

in pursuance of an order of the Court and notice given me by the solicitor for the plaintiffs, I, Albert S. Brown, one of the standing Examiners of your Honorable Court, did, on the 6th day of April, A.D. 1912, at the law office of the examiner in the City of Frederick, State of Maryland, at the hour of ten o'clock A.M., proceed to take the following deposition of the witnesses in this cause then and there produce before me, ex parte, that is to say:

Present: Mr. Charles C. Waters, Solicitor for the plaintiffs.

The following Exhibits filed with the bill were filed with the Examiner as evidence in this case and are so marked:

"EXHIBIT A"

"EXHIBIT NO. 1"

Samuel J. Martin, 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 Samuel J. Martin. I am 58 years of age, and reside at Loys Station, Frederick County, Maryland. I know all the parties to this case. My wife, Sarah Martin, died about the 29th of April, 1910. She left surviving her myself as her husband, and the following children: William H. Martin, a son, whose wife's name is Catharine Martin; Herbert Martin, a son, whose wife's name is Annie Martin; Clarence Martin, a son, whose wife's name is Francis Martin; Howard Martin, a son, whose wife's name is Nettie Martin; Theodore Martin, a son, whose wife's name is Maggie Martin; all of whom are adults over twenty-one years of age; and Harvey Martin and Joseph Clayton Martin, who are infants under the age of twenty-one years. I deeded the property mentioned in Exhibit A to the Bill of Complaint to my wife, Sarah C. Martin, retaining a life estate therein. I have by my answer agreed to the sale of this property under these proceedings, and agree to take such sum as may be awarded to me by the Circuit Court for Frederick sitting as a Court of Equity, in lieu of my life estate. As to the property conveyed to my wife by deed from Mrs. Harriet Moser mentioned in these proceedings in a supplemental bill, I do not agree to the sale of the same, retaining my dower right therein as the surviving husband of my wife, Sarah C. Martin.

To the General Interrogatory.

A. Nothing further.

Signature of witness waived. Adjourned until April 19th and examination answered at the office of the Examiner at 10 o'clock A.M.

(April 19th, 1912)

The following witnesses were present, testifying for the plaintiffs, in the case: William H. Long, Harvey B. Ogle, and Theodore Martin.

Present:

Charles C. Waters, Counsel for the Plaintiffs,
Arthur D. Willard, Council for the defendants,

William H. Long, 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:-

Q. State your name, age and residence.

A. William H. Long, age, 47 years; residence, near Loys Station in Frederick County, Maryland.

Q. Do you know the parties to this cause?

A. I do. I knew Sarah Martin in her lifetime; she was the wife of Samuel J. Martin; she died in and about the month of April, 1910. She left surviving her a husband, Samuel J. Martin, and the following children:- William H. Martin, a son, whose wife's name is Catherine Martin; Herbert Martin, a son, whose wife's name is Annie Martin; Clarence Martin, a son, whose wife's name is Francis Martin; Theodore Martin, a son, whose wife's name is Nettie Martin; all of whom are adults