

Lib. C. B. Martin Kitzmiller by the said Kitzmillers Son Jacob, this Deponent went to see the said M^r Dudley Digges at the Place where he found him lying in great extremity at the End of the said Kitzmillers Smiths Shop, and in about half an hour after expired. That Several Persons were then at the said Place and by all the Information this Deponent could then and Since have the said M^r Dudley Digges died within five yards of the Place where he was Shot. That this Deponent very well remembers he had the directing of the Survey of M^r John Digges Land at Canowaga called Digges Choice, and when the Surveyor came first to Run the Lines he did not finish the same, In some time after he came again and began the whole again and finished the Survey for Return, and the very Spot where the afs^d unfortunate Murder was committed was both times Included in the said Surveys, And this Deponent further saith that the said M^r John Digges had given him Instructions to Settle some Germans within the Lines of his said Survey in pursuance whereof this Deponent did Survey one hundred Acres of said Land for a Certain John Lemon who then went to the said Digges agreed upon Terms and Settled the same which Settlement was Included within the Lines of the original Tract or Survey as well as within the one hundred acres so Surveyed by this Deponent as af^d and is the same Place where the af^d Martin Kitzmiller now lives and where the af^d Murder was Committed. And this Deponent further saith that he believes he had Notice of his Majestys Order for Quieting the Possessions of the Lines dividing the two Governments of Maryland & Pensilvania, as soon as any Person had heard of it in this Province and that he received this Notice from Pensilvania and well Remembers that the last Survey was made a Long time before the Royal Order afores^d

p. 478 was known here and that the said Kitzmiller had bought the Plantation af^d a Considerable time before this Deponent had heard of the Order, and had agreed with John Lemon af^d as the said Lemon told this Deponent to Pay the af^d John Digges what Money the af^d Lemon had agreed and Contracted with the said John Digges for the Land af^d And he further Saith that he has frequently heard the said Kitzmiller Say that he would agree with the af^d John Digges for the same

Rob^t Owings

Sworn to before me this 2^d Day of May 1752

Geo: Steuart

The Deposition of John Lemmon Aged forty five years or thereabouts being Sworn on the holy Evangels Declares as follows. Viz.