answers to pray to Complainant all that is and been and have a reconveyance of his property which should not have gone to the trouble and expense of filing his Bill of Complaint, But he not willing to pay the balance appearing to be due by the aforesaid erroneous statement and protests against the granting of the prayer of the original Bill under these errors and concealed and the just and true amount is ascertained which and whether be speedily done under the direction Bill filed by Respondent,

Further answering Respondent admits that his possession of said Tracts but he denies the allegation of said Bill that he wrongfully selling to gain time in order to waste and despoil the property by cutting and carrying away the timber growing thereon or by any other matter of waste whatever. Even if he were committing the waste charged he denies that it was possible that any waste could be done and which are well known by the Complainant that the several tracts or parcels of land contain in all at least 400 acres situate in the immediate vicinity of the Town Susquehanna, That there are large quantities of Chrome upon property which renders it very valuable and that the water power and Steam works upon it are alone more than sufficient for the payment of Complainants claim. But Respondent denies that he has committed any waste whatever upon the property or done any thing that could tend to lessen Complainants security. He admits that he has cut and hard timber but this he avers was for the purpose of doing the necessary repairs to the property to make and repair fences and to rebuild a dwelling House which was accidentally destroyed by fire during the Winter of 1853. But that so far from his doing to diminish Complainants security Considerably enhances the value of the property and in case the Question of Respondents to make these repairs might have been construed into permission waste, Respondent states that the Dwelling House which as aforesaid was destroyed by fire has not yet been rebuilt and that many of the fences are in a dilapidated condition and required to be repaired for which purposes it will be necessary to fell a sufficient quantity of timber, But he denies that he has any intention whatever to cut down the timber on the property for any other purpose than those above mentioned, Having thus answered fully the original Bill as fully as he is advised he is required he submits to answer Respondent prays that the said injunction granted by your Honor may be dissolved and that he may be hence dismissed with his costs in this behalf most wrongfully sustained and as in duty bound he shall pray &c.

Henry Warder Respt Solr.

And afterwards to wit on the 13 day of October 1854 came the Complainant aforesaid by his Solicitor aforesaid and moved to be returned on the Docket of the Court a General Replication to the answer of Defendants filed in the said cause, and at the

same time a commission was issued to Robert Stevenson Esquire of Harford County to take the testimony in the said cause.

And afterwards to wit on the 13th day of January 1839 came the Complainant aforesaid by his Solicitor aforesaid and filed in the said cause his amended and supplemental Bill in the Nature pleading to wit. To the Honorable Hendrick Reland Chancellor of Maryland. To amended and supplemental Bill of Complaint of Nagle Parker Tomson Executor of John Tomson late of Harford that Your Orator Humbly shews unto your Honor that he has Solicited against John Richey John Tomson Williams Tomson of Harford County and Amos Tomson of Cecil County for the purpose of obtaining a decree for the sale of certain Tracts of Land mentioned which and conveyed by the said John Richey to the said John Tomson to secure the payment of a certain sum of money and owing to the said John Richey by the said John Tomson all which will more fully appear by reference to said Bill now on file in your Court of Chancery.

Your Orator more further supplementary and by way of Amendment shew that since the filing of the said Bill he has been informed that the Sale of Harford County is the Contemporary the Resident Laws of this state for the Creditors of said John Richey and that as such he claims all the interest and Estate of said John Richey in and to said land.

He therefore prays that a writ of Subpoena may issue for the said and all proceedings thereunder had be declared void and that any title that may have been vested in said Scott by his appointment as trustee as aforesaid has back to this Respondent by operation of Law.

Having thus amended said supplemental Bill Your Orator as he is advised is material for him to answer reserving to himself Nevertheless all benefit of Exception that Respondent prays that he may be allowed his costs in this behalf incurred and as in duty shall ever pray &c.

Henry Warder Solr

The Complainant agrees to take this answer without oath.

John H Reed for Complt

Afterwards to wit on the 11 day of August 1839 the Commissioner aforesaid made return of the said Commission with his proceedings under the same in the words following to wit

Maryland ss. To the Judge of Maryland & Robert Stevenson of Harford County Greeting Whereas we have appointed you to be our Commissioner to Examine witnesses and depending in our High Court of Chancery between Parker Tomson Complainant and John Richey John L Tyson and others defendants,

We therefore require you being first sworn the oath annexed and also administered the annexed oath to the person whom you shall appoint as Clerk to attend you of this Commission that at such time and place as to you