past over it quite often.

Cross examined by Defendant Counsel.

The land when I first knew it was owned by different branches of the Snowden family. I knew the land when Mr Ellicott owned it, about 1835. I never considered it a public road but as I called it a neighborhood road & do not consider any road a public road but what is kept up by the County the land on the neighborhood side of the road was unenclosed laying in Commons and a portion of the land on the left hand side was also unenclosed. I do not know how long Mr Ellicott owned it, I believe the whole land on the right hand side of the road and which the said road past was unenclosed to the best of my recollection I knew Mr Ellicott to work the ore banks upon said lands when Mr Ellicott first dug ore he hauled it over the east end of the road to the old stage road from thence to the lower furnace and building of the Rail Road he hauled it over the west end of the road and after building of Munkirk furnace over the road in dispute, the distance from Munkirk to Coffins banks is about one mile but the distance by any other route is about 2¼ miles the longest road is a very hard road and I could hardly consider it passable.

Richard Contee Sworn.

I reside at Oakland the residence of my mother Mrs A. L. Contee there is a road that comes through the place down to the turnpike it is not a County or public road.

Cross examined by Defendant Counsel

Mr Coffin is now hauling ore over it - does not know where Coffin gets his ore from the road spoken of in my first examination was not a public road but the public had the privilege of using it there are three roads concentrating at Mrs Contees near a gate leading to the pike one goes to the mill one to the stage road. the road of which I have spoken passing through my mothers land and running through Mr Alsops I have known from my earliest recollection, he has no recollection of Mr Coffin hauling ore over the road of which I spoke but does know of his hauling from a bank leased from his mother. he does not know but thinks there is a bank back of Mr Satchfords lands all the roads that he has spoken of leads to the old mill road. I have passed through the road in dispute I think it was a public road drove through with parties of Ladies and gents, the land on which the road runs was in the commons and seemed there

were several roads I do not know where Mr Counsey resides.

John Snowden Sworn

I am acquainted with the road in dispute I believe that the road in dispute from my earliest recollection it was used as a public road up to the time Mr Satchford closed it my recollection extends back 20 years and when I first knew the road it had the appearance of being generally used I always considered it as a road running from the old Baltimore and Washington stage road through the mine banks to the Baltimore and Washington turnpike it has been publicly travelled by persons from my neighborhood to the turnpike. I recollect before Munkirk furnace was built persons took that route going and returning from Washington I have met & seen persons travelling that road. I live to the east of the old stage road, did live near the old iron works until within the last ten years, it was a well defined line of road it was well known not to be a County road but equally well known to be a public road I attempted to pass this road winter before last and found a gate which was locked and pulled two fences down to get through

Cross examined by defendant Counsel.

I knew Mr Satchford had closed the road soon after he had bought it, do not recollect that the road was enclosed before or not. the road passing through Mr Satchfords place is the nearest route from the banks owned by Satchford to the Furnace the distance from the banks owned by Mr Coffin and from which he hauls his Ore over the road in dispute is about one mile there is a road leading from Munkirk furnace to Coffins bank which is very circuitous and hilly and in my judgment about 2½ miles further there is a road which I believed others and Coffins teams hauled over it and mine bank men it is a hilly rough road I consider it as a high ridge the route from the oak tree pass Mr Satchfords house to the mine banks the route is a good route for the road I do not know the present condition of it now.

Recalled by Plaintiff

I know that after closing the road the neighbors generally said it had not ought to been permitted and could have been prevented there was no other outlet from Vansville to Mrs Contees (which she claimed as a private road) from the neighborhood of Dr Jenkins across the pike the reason that was given why it could