

ANSWER OF GUARDIAN AD LITEM.

BERnard L. Virts et al	:	No. 12558 Equity.
	:	
Vs.	:	In the Circuit Court for
	:	
Albert Virts and	:	Frederick County, sitting
Eugene Virts, infants.	:	in Equity.

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THE ANSWER OF Albert Virts and Eugene Virts infants under the age of twenty-one years, by John H. Martz Guardian ad Litem, to the Bill of Complaint of Bernard L. Virts et al against Albert Virts, et al in the Circuit Court for Frederick County, sitting as a Court of Equity exhibited.

The Defendants cannot admit any of the matters and things alleged in the Bill, and being infants of tender years, submit their rights to the protection of this Court.

John H. Martz  
GUARDIAN AD LITEM.

(Filed September 6, 1932)

T E S T I M O N Y.

Bernard L. Virts	"	No. 12,558 Equity.
	"	
Vs.	"	In the Circuit Court
	"	
Albert Virts and	"	for Frederick County.
Eugene Virts, infants.	"	

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TO THE HONORABLE JUDGES OF SAID COURT:

The above cause being at issue and a notice having been given to me by the Solicitors for the Plaintiff of a desire to take testimony in the above entitled cause, leave of the Court having first been had and obtained, I, Albert S. Brown, one of the standing Examiners of the Circuit Court for Frederick County, having been duly qualified and sworn as such, met at the law offices of Stoner & Storm, Solicitors for the Plaintiff, on the 1st day of October, 1932, at the hour of two o'clock p. m. and then and there in the presence of the Plaintiff, Solicitor for the Plaintiff and witnesses for the Plaintiff, proceeded to take the following testimony, that is to say:

Present: William M. Storm  
Solicitor for Plaintiff  
Witnesses for Plaintiff

Testimony taken in stenographic notes and subsequently typewritten by the Examiners sworn Clerk, Miss Hettie Hahn, and read over to the Witnesses before signature.

Nellie V. Virts, a witness of lawful age, after having been duly sworn, deposes and says: My name is Nellie V. Virts, I am fifty years of age and reside at 405 West South Street, and am the mother of Albert Virts and Eugene Virts, children of Eugene Virts and myself, Eugene Virts being the son of Benjamin T. Virts. Benjamin T. Virts died several years ago leaving a last Will and Testament which was probated in the Orphans' Court for Frederick County. In that Will he left a certain part of a piece of property to my two boys and the other part to a son, Bernard L. Virts.

Bernard L. Virts and Carrie	"	No. 12,558 Equity.
V. Virts, his wife,	"	
	"	In the Circuit Court
Vs.	"	
	"	for Frederick County.
Albert Virts and Eugene Virts	"	

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Mrs. Nellie V. Virts, a witness of lawful age, after having been duly sworn, deposes and says:

It would be impossible to divide the property of which Benjamin T. Virts died seized and possessed and which descended to and vested in his son and two grandchildren without