all right, he would get the money, and was appointed trustee; I went back to Baltimore, and told mother what had been done; she told me I had no authority to do anything of the kind; that she only sent me out to employ a lawyer to set the decree aside, and so I informed Maj. Yellott; the whole matter went on hanging that way for fully a week or more, before the day of sale Maj. Yellott said he could not get the money; I went to work to get it, but could not get money to pay off both mortgages before the day of sale.

21st x inty. Mr. Garitee, in whose handwriting are the two orders for appeal, filed in this case 20th day of Aug., 1889.

Ans. Mine and signed by me as solicitor; I filed them on my own responsibility; my mother laid sick in Philadelphia, and Mr. Bennett was in Boston.

22nd x inty. Mr. Garitee, how long have you been a member of the bar - Circuit Court for Balto. Co.?

Ans. I think eight or ten years.

Redirect

1st In ans. to 3d x inty. (which question and ans. was read to witness,) now as I understand you to testify in chief that $250 was the sum required as cash deposit when property was offered on former occasions, and (I understood you to say in that answer to 3 x inty. that $500.00 was required on former occasions,) please explain what you mean by said answer; as I do not understand it; state what was the cash deposit required on former occasions?

Ans. When Mr. Dawson and Mr. Tome obtained the first decree without the knowledge of Mr. J. Alex.

Preston, Mr. Preston and Mr. Tome were appointed trustees; they inserted advertisement in paper for the sale, and required cash deposit of $250; when Court substituted Maj. Yellott for Mr. Preston, trustee, Judge Fowler made them take the advertisement out; they then inserted another one with Tome and Yellott, trustees, and in last advertisement cash deposit of $500.00 was required, instead of $250.00, it is that that I complained of; if I said $500.00 I was in error; I meant to say $250.00 was required by former advertisement.

Charles E. Garitee.

Peter E. Tome, a witness of lawful age, produced on the part of trustees, having first been sworn in due form of law, makes oath, deposeth and saith as follows, to wit:

I am an atty. at law; reside in Baltimore, Md.; I am also one of the defendants in this case; I know all the parties except Mrs. Popplein, pltf.s, and Branan, one of the defendants; I am one of the trustees who made the sale, and I am the Peter E. Tome who was named to make the sale in this cause.

1st inty. You stated in ans. to last inty. that you were one of the trustees appointed by the Court to make sale of the property in these proceedings mentioned, now, be good enough - what you did in regard to the advertisement of said property under the Court's decree, appointing you one of the trustees to make such sale; state all your actions fully and at large.

Ans. On the day limited by the decree for the payment of the money mentioned in the decree, or the order appointing Jno. I. Yellott, Esq., trustee, in the place of