

The Plaintiffs file with the Examiner as evidence Exhibits A and B to the Bill of Complaint, which is herewith returned by the said Examiner to your Honorable Court.

Present; Leslie N. Coblentz, Attorney for Plaintiffs.

Dr. George C. Zinkham, a witness of law ful age being first duly sworn, deposes and says as follows; - My name id George C. Zinkham, and I live at Jimtown, in Fredrick County, Maryland. I am a farmer and also a veterinarian and I am forty-six years of age.

I knew Ellen C.E. Powell during her lifetime and am well acqualinted with her family. The and that she owned practically adjoins the land that I own in this vicinity. Mrs Powell died about the first of March, 1925, and left surviving her George W. Powell, her husband, who died a few months later the same year, and she left surviving her the following children and heirs at law; Charles J. Powell, whose wife's name is G. Annie Powell, Clara E. Fox, whose husband's name is John Fox, and the infant children of another daughter Alvertie Bishop, who is now deceased, Mary Ellen, Edith May, Ivy Bessie and Anna.

I look at Exhibit A and B the first of which is a certified copy of the deed from Emma V. Isanogle and husband to Ellen C.E. Powell and the other from C.E. Powell and husband, to J. Albert Eyler and C. Harry Eyler, trading as Eyler Brothers, conveying away a portion of the land which Mrs Powell purchased from the Isanogles. I am acquainted with these transactions and the deeds properly desc ribe these conveyances. The amount of land owned by Mrs. Powell at the time of her death must be approximately twenty acres or a little more. I have liven in this general vicinity and have been acquainted with this property for about eighteen years.

The property is not susceptible of division among the parties entitled thereto, it being one whole tract with one set of buildings, and in my judgment it would be for the benefit of all parties concerned, and especially for the infants involved that the property be sold forthwith under a decree of the Court and the proceeds therefrom distributed to those entitled thereto.

While it is a little hard to arrive at the actual value of the property I should estimate it to be worth about \$1500.

TO THE GENERAL INTERROGATORY. Answer. Nothing further.

George C. Zinkham

CHARLES M. MACKLEY, a witness of lawful age, being first duly sworn, deposes and says, as follows My name is Charles M. Mackley. In was born in the merchandise business in Thurmont for many years and am at present the President of the Thurmont Savings Bank, a branch of the Central Trust Company of Maryland. I live in Thurmont and am fifty seven years of age. I Knew Ellen C.E. Powell during her lifetime and also am acquainted with her family/ When she died, which was about the first of March, 1925, she left surviving her, her husband, George W. Powell, who died on the 4th day of May, 1925, and also the following children and heirs at law; Charles J. Powell whose wife's name is G. Annie Powell, Clara E. Fox, whose husband's name is John Fox, and the infant children of another daughter, Alvertie R. Bishop, as follows; Mary Ellen, Edith May, Ivy Bessie and Anna. I look at Exhibits A and B, the first of which is a certified copy of the deed from Emma V. Isanogle and James R. Isanogle, her husband, to Ellen C.E. Powell, and shows the conveyance of 66 acres of land, and the latter is from Ellen C.E. Powell and husband to J. Albert and C. Harry Eyler, trading as Eyler Brothers, conveyamng away 46 acres and some square perches which leaves a balance in the hands of Ellen C.E. Powell of about twenty or twenty One acres.

The real estate mentioned in these deeds seems to be properly described as I know it. I have been acqualinted with this land for forty years or more.

The property is not sesceptible of division among the parties entitled thereto, it being a whole tract with only one set of buildings upon it, and in my judgment it would be for the benefit of all parties concerned, and especially for the infant defendants that the property be sold forthwith under a decree of the Court and that the proceeds therefrom be distributed to the parties entitled thereto. The property is now rented but there is no one to take a direct interest in it and a delay in sale will mean a depreciation in values from my acqualin-