No. 6459 Equity.

Patrick M. West - a witness of lawful age produced on the part of the Plaintiff being duly sworn and examined deposes and says as follows-

1 Int. State your name, age and residence?

Ans. P. M. West, 70 years, Brunswick Md.

2 Int How long have you known the Lots Nos. 10 & 11 in Berlin?

Ans. About 60 years

3 Int. who has known the lots since you have known them?

Ans. They were owned by a family named Hays — Hays and his wife. He died many years ago though. I can remember him very well. She died much later. She was the mother of Wm. Hays, the Plaintiff.

4 Int Did Wm. E. Hays occupy the house with his wife prior to his death? and if you how long?

Ans. He did. He lived there a number of years before his death. I can't tell how many.

5 Int. Have you ever known of any party or parties claiming title to the property other than the Hayses?

Ans. No sir, only in the last few months I heard a party named Johnson had been paying taxes on them.

6 Int It is claimed that Mrs Johnson has an undivided one half interest being in these lots, the other undivided one half interest being in the Plaintiff Wm. F. Hays: such being the case can either of the lots be divided among the parties without loss or injury?

Ans. I think not because it would make the parcel too small.

Cross Examination by Mr Rhodenbaugh.

1x Int. Did you know Geo. Ebbert of Berlin in his lifetime

Ans. Yes Sir.

2x Int. Did not Geo. Ebbert own lot No. 10?

Ans. Not that I know of. I always heard it was Hays lot.

3x Int Did not Geo Ebbert own 3 or 4 houses in Brunswick and permit Catherine Hays mother of Plaintiff, to occupy this Lot No 11 on the death of her husband?

She was living there long before his death. I never knew anything of Geo. Ebbert owning these lots.

4x Int. Do you know who has occupied lot No 10 since 1870,

Ans. No Sir.

5x Int. what was the value of Lot No. 10 in 1870 and what now?

Ans. In 1870 about 100=. Now $400. or $500=

6x Int. How long has it been since Wm F. Hays lived on that lot?

Ans. I left that neighborhood in 1865 and I think Old Mrs Hayes was living there then: and I did not go back till 1881 and don't know much of what took place in the mean time.

7x Int. Do you know of Plaintiff claiming title to this lot since 1870.

Ans. I don't know whether he claimed it. It has always been by the name of the Hays Lot.

8x Int was not the Hays lot noted since 1870 as being open to occupation by any one?