September Term 1865

alterations might be made in it.

Witness never saw Mr Wetton at the Mill, but after the Factory had been vacated Witness saw him at the Store.

Witness does not recollect any stipulation with regard to the Condition of the Mill when the Witness purchased it. Learned by the advertisement after speaking to Mr Patterson, the Owner of the Mill and after examining the Machinery himself. If the Mill had required a great outlay to put it in running order it had required 1,000 dollars for this purpose Witness understood had bought it.

When Witness left the Factory the Mill was in a better condition than when he took it.

Witness purchased the property for a Factory to be used as a Factory and for its Water power.

He supposes that the whole Land clear of the Water power, would average about 15 dollars an acre when he purchased it. The front back of the Mill was rocky. The land round the Factory is the most valuable land, it consists of 8 or 10 acres, near the Millrace and was worth about 50 dollars per acre. The North East portion of the Land was worth about 10 dollars an acre.

Witness cannot say that it would have cost before the property in the best possible running order when he left.

Cross Examined for Slothower and Myers.

Witness purchased the property as trustee for his father and had no pecuniary interest in it himself beyond what he could make out of it by running it and paying to Witness Mines of his sales made in that neighborhood about the time of his said purchase and the above is his own opinion of the value of the Land.

When Witness bought the Factory and spinning frame was a good deal out of order Witness was shown by the Machinery except that and they said as an experiment a barrel of what was called Machine Oil, the experiment did not answer.

Again Examined for Gordon Trustee.

The spinning frame being out of order does not prevent a Factory from being in good order, in any Factory you will always find 1 or 2 of the Machines out of order.

Again Cross Examined for Slothower and Myers

Witness thought that the money could be raised to make good the payment orders purchase of the Factory until that a work before was resorted.

At the time Witness was there they had a Machinist to do the necessary repairs and so far as the Machinery was concerned the Mill was always in a condition to do full work and they did full work except when the Water was low, when they could not get the necessary hands.

Also adjourned until the 24 day of November next upon the 1st day of Aug 1857 at the request of the Solicitors of the respective parties Taken the said Commission and you return it closed under my hand and seal this day and year last aforesaid, at the City of Baltimore in the State of Maryland

Frederick Kreiling (Seal) South 13 day of Dec 1857.

April Term 1865

Petitioners Exhibit No 1 Filed with Comm'r May 4 1865

See testimony of H M Gambrill Page 10

" " S P Heath " 11

We undersigned having examined the Machinery of the Revenue Factory lately purchased by Messrs Slothower and Myers find the spinning department in very bad condition we believe any one have seen for the last 15 or 20 years and requiring immediate repairs to put it into running order the cost of which will amount to the sum of at least One thousand dollars we found also in the Card room a number of the Cards to be in bad condition and requiring at once to be repaired the cost of doing which will amount to at least the sum of three hundred dollars making in the all the sum of Fifteen hundred dollars to put the Mill above referred to in good running order.

Stephen P Heath
H M Gambrill

Petitioners Exhibit No 2

See Testimony of Wm A Talbott page 14
and Wm Cotton page 15

List of the Machinery in connection with the Revenue Factory and property 1 Willow, 1 Feeder, 2 Carding Machines, 2 Drawing frames 3 heads each rings & spindles 2 Fast Speeders, 18 Spindles, do 13 Spring frames drop wire roving frames 3 dressing frames 42 Looms for weaving Muslin or tape 1 Double Header Lathe and single do do 1 Cloth Press of a Superior Kind 1 Cloth Scraper, 1 Factory House, 100 feet Long 3 Stories good Stone dam Iron Water Wheel, in the head and fall 9 feet, 5 new Stone houses 8 Brick Do 8 old Log Do 1 Stone Store house 2 Stoys and Basement 117 acres of land more or less.

1 Pig Iron powder 19 miles from Ball on Susq RR Switch running immediately on Road, Cars at 9 & 4.

Petitioners Exhibit No 2 filed with Commissioner June 1st 1853

Frederick Kreiling Commissioner

Petitioners Exhibit No 3

Elijah Merryman and Charlotte Merryman to Wm Workman	Deed in Liber 10 Folio 1828 WG 197, 152 recites the death of Malachi Merryman and the division of his Real Estate by Commissioners and the assignment by them of Lot No 1 unto Charlotte Merryman for Dower, and to Elijah No of Lot No 2 Also Recorded in Liber W G No 191. 446 Consideration $1000 Conveys all that part of said Lot No 1 being all that part of a tract of Land called Simpsonder Mines and all that part of a tract of Land called Greenland and a part of a tract of Land called Coles Chance or Contrivance to Coles Chance or by whatsoever other names any part of the same may be called, lying in Baltimore County it being all that part of the before mentioned tracts being all that part of said Lot No 1 which is situate lying and being within the following metes and bounds courses and distances to wit Beginning description containing 119 acres ~~ten~~ 3 roods be the same more or less, and also all the said Lot No 2 assigned to Elijah Merryman as aforesaid described in the