as the beginning of Bradfords Rest but has no recollection now as to the particular spot where it stood. he further deposeth that he has always from about thirty four years passed lived in the neighbourhood and has ever since he lived in the neighbourhood heard the creek which runs near place called rock creek and by no other name. the says that at the time when he was shewn the stump as the beginning of Bradfords Rest James Beall, John Lachland and Lawrence Oneale were in company, that said Beall and Lachland admitted the stump was the beginning of Bradfords Rest. that John Lachland is dead and that James Beall was alive on Thursday last. he is not positive who shewed the stump and further he saith not.

Allen Bowie

Test Thos. Lindsd Deposition
18th August 1794.

The Deposition of Archibald Orme aged about sixty four standing at the stump mentioned in Edward Hardings Deposition and being duly sworn on the holy Evangels of Almighty God he deposeth and saith that about ten years ago he was employed by Joseph Spriggs Belt to run out Bradfords rest that he was brought to this stump and shewn it as the beginning of Bradfords Rest. that ten or twelve persons were present some of whose names he does not remember that some of the Company present shewed him this stump but he does not remember which of them it was. but the company present generally admitted this to be the said beginning. That about six or seven years ago Thomas Swearingen Jun. who died a few days ago shewed him this stump as said beginning. he further saith that he has always heard the creek which runs near this place called Rock creek and by no other name. being asked by the Defendant whether in any conversation which he had with Mr. Thos. Swearingen said Thomas Swearingen ever mentioned that he considered himself interested in the event of the suit now depending between Thos. Plater Esq. and Samuel Hepburn saith in conversation with said Swearingen before the suit was brought he so understood from said Thomas Swearingen and said Swearingen then observed in particular to the Deponent that he (meaning himself the said Thomas Swearingen) was ignorant and averse to Law and that Col. Forest would assist him in obtaining his right to the Land a part of which is now in Dispute or words to that effect and that the said Swearingen claimed part of the Land as part of Bradfords Rest which Samuel Hepburn claims as part of Hermitage which said Lands this Deponent saith must be affected by the location of the Tract of Land called Bradfords Rest provided the west line of Hermitage is continued to Rock creek the Deponent being asked by Defendant whether at the time that the

said Thomas Swearingen made the above observation he understood that the said Swearingen alluded to the circumstance of an Ejectment being about to be brought by Col. Forest for the land now claimed by the plaintiff. answeth and saith that the said Thomas Swearingen expressed his wishes that a suit might be brought for the lands for which the present Ejectment is brought and was in hopes Col. Forest would bring the suit and further saith not.

Arch. Orme

Test Thos. Lindsd Deposition
18 Aug. 1794

Thomas Peak aged 56 years being sworn on the Holy Evangels of Almighty God deposeth and saith that at or near to the spot he now shews there stood a red oak sapling as thick or a little thicker than a mans thigh and he was present at a running of land made by Thomas Butler about 43 or 44 years ago when he was a boy of Eleven or twelve years of age when Mr. Butler shewed said tree as the beginning tree of his land. and did begin at and run from it. that this deponent was a boy and carried a hatchet at the running then made by Thomas Butler and which running took place from this circumstance viz. that this Deponents father in Law Samuel Carroll held a lease of land from Colonel or Square Plater (said lease land being sometimes called Platers and Hyde's Land) and sold said lease to Billy Condell and a dispute arose between Thomas Butler and Condell about the running of the lines of the said lease land, and to settle the dispute and shew Condell how far he might cut. Butler made the running this deponent now swears to and began the same at the place he now shews, and said it was the beginning tree of his land. this deponent was born about a mile from the Courthouse of Montgomery County and came to live on the land leased by Carroll when about 4 years old and was raised there till about eleven or twelve years of age. this deponent says his father in Law was a tenant to Col. Plater and thinks he paid him 25/. a 100 of slaughtering pen annum. On being asked whether Mr. Butler claimed the land to the westward of the Watery branch to the line shewn to Condell answers he did. Being asked whether he carried the hatchet for any particular purpose answers he did not. but that he marked a tree with in the running being asked where he has lived since he left the place purchased by Condell. answers that for ten years he lived below Bladensburgh & since that he lived in the neighbourhood of the Court house on being asked who acted as surveyor answers that Saml. Carroll did and made use of a pocket compass and a rope instead of chain. that Thomas Dowden Thomas Butler William Condell & this Deponents brother Joel was present at the running. that the said running was done at the request of said Condell and that all the parties that are mentioned above are dead except his Brother Joel who lives in the back part of Virginia. this