

of the Bill of Complaint.

Chas. McC. Mathias.  
Solicitor for Complainants.

The foregoing Petition having been read and considered, it is thereupon this 30th day of May, in the year 1917, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, Ordered that the above entitled cause be and the same is hereby referred to any one of the standing Examiners of this Court, for the purpose of taking testimony in support of the allegations contained in the Bill of Complaint.

(Filed May 30, 1917)

Glenn H. Worthington.

David W. Winpigler,  
Harry D. Winpigler and  
Frank M. Winpigler

Vs.

Annie R. Smith and  
Guy Smith her hus-  
band, et al.

No. 9610 Equity.  
In the Circuit Court  
for Frederick County  
in Equity.

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To the Honorable, the Judges of said Court:-

In pursuance of an order of the Court and a notice given me by the Solicitor for the Plaintiffs in the above entitled cause, I, Albert S. Brown, one of the standing Examiners of your Honorable Court, duly commissioned and qualified, did, on the 9th, day of June, A. D. 1917, at the law office of the Examiner in the City of Frederick, State of Maryland, at the hour of 10 o'clock A. M. proceeded to take the following depositions of the witnesses in this cause then and there proceeded before me, that is to say:- Present. Mr. Charles McC. Mathias, Solicitor for the Plaintiffs.

Exhibit A filed with the Examiner as evidence and is so marked.

T E S T I M O N Y.

GEORGE S. C. BOPST, a witness of lawful age, produced on the part of the plaintiffs, and examined viva. voce, deposes and says as follows:-

My name is George S. C. Bopst, I am a merchant, and have a general store at Pearl, Maryland, I am 52 years old. I knew all the parties to this cause, and also the land in question. I look at "Exhibit A", which is now handed me. It is a certified copy of a deed from Eliza Brady and others to Phoebe C. Winpigler, conveying a tract of land of about 35 acres. This property is situated near Pearl, and the Deed correctly describes the real estate. It is not susceptible of division among the parties entitled thereto, and in my judgement it would be for the best interest of all parties concerned, and especially the infant defendant, that the property be sold and the proceeds divided among the parties entitled thereto, under the direction of the Court.

In my judgement, the property would be worth around \$1800.00.

Q. To the General Interrogatory.

A. Nothing further.

George S. C. Bopst

AMOS LEASE, a witness of lawful age, produced on the part of the plaintiffs, and examined viva. voce. deposes and says as follows!

My name is Amos Lease. I am 79 years old, and I live near Pearle, in Frederick County, Maryland, I know all the parties to this cause, and also knew Phoebe C. Winpigler, the wife of Mr. David W. Winpigler, in her lifetime. She has been dead now about 19 or 20 years, During her lifetime, she owned a piece of property near Pearl, containing about 35 acres. I look at the deed, "Exhibit A", and it correctly describes the land in question. When Mrs. Winpigler died, she left her husband, David W. Winpigler, three boys, Harry, Frank and Edward, all of whom are unmarried, and a daughter, Annie, who is married to Guy Smith, surviving her. They are all adults, all live in