

That if it was not so and that their was no issue to inherit the
the said Catherine after the decease of her Husband and their
heirs would give it her self for the sake of the Garrison knowing
very well the said James to be (if surviving the Right heir for the
Thomas in dispute and possessed as aforesaid.

Sworn before us
R. Ungle
John Bullen

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Depositions taken on the behalfs of Col Thomas Cunally

Maryland Jr.

Dorchester County Nov: 16<sup>th</sup> 1709

By Virtue of a Commission obtaining by the honorable Thomas Cunally Esq: -  
out of the high Court of Chancery to us the subscribed directed (we doe in  
humble manner Certifie y: the day and years aforesaid personally appeared -  
before us Henry Hooper of the said County of Dorchester Gent: aged about sixty  
three years or thereabouts who being by us upon the wholly Evangelist Sworne  
upon his Oath both day y: Some time in March One thousand six hundred  
and Seventy he being in Company with Phillip Shapley the Surveyor of  
the said County did assist the said Surveyor in carrying the Chains to Survey  
a certain Tract of Land called Phillip's Borough their Surveyed for Phillip  
Celvert since deceased and called his Mannor of Phillip's borough lying  
on the South side of Transquaking River then called Chicocomico or Phillip's  
Creek - and this Dep: further saith that he saw the first Tree of the said  
Tract of Land bounded it being a white Oak and that the said Oak  
did stand about One hundred yards below the now Landing place of one  
Richard Meares upon the first firm Landing on the South side of the  
River towards the Mouth thereof and further he saith not

Sworn before us the day and years first above written  
as witness our hands and Seals

Jn: Rider  
Hu: Edleston

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