

August Court --- 1725

57

Somerset County vs: Charles absolute Lord and proprietary of the provinces of Maryland and Avalon
Lord Baron of Baltimore &c To John Scarborough Southerly Whittington Nathaniel

Hopkins and Edmund Haugh all 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 Evidences on behalf of Charles Lord Proprietor of the County aforesaid in Relation to the bounds of tract of Land lying in the County aforesaid or Exmore called Kellum's Hoys. We require you or any three or two of you that at some time and place as to you or any three or two of you shall seem convenient you meet on the aforesaid tract of Land named as aforesaid and 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 and that you Examine them upon their Corporate Oaths to be by you or any three or two of you administered on the holy Evangelist of Almighty God in the Presence of the Complainant aforesaid (and of his say) touching the truth or Remembrance of their Knowledge or any thing that may Relate to the cause aforesaid and that Reducing the severall depositions into Writing you send the same together 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 said Court the twentieth day of March in the Ninth Year of our Dominion &c and Done One Hundred Seven hundred & twenty four

On the Back side of the foregoing Commission it was thus Endorsed viz: The Execution of the within Commission appears by a certain Schedule herunto annexed

Somerset County vs: By virtue of Commission to us directed bearing date the twentieth of March 1724. to Examine Evidences in Relation to the first Bound of tract of Land called Kellum's Hoys belonging to a certain John Kellum in the County aforesaid lying in Exmore we the Subscribers being qualified have appointed a day as the Law directs and have met on the aforesaid Land and caused to come before us the 7th day of July 1725 Wm. Whittington aged about forty one year or thereabouts Saith that he was a long while with his father when the abovesaid tract of Land was Surveyed and doth believe that the tree where he met being a white Oak marked on four sides with four Nails on each side standing close by a maple about a quarter of a mile from charge Sawonough belonging to one John Bowers that it is the first boulder of Kellum's Hoys and further sayeth Not — Charles Nicholson aged about 55 years was with us: Wm. Whittington and heard him Order the abovesaid tree (as the white Oak) to be marked for the first boulder of Kellum's Hoys and he the said Nicholson marked the said tree to the best of his Knowledge for the first Boulder and further Saith not - taken before us the day & year above mentioned

Edmund Haugh

Southerly Whittington