To all and singular the premises as fully and perfectly as if the same were here again Repeated and interrogated and that the Grant aforesaid of the aforesaid Tract called Sands marsh Resurveyed may be annulled and Vacated and such further and other Relief be given in the premises as the nature of the case doth or may Require and as to your Honor shall seem meet and agreeable to Equity and Good conscience — May it please your Honor to Grant the state of Maryland most gracious Writ of Subpoena to them the said Nathaniel Robert and Samuel to be Directed — Commanding them and Each of them at a certain Day and under a certain pain therein to be inserted personally to be before your Hono in this Honorable Court to Answer to all and singular the premises and to shew cause if any why the same Grant should not be annulled and Vacated. and to stand to and abide such other and further Order and Decree therein as to your Hono shall seem meet and agreeable to Equity and good conscience — —

Luther Martin Attorney General

Whereupon accordingly Issued Subpoena Against the said Nathaniel Smith Robert Purviance and Samuel Purviance to appear to and answer the Bill aforesaid And the said Cause so standing in Court until February Court 1785. Thomas Jenings Esquire of Counsel with the Defendant Exhibited into said Court this the Defendants Answer to the foregoing bill of Complaint Which Answer follows in these words — Viz^t. The Answer of Nathaniel Smith, Robert Purviance and Samuel Purviance to the Information exhibited by Luther Martin Esquire attorney General of the State of Maryland at the Relation of Thomas Yates — The said Defendants now and at all times hereafter saving and Reserving to themselves all and all manner of benefit and advantage of Exception to the manifold Incertainties and Imperfections in the said Information Contained for answer thereunto or unto so much thereof as materially concerns these Defendants to make Answer unto, they Answer and say, that by Virtue of an Escheat Warrant Granted unto William Rogers to Escheat a Tract of Land called Bold Venture, dated



on or about the twenty seventh day of April Seventeen hundred and fifty nine directed to Nicholas Ruxton Gay then Deputy surveyor of Baltimore County the said Nicholas Ruxton Gay did on or about the thirteenth day of June in the same year Survey for the said William Rogers a Tract or parcel of Land called Rogers Inspection Lying in two parts on which said survey a certificate was returned and on which certificate a patent issued on the twenty ninth Day of September Seventeen hundred and fifty nine as by the said warrant certificate and patent Remaining of Record in the Land office of this State to which these Defendants pray have to refer will more fully appear. and these Defendants further Answering say that the plat Annexed to the said information does not as they apprehend contain either a true Location of of the said Tract called Rogers, Inspection. nor of the waters of the North West branch of Patapsco. and is materially — Defective in not having many places delineated and marked on the same proper to give this Honorable Court a full — Information Respecting the Nature of the dispute between the parties. and therefore these Defendants humbly hope they may have an opportunity of having an Accurate Survey made of the said Tract of Land called Rogers Inspection and also of the Original Tract called Bold Venture and of other Adjacent Lands and places necessary for a full Investigation of the Subject in Controversy and that the same may be Laid down on due Notice to the Relator and the same Annexed to this Answer — and so far as it includes the Acts of the Defendants be taken as part of this their Answer which they Conceive will afford this Honorable Court much more clear and certain Information than an Ex parte plat made out and Returned by either of the Interested parties. and these Defendants further Answering say that they know not whether the said Thomas Yates hath become seised and possessed of certain parts of the said Tract in manner as is alleged. and therefore begs leave to Refer to such proofs as he may think material to adduce to his said Allegations, and these Defendants pray leave to Refer to the said Acts of Assembly in the said Information mentioned Respecting the several matters and things said to be contained therein and