supposed by the sale of the Mill. Heard his father say that John A. owed him some 6 or $7000, did not say what he owed it for. Can't say his father took any papers to Balto. & took but one negro child with him. The personal property was appraised in the spring of 1847, and he was to rent the farm to assist him to pay his debts. $1000 a year rent & the personal property was to be returned. Witness hired a hand or paid for him, when he bought the farm, he took the stock at the previous appraisement. Negroes he did not take, because he did not want them, they were there on the place, and were used by him, some of them died, remembers something where his father went to Hagerstown to have a deed drawn, brought the deed to Hagerstown for record, can't say how long after his father gave him the deed, saw Mr Smith and asked him if he had drawn the deed, and whether it was good speaks of his own acct for $809.54 proved among the others, this particular account, was not spoken of at the time of the contract but what witness owed him was one of the debts & the matters were spoken of, can't say what the amount precisely was, made a single estimate of it. The first payment on the Mortgage $985 his father got out of Bank & witness knows it because he paid it back. The crop of 1846 he put out he did not realize borrowed from Bank in 1847 to pay on the Judgt he thinks or he must have got it from his practice, as he does not know what other source he got it from, thinks he raised better crops than his father, does not know what became of father's books and papers, never saw them his father kept his house, went to church and where he pleased, witness superseded the Pencil Judgment & was bound for it, & the crops he raised he applied to the debts, sold stock from the farm every year, dealt rather largely in stock

By deft. deed was to be given, this understood, but no time mentioned when it was to be made, might have had it some of applied for it. The crop in the Mill was one of the items of charge he had against his father. The fathers debts may

not have amounted to $20000 he owed his son John A. & cannot say the amount. The Baker or Suter debts not there in existence & therefore not included, was to pay to the amount of the land at $60 per acre & names some of the debts, all outstanding debts of his father at the time, has not vouchers for all, probably for all except his own claims,

By Joseph Butler and Elisha Wilson the defendant then proved the claims of the said Butler for $1000 and Elias Baker now deceased for $408.78. and their payment by the defendant, a tax account for 1847 $64.08 was also proved as paid by him, and by Wm Reynolds a claim for $179.75 for wheat sold to James in 1845 which was paid off by Wm H Grimes in 1849 or after, and by William H. Marshall who was an officer of the Hagerstown Bank, the state of the Bank account of the said William H. Grimes and James Grimes his father as facts from which the jury might infer the payment by the defendant of his fathers note to said Bank which he owed at the time of said contract and to sustain the proof of the defendant as to the payment of the same and the mortgage to Pencil, the note alleged to have been paid to said Bank for him amounted to $1000, as also the payment of $985 paid by James Grimes himself, on the mortgage or judgment. The said Marshall also proved the mode of keeping the accounts of said Bank with its borrowers and the manner in which renewals of notes were entered on its discount Ledger. The defendant then proceeded and proved by Elias Castle that he Castle had an account against James Grimes for $45.75 for a lot of shingles, which he presented to said James in the fall of 1847 for payment, and Grimes told him to present it to his son Dr Grimes, that he had sold his farm to him and he was to pay the debts. He did so, and it was settled in 1848 by the Doctor in his medical account. That the farm of Grimes was not worth more than $45 or $50 per acre in 1847. Lives on the adjoining one & is a farmer. In 1845 & 47 the Doctor had a very extensive practice, very good in 1844 and since & knew the mad goods crops after 1847. On the X Examination he stated