

No. 8521 Equity.

Petition and Order to take } Filed February 2-1910.
 Testimony

To the Honorable, the Judges of Said Court:-

The Petition of W. Charles Penn et al., Plaintiffs in this cause, respectfully represents:-

That the answers of the Defendants having been filed and the cause being at issue, they desire to take testimony in this cause and pray your honors to grant them leave to do so before one of the Examiners of this Court.

And as in duty etc.

Emory L. Cobbley,

Oscar B. Cobbley,

Solicitors for Plaintiffs.

Ordered, this 2^d day of February, a. d. 1910, by the Circuit Court for Frederick County, sitting as a Court of Equity upon the foregoing petition, that leave be granted to the parties in the above cause to take testimony as prayed before any one of the Standing Examiners of this Court.

John L. Motter.

Testimony

To the Honorable, the Judges of Said Court:-

In pursuance of an order of the Court and notice given me by the Solicitor for the Plaintiffs I Albert S. Brown, one of the standing examiners of your Honorable Court, duly commissioned, qualified and sworn, did on the 3rd day of February, a. d. 1910, at the office of Cobbley and Waters, Esquires, in the City of Frederick State of Maryland, at the hour of 3 o'clock P. M. proceed to take the following depositions ex parte, the same being taken down in stenographic notes and subsequently typewritten by Claude S. Kahn the Examiner sworn to.

Present: Emory L. Cobbley, Solicitor for the Plaintiffs, Exhibits A. B. to Bill filed with the Examiner as evidence and so marked.

W. Charles Penn, a witness of lawful age, produced on the part of the Plaintiffs, being first duly sworn and examined Viva Voce, deposes and says as follows:-

My name is W. Charles Penn. I am 49 years of age, I reside in Frederick County, Maryland. I know all the parties to the cause and the land mentioned in the proceedings, which is fully described in Exhibits A and B to the Bill, which are Certified Copies of the deeds for the same which I now look at and identify. The farms mentioned