

June Court Anno Domini 1747

Commission to Examine Evidence to prove and Perpetuate the memory of the bounds of the said Tract of Land according to the Directions of the Act of Assembly last made and Provided: Know ye, that we have given you, any three or two of you not being any way Related to the Petitioner, Contiguous Proprietor, nor Interest in the said Land, having taken the Oath Prescribed by the above named Act of Assembly, full Power and Authority to Examine upon their Oath or Oaths, to be by you, any Three or Two of you, Administrated, all Witnesses which shall be nominated to you, any Three or Two of you, by the above named Petitioner, or other Person concerned, touching their Knowledge of the bounds of the Tract of Land above named, or the bounds of any other Lands, whereon the aforesaid Tract depends, or where to it relates, and therefore we Command you, any Three, or Two of you, that you, Call & Cause to come before you, any Three, or Two of you, all Witnesses so Nominated, at a certain day by you, or any Three, or Two of you, to be appointed upon the above mentioned Tract of Land, and the Examination of every Witness so called be private, that you, any Three, or Two of you, carefully Reduce into Writing, in the Presence of all Parties concerned that shall be then Present, and the Examination so taken above you, any Three, or Two of you, are to return to the Justices of our Court, with all convenient Speed under your seals, or the seals of any Three, or Two of you, together with their Writt Provided always, that all Parties concerned living within or without the County aforesaid, have Notice according to the Directions of the Act of Assembly before mentioned, of the Day and Place of the Execution of this our Commission before the Execution thereof, and that you, any Three, or Two of you, are to return to our Justices aforesaid, with all convenient Speed, a Certificate of such Notice given, together with the Examination of the Witnesses. Witness Robert Hanson Gent. one of our said Justices of our said Court at Charles Town afo, the Twelfth day of March in the Thirty second year of our Dominion &c. Anno Domini 1746

Given March 12th 1746

J. M. Bortwell

And now here at this day to wit the second Tuesday in June afo. John Winter, Samuel Chunn and John Hanson Jur. Three of the Commissioners aforesaid return to the Court here the Commission aforesaid with the subsequent Certificate and Depositions thereunto annexed Viz

The Deposition of Doctor Gustavus Brown aged fifty seven years or thereabouts being first sworn on the holy Evangelists of Almighty God says that about two or three and thirty years ago Ebenezer Sombie Shesbet him self hit out where this Deponent now stands it being in a branch of Lachiah Swamp by this side a Ditch on the North Side of the Plantation of Charles Town and told him it was the beginning round Tree of a Tract of Land now in Possession of this Deponent and Mr Charles Courts Call'd Rich Hill & he further says that they made a Survey from the said tree at the beginning and that it has ever since been deemed the beginning tree of the said Land and further he saith &c. Sworn this 3rd Day of April Anno Domini 1747

Gustavus Brown