

Yes, the Plaintiffs are all over 21 years of age.

Are the defendants adults over the age of twenty one years? All are adults except Margaret, Sarah, and Pauline Hardman, who are infants. They are the infant children of my deceased sister, Pauline E. Hardman.

Is James B. Elder, deceased, who is mentioned in this cause related to any of the plaintiffs or defendants? Yes, he is the father of John D. Elder, Hazel R. Halm, Mary B. Ott, Anna F. Lepore, and myself, Joseph E. Elder, and the father of Pauline E. Hardman, deceased, and the grandfather of Eleanor E. Downey, Margaret, Sarah, & Pauline Hartman defendants.

Is your father James B. Elder living?

No, he died on February 26, 1924.

Who survived your father at the time of his death? My mother, Sarah B. Elder, who is now deceased, having died January 19, 1938, John D. Elder, Hazel R. Halm, & myself Joseph E. Elder, Mary B. Ott and Anna F. Lepore, who were his children.

At the time of your father's death did he own any real estate? Yes, he owned a 2 story brick dwelling on the South side of East Main Street in Emmitsburg, Maryland, that he bought from Harry C. Harner and wife, in 1919.

Was this the only real estate he owned at the time of his death? Yes, sir.

I hand you a certified copy of a deed for examination, marked plaintiffs' exhibit No. 1. can you state what land this deed is for? It is the deed to the real estate which my father owned at the time of his death on East Main Street, in Emmitsburg, Md., which is duly recorded in Liber No. 329, Folio 61, one of the Land Records for Frederick Co., Md. and I ask the Examiner that this deed be admitted in evidence as complainants exhibit No. 1.

Did your father die intestate? No, he left a will.

Are you familiar with the contents of your father's will? Yes, I am.

I now hand you a certified copy of a will marked Complainants exhibit No. 2, will you please state whose will it is? It is a copy of the will of my father, James Basil Elder, which was duly probated in the Orphans Court of Frederick County, Md., and recorded in Liber G. E. S. No. 1, Folio 246, one of Will Records and I ask the Examiner that the certified copy of the last will and testament of James B. Elder, deceased, marked complainants exhibit No. 2, be admitted in evidence.

You have testified that Pauline Hardman, your sister survived your father but, is now deceased, can you state the approximate date of her death? About November, 1934.

Was she in any manner related to the defendants? Yes, she was the wife of Vincent Hardman and the mother of Eleanor E. Downey, Margaret, Sarah and Pauline Hardman.

Can you state the age of Eleanor E. Downey, Margaret Hardman, Sarah Hardman and Pauline Hardman? Eleanor E. Downey is 22 years old, Margaret Hardman is 20 years old, Sarah Hardman is 16 years old, and Pauline Hardman is 12 years old.

Do you know the addresses of the defendants? Yes. All of the Defendants live in Pittsburgh, Pennsylvania.

Are your brother and sisters who are the complainants in this cause adults over the age of 21 years? Yes, they are all adults, including myself.

Are they married or single, and if married to whom? John D. Elder, my brother, is married to Genevieve R. Elder, my sister, Hazel R. Halm, is a widow, my sister, Anna F. Lepore is married to Alfred Lepore, my sister, Mary B. Ott is married to Bernard J. Ott, and I am single.

What interest did your mother, Sarah B. Elder, have in your Father's estate under his will?

Yes, she got a life estate in the property, and after her death, the property was