

at 9:30 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, Solicitor for Plaintiffs

Samuel C. Fox, Witness

Lewis Richard Bierly, Witness

Exhibits "No. 1" and "No. 2", filed with the Bill of Complaint, filed as evidence with the Examiner, and are so marked.

Samuel C. Fox, 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 and address, please.

A. Samuel C. Fox, Sabillasville, Maryland.

Q. What is your age, Mr. Fox?

A. Thirty-nine.

Q. What is your employment?

A. Dishwasher, Sanitarium, at the present time.

Q. What relation was Flora B. Fox to you?

A. My mother.

Q. Is she living?

A. No, sir.

Q. When did she die?

A. December 25, 1948.

Q. Did she die leaving a will or without a will?

A. Without a will.

Q. What property did she have at the time of her death?

A. One-half interest in a piece of real estate near Sabillasville, Maryland.

Q. I show you a copy of deed from Samuel C. Fox and wife to Flora B. Fox and Clifford Fox, dated June 4, 1946, and recorded in Liber No. 455, folio 31, one of the Land Records of Frederick County, Maryland. Will you look at the deed and state whether or not it correctly describes the real estate in which your mother had an interest at the time of her death?

A. Yes, sir, that is correct.

(Exhibit "No. 1" filed in evidence.)

Q. Will you state whether or not there has been any administration on your mother's estate in the Orphans Court to date.

A. There has been. I have qualified as Administrator.

Q. You have given notice to creditors on your mother's estate?

A. Yes, sir.

Q. Did your mother leave a husband surviving?

A. Yes, sir.

Q. And his name?

A. Charles R. Fox.

Q. Will you also relate the names of the children, and their spouses, if any, surviving your mother?

A. She left surviving a daughter, Nellie M. Manahan, whose husband's name is Francis Manahan; a son, Wilbur M. Fox, whose wife's name is Myrtle Fox; I am the next son, and my wife's name is Lillian Fox; next, a daughter, Hilda M. Sanders, whose husband is Lester Sanders; a daughter, Agnes Kuhn and her husband is Ray Kuhn; next, a son, Clifford Fox, who is