No. 8010 Equity.

of eleven O'Clock A.M. proceed to take the following depositions of Witnesses Summoned and produced on the part of the Plaintiffs. as follows to wit.

Present.
Mr. Eugene L. Rowe
Solicitor for the Plaintiff

Exhibits #1. 2. and 3 to the Bill were filed with the Examiner as evidence and are so Marked.

Joseph Koppes.- a witness of lawful age produced on the part of the Plaintiffs being duly first Sworn and examined Viva voce deposes and Says as follows.-

My name is Joseph Koppes. I am 72 years of age. - I reside near Emmittsburg this County. I Know all the parties to this cause and the land mentioned in these proceedings. I Knew Augustine Wagner sometimes called Augustus Wagner in his lifetime. He is dead he died intestate in March 1906. Seized and possessed of real estate, in Frederick County. Maryland. which is Correctly described in Exhibits #1. 2. + 3 to the Bill. which are Certified Copies of the deeds for the Same. In the property. mentioned and described in Exhibits #1. Augustine Wagner had only a 1/3 interest the other 1/3 interest being owned by Margaret S. Wagner his wife who Survived him. She has owned this 1/3 interest for 40 years. or more. Augustine Wagner left Surviving him his widow Margaret S. Wagner who resides in Frederick County. Maryland. and two Sons. both Adults. whose names are as follows -Joseph E. Wagner who is not Married and Harry D. Wagner who is married whose wife name is Rose Wagner - Joseph and Harry Wagner both of whom reside in the State of Pennsylvania ~~the~~ ~~are~~ ~~three~~ infant Children of a Son James A. Wagner. who died before his Father. grand Children of Augustine Wagner. their names and ages are as follows. Madeline M. William A. and Annie M. Wagner aged 7-9-11 years respectively. This land in which Augustine Wagner had a 1/3 interest + described in Exhibit #1. Consists of about 2 Acres of land + is improved by a Dwelling House + out buildings + is worth about $ 200= for this 1/3 interest. The land mentioned in Exhibit #2. Consists of about 1 3/4 acres of land + has