

2.Int. Do you know the farm of which the late John W. Leatherman dies seized and possessed, If so what in your opinion is its value?

Ans. I know the farm, \$8000.00 for the farm and the mountain lot if about 14 acres is worth about \$10.00 per acre.

X Examination.

1.x. How long has it been since you have been on the farm?

Ans. I was down there twice this summer, I can see part of it from where I live.

2.x. Do you know the price paid per acre of any land sold in that vicinity within the past four or five years?

Ans. Only the 60 Acre farm sold to Mr. Shank. He paid about \$100 per acre. This Leatherman farm is more hilly than this 60 acre farm.

To the Gen. Int. by the Exam. Nothing further.

George D. Tomas .75 ¢.

Whereupon there being no other witnesses to be examined and no further time being required for the production of evidence, the said Examiner hereby certifies that the foregoing are the original depositions in this case as the same were read over to the witnesses and signed by them respectively; and I hereunto return the same enclosed to the Court.

Witness my hand this 26th day of September A.D. 1922.

Clayton O. Keedy

Examiner.

Costs of the foregoing Testimony:

Plaintiffs Costs;-

C.O. Keedy Exam, 3 days - - - - -	\$12.00
Melvin F. Shepley, witness - - - - -	.75
George D. Tomas ..	.75
	<u>\$13.50</u>

Total ; both sides. \$19.25

Defendants Costs;

C.O. Keedy, Exam. 1 day	4.00
Elmer H. Shank, witness & Mge.	1.75
	<u>5.75</u>

Certified to;-

Clayton O. Keedy
Examiner.

(Filed Sept, 26th, 1922)

O P I N I O N.

Flora E. Leatherman, widow etc.,

Vs.

John D. Horine, et als.

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In the Circuit Court for
Frederick County, sitting
as a Court of Equity.

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The Bill of Complaint in this case was filed by Flora E. Leatherman, widow, and life tenant under the last Will and testament of John W. Leatherman, late of Frederick County, deceased, against John D. Horine and Ethel Horine, his wife, Foster Leatherman and Clara Leatherman, his wife, Floyd Leatherman and Annie K. Leatherman, his wife, and also against Floyd Leatherman, Foster Leatherman and Ethel E. Leatherman, now Ethel E. Horine, executors of the last will and testament of John W. Leatherman deceased, According to the allegations of the Bill of Complaint John W. Leatherman died in the year 1917, leaving a last will and testament duly probated and admitted to record whereby he devised and bequeathed unto his widow, Flora E. Leatherman, all of his property, real and personal, for and during her natural life to enjoy only the income therefrom. Then, after the death of his widow, he gave a house and lot in Myersville to his daughter Ethel and all the rest and residue of his estate to his children, Floyd Leatherman, Foster Leatherman and Ethel E. Leatherman, share and share alike. Then after making certain provisions to cover certain advances made to his children; by the fourth clause of the will he provided as follows; "Should at any time during the lifetime of my wife, my executors and my wife, deem it advisable to sell any or all of my real estate, such authority is hereby given unto my executors after having first obtained the written consent of my wife, Flora E.