

No. 5511 Equity

State of Maryland Frederick County Circuit
 I hereby certify that on this 6. day of March 1889 before me James
 McSherry personally appeared Carlton Shafer and made oath according to
 law that he will faithfully and impartially execute the duties of special Examiner
 in the above entitled cause being No. 5511 on the Equity Docket of the Circuit
 Court for Frederick County.

James McSherry

Testimony

Ellen Whalen et al } No. 5511 Equity
 v } In the Circuit Court for Frederick County
 Mary Whalen et al } sitting in Equity.

In compliance of the annexed order of the
 Court and notice given me by the solicitor for the Plaintiffs in the above
 entitled cause I Carlton Shafer the special Examiner appointed by
 said Court after first having duly qualified met at my office and from
 the 6. day of March A. D. 1889. at my Office in Frederick City Maryland
 as the time and place for taking the testimony in this cause and having
 given due notice thereof to the parties concerned did at the appointed
 time and place proceed to take the following Evidence to wit

The Plaintiff filed with the Examiner as Evidence Exhibits A. & B. which are
 herewith returned by the said special Examiner

John B. Thomas

- 1st Int. State your name, age, residence and occupation?
 Ans. John B. Thomas age 68. residence Frederick City Md. Real Estate agent.
- 2^d Int. Do you know the parties to this suit or any of them, if yes how
 long have you known them, and which of them are adults and which infants
 under the age of twenty one year?
 Ans. I knew the parties to this suit, I have known them for some time -
 They are all adults except Mary Whalen and Lora Whalen the
 children of John W. Whalen deceased.
- 3^d Int. Did you know Beall H. Whalen in his lifetime, if yes.
 state whether he is now living or dead and if dead when he died?
 Ans. I knew him in his lifetime - He died the latter part of January 1889.
- 4th Int. State if said Beall H. Whalen left a will or if he died intestate?
 Ans. He died intestate.
- 5th Int. Look at Exhibits A. & B. now shown you and state if you know
 the real estate described therein?
 Ans. I look at Exhibits A & B and know all the real estate described
 therein except the two lots of 25 acres -
- 6th Int. State if you know whether the said Beall H. Whalen left any
 heirs at law, if yes give their names and relationship to him?
 Ans. I do and they are as follows - Ellen A. Whalen, Sallie Whalen Rachel
 V. Whalen, Mary E. Whalen, Elizabeth C. Whalen, Hannah N. Whalen
 sisters of said Beall Whalen and Thomas Whalen a brother of said Beall Whalen
 and the children of John W. Whalen deceased to wit, Mary Whalen and Lora Whalen.
- 7th Int. State whether the real estate described in said Exhibits A. & B.