referring said cause to one of the Standing Examiners of said Court for the purpose of taking testimony in support of the allegations contained inthe Bill of Complaint.

And as in duty etc.

Emory L. Coblentz

Chas. McC. Mathias

Solicitors for Plaintiffs.

The aforegoing petition having been read and considered, it is thereupon this 28th day of May in the year nineteen hundred and twelve, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, adjudged, ordered and decreed that the above entitled cause be and the same is hereby referred to any one of the standing examiners of this Court for the purpose of takin testimony in support of the allegations contained in theBill of Complaint

Hammond Urner.

TESTIMONY.

In pursuance of an order of the Court and notice given me by the Solicitors for the Plaintiffs, I Albert S. Brown, one of the Standing Examiners of your Honorable Court, did on the 28th day of May, A. D. 1912, at the law offices of the Examiner in the City of Frederick, State of Maryland, at the hour of two o'clock P. M. proceed to take the following depositions of the witnesses in this cause then and there produced before me, exparte, that is to say--

Present--Mr. Charles Mc.C. Mathias, of the Solicitors for the Plaintiffs.

Exhibit A., filed with the Bill was filed with the Examiner as evidence in this cause and so marked.

John W. King, a witness of lawful age, produced onthe part of the Plaintiffs, being first duly sworn and examined, deposes and says--

Q.--State your name, age, residence and occupation.

A. John W. King, a witness of lawful age, residence Myersville, Frederick County, Maryland; occupation, former.

Q. Do you know the parties to this cause?

A. I do.

Q. Did you know Solomon Lizer; is he living or dead, and if dead, when did he die6

A. I knew him, he is dead, he died about the year 1888.

Q. Whom did he leave surviving him?

A. He left a widow, Nancy Lizer, who departed this life April 29th 1912, and the following children--James Lizer, a son, whose wife's name is Melzina lizer; Walter Lizer, a son whose wife's name is estie lizer; carrie King, a daughter, who intermarried with John W. King; Ella Dosh, a daughter, who is a widow, all of whom are adults living in Frederick County, Maryland. he also left surviving him another daughter, Martha Kline, who has since died intestate leaving surviving her a husband,Jonathan kline, and an only daughter Daisy Lizer, who has also sinxe died intestate, leaving a son Dane Lizer, who is an infant under the age of twenty-one years. Solomon Lizer also left surviving him a son, David Lizer, who died about swen years ago leaving a widow, Clara lizer and the following children-Carma, an adult daughter, who intermarried with Gur Ridenour; Alma Stottlemyer, an adult daughter, who intermarried with Aquilla Stottlemyer; Ada an Adult daughter who intermarried with Calvin Cline, and three minor children, Bickford Lizer, a son aged about 18 years; Calmeda Lizer, a daughter, aged about 15 years; and Maggie Lizer, a daughter, aged about 12years. These are all the children and heirs at law of Solomon Lizer, now surviving.

q. look at the paper now show you, marked "Exhibit A" and state what it is.

A. I look at the paper now shown me. it is a certified copy of a deed from george U. W. Hurley to Solomon Lizer, dated April 2nd 1860, and it conveys a tract or parcel ofland containing eleven