This deponent further saith, the pond of his Mill is very small the ditches leading to it very large and the fall very rapid. This deponent further saith that he conceives the cutting of ditches to lead to swamp Mills must in general be injurious to them, tho' it may in some instances conduce to give them Water which they would not otherwise have which may be useful to them: He further deposeth that it hath sometimes happened that the number of ditches leading to his Mill pond hath given him a supply of Water in the Summer Season which he otherwise would not have had, owing he supposes to the great fall & the size & number of such ditches & the smallness of the pond, but he apprehends his Mill is stopt much sooner in consequence of such ditches in the spring season; he is of opinion that the ditches are of disadvantage to his Mill in the general. Sworn to this 26th day of May 1791, in open Court.

Test Thomas Hayward Jr of Sam. Coty.

The Deposition of Gillis Polk Esquire of lawful age being first sworn on the holy Evangels saith that he is not an owner or very particularly acquainted with swamp Mills, but is from his own observation & experience of opinion that the cutting of ditches through such swamps as give a natural supply of Water to what are commonly called swamp Mills greatly injure such Mills by throwing in suddenly upon them the bulk of the Waters contained in such swamps, which they are consequently obliged to vent immediately, whilst if such Waters fell into the swamps in their natural course they would give such Mills a gradual & useful supply of Water; This deponent further saith that the degree of injury occasioned by such ditches must depend upon the size of the Mill pond, the number of such ditches; the Quantity of Water conveyed by them & the time in which it is so conveyed, and he apprehends that in all cases where swamp Mills are sufficiently supplied with Water without ditches that such ditches are an injury as they occasion the Water to be sooner expended. On cross examination this deponent saith

that he thinks no swamp Mills within his knowledge would have been injured by ditches within the last year but would have been benefited. This deponent on cross examination by Mr. Gale further saith that in March last he had conversation with Mr. Denwood Wilson respecting his ditch leading down to West locks Branch, when Mr. Wilson informed this deponent he was of opinion he could drain his Lands another way, this deponent then supposed through his own Lands, but not from any thing that Mr. Wilson said, but has since conceived it might be in consequence of the draining law tho' nothing of that sort was intimated to him at the time by Mr. Wilson, no particular part of Mr. Wilsons Lands & swamps were mentioned in the conversation before mentioned. This deposition sworn to in open Court this 26th day May 1791.

Test Thomas Hayward Jr of Sam. Coty.

The Deposition of George Waggaman Esquire of lawful age being first sworn on the holy Evangels saith that he hath been possessed of a swamp Mill that works only in Winter about three years, and that he doth not no whether it is an advantage or disadvantage, that his Mill is watered by swamps that is ditched into his pond, for as much as some of said ditches was cut before his Mill was erected; and this deponent further saith that there has been some ditches cut into his pond since he built his Mill, and that if he had choice he would rather they had not been cut; this deponent further sayeth that he has been acquainted with Mr. Gale's Mill for three or five years, and is of opinion, that if the swamps adjoining here are drained by ditches being cut to lead the water into the pond that it would ~~greatly~~ in great Measure render the Mill useless, and also thinks that any ditch which would draw any more water into the pond suddenly when the swamps are full would tend to the injury of the Mill. This deponent also saith that he is acquainted with the Ridge p.D. and has seen the two ditches marked A-2- and thinks that the highest part of the ridge is about six or seven feet higher than the swamp on each side, at the spot where the ditches terminate, and also says that the part of the ridge which is described by B.4 is about two feet higher than the swamp on each side of it, and thinks that a ditch four