

No. 10271 Equity,  
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The Answer of Charles Repp and Paul Garber, Earl Garber, Julia Garber, Joseph Garber, Frank Garber, Wendell Garber, James Garber, Louise Garber, Naomi Garber, Charles Garber, Kenneth Garber, E. Raymond Albert Parrish infant's under the age of Twenty-One Years, by John H. Marts, guardian ad litem, to the Bill of Complaint, of Guy O. Repp, et al., Against Charles Repp, et al., against Charles Repp et al., Infants, in the Circuit Court, for Frederick County, Sitting as a Court of Equity, Exhibited, The Defendants Cannot admit any of the Matters and things alleged in the Bill and being Infants of tender years, submit their rights to the protection of this Court,

John H. Marts,  
Guardian ad Litem,

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T E S T I M O N Y.

Guy O. Repp and Zoa Repp, his wife, ( No,10271 Equity,  
and Others, ( In the Circuit court for Frederick  
Vs, O county, sitting as a Court of Equi\$  
Charles Repp and Others, (

The above entitled cause being at issue and notice having been Given me by the solicitor for the plaintiffs of the desire to take testimony, I Clayton O. Keedy One of the Standing Examiners of this Court, duly appointed qualified and Sworn having assigned the 4th day of January, 1921, at my office in Frederick City, as the time and place proceed to take the following testimony, to-wit:-

The plaintiff filed with the Examiner, as evidence Exhibit No,1, which is herewith returned by the said Examiner, -----

Edward Garber a witness of lawful age, produced on the part of the Plaintiffs, being duly sworn and examined viva-voce deposes and says as follows:-

My name is is Garber, my age 51 years, i reside in Frederick County, in Johnsville District,

I know all the parties to this cause, I look at Exhibit No,1, now shown me, which is a certified Copy of a deed from J. Hamilton Repp, to Guy O. Repp, Leslie C. Garber, Bessie A. Repp, Elva C. Repp, and Mary L. Repp, as tenants in common, i am the husband of of Leslie C. Garber, mentioned in said deed, Bessie A. Repp, has married since the execution of said deed. to Roy Sheeley; and Mary L. Repp is now the wife of Raymond Parrish, Guy o. Repp. is married and his wifes name is Zoa. they had one child named Charles Repp who is an Infant under 21 years of age,

My wife Lillie C. Garber, has eleven Children as follows; Pearl Garber, Earl Garber, Julia Garber, Joseph Garber, Frank Garber, Wendell Garber, James Garber, Louise Garber, Naomi Garber, Charles Garber, and Kenneth Garber, all of whom are infants under 21 years of age, and Mary L. Repp, (now Parrish) has one child, Raymond, Albert Parrish, who is also an infant under 21 years of age,

the said Real estate is not susceptible of Division among said tenants, in Common and parties in Interest, without loss and injury, for it consists of one tract and of about 170 Acres of land with one set of Buildings, comprising a farm, this farm is located in Johnsville District, in Frederick County, and is worth about \$65,00 per acre, i am thoroughly familiar with farm, for I lived on it and managed and Controlled it for a Number of Years,

In My Opinion it would be advantageous to all parties concerned for the real Estate to be sold, under a decree of the Court and the proceeds divided or disposed of under the Court's direction, to the parties entitled,

Mrs Sheeley has no Children and Ella C. Repp has now married and has no Children,

To the Gen Int, by the Examiner  
Ans, Nothing further,

Edward Garber,  
Reuben Devilbiss, a witness of lawful age produced on the part of the Plaintiff, being duly sworn and examined, Viva Voce deposes and says as follows:-

My name is Reuben Devilbiss, my age is 59 years, and I reside in Johnsville District, in Frederick County, I Know all the parties to this cause, except the Child of Mary L. Parrish, with Whom I am not personally acquainted, although I Kne