No. 6952 Equity.

Testimony.

(1.) A parcel of land 3 A. and 15 P more or less in Woodville District in Frederick County which is described in Exhibit No. 2. filed with the Bill. worth about $25 or $30. an acre.

(2) A parcel of land lying at Bartonsville in said County, containing 3 A. 3 R. 10 P. worth about $300.

My Father held an Equitable interest in this property at his death.

It had been mortgaged to him by Mr. H. Tolbert, and wife; the Mortgage date is Jan. 19. 1881 and recorded in Liber A. F. No. 2 folio 630 and secured the payment of $330. My Father assigned this Mortgage to me. It may have been to secure a temporary loan, but the loan was repaid and my father the beneficial owner of the Mortgage.

I subsequently executed the power of sale in the mortgage as the assignee and reported the sale in No. 6329 Equity on the Equity Docket of the Circuit Court for Frederick County.

This sale has never been ratified by the Court, but I advanced the cost and fees to the amount of $57.00 to J. E. R. Wood, Esq. who was my Solicitor in these proceedings.

Upon the ratification of the sale, my father would have been entitled to a deed from me as the Assignee with the payment of the purchase money as he was the beneficial owner of the mortgage.

The purchase price was & third $375.00 Three Hundred and seventy five dollars. The property did not sell for enough to pay the mortgage debt.

3. A house and lot containing 1¼ A. more or less in Montgomery County which is correctly described in Exhibit No. 3. filed with the Bill. This property is worth about $400.00

The claim, Exhibit No. 1 upon which the bill in this case is based, has received from the personal estate of Joseph Wood deceased $136.32 that is to say 40 21/100 cent as stated above.

To the General Interrogatory.

Nothing further.

M. J. Wood

Whereupon at the request of the Solicitor for the complainant the taking of testimony was closed.

I certify that the aforegoing are the true and original depositions of the witnesses as the same were read over to and signed by them respectively. And I now return the same enclosed under my hand and seal this 10th day of May A. D. 1899.

Glenn H. Worthington (Seal)
Examiner.

Exhibits Complainant filed Exhibit Nos. 1. 2 and 3 with the Examiner which are herewith returned.

Glenn H. Worthington. Examiner.

Costs. Glenn H. Worthington. Examiner. 1 day $4.00
Glenn H. Worthington.
Examiner.

Filed May 10th 1899.