

Deponeth and saith that he formerly saw a Cypress stake which he believes was marked with four notches on four sides but in position there was four notches on two sides which said stake did stand a little below the Court house Landing and was always allowed to be the stake mentioned in the Patent belonging to the Court house Land and he this deponant further saith that he verily believes the stake that now is in his view to be the same stake as aforesaid mentioned and that to the best of his Remembrances has been told by his father and severall other persons that the stake now in his view was the very stake mentioned in the Patent of and further saith not

In Scott

Taken before us Wm. Lane

Cap: Henry Lowes --- } Somerset s. Charles absolute Lord and proprietor of the provinces of Maryland and
Commission and affidavits } Avalon Lord Baron of Baltimore v. To Mathias Gale Isaac Handy Daycott and Joseph Cottman 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 a certain Henry Lowes of the County s. in Relation to the bounds of a tract of Land called Come by Chance or any other Land adjacent thereto 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 shall seem convenient you meet on the aforesaid Land called Come by Chance (you first having taken your Oaths on the holy evangelist of Almighty God according to Act of Assembly in such Case made and provided) 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 or Deft. if any and that you or any three or two of you examine them upon their Corporal 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 or Deft. if any 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 and seals to us to our County Court of Somerset with all convenient speed Witness Robert King Gent. Chief Justice of our said Court the twenty second day of March Anno Domini one thousand seven hundred and thirty nine

And now to wit the third Tuesday of November being the Eighteenth day of the same month anno: Domini. One thousand seven hundred and forty at about then held before his Lordships Justices at widening Creek in and for the County of Somerset came Isaac Handy Daycott and Joseph Cottman three of the Gentlemen nominated in the above Commission ^{and made Returns} there of endorsed with the severall depositions therunto annexed in form following Somerset County s. Be it Remembered that on the 25. day of August 1740 came Cap: Isaac Handy Cap: Daycott and Mr. Joseph Cottman and was duly qualified according to the direction of the act of Assembly before
Thomas Gullifa

The deposition of George Bally aged about seventy Eight years being sworn on the holy Evangelist of Almighty God deponeth and saith that the Stump where we now are was a thriving growing ^{tree} Oak about thirty years ago and marked on four sides with four notches on each side which as this deponant generally then and since understood was about a tree of a tract of Land which this deponant then