

1810.

Cockey
vs
Smith

pies of the certificates of *Gibson's Forest* and *Warner's Chance*, are the handwriting and signature of the said *Jennings*, and are also in the handwriting with other copies of land records and patents appearing to have been made and issued by the said *Jennings* while clerk as aforesaid; and she also gave in evidence, that while the said *Jennings* was clerk as aforesaid, another person of the name of *Thomas Jennings* was an assistant to him, and wrote for him in the said office; and she then produced a paper, purporting to be a true copy from a record book in the said office called Liber No. 28, of the certificate of *Gibson's Forest*, similar to the copy herein before mentioned. She also proved by witnesses produced and sworn, which witnesses were well acquainted with the said last mentioned *Thomas Jennings*, and with his signature and handwriting, that the last mentioned paper, and the signature thereto, are in the handwriting and signature of the last mentioned *Jennings*. She also gave in evidence, that *John Lawson*, one of the clerks of the land office, did sometimes, in his official certificates, style himself *Register*. She also gave in evidence, that the body of the last mentioned paper, purporting to be a copy of the certificate of *Warner's Chance*, is in the same handwriting with the body of some patents issued from the land office before the year 1760. The plaintiff then read in evidence certain entries from the proprietary debt books, for the years 1754 to 1771, inclusive, whereby it does not appear that the quit rents on *Gibson's Forest* and *Warner's Chance* were charged to *Thomas Franklin* on the said debt books. He also offered in evidence by *John Brewer*, that he was, and at present is, an assistant clerk to *John Kilty*, register of the land office, and had for eleven years last past been clerk in the said office, acting for many years in said office as a clerk to *John Callahan*, the register thereof, and that he never heard or understood that any record book belonging to the said office had been lost or missing of late years; he never heard or understood that any record book of said office had been lost during the revolutionary war, or at any period shortly before. That Mr. *Callahan*, now dead, informed him, that he had never seen in the office a reference to a book in the office, which he could not find; that seeing a record book of certificates in the office for a number which he could not find patents, he was some-