No 8620 Equity.

Examiners of this Court duly appointed qualified and Sworn having assigned the 12th day of November 1910. At my office in Frederick City. on the time and place for taking testimony in this Cause and having given due notice thereof to the Parties Concerned did at the appointed time and place proceed to take the following testimony to-wit.

The Plaintiffs filed with the Examiner Exhibits one. 1.2.3.4.5.6.7.8-9 which are annexed returned by the said Examiner.

Harvey L. Zimmerman a witness of lawful age produced on the part of the Plaintiffs being duly Sworn and examined Viva Voce deposes and says as follows:—

My Name is Harvey L. Zimmerman, my age is 47 years.— I reside in Frederick Md. and I know all the parties to this Suit. I am one of the Plaintiffs. I knew Jerrmiah Martin, late of Frederick County deceased. I also knew his widow Mary J. Martin, she is dead and died Oct 11. 1910.

I knew the real Estate devised by the said Jerrmiah Martin in Exhibit No. 1. filed with the Bill. in this Cause to his widow Mary J. Martin, for life and after her death to his children Wm M. Martin. Mazzeppa Alice Zimmerman (wife of Harvey L. Zimmerman) and Minnie Myrtle Stine wife Harry E. Stine. The said William M. Martin has since died leaving a widow. E. Maude Martin and one Child D. Beatrice Martin, who is about 19 years of age. Wm M. Martin died in March 1910 and left no will. His Widow E. Maude Martin is 40 years of age. and resides in Baltimore County Md. where the infant D. Beatrice Martin also resides.

The Other Parties to this Suit are all adults. The above mentioned Mazzeppa Alice Zimmerman and Harvey L. Zimmerman, her husband, and Minnie Myrtle Stine, and Harry E. Stine, her husband are the Plaintiffs. in this Cause.

The said real Estate Consists of five Separate parcels. First a tract of land containing about 23 3/4 acres on the West side of the Public road at Loys in Frederick County improved by a dwelling house, Barn and other out Buildings, and being the same conveyed to Jerrmiah Martin by John Wilhoum by deed March 27th 1871. and recorded in Liber C. W. No. 7. Folio 193. one of the Land Records of Frederick County.

Second. A tract of land on the East side of the Public road at "Loys" in Frederick County. Containing