that John H. Martz, be and he is hereby appointed guardian ad litem, to appear and answer for the said Bessie L. McElfresh, Edmund McElfresh, Jr. and Rachel McElfresh, infant defendants in the above entitled cause.

John S. Newman.

(Filed October 9, 1929)

ANSWER OF GUARDIAN

Nannie S. Warfield et al	"	No. 11967 Equity
vs.	"	In the Circuit Court for Frederick County
Bessie L. McElfresh, Edmund McElfresh, Jr., Infants, et al.	" "	Sitting in Equity

The answer of Bessie L. McElfresh, Edmund McElfresh, Jr., and Rachel McElfresh infants under the age of twenty-one years, by John H. Martz Guardian ad Litem, to the Bill of Complaint of Nannie S. Warfield, et al against Bessie L. McElfresh 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.

Eli G. Haugh,

Guardian ad Litem.

(Filed October 9, 1929)

TESTIMONY

NANNIE S. WARFIELD, ET AL,	"	NO. 11967 EQUITY
	"	
VS.	"	IN THE CIRCUIT COURT FOR
BESSIE L. MCELFRESH, EDMUND MCELFRESH, JR., AND RACHEL MCELFRESH, INFANTS	"	FREDERICK COUNTY, SITTING
	"	AS A COURT OF EQUITY.

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Pursuant to an Order of the Court and notice given me by the Solicitor for the Plaintiffs I, Albert S. Brown, did on the twenty-fourth day of October A.D.1929, at the Law Offices of the Examiner, in the City of Frederick, County of Frederick, State of Maryland, at the honr of ten-thirty o'clock A.M., proceed to take the following testimony of the witnesses in this cause, then and there produced before me, ex-parte, that is to say:

Present:

Mr. George R. Dennis, Solicitor for Plaintiffs

No appearance for the Defendants

Exhibit "Wills", "Contract," " Deeds" Numbered 1,2,3, and 4, filed with the Examiner as evidence and are so marked.

Exhibit "Original Contract of Purchase" filed as evidence October 24th, 1929 and is so marked.

RUSSELL S. WARFIELD, a witness of lawful age, produced on the part of the Plaintiffs, being first duly sworn and examined, viva-voca, deposes and says as follows:

My name is RUSSELL S. WARFIELD, I am thirty years of age, and I reside in Frederick County, Maryland. I know all the parties of this cause, I am the Grandson of William H. D. Simmons, who died in 1902. I know the land mentioned in these proceedings, which is fully described in the Exhibits "Deeds", Nos. 1, 2, 3, and 4, filed in this cause, which I have looked at. My grandfather left all of his property to my Grandmother, Eliza Simmons by will, a copy of which is filed in this cause, marked Exhibit "Will", which I looked at. My Grandmother, Eliza Simmons, widow of William H. D. Simmons, died December twenty-third, 1928, The children of William H. D. Simmons and Eliza Simmons were as follows: An adult daughter, whose name is Effie H. Simmons, who died untestate, unmarried, in the year 1908, leaving no children.