No. 5731 Equity.

Decree for Compliance & Court Order to take Testimony.

Daniel E. Stone
vs
David E. Key et al

No. 5731 Equity In the Circuit Court for Frederick County sitting as a Court of Equity.

The defendants David E. Key and Emma E. Key his wife and Henry Stauffer, Executor, and Margaret H. King having duly answered said bill consenting to a decree for the sale of said real Estate, and the Non-resident defendants William J. Key and Ida Key his wife, Columbus B. Key and Mary Key his wife, having been duly ratified by order of publication to appear and answer said bill, and having failed to either appear or answer said bill although duly notified to do so, it is thereupon on this 13th day of November 1896, ordered and decreed by the Circuit Court for Frederick County sitting as a Court of Equity and by the authority thereof, that the bill filed in said Cause be taken as pro Confesso against the said non-resident defendants; but because it doth not with a certainty appear to what relief the plaintiff are entitled it is further ordered that the papers be referred to Clayton O. Reedy one of the Examiners of this Court to take such testimony as the plaintiff may offer in support of the allegations of said Bill, he to return the same to this Court for its further action.

John A. Lynch
Judge of the Cir. Court

Filed November 13th 1896.

Testimony.

Daniel E. Stone
vs
David E. Key and others

No. 5731 Equity
In the Circuit Court for Frederick County sitting as a Court of Equity.

In pursuance of the aforegoing order of the Court and Notice given one by the Solicitor for the Plaintiff in the above entitled Cause, I Clayton O. Reedy one of the regular Examiners of said Court duly appointed, qualified and sworn, having met at my office in Frederick City and assigned the 18th day of November A.D. 1896 at the place aforesaid as the time and place for taking the testimony in said Cause and having given due notice thereof to the parties concerned, did at the appointed time and place proceed to take the following testimony to wit:-

The Plaintiff filed with the Examiner as Evidence Exhibits 1. 2-3-4-5-6-7 & 8 which are herewith returned by said Examiner,

Jacob H. Dutrow a witness of lawful age produced on the part of the Plaintiff being duly sworn and Examined deposes and says

1st Int. State your name, age and residence?
Ans. Jacob H. Dutrow: 33 years: Mt. Pleasant District in Frederick County.

2d Int. Did you know Reuben Key late of Frederick County, deceased,
Ans. Yes Sir I knew him.

3d Int. Look at Exhibit No 6. now shown you and state who Executed said paper and all you know about it?
Ans. I look at said paper. Reuben Key now deceased Executed it by making his mark there as his signature. I recollect him putting his mark there and I signed my name as Witness. It was done