

record of the Bill of Complaint in No. 3787 Equity who to be received as if a record under seal all of which are herewith returned by the said Commissioners.

Thomas A. Howard, a witness of lawful age produced upon the part of the Mortgagee being duly sworn and examined to interrogatories filed with the Commissioners by the Mortgagee and herewith returned deposes and says, to the  
1<sup>st</sup> Q<sup>y</sup>: I know Mr. Baker and Mr. Lowe, have seen Mrs. Lowe but don't know her.

1<sup>st</sup> Sp. Q<sup>y</sup>: He was, (note produced and herewith filed and marked "Exhibit A") I never saw him write & I am not acquainted with his hand writing. I did frequently, he Joseph Lowe admitted that this Exhibit was his Note and sometimes he would pay the interest and sometimes he said he was not prepared to pay but would pay the interest on said Note. (Excepted to by Lowe & Wife).

2<sup>nd</sup> Sp. Q<sup>y</sup>: I did make demand of payment of said Note. (Question and answer excepted by Lowe and Wife) I make demand verbally and by written notice, I can't exactly say but think about May 1871, Lowe asked me after that to give further indulgence which I told him I could not as I wanted the money. This occurred shortly after I had given the notice at which time the demand to as spoken of, Lowe said he had received the notice by Mr. A. J. Mummel, I transferred and assigned the Note "Exhibit A" to my son William Thomas Howard on the 6<sup>th</sup> day of August 1872.

4<sup>th</sup> Q<sup>y</sup>: I did from Mr. Baker, I required him to pay the money and sell the property to make it, the written demand herewith produced and filed marked "Exhibit B" which is the letter that was written by my son by my direction to Henry Baker and which Mr. Baker has just handed to me during my examination. The money was never paid to me as long as I was the owner of it.

(Objected to by Lowe & Wife) Upon cross examination he deposes and says, I am aware that Mr. Baker and the other gentlemen were securities I did not bring suit because I thought Mr. Baker would sell the property and pay the money.

Howard G. Maynard, a witness of lawful age produced upon the part of the Mortgagee being duly sworn and examined to interrogatories filed with the Commissioners by the Mortgagee and herewith returned deposes and says to the

1<sup>st</sup> Sp. Q<sup>y</sup>: I look at "Exhibit A" now here shown me I signed said Note, I have frequently seen Joseph Lowe write and that is his signature to said Note "Exhibit B", did not see the other parties sign.

(Objected to by Lowe and wife)

William Thomas Howard, a witness of lawful age produced upon the part of the Mortgagee being duly sworn and examined to interrogatories filed with the Commissioners by the Mortgagee and herewith returned deposes and says, to the

1<sup>st</sup> Sp. Q<sup>y</sup>: I look at paper marked "Exhibit B" I am the owner of said Note at this time and since the date of the assignment on said Note, It has not been paid by Mr. Lowe or any body.