

9. Will you look at this paper which has been filed as Exhibit No. 1, and state what it is.

A. This is a certified copy of a deed from Mary Ann Kinna to Emaline Gardner, dated July 30, 1860.

10. Look at the paper now shown you marked Exhibit No. 2, and state what it is.

A. This is a certified copy of a deed from George Smith to Emaline Mateny, dated July 7th, 1861.

(Deeds are herewith filed with the Examiner as evidence and marked Exhibit Nos. 1 and 2 respectfully.)

11. Look at the paper now shown you, marked Exhibit A, and state what the same was.

A. This is a certified copy of the mortgage given by Emaline Gardner and William A. Gardner, her husband, to the Franklin Savings Bank of Frederick, dated July 28th, 1891, in the amount of One Hundred Dollars.

12. Who was William Gardner; what relation was he to Emaline Mateny?

A. He was her second husband.

13. He was her husband prior to the time this mortgage was given, was he not?

A. Yes sir.

14. Was anything paid off on this mortgage so far as you knew?

A. Nothing that I know of.

15. What is that? (Excepted to) (Witness is here handed the paper)

A. That is the note that was in the bank. (Ans, excepted to)

16. That is the mortgage note, is it not? (Excepted to)

A. Yes sir.

17. What is the date of that note? (Excepted to)

A. February 13, 1895.

18. The note is for how much? (Excepted to)

A. Eighty Dollars.

19. Is there any assignment on the note on the bank? (Excepted to)

A. Yes sir.

20. To whom is it assigned? (Excepted to)

A. It is assigned to me.

21. What time was it assigned to you? (Excepted to)

A. August 22nd, 1900.

22. This note that you have just looked at is marked what in this case?

A. It is marked Exhibit B.

23. And was filed March 27th, 1902, in this case, was it not?

A. Yes sir.

24. That mortgage and assignment was filed as Exhibit A, was it not?

A. Yes sir.

25. And filed March 27th, 1902, in this case, was it not?

A. Yes sir.

26. To whom was the mortgage assigned by the Franklin Savings bank? (Excepted to)

A. To me.

(Mortgage, assignment and note are herewith offered in evidence and filed with the Examiner, marked Exhibit A. and B respectfully.)

(Solicitor for defendant excepts to the filing of the note and mortgage and assignment thereof as evidence)

27. Did you ever pay any interest on this mortgage and note?

A. I think I did.

28. What time; when?

A. When I took the note up.

29. Could you tell for what years you paid the interest?

A. No, not exactly, I couldn't.

30. You took the note up August 22nd, 1900; could you tell how many years you paid the interest before that time? (Excepted to as leading and generally.)

A. Three years.