

No, 9798, Equity,

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Miss Columbia the life tenant therein and the legatees, of the three parties, therein bequeathed, in remainder are all adults over 21 years of age, The legatees in remainder are viz, Miss Martha Bell Rowe, and Anna Belle Rowe, Hartman, at the Deaconess Home, Baltimore, Md, for the first part, and for the second part Ida J, Zimmerman, and Luther Zimmerman, and for the third part- Ida Ohler Gillelan, and Carrie, Ruth, and Rheda, Gillelan, are all Adults, and the fourth part was reserved to be disposed of, by Codicil which was never executed,

The said Testatrix had very little personal property, and the whole was consumed of debts and funeral expenses and costs of administration, as will appear by reference to Exhibit C, Herewith filed,

she died seized and possessed of a house and lot of ground, in Emmitsburg, Md, which is described in exhibit B, filed with the Bill, said real estate is worth about \$1700- or \$1800, 00 ,

the property is very old and badly in need of repair, and there is no one interested in it that will advance the money, to make the Necessary repairs, to keep the property from going to ruin, and the depreciation will continue, if the property is not put in proper repair,

For that reason it is to the benefit, interest and advantage of all the parties to have the property sold, and the proceeds invested according to the provisions of the will,

to the gen Inter- by the Examiner.

ans- Nothing Further

J, Rowe Ohler.

J, Elmer Zimmerman, a Witness of lawful age, produced on the Part of the Plaintiff being duly sworn, and examined Viva-voce deposes and says as follows;-

my name is J, Elmer Zimmerman, my age is 55 years, I live in Pennsylvania about three miles from Emmitsburg, md, I live just across the Mason and Dixon Line

I knew all the parties to this suit, and knew Miss Susan winter, the testator mentioned in these proceedings, I am one of the Executors of her will a copy of which is filed as exhibit a, with the Bill in This case,

all of the legatees named in said will are adults over 21 years and Miss Columbia winter the life tenant named in said will and sole heir at law of Susan winter deceased, is also an adult over 21 years of age, Miss Susanna Winter left at the time of her death, no Brothers or Sisters, except miss Columbia Winter and no Children of any deceased Brother, or sister,

Miss Susanna winter was at the time of her death, seized and possessed of a House and lot situated in the town of Emmitsburg, Md, I am well acquainted with said property, It is badly in need of repair, and Miss Columbia the life Tenant has no money to keep the property in repair so as to preserve it.

I think it would be to the benefit and advantage of all the persons interested in said property to have it sold and the proceeds invested under the Jurisdiction of this Court of equity, in accordance with the provisions of the will

I think the property would be worth about \$1700, Or \$1800. 00 the deaconess home mentioned in the Will is the corporation located in Baltimore md, whose proper name is Deaconess Board Of the General Synod of the Evangelical Lutheran Church of america, located at Baltimore Md,

To the gen-Inter By the Examiner,

Ans-Nothing further.

J, Elmer Zimmerman.

Whereupon there being no other witnesses to be examined and no further time being required for the production of evidence the said Examiner hereby certifies that the foregoing are the original depositions, in this case as the same were read over to the witnesses and signed by them respectively and I herewith return the same enclosed to the Court. Witness my hand this Ninth day of September A, D, 1918,

Clayton O, Keedy, Examiner,

Costs of the foregoing Testimony, C. O. Keedy, Examiner 1 day \$4, 00, pd by V, Sebold witnesses no Charge,

Certified to Clayton O. Keedy. Examiner.