Ans. No, sir.

22. If you have not the book with you, how can you remember the amount due, without else, remembering the amount paid, and the wood hauled?

Ans. Because I kept that in my head.

Mr. Bannon was then examined in rebuttal, by the defendants, and deposes as follows;

1. You have heard the testimony of Benjamin Goodwin; will you state if you ever had a conversation with Mary M. Goodwin, in his presence, in your yard, at your gate, or in the cars, about this suit; did he ever employ you for his daughter-in-law, or his son; did you owe his son any money, as testified to by him, for hauling wood to House of Correction, or anywhere else; if so, state all the circumstances in connection therewith.

Ans. I have heard the testimony; I never had such a conversation with Mr. Benjamin Goodwin, in my yard; I never gave an audience to a man in my life, in my yard: if his business was of sufficient importance, I invited him to come in my parlor, or the office, as the case might be; I remember, distinctly, Mr. Goodwin coming with his daughter-in-law, to my house; they both came into my dining room; I invited Mary Maria in my office, and left him sitting in the dining room; it was impossible for Mr. Goodwin to hear anything that passed between her and me in the office, situated as he was; I supposed, from his coming with her, that he was studying up the suit, and I purposely left him in the dining-room while talking with her; the other conversation stated by him, to have occurred at my gate, was wholly of his own imagination; I did not owe James L. Goodwin, at

that time, one cent for hauling wood, or on any other account; he had, as he says, two years before, hauled some wood for me, but not, as he says, to the House of Correction; I never sold a stick of wood to the House of Correction, or anywhere near; I had a contract with Mr. Donnelly, to supply him with wood, who made the brick from which the House of Correction was built; the brick-yard was situated on my land, at the distance of half a mile from that house; I employed a great number of people to haul wood; Mr. Goodwin hauled for me; the wood was to be paid for by a sworn wood corder's measurement; I find that Mr. Goodwin hauled for me 38¾ cords, and, at another time, 50 cords for me; I paid him, and all other men that were hauling for me, as they went along, close up as the hauling would justify me; I desired to keep a little back, so as to compel them to finish the hauling; when the hauling was done and the wood measured, Mr. Goodwin got all his money as soon as he came for it; not one dollar then or since, has been owing that man, nor do I owe him anything now; I had no dealings with him; my property is all in my own name; any man that has just claims against me, can make it out for me; Mr. Goodwin's statement in regard to sending a colored man for me to bring me out of the house, is not true; I don't keep a colored man; if he had sent any person for me, the order I would have given that person would be, tell him to hitch and come in; it is equally untrue about meeting me at Lessup's, and riding up with me, and holding a conversation with me — he on horseback, and I in a carriage, as testified by him; I leave my