

## No. 8944. Equity

Sitting as a Court of Equity, and by the Authority thereof adjudged, ordered and decreed that the Plaintiff is entitled to relief in the premises, but because it does not certainly appear to what relief the Complainant is entitled, it is further adjudged and ordered that a Commission issue to one of the Standing Examiners of this Court to take testimony in support of the allegations of the bill of Complaint.

Henry H. Worthington.

Testimony.

To the Honorable: the Judges of said Court:—

In pursuance of an order of the Court and notice given me by the Solicitor for the Plaintiff, J. Albert S. Brown, one of the Standing Examiners of your Honorable Court, duly appointed, qualified and sworn, did, on the 1st day of March A. D. 1918, at the Law Office of the Examiners in the City of Frederick and State of Maryland, at the hour of ten-thirty O'Clock A. M. proceed to take the following depositions of the Witnesses in this case then and there produced before me ex-parte, that is to say:—

Mr. Claude S. Kahn, Examiner Sworn Clerk, taking depositions in stenographic notes, and subsequently type-writing same.

Present. — Mr. Chas. McB. Mathias,  
Solicitor for Plaintiff.

Now Appeared for Defendants.

Exhibits "A" and "B" to the Bill filed with the Examiner, as evidence and are so marked.

Harold Brooks, a witness of lawful age, and reside near Brunswick, in Frederick County, Maryland. I knew Moses Brooks, during his lifetime, and he was seized and possessed, at the time, of a certain piece or parcel of land lying in Frederick County, State of Maryland, which is correctly described in Exhibit "A," which is now handed me.

Moses Brooks is now dead, having departed this life on or about the 18th day of September, A. D. 1912, and he left surviving him the following heirs at law, to-wit:— Mary Ellen Brooks, a sister, who is now an inmate of Montross, Frederick County, Maryland; James Brooks, a brother, who has been away and unhears of for ten years at least; Lydia Snowden, a sister, who is a widow and lives in Rochester, State of New York; and the following children of Charles Brooks, a brother, who has been away and unhears of for ten years at least, Lydia Snowden, a sister, who is a widow and lives in Rochester, State of New York and the following children of Charles Brooks a brother, who died intestate prior to the death of the said Moses Brooks, to-wit:— James Brooks,