

TESTIMONY.

The petition of Margaret E. Staup, infant, by Mary A. Cramer her mother and next friend respectfully represents unto your Honors that the infant defendants have answered the Bill of Complaint filed in the above cause, by Eli G. Haugh, their guardian ad litem, duly appointed by Your Honorable Court for that purpose.

2nd. That the general replication has been filed to said answer, and it is now desirable to take testimony in the case in support of the allegations of the Bill of Complaint, and Your Petitioner prays Your Honors pass an order referring said papers to one of the Standing examiners of Your Honorable Court to take such testimony.

And as in duty bound &c.

D. Princeton Buckey
John C. Motter
Sol. for Petitioner.

The above petition having been read and considered, it is thereupon on this 24th day of March 1913, ordered by the Circuit Court for Frederick County, sitting as a Court of Equity and by the authority thereof that the papers in the above cause are referred to one of the standing Examiners of this Court to take the testimony mentioned in the above petition.

Glenn H. Worthington.

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 Clayton O. Keedy, one of the Standing Examiners of said Court duly appointed qualified and sworn, having assigned the 28th day of March A. D. 1913, at my office in Frederick md., as the time and place for taking the testimony in this 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 Plaintiffs filed with the Examiner as evidence Exhibit No. 1, which is herewith returned by the said Examiner.

James C. Crum, a witness of lawful age produced on the part of the Plaintiffs, being duly sworn and Examined viva voce, deposes and says as follows--

My name is James C. Crum, my age 66 years, I reside in Frederick County, and I know all the parties to this suit.

I knew Harry F. Staup, late of Frederick County, who died about 1901. He died intestate. At the time of his death owned a small property in Johnsville District containing 7 acres, 1 R & 34 Sq. Ps. of land, more or less, and which is correctly described in Exhibit No. 1 to the Bill filed in this cause. It is worth \$600 or \$700.

He left a widow named Mary who is now married to a man named Cramer, and the following children, viz--John R. Staup, Carrie J. Staup and Margaret S. Staup, all of whom are infants under 21 years of age and all of whom reside in Lancaster County in the State of Pennsylvania. These are his only heirs at law.

This property is not capable of division or partition among these heirs at law without loss or injury and the way the property is situated I think it would be to their interest and advantage to have it sold and the proceeds divided among them. The mother and all of the children live in the State of Penna. and there is no one here to look after the property.

To the gen. by the examiner.

Ans. Nothing further.

James C. Crum.

James A. Hahn a witness of lawful age produced on the part of the Plaintiffs, being duly sworn and examined, viva voce, deposes and says as follows--