

3dly. Perhaps it may be objected by ye defendt yt ye owners of Bodwell Coar & Cultivated all ye lands as high as ye wth l. as well as toward ye pine & Claim & hold ye same as Bodwell without Interruption & tis true they did hold it & Cultivated it but not without Interruption for ye first owner of Indian Noek were always jangling & Quarrelling wth ye owners of Bodwell & had they lived woud not have suffered them to Continue thore trespasss

4thly. It Appears by ye Irregularity of ye Survey, Calld Homfloy's Addition now hold by ye defendt. How little W^m Homfloy who took up ye same was Acquainted with ye Co^{rs} of ye lands thoreabouts for at ye very begⁿ thereof he runs through a tract of land Calld Hopton as ~~the~~ ye Gore of prect lines fm l. & afterwards if no loops (w^{ch} is) back lands wch is very Questionable yet when he comes down ye river by Carlers Inheritance ~~& Carlers Inheritance~~ he yr Includes a tract of land taken up 40 years ago by one Tho^s Emorson & Calld long point & so runs up & again through Bodwell by a different Course so yt If Bodwell were to lye as ye defendt would have it ye Addition woud not Goin thore but leaves a Gore of land betwixt & so runs through Indian Noek & Hopton to ye first Noe, wch shows yt at ye taking up thereof he had no Certain Grounds but moer Goss at ye Co^{rs} of those lands, otherwise (if he had run into ye noek at all he woud nor or have laid yt part of ye Addition (now hold by ye defendt) as it is but upon floll between Carlers Inheritance & Bodwell

5thly. By ye house descr^{ib}d at G is a Tob^o House & ground in possession of ye defendt & in Bodwell both as ye plan^t & defendt as laid out, so yt lett Bodwell be laid wther way ye defendt is still a trespassor on Bodwell nor doth ye house stand on any part of Homfloy's Addition wch is all ye lands of defendt doth or can lay any Claim to thoreabouts as may Appear by ye plat by ye prect lines drawn fm ye Cove passing by ye Cornfield at H wch is ye Northmost Co^{rs} of his Claims, therefore so yt amonge so many uncertainties ye greatest probability ought in reason and Justice to be doom'd a certainty, wch is yt Bodwell ought to be at A and run fm thence his Courses & distances & Carlers Inheritance wch is a survey made of Wilkinson's as is descr^{ib}d in ye plat by black lines & yr thore will be room enough for all ye older surveys & ye young encroachers run out

mem^o. these instructions were Copied fm ye Original in Vincent Homfloy's possession & me W^m Harper