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The farm has not been occupied since I moved away from it. I feel that it is to the best interest of all concerned that the farm and mountain lot should be sold as soon as possible. The farm buildings need attention and the whole place will deteriorate as time goes on. Neither parcel of land is susceptible to partition without great loss and injury to the parties entitled to interests therein.

Since this case was filed, I have learned that Dr. Thomas H. Legg Union Bridge, Carroll County, Maryland, has filed a judgment against me in the Circuit Court for Frederick County, being No. 139 Trials, May Term, 1934, in the sum of \$463.70 with interest from March 20, 1934, etc., and I wish to explain that shortly after the death of my mother, Ida Horton, Dr. Legg asked me for a note. I then owed him something more than \$200.00 and he asked me to give him the note for something over \$400.00 saying that that might benefit me in the future. I very foolishly signed the note. I do not owe Dr. Legg the full amount of that judgment. August 8, 1934, I paid Dr. Legg \$45.00 and in May, 1934, I paid to him the sum of \$15.00 so that, having in mind the fact that the note was made in about double the amount I owed and the fact that I have made these payments, I do not feel that I owe Dr. Legg more than about \$200.00

NO CROSS EXAMINATION

GENERAL INTERROGATORY, "Nothing further".

Ezra P. Horton.

F. Loraine Simpson, a witness of lawful age, produced on the part of the complainants being first duly sworn, deposes and says as follows:

My name is F. Loraine Simpson, I am 57 years of age. I am a resident of Libertytown, and have been a merchant there during the past 33 years. I am acquainted with the "Uriah Six" farm of about 30 acres covered by the will of Sarah A. Garber. It adjoins the land of William Hobbs. It is in Johnsville District, Frederick County, Maryland, near Clemsonville. I know Ezra Horton, and I know that Ethel Strine died some 17 years ago. and left a husband, William J. Strine and an only child, Minnie E. Strine, who is under 21 years of age.

I go past this farm of 30 acres at Clemsonville, two or three times a week and I am acquainted with it. The buildings are in fair condition, of course they may need some repairs. I understand that the farm is now vacant. In my judgment this farm cannot be divided among the parties in interest without great loss and injury and the only thing I could see would be to sell the place and divide the proceeds. In my judgment the place will bring at public sale around \$1,200.00.

I am slightly acquainted with the mountain lot situated in Carroll County, near Franklinville and I feel that the 8 acres of mountain lot would bring around \$150.00.

NO CROSS EXAMINATION.

GENERAL INTERROGATORY, "I think it would be to the best thing to sell the place and divide the proceeds and have a guardian appointed for the child to look after her share until she becomes of age."

F. Loraine Simpson.

Whereupon there being no other witnesses to examine and no further time being required for the taking of additional testimony the said Examiner hereby certifies that the foregoing are the true and original depositions of the witnesses in this cause as the same were taken down in stenographic notes and subsequently transcribed by Maggie M. Fox, the Examiner's sworn Clerk the same having been read over by the witnesses and signed by them respectfully.

I herewith return the same enclosed to your Honorable Court.

Witness my hand and seal this 18th day of May A.D., 1935.

Albert S. Brown (SEAL)

Examiner