The Deposition of Thomas Nicholls aged sixty six years or thereabouts being first duly sworn and standing at a Sunken place about forty feet from three cherry trees deposeth and saith that in the place where he now standeth formerly stood the dwelling house of Thomas Cleland on the land purchased by him of Thomas Ballew that he this deponent was frequently at the house when said Cleland lived in it and further he saith not.

Thos Nicholls Jun.

Test
Thos Linsted Deputy Shff: 10 October 1794

The Deposition of Clement Harding aged about 41 years being first sworn on the holy evangels of Almighty God deposeth and saith that in the year 1763. John Garrot who held the land that Mr Crumpton now holds told this deponent and others that the spot he now shews was Carrolls Corner that this Garrolls land had a called for Carrolls Corner and that he came to this spot that at the time Garrott shewed the spot this deponent went to School and passed the spot now shewed every night and morning for some time - at that time there was a Hickory sapling but was dead when it was shewn him - Question being asked by the plaintiff whether his father did not die possessed of the land adjacent to the spot where he now stands: answer he did. Being further asked by the Plaintiff whether the estate his father died possessed of was not after his mothers death to be equally devided amongst his children of which he is one: answer he so understood it.

Clement Harding

Sworn before
Benjn Ray. September 19th 1795.

The Deposition of Eleanor Harding aged about 61 years being first sworn on the Holy Evangels of Almighty God deposeth and saith that she has been acquainted with the spot she now shews 58 or 59 years that she never heard of this place being the beginning of the Hermitage untill she heard Thomas Peak mention it a short time past. and that she has known him since he was 4 or 5 years of age - that the spot she now shews and for some small distance to the eastward but still further to the Westward and a short distance to the northward was cleared before she had any remembrance of the place which is 58 or 59 yrs she always understood the beginning of the Hermitage was at the Mill dam. that the place she now shews and 250 acres adjoining was willed her by her husband during her widowhood. and was all Deeded to her husband as a part of Hermitage and adjoins the land held by Mr Hepburn Question by the plaintiff - do you think yourself interested in the determination of the Cause now depending between Mr Platter & Mr Hepburn? answer she has been led to believe she is.

Sworn before
Benjn Ray September 19th 1795.

her
Eleanor + Harding
mark

(The)

The Deposition of James Beall aged as above being duly sworn on the Holy Evangels of Almighty God deposeth and saith that he was present when Mr Ballew was laying out the land for Mr. John Hepburn which as he understood was part of Hermitage and that when they were running up the creek above the mouth of the Watery branch Mr Ballew requested this Deponent to stand to the Compass and see that they give poor Pilgarlick as much land as he could. a some such words that by the direction of the said Ballew this deponent ran up with the meanders of each creek a little above the place where Mr. Samuel Hepburn now has a meadow and then reversed the first line of the Hermitage being one hundred and twenty perches to the best of this deponents remembrance where they stopped that as the said first line was then run it crossed the main road now leading to the Court house thro the land now possessed by Mr. Samuel Hepburn. that Mr. John Briggs the surveyor who attended the survey at the time. This deponent does not know for what purpose this running was made that Mr John Hepburn was then present. That more than twenty five years ago it was a common talk of the neighbourhood that the lines of Bradford Rd took in part of the land held by Mr Hepburn that he has run the west line of Hermitage & believes it run nearly where he understands the defendant has located it but he does not recollect ever having been employed to run it. that he thinks when he ran said line it was not more than ten or twelve steps on the one side or other of the said line as shewn to this Deponent as located by the Defendant.

James Beall

Sworn before me
Joseph Cloud
Sept. 29th 1795.

The Deposition of James Beall aged sixty eight years being sworn deposeth and saith that George Dawson thirty years ago occupied the lands lying within the blue lines marked on the platt as a Tenant to John Hepburn father of Samuel Hepburn and that the said lands were enclosed by fences and that part of the lands enclosed by such fences appeared to this Deponent at that time to have been much used. this deponent further says that to the best of his knowledge no person whatever has held the said Lands since he knew them except the said John Hepburn and Samuel Hepburn or those claiming under them and that he has understood for a number of years that the said Land was part of the Hermitage and that he never heard of any person claiming the said Land untill the present suit was instituted except a certain Thomas Swearingen who claimed part of the said Land as being part of a Tract of Land called

(Bedfords Rest)