

It is thereupon, this 2nd day of March A.D. 1929, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, adjudged, ordered and decreed that the complainants are entitled to relief in the premises; but because it does not certainly appear to what relief the complainants are entitled, it is further adjudged and ordered that leave be granted to the complainants to take testimony before any one of the Standing Examiners of this Court, to support the allegations of the Bill.

(Filed March 2, 1929)

Hammond Urner.

TESTIMONY.

John W. Morgan, et al.	"	No. 11,810. Equity.
Vs.	"	In the Circuit Court
	"	for Frederick County,
Beulah Spurrier, et al.	"	Sitting as a Court
	"	of Equity.
	"	

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To the Honorable, the Judges of said Court;

In pursuance of an Order of the Court dated March 2nd, A.D. 1929, and notice given me by the Solicitor for the Complainants, I, Harry C. Hull, one of the Standing Examiners of your Honorable Court, duly commissioned, qualified and sworn, did on the 9th day of March, A.D. 1929, at my Law Office in the City of Frederick, County of Frederick, State of Maryland, at the hour of 10 o'clock A.M. proceed to take the following depositions of the witnesses in said cause then and there produced before me.

Present ~~So~~ Sherman P. Bowers  
 Solicitor for Complainants.

K. D. Bowers  
 Clerk and Steno.

Witnesses;

G. Lloyd Palmer  
 R. Luther Rice  
 John W. Morgan  
 Glenn O. Garber.

G. Lloyd Palmer, a witness of lawful age, produced on the part of the Complainants, being first duly sworn, deposes and says, as follows;

My name is G. Lloyd Palmer, I reside at Lewistown, Maryland, I knew Lee W. Morgan during his lifetime and I know that he owned a little place therein the district. Lee died some months ago seized and possessed of this place, containing about one acre of land, improved by a weatherboarded house and some outbuildings. My judgment is that the premises are worth about \$1000.00.

Lee W. Morgan first wife died some twenty years ago, and I remember when he married his present widow, Nannie R. Morgan.

Lee left children by his first wife, Beulah, whose husband is Roland Spurrier, Stella, whose husband is Robert Donsife, and Mamie, whose husband is Erasmus Eyer.

And Lee left children by his second wife, Nannie R. Morgan, as follows; - The widow, Nannie R. is living with her son, John W. Morgan, at 107 E. Third Street, Frederick, Maryland, and John's wife name is Amye R. Morgan, Ruth Justi, whose husband is Earl Justi, Josephine M., whose husband is Albert Eichelberger, Dorothy, whose husband is William Salisbury, Dorothy is under age of twenty one; and Lee P. Morgan, Donald Morgan and Kenneth Morgan, the latter three are boys under the age of twenty-one, and they are under the charge of their mother, Nannie R. Morgan, at 107 E. Third Street, Frederick, Md.

Lee W. Morgan left little or no personal property that I know of. He has been ill a number of months before he died.

I do not think the property left by Mr. Morgan could be divided equally among his widow and children in its present form, and inasmuch as I have been advised that there are a number of debts to be paid out of the sale of the real estate and several of the children are infants,