No. 5045 Equity.

Enos J. Kline & wife
Mary Kline, John F. Kline & others

No. 5045 Equity.
In the Circuit Court for Frederick County, sitting as a Court of Equity.

In pursuance of the annexed order of the Court contained in the decree pro Confesso and notice given me by the solicitor for the Plaintiffs in the above entitled cause, I Clayton O'Neal one of the regular Examiners of said Court duly appointed qualified and sworn, having met at my office in Frederick City and assigned the 12th day of October 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:- The Plaintiffs filed with the Examiner as evidence Exhibits 1. 2. 3. 4. 5 & 6 which are herewith returned.—

Thaddeus A. Warthen a witness of lawful age produced on the part of the Plaintiffs being duly sworn and Examined Viva Voce deposes and says as follows.—

1st Int. My name is Thaddeus A. Warthen, my age 40 years I reside at Yellowville Frederick County. I know all the parties to this suit, I knew John Kline late of Frederick County. He is dead. He died at his home in Frederick County about the year one 1883 leaving no will. The said John Kline surviving him the following widow and heirs at law, viz:-

Mary Kline. his widow who upwards of 80 years of age and resides in Frederick County.

(1) A son Enos J. Kline whose wifes name is Clara both of whom are adults and residents of Waynesborough Penn.

(2) A son John F. Kline whose wife name is Mary K. both of whom are adults living in Frederick County. Md.

(3) A daughter Harriet S. now the wife of James Willard both adults and residents of Frederick County. Md.

(4) A daughter Annie E. Kline who is an unmarried adult living in Frederick County.

(5) A daughter Clara A. Working whose husbands name is John O. Working both of whom are adults living in Frederick County. though they lived in Pennsylvania when the Bill was filed. John Kline died seized and possessed of real Estate situated near Yoquille in Frederick County. It consisted of quite a large tract of land something over 200 acres. Exhibits 1. 2. 3. 4 & 5 describe said land excepting what has been sold off. I also look at the plat and survey in the Commissioners report filed in this Case and believe that correctly represents the land yet unsold. I believe the unsold portion is worth about $20= per acre it consists of about 70 acres of land exclusive of the amount assigned to the widow for her dower.