that you and your mother had the right of purchase; — 5th A: yes, —
6th question did or did not Jarrett say all this you and your mother had the right of purchase from the Intendant and the arbitrators that he the said Jarrett would have all the vacant land contained in his big survey, for if he could not get it in one place he would have it in another place: — 6th A: I think I heard him say that he would have his father big survey filld let it run where it would. —
7th Question did or did not you hear John Mc Gouky ask Jesse Jarrett if his big survey reached over to his place: — 7th A: yes or at least John Mc Gouky told me so. —
8th Question what answer did Jarrett make to Mr Gough: — 8th A: John Mc Gough that Jarrett said he did not think it did; — 9th Question did he or did he not claim his big survey to where Samuel Foster lived? — 9th Ans. I understood that he did: —
10th Question is it or is not the place Amos Jones the blacksmith now lives on wich Samuel Foster then lived on; — 10th A: Yes: —

N° 5. William Mc Clearys. questions and answers for plaintiff. —

For the plaintiff William Mc Clery aged 65 years being duly sworn deposeth and saith
1st Question did or did not you attend at the black horse tavern when the Intendant was there selling the reserve lands in Harford county in order to purchase lands along the Pensylvania line in said county held by a certificate made out by John Fulton for your son Abraham: — 1st A. yes. I did; —
2d Question did or did not Jesse Jarrett there agree to purchase your right of you, and if you and he could not agree about the price of the land, that he was willing to leave it to any two men to set a price on it. — 2d A: yes he did. —
3d Question did or did not Jesse Jarrett sometime after tell you that he would not buy your right, for he said it was in his fathers patent, that was willed to his brother Abraham Jarrett, and that if he did buy it he would pay it out of his own pocket, for his brothers Abrahams patent of eight hundred acres so willed to him by his father, included that land: — 3d A: Jesse Jarrett said he would not buy it, for it was in their patent land; — 4th Question did or did not Abraham Jarrett deceased: after surveying the aforesaid tract of patent land, that he the said Abraham Jarrett deceased: advised your son Abraham Mc Cleary being his name sake; to take up the aforesaid land for he had taken up all he wanted, and had left that land out of his survey; —
4th A: I was with him and Benjamin Richardson. I understood by Abraham Jarrett deceased: that there was a thousand acres thrown out between the two surveys that he had made: he told my eldest son Abraham to take up a piece on the big run and it would be service to him some time; —
5th Question, did or did not you and Jesse Jarrett dispute your titles before the arbitrators at Bennett Greens near Coop town in said county in the year 85. —
5th A: yes: — 6th Question: did he the said Jarrett contend with you before the arbitrators on a certificate right or on a patent right. —
6th A: I understood by patent: and further this deponant saith not. —

N°. 6. Robert Hawkins questions and answers for the plaintiff. —

For the plaintiff Rob. Hawkins aged 57 years being duly sworn deposeth and saith. —
1st Question was or was not Abraham Jarrett deceased making a large survey where you formerly lived in or about the year of seventy or seventy one: — 1st A: yes.
2d Question did or did not Abraham Jarrett deceased bargain or agree with you and Benjamin Richardson deceased to take in all your and likewise Benjamin and Samuel Richardsons lands in his large survey. — 2d A: yes. —
3d Question did or did not Abraham Jarrett deceased promiss you and Benjamin Richardson deceased, that he would convey all of your, your lands to you; out of his big survey after he obtained a right at the same price that it cost him the said Abraham Jarrett deceased, provided you would make your lands lay in a good form. — 3d A. Yes: —
4th Question did or did not Abraham Jarrett deceased tell you after he had made aforesaid survey that he had included all your lands in his big survey: — 4th An. yes, — 5th Question did or did you understand from Abraham Jarrett deceased and Benjamin Richardson deceased that the aforesaid big survey run from the state line down as far as the place wherein Amos Jones now lives, being the same place where Samuel Foster family lived on. — 5th A. Yes, —

N°. 7th Henry Dickson questions and answers for plaintiff. —

For the plaintiff Henry Dickson aged 67 years being duly sworn deposeth and saith. — 1st Question did you or did you not carry a chain from this tree to make a survey for Robert Mooberry with James White under a caution from Capt. William Smith and in what year. —
1st Answer. I did in the year 66 to best of my remembrance,
2d Question was or was not Whitaker the deputy surveyor under Capt. Wm. Smith who at that time made the survey for Robt. Mooberry. — 2d A. yes. —
3d Question is this, or is this not the bound any made at the time of making aforesaid survey. — 3d An: yes. — 4th Question did you or did you not get two cautions for land from Capt. Wm. Smith one for yourself and one for Robert Mooberry. — 4th An. yes. —
5th Question did or did you not return your certificate after you made your surveys, you and said Robert Mooberry to Capt. William Smith, Steward of the reserves in Baltimore county at that time in order to obtain leases from said Smith. —
5th A. yes, — 6th Question did you and said Robert Mooberry pay said Smith his fees and all other expenses in order to obtain your leases. — 6th A: I paid all demands. —
7th Question did or did not said Smith promiss you and said Robert Mooberry to make you out your leases at the time you and Robert Mooberry paid them his fees and other expences: — 7th Ans: yes, — 8th Question please to relate the reason why you did not obtain your leases. — 8th A: shortly afterwards Capt. Smith moved to Baltimore and neglected giving of them. — and further this deponant saith not. —