did not order either sale, I complained to Mr. Perry that he ought to have attended as I thought and hoped Smoot and others in Town that day would have bid. Mr. Wills sometime prior to the last sale saw me in Town; stated Smoot had informed him of my intention to bid for the heir to $1000. I told him his information was correct; he said if he was present at the sale he would give more; but would not bid against the child; I asked him how much? he said if any body bids over you and you cease to bid for yourself or the child will you bid for me; I told him I certainly would - that I believed the heir had no interest and even at $1000, I should run an imminent risque of loss and provided he would not bid unless others did, he said he would not, and I might go for him to fifteen hundred dollars, he said he should speak to a gentleman to bid for him, as he did not think he should be there, and if he did he would send him to me and I would inform him not to bid unless it was above one thousand dollars, on the day of sale Mr. Wills came to town and said he had spoken to Robert Diggs, but he was not there and requested me to carry into effect the arrangement: this - unhesitatingly promised and just before the bell rung for the sale Mr. Thompson or Wills called me, and Mr. Wills stated in talking with Mr. Thompson they had agreed to buy the land together, and would go to two thousand dollars, and asked me who would bid - I told them that I did not know, that Col. Cox had told me, in his Thompsons counting room that he did not wish to buy; that the land was so incumbered as to be worth not more, than the fragments of Mr. Elderry and these executions, at any rate if more than 1000 or 1500 dollars was obtained for it, it was a high price: some conversation then ensued and we walked to the Courthouse; as we were going Thompson & Wills asked me to bid as high as 2500$: at this time Wills stated that there was two dowers in the land, that Mrs. Hawkins the widow of Smith, had her estate for life, and Mrs. Letitia Hawkins had her life in one third of the other part; I told him it was so, or I thought it was so but as he was going to buy he ought to consult other lawyers; he said he was satisfied he was correct and observed something about the two dowers being a miserable business, this conversation took place partly at the room of Thompson, and partly going to the sale, at the Courthouse without the hearing of other persons. at the sale I stated publicly and aloud that this was a real and absolute sale and would give to purchasers any facilities possible in enabling them to make payments; that I could speak positively as to the executions - they were assigned to me and and I believed the balance of the purchase money would not be required till March Court: the money on the executions I should want at Christmas. I bid $1000. Col. Cox bid, I again bid, and we were going on very slowly when Mr. John A Matthews bid 2000$, some persons remarked Mr. Matthews was for the widow or to that effect, and Mr. Wills said there was two widows and two widows dowers: "John A Matthews replied he would marry one and cut the others throat; I thought this conversation was jocose on the part of Wills and Matthews and bid $10 more; again repeated that it was an absolute and real sale, and turned to Col. Cox and said "Col. I beg you to bid - that it was his interest to prevent the land from going into the hands of different persons and purchasers, at that sale he answered he had told me that day he did not want the land, and had no money. I said my arrangements as to (the

the purchase money, I was sure could be made to suit him - while talking with Col. Cox, Col. Thompson bid for the land and remarked aloud enough for many or all to hear, "Stone you liked to let the land be struck off - I wish you would bid or attend. I told him he need not fear, and in his presence I again turned to Col. Cox and asked him to bid; the bidding went on; I cannot say who bid any particular amount, but I am as positive as that I now hand my senses that I never did bid against Thompson or Wills, or immediately after them - the land was struck off to me at 2100$ and I requested the sheriff to put Wills and Thompson down as the purchasers; the sheriff refused and said he rather put the sale down as the fact was and entered the sale as returned. On the day of sale I was standing on the square with Mr. Perry and several other Col. Cox came up and I or some one said in answer to an inquiry whether the land had been sold, I said yes, - he had lost his chance or something to that effect, in the same conversation, and immediately said, the land had not been sold and that I hoped he would bid for it. Col. Cox observed he had lost nothing that the land was incumbered with the interest of the two widows and that Miss Hawkins had an interest in the house; Doct. Hawkins reversionary interest, in answer to the idea of incumbrances. I stated that I thought that Miss Hawkins had no legal right in the house or land, but that she was entitled to receive a genteel support from Th. S Hawkins or Mr. Smith Hawkins that it appeared to me from what I had seen, that it was a personal demand and perhaps of such a nature as equity would enforce against the owner of the land. That Mr. Smith Hawkins had a life estate and Mrs. Hawkins had a dower interest in the land in the possession of Henry S Hawkins at his death.

Question by Objectors. Did you at the time Col. Cox offered to raise the money tell him that you had made arrangements prevent him Cox from having the control of the executions levied on the land?

Answer. I never did tell Col. Cox anything more or other than I have stated above; but I certainly should have objected, after the chancery sale had been abandoned to Col. Cox or any person paying off these executions unless it was Mrs. Hawkins or for her child, or unless the executions were entered satisfied.

Question. after you had paid off the executions did you ever inform Mrs. Hawkins that you had done so?

Answer. I never did, I do not think I saw her afterwards.

Question. Did you inform Mrs. Hawkins that you would not act as her agent at the sale of the land?

Answer. Never did. I never considered myself as the agent of no person in making the sale, I never ordered or directed the sales. I told Mrs. Hawkins that the utmost I could do was to bid to 1000$; and then immediately resell the land so as to secure myself as above stated. Mrs. Hawkins never asked me to bid for her, she said that she was convinced her child had no interest and she had no means of buying, her great object was to save the negroes and her brothers land. I bid as agent for Wills and Thompson, and if I had bought the land at 1000$. I looked to a resale of the land alone as the source from whence this money was to be paid me; Mrs. Hawkins never did authorize me to bid for her or her child. The child's property consisted of the residuum of Wm. H. Smoot (personal