The Answer of Miriam R. House infant under the age of twenty-one years, by John H. Martz Guardian Ad Litem, to the Bill of Complaint of T. Frank Hightman et al against Miriam R. House in the Circuit Court for Frederick County,sitting as a Court of Equity exhibited.

This Defendant cannot admit any of the matters and things alleged in the Bill, and being infant of tender years, submit her rights to the protection of this Court.

John H. Martz

Guardian ad Litem.

(Filed September 9, 1935)

TESTIMONY

T. Frank Hightman etal	"	NO. 13150 EQUITY
VS.	"	IN THE CIRCUIT COURT FOR
Miriam R. House	"	FREDERICK COUNTY, SITTING AS A COURT OF EQUITY.

" " " " " " " " " " " "

In pursuance of an Order of the Court and notice given me by the Solicitor for the Plaintiff, I , Albert S. Brown, one of the standing Examiners of your Honorable Court did on the eighteenth day of September, A. D. 1935, at the hour of eleven o'clock A, M. at the Law offices of William M. Storm, Attorney for Plaintiff's, in the City of Frederick and State of Maryland, proceed to take the following testimony of the witnesses in this cause then and there produced before me.

PRESENT:

William M. Storm,Esq., Solicitor for Plaintiffs.

John W. Mentzer, a witness of lawful age, after having been duly sworn, deposes and says: my name is John Mentzer and I am 57 years of age and reside in Burkittsville district, Frederick County, Maryland. I know the parties to this cause and also know the land in question which is described as Exhibits 1 2 and 3, which I hold in my hand. This farm contains about 400 acres and was owned by Thomas Hightman, who died in testate some years age. He left a widow who died several years age, also a son Frank Hightman, whose wife's name is Minnie Hightman and who resides near Knoxville, He left a daughter, Annie C. Shirley, whose husband's name is Lewis Shirley, and who reside in West Virginia,He also left a son, Heorge Hightman , whose wife's name is also Minnie and who lives near Knoxville, also another son Harry C. Hightman, who died some time this year leaving a widow, Cora E. Hightman and a n infant granddaughter, whose name is Miriam House, she being the daughter of Mr. Hightman's deceased daughter, Ruth. He also left a son Cecil D. Hightman, whose interest in the 400 acre tract was sold by the Sheriff several years age and is described in deed marked exhibit No. 3. All of the parties interested in the estate are adults except Miriam House. This tractof land is about 400 acres and has been used for some time as two farms, having two sets of buildings and the same cannot be divided between the parties without loss and injury and it would be to the best interest that it be sold and the money divided. This farm is located near Burkittsville district,

This farm has been operated as two farms, one containing 120 acres and the other about 311 acres. The smaller farm is worth, in my judgment, about $5500.00, and the larger place containing about 311 acres is worth about $12,500.00. I do not know that these farms can be sold unless the 120 tract is surveyed, because Mr. Thomas Hightman, owning the whole piece of land farmed it as he pleased with reference to fields. To the general interrogatory nothing.

John W. Mentzer

Howard E. Dixon, a witness of lawful age, after having been duly sworn, deposes and says: my name is Howard E. Dixon and I reside in Petersville district. I know the parties to this cause and as well as the land in question, which land is described by exhibits 1 2 and 3, which I hold in my hand. This property was owned by Thomas Hightman, who died intestate some