on that occasion?

Ans. No, sir; I didn't see his father give it to him, saw Neddy come down stairs with it when his father was coming right after him.

79 quest. Did you know at the time when Neddy first asked his father for the deed, that Neddy had mortgaged the house?

Ans. No, sir, not exactly then.

80 quest. Didn't you know that there had been a mortgage on the house some years before that?

Ans. Yes.

81 quest. Didn't the old gentleman, Mr. Kirby, know the same as you knew about that mortgage?

Ans. No, sir, he did not know it.

82 quest. Wasn't the old gentleman the one that told you about it?

Ans. No, sir, he wasn't the first one that told me about it, I was the first one that told him.

83 quest. Then you did tell him about it?

Ans. Yes, his step-daughter, Mrs. Smith, told me and I told him.

84 quest. Who held that mortgage that you now have referred to?

Ans. I don't know.

85 quest. What was it that you told the old gentleman, Mr Kirby, about the mortgage, tell us all you said to him?

Ans. I told him, Mrs. Smith told me, that Neddy had lifted a mortgage on that house, No. 303, but that she didn't know what he did it for. I told the same to him.

86 quest. What do you mean by lift a mortgage; do you mean putting a mortgage on?

Ans. Yes, that is exactly what I mean.

87 quest. How many years ago was this conversation had, think

you?

Ans. I don't know, sir; from 6 to eight years; when the old man and Neddy came down the steps, I asked the old man what that was Neddy had; he said it was the deed of property, 303 E. Pratt st, he didn't know what he wanted with it; I knew it was the deed of that property, because I seen it before.

88 quest. You said you are a niece of the old gentleman's wife, were you not also a niece of his wife's first husband, Mr Wayson?

Ans. Yes, but I was only a niece by marriage.

89 quest. Try and recollect whether Neddy said anything to Mr. Myers, about shooting him on the occasion you have referred to?

Ans. Yes, I don't only recollect it but I know he did at the breakfast table.

90 quest. Do you know whether there is a mortgage now on the property?

Ans. I don't know.

91 quest. Did you never know there was a mortgage on the property?

Ans. No, not until she (Mrs. Smith) told me, it hadn't been long done then.

92 quest. Wasn't it a mechanics' lien that she said?

Ans. No, sir.

93 quest. You say she told you Neddy had took a mortgage?

Ans. She told me Neddy had took a mortgage on the property, and I came home and told the old gentleman, and asked him if he knew anything about it, and he said no.

94 quest. Wasn't – what Mrs. Smith told you, that Neddy had gone and raised a mortgage?

Ans. I said Neddy had put a mortgage – raised a mortgage on his father's house; I called it lifted; and she asked me,