

at the time you contracted with the said John W. Sefton?

Ans: I suppose it to be John W. Sefton's, as a gift from his father.

23rd Int: Who was said to be and reported to be the owner of said lot, (Excepted to) at that time by people generally in the community?

Ans: John W. Sefton.

24th. State all you know in regard to the ownership of the same and all facts which induced you to suppose the lot was John W. Sefton's?

Ans: Well Sir, at the time they had the survey, or up there to lay out a field into building lots, John W. Sefton, chose the lot spoken of as his, and William Sefton said that Martin could have one also. They had me up there and at the same time they laid out the foundation of this house, which, from the conversation with William Sefton, I took it to be a gift from William Sefton to John W. Sefton. At another time I intended taking out a Mechanics Lien, it was in the fall of 1871, upon the property of Charles P. Foreman - I then was around there measuring off Charles P. Foreman's lot & William Sefton and his wife came out when I was. She told me, in the presence of her husband, that William Sefton had given Margaret Foreman, his daughter, that lot, and had also given John W. Sefton one, and intended to give Martin Sefton one - but she wasn't going to sign any deeds, for the lot until they had paid for the houses they had put up upon it. I know no more than other people told me that he was.

25th. Int: How far did Mr. Sefton live from said lot - and state whether or not, he was present frequently during the building of the house? And what did he do when present?

Ans: I don't think it is quite a quarter of a mile - He was present frequently at the building of the house - I saw him frequently helping John in fixing up around the house and helping to haul some water up to the plasterers - I think I saw him helping to attend the masons there.

26th. Int: Was or wasn't notice given to said William Sefton of your intention to claim a lien on said house and adjacent land? State all your knowledge herein? State when you gave the notices to Carmack?

Ans: I wrote two notices to Mr. William Sefton & gave them to Mr. Ephraim Carmack, to serve the one and retain the other - I gave them at the same time that I gave him the papers to make out the lien and inside the sixty days (60).

27th. Int: When as compared with the 16th day of October 1872, the date of affidavit on Exhibit No. 1?

Ans: I suppose it was near or week before the 16th day of October A. D. 1872.

28th. Int: Have you either of said notices, or a copy of them?

Ans: No Sir.

29th. Int: (Excepted to). State the contents of said notices?