

## GENERAL REPLICATION.

The Plaintiffs join issue on the matters alleged in the answers of Mary Ann Willard, John P. Harley, Emily R. Harley, Bertha Harley, Lula G. Harley, infant, by Eli G. Haugh, guardian ad litem, defendants in the above entitled case, so far as the same may be taken to deny or avoid the allegations of the bill.

Milton G. Urner

Milton G. Urner, jr.

Emory L. Coblentz

Oscar B. Coblentz.

Solicitors for Plaintiffs.

## PETITION AND COURT'S ORDER TO TAKE TESTIMONY.

To the Honorable the Judges of said Court--

The petition of the Plaintiffs in the above entitled case respectfully shows--That the said case is now at issue and they desire to take testimony and proofs therein to support the allegations of their Bill of Complaint, and pray that leave may be granted them to do so before a standing Examiner of Your Honorable Court.

and as in duty, &c.

Milton G. Urner

Milton G. Urner jr.

Emory L. Coblentz

Oscar B. Coblentz.

Solicitors for Petitioners.

Upon the foregoing petition, it is ordered by the Circuit Court for Frederick County this 19th day of June A. D. 1911, that leave be and the same is hereby granted to the Plaintiffs in the above entitled case to take testimony and proofs therein before any of the standing Examiners of this Court, as prayed in said petition.

John C. Matter.

## TESTIMONY.

In pursuance of notice given me by the plaintiffs and defendants, respectively, I Albert S. Brown one of the Standing Examiners of Your Honorable Court, did, on the 10th day of July A. D. 1911, at the office of Urner and Urner, Esquires, in the city of Frederick and State of Maryland, at the hour of 10.15 o'clock A. M. proceed to take the following depositions of the witnesses in the above case, then and there produced before me, the said testimony being taken in stenographic notes by Miss Edith E. Wickham, Examiner's sworn clerk, and subsequently typewritten, as follows--

present--Mr. E. L. Coblentz, of Sols. for Dfts.

Mr. Milton G. Urner, jr., of counsel for one of the Plaintiffs.

Mr. Josephus E. Harley, 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 Josephus E. Harley, I am 75 years of age and reside in Burkittsville, Frederick County, Maryland. I am one of the Plaintiffs in the above entitled cause and the owner of an undivided one-half interest in the real estate in question. The real estate mentioned in the Bill of Complaint in this case is a tract of land situated in Frederick County, in the State of Maryland, containing 296 acres and 37 square perches of land more or less, and is correctly described in the deed from Caroline O'Donnell to myself and my brother, Henry T. Harley, which I now look at and