burying ground and that he this deponent helped to put the said Smallwood in the ground this place is represented on the plot by the letter yellow (w) and further this deponent saith not.

Charles Maddox

Sworn before Jos. Green Shff.

The Deposition of John Spalding of lawfull age taken in a suit depending between Alexander Hamilton plaintiff & Nicholas Blacklock & Benjamin Cawood defendants after being sworn on the Holy Evangels of Almighty God deposeth and saith.

Question 1st By Defendants, was you present when Mr. John Robinson run round the Land Deeded by William Hoskins to Mary Smallwood?

Answer I was.

Question 2d Was Mr. Hamilton at running said Land

Ans. He was.

3 Did it appear to you that at the time Mr. Robinson run the Land deeded to Mary Smallwood by Mr. Hoskins that the manner in which he ran the Land met Mr. Hamilton approbation?

Ans. It did.

4th Was you on the second day appointed by the sheriff for the sale of Benjamin Cawood's Land requested to shew where the forth line of the Land sold by Lake Smallwood to said Cawood Ran?

Answer I was by the sheriff & Cawood both requested to shew the said Line.

5th Did you shew the sheriff & others attending the sale the line above mentioned?

Answer I shew the sheriff & others were present at the time the place where I ran said Line.

6th Was the sheriff prior to his offering the land for sale instructed to go below the line you shew him?

Answer Mr. Hamilton said it was his opinion that such property as was then to be sold should be sold should be sold on the premises.

7 Did it appear to you that the sheriff acted under the Instruction of Mr. Hamilton in selling the different Lots of Cawood's Land:

Answer It appeared to me that the sheriff concurred Mr. Hamilton's opinion was right respecting the selling the property on the premises & went on each piece of Land to sell them respectively.

8th Did it appear to you that the people who attended the sale generally understood that the Dwelling house of said Cawood did not stand on his Land then offered for sale?

Answer I informed several people who attended the sale that it was my opinion that the course & distance equally to the Dead from Lake Smallwood to Benjamin Cawood would exclude said Dwelling House

(9th)

9th Did Mr. Hamilton inform those attending the sale that the Dwelling House was on the Land then to be offered for sale?

Answer Not in my hearing — and this Deponent further saith that the place he now sheweth is the place the sheriff stood to sell the Land purchased by said Benjamin Cawood for Lake Smallwood.

In your answer to the fourth questions by the defendant you say you was desired by Mr. Cawood & the sheriff to shew the fourth line of the land sold by Lake Smallwood to Benjamin Cawood one of the Defendants

Question Who run that Line?

Answer My answer to fifth question shewetha who run said line.

Question At Whose request was it run?

Ans. At the request of the Defendants.

Question When was it run?

Answer A few days prior to the first day appointed by the sheriff for the sale of Cawood's Lands.

Question Was the plaintiff present or any of the securities of Mr. Cawood or the states agent?

Answer Neither of the persons mentioned in the present question were present to the best of my recollection

Question Who were the particular persons you shewed to beside the sheriff the said fourth line?

Answer I do not particularly recollect the persons present at the time the sheriff and myself arrived at the said 4th line there were several near enough to hear my conversation with the sheriff.

Question Did the sheriff ask the plaintiff if he should sell the Land on the premises?

Ans. I heard Plaintiff tell the sheriff the legal mode of making such sales were on the premises but did not hear him say he must do it

Question Do you think the sheriff did know his duty or not?

Ans. As to the sheriff knowledge of his duty I am not a Judge

Question Had the sheriff, the states agent, or the securities, any notice of the running of the Land mentioned in one of your answers?

Ans. Not to my Knowledge.

Jno Spalding

Sworn before Jos Green Shff

Dec. 1795.

The Deposition of John Robinson of lawful age taken in a Suit depending between Alexander Hamilton Plaintiff & Nicholas Blacklock & Benjamin Cawood defendants on the part of the Defendants after being sworn on the Holy Evangels of Almighty

(God)