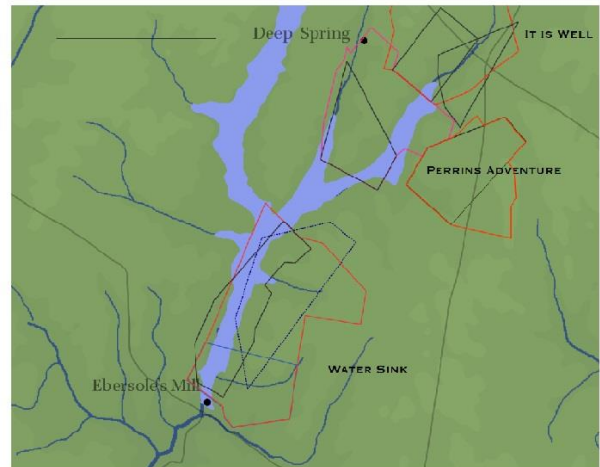


Boundary Dispute Between Samuel Volgamot and Christian Ebersole Water Sink, Frederick Co., Maryland 1769

In March 1769, the Court appointed Col. Thomas Prather, Mr. John Perrin and William Good to hear testimony concerning WATER SINK as purchased by Samuel Volgamot and Christian Ebersole. The southern portion of Watersink was sold to Christian Eversole in 1755 and in 1769 he built a mill on the property. Source: Frederick Co., MD Deeds E: 777 and M: 7-9.



□ The map is marked with the location in Maryland of where the Wolgemoths and Wise/Whites settled when they left the Donegal Township of Lancaster Co., Pennsylvania. On 27 August 1750, Joseph Tomlison was the original land owner of 522 acres in Frederick Co., Maryland (now Washington Co.) and patented it "Water Sink". On September 4, 1761 the land was re-surveyed for sell and on January 5, 1762, Joseph Tomlison sold 367 acres to Samuel Wolgamott / Wolgemoth for 600 pounds of Pennsylvania currency. Witnesses were Moses Chaplin and Thomas Prather. Rebecca Tomlison releases her dower. Witness Thomas Prather was a Colonel in the Revolutionary War and a Commander for Frederick Co., Maryland. On December 2, 1768, Christian White (Wise)'s stepfather, Samuel Wolgemoth, and mother, Barbara Miller-Wise (White)-Wolgemoth sell to him for 300 pound currency a parcel in "Water Sink". The deed was witnessed by Thomas Prather and Evan Shelby. In June of 1772, Christian Wise sells the Water Sink property to his half-brother John Wolgamot and moves across the Potomac into Old Virginia.



“At The Request of Samuel Volgamot and Christian Ebersole and by order of Frederick County March Court 1769 the following Land Commission and Depositions were Recorded, To Wit,

Frederick Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &, To Col. Thomas Prather Mr's. John Perrin & Wm. Good of Frederick County Greeting

Whereas Samuel Volgamot and Christian Ebersole of the County aforesaid is Seized of two parcels of Land lying in the said County called Water Sink and part of the Resurvey on Water Sink & did on the 15th day of November in the 18th Year of our Dominion & prefer his Petition in Writing to our Court that is to say to our County Court held at Frederick Town in and for our said County on the Day aforesaid before Thomas Prather, Gentlemen & his associates then our Justice within our Said County assigned & for Commission to Examine Evidences to prove & perpetuate the Memory of the Bounds of the said Tract of Land According to the Directions of the Act of Assembly Late made and provided.

Know Ye that we have given you or any three or two of you not being any way Related to the Petition or any Contiguous Proprietor nor no Interest in the said Land and have taken the Oaths proscribed by the Above mentioned act of Assembly full power and authority to Examine upon their Corporal oaths to be by you or any three or two of you Administered all Witness' which shall by Nominated to you or any three or two of you by the above named petitioner or any person concerning Touching their Knowledge of the bounds of the said tract of land above mentioned or the bounds of any other Land whereon the same Depends or Relates and therefore we command you or and three or two of you that you call and cause to come before you all Witnesses so Nominated at 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 before you that you or any three or two of you Received and the Same Examination any three or two of you Received into wrighting [sic] in the Presence of all Parties Concerned that Shall be there present and the Examination so taken as aforesaid any three or two of you are to Return to our Justices of Frederick County with all Convenient Speed under your Seals any three or two of you together with the Commission Provided always that all parties Concerned living within or without the County aforesaid have Notice According to the d___ terms of the act of Assembly above mentioned at the Day & Place of the Execution of this Commission before the Execution thereof and that you or any three or two of you Return to our Justices aforesaid a Certificate of Such Notice given together with the Examination of the Witnesses,

*Witness Thomas Prather Gentleman Chief Justice of our County Court this 23rd. day of November in the 18th year of our Dominion & assigned Domini 1768 Issued the 30th of November 1769.
Thomas Sprigg, Esq.*

February 13th 1769 then came Coll Thomas Prather, John Perin and William Good and Qualifies agreeable to the within Commission

Before me Evan Shebly

Frederick County By virtue of a Commission from the worshipful the Justices of Frederick County at the Frederick County June Court anno Domini one thousand seven Hundred & Sixty Eight to us directed to Examine Evidences in order to perpetuate the bounds of the following Tracts of Land Lying and being in the County aforesaid that is to say, Water Sink and part of the Resurvey on Water Sink we do hereby Certify that on the Eighteenth day of March Anno Domini one thousand Seven hundred & Sixty Nine after due notice given as Required by act of assembly we the Subscribers thereof the Commissioners appointed in the said Commission did meet on the premises and took the following Depositions that are hereunto Anexed ~

Certified under our hands and Seals the 18th day of March Anno Domini, 1769.

Thomas Prather [seal]

John Perins [seal]

Wm. Good [seal]”

Source: Boundary Dispute Between Samuel Volgamot and Christian Ebersole, Frederick Co., Maryland (now Washington Co.)
~ March Court 1769 Maryland Land Records - Frederick County Court
Location: MSA CE 108-9 M 1768-69 Book M: Pages 7-9
<http://www.pa-roots.org/data/read.php?1545,538887,538887#msg-538887>

“March 18th 1769

The Depositions of Col. Thomas Prather about sixty six years of age being first Duly sworn deposeth and sayeth that he has been showed by several people two Bounded Red Oak saplings standing on the west Side of a marsh that leads from a place where Dr. Charles Neal now lives to Christian Eversol’s mills, standing near or about ten or twelve perches from said marsh where there is Now a marked lime Stone about three feet from said boundrys and as near as this Deponant can Guess stands about ten or twelve perches to the westward of a north course from Christian Eversols old mill this Deponant sayeth that he was shoed the said boundrys by Capt. Joseph Chapline Joseph Tombleston and others for the Boundrys of a tract of Land Called the Resurvey on Water Sink and further this Deponant saith not.

Thomas Prather [seal]

John Perins [seal]

Wm. Good [seal]”

Source: Boundary Dispute Between Samuel Volgamot and Christian Ebersole
Present-Day Washington County, Maryland ~March Court 1769
Maryland Land Records - Frederick County Court; Location: MSA CE 108-9 M 1768-69 Book M: Pages 7-9
<http://www.pa-roots.org/data/read.php?1545,538886,538886#msg-538886>

“March 18th 1769

The Deposition of Joseph Tumbleston about fifty Seven years of age been first duly Sworn Deposeth and Saith that he thinks in the 1739 that he was present and seed a white Oak tree Bounded for the Beginning of a tract of Called Water Sink standing on the south west side of the Great marsh and about fifty perches off said Marsh Near the south west corner of the plantation where this Deponant formerly lived and he thinks also that the first line runs South Eighty Perches the aforesaid Beginning being now a fair and plain Bounded tree and said line afterwards this Deponant having reason to believe that the aforesaid bounded tree stood in an older Survey & the af’sd, Deponant afterwards applyed [sic] to his Lord Ships Land office for a warrant of Resurvey and this Deponant thinks that it was in the year 1758 that the af’sd. warrant was Executed and then made the beginning at the red oak Saplings standing about ten west from a pond in that Great marsh at that time he the Deponant Suposed that the said Bounded Saplings ---t and at or near a line of a tract of Land Called Chews farms where is now a marked lime stone set up about three feet to the east ward of said of said Boundrys and further this Deponant saith not.

Thos. Prather, John Perins, Wm Good”

Source: Boundary Dispute Between Samuel Volgamot and Christian Ebersole
Present-Day Washington County, Maryland ~March Court 1769
Maryland Land Records - Frederick County Court Location: MSA CE 108-9 M 1768-69 Book M: Pages 7-9
Frederick County MD Land Records - pages 7-9.

“Samuel Volgamot and Christian Ebersole, by order of March Court 1769, recorded land commission and deposition.

“To Col. Thomas Prather, Mr. John Perrin, and Wm Good, on tract Water Sink, Resurvey on Water Sink, on 15 Nov. 1768 petitioned in Frederick Town to perpetuate the memory of the metes and bounds. The above qualified and took evidence. Thomas Prather about 66 years old, testified regarding bound oak saplings west side of a marsh that leads from where Dr. Charles Neale now lives to Christian Ebersole’s mill. He says he was shown the boundaries by Capt. Joseph Chapline, Joseph Thombleson and others. John Perrins about 58 years testified about boundaries, shown him either by Capt. Joseph Chapline or

Nathaniel Tumbleson about 15 or 16 years ago. Joseph Lazear about 63 years, testified being shown oak sapling by Nathaniel Tumbleson. Conrad Hogmire about 43 years, deposed regarding his knowledge of boundary. Joseph Tumbleson aged about 57 years of age, said that in 1739 he was present and saw white oak tree bounded for the beginning tree of a tract called Water Sink on the south side of the Great Marsh near the south west comer of the plantation where this deponent formerly lived and that this deponent having reason to believe that it stood in an older survey the Aforesaid deponent applied to the Lordships Land Office for a warrant to resurvey about 1758. He supposed the bounded saplings at or near a tract called Chew's Farm.”