

TESTIMONY

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| M. L. Creager and Raymond | " | No. 13623 Equity |
| D. Creager, trading as | " | In the Circuit Court |
| M. L. Creager and Son | " | for Frederick County, |
| vs | " | Maryland. |
| Olive A. Recher and | " | |
| John L. Recher, her | " | |
| husband et al. | " | |

To The Honorable, the Judges of the Circuit Court for Frederick County, Maryland, sitting as a Court of Equity.

Pursuant to notice given me by Patrick M. Schnauffer, solicitor for the complainants in the above-entitled case, I, Walter E. Sinn, one of the Standing Examiners of your Honorable Court, did on the ninth day of June, 1938 at the law office of Patrick M. Schnauffer, in the city of Frederick, Maryland, at two P. M., proceed to take the following depositions of the witnesses in said cause then and there produced before me.

Present - Patrick M. Schnauffer, solicitor for complainants.

M. L. Creager, one of the complainants, and witnesses.

Olive A. Recher, a witness of lawful age, produced on behalf of the Complainant, having been first duly sworn, deposes and says:

Please state your name and residence?

My name is Mrs. Olive A. Recher and I live near Thurmont, Frederick County, Maryland.

What relation are you to Martha A. Toms?

I am a daughter of Martha A. Toms.

When did your mother, Martha A. Toms, die?

She died on or about the 17th day of September, 1937.

What children did she leave surviving her?

She left Brinton Toms, a son, who married Grace Toms; Frank Toms, a son, who married Ida Toms; Rene Draper, a daughter, who married Clinton Draper; Dora Ridenour, a daughter, who is a widow; Olivia Myers, a daughter, who married John Myers; Howard Toms, a son, who is unmarried; Wellington Toms, a son, whose wife's name is Jettie Toms; Mildred Bragunier a granddaughter, who married A. Keller Gragunier she being a daughter of Daisy Baker who was a daughter of Martha A. Toms, and who died in 1926; Hubert Faulder, unmarried a grandson, who was a son of Annie Faulder, a daughter of Martha Toms, who died in 1929; J. Stanley Toms, Jr., a grandson, an infant under 21, who was a son of J. Stanley Toms, Sr., who died in 1918.

Mrs. Recher when your mother, Martha A. Toms, died did she own any real estate and if so where is it located?

Yes she owned a tract of real estate with a house on it north of Thurmont in Frederick County, Maryland.

From whom did she get the land?

My father, John H. Toms, purchased the land from Charles Shipley and then later he built the house on it?

Is that the same house as is on the property at this time?

Yes sir it is the same one.

Did your father deed the property to your mother prior to the time of his death?

Yes he did.

Mrs. Recher, I now hand you a deed which describes a conveyance from John H. Toms to Martha A. Toms, Will you please tell me what this is?

Yes this is a deed which my father gave to my mother for the property now in question?

Mr. Schnauffer: Mr. Examiner I would like to have introduced into evidence the deed from John H. Toms to Martha A. Toms and marked Exhibit #1.