No. 10198 Equity.

7th. Q. When did she die and where?

A. In Frederick, Md., about the 18th day of Feb, 1920.

8th. Q. What children and descendants did he leave, and what are their several names, ages and residences?

A. Six children all minors Edna Medary age 11 yrs. Raymond Medary 12 yrs of age, Elmer Medary aged 7 yrs & Hoarce Medary age 5 yrs who live with their aunt and Mrs. Burckholder an aunt of Taneytown Carroll Co, Md. Earl Medary aged 14 yrs. with Smiths at Frederick Junct. Frederick County, Md. Harry Medary aged 9 yrs. at Charlestown, Mass. with Clinton Rout an Uncle

9th Q. Do you know the real property in these proceedings mentioned; if yea, describe its quantity quality, situation and value, Ans. Yes.

A. It consists of about 1 acre of ordinary land located near Bathlows, Frederick Co, Md., improved with weather boarded house, five rooms wasth from $100 to $1200.

10th Q. Has the said property been occupied and the repairs kept up?

A. It was occupied up until the first of May 1920 but hot since dont know if its in repair or not.

11th. Q. Is ir is not the said property susceptible of division among the parties interested there in without material loss and injury to them?

A. No. it could not be divided without loss and injury in fact it could not be divided at al

12th. Q. Would it ir not be to the benefit and advantage of all the parties interested therein that the sale of this property be ratified and the proceeds be divided amongst them? State your reasons for such opintion as you may give.

A. Yes. because it is not susceptible to partition among the children and they are all to young to see to taking care of it and it would get out of repair, and rent realized would not pay interest taxes and insurance and leave any income for them.

13th. Q. What in your opinion would be a fair and reasonable price for said real estate and as much as could reasonably be expected to be realized for it at public sale?

A. $1200.00

Gen Int. To the General Interrogatory

Nothing further.

Ans. Ernest G. Rout.

Adjourned until October 16th, 1920.

and examination resumed at 2 o'clock P.M.

Present Mr Hull for Plaintiffs.

J. Albert Nice (M.D.) a witness of lawful age produced on the part of the Complainant, being first duly sworn, deposes and says as follows.

1st. Q. State your name, residence and occupation

A. J. Albert Nice, Ridgville Md, Physician.

2nd. Q. Are you acquainted with the parties to this suit, or any, and which of them?

A. Yes I know them all having become acquainted with them in a professional way.

3rd. Q. Did you know the late Frank M. H. Medary in his lifetime?

A. Yes.

4th. Q. Is he living or dead?

A. Dead.

5th. Q. When and where did he die, and did he leave a last will and testament?

A. In a woods near his home the property now in question On or about the 8th day of Sept. 1915 he died intestate.

6th. Q. Was he married, and if yea, to whom, and is his widow living or dead?

A. Yes to Nettie R. Medary, she is dead.

7th. Q. When did she die and where?

A. At Frederick C ty Hospital Feb, 18, 1920.

8th. Q. What children and descendants did he leave, and what are their several manes, ages and residentses?