he thinks to be worth six or seven dollars per acre, and Hog Range to be worth about seven dollars per acre.

Test. John Barnes Clk
Charles County Court.

Jany 29th 1833.

Robert Digges a witness produced on the part of the purchasers being duly sworn in open Court deposeth and saith.

Question. Was you spoken to by John B Wills to attend the sale of these lands and bid for the lands for him Wills.

Answer. He was spoken to by said Wills on Saturday previous to the sale and requested to attend for that purpose. The request was again repeated the next day. Deponent promised said Wills he would attend and set off from deponents home on the day of sale, when it rained. It is probable he should not have gone further than Mr. Hamilton, not thinking it very important as Mr Wills could get some other person to bid for him Wills. The rain would not have prevented deponent from attending, but deponent met some gentlemen going to his house and he returned with them.

Test John Barnes Clk
Charles County Court.

Whereupon on motion of the parties aforesaid by their attornies aforesaid, it is ruled by the Court that either party may take testimony de bene esse before John Matthews Esquire to be read in evidence upon giving the opposite parties five days notice of the time and place, and that the Auditor state an account of the incumbrances by judgments or otherwise on said land upon such testimony as either party may produce, and also an estimate of the number of acres from the title papers, or other evidence that either party shall produce: and state an account between William B Stone and Mr Hawkins of the sums received and paid away as her agent, upon such testimony as either party may produce, and also an estimate shewing the solvency of A Hawkins. The Court has received all the testimony tendered without being compromitted as to the competency of the witnesses or relevency of the evidence, or the points to this case, being docketed right, and having all questions arising to be decided upon the hearing, and it is agreed that the testimony taken shall apply to each case.

Thereupon further proceedings of and upon the premises aforesaid between the parties aforesaid by consent of the said parties, and their attornies aforesaid, and by order of the Court here thereon is further continued until the third Monday in March next.

At which said mentioned third Monday in March being the seventeenth day of the same month in the year of our Lord one thousand eight hundred and thirty three comes again into the County Court here as well the said Richard Wheadleton and Alexander Wheadleton by Nicholas Stonestreet his attorney aforesaid as the said Elizabeth E B Hawkins by Walter A Smoot her guardian and next friend aforesaid by Vernon Dorsey, P. W Crain, John M Cassin Esquires their attornies aforesaid.

And now comes here into Court in his own proper person John Hamilton of Charles County Gentleman and undertakes for the said Elizabeth E B Hawkins by Walter A Smoot her guardian and next

friend, that she the said Elizabeth E B Hawkins by Walter A Smoot her guardian and next friend shall pay unto the said John Matthews Guardian as aforesaid all such costs and charges as shall be adjudged unto the said Richard Wheadleton and Alexander Wheadleton in the plea aforesaid or that he the said John Hamilton will do the same for her - and the parties aforesaid by their attornies aforesaid file in Court here the following depositions to wit.

The following depositions were taken before the subscriber this 27th day of March in the year of our 1833 in pursuance of an order of the Honorable the Judges of Charles County Court passed the 26th day of January 1833 first giving five days notice to each of the parties.

Townley Robey a witness produced on the part of the purchasers being duly sworn on the Holy Evangely of Almighty God deposeth and saith, that he this deponent acted as deputy for Joseph Green and Thomas A Dains former Sheriffs of Charles County, and afterwards in the year 182 deponent was elected Sheriff of Charles County and served in that capacity for the term of three years: that during his services as above mentioned when writs of fieri facias came to deponents hands to be levied when appraisers could be had that were well acquainted with the real estate intended to be levied on, the fieri facias were levied without going on the premises - at other times when appraisers were not well acquainted with the value of the lands, the levies were made on the premises - this was his instructions during the Sheriffalties of said Green and Dains, and the same pursued by deponent when he succeeded to the Sheriffalty.

Taken and sworn to before John Matthews.

Francis Robey a witness produced on the part of the purchasers being duly sworn on the Holy Evangely of Almighty God deposeth and saith that he this deponent acted as deputy for Alexander Matthews former Sheriff of Charles County in the year 1823 and for Jesse C Cook late Sheriff of Charles County in the year 1828 or 1829: that he was directed by said Matthews when writs of fieri facias came to deponents hands, and when deponent could conveniently get appraisers well acquainted with the value of lands it was unnecessary to go there for the purpose of levying the same, but might be done at some convenient place, and afterwards leaving a notice with the defendant on the premises: the same course was pursued by deponent whilst he acted as deputy for said Cook.

Taken and sworn to before John Matthews

Thomas L Luckett a witness produced on the part of the purchasers being duly sworn on the Holy Evangely of Almighty God deposeth and saith that deponent acted as deputy for Hugh Cox former Sheriff of Charles County in the year eighteen hundred and twenty five and eighteen hundred and twenty six: that deponents instructions from said Cox, and his practice was, when writs of fieri facias came to deponents hands and when appraisers could be got well acquainted with the land to levy the same without going on the premises.

Taken and sworn to before John Matthews.