Sears said Hammonds Overseer used to cut timber for the use of the said Philip Hammonds Quarter on land adjoining the river Patuxent, on the West side the same being full of Timber and where the Quarter were it is generally sapling land, and that he never heard any objection thereto by any person — That Edward Sears Married Sarah Kerby this Deponents sister, and Edward Sears informed this Deponent, that he had lived eighteen years with the Hammond family and that he had been a faithfull servant as he called it to them, and that he had lived one year year with Philip Hammond as his Overseer down at Severn, and then moved up and lived as Mr. Philip Hammonds Overseer untill Mr. Hammonds death, and this Deponent believes he staya one or two years afterwards with Mr. Hammonds family and then Squire Carroll got and placed him as his Overseer at Poplar Island, where he died, And this Deponent says that here stood an old Tobacco house, all the time Edward Sears was Overseer for Philip Hammond, and that he has seen it remains standings several years, after Philip Hammonds death, and that he had seen it full of Tobacco several times, during the time Edward Sears lived with Mr. Hammond, and being filled with said Hammonds Tobacco, that he well remembers Edward Sears having told him that once he filled said house with Tobacco in one Night and that said house Cracket, and he was afraid it would have falling down, but that it did not — And the said Tobacco house used to be called Wager's Tobacco house, and that to the West was Philip Hammonds Middle Quarter and Plantation where his Negroes dwelt, and this Deponent further saith that the Branch which he now shows to the Surveyor is and was always called and known by the name of Browns Branch and further saith not — James Kirby.

Taken on part of the Defendant in the case of Daniel Dorsey Lessee use of Richard Ridgely agains Rezin Hammon on the 9th day of December 1799. Before. John Welch Jnr.

The Depositions of Benjamin Dorsey and Ely Davis taken on the part of the Plaintiff.

The Deposition of Benjamin Dorsey of Ann Arundel County aged fifty seven years who being duly sworn, deposeth and saith that he is the son of Captain John Dorsey deceased — That he was born, on the tract of land called Dorsey's Search as he hath been

informed, and lived Occasionally till he was twenty eight years of Age or thereabouts — That he hath frequently heard his father say that Wagers old fields and which is now shewn to the Surveyor was his property, but that Philip Hammond had too much money for him to go to Law with him, and that "Might over came right." — That there was no dwelling or other house, or any inclosure or fence around the said old fields from the time he could first remember till it was inclosed some years ago, by Colonell Rezin Hammond's orders, as he supposes — That the said Old fields was an open Common and was inclosed or cultivated by any one while Philip Hammond or this Deponents father lived — This Deponent further saith that Ely Dorsey was eldest son and heir at Law of his father Jno. Dorsey, and as such claimed and inherited Dorsey's Search the Original and ~~dist~~ possessed thereof — ~~That~~ Samuel Dorsey father of Harry Woodward Dorsey who sold the Resurvey of Dorsey's Search to Richard Ridgely died some years before Eleanor Dorsey his Wife and that after his death the said Eleanor as this Deponent hath been informed conveyed the said land to said Harry Woodward Dorsey — This Deponent further says the inclosure he has shewn was formerly called Wagers old fields, that it was so called from one Wagers who lived their, this Deponent further says he doth not know under what authority the said Wagers lived on the place nor what was the name of the tract of land on which said field was situated — This Deponent further says that while he held the land devised to him by his father he never came on the West side of the Patuxent river and cut and carried away Timber or Wood that growed on the West side, and that he never cut and carried away any wood or Timber from any other part of the land This Deponent further says that his Mother who held the land devised to him under his Authority never by any authority from him cut down or carried away any wood or timber on the West side of the said river, nor did she ever cut and carry away any as he knows of — This Deponent cannot recollect how many years it was before his fathers death that he shewed him the above mentioned old fields as his, but that he has frequently heard him say there were his — This Deponent being asked whether his father told him under what tract he claimed it, either Dorseys Search, the Original, or the Resurvey on Dorseys Search — Answers he doth