

PETITION OF PLAINTIFFS & DECREE PRO CONFESSO.

To the Honorable the Judges of the Circuit Court for Frederick County, Maryland, setting as a Court of Equity--

The petition of Joseph M. F. Norris, et. al., the Plaintiffs in the above entitled case, respectfully represents unto Your Honors--

That the defendants Nettie Norris Jernegan and Warren G. Jernegan, her husband, Mearl G. Norris and Alvia Norris, his wife, have been duly notified of the object and substance of the Bill of Complaint filed against them in the above entitled cause, and said defendants have been duly warned to appear in Your Honorable Court in person or by solicitor on or before the second day of February 1914, and show cause if any they have, why a decree ought not be passed in the bill of Complaint, as will appear by the printer's certificate herewith filed marked Exhibit Examiner, the said defendants have not appeared in person or by solicitor in said cause in your Honorable Court, although the time within which they were notified so to appear has passed.

Wherefore your petitioners pray that Your Honors will pass the decree of Your Honorable Court that the bill of complaint be taken pro confesso against said defendants and that the cause be referred to one of the standing examiners of your Honorable Court for the purpose of taking such testimony as may be produced before him to substantiate the allegations of the bill of complaint.

and as in duty Bound etc.

Jacob Rohrback,

Solicitor for Plaintiffs.

On the aforesaid petition it is ordered and decreed by the Circuit Court for Frederick County Maryland, sitting as a Court of Equity, that the Bill of Complaint filed in this cause be and the same is hereby taken pro confesso as against the said non-resident defendants, Nettie Norris Jernegan and Warren G. Jernegan, her husband, Mearl G. Norris and Alvia Norris, his wife, and it is further ordered that the cause be and the same is hereby referred unto any one of the Standing Examiners of this Court for the purpose of taking such testimony as may be produced before him by the parties to said Cause.

Glenn H. Worthington.

Feb. 19 1914.

TESTIMONY.

In pursuance of the order of the Court contained in the decree pro confesso in the cause dated February 19 1914, and notice given me by the solicitor for the Plaintiff in the above entitled cause, I Clayton O. Keedy, one of the standing examiners of said Court duly appointed, qualified and sworn having assigned the 27<sup>th</sup> day of February A. D. 1914 at the office of Jacob Rohrback, Esq. in Frederick City, as the time and place for taking the testimony in the 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 Plaintiff filed with the Examiner as evidence Exhibit A., which is herewith returned by the said Examiner.

George K. Geiselman, a witness of Lawful age, produced on the part of the Plaintiff, being duly sworn and examined viva voce deposes and says as follows--

My name is George K. Geiselman; I am 73 years of age; and I reside at Rocky Ridge in Frederick County, Md. I knew all the parties to this cause.

I knew Joseph M. F. Norris who lives in Frederick County and knew his brother Martin Luther Norris who is dead and who died intestate in Frederick County in January 1910.

They owned at the time of the death of the said Martin Luther Norris a property situated at Rocky Ridge in Frederick County which was a lot of Ground improved by a store house and dwelling