

Be it remembered that Pursuant to an Order of Court holden at Charles Town on the second Tuesday in June last Commission issued by the said Court to examine & examine touching the Bounds of a Tract of Land called Middle Green lying in the County in the following Words to wit.

Charles County Es. Charles absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c. To Richard Harrison, Robert Dade Joseph Hanson Harrison and David Stone Gentlemen Whereas William Cooper is seized of a Tract or Parcel of Land called Middle Green lying in the said County and on the eighteenth day of July being in the thirty fifth year of our Dominion &c. by his certain Petition in Writing to our Court, that is to say in County Court holden at Charles Town in and for the said County on the day aforesaid by several of our Gentlemen and his Associates then and there our Justices within our County &c. &c. for Commission to examine & examine to view and Perpetuate the Memory of the Bounds of the said Tract of Land according to the Direction of the Act of Assembly late made and Provided; Know ye that we have given you any three or two of you, not being any way Petited to the Petitioner, Contiguous Proprietor or interested in the said Land and having taken the Oath prescribed by the above named Act of Assembly, full Power and Authority to examine upon their Corporal Oaths to be by you any three or two of you Administered 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 said Tract of Land also named or the Bounds of any other Lands situate on the said Tract of Land, or touching what relates and therefore we command you any three or two of you that you cause and 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 & the Examination of every Witness called before you that you any three or two of you receive and that same Examination you any three or two of you carefully reduce into Writing in the Presence of all Parties concerned that shall be there Present and the Examination taken as aforesaid you any three or two of you are to return to the Justices of our Court with all convenient Speed Under your or the Seal of any three or two of you together with this Writ, Provided always that all Parties concerned living within or without the County aforesaid have notice according to the Direction 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 and to return to our Justices aforesaid with all convenient Speed a Certificate of such Notice given together with the Examination of the Witnesses; Witness our certain Brown Clerk one of our said Justices of our said Court at Charles Town aforesaid the 18th day of July in the 35th year of our Dominion &c. Anno Domini 1749

Spued July 18. 1749 — Edm: Fortles Esq

The Deposition of Hugh Bennie aged forty four years or there abouts being solemnly sworn Deposed and saith that about twenty two years ago he, his Deponent being in the Woods with a certain John Cooper (now Deceased) the said Cooper pointed out a heby tree and said it was about the side of a Tract of Land called Middle Green and this Deponent some time after went to the said Heby tree and found it marked on two different Sides, which tree is now standing in or near the head of a falling Ground or Valley where this Deponent gives his testimony.

Hugh Bennie
Harrison J. S. Harrison