

Frederick County, and are all of age, except the youngest boy, Edward, whom I believe is about 19 years old. I know the property well, and it is not susceptible of being divided as it stands among the parties entitled. In my judgment, it would be for the best interests of all the parties interested, and especially the infant defendant, that the property be sold under the direction of the Court, and the proceeds divided among the parties entitled. The property, in my judgment, ought to be in or about \$1800.00.

Q. To the General Interrogatory.

A. Nothing further.

Amos Lease.

DAVID W. WINPIGLER, a witness of lawful age, produced on the part of the plaintiffs, and examined viva, voce, deposes and says as follows:-

My name is David W. Winpigler. I am 78 years old, and am one of the plaintiffs in this cause. My wife was Phoebe C. Winpigler, who died about 19 years ago. During her lifetime, she owned a piece of property situated near Pearl, containing about 35 acres of land, more or less, I look at "Exhibit A" which is now handed me. It is a certified copy of the deed by which my wife acquired this property, and correctly describes the same. When my wife died intestate, she left surviving her besides myself the following children and heirs at law, to-wit: a son, Harry D. Winpigler, who is unmarried; Frank M. another son, who is unmarried; Edward B. Winpigler, another son, who is an infant 19 years old, and a daughter, Annie R. Smith, who intermarried with one Guy Smith. They all live in Frederick County, and all are adults except Edward. The property mentioned in the deed, "Exhibit A", is not susceptible of being divided, and in my judgment it would be for the best interest of all concerned that the property be sold under the direction of the Court, and the proceeds be divided among the parties entitled. In my judgment, the property is worth in the neighborhood of \$2,000.00.

Q. To the General Interrogatory.

A. Nothing further.

David W. ^{his} Winpigler.
MARK

Witness. Chas. McC. Mathias.

Whereupon, there being no other witnesses to examine and no further time being required for the production of testimony, the said Examiner at the request of the Solicitor for the Plaintiffs closes the taking of testimony, and the Examiner hereby certifies that foregoing are the true and the original depositions of witnesses in this cause as the same were taken down in stenographic notes and subsequently typewritten by Roy S. Schroeder, the Examiner's sworn Clerk; and the said Examiner herewith encloses the said testimony to your Honorable Court.

Witness my hand and seal this 9th day of June, A.D. 1917.

Albert S. Brown (Seal)
Examiner.

Costs of the foregoing testimony

Albert S. Brown Examiner 1 day	\$4.00
George S. C. Bopst, Witness & milage	1.05
Amos Lease	1.15
David W. Winpigler	1.15
Sheriff Roderick 3 fee	1.20
	<u>\$8.55</u>
Roy Schroeder Stenographer 1 day	2.50
Total	<u>\$11.05.</u>

Certified to A. S. Brown, Examiner.

(Filed June 9, 1917)

D E C R E E.

David W. Winpigler et al
vs.
Annie R. Smith, et al

No. 9610 Equity, In the Circuit
Court for Frederick County, sitting
as a Court of Equity. May TERM, 1917.

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The above cause standing ready for a hearing, and being submitted, the Bill, Answer, Exhibits testimony and all other proceedings were by the Court read and considered and the Court being satisfied from the evidence that the property cannot be divided without loss and injury It is thereupon, this 20th, day of June in the year Nineteen Hundred and Seventeen by the Circuit Court for Frederick