money, with interest accrued thereon, was withdrawn from the last depository, by the said Sarah, and out of it, the sum of eight hundred dollars, loaned the said Waters, on mortgage, the residue of the said fund, being, in part, expended by the defendant, and, in part, invested in the purchase of Baltimore city stock.

The answer admits, that the defendant held, in her own name, at the periods mentioned in the bill, the several amounts of the stock debt of the city of Baltimore, and she avers, that said stocks were purchased with her own money. That of the money with which said stocks were purchased, about three hundred dollars constituted a portion of the money of which she has before spoken, and the residue, being about $416, the defendant says, was given her, by her husband, as her sole and separate property, and with his knowledge and consent she invested the money in the debt of the city of Baltimore, as her separate and exclusive property, and she admits, that she has sold said stocks, and applied the proceeds of sale to her own use, as she had a right to do. The defendant then denies, in general terms, that she has any money, property or funds, belonging to the estate of her husband.

The answers of the other defendants need not be particularly noticed. That, of Waters and wife, admits the allegations of the bill; whilst the answer of Sarah Rebecca Marriott strongly supports the grounds of defence, set up in the answer of Charlotte Spencer.

The Chancellor, upon the coming in of the answers, dismissed the injunction; but it was afterwards argued, that the proceedings in the case of Spencer against Waters, on the mortgage, should be stayed, until a determination could be had in this case. It was further argued, that the two cases should be consolidated, and that if the bill in this case, should be dismissed, a decree should pass upon the other bill, for a foreclosure and sale of the mortgaged premises. It was further agreed, that the proof, taken under the commission, should be considered as if taken in both cases, and that the value of the stocks, purchased by the defendant, Charlotte Spencer, in her own name, during the lifetime of her husband, was $716, and that the