to Mifsell he forewarned him from cutting his Trees pointing to the Land where the Tresspass is alledged to be committed — Mifsell did not deny that he had cut y.e Wood, but answered that he would cut it & said if he could not hire hands enough to cut it down he would do it himself, Trout then observed to Mifsell if he would quit cutting then, he would not Sue him for what he had done but Mifsell still persisted that he would cut down the Land & told Trout that he Trout did not — understand the Law & further this Deponent saith not —

William Reynolds

Jacob Ransberg Aged Forty five years and upwards being duly Sworn on the holy Evangelist of Almighty God Deposeth and Saith, that he heard & saw George Shidelar on the Execution of a Land Commission shewn and Prove as a corner of Tashers Chance, the remains of a Locust Stake and a Small Heap of Stones close by a bounded black Oak — lately Cut down, which stood in Mifsells potatoe Ground, and that a New Locust Stake and Stone Marked with three Notches both since removed were fixed in the place of the former — That an old Woman Commonly called the Widow Swine hart, but who as this Deponent — understood after her Husband Swinehards Death had Married to one Grindlar, (or Crandlar) on the Execution of the said Commission, Shewed and proved a place very near to the End of the next Line as now run with Allowance for Variance, as another Corner of Tashers Chance, and that a Stone so large as to Require the Strength of two or three persons to Carry and place the same, was there fixed, but the same was soon afterwards removed — That an old fence formerly and within this Deponants Memory ran in a pretty Streight Direction from a very little to the Eastward of the Grave Yard to about the place where the last Mentioned Stone was fixed and that the Land to the Eastward of that Fence was then in Woods — this Deponent also remembers the old Fence close along Mifsells apple Orchard running nearly as the claim now goes and the peach Tree now shewn where the fence Corner was or very near to it that this Deponent was present when Conrod Keller shewed & proved a marked White Oak now shewn as the Corner or end of the fifteenth line of Tashers Chance

Jacob Young

The Deposition of Michael Haffner and Dewalt Miller both of full Age, being duly Sworn on the Holy Evangelist of Almighty God, respectively and Severally depose and Say, that they respectively saw and heard Geo.

George Shidelar shew & prove on a Land Commission close by a Bounded Black Oak Lately Cut down, the Stumps whereof is now shewn by them and others, and Stands near the road within Mifsells the Defendants Potatoe Ground the remains of a Locust Stake and a Small parcell of Stones as a Corner of Tashers Chance, and that a Locust Stake and Stone, both of which are not long since removed, were fixed in the same place in the presence of the Commissioners — That very near to the End of the next line of Tashers Chance as run by the Surveyor with allowance for variation, the Widow Swinehart Shewed and proved as another Corner of Tashers Chance, and that a Large Stone now gone was there placed in the Ground — The Deponent Dewald Miller further for himself Saith that Some time after fixing the last mentioned Stone and the removal thereof, Several persons being Present, and as this Deponent believes Commissioners on a Land Commission, another Stone was fixed in the place of the former a Hole being Dug still Deeper and Some dead coals which were brought from Mifsells Oven put therein and Covered up, and that the dead Coals was found at the End of the line this Deponent believes are Some of those placed there as aforesd.

Sworn this 5th. day of August 1788 Before Jacob Young

The Deposition of John Waldeck deposeth and Saith that he was present in April or May 1787 when he heard Ge. Berger tell Fredk. Mifsell that there was a Bounded Black Oak where he was clearing which Tree Mathias Boohey told him not to cut, that on Bergers — giveing Mifsell this information Mifsell directed Berger to cut the said Tree and that he this Deponent was present when Geo. Berger in pursuance of Mifsells Orders cut down the said Boundery from the Stump now shewn this Deponent further Says that by order of the Deft Mr. Mifsell he and five or Six other Men cut down a number of trees from the Stump now shewn but how many he cut he does not remember the time of the cutting was three years last Winter.

Sworn to this 15th. day of Aug 1788 Before Jacob Young

The Deposition of Fredk. Heffner aged upwards of Seventy two years being duly sworn deposeth and Saith that he was present where a Black Oak stump now stands on a Commission when Chas. Hedge Peter Stilly & John Middaugh were Commissioners to ascertain the — Boundaries of George Swinehards Land called Suhen Spring, that the Original Bounded Hickory was proved by Gabriel Swinehart George Shiteler and Some other Person not remembered to have Stood in a hole