

all the parties entitled to it?

A. It is not susceptible of division without loss and injury to the parties entitled, and should be sold and the proceeds divided among the parties entitled to it according to the will of my father.

To the General Interrogatory.

A. Nothing further.

Wm. H. Summers

MRS. EFFIE L. AUSERMAN, one of the defendants, produced on the part of the complainants, being first duly sworn, deposes and says as follows:

Q. Will you state your name, age and residence.

A. Effie L. Auserman, 103 South Market Street, Frederick, Maryland, over twenty-one years of age.

Q. You are a daughter of the late Isaac J. Summers and one of the defendants in this cause, are you not?

A. Yes, sir.

Q. You have had read to you all of the testimony given by the complainant, William H. Summers, in this cause. Will you state whether or not, to the best of your knowledge and belief, what is stated therein is correct.

A. As far as I know it is correct, yes, sir.

Q. Did you have any conversation with your deceased sister, Mary Flock, with reference to her investment in the five acres of land described in Exhibit "D"?

A. Yes, sir.

Q. What did she say?

A. She told me she was going to buy that piece of land back there, which was five acres as you said there or a little more, for Five Hundred Dollars, and she said, "That will be mine".

Q. Did she have any other estate or money, according to the best of your knowledge, other than what she received from your father's will?

A. None that I know of, only what she worked for.

Q. Did she say anything to you as to where she got the money with which she bought this five acres of land?

A. From my father's estate.

Q. Do you know the children of your father who are now living, as well as the children now living of those children of your father who are now deceased?

A. Yes, sir.

Q. Are they as stated in the testimony of your brother, William H. Summers, which you have had read to you?

A. Yes, sir.

To the General Interrogatory.

A. Nothing further.

Effie L. Auserman

J. ELVIN DOUB, a witness of lawful age, produced on the part of the complainants, being first duly sworn, deposes and says as follows:-

Q. State your name, age and residence.

A. J. Elvin Doub, Myersville, Maryland, forty-one years old.

Q. Did you know Mrs. Mary M. Flock, wife of Luther Flock, in her lifetime?

A. Yes, sir.

Q. When did she die?

A. I guess eleven or twelve years ago.