

testimony to support the allegations of the Creditors petition filed in this cause.

Filed May 5th, 1916.

Willia Townsend and Arthur
Townsend, her husband,
VS.
Lavinia E. Benjamin, et al.

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Glenn H. Worthington
Judge of the Circuit Court for
Frederick County.
No. 9 3 9 2 E Q U I T Y.
In the Circuit Court for
Frederick County in Equity.

To the Honorable, the Judges of said Court!-

Pursuant to the annexed order of Your Honorable Court passed on the fifth day of May, nineteen hundred and sixteen, and at the request of the solicitor for the complainant I, D. Princeton Bukey, one of the standing examiners of the Circuit Court for Frederick County, duly appointed, qualified and sworn met at the law office of Reno S. Harp, Esq, solicitor for the petitioner in Frederick City, Maryland, on the eleventh day of May, nineteen hundred and sixteen, at the hour of ten o'clock A.M. and then and there in the presents of the solicitor for the petitioner and the witnesses proceeded to take the following depositions, that is to say!-

Present Reno S. Harp, Esq., Solicitor for Petitioner and the witnesses, George W. Bittle, a witness of lawful age, produced on the part of the Creditors petition filed in this cause, having been duly sworn deposes and says!-
My name is George W. Bittle I am 49 years of age, reside in Myersville, Frederick County, Maryland, and I am the Treasurer of the Myersville Savings Bank, the petitioner in the above entitled cause, I knew Roy E. Benjamin in his lifetime-He executed a mortgage to the Myersville Savings Bank, for the sum of \$1800-on August 15th 1903, and the exhibit "Mortgage" filed in this cause, is a certified copy of the same-There is due on this mortgage the whole amount of the principal of \$1800-and interest from August, 15, 1915, The said Roy E. Benjamin at the time of his death was also indebted unto the Myersville Savings Bank on two judgments notes. They are filed in this case as Exhibit A and B The amount due on the respectively are on Exhibit A there is due the sum of \$100.00 and interest from September 3rd, 1915 and on Exhibit B. the sum of \$35.00 and interest from November 20th, 1915. I have looked at Exhibits A and B and the signatures on them is that of Roy E. Benjamin, Since the death of the said Roy E. Benjamin his mother Lavinia E. Benjamin borrowed from from the Myersville Savings Bank on January 20th, 1916, the sum of \$100.00 giving a demand Judgment note. This note was given to raise money to pay the taxes on the property mentioned in these proceedings and to save the same from being sold for taxes by the town of Brunswick where the same is situated .Upon the examination of the Magistrates Judgment record in the Clerk's office of the Circuit Court for Frederick County, I find a judgment was obtained against the said Roy E. Benjamin by Samuel W. George and Co, for the sum of \$23.00, with interest from February, 12th, 1912, and \$1.55 cents costs of suit. All of which is due and unpaid, To Gen Int. Ans.-nothing more.

George W. Bittle.

Lavinia E. Benjamin, a witness of lawful age, produced on the part of the petitioner in this cause, having been duly sworn, deposes and says!-
My name is Lavinia E. Benjamin, I am 50 years of age, I reside 1609. Jackson St, in Baltimore Maryland, I am one of the defendants in this cause and the same person who personally testified in this case. Roy E. Benjamin was my son, he is dead, and he died intestate and left no personal property at all, but left real estate mentioned and described in this cause and he left the heirs at law as stated in the testimony previously given by me-all of which will more fully appear by reference to said testimony filed in this cause, Testimony taken in this is now offered as evidence herewith which is dated January 20th, 1916. and prayed to be taken and considered as a part hereof. The corporation of Brunswick had the real estate mentioned and described in this cause advertised for taxes and I had to borrow on January 20th, 1916. the sum of \$100. on a demand note to pay these taxes, and