

Q. Do you know or can you state what your sister did with this money that was distributed to her in accordance with the will?

A. My sister bought a piece of bottom land situated near Myersville containing five acres, two roods and thirty-six square perches, which she purchased from Thomas Derr, and, according to the deed, she paid Five Hundred Dollars for it. (Complainants offer in evidence certified copy of deed from Thomas C. Derr and Lavinia Derr, his wife, to Mary M. Flook, marked Exhibit "D".)

Q. Do you know as a matter of fact that she used a portion of the money that she received from her father's estate in paying for this lot?

A. Yes, sir, she told me she did anyhow; she said, "My money paid for it and it is mine".

Q. Do you know what she did with the balance of the money she received from your father's estate?

A. No, sir. What she did with the balance I don't know.

Q. Is your sister, Mary M. Flook, living or dead?

A. She is dead.

Q. About when did she die?

A. I guess she has been dead twelve or fifteen years.

Q. Did she leave any children or descendants of children surviving her?

A. No, sir.

Q. Did she leave a husband?

A. Yes, sir.

Q. What was his name?

A. Luther Flook.

Q. Is he living or dead?

A. He is dead.

Q. When did he die?

A. Early in the Spring of 1939.

Q. By the will of your father filed as Exhibit "A", it is provided, "Should any of my herein named children die leaving no children, then said child's share to revert back share and share alike to my remaining children or their children." Will you state the children of your father now living, and the children of his deceased children now living.

A. In addition to me, a son, my wife's name being Mary L. Summers, there is still living a daughter of my father, Effie Ausherman, who is a widow residing in Frederick County, Maryland. The children of Laura C. Deter, my deceased sister, who are now living are: William I. Deter, a son, whose wife's name is Alice Deter; Lavema McKee, a daughter, whose husband's name is John McKee, all of whom reside in Frederick County, Maryland; and Mary Cover, a daughter of my deceased sister, Laura C. Deter, whose husband's name is Curtis Cover, residing in Washington County, State of Maryland. The children of my deceased sister, Susan Palmer, are: Cyrus Palmer, a son, whose wife's name is Beulah Palmer, and who reside in Frederick County. Also the children of my deceased sister, Alta Wiles, to wit: Elmer Wiles, a son, whose wife's name is Mary Wiles; Vada Toms, a daughter, whose husband's name is Romer Toms; Charles Wiles, a son, whose wife's name is Gladys Wiles; Harlan Wiles, a son, whose wife's name is Frances Wiles; Arthur Wiles, a son, whose wife's name is Margaret Wiles, all of whom reside in Frederick County, Maryland; Anna Waddington, a daughter, whose husband's name is Samuel Waddington, residing in Arnoldstown, State of Pennsylvania; and Ida Carlson, a daughter, whose husband's name is Arnold Carlson, residing in Chicago, State of Illinois, all of whom are adults.

Q. This tract of land described in Exhibit "D", is it susceptible of division among