day, and he had no money to pay him. Witness looks upon Exhibit "B" and says he was a Witness to that note. This Exhibit "B" is the note held by Christian Stouffer as administrator for Jacob Stouffer against Andrew Newcomer. It is the only note that this deponent ever Witnessed between Andrew Newcomer and Jacob Stouffer. Saw the note on the same day and prior to the conversation above detailed in the possession of John Funk, and thinks Funk showed the said note to Andrew Newcomer when the conversation took place.

To a cross Interrogatory by Solr for Defts. The amount of money paid by John Funk on the said Note was not stated; nothing was said as to when the money came from with which the note was paid. Does not the time when the money was paid but it was during the time when Christian Stouffer was administrator of Jacob Stouffer. The conversation detailed in answer to the preceding Interrogatory took place after the sale of lands to Daniel Gerhart and before the sale of land to John Funk.

To the Sixth Interrogatory. The farm on which Christian Newcomer now resides in the years 1825 and 1826 was worth between thirty and forty dollars per acre clear of incumbrances. Lands in the neighborhood were worth same more same less – a Dower and an inquisition interest would diminish the value of the said farm.

To a cross Interrogatory by Solr for Defendants. Knew the farm on which Andrew Newcomer died. It was first rate land, and there were very good improvements on it at the time, consisting of a large two story double stone dwelling house, a large Swisser Barn (Stone). It is also well watered. Several good springs on it, and running water on it. It was as good a farm as any on Beaver Creek. Land was low in the neighborhood. Daniel Witness's farm was not to be compared to this in point of improvements, tho' the land was equally as good. At that time would not have given ten dollars difference between Witness's farm and Christian Newcomer's farm that now is.

To the Seventh Interrogatory. Never knew Andrew Newcomer to have much money before hand. Witness worked a great deal for him and had hard work to get money out of him; but he still answered the claims for the Witness. Said Andrew was a poor manager he made no money raised crops, but not very good ones; he drank hard.

To the Eighth Interrogatory. Knows nothing.

To a cross Interrogatory by Solr for Defts. Christian Newcomer was raised on this Said farm and has lived on it ever since and farms it.

To the Ninth Interrogatory. Knows nothing more except that Andrew Newcomer never mentioned Christian Newcomer's name in his account of his difficulties. It was always John Funk that was doing his business. He mentioned Christian Newcomer's name but once, and that was in the connection as detailed in the conversation mentioned under the Fifth Interrogatory.

To a cross Interrogatory. Is sure Christian Newcomer's

name was mentioned in the conversation spoken of in answer to the Fifth Interrogatory.

Jacob Pyle. a Witness of lawful age having been sworn and examined to Interrogatories aforesaid, deposes and Says.

To the First Interrogatory. Has known the parties to this suit since the year 1811.

To the Second Interrogatory. Knew Andrew Newcomer from the year 1811 until his death which happened about six years ago. Said Andrew lived on the place where his son Christian now lives. Witness worked with him there for twelve years.

To the Third Interrogatory: Andrew Newcomer owned the place on which he lived in the year 1812 and about the time of the war with England. It joined Snavely's, Doups, and Joseph McCoy's lands.

To the Fourth Interrogatory. a Short time before his death, Andrew Newcomer came to Mr. Sam Winters in a rage. He said they had afforded him at home; that he had a life estate in his farm and that he could not be turned off from it. Said also that the farm would go to John Funk and Christian Newcomer after his death. Witness replied to him that Said Funk and Newcomer would get the farm any how as they were the only children. The one his own son, and the other having married his daughter. Andrew Newcomer said nothing to this remark.

Counsel for Defendants objects to this Evidence so far as the declarations of Andrew Newcomer are offered to show title in the Complainants.

To the Fourth Interrogatory. Knows of but one debt that John Funk paid for Andrew Newcomer. That was a note for $136. including principal and interest for work done which Witness held against Andrew Newcomer and Christian Newcomer as Security. Witness was working at Pender's and Andrew Newcomer came up to him and demanded the Note for the purpose of taking out some money which Witness was to have collected in Dillsburg, but which he did not collect. Witness refused to give him the note, told Andrew Newcomer "you are insolvent and cant pay it at any rate; a difficulty then arose in which Andrew Newcomer struck the Witness. Witness determined to sue John Funk and Christian Newcomer. John Funk paid the money however and Witness gave him up the Note; and Funk tore it up. This was about twenty Eight years ago.

Counsel for Defendants objects to this testimony.

Note. Before the introduction of the Evidence concerning the said Note the affidavit herewith Returned marked N.D. No 2. was filed with me.

A. K. Syester Commissioner

To the Sixth Interrogatory. The farm on which Andrew Newcomer lived was worth in 1825 and 1826 forty five dollars an acre, there was not a better Situation in the neighborhood and the improvements were very good, land were down at that time, lands in the neighborhood were worth from thirty to forty dollars an acre. Witness's lands adjoining those of Andrew