

A- He owned a home on West Fourth Street, a farm at Yellow Springs, and a farm about a mile East of Frederick.

10Q- Have you been on these farms?

A- I have.

11Q- And are familiar with them?

A- Yes, sir.

12Q- Do you know how many acres in the farm at Yellow Springs?

A- About 155.

13Q- And the buildings on that farm consist of what?

A- House, barn, tenant house, wagon shed, and other outbuildings.

14Q- In your opinion what is this farm worth at Yellow Springs?

A- About \$10,500.00

15Q- Now the property on West Fourth Street, or Dill Avenue, have you been in that property?

A- I have been all through it.

16Q- And what are the improvements on the lot?

A- The dwelling, garage and small chicken house.

17Q- And in your opinion, what is the property on Fourth Street worth?

A- About \$7,000.00.

18Q- And in your opinion, what is the farm East of Frederick worth?

A- About \$22,500.00.

19Q- How many acres in that farm?

A- 229 3/4 acres.

20Q- And what are the improvements on this farm?

A- Large house, barn, dairy house, wagon shed and other usual farm outbuildings.

21Q- Mr. Gross, in your opinion, could this property, these farms and house in Frederick be divided among the legatees or parties in interest to this cause, without loss to them?

A- No, it could not be divided without loss and injury to the parties in interest. The two farms each have only one set of farm buildings, and they are so located that for any division of them it would be necessary for each farm to have buildings to be erected, and then the acreage would be so small that they would not be productive or profitable farms. The house in Frederick is a dwelling and is a very good property, but being built on a lot in such a way that no other house could be built on the same lot. So in my opinion, they could not be divided among the parties in interest without material loss and injury to the parties entitled.

To the General Interrogatory:

Nothing further.

Howard A. Gross

Whereupon there being no other witnesses to be examined and no further time required for the production of testimony in this cause, the aforesaid Examiner hereby certifies that the foregoing are the original depositions in said cause, as the same were taken down in stenographic notes by Examiner's Clerk, Edith E. Wickham, reduced to typewritten form, and read over and signed by the witnesses, respectively, and I herewith return the same enclosed to your Honorable Court, this 23rd, day of December, 1943.

Witness my hand and seal.

C. Clifton Virts
Examiner

(SEAL)

Costs of foregoing testimony: