8 quest. Did you ever see James T. Kirby write?

Ans. I can't remember that I ever did, but I am otherwise acquainted with his handwriting.

9 quest. Did he, or not, appear to that suit as defendant?

9 Ans. He did, by Wm. H. Cowan, his counsel.

10 Quest. Look at the paper marked Release No. 1," and state in whose handwriting the name John E. Kirby signed there, is?

Ans. I don't know, but the writing in the body of the release, is by himself.

11 quest. Where did you get that paper from originally?

Ans I was given to me by John E. Kirby; let me qualify that by saying, I presume it was given to me by John E. Kirby; I mean. I presume it was given to me by John E. Kirby, for I would not have paid to him the money mentioned as the consideration therein, without his having given it to me.

12 quest. Did you pay him the $337.70 mentioned therein?

Ans. I did, by check on Second National Bank of Baltimore, which I now have in my possession endorsed by him, passed through the bank and returned to me.

13 quest. Now look at the paper-writing shown you, marked "Release of James T. Kirby to Thomas W. Griffin, trustee;" and state in whose handwriting the signature James T. Kirby is and how you acquired the same originally, and whether, or not, you paid to James T. Kirby, the defendant in the cause you have mentioned, the sum of money mentioned in said release.

Ans. That signature is the signature of James T. Kirby; my recollections of the transaction with Mr. Kirby is, that he told me that he was willing to give to his father, Edward Kirby, his share of the proceeds of the sale of the property mentioned in the proceedings in this case, and that if I

would prepare a paper to that effect, he would sign it; this was in response to a statement that I had made to him; that I had understood from his father, that all of the children intended to give him, the father, their share of the proceeds of the sale; accordingly, I prepared such paper, which was not signed by either himself, or any of the other children; his father however, came to my office; and received from me this release, and also a check, payable to the order of James T. Kirby for the sum of three hundred and thirty-seven dollars and seventy cents, the amount stated in this release, which he was directed to have James T. Kirby execute before a Magistrate, and return to me; upon its return, I gave him the check I have just mentioned; that check I now have endorsed by James T. Kirby, and returned to me from the Second National Bank.

14 quest. Do you know the signature of John T. Farlow, late a Justice of the Peace?

Ans. I do; he is dead.

15 quest. Was he justice of the peace at the time that paper was purported to have been executed?

Answer. He was.

16 quest. State whether, or not, his signature to certificate of acknowledgment is in handwriting of said John T. Farlow?

16 Ans. It is.

17 quest. Mr. James T. Kirby has sworn, that he never received one cent from you as trustee, in the above mentioned case; is that true, or false?

Ans. Considering the check which I gave the father for Mr. James T. Kirby as money it is false.

18 quest. Recurring to the mode in which you paid Mr. James T. Kirby; please state, if you paid the whole sum by your check, or whether any part of it was paid in any other manner; look at the check and paper-writing, marked Thomas W. G.; and