

## Answer of Guardian Ad Litem.

Ida E. Stone, et al.	"	No. 10954 Equity.
vs.	"	In the Circuit Court for
Jesse Edwin Stone and	"	Frederick County,
William Owings Stone.	"	Sitting in Equity.

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The answer of Jesse Edwin Stone and William Owings Stone infants under the age of twenty-one years, by John H. Marts Guardian ad litem, to the Bill of Complaint of Ida E. Stone et al against Jesse Edwin Stone et al 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.

(Filed July 12, 1924)

John H. Marts.  
Guardian ad litem.

Testimony.

Ida E. Stoner, et al.	"	No. 10954 Equity.
vs.	"	In the Circuit Court for
Jesse Edwin Stone, and	"	Frederick County,
William Owings Stone,	"	In Equity.
Infants.	"	

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To the Honorable; the Judges of said Court;-

Due notice being given me for the Solicitor for the Plaintiffs, I Albert S. Brown, one of the regular Examiners of the said Court duly appointed, qualified and sworn, having assigned the 28th day of July, 1924 at my office in Frederick Maryland, as the time and place for taking the testimony in this cause, and having giving due notice to the parties concerned, have at the duly appointed time and place proceeded to take the following testimony, to-wit;-

The Plaintiffs filed with the Examiner as evidence Exhibits A, B, C, and D to the Bill of Complaint which are herewith returned by said Examiner, and are so marked.

Alvie M. Etzler, a witness of lawful age, being first duly sworn, deposes and says as follows;

My name is Alvie M. Etzler, I am a farmer living at Ceresville, in Frederick County, Maryland. I am 37 years of age and have lived in the above vicinity all my life.

I knew Dr. Daniel E. Stone very well during his lifetime, and I also know his family. He died, I think, about the first of April, and left surviving him his widow, Ida E. Stone, and two daughters and a son, namely, Caroline S. Holland, the wife of George A. Holland, Leonore S. Boyle, the wife of J. Brooke Boyle, and Halbert Stone, who is also married. His son Daniel E. Stoner predeceased him and the son of left surviving him a widow, Elizabeth D. Stone and two children, not yet of age, Jesse Edwin Stone and William Owings Stone. They are all residents of Frederick County. I look at Exhibit A, B, C, D, to the Bill of Complaint filed in this matter and find that they are certified copies of deed conveying the land to Dr. Stone which he owned at the date of his death. The first deed, Exhibit A, described the property conveyed unto Dr. Stone by John D. Crum and is dated October 12, 1904 and properly describes the tract of a little over 8 acres. Exhibit B properly describes a small tract of about one acre conveyed unto Dr. Stone by Grafton Costly and wife on the 2nd day of November 1887. Exhibit C properly describes the tract containing 3 acres, 1 rood, and 34 sq. perches which was conveyed unto Dr. Stone by John C. Kefauver on the 29th day of August, 1895. Exhibit D correctly describes the property conveyed unto Dr. Stone by the Main heirs on the 11th day of August 1888, and contains something over four acres. I do not think that the property is susceptible of division among the parties entitled thereto, and in my judgment it would be for the benefit and advantage of the parties in interest, and especially for the infant defendants, that the property be sold under a decree of the Court, and the proceeds distributed among the parties entitled thereto. I have known the properties for many years and place the following values in them. On the Crum lot \$320, on the Costly property \$500, on the