2d. I know the property; and the same property I know, was purchased by Mr. Shilling from the Sheriff.

3d. Waived.

4th. I had conversation with Mr. Shilling, about 18 months or 2 years after the purchase of the said property by Mr. Shilling before this conversation I had been speaking with my brother, my brother wanted me to pay money to Mr. Shilling which he alledged to be balance due on said property, I then met with Mr. Shilling on the road, I then asked Mr. Shilling what amount of money was due to him from my brother on that property and what was coming to him, he replied to the best of my opinion, mind, I didnt jogg my memory with it about $300. he also told me, if he received that part of the money that he would give up his claim, and that he was a Wellwisher of my Brother's and he purchased that property for him; Mr. Shilling said that he had received or was to receive, (witness dont recollect which) some money on account of the repurchase of property in the Sheriffs hands.

5th 6th 7th In. .. Waived

Upon his cross examination He answers and says, –

1st Ques. I cant tell you in what month or year, I didnt jog my memory with no persons were present but ourselves, place between Westminster and Sandy Mount.

Mr. Lawrence Mayors about 54 years old, –

1st Inter. I do know them and have known them for many years.

2d. I know the property, Witness said, Mr. Shilling told him he purchased that property from the Sheriff.

3d. Waived.

4th. Two or three years ago, at New Windsor, when a jury had met to turn Mitten out of the possession of the property at the instance of Shilling for an alledged forcible entry, Overton Hame asked Mr. Shilling whether Mitten didnt pay him some money back on the property, Shilling replied, that he paid him $230 and that he took it that way, and if it was not on the property, he didnt know what it was for. Mr. Delphy, who was present said "thats a dead shot by God."

5th 6th 7th ..... Waived!

Mayors on his Cross:– 1st He answers that he was.

Mr Delphy, upwards of thirty five years of age; –

1st. I know them and have known them for ten years.

2d. I know the property, I understood that it was the same property, Shilling bought of the Sheriff.

3d Waived

4th. I never had any conversation with him as regards the terms on which he held the property. I was present when the Jury was summoned to dispossess Mitten I heard Mr. Shilling say, that Mr Mitten paid him $230 if it was not for the property I know not what else it was for; this was in reply to a question from Mr Hame to Shilling; Witness said. Murray, thats a dead shot, by God.

5th Waived!

6th I occupied the property as tenant for two years paying therefor $60 a year it was paid to Mr. Shilling; I rented from Shilling and calculated to pay him.

7th Waived.

On his Cross Examination; –

1st I cant recollect with certainty, but I think in the years 1823 & 1824, a new roof was put on a part of the house, and was deducted from the rent; I cant recollect the cost of the repairs.

Mr. Dunam, upwards 38 years of age to, –

1st. I know them and have known them since 1818.

2d. I know the property Shilling told me it was the same property he purchased from the Sheriff.

3d 4th & 5th Waived!

6th I was tenant three years paying therefor $60 a year about the years 1821. 22. 23. The rent was paid to Mr. Shilling, I rented the property from Shilling & the rent, of course, to be paid to him.

7th Waived.

On his Cross examination he stated "that a shed was repaired and the costs deducted from the rent

Wm Ostler upwards of 40 years of age, to, –

1st I know them, and have them for about 25 or 30 years.

2d. I know the property & understood it was the same property Shilling purchased at the Sheriffs sale.

3d & 4th Waived

5th He does not recollect exactly when Mitten went into the property again, but before he moved in, Witness had a conversation with Shilling, who said Mitten was going back to the Springs (New Windsor) that he had a good deal of trouble in collecting the rents that it was troublesome and was well he moved back.

6th & 7th Waived!

To Special Inter. He did not.

Mr Gist aged 24 years to

1st I know them both and have known them both, as long as I can remember.

2d I know the property & understood it to be the same property Shilling bought at the Sheriffs sale.

3d & 4th Waived

5th I know when he moved into the house; In a conversation between Shilling, Mitten & Witness at Baltimore Shilling applied to witness to know whether he would continue in the house another year he said he would not, unless he would repair property he replied, that he would not put any repairs on it, and said if I left it Mitten would move there himself, and Mitten moved there shortly afterwards.

6th He was tenant for one year, at the rent of 60$ which I paid to Shilling.

7th Waived! On his cross examination – Some little repairs was done cost about 3 or 4 dollars which was deducted from the rent

Adjourned to 29th Septr 1829

John Mitten
vs
Murray Shilling

Interrogatories to be propounded to Susan Coleman a witness to be produced Sworn and examined on the part of the defendant before James M. Shellman Esqr. the Commissioner.

1. Do you know the parties in this case and how long have known them?

2. Do you know the property in New Windsor, which the Defendant Murray Shilling purchased at Sheriffs sale some years ago and in which the Complainant now resides? If yea; have you at any time and when heard the complainant say what was the nature of his interest in said property? if yea state what he said in relation thereto.

3. Have you any knowledge respecting any money delivered by Complainant to Defendant? if yea; please state as particularly as you can your knowledge in relation to the same and whence derived & where.

Wm Schley for Deft.