Deponent, that he had lived eighteen years with the Hammond family and that he had been a faithful servant as he called it to them, and that he had lived one year with Philip Hammond; as his overseer down at Severn, and then moved up and lived as Mr. Philip Hammonds overseer untill Mr. Hammonds death; and this deponent believes he stayed one or two year afterwards with Mr. Hammonds family, and then Squire Carroll got and placed him as his overseer at Poplar Island, where he died, and this deponent says that here stood an old Tobacco house, all the time Edward Sears was overseer for Philip Hammond; and that he has seen it remains standing several years, after Philip Hammonds death, and that he has seen it full of tobacco, several times, during the time Edward Sears lived with Mr. Hammond; being filled with said Hammonds tobacco, and that he well remembers Edward Sears having told him that once he filled said house with tobacco in one night, and that the said house was rotten, and he was afraid it would have falling down, but that it did not, and the said tobacco house used to be called Wagers's tobacco house and that to the west was Philip Hammonds middle quarter and plantation where his negroes dwell; and this deponent further saith that the branch which he now shows to the Surveyor is and was always called and known by the name of Browns branch and further saith not.

James Kirby

Taken on part of the Defendant in the case of Daniel Dorsey Lessee use of Richard Ridgely against Rezin Hammond on the 9th day of December 1799.

before John Welch Jr.

The Deposition of Benjamin Dorsey of Ann Arundel county aged fifty seven years, who being duly sworn, deposeth and saith, that he is the son of Captain John Dorsey deceased; that he was born, on the tract of land, called Dorsey's Search as he hath been informed; and lived there occasionally, till he was twenty eight years of age or thereabouts; that he hath frequently heard his father say, that Wagers's old fields, and which is now shewn to the Surveyor, was his property; but that Philip Hammond had give much money for him to go to law with him, and that

"might overcame right." that there was no dwelling or other house, or any inclosure or fence around the said old fields from the time he could first remember, till it was inclosed some years ago, by Colonel Rezin Hammond's orders, as he supposes; that the said old fields, was an open common and was never inclosed or cultivated by any one while Philip Hammond or this deponents father lived; this deponent further saith, that Ely Dorsey was eldest son and heir at law of his father Jno. Dorsey, and as such claimed and inherited Dorseys Search the original, and died possessed thereof; that Samuel Dorsey father of Harry Woodward Dorsey, who sold the resurvey of Dorseys Search to Richard Ridgely died some years before Eleanor Dorsey, his wife; and that after his death, the said Eleanor, as this deponent hath been informed conveyed the said land, to said Harry Woodward Dorsey; this deponent further says the enclosure he has shewn was formerly called Wagers's old fields; that it was so called from one Wagers who lived there; this deponent further says he doth not know under what authority the said Wagers lived on the place nor what was the name of the tract of land on which said field was situated; this deponent further says that while he held the land devised to him by his father, he never came on the west side of the patuxent river and cut and carried away timber or wood that growed on the west side, and that he never cut and carried away any wood or timber from any other part of the land; this deponent further says that his mother who held the land devised to him under his authority never by any authority from him cut down or carried away any wood or timber on the west side of the said river, nor did she ever cut and carry away any as he knows of: this deponant cannot recollect how many years it was before his fathers death that he shewed him the above mentioned old fields as his, but that he has frequently heard him say they were his; this deponant being asked whether his father told him under what tract he claimed it, either Dorsey's Search, the original, or the Resurvey on Dorsey's Search; Answers he doth not remember but that he did not claim it, under the resurvey but that it was Surplus land: This deponant further says his father never did to the best of his recollection cultivate or work the said fields; nor did his mother; this deponant further says he sold the land devised to him to his brother Samuel Dorsey & wife and that the