James Gittings and Aquila Hall stood more to the south west than it now stands being ask by the Defendant was not all the clared land now in the posation of Aquila Hall included within the field now shewed the sheriff and Surveyor included within the fences and in the posation of Walter Talley at that time they deponant sayeth it was. - being asked by the Plaintiff, was not all the land to the south and south west one the fence above described in woods at that time a day laying between the said fence and Thomas Gittings house the Deponant sayeth it was. - being asked as above is not the fence running towards Joseph Mees change from the place it then stood in is it not much more crooked, the defendant saith in part it has. - Taken on the survey sixth day of August in the preasants of the Sheriff and Surveyor, further sayeth this deponant not. —

Derumple Askew.

James Gittings Lessee
against
Aquila Hall

In the General Court for the State of Maryland. — The deposition of John Boulden who being duly sworn on the holy Evangelist of Allmighty God deposeth and saith, that he was a Deputy Surveyor of Baltimore county in the year seventeen hunared and ninety seven and did survey and lay down the lands on a caveat in the Land office of Aquila Hall against James Gittings and on said survey did take the deposition of William Lynch which was as follows. That upwards of thirty years ago Captain Charles Ridgely was running the lines of several tracts of land in order to take up a tract land which he called five miles end and among other tracts the Surveyor run the lines of a tract of land called Thompsons Choice and farther saith James Moore was the Surveyor who was running the lines at that time and that the said James Moore brought said Captain Ridgely and him the said Lynch who was one of the chainearriers to the place now shewn by him the said Lynch and told Captain Ridgely that the hickory tree the steap of which the said Lynch shewed the deponant was the beginning of Thompsons choice, that Col. William Young on a commission had the said hickory tree proved to be the second boundry of Sewells fancy and the beginning of Thompsons Choice and farther did say that the next morning after the said Moore had shewn the said hickory that he the said Lynch went to Col. Young and asked him to come and shew the beginning of Thompsons Choice who replied that he could not go but giving the said Lynch a description

of the place and hearing where Moore had shewn desired him the said Lynch to inform Captain Ridgely that Moore had shewn the right place, and that there was two small oaks bounded and one blazed standing in a triangle by the said hickory in consequence of which Captain Ridgely had the first line of Thompsons Choice run beginning at the hickory above mentioned and the said Lynch farther did say that about 26 years ago he the said Lynch was superintending the running of the first line of Thompsons Choice in behalf of Captain Ridgely and that the Surveyor began to run the said line at the above mentioned hickory and run the said line in the presence of Thomas Gittings James Greenfield and Thomas Treadaway and placed a stake at the farend of said first line and farther said that there was no objection made by any of the parties to beginning at the said hickory and farther said that he lived several years on the lands adjoining of the said hickory and was interested in the lands to keeping up the boundaries and always considered the said hickory as being the begining of Thompsons Choice and has frequently seen the line of Thompsons Choice run by divers persons from the aforesaid hickory and the said Lynch being taken to the end of the first line of Thompsons Choice where now stands a stone which stone the said Lynch did say in his Opinion and belief was standing in the place where the stone aforesaid was set up where the line of Thompsons Choice was run 26 years before in presence of Thomas Gittings James Greenfield and Thomas Treadaway which stone he said was set up by the consent of all parties present as being at the end of the first line of Thompsons Choice and did farther say that the fence which he then shewed was set about eight feet west of the north line of Thompsons Choice as run in presence of Gittings, Greenfield and Treadaway at the time above mentioned and being farther interrogated did say that the fence then standing was on the same place that it was first made or set to the best of his belief. - and being interrogated by the Defendant, did say that the land outline of Thompsons Choice run as above was run course and distance without any allowance for variation and farther said not. - This deponant farther saith that when surveying the said lands he took the deposition of Thomas Nicholls at the hickory stump before mentioned which is as follows. - That about twenty odd years ago he was a chain carrier for George Goldsmith Chesbury Surveyor who was running a tract of land called Thompsons Choice at