

That an Answer has been filed to the Bill of Complaint filed in this cause, and the General Replication filed thereto, and the cause is now at issue!-

That it is necessary the cause be referred to an Examiner of your Honorable Court for the purpose of taking testimony to substantiate the allegation of the Bill of Complaint.

Wherefore your Petitioner prays your Honors Will refer the cause to one of the Examiners of your Honorable Court for the purpose of taking such testimony as may be produced before him.

And as in duty bound, etc.,

Jacob Rohrback  
Solicitor for Plaintiff.

On the foregoing Petition it is Ordered by the Circuit Court for Frederick County, Maryland, sitting as a Court of Equity, on this thirteenth day of May, in the year nineteen hundred and sixteen, that this cause be and the same is hereby referred unto any one of the standing Examiners of this Court for the purpose of taking such testimony as may be produced before him.

Filed May 13'1916.

Glenn H. Worthington

Jeanette C. Claggett,  
Porchine Ami & Co.

VS.

Samuel Claggett, et al. & Co.

\*\*\*\*\*  
-----0-----

No. 9454 EQUITY.  
In the Circuit Court for  
Frederick County, sitting as a Court  
of Equity.

In pursuance of the annexed order of the Court dated May 13th 1916, and notice given me by the Solicitor for the Plaintiff in the above entitled cause, I Clayton O. Ceedy, one of the standing Examiners of said Court duly appointed, qualified and sworn, having assigned the 13th day of May 1916, at my office in Frederick City 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 Plaintiff filed with the Examiner as evidence Exhibit Nos. 1-2 and 3, which are herewith returned by the said Examiner!--

Daniel Charles Flock, a witness of lawful age produced on the part of the Plaintiff being duly sworn and Examined viva voce deposes and says as follows!-

My name is Daniel Charles Flock, my age is 37 years, I reside in Frederick County, Maryland, I know all the parties to this suit. Mrs. Jeanette C. Claggett is the widow of Dr. Samuel Claggett, and Samuel Claggett, Thomas John Claggett, and Bladen Dulaney Claggett are the children of Dr. Samuel Claggett; Dr. Samuel Claggett died in July 1914, and died without a will. His Widow Jeanette C. Claggett is about 38 years of age and Dr. Claggett was about 41 years of age when he died. He left surviving him in addition to his widow, three infant children, Samuel Claggett, about 7 or 8 years of age Thomas John Claggett about 5 years of age and Bladen Dulaney Claggett about 3 years of age. The mother and children reside in Baltimore City, Maryland, but go to Virginia in the summer. Dr. Samuel Claggett was the son of Samuel Claggett, who died in Frederick County, Md. intestate in Frederick County, Md. on or about June 13, 1900, leaving surviving him six children and a widow, who is since deceased, The names of the six children are Sphia Claggett, now married to Garrett Crampton, now living in the State of Colorado. S. Genevieve Kopper, now the wife of John M. Copper of Madison, New Jersey. T. West Claggett, now a resident of Baltimore City, Maryland. Dr. Samuel Claggett a resident of Frederick County, who died intestate in July, 1914. L. B. Keene Claggett of Baltimore Maryland, John H. M. Claggett now a resident of the State of Illinois. Mrs. Claggett, the widow of Samuel Claggett died about 6 years ago. At the time of the death of Samuel Claggett he was seized and possessed of certain tracts of land in Petersville District Frederick County Maryland, aggregating about 400 acres of land and I now look at Exhibits Nos. 2 & 2 filed in this cause and they describe the land of which the said Samuel Claggett died seized and possessed. After the death of the father and mother Mrs. Sophia E. Crampton with her husband John D. G. Crampton, conveyed her one sixth interest in the real estate described in Exhibits Nos. 1 and 2 to her sister S. Genevieve Claggett, now Mrs. Copper, and unto her four brothers, John H. M. Claggett, T. West Claggett Samuel Claggett, and L. B. Keene Claggett, by her deed executed with her husband, dated Feby, 23, 1911, and filed as Exhibit, No. 3 in the paper in this cause. In my opinion it would be to the interest and advantage of the infant children of Dr. Samuel Claggett, that their interest in said lands be sold at either