June Term 1844.

observed to me why Captain I always find that too much money spoils young men so the conversation dropped there; and this was some time in the spring 1842, it happened a considerable time before the above conversation first spoken of - To the 6th Interrogatory answers it was the same piece of land - To the 7th Interrogatory answers that the said Joshua always evinced the highest esteem and warmest friendship for the said John A. Sedwick that one man could feel for another being cross examined by the leaveators, which as follows to wit:

1st. At the date of the conversation you have first spoken of you say that you lived on a place of the said Joshua Sedwick's at St. Leonards Creek how long had you resided there prior to said conversation?

2d. How far is said place from the dwelling plantation of the said Joshua Sedwick?

3d. Where did you reside at before you went to St. Leonards?

4th. Were you in the habit of visiting the said Joshua in his lifetime before you became his tenant - Did you visit him frequently? and how often in a year? 5th. Did you visit him frequently whilst you tenanted the farm at St. Leonards? Did you visit him at all except on business? 6th. Do you still occupy the place at St. Leonards? If yea of whom do you rent it? 7th. Are you or not to remain there for the next year? or have you or not received a notice from the leaveators or one of them, or the administrators of the said Joshua to quit said place at the present year?

To the first interrogatory answers one year and the year had not expired. To the 2d Interrogatory answers about ten miles. To the 3d Interrogatory answers, on Dr. Tongue's place about three miles off against St. Leonards, he resided there one year before that he resided on the place of Mrs. Morsell's place which is about six miles from Mr. Sedwicks dwelling plantation and when he lived there he used to send to Mr. Sedwick's mill which is attached to the said dwelling plantation -

To the 4th Interrogatory answers he frequently visited him - To the 5th Interrogatory answers he did visit him frequently, he stoped almost every time going up or down - To the 6th Interrogatory answers he still occupies the place on St. Leonards, but he does not really know who is his landlord but he views the leaveator Jane as his land lady - To the 7th Interrogatory answers to the first branch of the 7th Interrogatory he says that he is not to remain there for the next year, to the 2d branch of said interrogatory the counsel for the leaveatees objected but the Court overruled the said objection and permit the question to be put, the witness answers that he did receive notice in writing which answer the counsel for the leaveatees, moved the Court to strike out as inadmissible on the ground that the written notice, should be produced the Court thereupon decided the evidence to be admissible overruling the motion to strike out said answer.

Additional Interrogatories filed by the counsel for the leaveatees which is as follows to wit:

Addition Interrogatories for Francis Hance on cross examination.

1st. You have stated in your answers to the cross examination that you received notice to quit the tract of land you held of Joshua Sedwick - at what time and from whom did you receive said notice and do you know, what reasons influenced the parties giving it to serve said notice - 2d. Had you or not determined of your own accord to quit said land previous to serving said notice?

June Term 1844.

2d. You have stated in your answers to the cross interrogatories that you viewed Mrs. Sedwick as your land lady upon what facts or reasons did you form that opinion - To the first additional interrogatory answers that on the 9th day of August 1843 he received the notice by the hand of William Gray of Richard signed Mrs. Sedwick, the said William Gray of Richd. Jno. A. Williams and Henry Freeman were going over the land examining it - I do not know what reason influenced Mrs. Sedwick in giving notice -

To the 2d Interrogatory answers he had determined previous to receiving notice to quit the land and had frequently declared his intention to others -

To the 2d Interrogatory answers that he received the notice to quit as a very strong evidence that Mrs. Sedwick was his land lady -

Capt. James C. Sedwick a witness of lawful age produced on the part of the leaveatees being duly sworn and examined upon interrogatories filed which as follows to wit: Interrogatories propounded to James C. Sedwick a witness for the leaveatees:

1st. Were or were you not acquainted with Joshua Sedwick and were you upon terms of intimacy with him - 2d. Did or did you not ever hold any conversation with Joshua Sedwick in relation to his will if yea, state what that conversation was, when it took place and where it took place - 3d. Had you an opportunity of knowing the feelings of Joshua Sedwick towards his relations the legatees in his will if yea what were his feelings kind or otherwise - 4th. Was or was not Dr. John A. Sedwick his Joshua Sedwick's family Physician and what his Joshua Sedwicks feelings towards the said John A. Sedwick - 5th. Interrogatory Did the conversation of which you have spoken in answer to the 2d interrogatory take place before or after the time you saw Benjamin Gray one of the witnesses on the part of the leaveators at the house of the said Joshua Sedwick during his last illness - 6th - Did you or not hear Joshua Sedwick in his last illness state that he wished to make any other alteration in his will except the appointment of his nephew as administrator if yea what was the other alterations he desired to make.

7th Did you or not attend upon your brother in his last illness at his request and wish, or was it at your own instance merely?

To the first interrogatory answers, yes he was his brother and were on terms of the utmost intimacy from his birth to the time of the said Joshua's death.

To the 2d. Interrogatory answers as it respected his affairs, there was nothing he the said Joshua did not deulge to him, as the said witness believes as it respects his will matters he generally, he used to express himself generally to him the said witness, the time the said Joshua was on his death bed during his last illness he the said Joshua Sedwick frequently expressed himself his wish to make some additional arrangements to his will but he the said Joshua Sedwick was afraid his strenght would not hold him out and sooner, than go into anything of the kind unless he could do all he wished, he the said Joshua would let the will stand as it was, he was sick about ten days, the witness was with him pretty much the whole time, he died on Wednesday, I think I can not name any particular day as he frequently so expressed himself during his last illness up to the time his strenght failed him, his strenght had not failed him the day before he died on the contrary he seemed to