

No. 8040. Equity.

Charles E. Shank

In the Circuit Court for Frederick
County, In Equity.

vs
William N. Shank

To the Honorable the Judge of said Court:-
In pursuance of an order of the Court and notice
given me by the Solicitor for the Plaintiff, I Albert S.
Brown one of the Standing Examiners of your Honorable
Court duly appointed, qualified and sworn did on
the 27th. day of August A. D., 1906. at the Law
office of Joseph W. Gann Esq. at the house of 10. O'Clock A.M.
proceed to take the following depositions ex parte. Said
Law office, being in Court Street in Frederick City,
Frederick County and State of Maryland.

Present - Mr. Joseph W. Gann Esq. Solicitor for the
Plaffe. Mr. Emory L. Leckley, Solicitor for the
Defolts.

Exhibits No. 1-2-3-4- to the Bill and Exhibits "A" "B"
"C" & D. E. filed with the Examiner as evidence and
are so marked.

Charles E. Shank, a witness of lawful age produced on
the part of the Plaintiff being first duly sworn, and
being examined viva-voce deposed and says as follows.

My name is Charles E. Shank. I am 46, years
of age. I reside near Myerstown this County, this County.
I know all the parties to this suit and the land mentioned
in these proceedings. I saw one of the Plaintiffs. I saw a
son of William Shank, who died June 10-1906. intestate at
Frederick County, Maryland by the Will of my Father
Brother John Shank, a Certified Copy, of which is filed
in this Cause and is marked Exhibit No. 1 to the bill
there was devised to my Father, William Shank, for
his natural life, the house where the testator then
lived with all the land and appurtenances thereto
and a mountain lot with a right of way thereto
from the Public road, said lot being known as the
"Hoffman lot" and all of said lands being in
Frederick County, Maryland, and that after the
death of the said William Shank said lands and
all the improvements therein be sold and the proceeds
of such sale equally divided among his, William Shank
legal heirs share and share alike, the deeds for
the said home place, (Certified Copies) are filed
as evidence in this Cause and do hereby describe
said property, Exhibits "A" and "B" the same property