Liber No. 326, Folio 545, one of the Land Records of Frederick County, marked Exhibit "B" to the Bill of Complaint. Now, tell us if they describe the property of Mr. Tinney on Hamilton Avenue.

A. The deed from Mr. and Mrs. Weeks is the deed for this particular whole lot which was conveyed to Mr. Tinney, and the deed to Mr. Oden is for one-half of the lot which Mr. Tinney conveyed away, leaving Mr. Tinney the other one-half, known as No. 12 Hamilton Avenue.

(Exhibits "A" and "B" filed with Examiner as evidence.)

Q. Are you acquainted with the house on this property?

A. Yes. It is an eight room brick house, with metal roof.

Q. I show you a Contract of Sale dated August 28, 1941, filed as Exhibit "C" to the Bill of Complaint, between Lillian R. Tinney, widow, and Harry A. Tinney, in which Mrs. Tinney agrees to sell this real estate to Harry A. Tinney for $2,500.00. Will you state whether or not you think this is a fair price for the property.

A. I do.

(Exhibits "C" filed with Examiner as evidence.)

Q. Do you think it would be for the best interest of all the present owners that the property be sold?

A. Yes.

Q. Why?

A. The income from the property is not sufficient, with allowance for vacancies, to take care of interest, taxes and reasonable repairs, so that I believe that if it continues as it is, it will constantly depreciate in value. The property is now unoccupied, and when last occupied it rented for $22.50 a month.

Q. You are the Vice-President of the Frederick County National Bank?

A. Yes.

Q. The Bill of Complaint shows that Mr. Tinney was indebted to your bank and that you still hold a judgment against this property.

A. There are two judgments. The balance due on one is $850, with interest from March 19, 1941m and on the other, $575, with interest from May 6, 1941.

Q. Will you state whether or not this property could be divided among the parties without loss or injury.

A. I don't see how. I might add that the income from this property has not been sufficient to provide for curtailments on our liens and the bank faces the necessity of demanding reductions or taking action to collect its debt.

Cross Examination Waived.

To the General Interrogatory: Nothing further.

Arthur V. Myers
Deponent

Howard A. Gross, a witness of lawful age, produced on behalf of the Plaintiff, being duly sworn, deposes and saya as follows:

Q. State your name, address, occupation and age.

A. Howard Augustus Gross; No. 1 Court Street, Frederick, Maryland; realtor; forty-nine years old.

Q. You are not acquainted with the Tinney family?

A. No.

Q. Are you acquainted with the real estate at No. 12 Hamilton Avenue?

A. I am.

Q. When did you see it last?

A. Yesterday morning, October 8, 1941.