If you had been there would you have given any higher prices than the land sold for? Were you present at the sale last advertised by the Trustee on 8th April 1862 and if so were other persons there from your neighborhood as bidders? Answer. I reside in the borough of Shrewsbury in the County of York in the State of Pennsylvania. I am there a country merchant by occupation, but at present I am engaged in settling up the business of the late firm of Myers & Small, my partners having died which caused the dissolution of the firm. I am also the President of the Shrewsbury Savings Institution, and I buy and sell land. I did not intend to attend that sale because I believed and so stated to my partners Mr. Koller, that any man that would buy any of Withers land would buy a law suit. I would not have given any higher price for the land that was sold but I would have been willing to give more for the land that was not sold than what was bid for it. I was present at the sale that was advertised for the 8th April 1862, but which did not take place. There were several persons there from the neighborhood as bidders and I understood that there were others who would have attended but they were informed that the sale has been stopped. Question. Why did you think the purchasers of Withers property would buy a law suit at the October sale. Answer. From the general reputation of Mr. Edwin Withers and from some business transactions that I had with him myself. Question. This general reputation for what? Answer. He was constantly having law suits with his neighbors and persons that befriended or assisted him. Question. Did you ever have any negotiations with Mr. Withers about the purchase of any part of this property. If so state what they were. Answer. Mr. Withers offered to sell me the tract of land now called the Bee Tree Track he offered to sell me that tract of land at ten dollars per Acre. Mr. Kobber and I went with Mr. Withers to examine the Land, and finding the woodland not such as he represented it, we declined purchasing, when he offered to take nine dollars per acre. We considered the land was not worth that price, and refused to buy it at all.

Cross Examined for Complainants. Question. How do you know what price was bid for that portion of the Withers property that is unsold at the sale in October of last year at which you say you were not present? Answer. My neighbors Josiah V. Hashover and Albert S. Miller bought one or two tracts at the sale and they told me the prices that were bid at the sale, and Mr. John Maccubbins the same. Question. Did Miller tell you the prices that he paid, and did Maccubbin tell you the prices that he paid? Answer. My impression is that Miller told me he paid $10 per acre, and that Maccubbin paid about the same price. Question. How much more would you have given for those tracts had you been present. Answer. I would not have been willing to have given any more than they paid for the land they bought at the prices they paid for them Lots if I could have got it.

The Testimony here closed.

In witness whereof I Francis D. Tonney Commissioner aforesaid hereto set my hand and seal this 24th day of June in the year of our Lord Eighteen Hundred and sixty two at the City of Baltimore State of Maryland.

Francis D. Tonney {Seal}
Commissioner of
Superior Court Balto. City

Charlotte Withers
& others
vs
Adam Denmead
& others

In the Superior Court
of
Baltimore City
In Equity

Depositions of Witnesses on the part of the Complainants taken before me Francis D. Tonney a commissioner of the Superior Court of Baltimore City duly appointed, qualified and sworn under and in pursuance of an order of the said Court passed in the above cause on that behalf (a copy whereof is hereto annexed) pursuant to due notice and in the presence of the Solicitors of the respective parties at the times hereinafter stated. Having at the request of the Solicitors of the Complainants first given notice on the 13th day of May 1862 to the Solicitors of the Defendants for the taking of Testimony on the 15th day of the same month at 10 o'clock A. M. at my office No 21 Lexington Street in the City of Baltimore State of Maryland, and having then met and at the request of the Complainants Solicitor adjourned to Tuesday the 20th day of the same month at the same hour and place for the taking of testimony on the part of the Complainants.

In the Superior Court
of Baltimore City

Charlotte Withers
& others
vs
Adam Denmead
Michael P. C. Withers
& al

In Equity

The Defendant Adam Denmead having filed his answer and entered on the docket a motion to dissolve the injunction heretofore issued in this cause. Whereupon