

the court in the first instance, whether the special matter urged by it, did not debar the plaintiff from his title to that answer which

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The plea and answer of James Bissett, of Baltimore county, attorney at law, to the bill of complaint of Ann Bissett complainant.

The defendant by protestation, not confessing or acknowledging all, or any of the matters and things in the complainant's said bill of complaint contained to be true, in such manner and form as the same are therein alleged and set forth, except in so far as after admitted and acknowledged in the particular answer inserted; as to so much of the said bill of complaint as prays relief, in this honourable court, against the several deeds for conveying the lands in said bill of complaint, and after recited as fraudulently, or unfairly obtained, executed and acknowledged; and extorted by duress without any consideration paid, or if paid, immediately returned. This defendant pleads thereto, and for plea saith; that David Bissett, deceased, and the said Ann Bissett, the complainant, his wife, by their deed of lease, executed by them and dated the fourteenth day of June, A. D. seventeen hundred and fifty-five, for the consideration of five shillings sterling, paid them, did grant, bargain and sell to John Matthews, of Baltimore county, gent. all the several tracts or parcells of land some time in the possession of John Atkinson, deceased, first husband to the said complainant; and which by his last will and testament, duly proved and recorded, he devised to the said Ann Bissett, the complainant, in fee, situate, lying and being in Baltimore county, on or near Bush river and Rumney creek, and called severally by the following names, viz: Broad Neck, Clement, and Clement's Den; and by a resurvey thereon made by the said John Atkinson, in his life-time, collectively called, Atkinson's Purchase, also Dogwood Ridge, Parker's Folly, Parker's Choice, The Marsh, and ten acres of Natty's Island, which had been lately resurveyed, in the name of the said Ann, the complainant, and collectively called by the name of Rumney Marsh, containing eleven hundred and eighty-four acres of land, less or more; and the reversion and reversions, remainder and remainders; issues and profits of the same; to have and to hold the said tracts or parcells of land unto the said John Matthews, his executors, administrators and assigns, from the day next before the date of the said lease for one whole year ensuing, yielding and paying therefor, to the said David Bissett and Ann his wife, the complainant, the rent of one ear of Indian corn, at the end of the said term, if demanded; to the intent, that by virtue of the said lease, and the statute for transferring uses into possession, the said John Matthews might be in the actual possession, and thereby enabled to accept a grant and release of the reversion and inheritance thereof to him and his heirs and assigns forever. Which deed of lease was signed, sealed and delivered by the parties in presence of Samuel Howard and Thomas Newlands, bears endorsed a receipt of the consideration money, witness Samuel Howard, with a certificate bearing date the twelfth of November, seventeen hundred and fifty-five, by Robert Adair and John Hall, justices of the peace, of the parties having regularly acknowledged the said lease and instrument of writing to be their act and deed; and is, with said certificate of acknowledgment regularly recorded as the said certificate thereof, endorsed signed by the clerk; also bears, that upon the sixteenth day of June, A. D. seventeen hundred and fifty-five, the said David Bissett, deceased, and Ann his wife, the said complainant, by their deed of release, for the consideration of five hundred pounds sterling money, acknowledged in the said deed of release to be paid them, did grant, bargain, sell, alien, release, enfeoff and confirm unto the said John Matthews, in his own actual possession then being by virtue of the above lease, and also by virtue of the statute for transferring uses into possession, all the above mentioned tracts or parcells of land therein, and above particularly recited, and the