

whether the purported mark of Eli Fisher had already been made on the paper; that, in fact, witness was called to that office on several occasions to witness marks and signatures and can remember nothing definitely whatever about this case, and that if Eli Fisher died at about the time Thomas Jones died witness would say that his death must have been in November, 1904, because witness was working at Mr. Jones's house and stopped a few days before his death, and that the last check Mr. Jones drew for witness was on or about November 15, 1904.

James S. Wilson of 948 Vandever ave., Wilmington, Del., testifies that he formerly resided at Ridgely, Md. and remembers some colored man named Fisher, but can not say whether he ever knew Eli Fisher; that he identifies as genuine his signature to the December, 1904, voucher, purporting to have been executed by Eli Fisher; that he can not remember the details connected with the execution of that voucher as he would witness a dozen vouchers at one time; that at that time Mr. Temple, a justice of the peace, had a desk in the store where witness was employed and a number of colored pensioners who could not write would come there to execute their vouchers him, and witness, for several quarters, was called upon to witness marks and paid no attention to what happened because he would witness a dozen papers at one time, and that witness can not say whether he saw any person make the mark to this particular voucher, but after hearing where pensioner lived, witness is unable to place the man,