

derstanding that your petitioner had obtained a patent of Escheat for the said fifty acres of Land in manner afs^d by Surprising his L^dships Agent into so great a Credit of his Suggestion and Contrary to the Agents intent and Contrary to the Agents intent [sic] and the rules of the Office Yet that such patent wou'd be sufficient in Law to maintain the said Ejectm^t had Offered Your Petitioner to refund him all the Charges and disburstments he had been at in Escheating the said Land if your petitioner woud Consent to vacate his said Patent which your Petitioner refused to Do which bill and the Allegations therein Contained Your Petitioner was advised by his Council were so trifling and so farr from Containing any matter of [484] Equity to Compell your Petitioner to give any Answer thereto or to draw him into the said Court That admitting every Aligation to be literally true yet that the Complainant had no greater Cause to Complain against or implead your Petitioner in that Court than he had to Exhibit a bill for any other Persons Estate and to Demurr to the said Bill which your Petitioner did because the Complaint by his Bill did not sett forth in whose right he sued the Def^t in this Hon^{ble} Court for he stiled himself as Gaurdian and next friend of Nathaniel Hynson the Son of John Hynson of Cecill County deced by way of Addition and not otherways Whereas if the Complaint was designed for the relief of the minor the Bill shou'd be formed in the Name of the said Minor by the said Nathaniel Hynson his Gaurdian and Prochein Amy 2^{ty} That the Compl^t by his Bill Claimed neither in his Own right nor in the wright of his ward any legall or Equitable right or title to the said fifty Acres of Land purchased by the Def^t of his L^dships Agent in the Bill mentioned neither doth the Compl^t by his bill Alledge that either he or any one else for and on the said Minors behalf at any time either before or after the said Def^t had Obtained the said patent had made their application to his s^d Lordships Agent and had a Promise from the said Agent That if the said Patent shou'd be decreed to be vacated, That the said Land shou'd be granted to the said Minor or shew any power from the L^d Prop^y to Commence the said suit against this Def^t or by the Bill sett forth any right to Complain against this Def^t but only Charge him with Trifling and unnecessary Circumstances in the Bill the Def^t is advised that as the Bill now stands any other person may as well Complaine against him as the said Gaurdian or Prochein Amy or his said ward which Demurrer was afterwards on a hearing thereof over ruled and your Petitioner Compeled (as he is Advised contrary to the rules of Law Equity and right reason) to answer the said Bill in Obedience to which Order your Orator Answered the said Bill upon Oath, and sett forth in his said Answer that he believed it might be true That the said Minor was Seised of the parcell of Land [485] Called the worlds End bound as Express in the Bill and that the said minors Ancestor had improved the same That the said Jean Martinson (whom your petitioner hoped if necessary to prove was an Alien) had the fifty Acres (in the Bill mentioned) Surveyed and that