

March Court - - 1726 - - 217

on the Holy Evangelist of almighty God according to act of a Assembly in such  
Case made & provided) & there Cause to Come before you or any three or  
two of you all such Evidences as shall be to you or any three or two of  
you Nominated by the Said Complainant (or Defendant) & that you Ex-  
amine them upon their Corporall Oaths to be by you or any three or  
two of you administered on y<sup>e</sup> Holy Evangelist of almighty God in the  
presence of the Complainant (or Defendant) touching y<sup>e</sup> truth or Veri-  
-tances of their Knowledge or anything that may relate to y<sup>e</sup> Cause afo-  
-re said & reduceing y<sup>e</sup> severall Depositions into Writing you send y<sup>e</sup> same to-  
-gether with this our Commission under your or any three or two of your  
hands to us to our County Court of Somerset with all convenient Speed  
Witness Samuel Hopkins Gent. Chief Justice of our sd. County 19<sup>th</sup> day of  
Novemb: in y<sup>e</sup> 11<sup>th</sup> year of our Dominion & Anno Domini 1726

Order

Tho: Hayward Esq

On the Back side of the foregoing Commission it was thus indorsed vizt-  
Then Came before me M<sup>r</sup>: Heaber Stand & M<sup>r</sup>: J<sup>r</sup>: Roach & M<sup>r</sup>: John  
Dishern & was qualified to Execute y<sup>e</sup> within Commission according  
to Law as Witness my hand this 24<sup>th</sup> day of Decem: 1726 — J<sup>r</sup>: Caldwell  
Maryland Somerset County

These are to Satisfie that we y<sup>e</sup> subscribers by  
Vertue of his Lordship's Commission to us Directed from y<sup>e</sup> sd. County  
Court to Examine Evidence to the Bounders of a certain tract of Land now  
in the possession of John Magee at whose petition y<sup>e</sup> sd. Commission was  
Bearing Date y<sup>e</sup> 19<sup>th</sup> day of Novemb: 1726 according to an act of Assembly  
of y<sup>e</sup> sd. Province we did Set up our Notes under our hands at Stequeny  
Byrish Church & Chappell & Andrew Bushawes Water mill Dated y<sup>e</sup>  
24<sup>th</sup> day of December last past there by giving Notice according to Law.  
& we appointed to meet on the sd. Land y<sup>e</sup> 28<sup>th</sup> day of this Instant January  
& then & there did Com upon y<sup>e</sup> sd. Land & noe Contending person  
appearing nor any y<sup>e</sup> we could hear of to appear

Cherex Hall Sen<sup>r</sup>: aged about 80 years & Will<sup>m</sup>: Hayman aged about  
50 years they being by us Sumoned for Evidences y<sup>e</sup> sd. Hall carried us  
to a marked white oak Standing on y<sup>e</sup> North side of y<sup>e</sup> South East Branch  
of Rockawaken River a little below a fork in y<sup>e</sup> sd. Branch that makes  
Davisses Neck which y<sup>e</sup> sd. Hall said his hand on y<sup>e</sup> sd. white oak & Swore  
on the Holy Evangelist of almighty God y<sup>e</sup> Tho: Coe whoe is now Dead  
told him in his Life time y<sup>e</sup> the Mark y<sup>e</sup> sd. white oak Standing as afo-  
-re said for y<sup>e</sup> first Bounder of a tract of Land taken up by Cornelias Johnson  
Containing 300 acres called Coes Choye which is now in the Possessi-  
-on of J<sup>r</sup>: Magee, Will<sup>m</sup>: Hayman being Sworn on the Holy Evangelist  
of almighty God said his hand on the afo<sup>r</sup> white oak & said that