power upon it - and that he estimates its value at about sixty dollars (60$) per acre. That the Defendant John Jones is in possession of all the said 240 acres with the exception of about 12 acres and 18 perches upon which there are no buildings which is in the possession of the Complainant Benjamin W Jones. That he considers the value of the part occupied by John Jones the defendant to be 60$ per acre That part occupied by Benjamin W Jones the Complainant left, say about 35$ per acre part of it having been recently sold at that price

That at the instance of the Complainant this deponent who is a practical surveyor has made out a plat of the said real estate which he desires to file in explanation of and as part of his answer to this interrogatory That all the memorandums, marks, notes and comments thereon written and made are in the hand writing, and are made a part of this answer ~~to this answer~~ to this Interrogatory Witness then files with the Commissioners the plot refered to in his answer to this interrogatory -

The Complainants Solicitor then files a paper marked B. W. Jones A" purporting to be an authenticated Copy of the Will of Evans Jones.

3d To the third interrogatory upon being shewn the paper marked B W Jones H" purporting to be an authenticated copy of Evans Jones He answers that the property designated in said Will as devised to the defendant John Jones was partly the property of Evans Jones in his own right, and partly the property of the mother of the parties. That 227 acres & 142 perches of the Land so devised belonged to the mother of the said parties - That 15 acres & 140 perches of said land so devised belonged to the said Evans Jones in his own right. Deponent here also refers to the plot exhibited under the 2d Interry which he makes a part of his answer to this interrogatory also -

4th To the fourth interrogatory. He answers that he knows that the said parties Complainant and defendant have each taken possession of the real and personal estate respectfully devised and bequathed to them by the Will of the said Evans Jones. That deponent has been called upon by the Complainant to make surveys on his part, and that John the defendant forbid him deponent from making any further survey on his proportion -

5d To the fifth interry He answers that he does not know whether the defendant is now married or not. That Benjamin W Jones had a Deed for his proportion of the Land of his mother as devised in the Will of said Evans Jones to the said defendant prepared and executed before deponent and John Mullen as witnesses and acknowledged the same before this Deponent he being an officer under the laws of Pennsylvania authorized to take acknowledgments of Deeds. That said deed so acknowledged was delivered to the defendant John Jones in the presence of this deponent and said Mullen. That the said defendant so received it and this deponent does not know that it ever has been returned by the defendant -

6th To the sixth interrogatory He answers and says that he has no knowledge of the land enquired of in this interrogatory -

7th To the seventh interrogatory. He answers that he has no knowledge of the matter here enquired of -

8th To the eighth interrogatory, He answers and says that he knows nothing of the matter here enquired of.

9th To the ninth interry he answers in the negative.

10th To the tenth interrogatory he makes a negative answer.

11th To the eleventh interrogatory. He answers and says. That he deponent was present and acted as Clerk to the appraisers when they made an Inventory of the personal estate - That it consisted of household furniture, farming utensils cattle, horses, some bonds & mortgages, some of the Phila, Wil & Bald Road Stock. Some grain in the barn unthreshed, Corn in the crib hay &c &c and some grain in the ground. That the personal property devised to John the defendant consisted of household furniture farming utensils &c and that the value thereof as appraised by the appraisers was $2322.72 cts - That the whole of the ballance of the personal estate except certain specific legacies was devised to Benjamin the Complainant and amounted in value to $3447.40 cts -

12th To the twelfth Interry He answers and says That he is not aware of his having any other knowledge of advantage to the Complainant, except to state that the defendant John Jones occupied and cultivated the whole of the real estate devised to him by the Will of Evans Jones for at least four years previous to the death of said Evans Jones except a small parcel or part of a field which his father the said Evans Jones occasionally cultivated himself and that in making out the inventory of the personal Estate of the said Evans Jones no account was taken of any debt due from said defendant John Jones for the occupation or or annual value of the Land so occupied and cultivated by him, or on any other account -

Defendants Solr then files a list of Cross interrogatories to be propounded to Enoch Harlan a witness produced and examined on the part of the Complainant.

1st To the first Cross interry He answers and says that he knows all the lands owned by Evans Jones in his life time with the exception of the farm in Cecil County.

2d To the second Cross interry, he answers That a farm lying in Pennsylvania adjoining the Tract belonging to the mother of the parties, containing about 85 acres and known by the name of the Russell Farm a part of a tract called the Witting tract containing Five acres, the farm upon which Benjamin W Jones resides supposed by deponent to contain between eighty (80) and one hundred (100) acres - not over one hundred nor less than eighty. a wood lot also lying in Pennsylvania containing about twenty acres - and another small wood lot containing about 5 or 6 acres - a small lot of lime stone quarry containing a few square perches of Land not over forty (40) and the 12 acres and eighteen perches of the mothers land taken possession of by Benjamin W Jones the Complainant under the Will of his father, are all the lands which word to this deponents knowledge, devised to the said Benjamin W Jones by his father, Evans Jones, making in all about two hundred and seventeen (217) or two hundred and eighteen (218) acres.

3d To the third Interry He answers and says That the value of the 85 acre tract, he estimates at forty one (41) dollars per acre. The five acres of the Witting tract at 35$ per acre. The land that Benjamin resides on he estimates at $85 per acre. The 20 acre wood lot at 10$ per acre. The 5 acre wood lot at 20$ per acre. The 40 perches of lime quarry he estimates for the whole at $75. The 12 acres and eighteen (18) perches at 35$ per acre making in the whole the aggregate sum of twelve thousand seven hundred and ten dollars (12.710)

4th To the fourth Cross interrogatory, He answers that he has no knowledge of any lands given or advanced by Evans Jones the father, to the