October Term 1884.

Interest on same to April 15th 1884			12 69	350	77
Amount due Complainant				1009	63
State and City taxes for 1882 per voucher exhibited to Auditor June 21, 1884				338	08
				1042	71
Cost of suit to be paid by the Defendant viz:					
Compl Sol.		10.00			
Clerk		52.50			
Testimony	Paid by Complt.	25.20			
Sheriff		1.20			
Defts Sol.		10.00			
Auditor	Paid by Complt.	13.50			
Additional:					
Auditor taking testimony (paid by dfft)		13.50			
Do. for this account (paid by Com.)		13.50			
Sheriff.		.40			

Testimony taken before the Auditor and Exhibits therewith:
(Filed 21st June 1884)

Marcella MacTavish Trustee
vs
Nicholas Popplein et ab

In the
Circuit Court
of
Baltimore City.

Evidence taken before the Auditor June 12th at the instance of the defendants Elizabeth H. Collins and Richard Bernard administrators of John Eschbach.

Richard Bernard a witness of lawful age produced on behalf

October Term 1884

of the defendant being by me first duly sworn deposes and says:

1st Interrogatory. You are one of the administrators, I believe, of John Eschbach. Have you as such had the principal charge of the administration, so far as it has yet proceeded?

I am one of the administrators and as such have had the principal management of his estate.

(Question and answer objected to as irrelevant.)

2d Interrogatory. What debts and claims existed against him at the times of his death?

There were two classes of claims, one class secured by mortgage and another class not secured, all of the latter class, I believe, were proved in the Orphans Court. My recollection is that of the accounts proved in the Orphans Court, there was the sum of $150. that was secured by mortgage for which no note was given which was interest due at the time of his death. All the rest of the claims that were proved in the Orphans Court were unsecured.

(Question and answer objected to as irrelevant and answer as not responsive.)

3d Interrogatory. Have any suits been brought or prosecuted against the administrators upon claims against the said John Eschbach or his estate besides those of Marcella MacTavish trustee, and Daniel J. Foley trustee, and which are still pending?

There are still pending a suit in the U.S. Circuit Court brought by R. D. Wood & Co of Philadelphia. This suit is on an alleged bond in the penalty of $2000, on which it is alleged that John Eschbach is liable, and in which the damages sustained are claimed to be more than the amount of the bond. Exhibit "J. E." now filed are a certified copy of the docket entries and war in that case. There was another suit pending against John Eschbach in the Court of Common Pleas, and to which the administrators were made parties. That suit is still pending and