

then pointed out the land, and said if they divided the land equally to the best of my recollection corresponding with the plan Commencing with G. and running to F and give me a thousand dollars, it can be settled. He claimed the North side of the line from G to F as the land Blaggett had sold him. I replied, I could give him that line. Mr. Easterday asked me, if Mr. Blaggett authorized me. I told him what I did, Mr. Blaggett would stand to. Mr. Blaggett authorized me to make this offer. Mr. Blaggett was the owner of the land he offered to convey to the Easterdays, I don't know the quantity of land contained within these lines between B. and F where they intersect. +

10th Special to W. J. Dudley; Do you, or do you not, know how much of said lands are in possession of said Defendants, whether or there has been any alterations in said lands from timber to cleared land? How much thereof, if any, has been cleared, and by whom, and whether or no such clearing of the land by cutting down the timber of any, has affected the value of said land and to what extent? State fully all your knowledge hereon. -

Answer - I don't know how many acres they are in possession of. There has been some of the land cleared. I would think that about twenty acres more or less has been cut over. I saw the Easterdays operating upon a portion of that land by cutting. I don't think it would bring as much. I think it has injured the value of the land, to what extent I don't know. The wood off of a portion of that land would bring thirty five dollars an acre, and wood off of some portions would have brought more. I don't expect the land would be worth as much to day to Mr. Blaggett as the day he sold it to these gentlemen. -

1st Cross Sub. At the time of the conversation with John Easterday as testified to by you, did you have a deed from Blaggett to the Defendants for the land claimed by them, to tender to them? At what time did this interview take place? -

Answer - I had no deed to tender them. This interview took place April or May 1862.

2^d Cross Sub. Did you ever see either of the defendants working on cutting timber on that portion of the land in dispute?

Answer - I never saw either of the defendants working on that portion of the land in dispute, or cutting thereon.

3^d Cross Sub. Have any improvements been put on the land by defendants? And if so, what were they?

Answer - A dwelling house has been erected, and I think a young orchard has been planted, and some fencing done on the place. -

4th Cross Sub. Did not the conversation with John Easterday to which you have testified, and his answers to you occur while you were with him endeavoring to settle and compromise the difficulty between the complainant and defendant, as to the division line between them, and after you had said to him that such was your object? Had or had not the defendants or some one of them previously told you that they claimed damages from Blaggett, and for what they claimed damages? Were you or not aware at the time of the interview with John Easterday above testified to, that the defendants had instituted suit for damages against Blaggett? Were you or not aware at that time that a suit for damages was threatened to be brought, or was about to be brought by the Easterdays against Mr. Blaggett? If so, was it not your object in going to see Mr. Easterday to try and settle as well the threatened law suit for damages, as the question about the division line? Were you or not authorized by Mr. Blaggett to settle the whole controversy? -

Answer - My intention in going to see Mr. Easterday on that occasion was to try to compromise the difficulty between Blaggett and Easterday about the true division line of that land of Easterday's from the land of Mr. Blaggett.