to him to furnish his third part it was as he thinks before the war or directly after it began: That this deponant at that time could have furnished his third part of the money, that Joshua Fisher told this deponant that the reason, why he withdrew his caveat was because he did not think the land was worth a dollar per acre as the best parts of it were cleared; That Joshua Fisher never applied to this deponant to furnish his third part of the money to pay for Equity after Mercer run out the lands in dispute as above stated, and that when he did apply to this deponant for this third part of the money it was some time before Mercer run out said lands in dispute. This deponant further saith he should not have been willing to have the caveat withdrawn after land was a dollar per acre for composition money so far as he was interested, but he never was consulted by Joshua Fisher about withdrawing the caveat.

John his + mark Fisher

sworn to this 22d July 1796 before the subscriber a Justice of the peace for the county aforesaid in presence of the parties to be used as evidence in the caveat between Doct. Warfield and Major Snowden and Samuel Godman in the Land office.

Thomas Hobbs.

(True) copy from the original deposition

Test Barnet Fowler Sur. A. A. Co. Ty

The deposition of Thomas Hobbs who being sworn deposeth and saith that in february 1767 Mr. Seth Warfield made a resurvey called Warfields and that this deponant while they were making said survey joined the surveyor who was Orlando Griffith, and sundry others who were in company not far from the beginning tree of Dunghill ground Thicketts, that the surveyor run round the courses to make the resurvey called Warfields, till he came to the beginning trees of a tract of land called Stop the Gap, that after the surveyor came to the beginning trees of Stop the Gap the Surveyor run down the marsh to the place which he now has shewn the Surveyor, and is marked on the platt or within five or ten yards of it; that the Surveyor run the direction which the witness now shews to the Surveyor present that in running the fourth course from the beginning of Stop the Gap the Surveyor crossed the main branch below where Azel Warfield is now settled at the place where he now shews the Surveyor, or within twenty steps of it tho' he thinks if either place is not at the spot which he now shews it is to the left thereof from ten to twenty steps. — That in running several courses after passing said branch the Surveyor run opposite to where Eli Warfields Plantation now is, that this deponant never saw a line of Warfields forest run till this deponant run it on easter tuesday 1795. when this deponant run it for his own and Doct. Warfields satisfaction; that this deponant understood from Major Ridgely deceased or from Mr. Seth Warfield senior or one of them or both of them tho' he is not certain which of them; that there was an agreement between them ~~[illegible]~~ respecting the lands [illegible] between them, in a caveat. — That he understood

the lands in dispute did not lay as they were originally taken up. that he did not know the cause at that time, but is of opinion since that it proceeded from the variation of the compass, — that this deponant does not know the contents of the agreement between Ridgely and Warfield, neither hath he ever seen anything in writing respecting the same, except a copy from the records which is hereto annexed. — That this deponant understood that it was intended by the agreement, that the land belonging to Mr. Seth Warfield should not include more than it was originally surveyed for, — That he has seen a platt of the Victory made out by Basil Burgess in the possession of Doct. Warfield indorsed for the party, by which it appears that there was an opening between Warfields Forest and Pleasant Meadows as this deponant supposed from looking at the platt. — This deponant further saith that the tract of land called Stop the Gap is the property of this deponant and he does not conceive the said land is affected by the resurvey called The Victory: but he supposes that all the vacant land lying to the south and south west of the tract of land called Stop the Gap was meant and intended to be included by the resurvey of a tract of land called The Victory, — That this deponant hath at this time a resurvey on the said tract of land called Stop the Gap which is not executed. Captain Godman objects to the testimony of Thomas Hobbs as being an interested witness he being proprietor of the tract of land called Stop the Gap. The deponant further saith, that on being asked whether he was interested in the present dispute or not answereth he is not; that this deponant hath also seen a platt made out by Basil Burgess for Seth Warfield in which he made Warfields and Pleasant Meadows look four or five perches this deponants thinks.

Thomas Hobbs.

Sworn to this 21st July 1796 before the subscriber and agreed to be admitted as testimony in the dispute in the land office between Samuel Godman of the one part & Doct. Warfield & Maj. Snowden of the other part. provided the said deposition is deemed competent testimony by the Chancellor.

Sam. Godman

True copy from the original deposition.

Test Barnet Fowler Sur. A. A. Co. Ty

The deposition of Thomas Hobbs further deposeth and saith, that he was present when Basil Burgess in the year 1769 was making the survey of The Victory, that this deponant acted as pole carrier, when the said Burgess run the lines of Pleasant Meadows: That the said Burgess run eleven lines, and stopt at the spot that is shewn to the surveyor, and is marked on the platt, or within twenty steps of it. — The paper hereto annexed marked No. A is the agreement referred to in the deposition of said Hobbs taken on yesterday: This deponant further saith that he had a warrant about the time Major Ridgely was making the survey called The Victory, which he did not execute because Major Ridgely agreed to let him have 500 acres of said Victory. he believes the [illegible]