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Answer

He lived in the same house only at the other end of it.

Fifth Cross Interrogatory

5 x. Was he home or not from the time you commenced work for him till you stopped work.

Answer

I dont recollect that he was ever absent a night from there. He was away sometimes during the day for a little time but was always at home at night.

The cross examination of the above witness was excepted to by Complainants solicitor and the whole evidence of the three foregoing witnesses was excepted to by defendants solicitor

Whereupon the Complainants Solicitor exhibited his additional interrogatories to be propounded to said witness which he filed with the commissioner and which are herewith returned & said witness being thereunto interrogated deposeth & saith

First Additional Interrogatory

1st ad. Previous to the time you were employed by John Chatterton and boarded at Mrs Liveseys in the summer of 1860 did you stay at Mrs Livesays continuously throughout that period, or were you sometimes absent

Answer

I barded with Mrs Livesey when I was at work for Mr Chatterton, when I was at work there I went home Sundays. There was a few days between the wheat harvest and the oat harvest that I was not there. I did not

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mean to say that I was there continuously but I was there the greater part of them. I was absent but very few days. I beleive there one or two wet days that I did not work

Second Additional interrogatory

2nd ad. How many days were you at work for Mrs Livesey before you began to work for John Chatterton

Answer

About a couple of days. I built her a spring house.

Whereupon defendants solicitor exhibited his additional cross interrogatory which he filed with the commissioner & which is herewith returned & said witness being thereunto interrogated deposeth & saith

Additional Cross interrogatory

At the time you worked for John Chatterton did you or not see him every day on the place or at Mrs Liveseys in the evening

Answer

I used to see him every night

Then at the request of complainants solicitor & in order to allow him further time for the production of his evidence, the commissioners adjourned the commission to meet at the same place on Monday the 21st of December 1863 at the hour of 3 P.M. at which time and place the commission met pursuant to notice to, and agreement of, the solicitors for the respective parties and then and there in the presence of said solicitors, I proceeded to take the following depositions, that is to say.

Peter Kelley, a witness of lawful age produced on the part of the complainant being duly sworn