

No. 7821. Equity.

of May 1905, at the Spangler Hotel in Emmittsburg in Frederick County Md. at 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 Examiner as evidence Exhibit A, B, & Co, which are herewith returned by the said Examiner.

John A. Kooner, a witness of lawful age produced on the part of the Plaintiffs being duly sworn and examined Viva Voce. deposes and says as follows:-

My name is John A. Kooner, my age 49 years and I reside in Emmittsburg Frederick County, Maryland. I was acquainted with Mrs. Sophia Kooner, late of Adams County, Tenn. She is dead. She died in Tappan Ohio, in the latter part of 1903. She was at the time of her death seized and possessed of real estate in Frederick County, Md. I look at "Exhibit A," now shown me, and that Certified Copy of the deed to her from Lewis A. Cook and wife described the said real estate of which she died seized and possessed. I am well acquainted with the property. I would think it worth from \$600 = to 700 =.

The said Mrs. Sophia Kooner died leaving a will ^a Certified Copy of which is now shown me marked "Exhibit B". I am acquainted all the parties to the suit, and I also know the John S. Agnew named in said will. He is the husband of Mrs. Kooner's daughter Louisa M. - Called - the Will of Margaret Louisa

The children of said John S. and Louisa M. Agnew, are as follows; Wm. S. Agnew, Jesse S. Agnew Annie S. Agnew, Robert Paul Agnew and Gerald S. Agnew, all of whom are under twenty one years of age, and David S. Agnew, Mary Ruth S. Lanninger, the wife of J. Thomas Lanninger,

Sophia Grace Lefevre who is the wife of Franklin Lefevre and Eli S. Agnew whose wife's name is Marian, all of whom are over twenty one years of age. Mrs. Sophia Kooner has a daughter named Luiza who is the wife of Harry H. Hook both of whom are adults and another daughter Mary E. who is the wife of Rev. H. S. Snyder, both of whom are adults.

The Defendants Eli S. Agnew and Marian