2d How much wood was there that I told you to take? A. Not exceeding half a quarter of a cord. — 3d Did you ever see me mawling or hawling any of that wood in the bottom? — A. No I did not. — We do agree that the foregoing Depositions shall be read as Evidence on our trial Given under our hands the 9th of May 1800. — Wm Emmit. Charles Robertson. — Depositions of Witnesses taken the 22d April 1800. — Robert Flemming being sworn as the Law directs deposeth & saith that he assisted in cutting and hawling away 11 feet of a whiteoak tree about 18. Inches over, the said tree stood inside of the lines now claimed by Mr Robinson and that when he was cutting said tree Charles Robinson the claimant as aforesaid came and told him that said tree was his, Mr Flemming told him that Mr Emmit the Defendant in this Cause ordered him to cut it, which tree was for plank for a cross way over said Emmits mill race, and that he hawled 6. rail cuts more not very far from the aforesaid stump but knows not if said rail cuts were within the lines now claimed by said Robinson or not which said cuts were also for plank as aforesaid; Joseph Hughes being summoned & sworn as the Law directs saith Mr Wm Emmit sold him ten trees for sleepers to a House and that John Noel hewed said logs for him, but does not know if he cut them or not for which trees he says he payd Mr Emmit 2/6 p. tree: John Noel being sworn as the Law directs sayth that the trees that Joseph Hughes says he hewed for him he cut within the lines of the Trespass complained of by Charles Robinson. — James Stevenson being sworn as the Law directs deposeth & saith that Charles Robenson in his hearing warned Wm Emmit not to cut any of the timber on the land claimed by him the said Robinson, William Emmit then said to Charles Robinson that he meant to cut all the timber down and sow it down in Grass and if he got it he would get it in meadow ground and that the ground & timber in dispute was good ground, & very valuable timber on account of its being joining Emmitsburgh. — John Hennon being sworn as the Law directs deposeth and saith that being called on by Charles Robinson to Count the stumps that was cut on the Trespass as complained of by said Robenson, they were as follows Viz. 193. 47 of said stumps measured from 2. feet thick to 13. inches. 48. from 13. inches to ten inches. 98. from 10 to 5. inches thick and further that all of said stumps are inside of the lines as laid down by the Surveyor of Frederick County this day which said lines includes the Trespass as aforesaid And also that in conversation between William Emmit & Charles Robenson he heard them dispute concerning two trees that said Emmit complained was cut on his land; said Robinson said that he cut them, says Emmit if you will father them two trees I will father all the rest. — Interrogatories by Charles Robison answered by John Noel

1st what do you think them trees was worth that you hewed for Joseph Hughes? A. I think they were worth a quarter dollar each. — Interrogatories by William Emmit, answered by John Noel. First. Did I show you or direct you to cut them trees upon that land? A. Not that I can remember. — 2d Had I not some land at that time joining the land claimed by Mr Robison? A. I cannot remember. — Interrogatories by Charles Robison answered by James Stevenson. First; was you not personally present when Robert Flemming was cutting of a tree claimed by me? A. I was. — 2d Can you say what you think that tree was worth that he was cutting? — A. I suppose the tree might be worth two shillings and six pence. — 3d what do you think that bottom of timber was worth that I complain of within the Trespass as laid down? A. I think it was worth Twenty dollars. — Interrogatories by William Emmit, answered by James Stevenson. First. what time was it you saw this timber? A. It was in the latter part of september or beginning of October in the year 1795. 2d The timber that you think worth Twenty Dollars was it standing then or cut down? A. It was standing. — Interrogatories by Charles Robison answered by John Hannon. First. There was forty seven trees from two feet to thirteen inches thick on the Trespass? A. I cannot set a value on them trees which I never saw. — We do agree that the foregoing Depositions shall be read as Evidence on our trial: Given under our hands the 9th of May 1800.

Wm Emmit. — Charles Robertson.

Whereupon the parties aforesaid, by their Attornies aforesaid, pray leave of the Court here further to amend the said plots and certificates returned to the Court here in this Cause, and to add thereto, if necessary, by the second tuesday of October next, and to them it is granted; and the same are delivered to the Sheriff and Surveyor aforesaid, for that purpose; Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties by their Attornies aforesaid, and by order of the Court here thereon is further continued until the said second tuesday of October next. — At which said second tuesday of October in the year of our Lord One thousand eight hundred, come again into the General Court here, as well the said Charles Robinson by his Attorney aforesaid, as the said William Emmit by his Attornies aforesaid: Whereupon the parties aforesaid, by their Attornies aforesaid, pray leave of the Court here further to amend the said plots and certificates in this cause, and to add thereto, if necessary, by the second tuesday of May next, and to them it is granted; Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties by their Attornies aforesaid, and by order of the Court here thereon is further continued until the said second tuesday of May next. — And now at this day until the said second tuesday of May in the year of our Lord One thousand eight hundred and one, come again into the General Court here, as well the said Charles Robinson by his Attorney aforesaid, as the said William Emmit by his