

Exhibit filed, "Agreement of Family Settlement."

WALKER N. JOLLIFFE, JR., a witness of lawful age, recalled by the Plaintiff, deposes and says:

(By Mr. Rosenstock:)

Q Are you acquainted with the home farm owned by the Kemp Estate?

A Yes.

Q Can this farm be divided in kind?

A No.

Q To the best of your knowledge, will you state how many acres are contained therein, and the improvements thereon?

A To the best of my knowledge about 175 acres, more or less. There is a stone mansion house on it, new cowbarn, silo, garage, and other necessary outbuildings.

Q What did you say would be the present fair market value of this farm?

A Around \$27,500. This is based on the fact that it is a fine home, well located, and its proximity to Frederick, as well as the fertility of the land.

Q I now show you agreement of family settlement, made by and between all the heirs and devisees of Anna S. Kemp, deceased. Taking the same into consideration, do you believe it for the best interests of the infant children of Harry S. Kemp that the sale of the home farm to D. Chester Kemp, at and for the sum of \$27,500, is for their best interests, and should be confirmed as therein set forth?

A Yes.

To the General Interrogatory: Nothing further.

Walker N. Jolliffe, Jr.

GRAYSON H. MERCER, a witness recalled by the Plaintiff, deposes and says:

(By Mr. Newman)

Q Are you familiar, Mr. Mercer, with the home farm of the late Anna S. Kemp?

A I am.

Q Have you examined this farm lately?

A I have been on the farm in the past six months.

Q What can you say as to whether or not the said farm can be partitioned among the children and descendants of Anna S. Kemp?

A I do not think advantageously.

Q Just describe the farm, where it is, the character of the buildings and character of the property.

A I reckon it is in Tuscarora District, and west of the Bright property on the East, and formerly the Hooper property on the West.

Q How many miles west of Frederick?

A I guess two miles west.

Q What can you say about the improvements?

A The improvements are good.

Q What is their character?

A It has a stone house, Colonial porch, modern improvements. I do not know the dimension of the barn. It is a horse barn. There is a new cow barn, garage, and I think it has a barracks, although I am not positive of that.

Q Why do you say that the farm cannot be divided among the parties in interest?

A The buildings are largely at one end of the farm, and the inlet to the other part would be rather difficult without getting a new road.