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Eastburn it was a party as there was some fine timber just outside, and further saith, that at the time Mr Woodrow planted the stone above mentioned that a man by the name of Peter Doll showed Mr Woodrow the place where the stone now stands and said it was Robinson Eastburn's old corner and further saith not.

Jacob Dean aged about 41 years after being duly summoned and sworn deposeth and saith that the stone now pointed out by him stands at the place or thereabouts, that the roots of a white oak tree then down, which said white oak tree was shown to this deponent by a man named William Jones as the beginning tree of a tract of land called "One Horn" about 19 years ago, and saith that along the places or thereabouts as well as he recollects now pointed out by him there stood lines of fences about 19 years ago, which said lines of fences has been removed since that time, and saith that he had rented the land adjoining the fences above pointed out by this deponent from Henry Shittknecht the plaintiff father, and that he considered all the lands lying outside of said fences as the land rented by him, it being part of the land now in dispute.

Frederick Mahin aged about 57 years after being duly summoned and sworn deposeth and saith, that the stone now pointed out by him was planted by Mr Woodrow the former County Surveyor, when he was surveying the plaintiff lands and that it now stands at the same place that it was then planted. and saith that along the places now pointed out by him or thereabouts there stood a line of fences about 20 years ago which said lines of fences has been removed about 16 or 17 years ago from where they first stood. and further saith not.

The foregoing additional depositions were taken by me on the ground in the presence of the Sheriff this 29th day of January 1825. Given under our hands and seals this 29th day of January 1825

George Getzendanner Senr. J.P. (Seal)
Thos Carlton Shff Frederick Cty (Seal)

Jacob Shilbrecht & others vs Robinson Eastburn.	Action of Ejectment in Frederick County Court. Depositions taken for the Defendant to February Term 1825.

No 1 Peter Doll aged about 77 years after being duly summoned and sworn deposeth and saith that the place now pointed out by him, or within the circumference of one rod is the place where stood a bounded white oak tree the beginning tree of a tract of land called "Hogyard" which said bounded oak tree was shown by Peter Bramblidge and Benjamin Eastburn to John Burton a Surveyor about 44 years ago as the beginning tree of the tract of land called "Hogyard" as aforesaid, and saith that John Burton the Surveyor aforesaid commenced at that time at the bounded tree pointed out as aforesaid to run the lines of the tract of land called "Hogyard": and this deponent saith that he recollects it well as he assisted in carrying the chain on that survey. and further saith that the place now pointed out by him as above stated is the same place he pointed out to Samuel Duvall the Surveyor, when he was making locations and taking proofs in an ejectment case in Frederick County Court where George Scott was plaintiff and Robinson Eastburn defendant.

No 2. And this Deponent saith that he was present at the time the commissioners were acting on a commission to mark and bound Robinson Eastburns lands, and at that time a man by the name of Francis Neiff showed the place where the stone now stands pointed out by this deponent marked B O.H 1749 to be the beginning of the tract of land called "One Horn" and saith

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that at that same time the stone marked as aforesaid was planted at the place pointed out by the aforesaid Francis Neiff and saith it stands now at the same place it was then planted.

No 3. And this deponent saith that at the same place where the stone now pointed out by him marked B R stands, there stood a white oak tree, which said white oak tree was shown to this deponent about 47 years ago by Benjamin Eastburn as the beginning of a tract of land called "Timber Ridge" which was then in the possession of the aforesaid Benjamin Eastburn the defendants father.

No 4. And this deponent saith that at the place or thereabouts now pointed out by him the line of "Hogyard" was past about 44 years ago, it being at the same time that John Burton the Surveyor run the line of "Hogyard" as mentioned in No 1 in this deponents deposition, and saith that he recollects the place now pointed out by him well, as a Joseph McShorns garden was close by the place and saith that the lines run just outside of the garden fence.

No 5. And this deponent further saith that about 35 years ago William Gary came to him to point out to him the beginning of "One Horn" when Joseph Sevearingen a Surveyor was running said Gary's land and when he got where they was running he told them he was not acquainted with the beginning of "One Horn," then the aforesaid Sevearingen asked him if he knew where the beginning of "Timber Ridge" was, he saith he then showed him the white oak tree then standing where the stone now stands marked B T R mentioned in this deponents deposition No 3 and saith that said Sevearingen then said he could find the beginning of "One Horn" and saith that Sevearingen then commenced at said bounded white oak tree and run towards the stone now planted marked B O H 1749 claimed as the beginning of "One Horn" by Robinson Eastburn and saith that Sevearingen stopped on the opposite side of the small branch where the stone now stands and said that this runs to the place, meaning that the white oak tree then down laying across the branch marked with 12 notches must be the bounded tree of "One Horn", saith that Sevearingen walked across the branch on said white oak tree, the root of which was where the stone now stands marked B O.H 1749 claimed by this deponent as the beginning of "One Horn"

No 6 And this deponent saith that the lines of fences now pointed out by him stands at the place or thereabouts that Benjamin Eastburn showed this deponent about 47 years ago, that his line run along there and said Eastburn told this deponent not to cut any wood outside of this line, and said that the aforesaid Benjamin Eastburn then claimed the lands lying within this line as his own, it being the same land now claimed by his son Robinson Eastburn the defendant.

No 7. And this Deponent further saith that along the places now pointed out by him there stood lines of fences about 40 years ago and saith that Benjamin Eastburn the Defendants father then had the land pointed out by this deponent lying within these lines of fences in his possession and claimed it as his own, and saith it has been in the possession of the Defendant Robinson Eastburn or his father from the time he this deponent first became acquainted with the same until the present time. and further saith not.

Jacob Doll aged about 55 years after being duly summoned and sworn deposeth and saith that the planted stone now pointed out by marked B O.H 1749 claimed by Robinson Eastburn as the beginning of his tract of land called "One Horn" he became acquainted with the same about 15 or 16 years ago, and that it stands now at the place it stood when he first became acquainted with the same, and further saith not.

The foregoing depositions were taken on the ground by me in the presence of the Sheriff the 8th day of December 1824, on the 19th, 28th and 29th days of January 1825. Given under our hands and seals this 3d day of February 1825.

George Getzendanner Senr. J.P. (Seal) Thos Carlton Shff Frederick Cty (Seal)