Extraction Restate. Being asked for what purpose Peregrine Fitzhugh granted this Land, The Solicitor for Sophia & Sarah Maria Fitzhugh object to the declarations of Peregrine Fitzhugh the witness answers and says: He said they wanted the Large timber on the place for the purpose of repairing on the Extraction Property and the small timber for the purpose of making Coal for Furnace purposes. Fitzhugh & Kunkel took possession of said real Estate and exercised acts of ownership for the purpose stated. The balance of purchase money which remained after crediting the Cash payment, was paid in the note of Fitzhugh & Kunkel given by said Fitzhugh to me, and on which judgment is now obtained in the Circuit Court for Frederick County.

Peregrine Fitzhugh being recalled and asked by the Solicitor for Jacob M. Kunkel what has become of the Contract between Degraumont & Fitzhugh & Kunkel answers and says I do not know what has become of it.

It is my impression there was a written Contract for the purchase of said Land but I do not recollect that I ever had it or what became of it. I have made no search among my papers for it not knowing that anything paper would be called for.

The further taking of testimony was then postponed until Friday the 8th day of February 1860 at which time the Solicitors of the respective parties being present the further taking of testimony was resumed.

Peregrine Fitzhugh being recalled and re-examined by the Solicitor for Jacob M. Kunkel deposes and says. I look at the paper marked A. B. No 10 dated December 5th 1856 the said paper and the signature thereto are in the handwriting of my brother Benjamin L. Fitzhugh: I look also at the paper shown me marked A. B. No 10" dated November 21st 1856 the first four lines of said paper being in the following words. Received Frederick Nov 21st 1856 of Jacob M. Kunkel his bill obligatory of this date for Five Thousand dollars and payable twelve months after date to Sophia Fitzhugh are in the handwriting of Jacob M. Kunkel and the residue being in the following words in Consideration of a Mortgage drawn up of this date in favor of Col Jacob Kunkel and for which the said note of five thousand dollars is in part given and the signatures are my handwriting.

I also look at the paper here shown me marked A. B. No 10 dated the 13th of June 1857 the entire paper is in my handwriting. I also look at the paper here shown me marked A. B. No 10 dated the 31st of August 1857 the whole of said paper is in the handwriting of the Clerk of the Merchants Bank of Baltimore.

I also look at the paper here shown me marked A. B.