on to Mr. Tripp?

(Objected to as leading)

Answer. I am not positive about my going to him, or he coming and bringing the deed to me; but I told him what I wanted with the deed, was to put a mortgage on the property, and what I wanted to use the money for.

39 question. Did he make any objection to giving you the deed, when you told him you wanted to put a mortgage on the property, and what it was for?

(Objected to as leading)

Answer. No, sir; I do not remember his making any objection.

40 question. You said, when you wanted to make the mortgage to Cate, you told your father you wanted the deed, to extend the mortgage on the property, and put more on it; did he then object to giving it to you for that purpose?

(Objected to as leading.)

Answer. No. sir; I explained it to him, that I was getting the money for a less percentage - six per cent., instead of eight, I was then paying.

41. question. You have said, you were very much excited when you were at Mr. Benson's office; state the cause of that excitement?

Answer. The cause was, my father transferring this property to my sister, which he had made a present to me, knowing I had a mortgage on it, and he doing this thing, I did not know but what he would deny giving me the property, and get me into trouble; I think I said to my father, that the manner he was acting, might put me into a very serious trouble - might cause me to be arrested for forging his name, if he denied he had given me the property.

The commission then adjourned to March the 6th, in the same year, and same place, at 3 O'Clock, P. M.; at which time and place the commission met, and I proceeded, in

the presence of the solicitors of the respective parties, to take the following depositions, that is to say:

Catherine Kirby, a witness of lawful age, produced on behalf of the complainants, being by me first duly sworn on the Holy Evangely of Almighty God, in answer to the following questions propounded to her in that behalf makes oath, deposes and says as follows, viz:

1st question Where is your residence?

Answer 303 E. Pratt St.

2 question. Do you know the parties to this suit?

Answer. I do; I am the wife of Edward Kirby, the last witness.

3 question. How long have you known your husband?

Answer. Ever since I knew myself; I could not say what year; we played together when we were boys and girls, from the time I was seven years old.

4 question. You say you have known him since you were seven years old, and played with him; by what name did you then know him, and by what name have you since known him?

Answer. When we were children, always Ned Kirby - since we have been grown, by the name of Edward; that was the only name I ever knew him by since then.

5 question. Have you always known him as Edward Kirby, or has he of late years been known to others by the name of J Edward Kirby?

(Objected to as leading.)

Answer. Yes, sir, I always knew him as Edward Kirby, but since the war, I knew he prefixed 'J.' to his name.

6 question Have you any knowledge of a device in India ink and vermillion on his arm; if so, how long have you known it to be there?

Answer. I knew he had that mark on his arm long before he was married, and he showed it to me when he was quite a boy;