that Carried us to the long Stone hill in said Harris's pasture to the westward of that part of Robert Lowell now in posse of Robt Johnson and the land in dispute between him and the aforementioned Henry Hill Esqr as we then run but what Course this deponant Cant say And further this deponant saith that at the time of surveying the said land there we did detect a Found pear tree Stone standing at the head of Smiths branch where the Jury by sound Evidence produced to them were induced to believe that one hundred acres of land, one other tract Claimed by the Owner was included within the Original Survey of the Owner and further saith not — Taken before me this 10th of Sept 1713

Thos Gapaway

Memd Septr the 10th 1713 that John Davidge of Anne Arundel County being at this in the 43d year of my age was about twelve or thirteen years ago to the best of my remembrance Summoned a Jury man upon the resurvey of two tracts of land formerly laid out for Zephaniah Smith which said tracts of land being now in dispute between Mr Henry Hill of the one part and Robt Johnson of the other part therefore the said Robt Johnson requested that Richard Davidge should be summoned as an Evidence to declare upon Oath what Knowe Concerning the land that now is in debate between the said Mr Henry Hill and the said Robt Johnson therefore do declare upon my Oath to the best of my remembrance that at the head of a Cove there was a peach tree planted but now dead, and stones grown up in the said place was by three Evidences to the best of my remembrance declared to the said Jury at that time of resurvey for the begining place of both tracts of Zephaniah Smiths land —

Namely Mr Jacob Harris, Charles Whitehead

Richard Gorott — Thos Gapaway sworn

Which being read and heard the said Robert Johnson on his oath before defendt the said and Jury where and saith that he is in nowise guilty of the trespass in the Sum as the aforesaid above Complaining against him and other he putt himself upon the Country — And the like Likewise — Thereupon Command was given to the Sheriff of Anne Arundell County that he immediately Cause to come here twelve men by whom the truth — who neither Kin to the parties nor to receive their wages of which said precept the said Sheriff returnt Thomas Gapaway Gent indeed returns that he has here ready twelve men as by his precept he was Commanded — And now thereupon the said 13th day of Octr Anno Dom 1713 aforesaid Court the said parties aforesaid defendt by their attorney aforesaid and the Jurors of that Jury impannelled to wit Thos Cowe Robert Chambers James Gorsuch Charles Gorsuch James Walton Joseph Edwards Sayer Cowley Edward Fillon Anthony Johnson Wm Cowley Richd Thompson Tom Gorott and Danl Sheridan who being duly elected tryed and sworn to say the truth

truth in the premises upon their Oaths do say that the said Robt Johnson is guilty of the trespass laid in the Plaintiffs above Complaining against him

Therefore it is considered by the Justices here the 13th day of October Anno Dom 1713 aforesaid that the said Joseph Hill Exor of the Last Will of Henry Hill deceased ~~[illegible]~~ his term aforesaid of and into the said one dwelling house and barn Stable two tobacco houses one Garden and five hundred Eighty & five acres of land called Smilly neck aforesaid against the said Robt Johnson and that he have the same possession against the said Robt Johnson And also it is considered by the Justices here the same day & year last mentioned that the said Joseph Hill Exor of the said Henry Hill recover against the said Robt Johnson the sum of six thousand three hundred and fifty seven pounds of tobacco by the Court here adjudged unto him for his Costs and Charges in the behalf laid out & expended &c and that the said Robt Johnson be taken &c

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Will Wm Johannes Dolinoyssa } Maryland ss William Boone of Queen Anne's County planter was attached to Answer unto Johannes Dolinoyssa

Thos Wm Boone — Chyrurgeon of a plea of trespass on the Case &c

And thereupon the said Johannes by Mr Lancelot Hall his attorney Complaines that whereas the said Johannes is a good true faithfull & quiet & peaceable Subject of our Lady the Queen that now is living nothing redeuing to loose and their duty to shew & hath never addicted of good name fame Conversation & behaviour from the time of his natiuity hitherto was alway reputed & esteemed amongst all his neighbours & other the faithfull subjects of our Lady the Queen that now is & by all the same time he hath been known called & reputed without any spott or note of felony perjury or other misdeeds he hath remained disconsolate unspotted and allegeance unsuspected by reason of which good name fame Condition Conversation and behaviour the said Johannes had not only procured to himself the good will favour and Love of his Neighbours and other the faithfull subjects aforesaid, but also had gotten and obtained very great Gains Commodity & profitt of his said neighbours and the subjects aforesaid by practizing as a Chyrurgeon amongst them & selling and faithfully bargaining and buying towards the great sustentation and maintenance of himself the said Johannes and his family Nevertheless the aforesaid Boone not being ignorant of the premises but maliciously and wickedly intending him the said Johannes in his good name fame and credit wherewith as aforesaid was induced to wound and detract impair and blemish at the County Court of our said Lady the Queen that now is holden at Queen Town for Queen Anne County in the province of Maryland the twenty sixth day of June in the twelfth year of the said

(maylys)