

March Court

1763 218

Stephen Horsey Esq. Somerset & Frederick absolute Lord and property of the provinces of Maryland  
 Commission of Oaths Avalon Lord Baron of Baltimore &c. To James Gunby John Williams William  
 Miles & Aaron Stealing of Somerset County Gent Greeting Know ye that we have appointed You or any  
 three or two of You to be our Commissioners to examine witnesses on behalf of a certain Stephen  
 Horsey Junr in Relation to the bounds of a Tract of Land called Low Quarter or the bounds of any  
 other Lands on which the bounds of the aforesaid Land may depend We therefore Require You or any three  
 or two of You at some time and place as to you or any three or two of You it shall seem convenient  
 you meet on the aforesaid Land called Low Quarter or any other Lands on which the bounds of the aforesaid  
 may depend You first having Taken Your oaths on the Holy Evangelists of Almighty God and then  
 to examine the witnesses in any three or two of You all such witnesses as shall be to You or any  
 three or two of You nominated by the said Complainant or Def and that You or any three or two of you  
 Examine them upon their solemn Oaths to be by you or any three or two of you  
 administered on the holy Evangelists of Almighty God in the presence of the Complainant or Def  
 any Touching the Truth or Remembrance of their Knowledge or any thing that may relate to  
 the cause aforesaid and that Reducing the several Depositions into writing you send the same  
 with this our Commission under your or any three or two of your hands and seals to us to our own  
 by Court of Somerset with all convenient speed Witness Isaac Handy Esq. one of our Justices of our  
 said Court the 21 Day of March in the 10 Year of our Dominion Anno Dom 1763

And now to wit at a Court of his Lordship held at Princeps Ann Town the third Tuesday  
 of March being the fifteenth day of the same Month Anno Dom 1763 before the Justices there  
 of name John Williams James Gunby two of the Gentlemen nominated in the within  
 Commission Returned the same Enclosed in Manner following with the several depositions thereto  
 annexed

March the 30 Day in the Year of our Lord one thousand seven  
 hundred and sixty one was the within named James Gunby & John Williams sworn on  
 the holy Evangelists of Almighty God well & truly to Execute the within Commission as  
 it is to them directed Before Me Wheatley

Some. to wit. The Deposition of Thomas Bayly aged Eighty Two years or thereabouts being  
 sworn on the holy Evangelists of Almighty God deposes as follows that about thirty years ago  
 he this deponent was a clearing of ground and cutting of Trees on Stephen Horsey's Plantation  
 Hammock & he the aforesaid Horsey said Thomas should take care of this Tree and do not  
 cut it down for it is the first Pounder of Low Quarter and this deponent further saith that  
 that the aforesaid Tree was a scrubby white Oak marked with Twelve Notches and in a little  
 Time afterwards he said it was marked with sixteen Notches and further saith not. --  
 The bounds above mentioned is not to be seen but within four or five Yards of where  
 this deponent saith it formerly stood there is a small scrubby white Oak slipped as a  
 Memorandum to find where the bounds stood mentioned in the above deposition which ap-

pears to be on the Northernmost part of the aforesaid Hammock  
 Some. to wit. The Deposition of Capt. Michael Holland aged sixty seven years or thereabouts  
 being sworn according to the above directions deposes as follows that Capt. Stephen  
 Horsey which is now deceased showed this deponent a marked White Oak and told him he  
 did Marke it as a Memoriall of the first Pounder of a Tract of Land called Low Quarter  
 and that the first bounds stood there or thereabouts which said Oak is now cut down that  
 Bayly described the first bounds to stand in his deposition and further saith not

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