

testimony in support of said Bill of Complaint.

And as in duty bound, etc.

Richard E. Zimmerman
Solicitor for Petitioner

Upon the foregoing Petition it is herewith ordered this 18th day of May, 1944, by the Circuit Court for Frederick County, sitting as a Court of Equity, that leave be and it is hereby granted to the parties to this cause to take testimony before one of the standing examiners of your Honorable Court.

Patrick M. Schnauffer
JUDGE.

Filed May 18, 1944.

TESTIMONY

PAUL CLEMSON	:	NO. 15115 EQUITY
	:	IN THE CIRCUIT COURT
VS.	:	FOR FREDERICK COUNTY
	:	IN EQUITY.
ANNIE ROTHENHOEFER, WIDOW, ET AL.	:	

* * * * *

TO THE HONORABLE, THE JUDGES OF THE CIRCUIT COURT FOR FREDERICK COUNTY, SITTING AS A COURT OF EQUITY:

In compliance with an order of court and the notice given me by the solicitor for the Complainant (the solicitor for the Defendants having due notice thereof), I, C. Clifton Virts, one of the standing examiners of your Honorable Court, did on the eighteenth day of May, 1944, at the law offices of Richard E. Zimmerman, Esquire, in Frederick City, Frederick County, State of Maryland, at the hour of two o'clock P. M., proceed to take the following depositions of the witnesses in this cause then and there produced before him, ex parte, that is to say: Present, Mr. Richard E. Zimmerman, Solicitor for the Complainant; Mr. William M. Storm, Solicitor for the adult Defendants.

The exhibits marked 1, 2, 3, 4, 5, 6, 7, "Will", "Milk Bill", and "Exhibit Milk Bill Orphans Court" to the Bill of Complaint filed with the examiner as evidence and are so marked.

PAULINE KOONTZ, a witness of lawful age, having been produced on behalf of the Plaintiff, after being duly sworn, deposes and says:

By Mr. Zimmerman

Q: Will you state your name, age and residence?

A: My name is Pauline R. Koontz. My age is forty-two and I reside at 209 East Seventh Street, Frederick City, Maryland.

Q: Will you state your relationship to Charles F. Rothenhoefer, whose estate is being administered by the receivers in No. 15,115 Equity?

A: I am a daughter of Charles F. Rothenhoefer.

Q: When did Charles F. Rothenhoefer die?

A: December 21, 1942.

Q: Was he a resident of Frederick County at the time of his death?

A: Yes, he was.

Q: Have you been engaged in the management as agent of his estate and of the Excelsior Sanitary Dairy, a part of his estate, since his death?

A: Yes, I have.

Q: I now hand you Plaintiff's Exhibits No. 1, 2, 3, 4, 5, 6 and 7. Will you state what these exhibits are?

A: They are deeds to the property of which my father died seized and possessed. This property was located at East Seventh Street, in Frederick City, Frederick County, Maryland.