above houses after the death of the said John Smallwood till he sold the Land to Capt. Cawood. This Depon.t further saith that the place he now sheweth is the place where his uncle John was buried in and some of his children was buried in the same place this Depon.t plac is grown up with brier and noted on the plat yellow(c) and that Luke Smallwood lived in the dwelling house above ment.d till between nine and ten years ago he moved to virginia. Question by Pltf do you know when Mr Cawoods Barn was built? answer about seven years ago I helpt to raise it. This Depon.t further saith that between 5 and 6 years ago he was present on a survey made by Theophilus Hanson the surveyor of Charles County by the direction of Henry Barnes Esq and they began at a stone in a lane which stone was agreed on by those present to be the beginning of Pickly and they run 2 lines from d. stone and the second line ended at the place he now sheweth a thereabouts. Question by Captain Cawood one of the Defend.ts did I who was present agree that the said stone was the beginning of Pickly? answer I don't remember whether you did or not the company in general did and no one made any objections Question 2d Did not you object to the division made between myself yourself and Edward Edelen for Samuel Edelen being made a record of? answer yes I did, because I did not believe that beginning at the poplar was the right way to run the dividing line between Samuel Edelen's Land and mine. and further this Deponent saith not.

Walter B Smallwood

Whereupon the parties aforesaid by their attornies aforesaid pray leave of the Court here to amend the said Plots and certificates returned to the Court here in this Cause, and to add thereto if necessary by the second Tuesday of May next, and to them it is granted; and the same are delivered to the sheriff and surveyor aforesaid for that purpose: Thereupon further process of and upon the premises aforesaid between the parties aforesaid by order of the Court here thereon is further Continued untill the said second Tuesday of May next.

And now at this day to wit, the said second Tuesday of May being the tenth day of the same month in the year of our Lord one Thousand seven hundred and ninety six. Come again into the general Court here as well the said Thomas Goodright Lessee of the said Alexander Hamilton by his attorney aforesaid, as the said Nicholas Blacklock

(and)

and Benjamin Cawood by their attornies aforesaid; and the said sheriff and surveyor of the county aforesaid, to whom the said plots and certificates were delivered for the purpose of amending or adding thereto if necessary, return the same to the court here as amended, with the following Depositions taken before them to wit.

Alexander Hamiltons Lessee
vs
Nicholas Blacklock & Benjamin Cawood.

On amendment made march 19th 1796
For Plaintiff

The Deposition of Charles Maddox being of lawfull age & legally sworn and being at the poplar represented on the plat by the letter red A deposeth and saith that he has been shewn the said poplar several different times by Luke Smallwood & John Smallwood and told by them that it was a boundary of both their lands and that one held on one side of the fence and the other on the other side of the fence which fence then run nearly as it now runs from the swamp to the said poplar and the said Luke Smallwood worked the ground up to the fence on the east side of the said fence & John on the West side. This Deponent further saith that he this deponent rented some land of John Harris guardian to Bayne Smallwood Son of Matthew in the years 1771 & 1772 at which time he received his knowledge as above expressed and within the same years James Bryden Smallwood and Alexander Steel shewed him the said poplar and told him this deponent that it was a bound poplar between the Smallwoods & this deponent in the said years as Tenant to the said Harris worked and cultivated the ground on the south west side of a lane from the said poplar to a post standing in the place he now sheweth a thereabouts being the place represented on the plat by the letter red B and that Luke Smallwood & Alexander Steel has frequently shew him this deponent the said post and told him that it was a boundary between the land of John Smallwood and Matthew Smallwood and that the land between the said John Smallwood & Matthew Smallwood was divided by the lane from the said post to the said poplar. This Deponent further saith that where he now ~~stands~~ sheweth a thereabouts stood the Dwelling House of John Smallwood & Luke Smallwood his Son being the place represented on the plat by the letter yellow (a). This Deponent further saith that John Smallwoods Kitchen stood where he now sheweth a thereabouts this place is represented on the plat by the letter yellow (b) this Deponent further saith that the place he now sheweth was John Smallwoods

(Barying)