Jesse Jarrett the defendant in this cause or either of them and which of them and how long have you known them or either of them; — 1st A. I have known them both a number of years, — 2d Question, whether or not did you know Robt. Mooberry and if so how long, where did the said Robert Mooberry originally lived and if he never lived in in maryland, when or about what time did he come first to live in the said State, how long did he there live and where and with whom, — 2d A. yes about 28 years he told me that he lived in the state of Pennsylvania; that the said Mooberry never lived in the state of maryland, to his knowledge; — 3d Question, whether or not did Abraham Jarrett deceased in his life time hold and possess the land now in dispute between the said West and Jesse Jarrett and hath not some one of the said Abraham Jarretts children or tenants holding under them held and possessed the said land ever since, — 3. A. I believe he did, & believe they have; — 4th Question whether or not have you heard Henry Dixon the witness which hath been examined in this cause or said Robt. Mooberry say that they did not get any certificates of the surveys made by John Whitaker and that they did not receive any certificate of those surveys to the said Wm. Smith, — 5th A. He Dixon told me that he never had any certificate from John Whitaker and that he never return any certificate and the reason was that John Whitaker made the survey as a private man that he had declined doing business for Capt. Smith as surveyor; — 4th Question whether or not did the said William Smith move to Baltimore Town any time after the beginning of the year 1766, and from that time until his death, and how far distant from the land in dispute; — 4th A. Wm. Smith had return from Baltimore and lived on his farm at Little creek in the year 1766, to the best of my recollection being about four or five miles from the land now in dispute, — 5th Question do you know Henry Dixon a witness examined in this cause what is his general character and reputation, and is he considered deserving of credit on belief, — 5th A. I know nothing about the credibility of his evidence, — 6th question whether were, John Cox, John Love and Wm. Smith chosen by the settlers on the reserves to settle disputes as to the right of preemption when the Intendant was about to sell the reserves; — 6th A. they were; — 7th Question whether or not is as there a dispute before those persons at the black horse between the said Mooberry and Jesse Jarrett with respect to the right of preemption of some of the lands about to be sold and was there not also the same dispute between them at the house of Bennet Greens; — 7th A. there were some dispute between them at the black horse but as to any dispute between them at Bennett Greens I know nothing about it, — 8th Question whether or not did the said John Cox, John Love and Wm. Smith decide the said dispute between the said Mooberry and



Jarrett at either of those places if so how did they decide and if they made no decision for what reason; — 8th A. I know nothing about it. — 9th Question in the cause of said dispute did or did not the said Jarrett produce or mention he having a certificate of survey called the Hills of Poverty made under the authority of the proprietor by Capt. Calder: as land to the preemption of which he was entitled; 9th A. I know that he had a certificate called the Hills of poverty: surveyed by James Calder then surveyor of Baltimore county as lands which he was entitled to, and that he produced the said certificate at the time of the dispute; — 10th question whether or not do you know of any agreement made between Abraham Jarrett deceased and the proprietors agent: as to the price which the said Abraham Jarrett was to pay for the land contained in the certificate of the Hills of poverty if so what was the agreement and if the money was not paid according to that agreement; do you know the reason if so declare the same; 10th A. I know there was an agreement made and was present between Abraham Jarrett and Robert Eden, and he was to have it at the same price that Jonathan Plowman was to have his large survey at; which was not to exceed ten pounds sterling p. hundred acres, but said agreement was not to be entered on the books until such time the greater part of the small surveys made in the reserves was sold, and the reasons were that the small surveys were the best of the lands, and they ought to sell considerably higher than large surveys, that he had reason to believe that there was great deal of bad land in large surveys, and that he would wish to do justice between individuals, and the proprietor, that the land he should have not to exceed ten pounds sterling p. hundred acres; — question by the plaintiff please to relate what land you purchased of Henry Dixon, — A. a tract of leased land called the White glade as also the right of his caution, under Capt. Smith then surveyor, joining the white glades, the glade run the temporary line and the big branch, at the time of my purchase that Dixon made reserve of about 200 acres of land part of said caution adjoining the temporary line for Robt. Mooberry, on account of Robert Mooberry's being at some trouble and expence with Henry Dixon when John Whitaker was making the survey under that caution; — 2d Question by the same; do you hold or possess any of that land under that right from Dixon, — 2d A. I have not, near ten years I gave it to my son Robert; — 3d Question did you or did you not rent the land called the White Glades and the rent of the land so purchased from Henry Dixon to John Armstrong; — 3d A. I rented the White Glades to John Armstrong that part that was not in cultivation with liberty to clear ground there to as you, about six or seven years ago to the best of my recollection for two years; — 4th Question by the same did you or did you not receive rent from John Armstrong in the year 1794 and 1795; — 4th A. I received one