

Daniel W. Lee, Jr., one of the defendants herein, after having been duly sworn, deposes and says:

(By Mr. James)

Q. Will you state your name, age and residence.

A. My name is Daniel W. Lee, Jr. I am 38 years of age and I reside near Urbana, Maryland.

Q. Are you one of the parties to this cause?

A. Yes, I am one of the defendants herein, as a party defendant.

Q. To your knowledge is there any other litigation pending between the parties to this cause in this or any other Court?

A. No.

(By Mr. Zimmerman)

Q. What was the name of your father and when did he die?

A. My father was Daniel W. Lee, Sr. and he died on the 29th day of January, 1962.

Q. Did your father leave a Last Will and Testament?

A. Yes, he did.

Q. I now hand you Plaintiff's Exhibit No. 1. Will you identify the same?

A. This is a certified copy of the Last Will and Testament of my father. (Offered Exhibit No. 1, being Last Will and Testament of Daniel W. Lee, Sr. in evidence and marked "Plaintiff's Exhibit No. 1.")

Q. Is your mother, Maggie S. Lee, living?

A. No, she is not.

Q. When did she depart this life?

A. On the 2nd day of November, 1961.

Q. Did your mother die testate or intestate?

A. She left a will.

Q. I now hand you a document. Will you identify the same?

A. This is a certified copy of the Last Will and Testament of my mother, Maggie S. Lee.

(Plaintiff's Exhibit No. 2 offered in evidence and marked "Plaintiff's Exhibit No. 2")