This information is derived from conversations in the family for more than twenty years past, and before the institution of this suit, since the 15th May 1838, I have never heard the subject of the above information spoken of until the question is now asked of me.

In ans. to the 6th Interg. I know nothing.

Ans. to Interg. 7th. I know a tract of Land in Charles County in Maryland, lying on Chickamuxen Creek and the Potomac River, and binding on each, and opposite to Dumfries, which I have heard called "Nine Sucks," but which I have known better by the name of "Chickamuxen," and I have also heard it called "Brooke's Ferry." Walter D. Brooke, was in his life time possessed of the above Tract of land from about two years after his fathers death, that is to say about 1800, claiming it to be his, til the year 1811, the time of his death — after which the widow of Walter D. Brooke continued in possession of it, claiming it for her children, as long as —— Posey remained her Tenant.

Ans. to interg. 8th. Com. Walter Brooke, was in possession of the Tract of land referred to in the preceding interrogatory, and claimed it to be til the time of his death. during his said possession the said Com. W. Brooke, rented out the said land for many years, and especially to one —— Milstead. This information is derived from hearsay.

Ans. to Interg. 9th I know nothing about this interg.

Ans. to Interg. 10th. I know nothing. And further this deponent saith not.

Sam. Collard.

No other witness this day appearing before me, and the testimony of John Mason, another witness called by the plaintiffs, being deemed by them material, the said John Mason having failed to attend now before me, as was expected I have therefore adjourned farther proceedings under the annexed commission, and in conformity with the terms indicated by my notice to the defendant until —— Saturday the Seventeenth day of July next when between the hours of nine o'clock A. M. and six o'clock P. M. I will proceed to take the depositions of such other witnesses as may then appear before me, (on the request of the plaintiffs and defendants) at my office in the Town of Alexandria in the District of Columbia. Given under my hand this 28th June 1841.

B. Hooe, Com.

Alexandria, July 17th 1841. The annexed commission, to me directed being again opened this day according to adjournment, when the deposition of John Mason, of lawful age, a witness introduced on the part of the plaintiffs, is taken at the office of Bernard Hooe, in the Town of Alexandria in the District of Columbia between the hours of nine o'clock in the morning and six o'clock in the afternoon of this Seventeenth day of July in the year one thousand eight hundred and forty one, in pursuance of the commission and notice hereto annexed, to be read as evidence in a certain action at law (Ejectment) now depending and undertermined in Charles County Court in the State of Maryland, wherein Walter T. Brooke and others are plaintiffs and Artemisia Budd, is defendant; The

above named John Mason being first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth touching the matters in controversy in the suit mentioned in the caption deposes and says in answer to interrogatories propounded on the part of the plaintiffs as follows, viz:

Ans. to the 1st. Interg. I know nothing.

In reply to 2d. Interg. I know the late Walter D. Brooke, but do not know what children he left, or their names; nor do I know when or where he died.

In answer to 3d. Interg. I know nothing.

In answer to 4th Interg. I knew well the deceased Commodore Walter Brooke, and know that he left children surviving at his death — but at what particular period he died, I do not remember nor do I know who were his children nor the descendants of his children at the time here specified or anything further in relation to him particularly.

In answer to the 5th Interg. I am connected with the family of the deceased Commodore Brooke by distant relationship. his Mother was either the aunt, or first cousin of my father, as I have always understood. I did not know personally his mother, nor do I know when she died, or who were her descendants other than the said Commodore Brooke.

In answer to the 6th Interg. I am the son of George Mason of Gunston, therein referred to. By tradition in the family I have always understood and believe that the paternal grandfather of George Mason of Gunston was named George Mason, and that he died some few years previous to the year 1719 — the precise time, I do not know, as to the number of wives he had married, I am confident from tradition in the family that he had married two, and I believe three — but whether he left any children by his last wife if he had three, I am not certainly impressed; but I think I have heard he did. In regard to the 7th 8th 9th and 10th interrogatories, I know nothing and further this deponent saith not.

J. Mason.

District of Columbia Alexandria County Set. By virtue of the annexed commission I Bernard Hooe, the commissioner therein named certify that after serving the annexed Notice on Walter Mitchell attorney of record for the defendant in the Ejectment Suit of the Lessee of Brooke and others, against Artemisia Budd, now pending in Charles County Court in the State of Maryland (as appears by the acknowledgement of said Mitchell endorsed on said Notice, at the time of the service of the same) I did on the twenty eighth day of June in the year, one thousand eight hundred and forty one, between the hours of nine o'clock in the morning, and six o'clock in the afternoon of that day according to the said notice at my office in the Town of Alexandria, in the District of Columbia aforesaid proceed to execute the annexed commission having previously taken the commissioners oath annexed to the said commission before