

Q 39.

two gums, one about 18 inches over and the other about six or eight - witness girdled and peeled the bark off all the timber - The east and west section line run near where the fence now stands, the line was blazed - No marks on the black oak or notch or other mark of a bearing tree - but the was blazed as if on a line running east and west - the small gum was not girdled but stood green six or eight years - I was along when Robinson run the line for Mr Bird referred to by Mr Bird, Mr Robinson did not run the line from south to north farther than from the corner of Mr Bird's land then north; on the line that Mr Robinson run to day, at the S.E. corner of Bird's land he did not run on the line which he run for Mr Bird before referred to, but run on the east of it - at the corner which he Robinson set for Bird at the time he surveyed for him two or three rods. There was no trees marked when Robinson run through for Bird until he reached the corner of Bird's land does not recollect the bearing trees of the corner here on this section line, nor where they stood, cannot say where abouts the bearing trees stood - not a single blow struck at this corner in dispute between Spurgeon and Beardslee at the time Robinson found the corner when he surveyed for Bird. Question By B was there a block chopped out of either of those hickories which stood in the field? Ans, Does not recollect of any. - cannot say how many years since Robinson surveyed for Bird. - carried chain part of the way coming south; cannot say whether Mr Robinson found the corner here in dispute or not, at the time he surveyed for Bird, did not take any notice.

Wm Spurgin.

Also came Elias Harford, who being of lawful age, & bring first duly sworn according to law.

To this testimony objection is made on the ground of interest as the establishment of the corner in question may decrease the quantity of his land. Mr Harford, states, that when