surveyor and others came to run William Lech's Lees land and he the deponent heard the said James Moore say that the place now shewn the sheriff and surveyor was the beginning of the said Lees land and that the said Moore run the said land from this place; and further this deponent saith not.

Taken and sworn to on the survey this 22d day of August 1798. } Benjamin his mark Roberts.

Francis Darnall's Lessee vs William Goodwin

The deposition of Sutton Gudgeon aged about forty six years being duly sworn on the holy Evangelist of Almighty God deposeth and saith that about Eleven or twelve years ago a Certain James Moore surveyor told him that a Certain Richard Ward had told him the said Moore that a Certain Smith had told him the said Ward that at the place now shewn the sheriff and surveyor stood a bounded spanish oak tree of Darnall's Land; and further this deponent saith not.

Taken on the survey this 22d day of August 1798. } Sutton Gudgeon.

Whereupon the parties aforesaid by their attornies aforesaid pray further leave of the Court here to Complete the said survey under the warrant of resurvey herein before mentioned by the second Tuesday of May next, and to them it is granted the same day is given to the parties aforesaid then and there and soforth.

At 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 said Richard Smith Lessee as aforesaid by Aquila Hall and Philip Barton Key his attornies as the said William Goodwin by his attornies aforesaid and the sheriff and surveyor of the County aforesaid to whom the warrant of resurvey herein before mentioned was in form aforesaid directed and under which leave was given to Complete the said survey make return thereof to the Court here with five plots and Certificates thereto annexed; Whereupon the parties aforesaid by their attornies aforesaid pray leave of the Court here to amend the said Plots and Certificates and add thereto if necessary by the second Tuesday of October next and to them it is granted, and the same are delivered to the sheriff and surveyor aforesaid for that purpose. Thereupon further process of and

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 second Tuesday of October next.

At which said second Tuesday of October being the eighth day of the said month in the year of our Lord one thousand seven hundred and ninety nine comes again into the General Court here as well the said Richard Smith Lessee as aforesaid by his attornies aforesaid as the said William Goodwin by his attornies aforesaid, and the sheriff and surveyor of the County aforesaid to whom the said Plots and Certificates were delivered for the purpose of amending or adding thereto if necessary return the same to the Court here as annexed; Whereupon the parties aforesaid by their attornies aforesaid pray further leave of the Court here to amend the said plots and Certificate and to add thereto if necessary 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 second Tuesday of May next.

At which said second tuesday of May being the thirteenth day of the said month in the year of our Lord one thousand Eight hundred comes again into the General Court here as well the said Richard Smith Lessee as aforesaid by his attornies aforesaid, as the said William Goodwin by Luther Martin his attorney aforesaid and the said Richard Smith Lessee as aforesaid by his said attornies offers himself ready for trial in the plea aforesaid thereupon the said William Goodwin by his said attorney suggest to the Court here that he Cannot safely proceed now here to the trial of this Cause because the plots and Certificates in this Cause returned are defective and prays further day may be given by the Court here to amend the said Plots and Certificates and to add thereto if necessary; and for that it appears to the Court here that the said Plots and Certificates are defective and that an amendment thereof is necessary for the trial of the merits between the parties aforesaid, a further day is given by the Court here to the parties aforesaid to amend the said plots and Certificates and to add thereto if necessary untill the second Tuesday of October next. It is also Considered by the Court here that the said Richard Smith Lessee as aforesaid recover against the said William Goodwin the sum of nine dollars and quantity of two hundred and thirteen pounds of Tobacco for his Costs and Charges by him sustained about his suit in