

he was about to enter his land he made an examination of this line of the sections seven and fourteen, for the purpose of finding the corner now in dispute; I followed the blaze & line along from the N.E. corner of said section 14 which was blazed along outside of the fence now built - I saw the hickory spoken of and I rather think that there was a block taken out of the hickory but not positive; I saw nothing to satisfy me where the corner was - there were marks on the black oak, but I cannot state what they were - No clearing when he examined - some guidelines but not near the line.

Elias Harford.

Also came Samuel Robinson, of lawful age being duly sworn according to law, saith that he believes, that the black oak stump near the fence (sworn to by others,) from the survey made by him some fourteen or fifteen years, for Wm Bird, and from the survey made on yesterday, the 21st of July 1846, was one of the bearing trees, by which the said corner now in dispute was established originally and that the actual corner was ascertained and that by the field notes; It is also the opinion of the witnesses that the distance from the black oak to the corner, and from where the hickory stood to the corner was taken down wrong by the original surveyor, and that they were by him transposed, for this reason, If the distance applied to the black oak from the corner, had been applied to the hickory and that of the hickory to the black oak, it would have established the corner or quarter post nearly or quite on a direct line from one corner of the section to the other; at the time I surveyed for Wm Bird above referred to I commenced at the quarter post on the north line of section seven, run a random line through to the south line of said section, forming also the north line of section fourteen - I came out some fourteen or fifteen rods west of the corner now in dispute, traced the line east - found the corner bearing trees then standing took one or two sights and blazed in some little distance north, west