

the same, as stated in the bill, because he was poor and afflicted, and because she was enabled to live without taking to her own use, the profits of said lands, and she never supposed that an act of kindness to a poor and aged parent, could, in any degree, impair her title under said deed; that she certainly never, in any manner, abandoned her right to occupy said lands at any time she might think proper so to do. She and her husband, the said James Baxter, admit, that after the death of said Swan, they entered upon the premises, claiming title thereto, and now hold a portion thereof, under said deed, and deny that they then had knowledge of the deed from Swan to Sewell, or of the lease from Sewell to Swan, and insist, that at the time of executing them, Swan had any title whatever to the premises, and they deny that they obtained permission or now hold the same or any part thereof as executor and executrix of said Swan, but, on the contrary, aver that they hold the same as owners thereof, under the deed of the 22d of October, 1819. They have no personal knowledge of the indebtedness of said Swan to Sewell and Murray, and put complainant to the proof thereof. They admit that they have sold and conveyed portions of said land to Parlett, Moore & Buckingham, but utterly deny that said sales or conveyances were made to carry into effect any fraudulent objects, or to delay, hinder or defraud the said Sewell, but aver that said sales were fairly made for good and valuable considerations received by respondents, and that said parties do not hold said parcels of said land, as tenants to respondents, but that they purchased such title as respondents had, and hold said lands accordingly. They admit the demand of rent and their refusal to pay, but deny that they have ever pretended that they are assignees of said Swan, as lessee of said Sewell, but have always and do now claim said lands by virtue of the deed of the 22d of October, 1819, made for a valuable consideration paid by respondent, Emily, as hereinbefore stated.

The answers of Parlett, Moore & Buckingham, filed at the same time, aver that they purchased the several parcels of said lands conveyed to them respectively, fairly and for a valuable consideration under the belief that the title of Baxter and wife