North and further this deponent saith not. Taken and sworn to on the survey this eighth day of September 1798.

Geo: Gould: Presbury Jnr.

Whereupon the parties aforesaid by their attornies aforesaid pray leave of the Court here to amend their platts and Certificates returned to the Court here in this Cause and to add there to if necessary, by the second tuesday of May next and to them it is granted and the same are delivered to the Sheriff and surveyor of the County aforesaid for that purpose – Thereupon further process of and upon the premises aforesaid between the parties aforesaid by order of the Court here thereon is further continued untill the second Tuesday of May next.

A which said second Tuesday of May being the fourteenth day of the same month in the year of our Lord one thousand seven hundred and ninety nine, comes again into the General Court here as well the aforesaid Henry Goodright Lessee of the aforesaid James Gittings by his attornies aforesaid as the said Aquila Hall by his attornies aforesaid And the said Sheriff and Surveyor of the County aforesaid to whom the said Platts and Certificates were delivered to be amended return the same to the Court here as amended with the following Depositions to wit.

James Gittings Lessee against Aquila Hall

The Deposition of Greenbury Barton aged fifty nine years of age and upwards being sworn on the Holy Evangelist of Almighty God deposeth and saith that about twenty four years ago he this deponent was an overseer for Parson Deen and the said Deen sent for this Deponent and asked him if he could fence this meadow in this Deponent replied he believed he could he said to this Deponant cut down that big white Oak in the Corner this deponent asked him if it was not a bounded tree he said it was not but that Doctor Lingham claimed it for his bounded tree but it was not, I replied that there was twelve four Notches on it but he said, I say cut it down this deponent came home next morning and set the negroes to Cut it down and they did cut it down and when the first cut was Cut off he set one of the Negroes to mawl it this deponent stood at the cut with his ax and many of the notches if not the whole appeared into the heart of said tree this deponent also saith that Moses Green came to the same Stump as now shewn the sheriff and surveyor

Surveyor to the best of his knowledge and proved that it was the beginning tree of Gasoways Ridge being asked by the defendant was you ever sworn at this Stump this Deponent saith he was Before whom was you sworn this deponant saith before Hercules Cortney Being asked as above at whose instance was you brought here this Deponent sath he was brought here at the instance of James Bosley in the year one thousand seven hundred and seventy seven Being asked by the Plantiff, Did you never hear of any other begining for Gasoways Ridge, this Deponant saith he did Being asked as above who ever shewed you the other tree, this deponant saith it was never shewn to him but was by Robert Bishop the other people when he was in Company and further this deponent saith not. Taken and sworn to on the survey this 6th May 1799 for Deft.

Greenbury his B mark Barton

Aquila Hall at suit James Gittings

The Deposition of Asael Barton about fifty eight years of Age being sworn on the Holy Evangelist of Almighty God deposeth and saith that about thirty two years ago he this deponent saw Mr. Goldsmith Presbury run part of the second line of Thompsons Choice and he ended at or near the oak now shewn the sheriff and surveyor and not exceeding eighteen feet from said Oak on the right side of said Tree and this deponent further saith that he does not remember who Mr. Presbury run the land for but Mr. Thomas Gittings Senr was present at the time of running the said land and this Deponant further saith that Mr. Gittings some time afterwards said he thought Mr. Presbury run it the truest that he ever saw any one run it before Being asked by the Plantiff Doth you know at what begining they begun to run Thompson and wheather they run it Course and distance, this deponent saith he dont know at what begining they begun but expects they run it Course and distance and further this deponant saith not, Taken on the part of the Defendant this 28th day of January 1799.

Asael his mark Barton

James Gittings Lessee against Aquila Hall

The Deposition of Asael Barton about fifty eight years old being sworn on the Holy Evangelist of Almighty God deposeth and saith that about thirty seven years ago Thomas Gittings shewed the place now shewn the sheriff and Survey to this deponent William Godsgrace and Patrick Branham Surveyors to be the beginning of a track