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five thousand, dollars per thousand.

Sworn before Thomas J. Webb. Shff.

William Houck and Lucy his wife vs. Greenbury Loveall } In Carroll County Court. T. D. C. F.

Deposition of John Sweeden. Marked V.

John Sweeden a competent witness produced by the plaintiff, was duly summoned and sworn on the Holy Evangely of Almighty God and this 25th day of July 1851 on the premises, under and by virtue of a warrant of recovery issued in this case, and deposes and says, that about Eight years ago he cut four chestnut trees, the stumps of which he has pointed out to the Sheriff and surveyor, by the direction of said Greenbury Loveall the defendant, the 4 trees made about seventy five rails, worth at the rate of two dollars and twenty five cents per hundred.

Sworn Before.

Hanson J. Webb. Shff.

William Houck and Lucy his wife vs. Greenbury Loveall. } In Carroll County Court. Deposition of Jacob Lepps. Marked W.

Jacob Lepps a competent witness produced by the plaintiff, was duly sworn on the Holy Evangely of Almighty God on this 26th day of July 1851 on the premises under and by virtue of a warrant of recovery issued in the above case and deposes and says that he is about sixty one years of age. That the black oak tree now pointed out and shewn by him to the Sheriff and surveyor is at the beginning of a tract of land called "Hales Venture Resurveyed." That said tree was pointed out to him as the beginning of said tract of land thirty five or forty years ago by John Elsroad an aged man now dead who lived during a great many years about two hundred yards from said tree. That said tree was also pointed out to him as the Beginning of said tract of land by Richard Hooker an old man now dead and who was a surveyor and surveyed nearly all the lands in the vicinity of said tract of land.

Sworn before.

Hanson J. Webb. Shff.

William Houck & Lucy his wife vs. Greenbury Loveall. } In Carroll County Court. T. D. C. F.

Deposition of Adam Miller. marked W.

Adam Miller a competent witness produced by the plaintiff was duly sworn on the Holy Evangely of Almighty God on this 26th day of July 1851. on the premises, under and by virtue of a warrant of Recovery issued out of Carroll County Court in the above case and deposes and says, that he is about Eighty one years of age that the black oak tree now pointed out and shewn by him to the Sheriff & surveyor, is at the beginning of a tract of land called Hales Venture Resurveyed that the said tree was pointed out to him as the beginning of said tract of land thirty five or forty years ago by John Elsroad an aged man now dead, who lived a great many years

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about two hundred years, from said tree and that said tree was also pointed out to him as the beginning of said tract of land by Richard Hooker and old man, now dead and who was a surveyor and surveyed nearly all the lands in the vicinity of said tract.

Sworn before. Hanson J. Webb. Sheriff.

Whereupon the parties aforesaid by their attorneys aforesaid pray leave of the Court here to amend the said plots and certificates returned to the court here in the cause, and to add thereto, if necessary by the first Mondays of April next, and to them it is granted. Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their attorneys aforesaid, and by order of the Court here thereon is further continued until the First Monday of April next.

At which said first Monday in April it being the fifth day of the same month in the year of our Lord 1852. it being the day to which the parties aforesaid, by order of the Court here, had leave to continue for the purpose of amending or adding to the plots and certificates if necessary. Comes again Now into the Circuit Court for Carroll County, late Carroll County Court, as well the said William Houck and Lucy his wife by their attorney aforesaid as the said Greenbury Loveall by his attorney aforesaid.

Whereupon for trying the issue aforesaid it is ordered by the Court here, that twenty persons from the panel of the petit Jurors returned to the Court here by the Sheriff of the County be drawn by ballot, according to the act of Assembly in such case made and provided. And thereupon, the twenty Jurors being so drawn by ballot and written upon two lists, one of which said lists is delivered to the Counsel for the respective parties and the counsel for each of the said parties having stricken out four persons from the said lists, thereupon the remaining twelve persons being called, come: that is to say Mordecai G. Cockey. Eli Hewett. Thomas S. Brown. Henry Herring. Joseph Spurrier. Henry Order. James H. Steele. Jeremiah Shunk. George Shade. Elisha D. Payne & Andrew R. Shriver and William Fisher, who being empannelled, and sworn to say the truth in the premises; Thereupon on motion of the said Greenbury Loveall the defendant aforesaid, by his attorney aforesaid, for leave to withdraw a juror for the purpose of adding to and amending the plots returned to the Court here in this cause, and it appearing to the Court here that the said plots are defective, the said Mordecai G. Cockey one of the Jurors, of the Jury within written, from the panel aforesaid is withdrawn by the Court here, for the purpose of adding to and amending the said plots, and the rest of the jurors of that jury are wholly discharged from giving any verdict of and upon the premises within written.

Whereupon on motion of the said William Houck and Lucy his wife plaintiffs as aforesaid, by their attorney aforesaid, it is ordered by the Court here, that the said William Houck and Lucy his wife plaintiffs as aforesaid recover against the said Greenbury Loveall the sum of Two Hundred and Twenty five dollars and fifty one cents by the Court here adjudged unto the said William Houck and Lucy his wife plaintiffs as aforesaid for their costs and charges which they have sustained, laid out and expended in and about their