

and Rachael C. Shoop, aged 3 years. "Exhibit A" describes the land mentioned in these proceedings; it has 17 acres and it consists of unimproved mountain land; about 10 acres of this land has some young timber upon it, not having been out over in very recent years, but the balance of it has been out over in recent years and is not nearly as valuable as the ten acres previously described. The entire property is not susceptible of division or partition among the parties of interest without great loss and injury to their respective interests and it cannot be divided among them in kind because of the irregular value of the acreage, and it would be to the interest and advantage of all the parties, including the infant children, to have the property sold and the proceeds invested for them under the direction of Court. There are twelve interests and the Court can readily see that not only for the reasons that I have above given, but that it would be impracticable to divide it among twelve interests. The land would be practically valueless out up into such small tracts. This land is worth, in its entirety about \$200.00 or \$250.00.

To the General Interrogatory: Nothing more.

Carrie M. Shoop.

Freda A. Burkhardt, a witness of lawful age, produced on the part of the Plaintiffs, being duly sworn, deposes and says;

My name is Freda A. Burkhardt, I am 22 years of age and reside with my mother near Smithsburg, Md. I am a school teacher of Washington County. I know this land in question.

It consists of about 17 acres of mountain land situated in Frederick County near the Washington County line on the road from Wolfsville to Smithsburg. There is some young timber on about 10 acres of this tract and the balance has been out over by Mr. William Shoop before he died. I am one of the children born of my mother's former marriage. My father died when I was quite young and my mother afterwards married Mr. Ernest B. Shoop, who is also dead. I have heard the testimony of my mother giving the names of all the parties to this proceeding and all the heirs at law of Mr. Shoop, Laura V. Shoop and Ernest B. Shoop, and the names and ages as given by my mother the previous witness, I know to be true and correct. This land that I have mentioned and am familiar with it not susceptible of any fair division among the parties of interest and it would in my judgment be to the interest and advantage of all these respective interests to have the property sold and the proceeds cared for under the protection of the Court. I think this land would bring, if sold, about \$250.00.

To the General Interrogatory; Nothin more.

Freda A. Burkhardt.

Mr. Charles C. Wolfinger, a witness of lawful age, produced on the part of the Plaintiffs, being first duly sworn, deposes and says;

My name is Charles C. Wolfinger, I am 18 years of age and reside at Smithsburg, Maryland, I know all the parties mentioned in this proceedings and have known them for some years, and the names and ages as given by Mrs. Carrie M. Shoop whose testimony I have heard are correct. I know the tract of land mentioned in these proceedings and described in "Exhibit A". It is a mountain lot, I do not know the exact outlines of it, but I understand it contains about 17 acres of land. There is some young timber on about 8 or 10 acres of this land and the rest of it has been in recent years out over, In my opinion it would be to the interest and advantage of all the parties to this cause, especially to the benefit of the infants, to have this property sold, and it would be impracticable and I do not see how it would be possible to divide such small amount