The Deposition of Joseph Hutton aged 66 years being duly sworn on the holy Evangels of Almighty God deposeth and saith about 24 or 25 years ago Wm Simmons son of Abraham shew his this white Oak where we are now at to be the beginning tree of a tract of Land that he then lived on and that Birtheads land came to the said tree held by Eleanor Bryan – likewise Doctor Richard Johns land came to the same Place being ashed by defendants Council did Mr Simmons tell you the name of the land he then lived on – Answers he dont recollect but I have frequently heard it called Beersheba and bedworth but he thinks it was since the Convayance to Thomas Tillard being ashed by Plaintiff did ~~so~~ the late ~~said~~ William Simmons or any other person ever tell you that this oak was a boundary of the lands of Tench, ~~Dinggold~~ Wilson or Rigby, or did he tell you the name of Birtheads land that Came to this Tree Answers No. and further saith not.

Joseph Hutton

Taken before Ben Howard high Shff of A A County Septr 1789.

The Deposition of William Tillard Aged 54 years being duly sworn on the holy evangels of Almighty God, deposeth and saith that about 22 years ago he saw Jno Prigg run a line for Thomas Tillard and Unum to this Cherry Tree where we are now at, when the land was laid off by William Simmons and further saith not.

William Tillard

Taken before Ben Howard high sheriff of Ann A Coty Septr 1789.

The Deposition of Joseph Hutton Aged 66 years being duly Qualified deposeth and saith that in the year 1753 or 1754. James Trotter come to this Cherry tree and shewed him the sprouts of a pare tree stump and said here formerly stood a pare tree and this Cherry tree was planted in lieu of the pare, tree which was the beginning tree of a tract of land that the said Trotter bought of Mark Guishard called and known by the name of Quick Sale, also Eleanor Ryans land come to the same tree and some time after William Simmons of Abraham shewed him this Deponent the same tree and said his father brought this Cherry Tree and planted it here in lieu of the Pear tree and it was a beginning tree of James Trotters land called Quick Sale and and Eleanor Ryan had a piece of land that Cam up to the same tree Being ashed by Martin Fisher Senr the defendants Manager if he knew the name of the land, Answers No. Being further ashed by Martin

Martin Fisher Senr the defendants Manager how long Elanor Ryan possessed the land to the East ward of this tree, Answers about 26 or 27 years ago, Being ashed by Plaintiff, how long have you been acquainted or connected with Wm Simmons family, Answers about 27 years, Being further ashed by Plaintiff what sort of a man Wm Simmons was and what was his Character, Answers a very honest man, with a fair Character, Being further ashed by Plaintiff, did you never hear that Wm Simmons was a very easy man, and suffered many impositions by others taken wood from off his land. Answers he knows nothing about wood, but he suffered many impositions Being further ashed by Plaintiff who Imposed on him Answers Abraham Fisher by moveing his fence down to a small thickett which William Simmons Claimed and the said Simmons told Abraham Fisher in the presence of of this deponent that he would not rest untill he got into his Thickett and the said Wm Simmons was very angry with Abraham Fisher, Being further ashed by Plaintiff did Wm Simmons informe you what Interested Abraham Simmons in planting the Cherry Tree here or by what authority it was done Answers he was not informed, Being further ashed by Plaintiff if he knows whether Martin Fisher the Elder was ever in Possession of the land to the Eastward of this tree, Answers No. Being ashed by Martin Fisher Senr the defendants Manager if he was present when Philip Darnall shew this tree as the beginning of Quick Sale answers yes, Being further ashed by Martin Fisher Senr the defendants Manager if Mr Darnall did not known of any boundarys to the Eastward of this Tree, Answers No and that Mr Darnall informed him that did not know any of the lands to the Eastward of this Tree, and further saith not.

Joseph Hutton.

Taken before Ben Howard high Shff of A.A County, Septr 1789.

The deposition of Joseph Hutton aged 66 years being duly sworn deposeth and saith that he this deponent came from the Cherry Tree with James Trotter to this white oak we are now at and the said Trotter told this deponent that this oak was the second Tree of the land he brought of Guishard and that Eleanor Ryans and William Simmons (of Abraham) land came to the same tree some time after Wm Simmons (of Abraham) come up from the Mill pond with this deponent to this oak tree and said it was a bounded Tree of James Trotters land and Eleanor Ryans land and his came to the same tree