you known them and each of them.
Ans. I do. I have known them for many years.
3rd Int. Look at the paper now shown you marked "Exhibit No. 2" filed in this case purporting to be a copy of a Mortgage from Josiah Bankard & others to Upton Stoner & others, & state whether or not you are one of the Grantees therein named, and if yea, state fully all the circumstances leading to the execution of said Mortgage, at whose instance and request you executed the same, what was said to induce you to execute the same if anything, and by whom and when and where, and state fully all conversations you have had with said Upton Stoner or in his presence with reference to the execution of said Mortgage
Ans Sometime in October 1871 Mr. Stoner and Mr Curry came to the City of Baltimore to try to make an arrangement in reference to the Metzger note Mr. Curry suggested that we Mortgage our inheritance to Mr. Stoner to secure him against loss and as Mother was aged and infirm he would see that a new note was executed and Mothers name as surety left off, He said he had written Metzger several letters, and was satisfied he would agree to it, I hesitated and told them I wanted some time to think over the matter, afraid it would only make matters worse, when Mr. Stoner remarked, that he could not come down again, but that he would send Mr Curry down in a week or two and whatever arrangements we and Mr Curry made would be satisfactory to him, some time after Mr. Curry came down and insisted on our executing a Mortgage of which he gave an outline and in that he stated that if Metzger pressed the matter and obtained judgment he would see the money was obtained to take up the judgment at Six per cent or a trifle over, after which time we would be required to pay interest quarterly, semi-annually or annually as agreed upon and at any time we had a surplus $50 to be credited on said debt, I and my brother then went to residence where he drew up the paper and read it to us, when I found it so vastly different from the sketch or outline given that I objected to sign it he said as we were well acquainted with him as he had been our School-teacher that he intended to carry out strictly what he first said that he drew the paper in this style because it was a matter of form with his assurance that no foreclosure should be had if interest was promptly paid during the life time of mother I agreed to sign it
4th Int. Who wrote the said Mortgage and where was the same written and at whose instance was the same written.
Ans William R Curry, at my residence and at the instance of said Curry.
5th Int. Had the said Upton Stoner any Agent representing him at the time of the writing and execution of the said Mortgage or in the procurement of the same and if yea who was it and state all conversations you had with him out of the presence of said Stoner if you had any with reference to said Mortgage and state all representations made by him if any with reference thereto.
Ans. He had, William R Curry, the same as I have stated in my answer to the third Interrogatory.
6th Int. Do you know Mary Bankard one of the Defendants in this case and if yea state her age and state of health.