Charles R. Varly Myers, as is contained in the 9, 10 and 11 int. and answers:

Because the same is mere hearsay.

And also excepts to so much and such parts of [redacted] deposition of said Myers, as is contained in the 12, 13 and 14 int. and answers thereto:

Because the same is only hearsay.

Because the declarations of said Edward Kirby, Sr., are not admissible in his favor in this case.

And also excepts to so much and such parts of the testimony of said Myers as is contained in his answer to the 24th int, as details conversations between said Myers and Benson:

Because said conversations are not relevent to any issue in this case.

Because the same did not take place in the presence and hearing of the complainant or of Edward Kirby, Jr.

And he also excepts to so much and such parts of the testimony of said Myers, as is contained in the 25, 26, 27, 29, 32, 33, 34, 35, 36, 37, 38, 39 and 40 interrogatories and the answers thereto:

Because the same is wholly irrelevant to any issue in this cause.

Because the same relate to matters between other parties than those to the cause.

And he also excepts to so much and such parts of the testimony of James E. Towns, as is contained in the 4, 5 and 6 int. and answers thereto:

Because the same is irrelevant and immaterial to any issue in this cause.

And he also excepts to so much and such parts of the testimony of Elizabeth H. White as is contained in the 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 55, 56, 57, 58, 59, 60, 61, 62, 63, and 64 interrogatories and answers thereto:

Because the same is utterly irrelevant to any issue in this case.

Because such questions as are objected to as leading, and so noted in the commission, are leading.

And he also excepts to so much and such parts of the testimony of Edward Kirby, Sr, as is contained in the 81, 82, 83, 84, 85, 92, 93, 94 –; and also to the paper purporting to be the last will and testament of Edward Kirby:

1. Because the same is irrelevant to any issue in this case.

2. Because the same is immaterial.

3 Because the said paper-writing is only the declaration of the said witness, made after the gift to the said Edward Kirby, the younger.

And he also excepts to Respondents' Exhibit No. 2" filed with the commission, as evidence in this case:

Because the same is irrelevant.

Because the same is only a copy of the Proceedings of the Sixth Annual Bricklayers' National Union, and is, therefore, not proper evidence in the case.

And he also excepts to the papers in the case of Edward Kirby against James Smith and others, offered in evidence by the defendants in this case:

Because the same is irrelevant to any issue in the case.

And he therefore prays that the said testimony may be rejected and excluded.

L. W. Reynolds,
Samuel Snowden
For Complt.

Upon which said exceptions the Court passed the following order to wit:

In the Circuit Court of Baltimore City:

Having decided this case upon evidence which I deem quite sufficient to sustain such decision, irrespective of the