

I knew Mary E. Leopold in her lifetime. She is dead, having died early in the Spring of 1931. At the time of her death she was seized and possessed of a tract of land consisting of a two-story dwelling house and about a half acre of ground, which remained after she sold off three properties as described in Exhibits "A", "B", and "C". She left a last will and testament, but I understand there was no power of sale given to the Executor to sell this real estate. This property is not susceptible of partition or division among the parties of interest - I mean by that her children and her grandchildren - without loss and injury. As I have stated, it only consists of a house and about a half acre of ground, and it could not possibly be divided among them as there are a great many heirs at law. This property in my judgment is worth about \$700.00 or \$800.00. The sooner it can be sold the better it will be for all parties concerned, especially the infants, as I understand it is yielding no revenue for any one at this time.

I know all the parties to this suit and I have read over the testimony of Mr. Morgan P. Runkles and he has described all of them accurately, as to their names, relationship and residences as far as I know. I know all of those that live in Frederick County, but the few that are away, of course, I cannot tell the Court where they reside and have no idea. As I have already stated, it would be to the best interest and advantage of all the parties, especially the infants, that the property be sold and the infants' money invested as the Court would see fit. There is no use in holding it off any longer as there is no prospect for property to enhance in value as all the property in that neighborhood has depreciated in value and will probably continue to do so, because this property will in all probability be bought by some railroad man and at this time most of them are furloughed.

To the General Interrogatory:

Nothing further.

David R. Lewis

Whereupon there being no other witnesses to be examined and no further time required for the taking of testimony in said cause, the said Examiner hereby certifies that the foregoing are the depositions of the respective witnesses, as the same were taken down in stenographic notes and subsequently typewritten by Edith E. Wickham, Examiner's sworn clerk, read over and subscribed to by them respectively, and I herewith return the same enclosed to the Court, this 14th day of July, 1931.

WITNESS my hand and seal this 14th day of July, 1931.

Albert S. Brown

Examiner.

Costs of foregoing depositions:

Albert S. Brown, Examiner's fee	\$4.00
Edith E. Wickham, Examiner's sworn Clerk	2.50
Morgan P. Runkles, witness, attendance and mileage -	2.35
David R. Lewis, witness, attendance and mileage -	2.35
	<u>2.35</u>
	\$11.20

Certified to:

Albert S. Brown
Examiner.

(Filed July 14, 1931)

DECREE AND ORDER TO GIVE NOTICE TO CREDITORS.

John W. Leopold (unmarried)	"	No. 12,232 Equity.
Mary Runkles, husband, et al.	"	
	"	In the Circuit Court for Frederick
vs.	"	County, Sitting as a Court of Equity.
	"	
George L. Leopold, Jr.,	"	July Term, 1931.
Mary B. Cornelius, husband, et al.	"	