

7th - 13th inclusive, waived by Solicitor for Complainant.
 To the 14th, That James H. Gatto was indebted to Ephraim Albaugh at the time the conveyance marked Exhibit No. 4 was made to Susannah E. Gatto (Look at paper marked Exhibit E) said Exhibit is a true and correct account of the indebtedness of James H. Gatto to Ephraim Albaugh at the time said conveyance was made to Susannah E. Gatto.

15th, waived by Complainant's Solicitor.

To the 16th, That he is acquainted with the hand writing of James H. Gatto, that he has never seen him write but has had orders and letters from him which he, the said James H. Gatto admits to have been in his own proper hand writing (Look at papers marked A, B, C) that the signatures attached to each of the said papers are in the proper handwriting of the said James H. Gatto.

17th & 18th waived by Solicitor for Complainant.

P. B. Stouffer, a witness of lawful age produced on the part of the Complainant being duly sworn and examined to interrogatories filed with the Commissioner by the Solicitor for the Complainant and herewith returned deposes and says,

To the 1st Interrogatory, That he is acquainted with all the parties to this suit except Ephraim Albaugh and that he has known them for some time.

To the 2nd, That he was acquainted with Benjamin F. Gatto that he is dead and that he died in Frederick County about four years ago.

To the 3rd, That Benj. F. Gatto was not married at the time of his death, but that his wife was then dead.

To the 4th, That Benj. F. Gatto at the time of this death had four children two Sons and two daughters namely, William F. Gatto James Henry Gatto married to Susannah E. Poland, Harriet Ann Gatto, and Amanda C. Gatto now wife of P. B. Stouffer the deponent, that all the said children are adults and that they all reside in Frederick County.

To the 5th, Was acquainted with James H. Gatto that he is dead that he died in Frederick County in February 1867.

To the 6th, That James H. Gatto was married at the time of his death, that Susannah E. Gatto is his widow, that he thinks she resides now at Leeburg in the State of Virginia, that she does not reside in the State of Maryland.

To the 7th, That he does not know of James H. Gatto having left children at the time of his death.

To the 8th, That a partition was made by the children of Benj. F. Gatto of the real Estate descended to them from their father that they have joined in making conveyances of the portions assigned to each, look at papers marked Exhibits Nos. 1, 2, 3 & 4, that the Deeds marked Exhibits Nos. 2, 3 & 4 were made and executed in pursuance of said partition.

To the 9th, That the portion of the estate conveyed to Susannah E. Gatto was the same portion that was allotted to James H. Gatto by the said partition.