

No. 4921 Equity

property of the said H. Elizabeth Farr who is a lunatic

3 And having fully answered he prays to be hence dismissed with his reasonable costs

Thomas W Fisher

Filed December 11. 1883

Committee of H Elizabeth FARR

No. 4921 Equity

Thos W Fisher

vs

H Elizabeth FARR

et al

In the Circuit Court for

Frederick County

Sitting

as a Court of Equity

To the Honorable the Judges of the said Court

The Complainant respectfully craves leave to have the papers in this cause referred to one of the Examiners to the end that evidence may be taken to support the allegations of the Bill of Complaint And as in duty &c

J. M. Sherry

for Plff

Ordered by the Court this eleventh day of December A.D. 1883 that the Plaintiff in the above cause have leave to take testimony before one of the Examiners to support the allegations of his Bill, as prayed

John A Lynch

John F Binson

Judges of the Circuit Court

Thomas W Fisher

vs

H. Elizabeth FARR et al

No. 4921 Equity

In the Circuit Court for

Frederick County - sitting as

a Court of Equity

In pursuance of the annexed order of the Court and notice given me by the Solicitor for the Plaintiff in the above entitled cause, I, Clayton O Heady one of the regular Examiners of said Court, having fixed Saturday the fifteenth day of December A.D. 1883 at my office in Frederick City, Maryland as the time and place for taking the testimony in said cause and having given due notice thereof to the parties concerned did then and there proceed to take the following testimony to wit:-

The Plaintiff filed with the Examiner as evidence Exhibits A, B, C, D and T.W.F. which are herewith returned by said Examiner

Thomas W Fisher a witness of lawful age produced on the part of the Plaintiff being duly sworn and examined Viva Voce by the Solicitor for the Complainant deposes and says:

I knew John F Simmons who is now dead, He died in June 1883 and left the following heirs at law viz: Mrs Annie W Fisher (wife of the Deponent) and Mrs H Elizabeth FARR daughters. He died without a will leaving no personal estate but the real estate described in Exhibit C filed with the bill and a portion about 33 acres of that described in Exhibit D. He was indebted at the time of his death and still is indebted to me, besides which his estate owes to sundry parties for his funeral expenses and also for a doctors bill, The amount of indebtedness due me by the deceased is six hundred and fifty dollars (650.⁰⁰) and thirty seven cents appears by Exhibit T.W.F. herewith filed. Mrs FARR is now Compro Mentis and I am her Committee. The John F Simmons I refer to is the same John F Simmons described in the Bill of Complaint in this cause

Thos W Fisher

Whereupon there being no other witnesses and no further time being required