

Carrie S. Bartlett, one of the Plaintiffs herein, after having been duly sworn, deposes and says:

(By Mr. Zimmerman)

Q. Will you state your name, age and residence.

A. My name is Carrie S. Bartlett. I was born in 1909 and I reside at Ballenger Creek Road.

Q. Are you one of the parties to this cause?

A. Yes, I am.

Q. Are you one of the heirs at law of May I. Thomas?

A. Yes, I am.

Q. How do you know the instrument was duly advised of the nature of the same?

A. The instrument is a deed bearing date of the 30th day of July, 1866, from John W. Cook and Charlotte L. Cook, his wife, to Samuel Thomas, and it is recorded in Liber J.W.L.C. No. 4, Folio 227, one of the Land Records of Frederick County. You have shown me a certified copy of said deed. (Offered in evidence and marked "Plaintiff's Exhibit No. 1).

Q. How many acres are in the tract of land referred to in the aforementioned deed?

A. 68 acres, 3 roods and 35 square perches of land, more or less.

Q. Do you know when Samuel Thomas, the grantee in said deed, departed this life?

A. 1889.

Q. Do you know whether or not he left a will?

A. No, he did not.

Q. How many children were born and were living at the death of Samuel Thomas?

A. Eight children. Their names were George D. Thomas, Bruce V. Thomas, Milton F. Thomas, Bennie R. Thomas, Annie A. Thomas, Lottie V. Thomas, May I. Thomas and Hattie C. Michael.