging of the said deed, removed, together with her said husband Francis Spong from the City of Annapolis, and had no notice of the erecting the aforesaid buildings, by the said Thomas Rutland previous to their being made and erected, and that at the time when they were so erected she the said Elizabeth was a feme covert and married to the said Francis Spong who afterwards departed this life on or about the time in the said bill alleged but whether the said Thomas Rutland apprehended his title to the said Lott to be perfect at the time of the erecting the said improvement these Defendants are ignorant; they apprehend however that as this Defendant Elizabeth was born in the City of Annapolis and lived there during her Infancy that the evidences who could prove her age and title to the said Lott might always have been obtained by the said Thomas Rutland who lived in the neighborhood.

These

These defendants respectively admit, that the said Thomas Rutland afterwards made such conveyance to Bennett Chew as in the said bill of complaint is set forth, and afterwards departed this life have duly made such as is also set forth. These Defendants further answering admit that after the death of the said Francis Spong the defendant Elizabeth intermarried with the other defendant Thomas Staines and that they instituted such action of trespass and ejectment for the recovery of the said as in the complainants bill is set forth said that the said lott was afterwards recovered by these defendants, and possession thereof delivered to them in execution of the said Judgment on or about the time set forth. These Defendants admit that they have sold the said lott to John Rogers Esqr and that Bennett Chew hath prosecuted such suit against the Complainants and recovered such Judgment against him as in the said bill is set forth. But these defendants ever advised and insist that they are not bound to reimburse to the said complainant any sum or sums of money that the said Thomas Rutland deceased may have expended in erecting improvements on the said lott without that that there is any other matter or thing in the complainants bill of Complaint contained material or necessary for these defendants to answer and not herein sufficiently answered admitted or devised is true as alleged and these defendants pray that they may be dismissed hence with their reasonable costs to them in this behalf to be adjudged and soforth.

Eliz^th her + mark Staines
Thomas Staines

Philadelphia 20th October 1788. Came Thomas Staines and Elizabeth his wife before us and by virtue of the powers vested in us by the annexed Commission, made oath that the several facts contained in the within answer are true as respectively stated to the best of their respective knowledge and belief.

Robt Milligan
Tench Coxe } Commissioners

Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by order of the Court here thereon, is further continued until the second Tuesday of may next.

At which said second Tuesday of may being the twelfth day of the said month, in the year of our Lord one thousand seven hundred and eighty nine, come again into the General Court here, as well the said Thomas Rutland

by