Complaint and the answer to be used at the hearing of the aforesaid motion - He therefore prays that your Honor will pass an order authorizing him to take testimony for the purposes aforesaid and as in duty bound &c &c

C. C. Magruder Jr.
For Compts.

Upon which said Petition the Court on the Sixth day of May 1867, passed the following order which is annexed to said Petition - towit:

Ordered by the Court this Sixth day of May 1867, on the foregoing petition that the parties be and they are hereby authorized to take testimony in reference to the allegations in the bill and answer filed in this cause before any Justice of the Peace on giving five days notice thereof to the adverse party or his Solicitor or Solicitors and that the same be used at the hearing of the motion to dissolve the injunction subject to all legal exceptions - Provided the said testimony be taken and filed in the Clerk's office on or before the third Monday in June next

Saml. H. Berry -

And thereupon this cause is continued until the Second Monday in June next.

At which mentioned Second Monday in June being the tenth day of the same month in the year eighteen hundred and sixty seven and the day of the return of the aforegoing writ of Subpoena come into Court here the parties aforesaid by their Solicitors aforesaid; and the Sheriff of the County aforesaid and makes return thereof to the Court here thus endorsed towit:

"Summoned John E. Tuton Shff" and at the same time the said Sheriff also returns into Court here the Writ of Injunction aforesaid thus endorsed to wit.

Enjoined John E. Tuton Shff."

And on the first day of July in the year aforesaid the Respondent filed in Court here the following proof towit:

Chas. E. Coffin vs John D. Latchford	No. 556 in the Circuit Court for Prince Georges County sitting as a Court of Equity.

In pursuance of an order passed by the Circuit Court for Prince Georges County sitting as a Court of Equity dated the 6th day of May 1867 authorizing either of the parties to this suit to take testimony before a Justice of the Peace S. J. N. Minnix a Justice

of the Peace of Prince Georges County on Thursday the 6th day of June 1867 at the hour of 9½ O'clock A.M. at Harrisons Hotel in the Village of Laurel in the presence of Complainants and defendants Counsel proceeded to take the following testimony towit;

Henry Plowman a witness of lawful age produced on the part of the defendant being duly sworn did depose and say

To the defendants first Interrogatory herewith returned endorsed respondents interrogatory that He Know Mr Latchford, has Known him for 15 or 20 years. He Know the land in possession of the defendant the exact time he cannot say but he Know when he bought the land and when he went there to reside. He claims title to the land He has built a House and planted an orchard has exercised acts of ownership over it ever since his purchase. The Ellicots were the former proprietors of the land they purchased it of Horace Capron at the time Capron sold the land to the Ellicotts, they were enclosed and witness enclosed them. He doesnt Know when Latchford enclosed the lands Witness in the fall of 35 and in 1836, cultivated them in Corn in 1836. witness acted as manager for Horace Capron and enclosed them at Horace Capron reques in Spring 1836 there was no road over the land in controversy. After the Ellicotts purchased the land they made a road leading from J. D. Latchfords mine Banks to a House belonging at that time to Saml. Snowden - situated near a road called the Montgomery road, leading to Balt. & Washington Turnpike. He knows where the road is, and was opened in 1837 for the purpose of hauling ore from their mine banks now owned by Jno. D. - Latchford to the Baltimore and Washington Rail Road there was no mill road or other road from the 21st Mile stone on the Baltimore & Washington Turnpike as described in the defendants third interrogatory. When the - Annapolis road was completed the Ellicotts hauled - their ore to the Baltimore and Washington Rail Road Horace Capron gave the Ellicotts the privilege of hauling ore from the 21 Miles stone to the Rail Road 4th Interrogatory waived

6th Interrogatory. He has no Knowledge that the road alluded to in the 6th Interrogatory was ever used an old Mill Road and doesnt Know whether it is used as a Mill road at this time as he has not been thereon for the last nine years.

7th Intg: He Knows of such a place as MacKirk furnace but doesnt Know in whose possession it is or who now