

No. 7420 Equity.

Ans. A small house and lot of ground in the Village of Gamsville I don't know its value but I suppose it is worth possibly 5 or 6 hundred dollars. I look at Exhibits A. & B. to the Bill now shown me, they are certified copies of the deeds for the said house and lot of ground and correctly describe the same.

5th Who are the heirs at law of Lemuel H. Poole and where do they reside?

Ans. There is his brother James H. Poole whose wife's name is Estelle Poole they live at Hempstead this County. Then there are the children of John H. Poole - Albinus Poole an adult son whose wife's name is Helen Virginia Poole, he lives at West Union, West Virginia, Mattie Smith an adult her husband's name is George D. Smith, myself, Minnie M. Oden my husband's name is William G. Oden, my sister and myself both live in Frederick County, Maryland. Then there was another brother of Lemuel H. Poole named Washington Gams Poole who went away about fifty years ago and was supposed to have died about thirty years ago somewhere in the South he was married and left some children, but how many, who they are or where they live we don't know and never learned.

6th Do you know whether or not there was a mortgage on this property at the time of your Uncle Lemuel's death?

Ans. I didn't know at the time, but I have learned since that there was one for \$200.00 given to Mr. Charles H. Keller who died some six or eight years ago and the mortgage has been assigned by Mr. Keller's daughter Mrs. Charles Hargett to William A. Hanchberger. I look at Exhibit C. to the Bill. It is a certified copy of that mortgage and is correct so far as I know.

7th Is this property capable of being divided amongst the parties in interest here and if not would it be their advantage to have it sold under a decree of the Court and the mortgage and debts paid and the balance distributed among the parties entitled thereto?

Ans. It could not be divided - I don't see how that could be done. It would be much better to have it sold and the proceeds of the sale used to pay the mortgage and debts and the balance distributed under the Court's direction to the parties entitled thereto.

Cross-Examination waived by Mr. Keedy and Mr. Stone of the solicitors for the defendants.

Genl. Int. To the General Interrogatory propounded by the Examiners.

Nothing more

Minnie M. Oden

Lemuel Mussetter a witness of lawful age produced on the part of the complainants being first duly sworn and examined viva-voce deposes and says as follows:-

My name is Lemuel Mussetter, I am 48 years of age and I live at Gamsville this County. I knew Lemuel H. Poole, in his lifetime, he is dead now, he died in September 1901, intestate, he had a small property in Gamsville worth possibly 5 or 6 hundred dollars, it is correctly described in Exhibits - A. & B. to the Bill which I have examined. Mr. Poole was bachelor and his heirs at law are his brother and his brother's

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