Esquire attorney of the plaintiff which is annexed to said claim. said note was intended to be embraced in and covered by the mortgage from myself to Sophia & Sarah Margt. Fitzhugh of the 9th of October 1856 here before spoken of by me in my testimony on behalf of Sophia Fitzhugh. I

Also look at claim marked B. E. No 11 and the note therein annexed the signatures thereto are in the proper handwriting of myself Sarah Margaret Fitzhugh and Sophia Fitzhugh the said parties being my securities on the same after judgment obtained thereon a portion thereof was made out of my property by execution in the hands of the Sheriff and on the 15th of November 1858 there remained a balance due of $64.92 cents which Sarah Margaret Fitzhugh paid out of her separate estate to Grayson Eichelberger Esq attorney for Frank E. Lastidge and took the assignment annexed to said claim the said note was intended to be embraced in and secured by said mortgage of the 9th of October 1856

Cross Examination

The witness being cross examined by the Solicitor for Jacob M. Kunkel deposes and says,

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was paid the amount by my wife check on some Bank in New Orleans when the money had been placed to her credit by Horatio McPherson McPherson had got the money from my said wife the Trustees Messrs Stickett & Wallis had paid my wife the money which she gave McPherson the money had been deposited to the credit my wife for her sole and separate use in the Chesapeake Bank of Baltimore and she having checked it out as I think to the order of said McPherson —

Benjamin F. Fitzhugh a witness of lawful age produced on the part of Sarah Margt. Fitzhugh being duly sworn deposes and says.

Sarah Margaret Fitzhugh has for many years had separate property of her own I have received money for her from her agent and I have received money from the Bank on her check (Here present agreement of the Solicitors of the respective parties that the signatures to the notes annexed to claims marked resp. No 1 to 11 inclusive are in the proper handwriting of the parties as they purport upon their face.)

The same witness being examined in chief on behalf of Sophia Fitzhugh deposes and says, I look upon the paper marked Exhibit S. F. No 3. here shown me. I was present at the making of the statement in the paper here shown me. I went out to visit my mother and my brother Benjamin Fitzhugh asked me to go up to my