his property in front of said Lotts The Board are of Opinion that the said permission shall not be deemed and taken to affect or injure the Rights or Claims of any Individuals whatever and permission was granted accordingly — The said Thomas Yates engaging to log in and wharf Jones's Falls, as the same shall be Extended & securing his wharf Effectually, so as not to injure the navigation or the adjoining Lotts. —

On the 14th of February 1785 the following agreement was Entered into and Exhibited in Court by Consent of parties which flows in these words viz.t Ordered by consent of parties that the Tract of Land called Bonds marsh Resurveyed lying in Baltimore County be surveyed and laid out according to the ancient metes and bounds thereof and any other Lands & place the parties or Either of them may think necessary for the better Illustration of the matters in Dispute each party having ten Days notice of the Survey from the Surveyor of Baltimore County and that the Depositions of any persons. the parties or Either of them may think proper to Examine in Relation to the matters in Dispute. be taken and admitted in this Cause as Evidence before the Chancellor on Giving five days notice to the adverse party —

Q. T. Chase for
Thomas Yates —
Thos Jenings for Deft. —

and the said Cause so standing continued until May Court Anno Domini seventeen hundred and Eighty six the Complainant and Defendants by their Counsel, aforesaid Exhibited into Court the following Depositions

The Attorney General at the Instance of Thomas Yates — ag.t Nathaniel Smith Samuel Purviance and Robert Purviance } In Chancery — Complainants Deposition —

The Deposition of Seth Hollingsworth of Baltimore County aged fifty two years, or thereabouts, who being sworn on the holy Evangels of Almighty God, on the Tract of Land called Rogers's Inspection, near to the upper Wharf began by Thomas Yates, deposeth and saith that ever since the year one Thousand seven hundred and seventy two, he this Deponent hath been acquainted, with the North West Branch of Patapsco River, Jones's Falls, and the Waters, and Lands thereto adjoining — and that at Common low Tides (which the present Tide is) all the Space, above below and between the Wharves began by Thomas Yates, has been Covered with tide Water, which is at this time without any material Variation, and that the whole Space, between the two said Wharves is now covered with tide Water — This Deponent saith that to the best of his knowledge and belief, the Island, to the South End of Harrisons Marsh, when this Deponent first knew it, was not above a fourth part as large as it now is — This Deponent saith that the place shewn by Melchior Keener and noted in his Deposition is in his Opinion nearly the place where the Principal part of the Island was situated. when he first knew it, and that the said Island hath since Extended and Grown to the southward and Westward to its present size — that at the very low tides occasioned by Violent or long North West Winds, this Deponent hath known and Observed the Flats adjoining the Island from Buchanans Wharf, quite down by Yates Wharves, uncovered of Water, three fourth parts or more and has seen on those Occasions, Great numbers of people picking up fish