Fitzhugh was part of the time at Catoctin Furnace with Peregrine Fitzhugh and part of the time in Frederick with her son B. B. Fitzhugh I say on knowledge that Sophia Fitzhugh and Sarah Margaret Fitzhugh or either of them were awake at the time of the execution of the deed of the 25th of November 1856 to Jacob M. Kunkle of the formation or intended formation of the Co-partnership of Fitzhugh & Kunkle I never Conversed with either of said ladies on the subject. I also wrote the articles of Co-partnership of Fitzhugh & Kunkle. I never Conversed with either of said ladies on the subject. I also wrote the articles of Co-partnership as well as the deed to Jacob M. Kunkle and wrote both at the request of Peregrine Fitzhugh said Kunkle being of course aware of the fact of my writing the same as he furnished me with the book containing the form of the article of Co-partnership. In the preparation of all the papers referred to by me. I did not see Sarah Margaret nor Sophia Fitzhugh but I wrote them at the request of Peregrine Fitzhugh. My instructions were received from Peregrine Fitzhugh. Benjamin S. Fitzhugh may have been present and cognizant of the transactions but I received no instructions from him & further deponent saith not. John B. Gilbert, a witness of lawful age produced on the part of Sophia Fitzhugh being duly sworn and examined deposes and says—

"I look at the papers here shown me the first being a release of mortgage from Sophia Fitzhugh and Sarah Margaret Fitzhugh to Peregrine Fitzhugh dated the 6th of January 1857 the second being a copy of the same release of mortgage marked "Exhibit J. M. F. No 2 to Petition of Sarah Margaret Fitzhugh" they third being a mortgage from Peregrine Fitzhugh to Sarah Margaret Fitzhugh marked Exhibit No 7 of same date the fourth being a mortgage of same date from Peregrine Fitzhugh to Sophia Fitzhugh marked Exhibit No 9" and the fifth being a mortgage of the same date from Peregrine Fitzhugh to Sarah Margaret Fitzhugh marked Exhibit J. M. F. No 3 to petition of Sarah Margaret Fitzhugh. These papers I believe to be copies of the original release and two mortgages which were executed in my presence and returned by me acknowledged before me as a Justice of the peace. It is admitted by the Solicitors for J. M. Kunkle that these are true copies of the original release and mortgages as testified to by this witness. The said witness further deposes & says that "on the occasion when these papers were executed but before they were executed Peregrine Fitzhugh in the presence of Sarah Margaret Fitzhugh and Sophia Fitzhugh told me that a part of the money secured by the old mortgage to his mother Sophia Fitzhugh and his wife Sarah Margaret Fitzhugh had been paid and that his wife and his mother were going to give him release of the old mortgage and he was