1937, at 11 o'clock A. M., at the office of Amos A. Holter, Frederick City, Maryland, as the time and place for taking the testimony in said cause, did, at the appointed time and place, proceed to take the following depositions, to-wit:

Present:

Leslie N. Coblentz, Attorney
Amos A. Holter, Attorney
H. Keiffer DeLauter, Attorney (Presence waived)
Esta C. Shank, Witness
Thomas H. Davis, Witness

And there being no further witnesses present to be examined, the said hearing was adjourned until Thursday morning at 11:30 o'clock A. M., November 18, 1937, when at the same place as aforesaid, I, Walter E. Sinn, did proceed to take the following deposition:

Present:

Leslie N. Coblentz, Attorney
Amos A. Holter, Attorney
H. Kieffer DeLauter, Witness

Exhibits Nos. 1, 2, 3, and 4, filed with the bill, filed as evidence with the Examiner, and are so marked.

Esta C. Shank, a witness of lawful age, produced on behalf of the Plaintiff, being first sworn, deposes and says as follows:

Q. Your name is?

A. Esta C. Shank.

Q. State your residence and age.

A. I live near Middletown. My age is 43.

Q. Did you know James C. Shank in his lifetime?

A. All my life.

Q. You are what relation to him?

A. I am a niece.

Q. Mr. James C. Shank is dead? When did he die?

A. He died the 24th of December, 1936.

Q. Did he leave a Will?

A. Yes.

Q. I will show you a Will of James C. Shank dated the blank day of September, 1930. Will you state whether or not that is his Will.

A. This is the one that we found. (Filed as evidence)

Q. You are the Esta Shank named in this Will as one of the Executors?

A. Yes.

Q. Do you know Clara L. Shank and George Shank?

A. Clara is my mother, and George is my brother.

Q. Your brother has how many children?

A. He has three.

Q. Will you state their names and ages.

A. Geneva Irene Shank married Glenn Palmer.

Q. And her age?

A. I think it is 26 years. And Rebecca Louise is 16, and Robert Edgar is, I think, about 14.

Q. Will you state generally what the estate of James C. Shank is composed of, other than real estate.

A. There is a cider mill and an old saw mill, and a bedroom suite and a parlor suite.