The above cause standing at issue and notice having been given to me by the Solicitor for the Plaintiff of a desire to take testimony, I, Walter E. Sinn, one of the Examiners of your Honorable Court, duly appointed, qualified and sworn, having assigned the 24th day of January, 1947, at 11 o'clock A. M., at the Law Offices of Alton Y. Bennett, Esq., in Frederick City, Maryland, as the time and place for taking testimony in said cause, did, at the appointed time and place proceed to take the following depositions, to-wit:

Present: Alton Y. Bennett, Esq., Solicitor for Plaintiff Sherman P. Bowers, Esq., Solicitor for Defendant Pauline K. Rice, Plaintiff

Her Witness: Calvin S. Lohr

Ruth McDevill, Clerk

PAULINE K. RICE, The Complainant in this cause, after being duly sworn, deposes and says:

EXAMINATION BY MR. BENNETT:

Q. State your full name, age and address.

A. My name is Pauline K. Rice, I am 25 years old and I now am residing with my mother at Thurmont, Maryland.

Q. You are the Complainant in this proceeding, are you not?

A. I am

Q. How long have you been a resident of Frederick County, Maryland?

A. I was born and raised in Frederick County and lived here until July, 1946, which I went to Elgin, Illinois, leaving Elgin, Illinois on January 16 and now I am residing again in Frederick County at Thurmont.

Q. Where does the Defendant, Isaac C. Rice, reside, if you know?

A. To the best of my knowledge, he resides at Mountaindale, Frederick County, Maryland.

Q. You alleged in your Bill of Complaint, that you have an interest in certain real estate located in Lewistown Election District in Frederick County, Maryland, will you state from whom you bought the land, and what interest you have in the said land?

A. At the time that the land was purchased, I was married to the Defendant, Isaac C. Rice, and we bought the property from Silas P. Rice and Lillie Rice, his wife, on the 16th day of April, 1942, The property was conveyed to us as man and wife, a Certified Copy of which Deed I am looking at and the Deed is recorded in Liber 434, Folio 146, one of the Land Records of Frederick County, Maryland ("Exhibit Deed" offered in evidence.)

Q. How large was this parcel of land?

A. According to the Deed, the land contained nine (9) acres, more or less, and is located along the public road leading from Lewistown to the State Fish Hatchery in Lewistown District, Frederick County, Maryland.

Q. Since purchasing the land has any of it been sold or conveyed by you and the Defendant to any other party?

A. Yes, on the 17th day of December, 1945, we conveyed one (1) acre, more or less, to Orville Smith and Daisy G. Smith, his wife, the Deed being recorded in Liber 450, Folio 564, one of the Land Records of Frederick County, Maryland, ("Exhibit Deed No. 2" filed herewith)

Q. Approximately how much land still remains in your name and the name of Isaac C. Rice?

A. Approximately eight (8) acres, more or less.

Q. What buildings are erected on the premises of land now retained by you and the Defendant?

A. There is a eight room frame house improved with electricity, furnace and running water in the kitchen. There is an electric pump at the well which furnishes water for the house. There is a good frame barn on the premises, double chickenhouse, double garage and smoke house.

Q. You say there are eight rooms in the house, how are they located?