

At the same place, and on the 1st day of August 1907, in the presence of the same counsel of both parties, David M. Whipp, 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 David M. Whipp, that his occupation is that of Farmer; that he is 67 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 David M. Whipp was examined by the counsel for the Claimant, and in answer to interrogatories testified as follows:

- Q. Where did you live during the ~~civil~~ war ?
- A. I was born and raised about 1 mile from Burkittsville Md, and have lived there all my life.
- Q. State what connection you had with the Evangelical Lutheran Church of Burkittsville, Md?
- A. I have attended the services of that Congregation ~~all~~ my life and ~~Church~~ became a member of that ~~about~~ 30 years ago.
- Q. State what if anything you know of the occupation of ~~or~~ injury to the Evangelical Lutheran Property of Burkittsville, for any military purpose at any thime during the Civil war?
- A. It was taken possession of directly after the battle of Cramptons Gap or South Mountain by Federal ^{soldiers} and used for Hospital, and I think it was so used for about 4 months or 4½ months. I was married on the 22nd of February 1863 in that Lutheran Church and the Church was fixed up and cleaned some what for the marriage. I hardly know just how long before that date the Church had been vacated by the soldiers, but it could not have been a great while. I was in the Church repeatly while the soldiers was there, and I know all the seats were taken out. I do not recall any injury to the building f aside from taking the seats out and the fact that there was blood around where opporations had performed. The opporating table was in the vestibule of the Church the upper floor, and I saw arms and legs that ad been amputated lying in that vestibule. The Carpet I think was left down in the Church while the soldiers were there, I helped to

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take up the carpet which was dirty , and soiled and not fit to be in the alter , shortly after the soldiers left, and we put down a new carpet . Before the military occupation there was an ingrain in the aisles, and a brussell carpet in the alter . I cannot recall whether there was any carpet in the pulpit platform above the alter platform.

Q. State whether or not the Evangelical Lutheran Church of Burkittsville as a church organization , rendered any aid to the Confederacy at any time during the Civil war ?

A. No sir , except to care for some wounded Confederates in the Church who were prisoners .

Cross examination by Mr. Lamer.

Q. About how much carpet was within the alter rail which you say was soiled, and had to be replaced by new carpeting after building was vacated by the troop ?

A. I think it was about 15 yards of brussel carpet that is allowing the carpet being only $\frac{3}{4}$ of a yard wide.

Q. This carpet had been in use for several years at the time this Church had been occupied by the troops, had it not ?

A. Yes sir.

Q. How do you fix the the period of occupation of this building at four or four and a half months ?

A. I don't know anything else except by the time I was married which was the 22nd of February and they had left it then , I think the Church was cleaned up after they left as soon as could be conveniently be done.

The examination of the counsel having been concluded, the witness being asked whether he knew of any matter pertaining to the cause which he had not stated, answered that he did not. (Except that his recollection is that the following summer of 1863 there was a general renovation of the Church, at which time they had services in an other building , and at time the Church was painted through out the interior and he is not certain whether it was frescoed or not, and he has no knowledge whether this work was necessitated by the military or not.

Wm Graham N. P. (23) David M. Whipps