

confesse against said defendants, but, because it doth not certainly appear to what relief the plaintiffs are entitled, it is further adjudged and ordered that the papers in said cause be and they are hereby referred to any one of the examiners of this Court for the purpose of taking testimony in said case.

Glenn H. Werthington.

TESTIMONY.

IN pursuance of an order of the Court and notice given me by the Solicitors for the plaintiffs, I Albert S. Brown, one of the standing examiners of your Honorable Court did on the 12th day of May A. D. 1913, at the law offices of the Examiner in Frederick City Maryland, at 3.00 o'clock, P. M. proceed to take the following depositions of witnesses in this cause then and there produced before him the testimony of the witnesses having been taken down in stenographic notes and subsequently typewritten by Claud S. Hahn, the Examiner's sworn clerk, and signed by the respective witnesses testifying.

Present, Charles McG. Mathias, solicitor for the Plaintiffs.

Exhibits A B & C to the Bill of Complaint were filed with the Examiner as evidence and are so marked.

GEORGE R. DENNIS JR. a witness of lawful age produced on part of the Plaintiffs being first duly sworn and examined viva voce, deposes and says--

My name is George R. Dennis, Jr., a witness of lawful age, I am one of the plaintiffs in this cause and I knew all the parties thereto except Calvin Belt and Fannie Belt, his wife, I knew James Alenzo Belt in his lifetime, he departed this life the latter part of October 1912, and left surviving him a widow, Edna Belt and an infant son Roy Belt.

I look at the paper now handed me marked "exhibit A" which is a certified copy of a deed from Frank Belt, et. al., the heirs at law of John Q. Belt, to James Alenzo Belt, bearing date the 23rd day of February, A. D. 1903, and recorded in liber D. H. H. No. 17, folio 442, one of the land records of Fredrick County. I notice that said deed was not executed by Carrie Belt and Fannie Belt, his wife, although the said Calvin Belt is mentioned in said deed as one of the heirs at law of John Q. Belt. For that reason Calvin Belt and Fannie Belt are made parties to this Bill of Complaint in order that any interest they might have in the property herein mentioned may be brought before the Court and title thereto passed by a trustee to be appointed by the Court.

James Alenzo Belt during his lifetime and at the time of his death was indebted to me in the sum of One Hundred dollars on an open account, and of which "Exhibit B" is a memorandum. No part of this has ever been paid. I had charge of the funeral arrangements of James Alenzo Belt, and employed the firm of C. C. Carty & Sons through the solicitation of relatives of James Alenzo Belt to prepare the body for burial and attend to the funeral arrangements.

The personal estate of which the said James Alenzo Belt died, seized and possessed was totally insufficient to pay his debts and the costs of administration were taken out on his estate.

In my judgment the property mentioned in this cause is worth about Nine Hundred dollars. To the general interrogatory. A. Nothing further.

WILLIAM R. DIGGS a witness of lawful age, produced on the part of the plaintiffs, being first duly sworn and examined viva voce, deposes and says--

My name is William R. Diggs, I am 48 years of age and in the employ of Mr. Joseph D. Baker. I know all the parties to the cause. I knew James Alenzo Belt during his lifetime, he departed this life the later part of October 1912. at the time of his