knew that Capt John Dorsey or any other person had any claim to said old fields or to any land lying on the West side of the Patuxent river until some years past, he knows that Mr Ely Dorsey claimed some land on this West side of the river and cut or had cut some logs which occasioned a dispute between him and Col Rezin Hammond and he knew that Col Hammond brought away the logs, and this deponent says that he always knew the land called Philip Hammonds land from Browns branch up the river on this West side of Patuxent and that Lucas Jones was Hammond's overseer and he cut the timber for the use of the said Philip Hammonds. Quarter on the land adjoining the river Patuxent on this West side the same being full of timber and where the quarter now is (generally sapling) land, and that he never heard any objection made by any person. That Lucas Jones married Sarah Kirby this deponents sister and Lucas Jones informed this 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 Queen and then moved up and lived as Mr Philip Hammonds overseer until Mr Hammonds death and this Deponent believes he stayed one or two years afterwards with Mr Hammonds family and then Squire Cassell got and planted land as his overseer at Poplar Island where he died - And this Deponent says that he stood on the Tobacco house all the time Lucas Jones was overseer for Philip Hammond and that he has seen it remain standing several years after Philip Hammonds death and that he has seen it full of Tobacco several times during the time Lucas Jones lived with Mr Hammond being filled with said Hammonds Tobacco and that he well remembers Lucas Jones having told him that once he filled said house with Tobacco in one night and that the said house bucked and he was afraid it would have falling down, but that it did not, and the said Tobacco house and tobacco called Wagers's Tobacco house and that to the West was Philip Hammonds middle Quarter and plantation where his negroes dwelt and this Deponent further saith that the branch which he now

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 and filed of the Defendant in the case of Daniel Dorsey Lessee in of Richard Ridgely against Rezin Hammond entering any of December 1799. Before John Welch Clk

The Deposition of Benjamin Dorsey of Anne 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 land of Lane called Dorsys Search as he hath been informed and knew that 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 shown to the Surveyor were his property, but that Philip Hammond had so much money for him to go to law with him, and that might or might not, 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 as this deponent supposes That the said old fields was an open common and was never inclosed or cultivated by any one until Philip Hammond or this deponents father lived. This deponent further saith that Ely Dorsey was the eldest son and heir at law of his father Jno Dorsey and as such claimed and inherited Dorsys Search the Original and one perfection thereof That Samuel Dorsey father of Harry Woodward Dorsey who sold the Resurvey of Dorsys Search to Richard Ridgely and 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 that inclosure which was formerly called Wagers's old fields that it was so called from one Wager who lived there. This deponent further says he doth not know under what authority the said Wager 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 devised to him by his father he never saw 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,