

4. Did your grandmother own any real estate at the time of her death?

A. Yes, she owned a tract of about 28 acres, more or less near Ijamsville on the road leading to Urbana, and is the property described in the deed from John Rine and wife, to her father, Charles Ford, dated September 3, 1850 and recorded in Liber W.B.T. #12, 681, one of the land records for Frederick County, and said Charles Ford, conveyed 16 acres to Sarah J. Sier, by deed dated Mar. 23, 1885 recorded in Liber A. F. 9 folio 691 and by his last will and testament, devised said lands to his daughter, Sarah L. Sier. I look at Exhibit A. and it is a copy of the last will of said Charles Ford conveying the property mentioned in these proceedings.

Said Sarah L. Sier also owned a one-third interest in another tract of land adjoining the above tracts, containing 16 acres, more or less and being the same real estate described in the deed from Joseph D. Sier, the husband of said Sarah L. Sier, while she was his wife, to George A. Sier, dated April 12, 1911, and recorded in Liber H. W. B. No. 296, at folio 287 one of said land records.

5. Did your grandmother, Sarah L. Sier leave a will.

A. Yes. she left a last will dated the first day of June, 1933, and "Exhibit B. to this bill of complaint, is a certified copy of said will, in which she devised the 28 acre tract to my father, Claud D. Sier, and my uncle Walter F. Sier and all the rest and residue of her estate which included her dower interest in the sixteen acre tract is devised and bequeathed to Walter F. Sier, Claud D. Sier and Mattie B. Kolb.

6. Do you believe the property could be divided amongst the parties entitled to interests therein without loss and injury?

A. No. The property is just one set of buildings and 28 acres of land, so that it could not be divided amongst all of us, as we would only get a few acres and that would be useless to all of us. The sixteen acre tract has no buildings and was just used along with the 28 acre tract. It would be worthless if it were divided amongst all of us children. As no one would have any thing worth while. It would be to the interest and advantage of all the parties to sell the land and to divide the money.

7. What in your opinion would be a fair price for each tract of land?

A. I believe that the 28 acre tract of land and improvements ought to bring about four hundred dollars, and that the one-third interest in the sixteen acre tract will bring about one hundred dollars.

Cross - Examination waived by G. R. Dennis, Jr. Solicitor for George A. Sier, defendant.

To the general interrogatory?

No I don't think there is any thing else.

Leonard E. Sier

Norman F. Sier, a witness of lawful age produced on the part of the complainants and being duly sworn, deposes and says:

1. State your name, age and relation to this suit.

A. My name is Norman F. Sier, aged 21 years and am one of the defendants in this suit.

2. Dis you know Sarah L. Sier? is she living or dead?

A. Yes she was my grandmother and she died about a year and a half ago, some time in January, 1940, I think.

3. Did she own and real estate at the time of her death?

A. She owned a tract of about 28 acres near Ijamsville, on the road leading to Urbana and described in the deed from _____ to her father, Charles Ford,

6. Describe the real estate owned by your grandmother, Sarah L. Sier?

A. She owned a tract of 28 acres, which was willed to her by her father, Charles Ford, in his last will, of which Exhibit A, is a certified copy, and she has her dower interest