

No. 4480. Equity.

The answer of William A. Delashmuth to the petition of the Farmers and Mechanics National Bank of Frederick, a body Corporate filed in this cause January 21st. 1904, says - That he admits that the petitioner is a creditor of the late Thos. A. Delashmuth upon the judgment mentioned in said petition but that he neither admits nor denies that there is a balance due on said judgment of between three and four thousand dollars and demands full proof of the same. And this respondent further answering neither admits nor denies that the debt upon which said judgment was recorded was subsisting at the time of the conveyance of the real estate from the said Thos. A. Delashmuth, to the respondent as mentioned in the proceedings in this cause, and demands full proof of the existence of said indebtedness.

3rd - And this respondent further answering says that he entirely denies that the said Thos. A. Delashmuth was insolvent or unable to pay her debts on the 26th day of July A. D. 1898, the date of the conveyance mentioned in the previous paragraph and he further denies that said conveyance was made for the purpose of hindering, delaying or defrauding the petitioner or any other creditor of the defendant Thos. A. Delashmuth or that by said conveyance at the date of its execution or recording the defendant Thos. A. Delashmuth deprived herself of the means of paying her indebtedness, or any part thereof.

4th - And this respondent further answering says, if the petitioner was a creditor of the said Thos. A. Delashmuth the time of the execution of the said conveyance to this respondent said Thos. A. Delashmuth was and was known to the petitioner to be indebted to said petitioner as a surety along with a certain Susan R. Delashmuth and Lucie Combs for a certain Elias C. Delashmuth who was the principal debtor to said petitioner, and not for her own personal use or benefit, and that said parties at the time of the execution and recording of said deed were entirely solvent and able to pay their debts.

5th - And this respondent further answering says - That if it be true that the said Thos. A. Delashmuth was at the time indebted to the petitioner, said petitioner had in its hands collateral for the payment of said indebtedness notes and personal securities to a very large amount in face and actual value of the said Elias C. Delashmuth the principal debtor, to wit, to the amount equal to or nearly

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