and is in pretty good repair, there is a cellar under it which was strengthened by Major Walker. the building and repairs since the year seventeen hundred and ninety two were made at the expence of Major Walker and further this Deponent saith not.

Jeremiah Graves aged about fifty eight and fifty nine years being first duly sworn on the Holy Evangels of Almighty God.

Imprimis. To the first Interrogatory of the Defendants this Deponent saith not more than from twenty to twenty five shillings and not more than Eight or ten thousand corn hills could then be cultivated.

Item. To the 2d Interrogatory of Defendants this Deponent deposeth and saith there was no timber on the land not even fire wood, probably some scattering cedars.

Item. to the 3d Interrogatory of Defendants this Deponent deposeth and saith there was a dwelling house, two fire places and a chimney, a double house, a kitchen and shop, probably built by Mr Mangus who was a Smith, and a meat house, this deponent saith that he was not a great deal there, but believes the houses were much out of repair, so much so that Major Walker till he repaired he believed lived in the shop. he knows not the situation of the kitchen as to repairs in seventeen hundred and ninety two or any of the other dates their state of repairs about that time, there are now on the land a dwelling house with an addition to it built by Major Walker, the kitchen was removed from its former situation to the spot where it now stands, which was weather boarded by Major Walker, there put to a chimney, the kitchen and in which there is a fire place, as to the covering of the kitchen he has no recollection, Major Walker moved the granery from the warf shed adjoining and put a carriage house at the end, there is a dairy or meat house on the land. The Dairy he expects was there prior to the year seventeen hundred and ninety two and the other put there by Major Walker the meat house is in very good repair at this time, and the dairy appears not to be in good repair the made use of as a milk house. there is a small necessary house in the garden and further this Deponent saith not.

Arthur Thompson aged sixty three years or there about being first duly sworn on the Holy Evangels of Almighty God.

Imprimis to the first Interrogatory of Defendants this Deponent deposeth and saith that he considers himself not to be a judge as to the price of the Land and the quantity of the Land that could be then cultivated. was about from thirty to thirty five thousand corn hills and about two acres in truck patches and Gardens.

Item to the second Interrogatory, this Deponent saith yes, it was scarce.

Item to the third Interrogatory of the Defendants. this Deponent deposeth and saith, there was a Dwelling house with two rooms below besides the hall the roof for nearly two years never leaked prior to the year seventeen hundred and ninety two, and all the glass was in the windows, a very driving snow or rain the house would sometimes be a little wet at the table end but not to injure any thing in the house. The kitchen about seven or eight years prior to the year seventeen hundred and ninety two Mr Mangus gave a hogshead of Tobacco to build, he had a fine Milk house built at the same time, but have no knowledge what it cost, there was a shop a very good house, which was made use of for two or three years as a store by Nicholas Barberry, brother of Patrick Barberry at this time there is on the land a dwelling house a kitchen, a meat house twelve feet square, a shop, a store house, and corn house since the year seventeen hundred and ninety two the houses have been repaired by Major Bennet Walker and are now in a very good state of repair. and further this Deponent saith not.

Arthur Thompson Zephaniah Jarvine and Jeremiah Graves each proves one days attendance as witnesses on the part of the Defendants.

Adjourned till Saturday the 1st March Anno Domini eighteen hundred and seventeen.

Test. Jno Lewis Millard clk to the Commissioner

Saturday the first day of March Eighteen hundred and seventeen. The Commissioner met agreeably to adjournment and summons issued for Ann Thompson to testify for Defendants

returnable the third day of March Eighteen hundred and seventeen and for the want of Witnesses adjourned till Monday the third day of March Instant.

By order Jno L. Millard clk.

Monday the third day of March Eighteen hundred and seventeen met according to adjournment at the Tavern in Leonardtown when there was an adjournment to meet immediately at Enoch J. Millards room.

Jno L. Millard clk

Met agreeably to adjournment; when was the following proceedings to wit.

Additional Interrogatories produced to and left with the Commissioner by the Defendants this third day of March Eighteen hundred and seventeen.

2d. Was there any understanding between you and Patrick Barberry or any other person and yourself, that you were to act as trustee or bid the Land in for Francis Thompson or any other person?

3d. Did you understand that any other person than Bennet Walker was to bid as trustee or for the benefit of James Barberry, Francis Thompson or any other person?

6th What consideration induced you to execute the Deed for said Land to Nicholas Barberry and Rose Ann Barberry and were you not advised that if you did not execute a Deed you could not be a witness to recover said Land?

7th Was not Patrick Barberry much straightened in his pecuniary circumstances for a considerable time before his death, and did he not die Insolvent.

Arthur Thompson upon his oath aforesaid. Imprimis to the fourth Interrogatory of the Defendants this Deponent saith no.

To the fifth Interrogatory of the Defendants this Deponent saith he never heard of any.

To the sixth Interrogatory of Defendants this Deponent saith when the Complainants by their counsel objected to the sixth Interrogatory, when the commissioner determined that the said question should not be put to the Witness Arthur Thompson.

To the seventh Interrogatory of Defendants this deponent saith that he cannot tell, he had a considerable estate in Ireland as he was informed the amount of which he did not know, and further this deponent saith not. The Defendants counsel on requiring the fourth, fifth sixth and seventh Interrogatory to be put to Arthur Thompson.

William Dunbar aged fifty years or thereabouts being first sworn on the Holy Evangels of Almighty God.

Imprimis to the first Interrogatory of the Defendants this deponent saith not exceeding two Dollars and a half per acre, this Deponent further saith that not more than from five to six acres could be cultivated to advantage about the seventeen hundred and ninety two.

To the 2d Interrogatory of Defendants this Deponent saith the Land was quite bare of every description of timber, it had some pine and cedars of a young growth, there was some small growth of swamp willow alder &c &c.

To the third Interrogatory of the Defendants, this Deponent saith that there was a Dwelling house, an old Kitchen, and a house under the hill called the shop, the shop appeared from the distance of the dwelling house to be intolerable repair, tho' he had never been in it, at that time, the Dwelling house was old and in very bad repair indeed inside and out, it had a brick chimney, the kitchen to the best of his recollection appeared to be very much out of repair, more so than the dwelling house, it had a black and very old appearance, there are five houses on the land now two of which were built by Major Bennet Walker after the year seventeen hundred and ninety two, to wit a meat house, perhaps about twelve feet square which looks to be tolerably good, a corn house shedded on both sides for stables intolerable good repair, some of the weather boarding (as probably) knocked off, the kitchen appears to be in tolerable repair now, Major Walker had a shed put to the chimney end of it, The Dwelling house has gone through a complete repair and in his opinion the same chimney as to the old house, the addition of twelve feet by twenty four, two story high was built by Major Bennet Walker with a cellar under it probably under the whole house, and further this deponent saith not.

Interrogatory produced to and left with the commissioner by the Complainants this third day of March Eighteen hundred and seventeen.