gave Mr Hayhart four hundred dollars given to Mrs Roberts, for his part and gave his Note to Mr Nunis for $400.00 which he afterwards found, They the Allbers went away a few Months afterwards generally. Allegheny Co. then but Miss Ann who was away. Miss Catharine and her Mother apologized for Anna Maria absence, and said she had to go to Pittsburgh that Morning. The day been previously been appointed for the executing of the deed and all were to be there, the ladies furnished Miss Ann should sign it the first time Witness saw her.

The foregoing answer to the first additional interrogatory was excepted to by Complainants Solicitor,

2 To the second additional Interrogatory He saith that all the Allbers said at the time of the last purchase of land from Chas by Witness that the property left them by their father was encumbered with large claims or debts, and that the property must have to be sold to pay their fathers debts, They said it was getting worse and worse and they could not keep it any longer.

The foregoing answer to the second additional Interrogatory was excepted to by Complainants Solicitor

Edward Hayhart, a Witness of lawful age produced on the part of the defendants being first duly sworn by me on the Holy Evangels of Almighty God, and examined to the interrogatories filed with the Commissioner by the Defendants Solicitor, and herewith returned deposes and says,

1 To the first interrogatory to him propounded that he knows Mr Boyd and Mr Danner slightly but knows all the others a long time, has known the Allbers family twenty eight or 30 years.

2. To the second interrogatory He says that he was a Magistrate for four or five years from the year 1848 was a Magistrate in 1851 and 1852 a deed was executed before Witness and George M Hees from William Allber and Wife Nancy Allber and Catharine Allber to Jacob Wisner which first through Witness's hands four hundred dollars, Witness thinks to Mr Roberts, The money was paid to Mr Roberts for a House and Lot on the York Road about 8 Miles from Pittsburgh, which were to be the property of the Allbers. The deed was made to William Allber as a home for the whole family spoken of, as the Witness understood from the parties, except Miss Ann Maria, This was the purpose for which the money was paid Mr Davis had a claim on this property and Mr Wisner gave him his Note for Witness thinks the Note was for four hundred dollars. Witness has a slight recollection of a Note being given to Nancy Allber, but is not positive, heard it said, William Allber and his wife Nancy Allber Catharine Allber and others were present, Ann Maria Allber was not present,

3 To the 3d Interrogatory He saith that the property on the York Road has been their home since the purchase of it, Never heard they claimed any other home, they have since sometimes remained on Pittsburgh a short time with their sisters.

4 To the fourth interrogatory He saith that he knows from current report and nothing else that Jacob Allber was heavily in debt at the time of his death, and that his estate must have to have been sold to pay his debts.

5. To the fifth interrogatory He saith that Ann & Catharine Allber after their fathers death and previous to the sale to Jacob Wisner generally lived on the place sold to Jacob Wisner.

All the foregoing Evidence of Mr Hayhart was excepted to by the Complainants Solicitor,

Whereupon the Complainants Solicitor exhibited his cross interrogatories to be propounded to said Witnesses, which he filed with the Commissioner and which are herewith returned and said Witness being Examined thereon deposes and says,

1 To the first cross interrogatory He saith that he does not know any thing about the supposed debts of Ann Catharine Allber except as to her home, Knows the property remained in William Allbers possession until his death does not know whether the title remained in William Allber until his death, Ann and Catharine Allber lived with William Allber until his death and remained there still, They lived there as one family, Does not know who furnished them with food and clothing, They all remained at the homestead until they removed to the York Road, Witness has not been a very frequent visitor of the House of late years, used to be known thoroughly well when he and they were younger What Witness knows is from personal observation as he lived in the same neighborhood with them, Witness has visited the House as often as twice three times a year, sometimes oftener, of late years has not been there once.

Amos Matthews, a Witness of lawful age produced on the part of the defendants being first duly sworn by me on the Holy Evangels of Almighty God and Examined to the interrogatories filed with the Commissioner by defendant Solicitor and herewith returned deposes makes Oath and says.

1 To the first interrogatory He saith that he knows all the parties to this suit except Mr Boyd with whom he is not particularly acquainted.

2 To the 2d Interrogatory He saith that he does not know the amount of the claims against Jacob Allbers property or the amount of his debts, Witness has some claims against the estate of Jacob Allber which he never pushed because he thought it was not able to pay them, William Allber put Witness off from time to time, and said they could not pay them, There were many claims at the hands of Officers for execution against said estate, Witness himself has put off execution of the personal property of Jacob Allber several times for several days never put off execution but once since it got into Williams hands.

3 To the 3d Interrogatory He saith that he has heard William say they could not pay off the debts without selling the property, and that they were going further behind every year, and that they had to sell,

4 To the 4 interrogatory He saith that he knows Ann Maria and Catharine Allber lived with their brother William on the York Road after the sale of their property to Wisner, has seen them there then and always thought that their home.

All the Evidence of the aforesaid Witness was excepted to by Complainants Solicitor.

Whereupon the Complainants Solicitor exhibited his cross interrogatories to said Witness which are herewith returned and the said Witness being examined therefore deposes makes Oath and says.

1 To the first interrogatory that he knew William Allber say that he found homes for Ann and Catharine Allber, Witness has no personal