

ANSWER OF GUARDIAN AD LITEM TO AMENDED BILL OF COMPLAINT.

W. D. L. Harne, et al : No. 11779 Equity.
Vs. : In the Circuit Court for
Creola Winfield, et al. : Frederick County, Sitting
in Equity.

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THE ANSWER OF Lillian C. Harne, Charlotte L. Harne, Gideon O. Harne, jr., Evelyn Harne and Joseph Harne infants under the age of twenty-one years, by John H. Martz Guardian ad Litem, to the Amended Bill of Complaint of W. D. L. Harne, et al against Creola Winfield, 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.

John H. Martz
GUARDIAN AD LITEM.

(Filed January 29, 1929)

TESTIMONY.

W. D. L. Harne and Katie S. Harne, : No. 11,779 Equity.
his wife, et al. :
vs. : In the Circuit Court
Creola Winfield and Cyrus Winfield, : For Frederick County,
her husband, et al. : In Equity.

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In pursuance of an order of the Court and the notice given it by the solicitor for the Plaintiff, L, Albert S. Brown, one of the Standing Examiners of your Honorable Court did, on the 16th day of January, 1929, at the hour of eleven o'clock, a. m., at the law office of Leslie N. Coblentz, Esquire, in the City of Frederick, in the State of Maryland, proceed to take the depositions of the witnesses then and there produced before me, that is to say:-

Exhibits: Nos. 1 to 3 inclusive - filed as evidence
"A" to "Q" inclusive, filed as evidence
"R" and "S" and "T" filed as evidence and so marked.

Present: Leslie N. Coblentz,
Solicitor for Plaintiff.

No appearance for Defendants.

SAMUEL P. BUSSARD, a witness of lawful age, deposes and says, as follows:-

My name is Samuel P. Bussard, and I live at Lantz, in Hauvers District, in Frederick County, Maryland. I am sixty-six years of age, and have lived in this vicinity all of my life. I knew both James Oliver Harne and Annie M. Harne during their lifetime, and while I do not remember the exact dates of their death I think that Mr. Harne died in 1907, and Mrs. Harne died slightly more than a year ago in 1927. I knew the family and the children of James O. Harne and Annie M. Harne were: William D. L., Roy, Alonza, Charles, Cyrus, Cora May, Grover, Albert, Maggie B. Oliver Glenn, Creola and Gideon. All of these children have married and all are living with the exception of Gideon, who left several children, but some of whom are small, but the names of whom I do not know.

I have bought and sold a considerable acreage in timber and in real estate in general in the community where Mr. Harne resided, and I have examined the deeds filed in this case, and upon looking at Exhibit 1, I find that it describes the home place upon which James O. Harne and Mrs. Harne resided during their lifetime. This property was conveyed to them by me and my wife and contains 120 1/4 acres. I also examine deed marked Exhibit No. 3 from myself and wife to James O. Harne and find that it properly describes the lot containing 21 3/4 acres of land, more or less, which has always been known as the saw mill lot, which joins the home place of 120 1/4 acres. I have examined the deed marked Exhibit 2, which is from me and