

how and under what circumstances said deed was executed, or what interest the respective parties grantees 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. All I know about it is, that Daniel E. said, that he had bought John out. James told me that he owed John for work and for Daniel E.'s share. That's all I know about it to the best of my knowledge. (Answers accepted to by the Defendants)

John M. Fick, a witness of lawful age, produced upon the part of the Complainants, being duly sworn and examined to Interrogatories filed with the Commissioner by the Complainants and herewith returned, deposes and says, to the

1st Int: Sworn as to this deponent.

2<sup>d</sup> Int: Sworn as to this deponent.

3<sup>d</sup> Int: Look at "Exhibit No. 1." and state whether you know the property therein mentioned and whether you know how and under what circumstances said deed was executed, or what interest the respective parties grantees named in said deed has 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, in the first place, James and Joseph Fick and myself bought this property. Then I sold out to my brother Daniel E. Fick. We bought in 1858 or 1859, and I sold one year after we bought it. Daniel E. Fick paid me \$100. for my interest in the property. He each claimed one third with him and he claimed one third with them. They were all three equal partners, after buying me out. Jim said he never could have got along paying for the property if it hadnt been for Daniel E. Fick. Joe told me about a week before Jim died, that Jim treated him like he treated me. He never paid no share of Daniel E. Fick out to him. I knowed Daniel E. Fick to work on the place. I see him mowing there and cutting grain and to make the matter short, I saw him doing all kinds of farm work on the place. This was in 1861, 1862 & 1863, and helped us to work on it when we first bought it. Daniel E. loaned Jim money on his first payment on the place. That about all I know about that matter.

1st Spl. Int: When Daniel E. Fick bought out your interest in said property, as stated by you, did he acquire an equal one third interest in said property, and is that the reason why the deed was so made?

Ans: Of course I considered him a full partner in the place and that was the reason the deed was made in that way.

2<sup>d</sup> Spl. Int: State whether you ever received a promissory note, or any other security, or consideration whatever from Joe Fick?