And further this Deponent saith not, taken at the request of the Plaintiff this 8th day of November 1809.
before James Parratt Jr. Dpty Shff for Saml Thomas. Shff. D D Barnow. —

Samuel Tenant
vs
Edward N Hambleton } Deposition of David D Barnow, Surveyor of Talbot County aged fifty one years and upwards being duly Sworn on the Holy Evangels deposeth and saith that about the time when the Survey of the tract of land called "Neglect" was made it was his duties to Edward N Hambleton as a Deputy Surveyor to locate all the Needles point in taking up vacant land and further saith not — Taken at the request of the Defendant this 8th day of November 1809. before James Parratt Jr. Dpty Shff for Saml Thomas Shff. D D Barnow.

Whereupon the parties aforesd by their Attornies aforesd pray leave of the Court here to amend the said Plots & Certificates returned to the Court here in this Cause & to add thereto if necessary by the fourth Monday of May next, and to them it is granted, and the same are delivered to the Sheriff & Surveyor for that purpose whereupon further process of land upon the premises aforesd between the parties aforesd by Consent of the said parties & their Attornies aforesd and by Order of the Court here thereon is further continued until the next Court then to be holden whereat said next Court to wit, the fourth monday of May Anno Domini eighteen hundred and ten Come into Court here the parties aforesd by their Attornies aforesd and the Sheriff and Surveyor of the County aforesd to whom the said Plots & Certificates were delivered, for the purpose of Adding thereto if necessary return the same to the Court here as amended with the following depositions taken before me the Subscriber

Samuel Tenant
vs
Edward N Hambleton } Deposition of Daniel Fiddeman aged forty years and upwards being sworn on the Holy Evangels of Almighty God touching his knowledge of a corner tree of a tract of land called "Cambridge" deposeth and saith that when he was a lad between fifteen & twenty years of age William Hambleton the owner of "Cambridge" and father of Edward N Hambleton shewed him several marked trees which he William Hambleton said was a line of Cambridge and that he the said William Hambleton patent to, a marked pine (which he the deponent now shews the Surveyor) and said that the tree now & shewn by him this deponent was a corner tree of said "Cambridge" which said Pine Tree appeared to have been lately marked — The Deponent further sayeth that near said Tree he heard the Plaintiff and Defendant in the present Cause make an agreement concerning the locating of Warrants for Vacant land which agreement was reduced to writing and witnessed but by whom he does not remember, that James Calrop was the Surveyor attending in whose hands Edward N Hambleton registick the agreement to be placed for safe keeping, that Samuel Tenant observed he must keep it himself, as it was all he should have to shew for a five acre warrant which he then gave up, and further the Deponent sayeth not — Taken at the request of the Plaintiff the 5th day of May 1810. Test John Bennett Shff. Daniel Fiddeman.

Samuel Tennant
vs
Edward N Hambleton } Deposition of Daniel Fiddeman aged forty years & upwards being duly Sworn on the Holy Evangels touching his knowledge of the of the lines of a tract of land called "Cambridge" or otherwise "Martingham Enlarged" by James Bate Deputy Surveyor when he was making a Survey for Samuel Tenant, deposeth & sayeth that he was attending said Surveyor when he began at a stone said to be the beginning of Cambridge" and run South Westerly reversing the home Course of "Cambridge" then run South Easterly and while on that line the deponent left them for a small time, that when he returned he found said Surveyor and Company attending sitting near a marked pine tree which he now & shews the Surveyor and understood that the line he left them running that is the third line of Cambridge reversed ended near said pine tree, that while sitting on an adj near said pine Edward N Hambleton & Samuel Tenant made a bargain or Contract about the laying of Warrants for Vacant land, which Contract was taken in writing, that Mr Hambleton requested that the written agreement should be given to the Surveyor to keep, and Samuel Tenant refused, saying he should keep the agreement himself, for it was all he had to shew for a five acre Warrant which he had given up and advised E N Hambleton to procure

to make a Survey as agreed on, that said Hambleton refused or declined so to do, but said he would have the Survey made in time; and the deponent further sayeth that about two or three years ago he saw Samuel Jackson run the said land called "Cambridge" which he understood has been resurveyed and now called "Martinham Enlarged" that then said Samuel Jackson was about to make a division of said land between the Heirs of William Hambleton; that he ended the second line of said "Cambridge" near the pine tree aforesd and proceeded to run the third line therefrom, and marked the same by slipping two trees that said trees were slipped by a Negro boy as directed by Edward N Hambleton and the deponent further sayeth not. Taken for the Plaintiff the 15th day of October 1810
Test John Jones Deputy Shff. Peter Harris J. J. Cty. Daniel Fiddeman. —

Samuel Tenant
vs
Edward N Hambleton } Deposition of Samuel Jackson aged thirty eight years or upwards being duly Sworn on the Holy Evangely touching his knowledge of the beginning boundary of a tract of land called "Knave deceived" deposeth & saith that a small white Oak tree marked with six Notches which he now & shews the Surveyor has been shewn him the deponent several times in the Course of the last several years as the beginning of "Knave deceived" that he has been employed as Surveyor in several sets of pretentions in the neighbourhood and has laid "Knave deceived" always from said Oak as the Beginning that he has traversed from a division post between John Kelle & Daniel Fiddeman to said Oak, and found it agreed very nearly with the bearing & distance given in the Certificate of "Knave deceived" and that he has never heard it disputed or controverted by any person and the deponent further sayeth not. Taken for the Plaintiff the 15th day of October 1810.
Test John Jones Dpty Shff. Peter Harris J. J. Cty. Samuel Jackson. —

Whereupon for trying the issue aforesd between the parties aforesd it is ordered by the Court here, that twenty persons from the pannel of petit Jurors returned to the Court here by the Sheriff of Talbot County be drawn by ballot according to the Act of assembly in such case made and provided, and thereupon the twenty persons being so drawn by ballot and written upon two lists one of which said Lists is delivered to the Counsel for the respective parties and the Counsel for each of the said parties having struck out four persons from the said lists, thereupon the remaining twelve persons being called come to wit, Robert Banning, Benjamin Benny Samuel Thomas, William Jordan, Thomas Banning, William Bromwell, William Roberts, William Sears, Allen Bowie Jacob Bromwell, Philemon Hemsley & William Welch, who being empannelled and Sworn to say the truth in the premises upon their Oath do say, that the said Edward N Hambleton is not guilty of the Trespass in the Declaration within specified as the said Edward N Hambleton hath within by pleading alledged, Therefore it is considered by the Court here that the said Samuel Tenant take nothing by his writ and Declaration aforesd but be in mercy for his false Clamour, and that the said Edward N Hambleton go thereof without day &c. It is also considered by the Court here that the said Edward N Hambleton recover against the said Samuel Tenant the Sum of Seventeen Dollars thirty nine cents & two thirds of a cent Current money, by the Court now here adjudged into the said Edward N Hambleton for his Costs and Charges by him about his defence in this behalf said out & expended, and that the said Edward N Hambleton have thereof execution &c. November 17. 1810. Judgment on Verdict in favour of Defendant. Test J Loocker Clk C.

Memorandum. Before the Jurors aforesd withdrew from the Bar of the Court here the said Samuel Tenant by his Attornies aforesd filed in Court here the following bill of exceptions to wit,

Samuel Tenant
vs
Edward N Hambleton } Trespass &c. —
The Plaintiff at the trial of this Cause to maintain the issue on his part gave in evidence the patent & Certificate of the Tract of land called "Knave deceived" laid down on the plat and described in the explanation of and in evidence and hereto annexed, which patent & Certificate are in the words and figures following to wit,

The State of State of Maryland, To all persons whom these presents shall Come Greeting.
J. H. Stone } Know ye that whereas Samuel Tenant of Talbot County had surveyed and laid
A C Hanson } out for him a tract or parcel of land called "Knave deceived" lying and being in the County aforesd and containing fifty seven acres by virtue of a Warrant for fifty acres obtained by him out of the Eastern Shore land office the thirteenth day of August Seventeen hundred and ninety as appears by the Certificate returned to the Western Shore land office and he having pursuant to law paid to the Treasurer of the Western Shore the Sum of Six pounds & six shillings and three current Money being the full Consideration due for the said land. The State of Maryland doth hereby grant unto him the said Samuel Tenant the said tract or parcel of land called Knave deceived lying in Talbot County aforesd on the South side of Saint Michaels river beginning at a