

At the same place, and on the 30th day of July 1907, in the presence of the same counsel of both parties, Henry M. Wiener a witness on behalf of the Claimant, was produced, and having been by me in like manner duly sworn, deposed and said that his name is Henry M. Wiener, that his occupation is that of Justice of the Peace; that he is 66 years of age; that he has no interest, direct or indirect, in the claim which is the subject of inquiry in said cause, and that he is not related to claimant.

And thereupon the said Henry M. Wiener was examined by the counsel for the Claimant, and in answer to interrogatories testified as follows:

Q. Where did you live at the beginning of the war ?

A. In the Villiage of Burkittsville, Md. Have lived here ever since 1846

Q. What opportunities did you have of being familiar with the property of the Reformed Church of Bur,ittsville, Md. before the Civil War ?

A. I attended Church in the building occasionally, and lived within three or four hundred yards of it. I attended this Church when it was the

Old Union Church years before the War. Two Congregations worshiped in it at that time, the Reformed Congregation and the Lutheran Congregation. The Lutheran Congregation began to build a new Church not over 80 yards from this Church building, and they completed the Lutheran Church in 1860, and have worshipped in it ever since. In 1860 also the Reformed Congregation rebuilt and remodded the old Church building, and the two Congregation have worshipped seperately ever since. I do not know what settlement was made as to property between the two Churches.

Q. What opportunities if any did you have of knowing the cost of construction of building before or during the war ?

A. My father constructed both business houses and dwelling of a brick about 1858 and I wast about at the time of 20 or 21 years of age. I was also in partnership with my father in building operations after the war.

Wm Graham (8) Henry M Wiener



Q. What do you estimate the value of the Reformed Church of Burkittsville to have been in the year 1862 ?

A. Well I would suppose the building at time would have cost in the neighbourhood of \$20,000 if not more.

Q. What opportunities if any did you have of knowing the rental values of property in Burkittsville during the Civil war ?

A. I knew only from general information what residence property rented for at that time. There was no demand for the rental of such buildings as this church or anything but residence property.

Q. What do you estimate the rental value per month of the Reformed Church of Burkittsville, Md. in 1862, considering the character of the building, and what it was to be used for a military Hospital, and not including any damages to the property ?

Objected to by the counsel for defendant for the reason that the witness has not shown that he had had observation or experience at that time to enable him to give a correct estimate of the rental value of this building

A. Well the owner should have at least 10 or 15% of the value of the property, as a yearly rental. I don't think that 20% would not be too much. But I do not mean that is to cover any damage.

Q. State what if anything you <sup>know</sup> as to any occupation of this church for any military purpose at any time during the war?

A. I know that there were wounded soldiers of both armies brought in here in the Federal Ambulances and placed in that church within a few hours after the battle of South Mountain or Cramptons Gap which occurred Sept. 14 1862. I assisted in taking out some of the pews myself, when the soldiers were placed in it, and was in the church several times afterward, many times while they were there. The soldiers were removed from Burkittsville, gradually as they improved or recovered. The last of them according to my recollection were taken away between the holidays. I know some of them were still there in the church in December. As it was getting colder they could not keep up the heat in the church and they were taken away.

Wm. G. Brown (9)

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I know the seats were taken out of the Church in a hurry by a half dozen men, and I know some of them were broken or split to some extent, but I could not state definitely to what extent. I distinctly remember that there was a carpet on the center aisle of the Church the aisle I entered the Church, while the soldiers were here. I cannot remember whether or not there was carpet on the other portions of the Church or not. There was no carpet inside of the pews of the church at that time. I do not think they could have time to remove any carpet they were brought in in such a hurry, I <sup>know</sup> 30 or 40 soldiers were brought in at once. At first they lay on the floor with nothing but blankets, some with not even blankets, but very soon the next day I think they brought in straw for them to lay on. I remember of seeing blood on some of the walls of the Church. I saw blood on the west wall between two windows as high as the bottom of the windows or a little higher. I also saw blood on the South wall at the left of the entrance by the side of the amputation table. The amputation table was located in that corner of the Church the first day or two, and after that they removed it to the front part of the Church some where. After a few days <sup>the</sup> straw on the floor got wet and became offensive and they then put men at work and made cots and covered the whole floor of the Church with cots, made of lumber, and put straw into ticks for beds. There were also soldiers in the gallery during the occupation, I was up in the gallery once or twice while they were there.

Cross examination by Mr. Lamar.

- Q. How do you arrive at your estimate of \$20,000 as the value of this Church in 1862.
- A. According to the value of materials at that time.
- Q. Were you familiar with the value of the timber at that time, and could you now state what was the value of brick, lumber and labor, as well as other timber used in the construction of the building?

Wm. G. Graham

Henry M. Wiener



A. Brick at thime was wothh 6 or \$8.00 per thousand. The facill ties for getting lumber was not as good as now and was somewhat higher <sup>than</sup> in brivk in proportion, we hauled from Frederick or Hagerstown then, Frqm ng lumber was worth about 15.00 per thousand, flooring about \$20.00 per thousand . I dont remember about what the cost of labor was at that time.

Q. In making your estimate of \$20.000 for the value of this building , you have not estimated the quantity of the different materials required in the construction of a building at that time and the cost of labor necessary for the erection of such a building and suned them up to arive at this result have you ?

A. No, nor did I intend to do it . I apporximated it .

Q. Have you any idea how much brick it takes to construct this building ?

A. No , I have never measured it.

Q. Your estimate is more of a guess than an estimate is it not ?

A. Yes.

Q. How do you arrive at your estimate of your 10 to 20% of the value of the building as a proper rental value for building of this size in this locality ?

A. A rented dwelling house is always considered . not less than 10%. Churches and Halls always bring moare , but I don't know why.

Q. There was no demand commercially for the rental of buildings of the size of this Church in this Community was it ?

A. No sir.

Q. Then as a matter of fact commercially ppeaking it would be imposible <sup>to find</sup> the rental value of a building of its size and character at Burkittsville, would it not ?

A. Yes we had no critterian to go by.

Q. Examination having been concluded , the witness being asked whether he knew of any other pertaining to this cause which he has not stated says he has not.

Wm. Graham  
(11) Henry M. Wiener