

4Q- Mr Staley, in your opinion, what is the value of the farm and improvements situated at Yellow Springs?

A- About \$9,500.00.

5Q- And in your opinion, what is the lot and house on the North side of Dill Avenue worth?

A- I think around \$7,000.00.

6Q- And what do you think is the value of the farm situated two miles East of Frederick and the improvements worth?

A- I think around \$22,500.00.

7Q- Mr. Staley, you are familiar with all of this property and have been on it many times?

A- Yes, I have.

8Q- Would this real estate which you have described be susceptible of division or partition among the parties in interest?

A- No, in my opinion, it would not, because the farms have but one set of buildings and they are so arranged that they could not be advantageously divided, and then it would be necessary in any division that was made to erect an entirely different set of buildings. The house and lot could not be divided, because it is a single dwelling house on a lot where another house could not be built to make a division of it. Then the difference in the value of the farm and the dwelling house is such that they could not be given to one of the parties and division made of the other, because Mrs. Staley has elected to take her interest provided by law, rather than the interest given to her in the Will, and the personal property would not be sufficient to pay her share. So that, in any event, the real estate would have to be sold to make distribution, and in my opinion, to attempt to divide the real estate among the widow and the parties in interest to this cause would result in loss and damage to those who are entitled to the same.

To the General Interrogatory:

Nothing further.

Irving E. Staley

Howard A. Gross, a witness of lawful age, produced on the part of the Plaintiffs, being first duly sworn, deposes and says:

By Mr. Felton:

1Q- Mr. Gross, will you please state your name, age and residence?

A- Howard A. Gross, 51 years, Middletown, Md.

2Q- Mr. Gross, what is your occupation?

A- Realtor.

3Q- Did you know Charles A. Staley in his lifetime?

A- Yes, sir.

4Q- How long did you know him?

A- 20 years.

5Q- And do you recall when he died?

A- In February, 1943.

6Q- Did he leave any children surviving him?

A- No.

7Q- And do you know his surviving widow?

A- Yes, Sir.

8Q- And she is the only immediate heir that he left, is that correct?

A- As far as I know.

9Q Mr. Gross, do you know what real estate he owned at the time of his death?