

testimony in said cause, I, Alfred R. Jones, one of the Standing Examiners of your Honorable Court, duly appointed, qualified and sworn, having assigned the 25th day of April, 1941, at 10:00 o'clock A.M., at the office of Amos A. Holter, Frederick, 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:

Amos A. Holter, Attorney for Plaintiff

Walter E. Sinn, Attorney for Harvey M. Carey and Ida Shafer (Presence waived)

Patrick M. Schnauffer, Attorney for William P. Barger (Presence waived)

Sherman P. Bowers, Attorney for Thomas Danner, Catherine I. (Danner) Riggles, Roy Danner and Ida Danner. (Presence waived)

David R. Lewis, witness

J. E. Moore, witness

Exhibits "Nos. 1, 2, 3, and 4", filed with the Bill of Complaint, filed as evidence with the Examiner and are so marked.

David R. Lewis, 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, age and address.

A. David R. Lewis, age 55, Knoxville, Maryland.

Q. Did you know Thomas L. Danner in his lifetime?

A. Yes, sir.

Q. When did he die?

A. January 14, 1934.

Q. Do you know whether or not he left a Will?

A. I never knew of any.

Q. Has there been an administration of his personal estate?

A. I was appointed his Administrator on February 11, 1936, but to the present time no personal estate has been discovered.

Q. Did you give notice to creditors on Mr. Danner's estate?

A. Yes, sir.

Q. At the time of Mr. Danner's death, did he own any real estate?

A. Yes, sir.

Q. Will you describe the real estate that he owned.

A. He owned two vacant lots in the Macklin Addition of Knoxville, in Frederick County, Maryland, and he owned a house and lot located in the Town of Knoxville, Frederick County, Maryland.

Q. I show you a copy of a deed from Charles F. Macklin and wife to Thomas L. Danner, dated April 24, 1907, and recorded in Liber S.T.H. No. 280, Folio 201, one of the Land Records of Frederick County, Maryland, and a copy of a deed from Charles F. Macklin and wife to Thomas Danner, dated February 5, 1913, and recorded in Liber H.W.B. No. 308, Folio 1, one of the Land Records of Frederick County, Maryland. Will you look at those deeds and say whether or not they correctly describe the property of which Mr. Danner died seized and possessed..

A. Yes, they correctly describe Mr. Danner's real estate. (Exhibits "Nos. 1 and 2" filed with Examiner as evidence.)

Q. Will you describe the nature of the improvements located on Mr. Danner's property.

A. It is improved with a six-room house which has a slate roof, a basement, and front and back porches. It is a two-story house. All the other outbuildings are rotted down.