Court, duly appointed, qualified and sworn, having assigned the 21st day of February, 1940, at 10 o'clock A. M., at the office of Amos A. Holter, Esquire, Frederick City, Maryland, at 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:

Amos A. Holter, Attorney for Plaintiff

Edgar E. Thomas, witness

Harry Wise, witness

Dr. Samuel Barkoff, witness

Emmert R. Bowlus, witness

Edgar E. Thomas, a witness of lawful age, produced on behalf of the Plaintiff, being duly sworn, deposes and says as follows:

Q. Will you state your name.

A. Edgar E. Thomas.

Q. What is your age and occupation?

A. Thirty-seven. Bank employee.

Q. Where do you live, Mr. Thomas?

A. Jefferson, Maryland

Q. Are you a property owner?

A. Yes.

Q. Are you acquainted with the parties to this suit?

A. Yes.

Q. How long have you known them?

A. Seven years.

Q. Did you know Susan Elizabeth Rice in her lifetime?

A. Yes, I knew her.

Q. When did she die?

A. January 22, 1938.

Q. Will you name the heirs-at-law and next of kin which Mrs. Rice left surviving her.

A. Two sons, L. Earl Rice and Arthur E. Rice

Q. Are they of age?

A. Yes, they are.

Q. Where do they reside?

A. Arthur Rice is at the Springfield Hospital at Sykesville and Earl resides in Baltimore.

Q. You state that Arthur Rice is committed to Springfield State Hospital. Do you know the reason for his commitment?

A. He is mentally deranged.

Q. What do you know of his mental condition?

A. He was under the impression he was an heir of King George, and looked upon himself as being a Prince or Sir.

Q. Did he constitute a community problem before his commitment?

A. I would say that he did.

Q. In your opinion, was he capable of transacting business in the normal way?

A. No, he was not.

Q. Do you know whether or not Mrs. Rice died testate or intestate?

A. She did not leave a Will, to the best of my knowledge.

Q. Did Mrs. Rice own any real estate at the time of her death?

A. She owned a home, or at least she was a part owner of a home at Jefferson.