

No. 7379 Equity.

Testimony re,

copy of which mortgage is now shown me and is filed in this cause as appears from the answer of Ella Hatcher Kramer there is a balance due on this mortgage of about \$20.00 My Mother May E. Esworthy or her estate is indebted unto claimed to party on her joint & several promissory note dated September 18th, 1899, payable 3 months after date for the sum of \$55.00 on which said note there was made the several payments claimed in the Plaintiff's bill leaving a balance due as shown by the bill the amount of said payments aggregating \$30.00 that there is also due and owing to balance to party the plaintiff from the estate of May E. Esworthy the sum of \$70.00 or open account for funeral expenses, there is also due by the estate of May E. Esworthy to the Frederick County Bank on a note on which I am surety the sum of \$400.00 with interest, there is also due by said estate to Dr. Ira J. McCurdy a considerable sum for professional services the amount of which is mentioned in the petition of James E. Esworthy & others filed in this cause to be \$39.50 and there may be other indebtedness that I am not aware of, there being no personal estate it will be necessary to sell the real estate of May E. Esworthy for the payment of these debts under a decree of the court.

Genl. Int. To the General Interrogatory propounded by the Examiner.

Ans. Nothing that I know of except that I paid myself \$80.00 to Haters for my Mother when she bought the property in Bartonville out of my own pocket.

Amos Esworthy

Mr. Robert Brungle, a witness of lawful age produced on the part of the Plaintiff being first duly sworn and examined viva-voce, deposes and says as follows.

My name is Robert Brungle, I am 58 years of age and I reside near Bartonville, this County and I knew May E. Esworthy in her life time, she died in the month of May 1901 and left no will that I ever heard of so far as I know she was possessed of personal property, except it might be a small amount of household furniture, I am not aware that any letters of administration were taken out on her estate in fact I have been told there were none taken out, I know that the property at Bartonville that Mrs. Esworthy owned and where she lived which she got from Haters, I look at the certified copy of the deed from Haters to Mrs. Esworthy it appears to correctly describe that property, in my opinion it is worth probably \$500.00 The other two lots of 10 and 12 1/2 acres which she owned on Bush Creek, I knew very little about but am inclined to think that the valuations placed on them by Mr. Amos Esworthy, whose testimony I heard is rather high I judge from the value of unimproved property in that vicinity, there being no personal estate it will be necessary that the real estate be sold under a decree of the court for the purpose of paying the indebtedness due by the estate.

Genl. Int. To the General Interrogatory propounded by the Examiner.

No, Sir, I cannot.

Robert Brungle

Clarence L. Hart.

Testimony

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