Testimony vs.

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No. 5277 Equity.

Emory Diller & Annie Diller his wife et al
vs
John Franklin Thomas et al

In the Circuit Court for Frederick County, sitting as a Court of Equity.

In pursuance of the annexed order of Court and notice given me by the Solicitor for the Plaintiffs in the above entitled cause, I William Wilson one of the regular examiners of said Court having fixed Monday the 23rd day of May 1887 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 then and there proceed to take the following testimony, to wit:-
The Plaintiffs filed with the examiner as Evidence, Exhibits No 1 and 2 which are herewith returned by said Examiner.
John Franklin Thomas as witness of lawful age produced on the part of the plaintiffs being duly sworn and examined to interrogatories propounded by the Solicitor for the plaintiffs and herewith returned deposes and says:-
1st. Q. What is your name, age and residence?
A. My name is John Franklin Thomas, my age is 42 years and I reside in Frederick County, Maryland.
2nd. Q. Do you know the parties to this suit, if yea how long have you known them?
2nd. A. I know the parties to this suit, I have known them all the time, they all reside in Frederick County, Maryland, excepting Emory Diller and Annie his wife who reside in Baltimore City, Md.
3rd. Are all of said parties adults if not, which are not of age?
3 A. All are Adults, excepting George Thomas, Joseph Thomas and Addie Thomas.
4th Q. Did you Know George Thomas of H. in his life time, if yea is he living or dead? When did he die, did he die testate or intestate?
4th I knew him, he was my father, he is dead, he died in March 28. 1883, He died testate.
5. Q. Look at Exhibit No. 2 and state whether or not it is a true copy of the item in the Last Will and testament of George Thomas of H. with reference to the devise and bequeath we for the use and benefit of the wife and children of Charles Allen Thomas.
5 A. The witness looks at the Exhibits No. 2 and says, it correct.
6. Q. Look at Exhibits No. 1 and state whether or not the said George Thomas of H. died seized and possessed of said land therein described and where is the same situated.
6. A. He died seized and possessed of it and is situated in Buckeystown District, Frederick County, Maryland.
7 Q. State whether or not the land described in Exhibits No. 1 is the same land as described in Exhibit No. 2.
7 A. It is, Yes sir.
8 Q. State whether or not the wife of the said Charles Allen Thomas is dead?
8 A. She is dead, she died some time ago.