Is said real estate capable of division amongst the heirs-at-law and parties of interest.

I think it would be impossible. There are some forty some heirs and distributees and I beli eve it would be to the benefit and advantage of all the parties to hsve 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 Compaaint.

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

He left surviving him a brother George Smith,the Plaintiff now testifying,residing near Emmitsburg,Maryland; a sister Mary J.Valentine,whose husband's name is William J.Valentine, adults,residing at Taneytown,Carroll County,Maryland; all of whom are Complainants in this Equ ity cause; and the Defendants,Catherine Dorsey,a sister of decedent,widow,who reside at Gettysburg,Pennsylvania; Ida S.Firor whose hisband's name is D.A.Firor,and who is a sister of said decedent,adult,and who reside at or neat Thurmont,Maryland; he also had a brother William M. Smith who preceded him ,having died in the year 1880,and who left surviving him the following named children a son Parke Smith,whose wife's name is Bruce Smith,a daughter May Fogle whose husband's name is Arch Fogle,a son Harry Smith 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 sometime during the year 1917,and who left surviving him a daughter Beulah Koingan whose husband's name is Samuel Klingan,a son Vernon Smith,unmarried,and a daughter Mary Smith,unmarried,all of whom are adults; he also had a brother who died about the year 1920 and who left surviving him a son Donald Smith whose wife's name is Eleanor Smith,a son Robert Smith who is unmarried,both of whom are adults; the decedent also had a sister Annie Martin who died about the year 1910,and left surviving him a son Robert Martin whose wife's name is Elizabeth Martin,a son Stewart Martin whose wife's name is Fannie Martin,a daughter Fannie Thomas whose husband's name is Harry Thomas,a daughter Annie Cook,whose husband's name is John Cook,a son Harry Martin whose wife's name is Carrie Martin, a daughter Rose Favorite whose husband's name is Preston Favorite,a daughterbMaude Cook whose husband's name is Alvie Cook,a son Joseph Martinwhose wife's name is Violet Martin, a daughter bruce Conner whose husband's name is Lester Conner,all of whom arebadults; the decedent Cyrus F.Smith,also had a sister by the name of Amelia Smith who married Luther Angle. Amelia Angel died about five years ago and left surviving her as heirs-at-law a son Harry Angel,widower,a daughter,Fannie Reifsnider whose husband's name is jesse Reifsnider,a son Arthur Angle whose wife's name is Mamie Angel,a daughter Nora Witherow whose husband's name is Charles Witherow,all of whom are adults and all of the aforesaid nephews and nieces of the decedent are heirs-at-law of the said Cyrus F.Smith and entitled to the share of their respective partents in the estate of the said Cyrus F.Smith.

What is the value of the real estate of which the said Cyrus F.Smith,died seized and possess ed? I understand that my brother paid for this property about between $2500.00 and $2600.00 I do not believe it will bring over that amount at this time as I think that would be a fair value for it.

George Smith.

Whereupon there being no other witnesses to be examined and no further time required for the taking of testimony in this case,the said Examiner hereby certified that the aforegoing are the depositions of the respective witnesses,as the same were read over and subscribed to by them,and I herwith return the same,inclosed,to the Court this 7th day of January,1930.

Witness mybhand and seal.