me if I had got it from the lawyer's office, yet.

2x question. Did you ever hear any conversation between old Mr. Kirby and your uncle, in reference to that deed?

Ans. No, sir.

3x quest. Fix, as near as you can, when you got that paper from Mr. Reynolds?

Answer. Latter part of April, or first of May.

4x quest. What did you do with that paper?

Ans. I took it to the house, and locked it up in my underdesk.

5x quest. What did you do with the keys of the desk?

Ans. I took them to my uncle.

Re-Examined by Mr. Reynolds.

6 quest. Which took place first, the conversation between you and the elder Kirby, or your act of going after the deed?

Ans. The going after the deed at Mr. Reynolds' office.

7 quest. How long was it?

Ans. It was on the same day.

John Edward Kirby, a witness of lawfull 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 interrogatories propounded to him in that behalf, makes oath, deposes and says as follows, viz:

1 question. State your name, age, residence and occupation?

Answer. John Edward Kirby; 24 years of age; 303 E. Pratt st., and am a bricklayer.

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

Ans. I do.

3d quest. Did you ever have any conversation with Mr. Kirby, the elder, concerning a deed; if so, what was the conversation, and when did it take place?

Ans. I had, on three different occasions; on one occasion, I was going out the back way of our residence, 303 E. Pratt

street, and I met him at his gate, as he was going in the gate adjoining our's, and he asked me, if my father had gotten those deeds yet, and I said no, sir, he has not got them yet; I told him the lawyer had not got through with them yet; on another occasion, I met him at the gate, he asked me the same question, and I told him that my father - to tell him, as soon as the lawyers got through with them, they would give them to my father, and he would give them to him; the third time, I met him at the front door, and he asked me if father had got the deed yet, and I told him no, but he would get them as soon as possible, the lawyers would be through with him in two or three days.

4th quest. Do you know who the lawyer was, you and your grandfather were talking about, and what he was doing with the deed he referred to?

Ans. It was at Mr. L. M. Reynolds' office, on Lexington street, corner of St. Paul; I can't say what the lawyers were doing with it; I never asked.

5th quest. Do you know, whether the old gentleman knew what lawyer had the deed?

Ans. I never asked him, and he never told me.

6 quest. Do you know, when your father made the mortgage on 303 E. Pratt street, to Mr. Cate?

Ans. Yes, sir, it was in April, 1878.

7 quest. When was it that these conversations took place between you and your grandfather, that you have spoken of?

Ans. These conversations took place in the latter part of April, or the first of May, 1878, and were one or two days apart.

Cross-Examined by Mr. Smithimm.

1x quest. You are known as John E. Kirby, Junior, are you not?

Ans. I am by some people.

2x quest. In the several directorys of the last four or five