

A. She has a small property on the road leading from Woodsboro to Liberty. It is in Woodsboro District. I think it consists of about three acres. Little bit of a house on it.

Q. I hand you Exhibit No. 2 and ask you to state whether or not that doesn't describe the property which Marcella Lewis died seized and possessed of? What have you to say as to this deed?

A. I think this describes the property, along the road leading from Liberty to Woodsboro, $2\frac{1}{2}$ acres of ground, and I think that describes it very well.

Q. Do you know whether or not Marcella Lewis left any personal estate? A. Not that I know of.

Q. Do you know that no letters of administration have been taken out on the estate? A. I don't think so. I don't know.

Q. Is the property located in Frederick County?

A. Yes, on the road from Woodsboro to Liberty in Frederick County, Maryland.

Q. What is the value of it? A. I would say \$250.

Q. Anybody living in it? A. I don't think so.

Q. Who was Marcella Lewis—a white woman or colored woman?

A. Colored woman. Her name was Tucker, and she married Lewis. Her first son was born before she was married.

Q. Ephraim Tucker? A. Ephraim, yes.

Q. Do you know of any personal estate she had?

A. None that I know of, unless she might have a little bit of furniture in the house. Other than that I wouldn't know what they would have.

Q. Ever been to the home? A. No.

Q. Did she own, in your judgment, personal property sufficient to pay the claim of the Woodsboro Bank? A. No, sir.

Q. Do you know of any other indebtedness of Marcella Lewis except yours? A. The undertaker has a bill against them.

Q. Hasn't paid her undertaker bill yet? A. No.

Q. You know what the amount of that bill is?

A. I really don't know.

Q. Who was it? A. Mr. Albaugh. I was after Powell to take over their claim, see what he could get for us. He was afraid he wouldn't get enough to justify him to take it over.

GAIL B. CUTSHALL, a witness produced on the part of the plaintiff, being first duly sworn, deposes and says as follows:

By Mr. Storm:

Q. Mr. Cutshall, your name is Gail B. Cutshall?

A. Yes, sir.

Q. Do you know anything about the property of Marcella Lewis?

A. I pass there a number of times. A frame house not in a very good state of repair, I judge three acres of ground and maybe one or two little outbuildings to it, not much.

Q. You know whether or not she is dead? A. Yes.

Q. What children, if any, did she leave?

A. As far as I know she left two boys, Harry Lewis, and we always called him Eph Tucker. His name is Ephraim.

Q. Where do they live?

A. I don't know personally, only from Mr. Albaugh's testimony.

Q. Do you know whether or not they are married?

A. No, they are not married, to my knowledge.

Q. What personal property, if any, did she leave when she died?