

PETITION OF PLAINTIFFS AND COURTS ORDER THEREON THAT THE CAUSE BE REFERRED TO A STANDING EXAMINER OF COURT TO TAKE TESTIMONY.

To the Honorable, the Judges of the Circuit Court for Frederick County, Maryland, sitting as a Court of Equity.

The petition of Jesse J. Plummer and Edith May Plummer, his wife, the Plaintiffs in the above entitled cause, respectfully represents unto your Honors--

That Samuel W. Plummer by his Guardian ad Litem and Mollie E. G. Plummer, and Charles Plummer, all of the defendants in the above entitled cause, have filed their answers to the Bill of Complaint filed against them in the above entitled cause in Your Honorable Court, That your petitioners, the Plaintiffs have filed the general replication to the answers of the defendants, and that the same is now at issue.

That it is necessary the cause now be referred to one of the Examiners of Your Honorable Court for the purpose of taking such testimony as may be desired by the parties to this cause.

therefore your petitioners pray that your Honors will refer the papers to one of the standing Examiners of Your Honorable Court for the purpose of taking such testimony as may be produced before him by the parties to the cause.

And as in duty bound etc.

Jacob Rohrback

Solicitor for Plaintiffs.

On the foregoing petition it is ordered by the Circuit Court for Frederick County, Maryland, sitting as a Court of Equity, on this 7th day of July, in the year nineteen hundred and fourteen, that this cause be and the same is hereby referred to one of the standing examiners of the Court for the purpose of taking such testimony as may be produced before him by the parties to the cause.

Hammond Urner.

TESTIMONY.

To the Honorable the Judges of said Court--

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 duly commissioned and qualified, did on the 7th day of July A. D. 1914, at the law office of Jacob Rohrback, Esq., in the City of Frederick and State of Maryland at the hour of 3.30 o'clock P. M. proceed to take the following depositions in this cause, as follows, to-wit--

Present--Jacob Rohrback, Esq., solicitors for Plaintiffs.

Exhibits A and B to the Bill of Complaint filed as evidence and are so marked.

Edgar L. Grimes, 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 Edgar L. Grimes. I am 46 years of age and reside in NewMarket this county, I know Samuel W. Plummer, and Mollie E. G. Plummer his wife. I don't know any of the other parties to the cause. I've heard of them but have no personal acquaintance. I knew Mrs. Anna W. Hughes, she was the wife of Edgar W. Hughes and the sister of Samuel W. Plummer. Mr. and Mrs. Hughes are both dead Mrs. Hughes died about seven years ago, I knew her very well. I knew Mr. Edward Hughes, he died in the latter part of the winter 1914. They never had any children, so far as I know. Mrs. Anna W. Hughes left no will. We were close neighbors and we knew each other quite well. They were each 65 or 70 years old, and they lived in this county on the East side of the State road between New Market and Monrovia about half way between the two places. There was in the place where they lived about 47 or 48 acres of land improved by a two-story dwelling house and a small stable and out-buildings, which is correctly described so far as I can judge in Exhibit A Exhibit B, being a certified copy of the deed from that part of the tract they sold to Frizzell. In my opinion this land and improvements will sell for probably \$4,000.00. There is no tenant in property and it adjoins