

No, 10409 Equity,

the parties and as to the subject matter,

I will therefore over rule the objection made by the answers of the Defendant raising the question of Jurisdiction and grant leave of the Plaintiffs to take testimony, in support of the allegations of their Bill of Complaint,

It is thereupon this 6th day of February 1921, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the Authority, thereof adjudged and Ordered that the answer of Certain Defendants herein raising the question of er the courts jurisdiction the same Having been filed on December 10, 1920, be and the same is hereby overruled, and the Plaintiffs, are hereby granted leave to take testimony in Support, of the Allegations of the Bill of comp aint.

Glenn H. Worthington,

T E S T I M O N Y

Mary J, E, Boyer, et al.,

o No, 10249 Equity,
o In the Circuit Court for Frederick
o County, Sitting as a Court of Equity,

Vs,

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William A, Boyer and Saloma
Boyer, his wife et al.,

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In pursuance of an Order of the Court, and notice given by the Solicitors for the Plaintiffs, I Albert S, Brown, one of the standing Examiners of your Honorable Court, did on the 19th day of January 1921, at the law office of the Examiner, in Frederick City, Maryland, at ten o'clock A.M, proceed to take the following depositions, in this cause, then and there produced before me, the testimony of the Witnesses having been taken down in Stenographic notes and subsequently typewritten by Walter D, Mehrling, the Examiner's sworn clerk, and signed by the respective witnesses testifying

Present; Leslie N, Coblenz, Solicitor for the Plaintiffs,
Exhibits A, B and C to the Bill of Complaint were filed
with the Examiner, as evidence and are so marked,

Marcelene Kefauver, 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 Marcelen Kefauver, and I am ^a niece of Columbus Boyer, who died about March 26th 1908. He left surviving him a widow Mary J. H. Boyer and the following heirs at law, nephews and Nieces,

Children of Hanson Boyer, Oliver Boyer, John Boyer, Mary E, Kefauver, and Louisa Arnold, Cora Boyer, Martin L, Boyer, who is married and whose wives name is Nellie F, G, Boyer, the Children and heirs at law, of Hanson Boyer, who predeceased, the said Columbus Boyer, Albert A, Boyer, who is married, and whose wives name is Jennie Boyer Carrie Boylus, who is married, and whose husbands name is Stephen Bowlus, William E, Boyer, who is married, and whose wives name is Saloma Boyer, Emory E, Boyer, who is married, and whose wife's name is Carrie Boyer, Georgetta Coblenz, who is married, and whose husbands name is Oliver Z, Coblenz, Florence Beachley, who is married and whose husband's name is Carlton Beachley, Laura E, Niekirk, who is married and whose husnand's name is Charles E, Niekirk, Russell L, Boyer, who is Married and whose wife's name is, Bessie Boyer, Children, and heirs at law, of Oliver Boyer, who pre-deceased, the said Columbus Boyer, Pearl M, Ahalt, who is married, and whose husbands name is William Ahalt, Eldridge C, Boyer, who is married and whose wife's name is Ellie Boyer, Julia E Maught who is married and whose husbands name is Roy Maught, children and heirs at law of John Boyer, who pre-deceased, the said Columbus Boyer, Esther Willard, who is married, and whose husbands name is, Ridgely, Willard, and Marcelene Kefauver, Children and heirs at law, of Mary E, Kefauver, who departed this life, subsequent to the decease of the said Columbus Boyer, Saphronia Magaha who is married, and whose husband's name is Burr Magaha, Ettie Pry, Millard Arnold, who is married, and whose wife's name is -----Arnold, Averal Arnold, Children and heirs at law of Louisa Arnold, who predeceased the said Columbus Boyer, all of whom are adults, and reside in Frederick County, Maryland, Hubert Kefauver a son of Mary E, Kefauver, who is married, and whose wife's name is Marie Kefauver of Jersey City, New Jersey, Russell Kefauver