

The Petition of Charles Fagan et al the Plaintiffs in the above case respectfully shows, that the above case is at issue and he prays leave to take testimony to prove the allegations of the Bill.

F. Marion Faubel  
Sol for Plaintiffs

Upon the foregoing Petition it is ordered by the Court this 10th day of March A.D. 1916, that the plaintiffs have leave to take testimony before one of the regular Examiners of this Court to prove the allegations of the Bill of Complaint.

Filed March 10th, 1916.

Glenn H. Worthington

TESTIMONY.

Charles Fagan et al  
VS.  
Clara Fagan et al

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No. 9423 EQUITY.  
In the Circuit Court for Frederick  
County, sitting as a Court of Equity.

To the Honorable the Judges of said Court:-

The above cause being at issue and notice given me by the solicitor for the Plaintiffs of desire to take testimony in said course I, Guy K. Motter one of the regular Examiners of your Honorable Court duly appointed, qualified and sworn, having assigned the 16th day of March A.D. 1916 at the residence of Charles F. Kintz in Frederick City Maryland, as the time and place for taking testimony in said Cause, did, at the appointed time and place proceed to take the following testimony to wit:-

Present:- Marion F. Fauble Esq, Sol, for Plaintiffs, Arbelian M. Kintz and Chas, F. Kintz Witnesses, Place; Residence of Charles F. Kintz # 200 Dill Ave, Frederick, Maryland.

Time. March 16th, 1916 at 2 O'Clock P.M.

Mrs. Arbelia M. Kintz a witness of lawful age produced on the part of the Plaintiffs having been duly sworn and examined deposes & says:-

1. State your name and residence?

Ans. My name is Arbelian M. Kintz, I am 63 years of age and I reside at # 200 Dill Ave, Frederick Md.

2. State whether or not you know all the parties to this cause:

Ans. Yes I did.

3. Did you know Clifford Fagan and his wife during their lifetime?

Ans. Yes.

4. Are they living or dead? if dead when did they die?

Ans. They are both dead-Clifford Died about seven years and his wife died within the last year.

5. Were they seized and possessed of any real estate at the time of their death? Where was it located and of what did it contain?

Ans. Yes they owned a house and lot situated on Dill Ave, in Frederick City, Md.

6. Look at Exhibit "A and B" now shown you and state what they are and whether they correctly describe the properties?

Ans. I look at Exhibits shown me they are certified copies of the deeds for the properties conveying the same from Adam Railing and wife and Joshua J. Dill Trustee to Allen Clifford Fagan.

7. Did the said Clifford Fagan and wife at the time of their deaths leave surviving them any children or heirs at law?

Ans. Yes they left surviving them following adult children; Charles, who is more than twenty one years of age, Lewis Oscar, who is an adult son, Harry, who is an adult son, Josephine an adult daughter, who is married and whose husband name is Edward Davis Mary, an adult daughter, who is married to Frank Brengle, Fannie, an adult daughter, who is married to Jacob Hildebrand, and the following infant children, John, Clara and Ruth all of whom are residents of Frederick County, Maryland,

8. Did they leave any will?