TESTIMONY.

To the Honorable the Judges of said Court--

In pursuance of an order of the Court and notice given me by the Solicitor for the Plaintiff in the avove entitled cause, I Albert S. Brown one of the standing examiners of Your Honorable Court, duly appointed, qualified and sworn, did, on the 31st day of december A. D. 1913, at the law office of John S. Newman, Esq., in the City of Frederick and State of Maryland, at the hour of 2 O'clock P. M., proceed to take the following depositions of the witnesses in said cause then and there produced before me in the presence of mr. John S. Newman solicitor for the Plaintiff. No appearance for the defendants. Exhibit No. 1 to the Bill of Complaint if filed with the examiner as evidence, and is so marked.

Mrs. Minnie F. Barker, a witness of lawful age produced on the part of the Plaintiffs, being first duly sworn, deposes and says as follows--

1st. int. State your name, age and residence?

Ans. Minnie M. Barker; over twenty-one years of age; brunswick, Maryland.

2nd. Int. You are, I believe,plaintiff in this Bill, and widow of John H. Barker, deceased?

Ans. Yes, sir.

3d. Int. Did you and your husband, John H. Barker, on MArch 17, 1908 execute to The Real Estate and Improvement Company of Baltimore City a mortgage to secure the payment of $8100?

Ans. We did.

4th. Int. I now show you exhibit No. 1 filed with the Bill in this cause, and ask if that is the mortgage mentioned in the last interrogatory; and i will ask you also to state whose are the signatures signed to this mortgage?

Ans. I look at said Exhibit; it is the original mortgage executed by mr. Barker and myself to The Real Estate and Improvement Company of Baltimore City on March 17, 1908 to secure payment of the sum of $8100. and the signatures thereto are those of John H. Barker and myself.

5th Int. Is John H. Barker living or dead, and if dead when did he die?

Ans. He is dead, he died April 30, 1915.

6th. Int. Was said indebtedness of $8100 secured by the mortgage aforesaid reduced during the lifetime of your husband; and if yea, to what amount?

Ans. It was reduced $3997.37.

7th. Int. After the death of your husband did you make any payments to The Real Estate and Improvement Company for or on account of the balance of said indebtedness, and if yea, to what extent and when?

Ans. I did, as of June 4, 1913 I paid to said Company the whole balance of said mortgage namely $3997.37.

8th Int. With whose money was this balance of $3997.37 paid?

Ans. It was paid with my money.

9th Int. What did The Real Estate and Improvement Company of Baltimore City do with said Mortgage upon the payment by you of the balance due it?

Ans. It assigned the mortgage to me to secure said balance.

10th Int. Who borrowed the $8100 which the mortgage mentioned was given to secure?

Ans. My husband, of course, he borrowed it.

11th Int. Did you receive said $8100 or any part of it from The Real Estate and Improvement Company?

Ans. No sir.

12th int. Do you know how your husband used that money?

Ans. he used it in the erection of some buildings in Brunswick on property which belonged to him individually.