

To the Honorable, the Judges of said Court:

The answer of Russell R. Bohn and Lina C. Bohn, his wife, to the bill of complaint filed in the above cause respectfully represents:

That they admit the allegations contained in said bill of complaint and consent to the passage of a decree for the sale of the real estate mentioned in said bill of complaint.

And having fully answered said bill of complaint these respondents pray to be hence dismissed with their costs.

Respectfully submitted,

L. Pearce Bowlus
Solicitor for Respondents

Filed April 1, 1946.

TESTIMONY AND EXHIBIT 1

| | | |
|---------------------------------------|---|-----------------------------------|
| Elsie G. Bohn, widow | " | No. 15695 Equity |
| vs. | " | In the Circuit Court |
| John H. Bohn, widower, and others. | " | for Frederick County, Maryland |

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

This case being at issue, and pursuant to notice given to me by Walter E. Sinn, solicitor for the plaintiff in the above-entitled case, I, C. Clifton Virts, one of the Examiners of your Honorable Court, proceeded on the tenth day of April, nineteen hundred and forty-six, at three P.M., at the law office of Walter E. Sinn, in the city of Frederick, Maryland, to take the following depositions of the witnesses then and there produced before me:

Present:

Walter E. Sinn, solicitor for the plaintiff.
Elsie G. Bohn, the plaintiff, and her witness, Charles W. Miller.

L. Pearce Bowlus (Mt. Airy, Md.), solicitor for John H. Bohn, William D. Boone and Fannie Boone, his wife, M. Calvin Boone and Pearl Boone, his wife, Clyde D. Boone and Julia Boone, his wife, James D. Boone and Mrs. James D. Boone, his wife, John E. Boone and Ray Boone, his wife, and Russell R. Bohn and Lina C. Bohn, his wife, defendants.

Benjamin B. Rosenstock, solicitor for May E. Smith and Murray D. Smith, her husband, and Joseph A. Boone and Josephine Boone, his wife, defendants.

William M. Storm, solicitor for Charles E. Boone and Mrs. Charles E. Boone, his wife, defendants.

The exhibit marked "Plaintiff's Exhibit No. 1" was filed with me as evidence and is so marked.

Elsie G. Bohn, the plaintiff, a witness of lawful age, having been first duly sworn, testified, on her own behalf as follows:

(Question by Walter E. Sinn, solicitor for the plaintiff)

- Q. Kindly state your name and residence.
A. Elsie G. Bohn, Woodsboro, Maryland.
- Q. Are you the widow of Harvey S. Bohn and the plaintiff in this case?
A. Yes.
- Q. When did Harvey S. Bohn die?
A. On November 29, 1945.
- Q. Did your husband, Harvey S. Bohn, leave a will?
A. No; he died intestate.
- Q. What real estate, if any, did your husband, Harvey S. Bohn, own at the time of his death in his individual name?
A. A farm with a dwelling house, barn and other out-buildings thereon, containing one hundred and thirty-six and one-fourth acres and three square perches of land, more or less, situated in Woodsboro District, Frederick County, Maryland.
- Q. I show you a certified copy of a deed dated April 1, 1905 from Daniel Zimmerman and wife to Harvey S. Bohn, in fee simple, which was filed as "Complainant's Exhibit No. 1" with the Bill of Complaint in this case. Does this deed convey the title to the farm owned by Harvey S. Bohn in his individual name at the time of his death?
A. Yes

(certified copy of the deed dated April 1, 1905 from Daniel P. Zimmerman and wife to Harvey S. Bohn offered in evidence and marked "Plaintiff's Exhibit No. 1")