Such statements

and between Lane and Jenkins would be hardly consistent with the idea that Lane had sold but a portion of house and claim to Jenkins and of course are conclusive proof that Lane had sold some interest in the house and claim to Jenkins To the same effect we may add the testimony of John Hutchinson* of Lane's witnesses. He says his best recollection is that the notes which were tendered back to Lane in his office were given for for Lane's house and claim They may however have been given for a part of the house and claim; this recollection is from the statements of Lane Jenkins and from the reading of the contract This contract speaks only of half the claim: therefore his recollections concerning Lane selling a part must have been derived from that and about his having sold the whole from the other Sources - Lane and Jenkins.

* Hutchinson testimony page 36 - Evidence

The only evidence contradictory to this and of late date is that of Shimmon a partner of Lane. He says that in riding up in the stage Jenkins spoke of having bought the half of Lane's improvements. This was in Feb? 1856: Early in Feb.: It would be easy to make a mistake in the matter of the half but we wish the testimony to go for what it is worth This apparent discrepancy is