be prevented was it was an old mill road

Cross Examined by Defendant

I recollect Nicholas Snowden D. Jenkins Regin Snowden expressing that opinion and myself dont recollect any other that he is aware of at this time, have followed the marks of a wagon track with Mr. Isaac Snowden from the pike leading a cross Isaac Snowdens place leading into the Washington stage road the said tract starts from the furnace 1/2 or 3/4 of a mile on the pike it was from 2 to 2 1/2 to Beltsville I have no knowledge of it being a public road I know no public road from this point intersecting the pike and Vansville I know of no other road or indication of a road

Adjourned to June 4th

June 4th met pursuant to adjournment

Thomas Mitchell Sworn

Knows the road in question I've travelled it myself some 29 or 30 years ago never knew of any one being stopped & was also used by other persons it was used principally for hauling ore from mine banks there was a blacksmith shop at the mines but not on the road also a store it was used principally by persons employed in the banks also by persons to purchase goods or have work done I worked in these banks myself I have lived here 31 to 32 years this road leads from the turnpike through Latchfords Land which then betonged to Mr Ellicott thence through Mr Conseys which then belonged to the late Samuel Snowden & through Dr. Jenkins then joining the old stage road I have travelled this road from the pike to Patuxent furnace I could not number the times

Cross examined by Defendants Counsel

I have not travelled the alleged road in question since Mr Latchford purchased it, but does not know when Mr Latchford purchased it. I have known the road 29 or 30 years I have used it as often as I had occasion to I lived near the road this end I was not engaged in hauling ore I have travelled over both riding and walking I never hauled over it at all cannot say the road in question was a public road, when I first knew it was not enclosed it was interspersed with many roads & persons drove where they choosed to. that was at the time Mr. Ellicott owned the place I believe the road in dispute was unenclosed until Mr. Latchford bought the land the public travelled it as they liked it continued so until Latchford bought it

when Latchford enclosed it the reason I believe it was a public road because it was publicly travelled and never knew of any one being stopped. Cannot say how often the public travelled this road I cannot state how often, I know it was used principally for hauling ore it was Ellicotts land do not know from whose land it could be hauled from but Ellicotts I do not know of any one hauling over the said road but Ellicott every body hauled over it who pleased I seen people pass and repass with teames but did not notice who they were could not say I saw them hauling six times over it, do not know of any prevented from hauling over it do not know of any one using the road since Latchford came in possession this blacksmiths shop was on Mr Latchfords land was on Ellicotts land then now owned by Latchford has no knowledge of any other blacksmith shop on the road to Patuxent furnace he is not familiar with the lands now owned by Coursey after remaining on Ellicotts land about 2 years he moved about 5 or 6 miles from there, what he has already stated is all that he knows of the alleged road, does not know that it was a public road but as he described it as heretofore stated, I know where as well that road comes out as where I am sitting it is about 1/2 mile from Muirkirk or little over or under it came out at the 21st Miles stone. I do not know where the road in dispute commences & ends. I know the County road running from the furnace commencing at the rail road crossing the pike runs eastwardly through the lands of Mr Munnix Mark Duvall & Mr Gyson into the old stage road then leads to the old mill, this road runs less than a 1/4 of a mile from Latchfords land I also know of a public road to the pike runs eastwordly through the lands of Mr Contee which every one used & used himself & connected with the old stage road & so on to the old mill this road I speak of passed through the lands of Mr Alsops thence to the mill.

Re-direct Examined by Plaintiff

After Mr Ellicotts time Coursey hauled from the same place perhaps 25 or 26 years ago, in the first part of Ellicotts time he hauled ore eastwordly over the road to Patuxent furnace afterwards he hauled it to the rail road over the same road. I know that part of the road from the turnpike to the stage road commences or begins or ends as I've already stated I cant say how often I have seen persons travel it I never had occasion to haul over it.

William McKnew Sworn

I am acquainted with the road in dispute & that it has