

3. 100 feet of four inch terra cotta tiling,
4. Electric Hot water heater in the cellar,
5. About four squares of corrugated iron roofing.

None of these items are permanent fixtures and were put there for the temporary use of these respondents and can be removed easily and without any damage to the free hold.

Your respondents having answered fully, the bill of complaint, they pray to be hence dismissed with their costs.

H. K. DeLauter  
Solicitor for Respondents,

TESTIMONY

Frances Houff, Et al	:	No. 14, 287 Equity
vs	:	In the Circuit Court for
Horace E. Cutsail, Et. Al.	:	Frederick County, in Equity.

To the Honorable Judges of said Court:

Pursuant to notice given me by the solicitors for the respective parties in the above entitled case, I, Patrick M. Schnauffer, one of the standing Examiners of your Honorable Court did on the 4th day of February, 1941 at the Law Office of Edwin F. Nikirk, in the City of Frederick, Maryland, at the hour of 7:30 o'clock P. M. proceed to take the following depositions of the witnesses in said case then and there produced before me.

Present:

Edwin F. Nikirk, Esq., Solicitor for Complainant's  
Complainants' witnesses.

H. K. DeLauter, Esq., Solicitor for Walter A. Cutsail and Jesse Lee Cutsail; Horace E.  
Cutsail and India T. Cutsail, et. al. Defendants

W. Jerome Offutt, Esq., Solicitor for Susie Mae Funk and Edna Whipp and Charles Whipp,  
Defendants

JOHN W. NULL, a witness of lawful age, produced on behalf of the  
Complainants, after being duly sworn, deposes and says:

Questions by Mr. Nikirk

- Q. Will you state your full name, age and residence.
- A. My name is John W. Null, I am 49 years of age, and I reside at Frederick, Maryland.
- Q. What is your occupation?
- A. I am an auctioneer.
- Q. How long have you been an auctioneer?
- A. 35 years.
- Q. Are you familiar with the price of real estate in Frederick County?
- A. Yes I am.
- Q. Are you familiar with the real estate which James H. Cutsail died, seized and possessed of in Urbana District in Frederick County, Maryland on December, 1927?
- A. Yes I am.
- Q. Will you describe this real estate?
- A. It is a farm located in Urbana District containing approximately 116 acres, a dwelling house, a bank barn, wagon shed, a corn shed, and dairy house.
- Q. Is it good farm land?
- A. Yes it is as good as in that neighborhood.
- Q. Is the dwelling house in good shape?
- A. It is in excellent shape.
- Q. When is the last time you saw this property?
- A. I have been by this property within the last year.