and half Miles of Tide Water for the last 18 years in passing up and down the Falls has been a passage of Water flowing between "Snipe Island" and "Mud Island" ever since his first acquaintance with the Falls, says that he never seen any Water passing from the Falls through any other place from the Head of "Snipe Island" to the lower end says that it is first land from "Snipe Island" to Wm T Days Main land and has been ever since he knew it.

Test L G Quinlan J.P. Samuel Lovell

John T Day
Wm T Day | On this 31 day of October 1859 near and in view of "Mud Island" Baltimore County of which due Notice to make locations and take testimony in the case of Day vs Day now pending in the Land office Due Notice has been served on John T Day the Caveator appeared before me the subscriber a Justice of the peace of the State of Maryland in and for Baltimore County Samuel Patterson of lawful age Deposeth and says that he was present at the time of the Controversy between John T Day and his father when the Stone was shown by Col Edward Herrard and Wm T Day shown to Charles R Stewart the Surveyor, says the Stone that he saw this day he believes to be the same Stone that was shown at that time, says the Stone is in a straight line with the shore says the Stone is about 40 yards from the Shore.

Test L G Quinlan. Samuel Patterson

John T Day
Wm T Day. | 31 Octr 1859 at same time and place before the same Justice appeared Alfred Crossman of lawful age Deposeth and says that he is 34 years of age, and that he has been raised in the Neighborhood of the Gunpowder River within 2 Miles of the River, says that he has known the thoroughfare between "Snipe Island and Mud Island" for 11 or 12 years has frequently passed and repassed through it with a row Boat sometimes with 4 or 5 persons in it the thoroughfare is Wider now than it used to be says that Mud Island is in the Middle of the River surrounded by Water uncultivated and uninhabited says the flats below "Mud Island" is a continuation of flats which in the Winter never can Water pass, except at the thoroughfare between "Snipe Island" and Mud Island says that Snipe Island is attached to the Main lands

Test L G Quinlan Alfred Crossman

John T Day
Wm T Day | 31 October 1859, at same time and place and before the same Justice appeared William Crossman of lawful age Deposeth and says he is 38 years of age, says that he has been in the habit of fishing and gunning up and down the Falls for the last 20 years, and passing through the thoroughfare between "Snipe Island and Mud Island at different times some years in the Neighborhood of a hundred times, says that he never seen any Water pass from the Falls towards William T Days Main land except the thoroughfare, at the lower end of Snipe Island says the Water in the thoroughfare is deeper and it wider than it was to be has passed

through it in a Boat frequently says that he never saw the thoroughfare bare and without Water in it, has passed in a row Boat with 3 or 4 persons in it on a high tide, says that "Mud Island lies in the Middle of the River surrounded by Water uncultivated and uninhabited, says that there is grass a growing across from the Falls to the Main land says that he saw Thos Christopher pass through the gut or Swash between "Snipe Island" and "Mud Island" some 11 or 12 years ago, and spoke to him at the time says that the flats in and contiguous flats below "Mud Island" and had been the flats bare for 500 yards below.

Test L G Quinlan J.P. Wm his + mark Crossman

Continued till 30th instant. L G Quinlan,

John T Day
Wm T Day | On the 31 day of October 1859 near and in view of "Mud Island" Baltimore County of which due Notice to make locations and take testimony in the case of Day vs Day now pending in the Land Office Due Notice had been served on John T Day the Caveator appeared John W Owens of lawful age being duly sworn on the Holy Gospels of Almighty God Deposeth and says he is 63 years of age and is first Cousin to the parties in Controversy having lived at the Junction of the two Gunpowders has been acquainted with the Gunpowder Falls since his earliest recollection says that the Channel of the Gunpowder is on the North of Snipe Island between Days Island "and Snipe Island" since his earliest recollections, says that Snipe Island is attached to the Main land, says there is no Water passes from the Falls through Snipe Island until you get to the lower end, says that the standing in the Community of Dr D. S. Tillings Ralph Slade, Ishmael Day, Samuel Patterson Hiram R Asher George King there is no Men who stand higher in the Community in which they live, says he is acquainted with John Cassedy has known him some 20 years says his general character for Veracity is not very good, and that he would not believe him on Oath where he was interested, says he is acquainted with Albert Allen says his character in the Community is very bad for veracity, says that he would not believe him on Oath, says that he would swear to any thing for less than a dollar says he is acquainted with John Hawkins says that his character for Veracity in the Community stands bad that he has been arraigned before the County Court for theft says that he is acquainted with John H. Barnes Jos D Quagno Samuel Rachlet Wm and Alfred Crossman Hiram Forsyth and they are men who stand high in the community in which they live for veracity and truth, John W Owens

Test L G Quinlan J.P.

John T Day Caveator
W. T. Day Caveatee | Mud Island standing in the Land office of Maryland for hearing on the 3d day of November 1859 due Notice having been given that evidence would be taken in Philadelphia in this 26 day of October 1859 when Edward A Day appeared before me the subscriber Christopher Frazier a