and save not worth any thing - taking it all together he would not give more than $6.50 per acre: that a good deal of it is very bad to drain - a good deal of it is in a wet state or condition - that he has heard Mr Carey say that he had 3,000 acres: but deponent never thought that there was that much.

John Smith. James M. Beachamp

all witnesses of lawful age produced on the part of the defendants Thomas Dennis and Nancy his wife Peter L. Davis and Mary his wife, being duly sworn and examined to interrogatories filed with the Commissioner by the defendants Thomas Dennis and Nancy his wife and Peter L. Davis and Mary his wife and thereupon returned, deposes and says.

To the First interrogatory that he is acquainted with all the parties to this suit and has had known them from his earliest recollection.

To the Second interrogatory - that he was acquainted with Levin Carey that he knew him for 40 years or more. He is dead.

To the Third interrogatory - that he was seized or possessed of real estate in his lifetime and that the said Levin Carey died seized or possessed of real estate - that he has had some acquaintance with the said real estate - cannot say that he was acquainted with all parts of it. Some parts he has seen and been over - that he had rather have 20 cr off them said real estate, exclusive of the Widows and sons part.

To the Fourth interrogatory - that he estimates the cleared land owned by Levin Carey exclusive of the Widows and sons from 175 to 200 acres, and would estimate it at 20$ per acre. It would be worth 30$ per acre if it was not that the Widows part lays in the centre of it. That he would not be willing to give for the uncleared land taking it altogether more than 6$ per acre, that he doth not think, at the time of the death of said Levin Carey it was worth any more.

John Smith

Whereupon the Counsel for the defendants exhibited his Cross Interrogatories to be put to the Witnesses for Complainants which are here with returned, and the said Witnesses being examined thereon deposes and says.

1st Lemuel Showell. all witness for Complainants to Cross interrogatories to be propounded to him

To the First Cross Interrogatory to be propounded to him that he doth not know - cant say how long he has known them - that he became acquainted with them by riding over them and walking over them - that he has walked over a part of them - that he walked over the lands from Maryland into Delaware and from the Eastermost to the Westermost of said lands - that he was on them day before yesterday and thinks that likely that he has been there frequently before and in fact knows that he has been there frequently in Mr Careys life time.

To the Second Cross Interrogatory - that he cant say how many acres he has walked over - that he supposes he lives some 4 or 5 miles from them - would suppose there is some one hundred and fifty acres cleared taking out the two cleared lands of the widow and sons. Deponent says that this is

mere guess work with him - thinks that the cleared land belonging to Levin Carey was worth 30$ per acre - thinks that Levin Carey's real estate was worth considerable more at the time of his death than it is now - there is a good many acres of uncleared land - if they belonged to him (deponent) that he would not take 100$ per acre. The average value per acre he is unable to say. The Witness refuses to state what he would be willing to give for said lands. The Witness afterwards stated that he does not wish to invest money in real estate, if he did, he would not hesitate to give forty thousand dollars for Levin Careys real estate - The said lands are about seven miles from navigable water to the farthest part of them - from the nearest point they are about three or four miles - that he is not prepared to say what it would cost to clear the uncleared lands of Levin Carey - that he doth not know what it would cost for clearing and fencing an acre of said lands - does not know what Levin Carey gave for the uncleared land or any part thereof - is not able to say what said uncleared lands would bring per acre if put in market, there is land in the neighborhood of said uncleared lands that would bring 15 or 20$ per acre. but there is no land for sale, of his knowledge that he does not know of any land near or around the lands of Levin Carey that could be bought for less than 10$ to 20$ per acre.

To the Third Cross Interrogatory. that he doth not know of any thing.

To the Fourth Cross Interrogatory - that he thinks it was between 1300 & 1400 bushels of Corn that he bought of the heirs of Levin Carey in 1855 believes that the Widow got 1/3 and the other 2/3 was divided amongst the heirs.

Lemuel Showell

2nd Joseph Donaway. all witness for Complainants to Cross Interrogatories

To the First Cross Interrogatory - that he lives about one mile & a half from the lands of which Levin Carey died seized and possessed; that he lives on his own lands - that he bought them and that he gave 3$ per acre - that he bought them about 27 or 8 years ago - that it was woodland when he bought it grown up with bushes, with no fence on it - that he bought said land from Richard Tilghman; there is 108 acres of said land; there is none of any amount swamp land; there is 75 acres of swamp land for which he gave 125$ for the whole of it: that he thinks he bought it about 15 years ago: that said land is river swamp and cannot be drained unless the river run in that place can be made dry; that he does not know what they will sell for: that they are so much valued that the people that own them will not sell them. The lands of Mr Hall containing 140 acres said to be worth sold some time ago for about $2800. They were improved lands - likewise Peter L. Davis bought a piece of land adjoining the Carey lands and Hall land and bought on the same day said to be 10 acres for which he gave 200$. This was unimproved land. That he doth not know of any thing certain.

his
Joseph + Donaway
mark

3. Thomas Rion. all witness for Complainants to Cross interrogatories

To the First Cross Interrogatory - that he lives about 2½ miles from the lands of which Levin Carey died seized or possessed - that he lives on his own lands - that he bought them in 1821 or 1822 and gave 3$ per acre and bought them of John Robins - that there is 25 or 26 acres on which he