

etc, is still due and owing with interest except the credits therein endorsed and a receipt for One hundred and Fifty dollars which is filed in this case among the papers.

(Excepted to by Lowe and Wife)

Henry Baker, a witness of lawful age produced upon the fact of the Mortgage being duly sworn and examined to interrogatories filed with the Commissioners by the Mortgage and herewith returned deposes and says, to the

1st Sp. Dut: I did sign the Note marked "Exhibit No", Mr Lowe brought it to me, I think the names preceding mine were on the note when Mr Lowe brought it to me for signature, I have seen the handwriting of Joseph Lowe and believe the signature "Joseph Lowe" to said Note is his hand writing, I dont know that I have ever seen him write, In speaking of this Note Joseph Lowe admitted to me that he was on the Note, he referred to this Note marked "Exhibit No", It is the same Note secured by the Mortgage a certified copy of which is herewith filed marked "Exhibit A".

2nd Sp. Dut: I did make demand by the letter heretofore exhibited and marked "Exhibit No. B", It never has been paid.

(Interrogatories & answers thereto excepted to by Lowe & wife)

A J Kimmel, a witness of lawful age produced upon the fact of the Mortgage being duly sworn and examined to interrogatories filed with the Commissioners by the Mortgage & herewith returned deposes and says, to the

1st Sp. Dut: I did, but cant tell date of the Note, on the same day it was written, did not see Lowe read the Note, it was dark when I handed it to him and he did not open it before me, It was a demand of the payment of a Four thousand dollar Note due or claimed to be due by Lowe to Harwood, I told Lowe that it was a note handed to me by Mr Harwood in Mr Ross's Office with a request to me to hand it to him Lowe, to which Lowe made no reply, The Note was read to me or by me at Mr Ross's Office about the time it was handed to me by Harwood for delivery to Lowe (Excepted to by Lowe & Wife)

Sworn to by said Deponents before us on the day & year aforesaid

W B Nelson Commr. *(Seal)*
J. C. Wood Commr. *(Seal)*

Costs of Deposition	
W B Nelson Commissioner	\$ 8.
J. C. Wood "	8.
R. L. Lease Sheriff fee	1.20
A J Kimmel Atty & H ^{rs} chgs	1.95
	<u>\$19 15</u>

Filed April 30. 1873

W B Nelson Commr. *(Seal)*
J. C. Wood " *(Seal)*

Henry Baker Mortgage of Joseph Lowe and wife vs 3853 Equity. In the Circuit Court for Frederick County, in Equity. We agree that the papers in this case on exception