No. 9901. Equity.

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and as in duty.etc.,

Jesse W. R. Heagy.

Courts Order.

Ordered this rd day of February A.D.1919. by the Circuit Court for Frederick County, sitting in Equity, that leave be and is hereby given the parties to this cause, to take testimony as prayed, before any one of the Standing Examiners of this Court, and that the testimony be returned to this Court, for its consideration.

Hammond Urner
,,,,,,,,,,,,,,,,
Judge.

Filed February 3rd. 1919.

William H. Burrier. uncle and next friend, &c.,	#	No, 9901. Equity,
	#	In the Circuit Court for Frederick
Vs.	#	County, sitting as Court of Equity.
Grayson B. Fogle, Rhema H. Fogle. & Mary	#	
Catherine Fogle. Infants.	#	

in pursuance of the annexed Order of the Court, and notice given me by the Solicittor for the Plaintiff in the above entitled cause, I, Clayton O Keedy one of the standing examiners of said Court, duly appointed, qualified and sworn having assigned the6th day of February A.D. 1919, at my Office in Frederick Md. as the time and place for taking of testimony in this cause and having given due notice thereof to the parties concerned, did at the appointed time, and place proceed to take the following testimony to wit;-

The Plaintiff filed with the Examiner as Evidence Exhibit A, which is herewith returned by the said Examiner.---

William H. Burrier a witness of lawful age produced on the part of the plaintiff being first duly sworn and examined viva voce deposes and says as follows;-

My name is William H. Burrier, I am 39 years of ge and reside near Mt Pleasant, in Frederick County, I know all the parties to this suit and am the Uncle of the Fogle Children named in these proceedings.

I knew George P, Foglelate of Frederick County. Md. the father of said Children, Heis dead he died, intestate on january 5th. 1919, and left no widow, his wife having died about Nine years ago, He left the following three children. as his heirs at law, Viz;-

Grayson B. Fogle. who is now 18 years of age. Rhema H. Fogle. who is about 15 years of age, all unmarried, and all live in Frederick County, the first two named living with me, and have been for the past four years, and the last named one lives with my mother Mary C. Burrier. in Mt. Pleasant in said County. My mother and I have been caring for said Children ever sinoetheir Mothers death, their fatther not having contributed over $20.00 during the whole time since the ir mothers death.

George P, Fogle at the time of his death was seized and possessed of a liece of real estate, with improvments thereon,situated on the ast side of the public road opposite to the ware house at woodsboro in said County, said real estateis fully described in exhibit A. filed with this Bill, and upon the death of the said George P. fogle it descended to his said Children as his only heirs at law, who now own the same, said real estate contained about 13 square perches, of land. and is improved by a framed dwelling house, of 6 rooms and stable and out buildings. the property is worth about $1200, or upwards, The property is unoccupied, and has been for some time, since ;or in December.1918.

I think it would be for the benefit and advantage of the infants for the property to be sold, under a decree of the Court, because we could not rent it for an amount Sufficient to yield a faie income after paying the Taxes. and repairs. and besides if rented, the property is apt to go down. and the Children cannot occupy it themselves and do not care to do so, i dont think they Could manage it themselves. and would probably have to supply some One to look after it for them, I could not look after it for them, as i reside about Eight miles from the property, in order to procure a suitable tennant for it there would have to be some money spent. on it to put it in proper repair. I think it would sell better now than latter.

To the General Interrogatory by the examiner.
Ans. Nothing further. Wm, H. Burrier.