

dren of Elizabeth S. Whitehill, Richard C. Sappington and William A. Sappington.

11. Are the properties described in the 4th paragraph of the Bill of Complaint and in Exhibits Nos. 2, 3, 4 and 5 susceptible of division or partition among the parties thereto entitled without great loss and injury?

A. No. They cannot be divided without great loss.

12. State whether it is to the interest and advantage of all the parties in interest that the properties be sold and the proceeds divided among the parties entitled thereto?

A. Yes Sir.

13. State whether all the parties in interest have been made parties to these proceedings?

A. yes.

14. Who did Greenberry R. Sappington appoint as his executor in his last will?

A. He appointed me.

15. State the circumstances under which Greenberry R. Sappington purchased the property described in the 4th paragraph of the Bill of Complaint and in Exhibit No. 5 from S. Raymond Senseney?

A. He entered into a contract to purchase said property in his lifetime, but the property was never conveyed to him until after his death, which will appear by reference to Exhibit No. 5.

16. Has S. Raymond Senseney been paid for the property and has he any interest in it?

A. He has been paid for the property and has no interest in it.

17. As executor of Greenberry R. Sappington, state whether you thought you had power to make sale of his real estate?

A. I thought I did.

18. State whether you sold said real estate and if so, whether at public or private sale, to whom you sold the same, and under what authority you sold it.

A. After qualifying as executor of Greenberry R. Sappington in the Orphans Court for Frederick County I applied for and the Court passed an order, dated March 31st, 1914, authorizing me to make sale of the real estate of Greenberry R. Sappington at public sale, in pursuance of which order, I gave the proper notices in papers published in Frederick and Carroll counties, and sold the property, described in Exhibit No. 2 on the 15th day of June, 1914, to Charles B. Sappington, of Frederick County, Maryland, he being the highest bidder, for the sum of \$13,130.00 and on the same day I sold the property described Exhibit No. 3 to Frances R. and Charles B. Sappington, jointly, for the sum of \$243.63, and on the 22nd day of October, 1914, I sold the property described in Exhibit 4 to Jacob Nusbaum, he being the highest bidder, for the sum of \$867. and the property described in Exhibit No. 5 to John N. Fogle, he being the highest bidder for the sum of \$42. The sales made to Charles B. Sappington and to Charles B. and Frances R. Sappington were reported to the Orphans Court and order nisi on the sales published and said sales were finally ratified by the said Court on the 13th day of July, 1914. The sales made to Jacob Nusbaum and John N. Fogle were reported by me to the Orphans Court and order nisi on sales published and said sales were finally ratified by the said Court on the 30th day of November 1914. All of which will more fully appear by reference to the proceedings of the Orphans Court for Frederick County, Maryland, relating to the estate of the late Greenberry R. Sappington.

19. State whether in your opinion the accounts which you received from the sale of each piece of property was equal to the value thereof?

A. yes.

20. State whether in your opinion it would be a benefit and advantage to all of the parties in interest to sell the properties described in paragraph 4 of the Bill of Complaint and in Exhibits Nos. 2, 3, 4, and 5, to the same person to whom they have been sold and for the same amounts for which they were sold, in pursuance of the proceedings in the Orphans Court for Frederick County; that is to ratify the sales already made?

A. Yes, sir. I think so.