1770 and further this deponent saith not. — Abs.ⁿ Barney. —

Taken and sworn to on the survey the 21.st day of april 1797. —

Ezekiel Borings Lessee
against
Christian Singery

The deposition of Henry Shew aged twenty five years a witness for the defendant being duly sworn on the holy Evangelist of almighty God deposeth and saith that Christian Singery cleared and inclosed the field he now stands in five years ago this spring and further this deponent sayeth not. —

Josias Crumerine Jun.ʳ

Taken and sworn to on the survey the 21.st day of april 1797. —

Ezekiel Boring's Lessee
against
Christian Singery

The deposition of Henry Edwards aged twenty seven years or thereabouts a witness for the Defendant being duly sworn on the holy Evangelist of almighty God deposeth and saith that Christian Singery cleared and inclosed the field he now stands in five years ago this spring, and further this deponent saith not. Henry Edwards

Taken and sworn to on the survey the 21.st day of april 1797. —

Ezekiel Borings Lessee
(a.)
Christian Singery

The deposition of John Edwards a witness for the Defendant aged about sixty years being duly sworn on the holy Evangelist of almighty God deposeth and saith the field he now stands in was cleared and inclosed by Christian Singery this deponant further saith that he doth not know or believe that said Christian Singery owned or possessed any land in this county until he purchased two surveys of the Commissioners about twenty six years ago one called Pettigrews Loose and the other called Merrymans Mountain this deponant saith that said Singery and those claiming under him have been in possession of said Surveys ever since the said purchase and further this deponant saith it has been the general opinion of this settlement for upwards of twenty years past that all the land in and between said Surveys is the right and estate of said Singery and those claiming under him and further saith not. — John [illegible] Edwards

Taken and sworn to on the Survey the 21.st day of april 1797.

Whereupon the parties aforesaid by their attornies aforesaid pray further leave of the court here to amend their platts and certificates returned to the court here in this cause and to add thereto if necessary by the second tuesday of October next and to them it is granted and the same are delivered to the Sheriff and Surveyor of the county aforesaid for that purpose. — thereupon further process of and upon the premises aforesaid between the parties aforesaid by order of the court here thereon is further continued until the said second tuesday of October next. —

At which said second tuesday of October being the tenth day of the

same month in the year of our Lord one thousand seven hundred and ninety seven comes again into the general court here as well the aforesaid John Goodtitle lessee of the aforesaid Ezekiel Bourn by William Cooke and Luther Martin his Attornies as the said Christian Singery by Philip Barton Key, James Winchester and Arthur Shaff his attornies: and the said Sheriff and Surveyor of the county aforesaid to whom the said platts and certificates were delivered to be amended return the same to the court here as amended. — And this cause standing ready for trial the said Christian Singery by his attornies aforesaid suggests to the court here that he cannot safely proceed at this term to the trial of this cause for want of material and competent testimony being out of this state and prays that a further day may be given for the trial thereof and also the courts commission to issue to Fayette county in the commonwealth of Pennsylvania to examine witnesses and that the depositions returned with the said commission may be read in evidence on the trial of the issue aforesaid, Whereupon with consent of the aforesaid John Goodtitle lessee of the aforesaid Ezekiel Bourn by his attornies aforesaid the same is granted unto him on striking commissioners. Whereupon the parties aforesaid by their attornies aforesaid pray further leave of the court here to amend their platts and certificates returned to the court here in this cause and to add thereto if necessary by the second tuesday of may next and to them it is granted and the same are delivered to the Sheriff and Surveyor of the county aforesaid for that purpose, — Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their attornies aforesaid and by order of the court here thereon is further continued until the said second tuesday of may next. —

At which said second tuesday of may being the eighth day of the same month in the year of our Lord one thousand seven hundred and ninety eight comes again into the General court here as well the aforesaid John Goodtitle Lessee of the aforesaid Ezekiel Bourn by his attornies aforesaid as the said Christian Singery by his attornies aforesaid, and the said Sheriff and Surveyor of the county aforesaid to whom the said platts and certificates were delivered to be amended return the same to the court here as amended, and the aforesaid John Goodtitle lessee of the aforesaid Ezekiel Bourn by his attornies aforesaid offers himself ready for trial against the said Christian Singery in the plea aforesaid; and because the said Christian Singery is not now ready for trial against the aforesaid John Goodtitle lessee of the aforesaid Ezekiel Bourn in the plea aforesaid the aforesaid John Goodtitle lessee of the aforesaid Ezekiel Bourn by his Attornies aforesaid prays