

No. 1111 Equity.

the ownership of the same, and of the buildings thereon?

Ans. James A. Orndorff; on more than one occasion whilst the house was being built, he spoke of it as being his, and on the good faith of his ownership, we gave him credit and permitted him to contract the debt.

Whereupon, there being no other witnesses ^{present} to be examined, and further time being required for the production of evidences, the said commission was adjourned to the 9th day of December, A. D., 1881, at 11 O'Clock, A. M.; at which time, and at the place aforesaid, I then and there proceeded to take the following testimony, to wit: _____

Mr. Joshua W. Herring, a witness of lawful age, produced upon the part of the complainants, being duly sworn and examined to interrogatories filed with the Commissioner by the complainants and herewith returned, deposes and says: _____

1st Int. State your residence and occupation?

Ans. I reside in Westminster Carroll county, Maryland, and I am the Cashier of the Union National Bank of Westminster, Maryland.

2nd Int. Are you, or not, acquainted with James A. Orndorff, one of the defendants in this cause?

Ans. I am.

3rd Int. Did, or did not, said James A. Orndorff keep any account in the Bank of which you are cashier; if yea, give the items of his account in said bank?

Ans. He did; "Exhibit J. W. H.," here produced by me, gives the items of his account in said bank.

(Complainants here filed with the Commissioner as evidence "Exhibit J. W. H.," which is herewith returned by said Commissioner.)

4th Int. Has, or has not said James A. Orndorff, had any transaction with said bank, other than those specified in the paper filed by you marked Exhibit J. W. H.; if yea, state them?

Ans. He has borrowed money on notes which do not appear in that account "Exhibit J. W. H.," and the proceeds of which were paid to him in cash and not carried to his credit; there is a renewal note for seven hundred and eighty-five dollars (\$785) now due by James A. Orndorff to the Bank, made up of the following items, namely: One hundred dollars (\$100) borrowed on the 30th of April, 1877; One hundred dollars (\$100) borrowed on the 4th of June, 1879, and five hundred and eighty-five dollars (\$585) borrowed on the 14th of May, 1880; I am not sure that these notes are all that he has ever given to the bank, on which the cash was paid, but if so, they were prior to these notes.

Josephus A. Orndorff, a witness of lawful age, produced upon the part of the complainants, being duly sworn and examined to interrogatories filed with the Commissioner by the complainants, and herewith returned, deposes and says: _____

Testimony of
Mr. J. W. Herring.

Testimony
Josephus
Orndorff.

Testimony
A. J. Orndorff.