The Second Tuesday of July the next that Court may by said Justices and
Jury being rightly Informed of the truth of the premisses might further
proceed therein as to Justice appertaines & at wch said Second Tuesday
of July and next Court after the Fifth day of the same month Came
Bond & Co Come the said parties plaintiff and defend^t^ by their attorneys
aff as the said Shed and Surveyor to make return of their warr^t^
to them directed as follows vizt —

Saint Maries County ss. By virtue of a warrant of resurvey out of the prov^l^ Court
bearing date the 15th day of August 1710 Sowe Hendrin Cloudyne Shed^f^ —
Henry Pecquine Dowles Surveyor directed Commanding the Shed^f^ &
Surveyor to meet on the Lands called Suttons neck Known in dispute between
Luke Gwybert plaintiff and John Code defendant there Carefully to Lay out
and resurvey the same according to ancient meets and bounds mentioned
therunto by the Shed and Surveyor for the County aforesaid most on said Lands
wth plaintiff & defend^t^ duly examining and peruseing all such Evidences
as were brought before us, whose depositions are hereunto annexed we
surveyed as the plats & Certificate will make appeare, for the plaintiffs begin
by such Evidences as were produced at and stated Five Oake as A standing
at the head of a Cove that runes out of Potomack River and runn north sid-
ed as Cutler rewo d intersected a Cove that runes out of St Mathias bay
thence we run reverse from the first begining wth Suttons neck potomack
River and St Gyles Code to the head of the Cove as B thence west
90 northerly 206 perches to St Mathias bay for the defend^t^ —
began at a Cedar standing on the north side of a small Cove that runes
out of St Mathias bay springing to the said bay potomack River and the
Land claimed by the plaintiff the Suttons neck to the head of a Cove off
St Giles Code as B thence north 125 perches to the Creek Line
as Cutler rewo d intersected the Line of the land the north side the said
Line to the first begining and witness our hands and seales this 28 day
of June anno Domini 1710 Hen: Chiseldyne Shed^f^ Sam: Dowles Sur^r^

Gowe^n^ foregoing Cert was annexed the Depositions vizt

June 23 1710 The deposition of Derick Brown aged thirty years who declares
on the holy Evangelist that he Lived on the defendants plantation all
40 years ago and that he never heard of any peace or Stock of land
Called by the name of Suttons neck Only a small
Cove or Cove Called Suttons Cove or the Cove and the deponent says
that in his Imployment he Lived on this plant about 40 year ago —
he was Imployed by one John Hoskins then Lieu^t^ on said plant to
get Coopers Timber and that he got it off the very spott of Ground
is now in Controversy and now Called Suttons neck and that no Contradiction
was Ever made by any person or persons whatsoever and that it was in
those days Comonly Know by the Planters to be part of the defendants Land w^ch^
is specified in the Cert and Called Cross Hall wch belongs to the defend^t^ further
saith not — The deposition of Maria Langham aged 55 years who declares
on the holy Evangelist that she Lived in those parts about 38 years ago and

October Court 1710.

and that she never heard Tell nor Ever Know any such place as Suttons neck but do say
that she heard that Mr Gerrard gave to his daughter Sewington a Negro that land of Land where the
Hoskins then was Seated of wch the said defend^t^ Labourer — and that the Hoskins was
never molested nor any proceeding in Law Suit nor Never heard any disturbance
about any Trespass Committed by him the said Hoskins. further saith not — The deposition
of George Mice aged 70 years and said he Lived within a mile of the defend^t^ Land &
never heard of any such place Called or Called as Suttons neck in his time wch was
50 or more years ago she Lived in those parts further saith not — The above deposition
taken before me on the behalf of the defend^t^ — Hen: Chiseldyne Shed^f^ Sam: Dowles Co

June 23 1710. The deposition of John Hoskins aged about thirty seven years who declares on
the holy Evangelist that the Lines wch is specified in the platt beginning at
a Survey wch was primarily laid out by one Clement Hill in his time and that
plaintiffs wife that now is when we do and do know but by whose request the Lines was
run the deponent Cant tell but says he heard Mr Hill tell his father he must pay
him for running out said Land and that the said Line was called and designed to be
a bound line of Mr Blackstone Land Ever since his Remembrance and from
ced to a Cove as is specified in the platt and was run as a widening Land between
his father then Lieu^t^ of the defend^t^ Land, and the wife of the plaintiffs Land
that it now but then and do and Said that that father was to make Mr Black-
stone pay the plaintiff wife Satisfaction for some number wch he had formerly
got William's Land and that Neck Land wch is now in dispute between the plaintiff
and defend^t^ was Accounted to be Suttons neck as he has heard people say — not as
Certainly any other proofs but that was Ever Reckoned time out of mind
further saith not — The deposition of John Gravy aged 48 who declares on
the holy Evangelist that it was always reckoned Suttons neck from a Cove that is
Just by s^d^ free above specified and reckoned the begining line of Blackstone Land
Ever since his Remembrance and that it was always reckoned by the old Planters
in those days that if Ever there Comes over that s^d^ Cove to Cut down or Sell any
Timber it would be Trespass Committed on the plaintiffs Land for was always
Esteemed to be Suttons neck Ever since his Remembrance that place or Neck
of Land wch is now in dispute as appeares by this s^d^ platt and further
saith not — The deposition of Thomas Clover aged thirty nine years declares
on the holy Evangelist that from the said begining line as is specified in said
platt was always reckoned in his Life time to be Suttons neck as it appears
in said platt but not by any proofs only by tradition further saith not
The deposition of John Frank aged 44 who declares on his oath that the neck
of Land as appears in this s^d^ platt and was all ways Reckoned Suttons neck
Ever since his Remembrance not by any proofs of any Cert ordered that Ever
made it appear but by tradition the above further saith not — The above Depos-
tions before me on behalf of the plaintiff — Hen: Chiseldyne Shed^f^ made

Which being read and heard the said John Code by Richard Dallam his
attorney Comes and defends the force and injury when and says that he is
not Guilty of the Trespass above by the aforesaid plaintiff upon him imposed
in manner & form as they have declared and thereof for trial puts
himself on the County and the plaintiff likewise —

Whereupon for trying the Issue aforesaid Command is given to the Shed of St Maries
County