

Novemb. Court --- 1725 --- 81

Boundary of manmouth and desired us to certify that agreement made between them to be
Entered upon Record &c. --- Lewis Gale, George Daskie ---

In Scarbrough Commission }
and affidavits &c. --- } Somerset. Charles absolute Lord and proprietor of the provinces of
Maryland And Avalon Lord Baron of Baltimore &c. To John Burnell,
John son Hill, Fisher Walton, and William Cord, all of Somerset County Gent. Knowing
that we have appointed you or any three or two of you to be our Commissioners to examine Evidence
on behalf of a certain John Scarbrough of the County of York in relation to the Bounds of two
Tracts of Land lying in the County of York on the Seaboard Side the one called Durham house the other
Marduke we require you or any three or two of you, that at some time & place as to you or any three or two
of you shall seem convenient you meet on the said two Tracts of Land Marduke and there cause to come
before you or any three or two of you all such Evidence as shall beets you or any three or two of you nominated
by the said Complainant or Defendant of any and that you examine them upon these sayes oaths to be
by you or any three or two of you administered on the holy Evangelist of Almighty God, in the presents of
the Complainant & Defendant if any touching the truth or Remembrance of There Knowledge or any
thing that may relate to the Cause of, 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 20 day of March in the tenth year of our Dominion & Anno Domini 1725

On the Back of the fore going Commission it was thus Endorsed viz: Memorandum This day
the 11th day of August Anno Domini 1725 before John Burnell, John son Hill and Fisher
Walton persons nominated in the within Commission and made Oath on the holy Evangelist that
they would truly and truly declare the same without prejudice favour or affection to any person
or persons whatsoever Sworn before me --- Samuel Hopkins ---

Maryland Somerset County s: In Pursuance of Commission to John Burnell John son Hill
Fisher Walton & William Cord or to any three or two of them to examine Evidence on behalf of
John Scarbrough in relation to two Tracts of Land the one called Marduke the other
Durham house we the Subscribers have met on the said Lands and proceeded to examine Evidence as follows
Wt. William Whittington aged about forty two years being Sworn on the holy Evangelist of Alm.
rightly God said that Sometime in his fathers Life time upon some Discourses he had with his
father about the Bounds or first Boundary of Marduke a Tract of Land called Marduke then
Then belonging to Wt. Matthew Scarbrough his father told him that Dorman Partrick then one
of the Neer Inhabitants told him if Wt. Scarbroughs first Boundary of Marduke stood on the
Left hand of the then road that Leadeth to Bogalston some Distance beyond of Middle bridge
or Branch. Cap. Math. Hopkins aged about fifty one year being Sworn on the holy Evangelist
also Declared that upon some Discourses he heard between Cap. William Whittington and Wt. Math.
(Scarbrough)