

give him a few days more to look it up as he had some work that he wanted to finish before he started on the title, and he asked me whether there was any lien against it and I told him that there was a judgment of \$2,000 which would be taken care of out of the proceeds. He did look up the title, notified me that he couldn't find anything against the property except the judgment that I mentioned, and said if I would see that was taken care of the sale could be ratified, which was done. The property was sold to the purchaser free, clear and discharged of the judgment, which was my understanding as well as the understanding of the parties in interest, including Mr. House, the father of the infant who was also present at the sale, and the purchaser.

GEORGE E. HIGHTMAN, being first duly sworn, deposes and says:

By Mr. Storm:

Q. Mr. Hightman, in the sale of the property in this cause what did you understand as to it being sold free, clear and discharged of this judgment of \$2,000?

A. The judgment wasn't mentioned to him as far as I know. It was sold to him clear, and my understanding was, and according to the Will of the whole family, that Mr. Storm settled this judgment.

(The Court)

Q. Out of the proceeds of sale? A. Yes. I know they are satisfied with that.

(Mr. Storm)

Q. And that was discussed at the time the judgment was settled, was it not, in my office?

A. Yes.

Q. And that is the way you wanted it done?

A. Yes, sir, all wanted it done that way.

RUSSELL L. HOUSE, being first duly sworn, deposes and says:

By Mr. Storm:

Q. Your name is Russell L. House?

A. Yes, sir.

Q. You are the father of Miriam R. House?

A. Yes, sir.

Q. The infant who has an interest in this property sold in these proceedings? A. Yes, sir.

Q. You knew of the judgment of \$2,000 against the property?

A. Yes, sir.

Q. You were present at the sale. Will you state whether or not it was your understanding that that property would be sold free, clear and discharged of this judgment for \$2,000?

A. That I think was -- I knew it at the day of the sale, I knew nothing about it before then, but the day of sale I think it was the understanding there was to be clear title. That was the way I understood it.

Q; And you also told me I think over the telephone that was your understanding? A. Yes.

Q. And that is the way you want it as father of this infant, that right? A. Yes, sir.

Q. Will you tell the Court when this infant will be of age?

A. She is 17 now and her birthday is the 16th of September, She will be 18 the 16th of September next.

And

Q. You haven't qualified as guardian yet? A. No, sir.

Q. But you expect to next week? A. Yes, sir.

Q. You remember at the sale when the price was up to nearly \$22,000 it was discussed in your presence that if we could get \$22,000 that would be \$20,000 even for distribution? Do you remember anything like that being said?

A. I wasn't back in the other room when you all went back but you came out and told me in the lobby you thought he would give \$20,000.