No. 8013 Equity.

dated March 22d 1905. and ask you whether or not they are the official minutes for meeting or meetings held by the Company?—

Ans. No Sir!—

14th The first of said papers relates to an alleged agreement on the part of certain stock holders on one side & the Company on the other. I want to know whether or not such an agreement was entered into?—

Ans Yes: Sir:—

15th And as I understand this agreement was that these stock holders therein named were to surrender their stock to the Company in exchange for the property in Frederick County which they had originally given in payment for the stock they agreed to surrender?—

Ans. Yes Sir:—

16th You was one of the parties to that agreement?—

Ans Yes Sir!—

17th Was that agreement consummated?

Ans. No, Sir:—

18th Did you ever object to its consummation?

Ans No! Sir:—

19th You are a lawyer by profession?—

Ans Yes Sir:—

20th Have you any technical or expert knowledge of the value of machinery tools &c. such as those in this County belonging to the Company?—

Ans. No! Sir:—

21st Have you any special knowledge of real estate values or of quarry property such as that owned by the Company in this County?—

Ans I give no special knowledge.

22d th In direct examination you stated that Gilmore T. Holmes under the by laws & orders of the Company authorize him to sell or otherwise dispose of the property owned by the Company in this County?—

Ans. So far as I recall they did not:—

23th You further stated that Marshall Fout formerly of Frederick looked after some matters in Frederick for the Company. Mr. Fout was one of the Company's directors was he not?—

Ans:— He was. & also its Treasurer.

24th The other Directors & stock holders knew that Mr. Fout was acting in this capacity did they not?—

Ans. Yes. they did with the exception of Wm Fyle the fictitious stock holder & Director located in Delaware.

25th You further stated that you attended to some matters for the Company here. This was also known by the other directors & stock holders was it not?—

Ans:— It was known to Mr. Fout and to Mr. Holmes rather