

ever authorized or requested you to call upon his Father John H. Fick, executor of James M. Fick, dec'd, and demand payment from him of a legacy bequeathed to him by said James Fick, dec'd. or any part thereof? If yes, State where it was and what transpired with reference thereto?

Ans: I can't remember the time. I think it's been about three or four years ago. He said I should say to Joe that he wanted the money due him. I did so, and as for the reason I can't say. He refused to take any notice of it. I don't see and as for the reasons I can't say what he said, but he made some excuse which I have forgotten.

2<sup>d</sup> Spl. Int: What relation, if any, did you sustain to Joseph H. Fick, as Executor of James M. Fick, dec'd?

Ans: I was agent of Joseph H. Fick, Executor of James M. Fick. And I think I was surety on his Testamentary Bond.

David Staub, a Witness of lawful age, produced upon the part of the Complainants, being duly sworn and examined to Interrogatories filed with the Commission by the Complainant and therewith returned, deposes and says, to the

1<sup>st</sup> Int: State your name, age, occupation and residence?

Ans: David Staub, aged about 64 years, I reside in Mechanicsville District, Frederick County, Md.

2<sup>d</sup> Int: Do you know the parties to this suit, or either of them?

If yes, State how long you have known them, or any of them?

Ans: I have known them all for many years.

3<sup>d</sup> Int: Look at "Exhibit No. 1" and State whether you know the property therein mentioned and described, and whether you know how and under what circumstances said deed was executed, or what interest the respective parties named in said deed had in said property? State fully all your knowledge herein?

Ans: I look at "Exhibit No. 1" now here shown me I know the property. Well Daniel E. Fick told me that he had \$300. in the property, a year or two before he died. He said he was a partner. (Answer excepted to by the Defendants.)

Ints. 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, & 8<sup>th</sup>, waived as to this deponent.

1<sup>st</sup> Spl. Int: Did you, at any other time, have any conversation with the said Daniel E. Fick in relation to the property? If yes, state what it was?

Ans: We talked about it several times afterwards. He said he had a share in that farm. I told him he was foolish to work so hard. He said he was working for himself. He said that whenever he got a chance to go out, when the didn't need him at home he would go out to make money.

2<sup>d</sup> Spl. Int: Did Daniel E. Fick work on and help to cultivate said property during the time from the purchase of said property till his death. (Answer excepted to by the Defendants).

Ans: I can't tell you whether he did or not. I frequently saw him at