June Term 1864

Answer. It is lot No 7

Question. How much land is there on the lot that you say your father bought from the Withers property

Answer. He bought two lots, the first contained three acres, and the other lot about forty eight acres.

Question. Is this 3.1 acres a part of your farm of 190 acres which you have mentioned

Answer. No sir, it is a separate lot.

Question. Does it or not adjoin it.

Answer. It adjoins my farm.

Question. What was the value at the time of said sale by Mr. Denmead of Lot No 8

Answer. To the best of my judgment I consider it worth about $40 per acre.

Question. What did you give for your place of 190 acres of any thing, and when, and under what circumstances, and was it or not valued or appraised at that time, and if yea by whom.

Answer. The way I got my farm was my father was an old man and he got a surveyor and laid off his land into four lots and then he got James Turner, Abraham Elliott and James Basley to value these lots and my three brothers and I took them at the appraisement. The appraised my lot at $20 per acre and I was to pay $1000 cash, and then I had to pay $200 a year without interest for the balance

Question. Did or did not that appraisement include any property besides the land.

Answer. None but the land, the 3.1 acres was appraised at $5 per acre and the lot back of Mr. Downs containing 27 acres was appraised at $8 per acre

Question. Are you acquainted with any other part of the Withers property and if so state what part and what is its value per acre

Answer. I know a part of Withers but am not acquainted with all of it. I am acquainted with the upper part near the Widow Wilsons and a little corner that comes out to the Pike. I am not able to state the value of the whole tract and I make the same remark as to the other lots as I have not gone over them sufficiently to state their value.

Question. Do you know whether or not any wood has been cut and taken from the said property by Edwin G. Withers, if yes, state how much if you know, and whether much or little, and at what time it was so cut.

Answer. He used to cut right smart of cord wood and hauled it some eight or ten years ago, but how much I dont know.

Cross Examined for Complainants.

Question. Did you not tell Withers on the occasion of the sale in October that you did not come to Town to buy.

June Term 1864

Answer. He asked me, he said he understood I was going to buy that Cooper property, I told him I did not know because I did not want him to know my business at the time.

Question. Did you not say that you were not going to buy.

Answer. He asked, he said he understood I was going to buy the Cooper place and I told him I did not know, because I did not want him to know my business

Question. Did you or not tell Mr. Withers on that occasion that you were not going to buy any part of the property and that you came to Baltimore on other business.

Answer. No, I had no other at the time I came down

Question. What are the improvements on your farm of 190 acres

Answer. I have a stone house. I think I 0 get square the main house, the dining rooms something like 18, I dont exactly know.

Question. Were or not those improvements on it at the time you got it.

Answer. Yes sir. Excepting that I built a little summer kitchen back of the dining room

Question. What is your farm of 190 acres worth per acre now.

Answer. I am hardly able to say, what it would bring under the hammer, may be $40 per acre, may be not so much and may be a little more.

Question. Are you speaking of the value of it without taking into consideration the saw mill that is on it or with the saw mill on it

Answer. As it is with the saw mill.

Question. Would you take $60 per acre for your place.

Answer. Yes, I will take $60 — The man that will pay $60 in hard money can have it, provided my family is agreed to leave it.

Question. Has Ezekiel Matthews been endeavoring to purchase that part of your farm of 190 acres on which your saw mill is situated.

Answer. No sir, he has never said anything to me about it that I recollect of, I recollect we were talking about it but he said nothing about wanting to buy it that I recollect of.

Question. How long ago since he had that talk.

Answer. I dont recollect; three or four weeks ago he was talking about it but said nothing about wanting to buy as I recollect,

Question. Did you not on that occasion name a certain portion of the lot, or a certain number of acres of the lot on which the saw Mill is situated, which you would sell him for $5000;

Answer. Yes I did, and I will take $5000 for it