

Q. Do you know the children of Anna Mary Thomas, and, if so, please name them.

A. I do; they are Mrs. John C. Padgett, Mrs. Flora May Day, Mary Catherine Thomas, and Adelaide S. Thomas. Adelaide S. Thomas is dead; she was the wife of J. Fenton Thomas and she left surviving her the following children--Mary Bertha Nicodemus, Ada Elizabeth Thomas, Gertrude I. Beck, Bernard W. Thomas, Catherine Grace Thomas, C. Herbert Thomas and J. Fenton Thomas, Jr., the latter named being an infant under the age of twenty-one years.

Q. State whether or not it would be to the interest, benefit and advantage of all the parties to this cause that the property mentioned in Exhibit A be sold and the proceeds divided?

A. It would be of benefit and advantage to all the parties for the property to be sold and the proceeds divided.

To the general interrogatory.

A. Nothing further.

David D. Thomas.

Thomas N. Mohler a witness of lawful age, produced on the part of the plaintiffs, being first duly sworn, deposes and says as follows--

My name is Thomas N. Mohler, my age is 39 years, and I reside in Adamsdown, Frederick County, Maryland. I know all the parties to this suit. I knew Anna Mary Thomas in her lifetime; she is dead, having died in or about the month of December 1913. I know the property mentioned and described in Exhibit A., a copy of which is now shown me, the same being a deed from Jacob R. Kline and Rebecca Kline his wife, to Mary Thomas and others. This deed correctly describes the property. I always understood that Anna Mary Thomas owned this property but I have learned just recently that the Court had decided otherwise. I know the property fairly well; it is situated in Urbana District, Frederick County, Maryland; I have always heard that it contains about one hundred acres of land.

Q. The bill filed in this case is for a partition and division of the funds arising from the sale of this property among the parties in interest; can you state whether or not it is possible to divide this property among the parties in interest without loss and injury?

A. In my opinion it wouldn't be advantageous to anybody to divide it and it couldn't be done without loss and injury to the parties interested.

Q. Will you state what in your opinion this property is worth per acre?

A. I would say from \$45.00 to \$50.00 per acre.

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A. State whether or not it would be to the interest, benefit and advantage of all the parties to this cause that the property mentioned in Exhibit A be sold and the proceeds divided?

A. It would be of benefit and advantage of all the parties for the property to be sold and the proceeds divided.

To the general interrogatory.

A. Nothing further.

Thomas N. Mohler.