

Ned S. Zeiler, a witness called on behalf of the Complainants, after being duly sworn, by Wilbur F. Sheffield, Jr., one of the standing examiners of the Circuit Court of Frederick County, Maryland, deposes and says:

By: Mr. Fout

Q. Will you please state your name, age and residence?

A. My name is Ned S. Zeiler, I am 53 years of age, and I reside at 201 Rockwell Terrace, Frederick, Maryland.

Q. What is your occupation?

A. I am a real estate broker, presently employed in the sale of real estate in Frederick County, Maryland.

Q. How long have you been employed as a real estate broker?

A. From 1945 to the present time.

Q. Did you recently have occasion to visit and inspect the farm of Joseph B. Six and Nellie S. Nusbaum, located in Johnsville, Frederick County, Maryland?

A. Yes I did. I inspected the farm last Fall.

Q. What was your reason for your visit to the farm and the inspection of same?

A. I was employed by Mr. Six and Nellie S. Nusbaum to sell the farm property on which the alleged mine is located.

Q. Did you examine this alleged mine on this farm?

A. I did.

Q. Please state in your own words what you found.

A. There was no road from the farm to the mine, so I went around to the Brethren Church property and walked in a wooded area.

Q. Is there a road extending from the public road to the mine area?

A. No, there is no road from the public road to the mine area.

Q. Please state the size of the mine area in feet or yards.

A. There were two holes in the ground. One was about 3 or 4 feet in diameter. The other one was probably about 6 feet in diameter.