and left with you, and you shall not publish disclose or make known to any person or persons, whatsoever except the Clerk or Clerks by you employed, and sworn to secrecy in the execution of this Commission the contents of all or any of the Depositions of the Witnesses or any of them to be taken by you, And the other Commissioners in the said Commission named, or any of them by virtue of the said Commission until publication shall pass by rule or Order of the High Court of Chancery — So help you God. —

Clerks Oath —

You shall truly faithfully and without partiality to any or either of the parties in this Cause take write down and transcribe the Depositions of all and every Witness and Witnesses produced before and examined by the Commissioners, or any of them named in the Commission thereunto annexed, as far forth as you are directed and employed by the said Commissioners or any of them to take write down or transcribe the said Depositions or any of them, and you shall not publish disclose or make known to any person or persons whatsoever the contents of all or any of the Depositions of the Witnesses or any of them to be taken, wrote down or transcribed by you, shall have recourse or be any ways privy until publication shall pass by rule or Order of the High Court of Chancery So help you God.

Washington County Sc. May 1st 1786, Then personally appeared before me Daniel Hughes and Elie Williams two persons named in the annexed Commission and were sworn on the Holy Evangelists of Almighty God agreeable to the tenor of the within Commissioners Oath —

Alex. Blagett —

And the said Cause so standing continued until May Court 1786, the Commissioners aforesaid returned to this Court the said Commission and Depositions as follows to wit —

Washington County Sc. Pursuant to a Commission from the High Court of Chancery, we Daniel Hughes and Elie Williams (having given twenty days Notice) met at Elizabeth Town on the first day of May seventeen hundred and eighty six, and after being sworn, and having chosen Richard Prather as our Clerk, who was also sworn we proceeded to the examination of Witnesses produced to us, by Robert Smith and Chapline of the County aforesaid as followeth to wit —

David Grove of the County aforesaid of full age being sworn to speak the truth, and being questioned on the Interrogatories filed by Robert Smith, he on his Oath deposeth and saith, that between the first of May and the first of August in the year 1781, he saw Mr. James Chapline

come to a plantation and tract of land called the Vineyard now in dispute between Robert Smith and the said Chapline, and in possession of said Smith that said Chapline threw down the fences on said place five different times, and that he the Deponent saw horses and cattle go in at the place, thrown down by the said Chapline that ten acres of young corn growing in may was totally destroyed and great damage done to the wheat and rye growing on said place, Occasioned by the fence being thrown down by said Chapline that he the Deponent heard said Chapline say he would burn the fences if they were again put up where he had thrown them down, that he the Deponent saw Joseph Chapline throw down the fences twice on said Plantation, and that he the Deponent heard William Chapline say that his brothers might law with Smith for the land in dispute that it was Smiths right and that he would get it at last the said David Grove being questioned on the Interrogatories filed by James Chapline on his Oath saith that between the first of May and August 1781, a road leading from James Chaplines, thro' Sharpsburgh and thro' the aforesaid Plantation called the Vineyard, was by Order of Robt. Smith turned from going thro' a field to another part of the said land that the alteration shortned the distance, and that he never heard it complained of by any body, but the Chaplines, that to the best of his knowledge, James Chapline never threw down the fences on the aforesaid Plantation, but at the places on each side of the field, where the old road had been fenced across, that James Chapline had always claimed the land, and further this Deponent saith not —

Christian Grove of the County aforesaid of full age being sworn to speak the truth deposeth and saith, on the Interrogatories filed by each of the parties, the same which David Grove before had said and further that James Chapline told the Deponent being a Tenant on the land called the Vineyard at the time, that he the Deponent should not raise much grain on that place that James Chapline forwarned the Deponent from fencing a cross the road, and declared he would thro' it down, as often as it was put up and further this Deponent saith Not. —

Thomas Smith of the County aforesaid of full age being sworn to speak the truth, and being questioned on the Interrogatories filed by Robert Smith deposeth and saith that some time within four years past he saw Robert Smith have an Instrument of Writing part of which the Deponent read, and believes it was drawn as a conveyance for a tract of land in the County aforesaid called Vineyard that he the Deponent saw Robt. Smith tender the said Instrument of Writing to James Chapline for the purpose (as the Deponent understood) of having it —