

The paper is herewith put in evidence and filed with the Examiner and marked "Exhibit A".

Q. Is the 100 acre farm above mentioned by you susceptible of division without loss and injury among the parties thereto entitled?

A. It is not susceptible of division without loss and injury, and it is to the best interest of all the parties to this cause that the same be sold and the proceeds divided among the respective parties as to their interest may appear.

Q. What do you consider the present fair market value of this property?

A. About \$8,000.00.

To the general interrogatory?

A. I don't think of anything new.

Julia E. Hummer.

Joseph H. Hummer, a witness of lawful age produced on part of the Plaintiff, being first duly sworn and examined, deposes and says--

Q. State your name, age and residence?

A. Joseph H. Hummer, 54 years of age; Walkersville, Frederick County, Maryland. I am the husband of Julia E. Hummer and one of the defendants in this suit.

Q. Do you know the parties to this suit?

A. I do.

Q. Do you know the farm which John W. Miller owned at the time of his death?

A. Yes, sir.

Q. Just describe this farm, its location and value.

A. It is about one-half mile Northwest of Hansentown, in Frederick County, Maryland, and contains about one hundred acres, and is worth about \$75.00 an acre.

Q. When did John W. Miller die?

A. In 1889.

Q. What was done with the property after his death?

A. It was used and occupied by his widow, Julia A. Miller, until her death, which occurred in 1910.

Q. Do you know the children and heirs at law of John W. Miller, and if you give their names, the names of their respective wives and husbands, which are adults and which are minors?

A. I know the children of John W. Miller. They are as follows--John W. L. Miller, a son, Mary Mary C. Haines, a daughter, whose husband's name is Andrew Haines; Julia E. Hummer, a daughter whose husband's name is Joseph H. Hummer; C. Hicks Miller, a son, whose wife's name is Laura Miller, Franklin N. Miller, a son, whose wife's name is Franzina Miller, Edward W. Miller, a son, whose wife's name is Cera Miller, Dorothy M. G. Stull, a daughter, whose husband's name is Sylvester L. Stull. All of the above are adults, and reside in Frederick County Maryland. He also left a son George T. Miller who died after John W. Miller and about thirteen years ago. The said George T. Miller left surviving him three children, a son, John M. Miller, who is now an adult, having attained his majority in September, 1910, and since the filing of the Bill of Complaint in this cause Effie Miller an infant daughter and Harvey E. Miller, an infant son. All of these children now reside in Zenia, Montgomery County, Ohio.

Q. Do these infant children have a guardian within the Jurisdiction of the Circuit Court for Frederick County?

A. They do not.

Q. Is the farm of which John W. Miller died, seized and possessed capable of sub-division among the parties thereto entitled without loss and injury, or is it to the best interest of the parties to this proceeding that the same be sold and the proceeds divided among the parties thereto entitled according to their respective interests?

A. It is to the best interests of all the parties to this cause that the said farm be sold and the proceeds divided. It is not capable of sub-division without loss and injury.