

time being required for the production of evidence the said Commission was adjourned to the 14th day of February A.D. 1878, at which time and at the place aforesaid I then & there in the absence of John E. R. Wood Commissioner & in the presence of the Solicitor for the complainants & defendants proceeded to take the following testimony, to wit: -

Dawson V. Hammond, a witness of lawful age, produced upon the part of the complainants in Rebuttal being, duly, sworn and examined to Interrogatories filed with the Commissioner by the complainants & herewith returned, deposes & says,

1<sup>st</sup> Q<sup>ty</sup>. Were you present, on the occasion of the writing of the deed spoken of by the Witness Mrs Wood Burgess Hammond & if yes, please state when you arrived at the Hammond house & all that took place on that occasion?

Answer. I was present. About three o'clock in the morning I was aroused from my bed by a messenger demanding my presence at Col. Thomas Hammond's - when I arrived there perhaps an hour later than three o'clock A.M. Dr. Hobbs appeared to be writing a deed - Burgess Hammond met me in the parlor adjoining Col. Thomas Hammond's bed room - I was opposed to the transaction of the deed - Burgess Hammond asked me what right had I to object - I told him that Thomas Hammond my brother was largely indebted to me and I objected to his deeding away his property. When I arrived at the house Col. Thomas Hammond was sleeping - when he awoke, I went into his room - The first thing he said to me was "Dawson, they tell me you want to sell their property to make a quarter of a Dollar" - I replied "Uncle Tom, you know that I could not do such a thing were I disposed". He remarked in a moment, "Dawson, I don't see it" I also remarked, "It might interfere with your Will". Upon my oath, I assent, to the best of my recollection the conviction of my own mind that that was the sum and the substance of all that passed between us, in reference to the deed on that occasion & that I had not, to the best of my judgment, three minutes conversation with him on the subject. Dr. Sim had arrived before I got there. The commotion attending the writing of the deed had subsided before I had got there.

2<sup>nd</sup> Q<sup>ty</sup>. You have stated, in your examination in chief that you are the Executor of the last will and testament of Thomas Hammond deceased - Have you any papers in your possession showing payments by said Thomas Hammond for improvements on "Locust Farm", now occupied by Burgess Hammond & if yes produce them?

Answer. I have and herewith produced them. (Complainants herewith filed "Exhibits D. N. Nos. 1, 2, 3, 4, & 5, which are herewith returned by the said Commissioner.)

(The Defendants objected to the filing of said "Exhibits D. N. Nos. 1, 2, 3, 4, & 5" which said objections is here noted by said Commissioner.)