No. 5774 Equity.

of the Examiner of this Court to take such testimony in support of the allegations of the bill as the plaintiff may produce and return the same to this Court for its further action.

John A. Lynch
Judge of the Cir. Court.

Filed Feby. 9th 1891.

William F. Duvall & wife
vs.
Martha S. Kemp and others

No 5774 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'Neely, one of the regular Examiners of said Court duly appointed, qualified and sworn, having met at my office in Frederick City, and assigned the 10th day of February A.D. 1891 at the place aforesaid, 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 testimony, to wit, viz:

The Plaintiff filed with the Examiner as evidence Exhibit No 1, which is herewith returned.

William F. Duvall (one of the Plaintiff) a witness of lawful age produced on the part of the Plaintiff having first duly affirmed, and being examined deposes and says.

1st Int. State your name, age and residence?

Ans. William F. Duvall; 31 years; Mt. Pleasant, Frederick County, Md.

2d Int. Did you know Daniel S. Kemp, late of Frederick County? If yes, is he living or dead? If dead when and where did he die and did he die testate or intestate?

Ans. I knew him he is dead. He died at his home in Frederick County about April, 1890. He left no will.

3d Int. Did the said Daniel S. Kemp die seized and possessed of any real Estate in Frederick County? If yes, describe the same, give its quantity and value, and look at Exhibit No 1 and say if that describes it.

Ans. He died. He owned a tract of land of about 9½ acres situated in Mt Pleasant District in Frederick County with improvements, worth about $2500 or $3000. I look at Exhibit No. 1 now shown me and that describes the said real Estate.

4th Int. Did the said Daniel S. Kemp leave any widow, Children or other heirs at law? If yes, give their name, age and residence and husbands or wives?

Ans. He did. He left a widow named Martha S. Kemp who is 64 years of age and resides in Frederick County, and a daughter named Minnie B. Duvall now the wife of Wm F. Duvall (present witness) both of whom are adults.