piece of land on the West side of the river, but the next morning he countermanded his order saying he did not want to be involved in any dispute; That Mr. Dorsey about twelve or thirteen years ago ordered his man Peter who was a Carpenter to get pickets and joists for a barn on the West side of Patuxent river which was done and the same were carried to his quarter on Dorsey's Search and put in the barn that was building This deponent saith that he doth not know whether Col. Hammond was informed or even knew of Mr. Dorsey cutting and carrying away the same; Sworn to this 17th June 1795. Ely Davis

Test

Rachel Stevens Jun ad Lit. P. Bkey

R Ridgely } F

The Deposition of Benjamin Dorsey of Anne Arundel County aged fifty nine 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 the Agricola old fields and which is now shewn to the surveyor was his property but that Philip Hammond had too much money for him to go to law with him and that might overcome 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 Col. Rezin Hammond's orders as he supposes That the said old fields was an open common and was never inclosed to 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 John Dorsey and as such claimed and inherited Dorsey's Search the original and direct property thereof That Samuel Dorsey father of Harry Woodward Dorsey who sold the resurvey of Dorsey's 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 land to said Harry Woodward Dorsey This Deponent further says the inclosure he has shown was formerly called Wagner's old fields, that it was so called from one Wagner who lived there This Deponent further says he doth not know under what authority the said Wagner 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 lived the land claimed to belong by his,

his father he never came on the West side of the Patuxent river and cut and carried away timber or wood that grew 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 brother who held the land claimed to him under his authority never cut any particularly from him cut down or carried away any wood or timber on the West side of the said river, nor did he ever cut and carry away any as he knows of This deponent cannot recollect how many years it was before his father death that he showed him the above mentioned old fields as his, but that he has frequently heard him say they were his This deponent being asked whether his father told him under what title he claimed it either Dorsey's Search the original or the resurvey on Dorsey's Search answers he does not remember but that he did not claim it under the resurvey but that it was simply land. This deponent further says his father died testate and of his recollection delivered or wrote the said fields over to his brother. This deponent further says he sold the land claimed to him to his brother Samuel Dorsey and wife and that the said Samuel to the best of this deponents knowledge never cut and carry away timber or wood from the West side of the river or exercised any other acts of ownership over it.

Benj. Dorsey

Sworn to in presence of the Sheriff and Surveyor this 3d day of August 1799.

John Welch Shff

This Deposition is admitted to be read in the case of B. Dorsey use of R Ridgely against Rezin Hammond on an Ejectment depending in the General Court April Ter. 1800.

Rezin Hammond

R Ridgely

The Deposition of James Kirby aged about sixty five years also deposeth and saith that where he now is or thereabouts he was informed by Edward Sears that the old dwelling house in which one William Wagner lived as tenant to old Mr. Philip Hammond and that he also has been informed by old Mr. John Hatherly and old Mr. John Burlow that one William Wagner lived there among some old apple trees as tenant to Mr. Philip Hammond and that the old fields lying to the East of this place towards Patuxent river shewn to the surveyor he has heard called Hammond's old fields,