26X. What was he called in your father's family?

Ans. Thomas, and I forget what else; his name was James Thomas.

27X Did your mother have any brothers, and what were their names?

Ans. I can tell three - Samuel. Joseph, and that is all I can remember; there were others - I forget now their names.

28X. Were you informed what paper it was said that your brother had forged?

Ans. Yes, sir; a mortgage on the house 303 E. Pratt st. which he really owned.

(Objected to as not responsive.)

29X. Was it said to you by your brother, and his wife, that the paper it was said he had forged, was the mortgage on the house that he really owned; did they, or either of them, use those words to you - all of them?

Ans. No, sir; he came up and said to me, that there was a beautiful bill filed; they did not say the house they really owned.

30X. When were you last at your step-father's house?

Ans. I have never been across their threshold but once, since that man married their grand-daughter; that was on business, and about two years ago.

31X. You are, then, not on good terms with your step-father's family?

Ans. Yes, Sir, I am, but do not visit them; I have no time to visit, unless they are sick and send for me.

32X. Why do you use the expression in answer to the cross interrogatory next preceding the last, "that you never crossed the threshold of their house since that man (meaning the father of Charles R. Myers, now present) married their grand daughter?

Ans. Just because I never had any pleasure in going there; I had other places where it was pleasanter.

33X. When were you last out for on any occasion of sickness

there?

34X. Did you visit there frequently after her death?

Ans. No, sir; my business kept me home.

35X. How was it that you were not at your brother's marriage?

Ans. Cannot tell; might have been sick; there must have been some cause.

36X. Were you present at your step-father's house in February or March, 1876?

Ans. Think not; cannot say about dates.

37X. Were you - when your step-father loaned you two hundred dollars?

Ans. I was in my own house.

38X. When was this?

Ans. Cannot tell when it was; he has lent me money, and I have lent him money; that is paid back.

James Smith, a witness of lawful age, produced on behalf of the complainant, being by me first duly sworn on the Holy Evangely of Almighty God, makes oath, deposes and says as follows:

1 quest. What is your name and occupation, and where do you reside?

Ans. My name is James Smith; am the husband of the former witness; and a builder and mason by occupation; and reside at 31 Patterson Park ave.

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

Ans. I do, all of them.

3 quest. What do you know about the house 303 E. Pratt st. and No. 305 adjoining, in reference to the ownership of them, by Edward Kirby, the elder?

Ans. I am very conversant with the property, and the manner in which it was disposed of; I am the party that first leased the lots on which the houses stand; assisted in the