

of his Right to one John Boyd by a Speciall Warrantee but before the Dep^o Sold the Said Land he went to one Rob^t Anderson to Enquire if he could Shew him the bounds of the Said Amptill Grange who told the Dep^o that he could Shew him the first tree w^{ch} was a white oak but a fair bounded tree w^{ch} an Eagle had built in and he believ'd had kill'd the tree and Anderson Shew'd the Dep^o the Said Tree w^{ch} Did Stand in the Same place where the plumb tree now Stands the Dep^o Asking Anderson how he knew the tree to be the first Amptill Grange he answered that Co^{ll}. Beall told him Charles Boteler who was then Surveyor and took up the Said Land) Saw that was the tree but afterwards there arising a Dispute between the Deponent and Said Anderson ab^t the bounds of Said Amptill Grange the Dep^o brought an Ejectment against the Said Anderson and a Jury was ordered to Assert the bounds w^{ch} Jury wou'd not allow the Said White oak to be the first tree of Amptill Grange wth out better proof because the Said tree Stood not Close on the River Side So the Jury — and — Sheriff made return to the Provinciaall Court that the Said Anderson was a trespasser — in the Said Amptill Grange and the Deponent Expected to have A Judgment upon the Said Return but before the Provinciaall Court the Said Anderson heard of one Robert Hobbs who Could prove the aforesaid white oak where the plumb tree now [361] Stands and petitioned the Judgments might be Delay'd and that he might have a Jury to Examine Evidences w^{ch} was granted and the Second Jury was brought before when the Said Hobbs did Swear that he was with Charles Boteler at the taking up of Essington who ordered him to bound the Said White oak for the last tree of Essington and Swore he then bounded that Very tree or another wth in ten yards of it for the last bounded Tree of Essington and Shew'd the Jury Such other Slip'd and Notched Trees which the Said Hobbs did swear he Slip'd and mark'd at the taking up the Said Land that the Jury thought it Sufficient proof for the bounds of the Said Amptill Grange and further this Dep^o that he did endeavour to put by the Hobbs's oath by offering that it was above twenty year[s] before and the Place then not Seated and ask'd how Hobbs cou'd now find the Said white oak who answer'd that he cou'd not be mistaken and going down to the bank of the River with Some of the Jury and Severall others Shew'd them the tree he lean'd against upon the bank Side to See the River w^{ch} Some of them that went to See the place told me was a Doggwood and an Ivy bush grew out of the root of it and Likewise that a Hicory Stood Just by w^{ch} he notch'd when M^r Boteler Sent him to the River to See how the River bore and Severall Slip'd Trees w^{ch} he Slip'd at that time either going to or Returning from the River w^{ch} he Saw to the Right hand and further the Dep^o Saith not. Sworn before us.

Thomas Clagatt.
Patrick Hepburn