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To the 4th Interrogatory he answereth that he has understood but does not know from whom that Valentine and Charles each built a house on said land to live in he has no further knowledge except what has been already answered.

Daniel Zacharias aged about 28 years produced on the part of the complainants being first duly sworn deposeth as follows.

To the 1st Interrogatory he answereth he knows the complainants and their father Valentine Flegle deceased and has known them since he can remember, he also knows the defendants, but has not known them long.

To the 2d interrogatory has no knowledge.

To the 3d & 4th Interrogatories he answereth he knows that Valentine Charles and Jacob Flegle three of the complainants lived in separate houses on said land but does not know who built the houses they lived in.

To the last interrogatory he answereth that Valentine Flegle deceased father to the complainants came to the deponents father and in this deponents presence offered to sell his land to the deponents said father who observed to him he ought not to sell the land that he had given it to his sons that if the said Valentine was not content to live at home to come and live with him and when tired there he might try some other, he said his sons had treated him ill, that he would disinterest his sons he went off in a pout saying he would live with none of them he had money enough to live on, this took place some short time before he married his second wife and believe he was then courting her, that at this time Valentine deceased was very helpless, used two cains in walking at times, learned several times from said Valentine Flegle that he was then upwards of eighty years old

Adjourned to meet at the house of Peter Shoemaker on the 2d monday in January next at 10 o'clock at the request of the defendants.

At Peter Shoemakers Tavern monday Jany 13th 1806 agreeable to adjournment the commissioner met and proceeded to take the following depositions.

John Marker aged about 50 years a witness produced on the part of the defendants being first duly sworn deposeth as follows to wit.

To the 1st Interrogatory he answereth he knows the parties except Valentine the son who he has seen twice, he knew Valentine Flegle in his life time.

To the 2d Interrogatory he answereth that Valentine Flegle deceased had

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eight children viz the four complainants his sons the wife of Daniel Zacharias, the wife of Joseph Dagey the wife of John Cover and David Stoner.

To the 3d Interrogatory he answereth he knows the land Valentine Flegle deceased owned in his life time, the quantity as the said Flegle informed the deponent was one hundred and fifty acres but does not know the names of his land

To the 4th 5. 6. 7. 8. 9. 10 & 11th Interrogatories not put.

To the 12th Interrogatory he answereth he knows nothing of any improvements made by Jacob Flegle on the premises in question, nor when he was first married his first knowledge of him was when he the deponent moved on Jacob Shirmans Land that said Jacob Flegle moved from the back woods to said premises and lived there this was about nine or ten years ago.

The 13th 14th 15th & 16 Interrogatories not put by request of the defendants.

To the 17th Interrogatory he answereth that Valentine Flegle in his life time had him put out by a jury.

The remaining Interrogatories except the last not put

To the 24th Interrogatory he answereth has no knowledge.

William Durbin junr aged about 32 years a witness produced on the part of the defendants being first duly sworn deposeth as follows to wit.

To the 1st Interrogatory he answereth he knows all the persons mentioned in the interrogatory and has known them since he knew any body.

To the 2d Interrogatory he answereth he knows eight and believes they were all the children of Valentine Flegle deceased had by his first wife four sons and four daughters.

To the 3d Interrogatory he answereth he knows the plantation that the old man had very well and knew that Spring garden was a part of said plantation but does not know any other names of said land.

To the 4th Interrogatory he answereth that Valentine Flegles first wife died either in the year seventeen hundred and ninety six or seven his daughters were then all married and had left their father house.

To the 5th Interrogatory he answereth he has heard Charles Flegle one of the complainants say that his father had laid off his land in lotts for his sons but does not recollect that he heard it from any other particular person but has often heard it in the neighbourhood.

The remaining interrogatories not put

John Mitten aged about 63 years a witness produced on the part of the defendants being first duly sworn deposeth as follows to wit:

To the 1st Interrogatory he answereth that he knows Charles