and appointed the saturday following which day proved raing and prevented
their coming but they came down on the saturday thereafter & after said Wayman
had shown the Deponent where the second boundary of Selby's marsh stood and
afterwards brought him to the spot now shewn desired the Deponent to
light from his horse and bid him feed in the old field as I have got a
good deal to tell you and they accordingly lighted and the said Wayman struck
fire and lighted his pipe who rose and set his foot in the same spot which
was formerly shown the Deponent as the beginning of Selby's marsh and
says here Brother Thomas is the spot that old Martha Sky an old woman
who lived with John Gresham on Selby's Marsh showed him and they both
Clark the same spot and told them that in that spot grew the beginning
tree of Selby's marsh and that she had often seen the notches on the
tree and that the said Edmond Wayman told the deponent at the
same time that the Deponents father had often shown him the
same spot who told him it was the beginning of Selby's marsh
and also the beginning of Dan.l Paynes Land a tract taken up
between Selby's Marsh and Joshua Mayo's Land and also told him
that there was an agreement between old John Gresham and
old Daniel Payne that the great Oak mentioned in beginning of the
deposition never should be cut down in their lifetime because it stood
so nigh where the beginning tree of Selby's marsh stood and that Dan.l
Payne forwarned the Deponents father from suffering his negroes
to cut it down because it was his tree and that the aforesaid
Wayman told the Deponent when he first knew his Fathers House
and this place and for several years afterwards from this place
to the water was a miry marshy watery low ground and that that
there was several trees growing on it and that he had often assisted
in pulling out some of the Deponents fathers cattle out of the mire
in the aforesaid low ground and said now brother Thomas, I have
shown you and told you what I know of the first and second boundary
of Selby's marsh I will now show you where the vacant Land
lies as I think and pulled out of his pocket a certificate of
Selby's marsh and Haselen and says here brother Thom.s you may
see by these certificates that Selby's marsh calls for the Land of
John Walkins and Jeremiah Haselen and says what basing
has Selby's marsh with Haselen you see by the certificates that Haselen
is younger than Selby's marsh now if I was upon a jury in this cause
I should give my judgment that these two men lived on and held one
tract of Land and now if you can stop Selby's marsh as soon
as it touches the Land of John Walkins and bring him home

(to)

to this spot you will have near one hundred and fifty acres of Land and give
him more land than is expressed in his certificate for from this spot to his
second boundary is a great deal longer than his number of perches calls
for and from his second tree to his third also is a great deal longer than
his number of perches calls for and from his third tree to the Land of
John Walkins is longer than what his number of perches calls for and
that he had seen the Deponents uncle Thos. Linthicum run the Lines
of Selby's marsh from the spot shewn as the beginning round to John
Walkins Land as he had been informed was the Land of John Walkins
but, says he if the jury will carry the line of Selby's marsh down to the
line of Haselin and then bring him home to this spot you will
then have Eighty or one hundred acres of Land but if the jury will carry
Selby's marsh to the fourth Boundary of Haselin it stands near
to Selby's Bay and then brings him home to this spot shown as the
beginning you will then have forty or fifty acres of Land but if you
only have as much Land you can build a house and Garden it will
be better for you than living in the fork for one acre here on the
water will be of more service to you than twenty where you live
now let us go down to your Brother Francis Linthicums and let us
know what he says to it and on getting to said Linthicums house
he says Brother Francis I have been advised my brother Thos. to
take up that vacant Land that lies joining Selby's marsh who
answered no. Brother Thomas do not go to hurt yourself a neither
for I have been informed that either your father or the man that your
father bought that part of Selby's marsh that he lived on had made a
resurvey and had taken that Land in and if either of them has the land
is mine, but if they have not it is in the hands of the Greshams at
this time and they have got too much money for you take my
advice and let it alone which the Deponent did and never proceeded.
and about twenty odd years ago that the Deponent and his brother
Francis was going to Joseph Mayo and Francis said to the Deponent
Brother Thomas I will go and show you where our old uncle Thos.
Linthicum showed me that day I was carrying him home from the
Commission I had on my hand a year or two after I went to live
in South river neck I was sent to fetch the old man down to my
Commission and carry him home again for he had not a sober
horse of his own he could ride and he brought me to this spot
and told me that his uncle showed him this spot and told him in
this spot formerly did stand the beginning tree of Selby's marsh

(and)