

MR. NEWMAN:

Q. What you are testifying is that the plat which you hold in your hand shows the practices down at the State Roads Commission.

A. Yes, sir.

Q. You are not testifying as to any independent recollection you may have?

A. No, sir, just what appears on this plat.

MR. STORM:

Q. So if the turnpike road as passed and as passed from time to time until your survey was made was not laid in the actual center of the claimed 66 feet right of way, then this plat would be wrong, is that right?

A. I couldn't answer that cause like I said we would normally go out and make a location of the present road. We have no way of pinning down a turnpike right of way.

Q. And there is no way of determining whether the turnpike right of way ought to be a little to the north or a little to the south?

A. Just by the existing road at the time when this plat was made.

Q. Have you any other matter or thing which you feel might be of benefit to the Court in deciding this matter, anything you feel you should say to make it clearer.

MR. NEWMAN: I object to that. It is too catch-all - not a specific question.

A. Not off hand. I can only say you can check our field books and check our locations on this particular building. That would give specific measurements right there. They would pick up the existing road and find the center and then 33 feet on each side and that would be it. That is the only way we can determine it or anybody else will be able to. Arthur C. Perkins, recalled as a witness, testified as follows:

MR. STORM:

Q. Mr. Perkins, when you were told you were coming up here today, did you check all the records of the State Roads Commission to see if at any time the Turnpike Company had turned over any metes and bounds or descriptions of any type from surveys to you in connection with this road?

A. I had that checked. We have a file on these turnpikes and I told them to be very careful to see if there was a metes and bounds, but from my experience, I know there has never been any. They got the file out and went through it and there is no metes and bounds.

Q. No monuments.

A. No monuments or markers.

Q. Any physical features you could pick up.

A. No.