5 Q. This suggestion of the covenant was made, as I understand, during the period when it was supposed the title company would pass the title and give an insurance, was it not?

Ans. It was prior to the conversation I had with Mr. Gosnell when I discovered that we did not understand each other.

Question by the Examiner: Do you know, or can you state any other matter or thing that may be of benefit or advantage to the parties to this suit, or either of them; or that may be material to the subject of this your examination, or the matters in question between the parties; if so, state the same fully and at large in your answer?

Ans. I think not.

(Signature waived.)

April 2nd, 1889. - Plaintiff files with the Examiner a certified copy of the original application filed with the Maryland Title and Insurance Company, spoken of in the 7x question, asked Mr. Cohen, in his recross-examination, (Vide page - 7.) the same being marked "Plaintiff's Exhibit Examiner Original Application."

The taking of testimony was then adjourned to the 15th day of April, 1889, at 2.30 o'clock in the afternoon, and the office of Frank Gosnell, Esq.; at which last mentioned time and place I attended - due notice of such meeting having been given - and in the presence of the solicitors of the respective parties, proceeded to take the following depositions, that is to say;

Plaintiff in Rebuttal.

Thomas M. Lanahan, a witness of lawful age, produced, sworn and examined on behalf of the plaintiff in rebuttal, deposeth and saith as follows, that is to say:

1 Ques. State your residence and occupation?

Ans. I am an attorney at law, residing in Baltimore City.

2 Ques. Do you know the parties to this suit?

Ans. I do; I have seen Mrs. Reese in this office.

3 Q. Please state whether or not, during the month of November, 1888, you were present at an interview between Mr. Jacob I. Cohen, of the Maryland Title Insurance and Trust Company, and Mr. Frank Gosnell, in the office of the latter; and if so, what was the subject of conversation between them, as far as you remember, and what took place between them?

Ans. I was familiar with the matter of the business between Mr. Gosnell, representing Mrs. Reese, and Dr. Van Bibber, in relation to the purchase and sale of Mrs. Reese's property on Charles street; Mr. Gosnell and I talked over the law of the question and also the facts in reference to it; I saw Dr. Van Bibber here from time to time, and also his cousin, Mr. George Van Bibber, of Harford County, on the same subject; I knew that the title company had been connected with the matter on behalf of Dr. Van Bibber, the purchaser of the property; and in the month of December or November - I can't now recall which - I was present at Mr. Gosnell's office, which opens into my own, when Mr. Cohen came into