W.Paul Valentine,a witness of lawful age,having been produced on behalf of the Plaintiff, after having been duly sworn,deposes and says;

State your name,age and residence?

My name is W.Paul Valentine,I am thirty-three years of age and I reside at Taneytown,Carroll County,Maryland,Route No.3,

Did you know Cyrus F.Smith in his lifetime?

Yes.

When and where die he die?

He died at my home on November 1,1929.

How old was he when he died?

He was sixty five years,ten months and some days.

Was he single or married?

Single.

Had he ever been married?

No.

Did he have any real estate at the time of his death?

Yes.

Will you look at this copy of deed Exhibit No.1 abd state if that correctly described the real estate?

I look at deed Exhibit No.1 and that correctly describes the real estate of which he died seized and possessed and cosists of two parcels of land,the first tract mentioned in said deed consisting of a fram containing ninety acres,more or less,and located about three and one-half miles from the tiown of Emmitsburg alng and east of the public road leading from Emmitsburg to Loys Station,which farm is now occupied. And the second tract consists of five acres and three square perches of land located on the south side of the village of Rocky Ridge, Frederick County,Maryland. It being the same property described in mortgage filed in Equity cause No.7735.

Is sais real estate capable of division amongst the heire-at-law and parties of interest?

I think it would be impossible. There are forty some heirs and distributees and I believe it would be to the benefit and advantage of all the parties to have said property sold and the proceeds distributed among them according to their respective rights. Nearly all of the heirs have signed answers to the Bill of Complaint consenting to the sale of the real estate but we are unable to procure all of them which necessitates proof of the allegations in the Bill of Complaint.

State the names of the heirs-at-law of the said Cyrus F.Smith,where they reside and whether infants or adults?

H e left surviving him a brother,George Smith,aduly residing near Emmitsburg,Maryland; a sister Mary J.Valentime,whose husband's name is William J.Valentine,adults,residing at Taneytown, Carroll County,Maryland; all of whom are complainants in this Equity cause; and the Defendants Catherine Dorsey,a sister of decedent,widow,who reside at Gettysburg,Pennsylvania; Ida S.Firor a sister,whose husband's name is D.A.Firor,adults,and who reside at or near Thurmont,Maryland; he also had a brother William M.Smith,who predeceased him,having died in the year 1880,and who left surviving him the following named children,a son Park Smith,whose wife's name is Bruce Smith,a daughter,May Fogle,whose husband's name is Arch Fogle,Harry Smith,a son whose wife's name is Ruth Smith,a son Edgar Smith,unmarried,a son Charles Smith who predeceased the decedent,Cyrus F.Smith,and who left the following children surviving him,a daughter Helen Smith, whose husband's name is LeRoy Smith,and a daughter Mary L.Downing who is married and whose husband's name is unknown,all of whom are adults; he also had a brother Henry Smith who died some time during the year 1917,and who left surviving him a daughter Beulah Klingan whose husband's name is Samuel Klingan,a son Vernon Smith,unmarried,and a daughter Mary Smith,unmarried