

No. 8869, Equity.
Testimony

To the Honorable: the Judges of said Court. In pursuance of an order of the Court and notice given me by the solicitors for the Plaintiff and Defendants, respectively I Albert C. Brown, one of the Standing Examiners of your Honorable Court, duly appointed, qualified and sworn did on the 16th day of September A.D. 1912, at the law office of the Examiner, in the City of Frederick and State of Maryland at the hour of 4 o'clock P.M. proceed to take the following depositions of the parties to this Cause, as follows to-wit:

Present

Mr. Peare for Plff.

Mr. Prampel for defts.

Exhibit "E. X." and "C. L." to the Bill were filed with the examiner as evidence and are so marked. Christian H. Eckstein, a witness of lawful age produced on the part of the Plaintiff being first duly sworn deposes and says as follows, being examined *in va voce*:

My name is Christian H. Eckstein, I am 67 years of age, and I reside in Frederick City, and I knew the parties to this cause, and the dwelling house and lot mentioned in these proceedings. I look at Exhibit "E. X." to the bill it is a certified copy of the deed and correctly describes the property. I knew Emma Hinmell in her lifetime. She is dead, she died on or about November 26th A.D. 1910, leaving surviving her a husband, Martin Hinmell they never had any children, she also left some sisters and brothers of the half blood, the same father but a different mother, their names are as follows: Conrad Schultz; Mary Schaper wife of George Schaper; Catherine Yaste a widow, that is all and all of them are adults & reside in Frederick County, except Mrs. Yaste who lives in Baltimore City. Caroline Schultz was the mother of Emma Hinmell and survived her, and the Plaintiff in the Cause is a widow. I look at the "Exhibit" "C. L." to the bill, it is the paper that was given to Caroline Schultz, by her daughter Emma Hinmell for and in consideration of Emma Hinmell dying before her mother Caroline Schultz as a protection to her mother for the conveyance to Emma Hinmell by her mother. Caroline Schultz of the property mentioned in these proceedings as it has been in this Exhibit "C. L." and the same has never been paid. I was present when this paper "Exhibit" "C. L." was written and signed. I prepared it and