

No. 7133 Equity.

Testimony &c,

Of the children of my deceased Brother Jacob Smothers aforesaid, Kate Smothers resides in Frederick County, Md. & John Smothers. Jacob & Maria Smothers are now residents in Philadelphia, Penna.

To the generally interrogatory by the Examiners

Ans. I do not
John Smothers
main

Witness:-

Arthur Hilliard

Lewis A. Smith a witness of lawful age produced on the part of the plaintiff having first been duly summoned and sworn and examined deposes and says:

1st. Q. State your name, age, residence and connection with this case.
Ans. Lewis A. Smith, age 38 years, I live near Boadock, Frederick County, Maryland, I am one of the Defendants in this case, I am a son of Mary Ann and Eli Smith, I am acquainted with the plaintiff and most of the Defendants in this suit.

2nd. Q. State what you know about this case.
Ans. I have heard the testimony of the Plaintiff John Smothers and I know it all to be correct except the time when John Smothers and Robert Smothers purchased the land mentioned in these proceedings from John Hagan & wife, I of course know nothing about this except is contained in the Deed, "Exhibit A." I however knew that my uncle John Smothers and Robert Smothers owned the property and lived together until my uncle Robert died in 1878. I am satisfied that the plaintiff John Smothers paid the full amount of purchase money to the heirs of my uncle Robert Smothers for his interest in said property after his death. I worked for E. Frank Coblenz for about 5 years after my uncle Robert's estate was settled and frequently heard him say that my uncle John the plaintiff had purchased Uncle Robert's half of the land, and paid for it and that he (Mr. Coblenz) was to see that he got a deed for it from the heirs at law. I also know that my mother got her share from Uncle Robert's interest in said property and had the receipt she gave for it.

To the general interrogatory by the Examiners

Ans. I do not.
Lewis A. Smith

John C. Coblenz a witness of lawful age produced on the part of the plaintiff having first been duly sworn and examined deposes and says:

1st. Q. State your name, age and residence.
Ans. John C. Coblenz, age 55 years and I live near Middleton, Frederick County, Maryland, I know the plaintiff and most of the Defendants to this suit.

2nd. Q. State all you know about this case.
Ans. I am a brother of E. Frank Coblenz who settled the estate of Robert Smothers. I was one of the appraisers of the personal property of Robert Smothers, we also valued the real estate at which valuation the plaintiff John Smothers took the property. I heard my brother E. Frank state on one occasion that John Smothers had paid for the property.