

Testimony &c.

No. 6498 Equity.

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Exhibits 1, 2, 3, 4, 5, 6, 7, 8 "to the Bill" filed with the Examiner as testimony in this cause and so marked.

Melville E. Dell, a witness of lawful age produced on the part of the plaintiff being first duly sworn deposes and says as follows: -

1st Do you know the parties to this suit and any or either of them?

Ans. I know of all them personally except Mr. Carr and I know him by reputation only.

2nd Were you acquainted with Harry P. Gallagher of Baltimore City, and if yes is he living or dead?

Ans. I knew him - he died in the year 1893.

3rd Was Harry P. Gallagher seized & possessed at the time of his death of any real estate in Frederick County, Maryland?

Ans. He was - of a farm of 352 acres.

4th Look at Exhibit No. 1 to the bill now shown you and state if the property therein described is the real estate you mention in your former answer?

Ans. I look at Exhibit No. 1 to the bill, it describes the property I mentioned.

5th What in your judgment is a fair valuation of said farm?

Ans. About \$75.00 per acre

Gen'l. int. To the General Interrogatory propounded by the Examiner

Nothing more,

Melville E. Dell

Mrs. Gertrude B. Gallagher, a witness of lawful age produced on the part of the Plaintiff, being first duly sworn deposes and says as follows.

1st Are you acquainted with all the parties to this cause?

Ans. I am - I know them all - I am the Plaintiff - and I am one of the Executors of the last will of Harry P. Gallagher deceased.

2nd Look at Exhibit No. 8 to the Bill now shown you, please state what the same is?

Ans. I look at Exhibit No. 8 to the bill, it is a certified copy of the second account made by myself and Mr. O'Brien as Executors of my deceased husband Harry P. Gallagher, and contains a list of the creditors of my husband and the amounts due them from the deceased.

3rd - Please state whose money it was that was used in the payment of the claims shown by that account?

Ans. It was my own money - that I furnished Mr. O'Brien and myself as Executors, to pay these claims.

4th Did you know Mrs. Julia J. Baughen, wife of Joseph Baughen to whom the farm mentioned in Exhibit No. 1 the Bill was devised for life, is she dead or alive and if dead when did she die?

Ans. I knew her, - Yes - she died about the year 1887, in the City of Baltimore.

5th Was your husband indebted to Arthur Potts, the said indebtedness being on notes secured by mortgage, and if yes - have said notes so secured been paid?

Ans. No - they have never been paid.

6th Was or was not the personal estate of your husband sufficient to pay his debts?

Ans. No. Sir. - for that reason I had to advance the money from my