Whereupon the parties aforesaid by their attornies aforesaid pray leave of the Court here to complete their survey under the old warrant by the second tuesday of May next and to them it is granted. Thereupon further process of and upon the premises aforesaid between the parties aforesaid, by consent of the said parties and their attornies aforesaid, and by order of the court here thereon is continued untill the said second tuesday of May next following At which said second tuesday of May being the tenth day of the same month in the year of our Lord one thousand seven hundred and ninety six, to which said day the parties aforesaid had leave to complete their survey, under the old warrant, comes again into the General Court here, as well the aforesaid Thomas Goodright Esqr of the aforesaid Cornelius Howard by his attorney aforesaid, as the said John Cromwell by his attorney aforesaid But the Sheriff and Surveyor of the County aforesaid to whom the said warrant of Resurvey was in form aforesaid directed make no return thereof to the Court here: whereupon the parties aforesaid by their attornes aforesaid, pray further leave of the Court here to complete their survey under the old warrant by the second tuesday of October next and to them it is granted: Thereupon further process of and upon the premises aforesaid between the parties aforesaid, by consent of the said parties and their attornies aforesaid, and by order of the Court here thereon is further continued until the said second tuesday of October next following. At which said second tuesday of October being the eleventh day of the same month in the year of our Lord one thousand seven hundred and ninety six, to which said day the parties aforesaid had leave to complete their survey under the old warrant, comes again into the General Court here, as well the aforesaid Thomas Goodright Esqr of the aforesaid Cornelius Howard by his attorney aforesaid, as the said John Cromwell by his attorney aforesaid. but the Sheriff and Surveyor of the county aforesaid, to whom the said warrant of Resurvey was in form afsd directed make no return thereof to the court here, and file in Court here the following depositions taken before them to wit

Cornealious Howard Lessee against John Cromwell	The Deposition of John Marsh aged about fifty three years or thereabouts deposeth and saith that at the place he now stands

was shewed to him by John Shermedine and John Marsh deceased a cherry tree, which tree they told him were a bounded tree of a tract of land called Mount Organ. question by plaintiff.

Whether this Deponant ever heard of a dispute between John Simpkins and William Lyon respecting the lines or boundaries of a tract of land called Mount Organ; Answer Yes. Question Whether he ever heard how the Dispute ended; Answer, he understood by arbitration about thirty years ago Question by Defendant, Whether this Deponant ever was shown the tree, before or since, Answer, He thinks before and since. Question Whether he ever heard John Marsh say that they attempted to remove the bounded tree. He answered "Yes" But did not know how it was that they attempted to remove it and further saith not.

John Marsh

this 29th August 1796 H. Stevenson Sheriff

Cornealious Howard lessee against John Cromwell	The Deposition of Stephen Shermadine aged about forty four years or thereabouts Deposeth and saith, where he now stands

was shewed to him a cherry tree, by wich tree was planted a stone to perpetuate the boundary of a tract of land called Mount Organ, wich tree and stone above mentioned was shewed to him by his Farther John Shermadine, and several others to be a boundry of the aforesaid land and that his father had gave him a charge, to see that it was taken care of, and not let it be destroyed. And this Deponant further saith, that he has seen this place. Ran to or from several times. Question by plaintiff. Whether this Deponant was interested by said tree or not, Answer, not in the least to his knowledge

Taken & sworn on the survey this 29th August 1796. H. Stevenson Shff

Whereupon the parties aforesaid by their attornies aforesaid pray further leave of the Court here to complete their survey under the old Warrant by the second tuesday of May next, and to them it is granted Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their attornies aforesaid, and by order of the Court here thereon is further continued untill the said second tuesday of May next following.

At which said second tuesday of May being the ninth day of the same month in the year of our Lord one thousand seven hundred and ninety seven, to which said day the parties aforesaid had further leave to complete their survey under the old warrant, comes again into the General Court here as well the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard by his attorney aforesaid as the said John Cromwell by his attorney aforesaid: But the Sheriff & surveyor of the County aforesaid, to whom the said warrant of Resurvey was in form aforesaid directed, make no return thereof to the Court here and file in Court here the following Depositions taken before them to wit

Cornealious Howard's Lessee — against — John Cromwell

The Deposition of John Marsh aged about 83 years who being summoned (and