January Term 1865

Deposition of Thomas Christopher For Plaintiff This 23d day of May 1859 deposeth and saieth he is 68 years of age this 23 day of May 1859 says he has intimately known the premises for about forty three years that is the allueial between the Gunpowder Falls and the Mean land on the South side of said Falls about Taylors Enlargement has known a channel from the Gunpowder to Ferry Point and Boat or steamboat through said channel was about from forty to sixty feet wide Water in said channel at Joiner Side was about two to three feet deep was a common thoroughfare have passed through said channel from one to seven times a day at extreme times between said channel and the Taylors Mount lands there was standing Water made by the Ebing and Flowing of the Tides Water extended to the main land of Taylors Enlargement has known the Island called Snipe Island, For about forty years, when he first knew it was full of Sea Rushes and Flags believes that is the way their formation have been made in this the way all the way down to Poplar says there is no channel nor ever was between the channel referred to above and below poplar the said channel was filled up by a barge had permission to Gum on said Snipe Island, By John T Day have been shot at five or six times from Ferry Point informed, at by Wm T Day.

Test L G Quinlan

Thomas Christopher

Deposition of Dr D S Gittings (For Plaintiff)

This 23d day of May 1859, Deposeth and saith that about the marshes my recollection is very indistinct, says what I know from observation at Taylors Mount show at Ferry Point and Joiners Point Ferry Point is adjoining the Marsh and Joiners Point is about one half mile distant below since my deposition was given on the 20 inst, I have to day walked along the North east shore of Snipe Island (its upper end) until it joins the Main land and find it all firm made land since my deposition of the twentieth the Surveyor has run the line between Mr T T Day (now Mr Norths land) and Mr Wm T Day, and said line runs up to the firm made land lower down than the firm unmade land in my deposition on the 20th inst where I state that the there was more space between Snipe Island and Mud Island some years ago than there is now, I referred to these places by names merely to designate, that there existed a space of Water between these points formation of Marsh in the river.

Test L G Quinlan J P.

D. S Gittings

With Regard to mud Island and Snipe Island names given to Detached pieces of Marsh With Water between them and pointed out to me as designated by their respective names.

This Testimony was also taken down with pencil and copied by.

L G Quinlan J P.

Tuesday May 24th 1859.

Testimony of Alanson Cole (For Plaintiff) Says that there is a thoroughfare through the lower end of Snipe Island. Such he knew of this thoroughfare was in March or April 1859 Was never shown any thoroughfare before the above time does not know what caused the thoroughfare unless by the filling up of the Falls below the Mouth of the thoroughfare; Have passed by the thoroughfare several times

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since March 1859, has been fishing at Poplar the present spring, Have been in the habit of passing the thoroughfare twice a week since the first of March passed through the thoroughfare last Friday at ebb tide at the Mouth about 9 inches deep measured it, at my own instance at several low tides during the present spring there was no Water running through the thoroughfare, says that at low Water or common tides that a Boat cannot pass through the thoroughfares,

Thursday May 25th 1859

Testimony of William Cassiday (For Plaintiff says he is 57 years of age says he has been acquainted with the Gunpowder River for 25 years being engaged in fishing and occasionally gunning his first knowledge of the Marsh was different from what they are at present in the fall of 1835 I passed out of Gunpowder Falls in a canoe with another person into a passage of Water into a Marsh about one hundred yards below grape Vine point this passage of Water was considerably filled up yet we went through with a canoe after proceeding a short distance into the Marsh this passage of Water was more open and deep was told at the time by the person in Company with me) that that passage of Water had been a deep channel) but in consequence of an old barge sinking in at the Mouth of the channel caused the filling up the person that told me is now dead says he does not recollect what stage of tide at that time but think the Water was about two feet deep there was no Cattailes or Flags growing in this passage of Water as far as we went or could see down, says he has considered it a continuous filling up of this Marsh from grape Vine point down as low as Joiners point, says the first formation of alluvial land commences in the first place by the freshets and perhaps by the flowing of the tide after which vegetable matter commence to grow such as cattailes flags and &c Says he believes this alluvial land has been formed from a grape vine point down as far as Joiners point below Poplar Says never knew any Sash across this Marsh until last August being absent from about the river since the year 1848 considered it all one body of Marsh I passed through it on last Saturday the 21st day of May 1859, I noticed a large passage or Sash leading from the Gunpowder Falls to the Cove, never knew previous to last Saturday there was any Sash or channel across the Marsh the filling up of the Falls immediately below this Sash he believes to be the cause of this Sash being cut through the Marsh thinks that there was a considerable freshet in the Falls in June in 1858 Says there ever has been and is now a flowing and ebing of the tide to the place shown this day by Joshua Insach to the Surveyor since has knowledge that flowing extends above the line shown by Mr Shepley running between William T Day and the Norths concedes that portion of Water apart of the Gunpowder river.

Test L G Quinlan

Wm Cassiday.

Thursday May 26th 1859

Testimony of Benjamin Freeman,

has been acquainted with the Marshes (For Plaintiff at the Mouth of the Gunpowder Falls- has been acquainted for 19 or 19 years, says there has been considerable of increase on the South side of the Falls says the greatest increase has been on the lower End says it has extended a long distance down