in-law gave the first mortgage on the house; no one was present but my sister and myself.

15X quest. Are you known as another party in your sister's family.

Ans. I am not known as another party, but as Mrs. Kirby's sister.

16X quest. Have you stated all that Mr. Kirby, Sr. said at that conversation?

Ans. Yes, sir.

17X quest. Are you able to say you have stated the exact words he made use of at that time?

Ans. I think I have; he came in and said, "Katy, here is the Fire Insurance Book, and Neddy will need it".

18X quest. How long have you been living with your brother-in-law?

Ans. Off and on, for twenty years; part of the time, I lived with them in Washington, on B. street, between 5th and 6th, southeast.

19X quest. Did you ever hear, that brother-in-law was married to your sister, by the name of John Edward Kirby, before to-day?

Ans. I never did; I always thought he was married by the name of Edward; I only know him that way, and never inquired - they were married by the Rev. Hezekiah Best, who was then Pastor, I think, of the Seaman's Union Bethel.

Edward W. Benthal, a witness of lawful age, produced on behalf of the complainant, being by me first duly sworn on the Holy Evangely of Almighty God, to answer to the following interrogatories propounded to him in that behalf, makes oath, deposes and says as follows, that is to say:

1Q quest. What is your age, residence and occupation?

Ans. I am seventeen years of age; live at 303 E. Pratt st, and am learning to be a pilot.

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

Ans. I know all but the complainants.

3 quest. Do you recollect of having had a conversation with Edward Kirby, Sr. sometime in the Spring of 1878, in reference to a deed?

Answer. He asked me if I got any papers from a lawyer; he did not ask me for a deed.

(Here it was admitted, that complainant's solicitor had, at the last meeting of the commission, given notice to the solicitor of Frances Ann Towns, to produce a deed from James Logue to Edward Kirby, dated January 30th, 1866, in response to which notice, the deed marked Complainant's Commission, Exhibit E.W.B. No. 1," is produced.)

1 quest. Look at "Complainant' Commission, Exhibit E.W.B. No. 1," and state what knowledge you have, if any, of that paper?

Ans. I know I got a paper, something like that, from Mr. D. M. Reynolds' office, and carried it down to my uncle, Mr. Edward Kirby, Senior, and he told me to take it home and look it up.

2 quest. How came you to go to Mr. Reynolds' office for that paper?

Ans. My uncle sent me with a note, to get the paper.

3 quest. Did any conversation ever take place, between you and Mr. Edward Kirby, Senior, in reference to a paper at the lawyer's office; if so, state what it was?

Ans. On his step he asked me if I had got the papers from the lawyer's office, yet?

4 quest. Did he name the paper?

Ans. He did not?

5 quest. When was it?

Ans. April or May, 1878.

Cross-Examined by Mr. Smithson.

1X quest. Did you ever hear Mr. Edward Kirby ask your uncle for that paper, his papers or his deed?

Ans. No, sir; I did not hear him ask my uncle, but he asked