April Term 1868

Q. you would not swear that any one else has never heard

A. Yes. I will

Q. How much money did Daniel Patillo have in his pocket on the 31st day of May 1852

(Objected to on the ground there is no evidence he had any money)

A. I cant say he had any

Q. Do you Know of your own Knowledge independant of anything you have been told or read what money or what means your brother Patillo had in Cincinnati, in Baltimore in Philadelphia or at any time when you were not with him

A. I Know no farther than he has told me so.

(Motion made to strike out last answer by Counsel for Plaintiff)

Question Repeated

(Repetition of question objected to on the ground that it has already been answered)

A. I have no answer to make

(Question repeated carefuly read to witness and Counsel for Plaintiff declines to proceed with farther Examination of this witness unless question is answered and Moves to strike out her entire Deposition

A. I have no Knowledge any farther than what he has told me.

(Counsel for Plaintiff moves that answer be stricken out contends he has a right to a Categorical answer and that if the above answer be stricken out as he believes it will be there will be no answer to the question)

R-Direct

Q. Were you in frequent Communication with your

April Term 1868

brother Daniel P. Chatterton for the last three years of his life and if so what did he state if any thing as to his pecuniary means.

(Objected to on the following grounds

1st That the witness is now in contempt for refusing to answer a question and that she should be questioned no farther until her answer is given

2nd Daniel P. Chatterton neither is nor has been either party to this or witness in it and no statements of his to the witness now on the stand whether oral or written are legal testimony

3rd If his written statement be evidence the writings themselves are the best and parol testimony cannot be given of them

Question Waived

Q. Have you any letter or letters of Daniel P. Chatterton. Except the one heretofore produced, and have you Examined it to see.

(Objected to on the two first grounds above specified)

A. I have no other letters but I have had, and I have Examined to see whether I have any other

Question above waived now repeated

(Same Objection)

A. I was in frequent communication with him He always stated that he was poor that he had no means of his own, and was dependant upon his brothers

Q. Have you heard the Plaintiff or her husband speak of the pecuniary circumstances of your brother Daniel Patillo and if so what was said

(Objected to on following grounds

1st The husband of Plff is not a party to this action nor is he nor can he be a witness and