

Land Called Martinson but beleives Contrary to his Allegations that said Martinson in [sic] included in the Land called the worlds End Excepting a Very small part thereof being in the Land called Triangle both which tracts are the Right of Nathaniel Hynson Nephew to this Rispondent And this Respondent sayth that he never used any Menacing or threatning Language to the said Appellant but does not know but upon said Appellants insisting upon such unreasonable termes as before mentioned this Respond^t might have said he would rather try the title at Law tho at some Considerable Loss which this Respond^t takes to be very farr from Menacing Language. This Respond^t Sayth he never used any Indirect means to prevent the Tryall of said Cause in the Chancery but was very [sic] to bring it to as short a period as Possible True it is that there was a Commission moved for by this Respond^t but not with Intention to Prolong said suit as the Appellant Suggest but to Expediet the said Cause and to put the said Comission in Execution but by some unforeseen Accidents Could not get the Same Executed And afterwards pray'd another Commission but the said Commissions or Either of them was not Executed by any means of this Respond^t is untrue, for that the Com^{rs} [506] Appointed to the best of this Respond^{ts} remembrance were Cap^t James Frisby who was dead at the time appointed for Executing the same, And M^r Bennett Lowe another of said Com^{rs} removed from Sassafra to Patuxent to live and Col^o Herman who was Another said he Could not come as per his Letter to this Respond^t and M^r Jawert another thought fitt not to Act w^{ch} Accidents Could be no way imputed to this Respond^t and which were the Cause as this Respond^t believes of said Commission not being Executed And for the more particular Proceedings and Minutes in the Court of Chancery this Respond^t reffers to the Minute Book of said Court This Respond^t Saith that he had a return of a Survey made on said Land returned unto the Chancery Court which Survey was made by John Smith then Dep^{ty} Survey^r of Cecill County where the Land lay the Commiss^{rs} afs^d having failed to Execute said Commission But this Respond^t Saith that he had sent a Messenger to said Ward to acquaint him that said Smith was to make such a Survey and was to have been made such a day but said Appellant as this Respond^t is Informed did not think fitt to be present And that the said Smith as this Respond^t believes in his Conciencie made a Just return of said Survey as if the Commiss^{rs} had been present and that this Respond^t never used any means with said Smith to do otherwise than what was Just and this Respond^t Says that Nath^l Hynson who the Appellant requires an Answer from being a Minor during the Continuance of the former Suits this Respond^t believes in his Conscience that the said Nath^l Nephew to this Respond^t is not Capable of giving other Answer than what this Respond^t makes in his behalf he never having been privy to the proceedings, This Respond^t saith that his Hon^r the Chancellor having heard the whole matter did the Eleventh day of April one thousand Seven hundred and twenty make such a Decree as is