species of ware. This deponent has known a road that led out of the Neck where the Petitioners live which road when it first left the George Town Road it ran on the line between Mr. Wright & Robert Gay; the land sold by this deponent to William Merritt is part of the land that formerly belonged to Robert Gay; then the road went on the line of the land of Andrew Hynson and Nathaniel Knock which is admitted to be from M. to R. on the plot which road ran between 3 & 4 hundred yards from Capt. Wrights House - this deponent has known that road 27 or 28 years, and that this deponent first knew it, it appeared to be a road a good deal used and there was one hill in it. This deponent saith that the old road was a lane, and that there was another way to come out from William & Hynsons now Capt. Wrights House to the main road which is the same now used by Capt. Wright, and that there was a road from the house to the main road, the way now used twenty odd years ago. This deponent saith that some years ago Capt. Wright used the old road more than the road he now has open. This deponent being asked which was the most convenient for him to go the water to, thro' Mr. Freemans or Capt Wrights saith thro' Wrights. Being asked which of the Roads was most convenient for the Petitioners to go to Duck Creek Market, saith that the road laid down by the Surveyor is most convenient because its full as near & better road. Being asked which was the nearest to Apoquiminink Market saith the road proposed by Capt. Wright. Being asked which was the nearest Mill to the Petitioners he saith Mr. Comeggys is nearest, and the road proposed by Capt. Wrights nearest road to it. Being asked whether he knew any thing of a Road from Capt. Wrights to the lane, he saith there was a road from William Hynsons to the land where Capt. Wright now lives which the Surveyor has laid down as the old road - this deponent saith that George Wilson has land above to which the road laid down by Capt. Wright is the nearest. This deponent saith that James Woodlands mother & brothers live at George Town Cross Roads, and that Mr. Freemans son Jacob Howard live up the County & that the road proposed by Capt. Wright is nearest to them. This deponent recollects William Wilson and Aquila Page who formerly lived on George Wilsons lower farm hauling rails from above. Being asked if the whole of the branch was miery saith that it was full of bushes and looked as if it was miery. Being asked where the rails drawn by William Wilson and Aquila Page were taken from saith they were got on a place of Woodlands Mr. Wilson had near Joseph Racins; and that the best road for them to draw said rails was by the said road laid down by the Surveyor but which is the nearest he does not know.

William Merritt being duly sworn saith that about six or seven & forty years ago this deponent knew the road leading out of the Neck called the old road, that it lay between the lands of Christopher Hall, Samuel Norris who lay upon the West and land belonging to Thomas Hynson on the East, that when he first knew the road it ran in three paths pretty well beat, and that it struck the public road near Skaggs's house - This deponent has first and last owned the land to the Westward from Wilsons Corner up to the main road. This deponent sold Capt Wright about 26 acres of that land about 3 years ago for 6 Dollars Cash adjoining the old road this deponent sold the rest of the land he held there to Thomas Shaton about the year 1782. at about seven pounds or seven pounds ten Shillings, that afterwards Capt Wright purchased that land of Thomas Shaton, which was about 16 acres

for five hundred pounds, and this deponent saith that Capt. Wright got an island in with the said land, which said Island contains about an acre & three quarters of an acre - This deponent saith that Mr. Freeman and others had a bye-way thro' Thomas Hynsons land over the branch by Thomas Hynsons permission twenty odd years ago - that the pass some years ago was a miery and pretty dangerous pass, that this deponent has many years ago passed thereon, and been pretty near sticking fast in the mier that the hill at that time was pretty high.

The deposition of James Jones being duly sworn saith, that he resides on the land formerly Thomas Hynsons; that the way now used, thro' that place is good except the hill and branch which is now getting miery; that this deponent sold a load of Wheat to Mr. Clarmach; that the waggoner in carrying it away got stalled about half way up the hill and was obliged to unload 7 or 8 bags; that was the only waggon load of wheat ever knew to be carted across that way; that there was 55 bushels of Wheat in the load; that after they rise the hill the way is good all the way out to the main road. This deponent sent a Hand & Mr. Freeman went with a Hand or perhaps more and cut down the hill. This deponent saith that he told them if they would send help to turn his fence he would give them a road. This deponent saith that he has seen James Woodlands cart pass that way to Mill, loaded coming thro', but how much was in the Cart he does not know, he never asked how much was in the Cart. This deponent has seen all the neighbours carts and carriages pass, that is all that, in the Neck, and he never heard of any of their carts getting stalled at that place. This deponent saith the hill is pretty gradual except one place, just at the branch, its pretty steep there, that before the petition this deponent used a cart a little across the branch, he could not cart heavy loads, and that he always gave Mr. Freeman liberty of passing thro his land on Mr. Freemans giving this deponent liberty of to pass thro' his land. This deponent saith that for eight or ten years back he has known a way across the branch, which was used by Mr. Freeman & others that a gate was first put up on Mr. Freemans little place for a Weaver who had lived on that place; that a gate between Mr. Freeman & this deponent was shut as Mr. Freeman informed this deponent to prevent peoples injuring his grass and requested this deponent not to let his people pass that way - This deponent saith that the way across the branch is most convenient to him because his own farm lays adjoining and on the other side of the branch. This deponent that the road across the branch is the most convenient way for him to go out about his business generally. This deponent saith that the pull of the hill is not worse that at the hills on each side of Wilsons Mill; that in the Winter when the place is much used, there is a quicksand about 15 or 16 feet wide; this deponent further saith that Thomas Hynsons farm as marked on the plot contains 60 or 70 acres - This deponent saith that the road proposed by Capt. Wright is five times as bad as the road now used; that he never knew any person ride across there in his life - This deponent saith that the land he lives on is not his own, it belongs to the Hynson family, and that this deponent gave permission to the Petitioners to pass the present way until this matter was determined in Court. This deponent saith that the Waggon stalled after the road has been worked on, that the team was five horses, that surprise the defendant they should stall - Being asked whether the road across Hynsons farm was the road generally used by Mr. Freeman and the people in the Neck to go out