in this neighbourhood and on the adjoining land belonging Vineyard before and after the American revolution. The time following Mr White walked to the Valley of Owen to shew these boundaries, I also went and heard me Messrs Samuel Brown and George L Stockell, Mr White proceeded with much caution in this examination and stated that the place was so much altered by cutting and clearing since he last saw it that he found it more difficult than he expected to designate the places where the boundaries stood, and that he could not find the post, after further examination he said he now recollected all about it, that he had been deceived by the removal of the fence which was now considerably on the Valley of Owen; that it formerly ran to the post and that he used to pass along this line of fence daily and by the beginning tree to his work once, that the beginning stood near a path leading to the falls upon a careful examination of the ground he struck his cane on a stony rock and said the first boundary stood about or near this spot which I now shew to the Sheriff and Surveyor, from this we went to the second boundary, and on the way he pointed to a tree some distance off and said near that chesnut tree he had put up a barn to thrash in, and that a man by the name of Stewart lived near it, and that the line of the Valley of Owen ran within eight yards of his house, when he got to the second boundary he examined with much care the ground about it after which he said this is the spot and here is the place that I saw the post planted by commission before the American war, after which he took out his knife and marked the initials of his name on the post in doing it he cut his finger, when he observed now see I seal this with my blood. The spot and post I now shew the Sheriff and Surveyor is the place and post shewn by Otho White now deceased. He then stated that he could now shew the third boundary, when we got to the place where Boyces fence corners he was asked to examine the place, and if it was not where the third boundary used to stand, he replied this is not the place, he was told that Nicholas Hasaway deceased shew it as the spot, he replied that he knew nothing about that, that he had come to shew his knowledge about them, we then went on to where the stream makes a bend as is runs from Davises, here Mr White left us and walked up the stream and crossed it and examined the ground with much care on the left side of the stream descending he at length stated that this boundary had been down for a long time, but that it stood some where near this spot which I now shew to the sheriff and surveyor, but that he thought it was higher up the stream, you will know if I am near it when you run the line for I well recollect that it crossed the Montgomery road and passed near a spring, and not far from where a butchers house now is, the last



time I saw this boundary standing was when I returned from the flying camp, Mr White left us near this place to walk home, and refused to ride, during the time Mr White was with us he walked, and had no assistance in any way, his only aid was a cane, his recollection was clear and from his great caution I have no hesitation in saying that I considered him competent to do justice to both parties, his opinions were his own, and there was no attempt to influence him by any person present, I saw Mr White afterward at Walter Browns, he told me that as soon as his health would permit, he would go again to the Valley of Owen as he was confident he could on a more careful examination shew the exact spot where the third boundary stood, that he had reflected much on it since he had been down, and I further state that on or about the 26 March 1827 I heard Nathaniel Elliott one of the defendants in the suit, in reply to what Edward Gray stated as to what his father Jonathan Elliott deceased told the said Gray about the water meadow he Nathaniel said it was what the family had never denied, and that he now admitted that part of the land now in dispute was enclosed by permission of Edward Dorsey, and further this deponent saith, at the time that Mr White was on the land for the purpose of shewing the boundaries Francis Carlongher was present with other persons he thinks there was other persons present at the same time, besides those mentioned above, that he recollects that Mr Davis was present but no one else, that he has no recollection of any other person being present that owned the adjoining land that was interested except Dr Thomas, that he recollects to have heard Dr Thomas say to the best of the said Thomas's recollection that he had not seen Otho White previously to this deponents seeing him, that he considered Otho White unusually strong in mind for a man of his age, that he was not intimately acquainted with Mr White, but knew him very well, as he had repeatedly seen him in passing up the road and had paid him toll, and further this deponent saith that Otho White did not show him the spring above mentioned, and further this deponent saith not. Sworn and subscribed to on the part of the plff this 25 day of March 1828.

Sworn before. — Jas. I. Matthews

James I Dorsey Sy Shff

Jno. H. Duvall J. A. A. C.

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| Allen Thomas's Lessee vs. Nathaniel Elliott & others. | No 38. Trespass and ejectment in Anne Arundel County Court. The deposition of George Cooke aged about 36 years first being duly sworn on the Holy Evangelist of Almighty God deposeth saith, in June 1826 I went to Valley of Owen the farm of Doctor Allen Thomas to be present when the late Otho White shewed the boundaries of said farm. I did not get on the ground until after he the said White |