Mark of Mr Asher, the tide at the time was 20 feet from that Mark and considerably below low Water Mark, and at that state of the tide no stones were visible only part of the top of said rock could be seen at that time by Mr J Barnes or any of us present; the spot shown by Dr Reynolds, Mr North and Freeman as the second boundary of Taylors Mound does not agree with that of Mr J Barnes, I was out on the stone shown by Mr J Barnes and examined it particularly and find the stone so large that it could not have been placed there by the hand of Man, Mr Barnes states that it was common ebb tide at the time the stone was shown him and small stones around it were visible but at the time that Mr J Barnes and myself were present which was on the 26th of Oct no small stones around the boundary or some stone could be seen the tide then being far below low Water Mark, I was once shown the boundary of Taylors Mound by Wm J Day at the time was putting up Post and rail fence near the place, there is no stone now to be seen in the place shown me by Wm J Day according to the best of my judgment and belief, The stake as set up by Dr Reynolds North and Freeman, appears to me to be within a few feet of the place shown me by W. J. Day according to the best of my judgment and belief, Mr J Barnes also stated when the line was run that it run inside of the fence when it came to the shore, I have also at request examined the fence between North and W J Day and find the remains of an old fence as far as the line of Taylors Enlargement as surveyed by Mr Shipley and extends no further, neither is there any appearance of a fence beyond that point to my knowledge, From my knowledge of the tides of the Gunpowder River I found the rise and fall of Medium tides to about 3 feet.

I was at the place designed for Meeting on Tuesday and Wednesday the 18th and 19 of Oct in Company with J. J. Day and found no one at the place John J Day came there to the place and saw us.

Wm Cassiday.

John J Day
vs
William J Day. | In the Land Office of Maryland

On this 28 day of October in the year 1859, before the subscriber a justice of the peace in and for Baltimore County personally appeared Frank Hawkins and being duly sworn according to law, deposeth and saith that he received from John J Day ten dollars and fifty cents in part payment, as being a Witness and carrying chain in the case of Day vs Day, and that he has not testified in the above case since he received the Money, and that John J Day has never offered him any money as a bribe at any time.

B. F. Hawkins.

Sworn before Charles S Haile

John J Day
vs
William J Day | In the Land Office of Maryland

On this 26 day of October in the year 1859, on Snipe Island Island in Baltimore County agreeable to notice heretofore given, before the subscriber a Justice of the peace in and for Baltimore County personally

appeared William Hawkins who being duly sworn on the Holy Evangels of Almighty God, deposeth and saith that he was shown a stake that was set by Mr Asher as low Water Mark and that on this day the Water was twenty feet further out than said stake and was also shown a stone that is claimed by Wm J Day as a boundary of the second line of Taylors Mound and also the same as Mr J Barnes testified to in his evidence as the said Boundary in which he says that he could see the small stones around said boundary at ordinary low tide, and that on this day when the tide was at its lowest, the said small stones could not be seen, and that at the same time he noticed the marsh or channel running between Mud Island and Snipe Island, and that the Mud was bare for at least thirty feet from the Mouth of said marsh on the one side and that the Water did not pass through the channel at that time and also that Mr J Barnes was present at the same time, and also that the stakes that was shown him as the ones set by Mr Swain as low Water Marks are nearer high Water Mark than low, and also that the line fence running between the lands of Mr North and William J Day shows signs of being at time as far as the marsh but no further, and that the tide ebbs and flows at this time above said line.

William Hawkins.

Sworn before Chas. S Haile,

John J Day
vs
William J Day | In the Land Office of Maryland,

On this twenty fifth day of October in the year 1859 on Snipe Island in Baltimore County, agreeable to notice before given before the subscriber a justice of the peace in and for Baltimore County, personally appeared William J Bond aged 60 years, who being duly sworn on the Holy Evangels of Almighty God, deposeth and saith, he has been acquainted with the Waters of the gunpowder River since the year 1819 up to the present time, and has always considered the Water between Snipe Island and Taylors Enlargement as part of the gunpowder River, and also that the tide ebbs and flows around Snipe Island at the present time.

Wm J Bond

Sworn before,
Chas S Haile

State of Maryland } Baltimore City to Wit.

On this day of August 1859 before me a justice of the peace personally appeared James D Sawyer who being duly sworn on the Holy Evangels of Almighty God, deposeth and saith, that on the 20 and 21 of May he carried the chain for William Day till he had finished the location he desired to make, at that time of Taylors Enlargement and it was the first location made on the case of Day vs Day, by either of the parties on the 25 June I again carried the chain for William J Day in locating Snipe Island and when he finished he told us and Mr Shipley (the surveyor that he had no more locations to make, and I also state that in my affidavit on the 21 of July I swore that the said William had not been allowed to table testimony until John was done" of which he was notified of this day I was induced so to swear by William Day and Mr Quinland, on that day