No. 8073. Equity.

in these proceedings and am well acquainted with the location and Condition and quality of this land. The 20-½ Acres and 30 Sq. Ft. of land described in Exhibit "A" now shown me, has been lying uncultivated for many years. In fact, I only remember of it having been plowed up once, but that was when I was boy. The land has been neglected and has grown up in Briars, Canada thistles, Smart weed, trees and bushes, and is also washed in some places. There is no road or outlet from this land, and if put up at public sale, I could not say what it would bring. I would estimate the value of the land, however, in its present Condition and location at about from Thirty to Forty Dollars per acre, providing access could be had to it, and if Mr. William E. Bitter has offered $40.00 an acre for this land, I consider it a very fair price, and, to the best of my knowledge, is all that it is worth.

The land described in "Exhibit "B" is now in the field of Mr. William E. Bitter and is under Cultivation, and is not in the same Condition that the other tract is, but in putting an estimate upon its Value, it is again difficult to do so, unless access could be gotten to it. If access could be gotten to it, I would consider the land worth about $5.00 per acre more than the other tract, but again I say that if Mr. William E. Bitter will give $40.00 per acre for it in Connection with the other land, I consider it to the best of my knowledge and belief a fair price. It would impossible to divide this land among the parties thereunto entitled without loss and injury, and it would be to the best advantage of the parties to have the same sold and the proceeds divided.

I know the parties to this cause, and they are as testified to by Mr. William M. Bitter, and William E. Bitter.

To the Gen. Int.

Ans. Nothing further.

Whereupon there being no other witness to examine and no further time being required for the production of testimony, the said Examiner hereby Certifies that the aforegoing are the true and original depositions of the witness in this Cause, as the same were taken down and transcribed by Claude S. Hahn, the Examiner's Sworn Clerk, the Signatures of the said witness to the said testimony being waived by Counsel, and the said Examiner hereunto returns the same enclosed to your Honorable Court. The reading of the Testimony being waived by the respective Witnesses. Witness my hand and Seal this 31st day of October A. D. 1906. Albert S. Brown (Seal)
Examiner