

No. 8531 Equity.

Court's Order.

On this 21st day of March, A. D. 1910, it is ordered by the Circuit Court for Frederick County Sitting as a Court of Equity, that the above cause be referred to Clayton O. Needy one of the regular Examiners, to take testimony in the above cause in support of the allegations of the Bill of Complaint.

Honorabilis Jure.

Testimony.

Filed April 12-1910.

In pursuance of the annexed order of the Court and notice given me by the Solicitors for the Plaintiffs in the above entitled case, S. Clayton O. Needy one of the regular Examiners of Said Court duly appointed, qualified and sworn having assigned the 11th day of April 1910, at the office of H. Torrey Etchison Esq. in Frederick City at the time and place for taking the testimony in this cause and having given due notice thereof, did at the appointed time and place proceed to take the following testimony to wit:—

The Plaintiffs filed with the Examiner as evidence Exhibit Nos. 1, 2 & 3 which are herewith returned by the Said Examiner, —

Lozenzo E. Mullinix, a witness of law-full age produced on the part of the Plaintiffs being duly sworn and examined Viva-Voca deposes and says as follows:—

My name is Lozenzo E. Mullinix; my age is 54 years, I reside in Frederick City and know all the parties to this cause. I know the property described in this deed a copy of which is filed with the Bill of Complaint in this cause and marked Exhibit No. 3. It consists of a house and lot in the town of Urbana in Frederick and worth in its present condition about \$2500.— That is the same property which is described in the deed from William V. Hellen and wife to my father Leonard C. Mullinix a copy of which is now shown me and which is filed in this cause Exhibit No. 1, and which was devised by the will of my father the said Leonard C. Mullinix, to my brother Elisha E. Mullinix by the will a copy of which is filed with the Bill marked Exhibit No. 2. The children of said Fr. Elisha E. Mullinix who are also the grantees in remainder in the deed Exhibit No. 3, are as follows:—

Mary S. Hedges who is the wife of Frank H. Hedges are both adults residing in Frederick County, Md.

Eldrige C. Mullinix who is married to Lucy Mullinix his wife both of whom are adults residing in Pittsburg in the State of Pennsylvania.

Sybelie A. Wolfe who is the wife of Newton Wolfe both of whom are adults residing in Montgomery County Maryland, and Frances E. Mullinix and Virginia M. Mullinix, both of whom are infants and the age of 21 years of age, and both of whom were with their mother in Frederick County when summoned in this cause,