Q. Will you describe more fully the real estate which Mrs. Rice owned at the time of her death.

A. It consisted of a lot improved with a frame dwelling house, and no outbuildings, to the best of my knowledge.

Q. What was the condition of the property?

A. The property was quite a bit run down, and much in need of paint and repairs.

Q. Was the property modern, or not?

A. It was not modern. It did not have electric lights or furnace or bath.

Q. I show you here a certified copy of the deed from Albinah A. Kessler to Susan Elizabeth Rice and Louis E. Rice, dated April 26, 1915, and filed in this case as Exhibit "A". Will you look at the deed, and state whether or not it correctly describes the real estate in which Mrs. Rice had an interest at the time of her death.

A. That seems to be the correct description of the real estate that Mrs. Rice owned.

(Exhibit "A" offered in evidence.)

Q. In your opinion, is the interest of the decedent in this property capable of advantageous division between her heirs-at-law?

A. No, I would not say that it could be.

Q. In your opinion, what was the fair market value of the whole property described in the deed which I just showed you on or about December 26, 1939?

A. A fair market value of the property at that time would have been $850.

Q. Now, I show you a Contract of Sale between L. Earl Rice and Marie V. Rice, his wife, and L. Earl Rice, as next friend of Arthur E. Rice, Incompetent, Parties of the First Part, and Ernest W. Fry, Party of the Second Part, purporting to sell the real estate described in the deed filed in this case as Exhibit "A". Will you state whether or not, in your opinion, it is to the best interest of the parties to this cause, and especially to the best interest of Arthur E. Rice, that the property be sold for the consideration set forth in that Contract of Sale.

A. Yes, I think it is to the best interest of all the parties to this suit, and especially Arthur E. Rice, that it be sold at the price named in the contract.

(Exhibit "B" offered in evidence.)

Q. Will you explain why you believe it to be to the best interest of the parties in interest that the sale be consummated,

A. The property is depreciating in value, and no one is looking out for it. There is no one living in it and no income is being realized from it, and I think it is to the best advantage of all parties that it be sold. A place with no one living in it is certainly a menace to the other property owners of Jefferson, and a fire menace. It would certainly be advantageous to the people of Jefferson that it be sold and occupied.

To the General Interrogatory: Nothing further.

Edgar E. Thomas
Deponent

Harry Wise, a witness of lawful age, produced on behalf of the Plaintiff, being duly sworn, deposes and says as follows:

Q. Will you state your full name, please.

A. Harry W. Wise.

Q. What is your age and occupation, Mr. Wise?

A. My age is 69, and I am in the garage business.

Q. Where do you live Mr. Wise?

A. Jefferson.

Q. Are you a property owner?