

Repaired to said Land where we found Mr. Richard Chambers and a certain Anthony Moore
and the said Cap^t John King But Mr. Charles Ballard and I Depoⁿts Not having a Commission
Out of Chancery for Examining Evidence to that Purpose would not take them unless by Mutual
Consent of the said Cap^t John King and Mr. Upsher King But the said Mr. Upsher King Not Being
Willing was Dissatisfied therefrom Much to our Regret of the said Cap^t John King however the said Cap^t
John King Told us that Mr. Richard Chambers was very Old & in all probability could not
Live Long, wherefore Desired us to go with him & the said Anthony Moore to a Place & hear
what they could say Concerning the said Boundary which we Did according by Mr. Upsher
King along with us when having brought us to point of Land behind of Ferryfield Opposite
to the Old wading place Over the Mill Branch as they Told us they said that On ^{that} point of first
Boundary stood But could not positively shew us what it Being either fallen Down
and rotten or else cut Down there being sundry Stumps of Trees on said Point Mr. Richard
Chambers said he very well Knew the tree that was the first Boundary But could not shew us to be
Told of very Spot it stood on the said point Being almost cleared But that it ^{stood} ~~was~~ ^{near} the
that point Opposite to the Old wading place and having asked Mr. Anthony Moore
~~how~~ how he came to know the said Boundary he told us that his Master Mr. Andrew Whittington
Told him that the first Boundary of a certain tract of Land of his stood on a point of Land
Opposite the Old wading place Over the Mill Branch Between him and Cap^t John King
Deceased and that there stood a great grape vine ^{tree} by it But that he could not remember ~~what~~
what sort of Tree it was and having heard what they could say we asked Mr. Upsher King
again if we should take their Depositions, who said he was not willing, then the said Cap^t John
King made answer and said Brother Let us not Disagree But since what place of the point
you please where the Boundary should stand and begin either twenty or thirty yards above or below
the place you like on, there may be an End put to the dispute but the said Mr. Upsher King
said he would not pitch upon any place of the point for the boundary But that ^{there} stood a
Tree in a Wood (to wit of my Remembrance he said it was a pine Tree) and that he might
begin there and remove the fumes which would shew him the first Boundary But Cap^t John
King said he would not, for it was the first Boundary he wanted to prove and that if he
spoke of would never answer with the first Boundary: then Mr. Upsher King said he had
Money to buy and Defend the said Land or to that Purpose upon which Mr. Charles Ballard
and the Depoⁿts finding we could not bring them to friendly agreement a bout of said
Boundary Left them without Doing any thing in the matter and further sayeth not

January 28: 1724

William Houghton

By Virtue of a Commission to us directed bearing date the 23 day
of November 1723 by the Justices of Somerset County Court of want to be act of a specialty
with the Subscribers being sworn according to the directions of that act, as appears by the Endorsement
of the said Commission having given the due Notice the Law requires in such Cases went on the
Spot mentioned in the above deposition and there did take the above said William Houghton
(Sol^r)