

Mrs. Sulcer objected to the sale. Said they needed it for fire wood, but since she has wanted to sell it. It costs more for someone to cut the fire wood and haul it up than they get out of it, and if they can't get fire wood to sell off it, it is liability rather than an asset. There is no income, to my knowledge, off of it other than for someone to cut w\_od on halves, and when they do that the man who is cutting cuts what he pleases to cut, and I think it would be more advantageous for them to sell under that contract.

It means nothing to me one way or the other, but I am glad to see the thing get straightened out.

Emmert R. Bowlus  
Witness

David A. Lewis, a witness of lawful age, produced on behalf of the Plaintiff, being duly sworn, deposes and says as follows:

Q. Mr. Lewis, will you state your full name, age and address.

A. David A. Lewis, age 66, and Jefferson is my post office.

Q. You live how far from Jefferson?

A. About one mile and three-tenths west of Jefferson.

Q. Mr. Lewis, did you know the late John H. Sulcer in his lifetime?

A. Yes, I knew him twenty-seven years.

Q. When did he die?

A. I think about the first of November, last year.

Q. Where did he live at the time of his death?

A. Centerville, a little village west of Jefferson.

Q. Do you know whether or not Mr. Sulcer left any personal estate?

A. No, sir, I don't know.

Q. Do you know whether or not Mr. Sulcer left a Will?

A. No, I don't know that.

Q. Can you tell us whether or not Mr. Sulcer owned any real estate at the time of his death?

A. Him and his wife, that was a joint deed, owned the home where he lived, and 15 acres, something like that, down along the creek. Just a piece of hill-side along Catoctin Creek.

Q. I show you a deed from Mahlon Arnold and wife to John J. Sulcer, dated August 14, 1885, and recorded in Liber A. F. No. 11, Folio 305, one of the Land Records of Frederick County, Maryland. Will you look at the deed and state whether or not that deed describes the real estate of which Mr. Sulcer died seized and possessed.

A. Yes, that is the piece of ground. (Filed as evidence)

Q. It contains approximately 15 acres of land?

A. Fifteen, yes, more or less.

Q. In your opinion, what is the present fair value of that piece of land?

A. I thought \$200 was a good price.

Q. Would it be possible to divide the parcel of land among the several heirs of Mr. Sulcer?

A. No, sir, I wouldn't say so.

Q. I show you a Contract of Sale from Fannie L. Sulcer, widow, et. al., Parties of the First Part, dated September 30, 1937, whereby they agreed to sell unto George Eugene Hemp and Helen Rice Hemp, his wife, Parties of the Second Part, all the real estate in the deed which I previously showed you, at and for the sum of \$225. Will you state whether or not you think the price mentioned for the woodlot is fair and adequate, and whether or not it would be for the benefit and advantage of the infant Defendants that the sale be consummated.

A. I think it's well sold. Yes, sir, I think so. (Filed as evidence)