TESTIMONY.

To the Honorable the Judges of said Court--
The petition of the Plaintiffs in the above case respectfully shows--That the above case is at issue and they pray leave to take testimony before one of the regular Examiners of Your Honorable Court, to support the allegations of the Bill; and that they may have all such other and further relief to which they may be entitled, will ever pray.

Urner & Urner

Solicitors for Plaintiffs.

Upon the aforegoing petition it is ordered by the Court this 19th day of April A. D. 1912, that the laintiffs are hereby granted leave to take testimony, in the above case, before one of the regular Examiners of this Court, in support of the allegations of the bill of Complaint.

Hammond urner.

In pursuance of the annexed order of the Court and notice given me by the Solicitors for the Plaintiffs in the above entitled cause, I Slayton O. Keedy one of the regular Examiners of said Court duly appointed, qualified and sworn, having assigned the 19th day of April, 1912, at my office in Frederick, Md., as the time and place or taking the testimony in this cause, and having givendue notice thereof to the parties concerned, did at the appointed time and place proceed to take the following testimony, towit--
the Plaintiff filed with the examiner as evidence Exhibits Nos. 1, 2, 3, 4, and 5, which are herewith rerurned by the said Examiner.

Milton G. Urner a witness of lawfu age produced on the part of the Plaintiffs, being first duly sworn and examined viva voce, deposes and says as follows--
My name is Milton G. urner, I am 72 years of age, reside in Frederick and know all the parties to this cause. I knew tilghman F. Gaver, late of Frederick County, who died intestate about the month of June 1906, and was at the time of his death seized and possessed of a tract of about thirty acres of land in Middletown District in Frederick Cpunty, and left surviving him a widow, Lydia M. Gaver, who did intestate in the Spring of 1911 five children as follows--
Calvin L. Gaver, William E. Gaver, Mrs. Laura E. Routzahn, the wife of Albert B. Routzahn, Lavinia A. gaver and Grayson R. Gaver, all of whomare adults at the time of their father's death, and who were his only children and heirs at law.
The real estate of which said Tilghman F. Gaver died, seized and possessed is the same as that described in a deed from Peter Shafer to him, containing 22 acres more or less, a certified copy of which is filed in this case as Exhibit No.1 also a parcel adjoining the 22 acres before mentioned, containing 8 acres and 20 sq. ps more or less, conveyed to said Tilghman F. gaver, by Enos Biser and wife, by deed dated April 4, 1863, a certified copy of which is filed herewith marked exhibit No. 2, excepting from the last mentioned tract, one acre and 25 sq. ps conveyed by said Tilghman F. Gaver and wife to Daniel B. Flook by ded dated February 13, 1869, a cwrtified copy of which is filed herewith marked exhibit No. 3, and also of 7/8 of an acre or 3 roods and 30 perches of land devised to said Tilghman F. Gaver by David Hart, deceased, by his last will and testament, duly admitted to probate and recorded in liber J. R. R. No. 1 folio 532 one of the records of wills in the office of the Register of Wills of Frederick County, and also of 92 sq, ps. of land which he had in his possession as part of said 30 acres, more or less, and