

whose widow is Mollie Davis, about 55 years of age and resides in Muncie Indiana. The said Vernon Davis left surviving him two adult children, Grover C. Davis, unmarried and Alfred N. Davis, whose wife's name is Louise Davis, all of whom reside in Muncie, Indiana. The said Elvira W. Davis also left surviving her a son William K. Davis, whose wife's name is Mary E. Davis, both of whom are adults residing in Frederick County, Maryland, and who sold and assigned his share and interest in the real estate mentioned in these proceedings to Joab W. Davis, senior, by a deed, a certified copy of which said deed is herewith filed as evidence marked exhibit C., and Joab W. Davis, Sr., in turn conveyed said interest in said real estate to Nathan J. England, as appears by Exhibit D. filed with the examiner as evidence and Nathan J. England and wife sold said interest in said real estate to Joseph W. Smith as appears by reference to Exhibit B. filed as evidence in this cause.

Elvira W. Davis also left surviving her another adult son Joab W. Davis, jr., who is non compos mentis and has been at Springfield asylum at Sykesville, Carrall County, Md., for about ten years, he never married. The said Elvira W. Davis also left surviving her Hepsie E. Davis. I am an adult and reside in Frederick County Maryland.

I have been married but my husbands are dead, having died some years ago. The said George F. Kindley also left a son also named George F. Kindley, jr., mentioned in these proceedings. The said George F. Kindley, Jr., is also dead and left a widow surviving him named Elizabeth Kindley, who is about 75 years of age, and his children and descendants are as follows--

William Ernesy Kindley whose wife's name is Mamie, all of whom are adults residing in Frederick County, Maryland.

George Wesley Kindley, whose wife's name is Julia B. Kindley.

Bradley W. Kindley whose wife's name is Fannie, who are both adults residing in Baltimore, Maryland. He also had another son named J. Newton Kindley who died a few years before his father leaving no will, but leaving a widow Mary L. Kindley, aged about 58 years, residing in Baltimore, Md., and a daughter Nellie N. who is the wife of George W. McComas, both adults residing in Harford County Maryland, and a Murry Kindley whose wife's name is Edith both adults residing in Carroll County Maryland.

My mother Elvira Davis died about 24 or 25 years ago, leaving a last will, a certified copy of which I herewith file with the Examiner marked Exhibit E. W. D. Among the real estate that was devised by the will of George F. Kindley Sr., is a farm described in the second clause of his will and also in the second codicil of said will as the residue of my home farm not heretofore devised to my son Sebastian and containing 127 and $\frac{1}{2}$ acres of land more or less.

I look at Exhibit Plat now filed with the Examiner and the portion designated thereon as 127 $\frac{1}{2}$ acres and contained within the following lines on said plat and further described in the Courses and distances of the same attached to said plat constitutes the land devised by George F. Kindley Sr., to his daughter Miranda E. Boyer, in his will and in the second codicil thereof to her husband Wesley Boyer for life. This land is situated laying and being in New Market District, Frederick County, Maryland, and is now tenanted by Monroe Browning.

This farm is worth about \$4,000. This land is not susceptible of partition or division among the parties interested therein without loss and damage to their several interests and it would be to the interest and advantage of all the parties interested in said real estate to have it sold under a decree of the Court and the proceeds of sale be divided among them according to their respective interests. The reason it cannot be divided without loss to the parties is because this is a farm with one set of farm buildings and it would be impossible to divide it fairly among the parties of interest.

I forgot to mention the fact that I also had a sister Edith S. Davis who was also a daughter of Elvira W. Davis, who was married to Richard Estep, but she died before my mother died, and she left an infant that only lived about a month and it died, but her husband Richard Estep is still living