by any of Mr Thompsons sons who are now dead, to prosecute their claim to the said Land.

Ann Thompson on her oath aforesaid deposeth and saith

Item. to the 14th Interrogatory of Complainants this deponent saith that just before Francis Nicholas Barberry was drowned he had agreed verbally with Mr Philip Ford that he Ford was to bring a suit in Chancery for the Land, that Mr Ford wanted him to give him a deed for the Land, he Barberry he now said he had no right to it as long as his mother this Deponent lived. That about eleven years last November Major Walker observed to E. J. Milland who was present that Mr Ford had applied to Mr Thompson and this Deponent to buy the Land, that this Deponent observed she supposed Major Walker would give more, he Walker replied Madam you are very right and laughed, further this Deponent saith not.

Then adjourned to Monday next 11 o'clk A.M. at the Tavern at Lemard Town.

Monday 5th August 1816 met agreeably to adjournment when were the following proceedings to wit.

Interrogatories produced to and left with the commissioner by Defendant this day to wit.

1st. What was the value of the Land on which Mrs Milly Walker now lives about the year 1792 per acre, and what quantity of said Land could then be cultivated?

2nd. Was not the land about the year 1792 very bare of timber?

3rd. What number of houses and what were their condition as to repairs about the year 1792 on said Land and what number are there now and what is the condition as to repairs of said houses and who built or repaired them?

Jeremiah Graves aged about 58 years being first duly sworn on the Holy Evangelys of Almighty God.

Imprimis. To the 1st Interrogatory of Complainants this Deponent deposeth and saith yes

Item. To the 2d Interrogatory of Complainants, this Deponent deposeth and saith, when he first knew the Land Mr Mangas possessed it, who was the mother of Mr Thompson. Mrs Mangas was the widow of Francis Thompson before she married Mangas

Item. To the 3d Interrogatory of Complainant this Deponent saith, that he does not know.

Item. To the 4th Interrogatory of Complainants this Deponent saith, that he does not know anything about it.

Item. To the 5th Interrogatory of Complainants this Deponent saith that he does not know.

Item. To the 6th Interrogatory of Complainants this Deponent saith that he cannot recollect when Patrio Barberry died, he was present when Francis Thompson died at the fishery, but does not know the year.

Item. To the 7th Interrogatory of Complainants this Deponent saith, that he does not know, some time, but he does not recollect how long, he did not keep an account, about two years he thinks, but he was not interested, therefore did not take particular notice.

Item. To the 8th Interrogatory of Complainants this Deponent saith he knows not.

Item. To the 9th Interrogatory of Complainants this Deponent saith the buildings were, may be a good deal out of repair, the Dwelling house was a good deal out of repair, Major Walker lived in an off house until he repaired.

Item to the 10th Interrogatory of Complainants this Deponent saith he knew James Morgan very well, he was called in to do some work for said Morgan to mend a carriage harness, he told Morgan there was a piece of Land that would suit him, he Morgan replied that he had bought all the land that he ever should buy, he stated his ill health, he asked this Deponent what land was to be sold, he, assented and told him that Zachariah Mallengly said he Mallingly was security for Bennet Walker and that he expected the Land called Bayley's would be sold after bond under execution. Morgan told this Deponent that he had once thought to have got nearer the water, when the Land where Mrs Walker now lives was sold under execution by Henderson, Ferguson and Gibson that he went to his brother Ralph's to borrow money to buy the Land, his brother told him to bid off the land and he should have the money. Major Walker came afterwards to James Morgan's house and said as Morgan told this Deponent

Jammy I understand you mean to bid for this Land, have you no more feeling. Mrs Barberry is a poor weakly woman with a house full of children, and that he Walker wanted to save the land for her children, and that in consequence he Morgan did not go to the sale or bid for the land. that this conversation was in October he thinks and he Morgan died in March following but won't say certainly, that his wife asked Morgan several times to lay down, but he would keep up, when she insisted he should rest himself alluding to his illness saying he was too weak to set up and talk. Mrs Morgan insisted for her husband to lay down when she said she knew he was so fond of talking with Mr Graves. Mr Morgan was labouring under a consumption at that time, of which he died and had given up all hopes of recovery

Item. To the 11th Interrogatory of Complainants this deponent saith he knows not of any contest between them he knows not where Francis Thompson was when the Land was conveyed, or what became of James Barberry he understood he was drowned at sea, he never understood he ever married, he has only one brother and one sister alive. Nicholas Barberry and Ann Barberry, now Mrs Oehler

Item. to the 12th Interrogatory of Complainants this Deponent saith, that Francis Nicholas Barberry was drowned in Britons bay, as he has understood, he was out of his apprenticeship when he died, he dont recollect when Thomas Patrio Barberry died, he reckons he died in the winter or spring before the last, he died at his mothers Mrs Thompsons.

Item. To the 13th Interrogatory of Complainants this Deponent saith, he does not know the ages of Nicholas Barberry or Rose Ann Oehler, this Deponent saith that he expects that they were in a low circumstance as their Father left them so.

Item to the 14th Interrogatory of Complainants this Deponent saith, that he knows not, and further saith not.

Upon a cross examination of this Deponent, the Defendants counsel put the following interrogatory "Did you not say yesterday that your oath would not compel you to relate anything in favor of the party who had not summon you, and that you would not say anything in favor of the parties in this case, who had not summoned you without they would summon you also?

The counsel for the Complainants objected to the questions being put to the Deponent Jeremiah Graves.

The Commissioner determined the said question should not be put.

Arthur Thompson being further examined upon his oath aforesaid.

Item to the 1st Interrogatory of Defendants, he deposeth and saith, there was sixty acres of land where Mrs Milly Walker now lives, he calls it upon the sea board, he declares he can't say, he is not a good Judge, he would suppose ten Dollars per acre at the least or perhaps twenty there was considerable of the Land in cultivation he imagines they planted from thirty to thirty five thousand corn hills besides, pea patches, potatoe patches, cotton patches, and some flax and oats. there were gentlemen and ladies lived there, they had all complete and nice in his time.

Item to the 2d Interrogatory of Defendants, this Deponent saith, that it was, and so it is now, but particularly of the right sort, possibly twenty acres in pines he expects, there was some Gums, Cypamores, poplars and Maples, a swamp full included in the twenty acres.

Item to the 3d Interrogatory of Defendants this Deponent saith, there was the great house Kitchen Milk house and the shop which is there now. The kitchen was very good, the milk house a very complete one, and is there yet, the kitchen has been removed since from the place where it then was to where it is now, and a brick chimney put to it, from the landing Mr Walker moved up ahead and put it to the chimney end of the kitchen. likewise on that Thursday he met and was sworn, he forgot one circumstance, he counted since and found the meat house ten feet square, and there is the new part of the Dwelling house added by Mr Walker and further this Deponent saith not.

Then adjourned to Tomorrow Tuesday 6 Augt 1816 met agreeably to adjournment, when adjourned to Friday next.

Friday 9 August 1816 met agreeably to adjournment

Interrogatory produced to and left with the Commissioner by the Defendants this day to wit.

Interrogatory 1st From the year 1792 to the death of Patrio Barberry what was his pecuniary situation, and state particularly if he was embarrassed and frequently under execution?

Jere Alvey being further examined upon his oath aforesaid deposeth & saith.