

was necessary to pay all of his debts and obligations and left a substantial balance to be divided among the parties to this cause.

26. Are you connected with the personal estate of John Calvin Walker in any way, and if so, in what way?

A. I am one of the administrators of the estate of John Calvin Walker, Mrs. Edith M. Walker being the other administratrix, and I am thus familiar with the personal estate of the late John Calvin Walker.

27. Mr. Murdock, do you believe that the real estate you have mentioned and described, is not susceptible of partition without material loss and injury to the parties interested therein, and that in order to make a division of said interest it will be necessary that said real estate be sold and the proceeds thereof be divided among the parties to this bill, according to their several and respective interest therein?

A. I do.

To the General Interrogatory.

A. There is nothing further.

Richard B. Murdock

Silas K. Utz, a witness of lawful age, produced on the part of the Petitioner, having duly affirmed, deposes and says;

(Question by Mr. Pearre.)

1. State your name, age and residence.

A. Silas K. Utz; age, 43 years; reside about two miles and a half northwest of New Market.

2. Did you know John Calvin Walker during his lifetime?

A. Yes, sir.

3. Is he dead or living?

A. He is dead.

4. Are you familiar with the real estate owned by Mr. Walker at the time of his death?

A. Yes, sir.

5. Are you familiar with the tracts of land mentioned and described in the Bill of Complaint as the first tract, containing about 27 acres of land?

A. Yes, sir.

6. Are you familiar with the tract of land mentioned as the second tract, lying between the main line of the B. & O. R. R. and the siding at Monrovia Station?

A. Yes, sir.

7. Are you familiar with the third tract, containing about 25 acres, which is a fruit farm on the pike leading from Monrovia towards Kempton?

A. Yes, sir.

8. Are you familiar with the fourth tract, containing about 126 acres of land, known as the Frizel farm, which is situated at Monrovia Station?

A. Yes, sir.

9. Are you acquainted with Edith M. Walker and Hester and Louise I. Walker, parties to this case?

A. I am.

10. Do you know the ages of Hester and Louise I. Walker?

A. They are both under the age of 21 years, and I think Hester is about fourteen and Louise about 17.

11. Will you state whether or not the four tracts of land which you have testified you are familiar with, are susceptible of partition between the parties to this cause without material loss and injury?

A. I think not. There is nothing about the properties that are equal. One is a large tract and the others are small. It would be hard to divide. Then, the main thing is that the parties to this case are not able to handle them. I heard Edith Walker say she didn't know a thing about a farm.