

Q. Would you describe just what improvements are on the improved lot?

A. There is an eight room frame residence. There is a garage, meat house, poultry house and a feed house.

Q. What is the present condition of the property?

A. It is in fair condition.

Q. What do you think would be a fair appraisal of this property?

A. I would think that a fair appraisal would be \$3,000.

Q. What do you think would be a fair appraisal of each of the three unimproved lots?

A. I think that a fair appraisal of each of the unimproved lots would be \$400.00.

To the General Interrogatory.

A. Nothing further.

Alvie M. Etzler  
Alvie M. Etzler

HORACE E. CUTSAIL, one of the Respondents, produced on the part 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 Horace E. Cutsail, I am 60 years of age, and I reside at 227 South Market Street, Frederick City, Maryland.

Q. You are one of the Respondents in this proceeding?

A. Yes I am.

Q. You are a son of the late James H. Cutsail?

A. I am.

Q. When did James H. Cutsail die?

A. He died on the 11th day of December, 1927.

Q. And did he die seized and possessed of any real estate in Frederick County, Maryland?

A. My father died seized and possessed of a farm located in Urbana District, which farm contains 116 acres of land more or less. I am looking at a Deed now which is marked Exhibit "A" in this proceeding and that is a certified copy of the Deed by which my father acquired this real estate from a certain Rebecca Clagett, mortgagee.

Q. Mr. Cutsail, did your father die testate, that is, did he die leaving a Will?

A. Yes, my father left a Will. I am now looking at a certified copy of my father's Will which is marked Exhibit "B" in this proceeding.

Q. By the terms of your father's will did he devise this real estate in Urbana to any one?

A. Yes he did. He devised the farm to my mother, Lydia A. Cutsail for life with remainder to the following children: Horace E. Cutsail, James Arthur Cutsail, Lewis M. Cutsail, Walter A. Cutsail, Joseph M. Cutsail, Grace B. Cutsail, Mrs. Edna Whipp, Mrs. Susie Mae Funk and Mrs. Bessie P. Zimmerman, and the lawful heirs of Hattie E. Harmon, and the lawful heirs of Mamie E. Plunkert. Both Hattie E. Harmon and Mamie E. Plunkert were deceased daughters.

Q. When did your mother, Lydia A. Cutsail depart from this life?

A. November 28, 1940.

Q. And at the death of your mother upon whom did the farm in Urbana District devolve upon?

A. A son, Horace E. Cutsail, intermarried with India T. Cutsail, his wife, and residing at South Market Street, Frederick, Maryland; a son, James A. Cutsail, intermarried with Grace Cutsail, his wife, and residing at Frederick, Maryland, Route #2; a son Lewis M. Cutsail, intermarried with Nellie Cutsail, his wife, and residing at Adamstown, Maryland; a son, Walter A. Cutsail, intermarried with Jessie Cutsail, his wife, and residing at Flint Hill, Maryland; a son, Joseph M. Cutsail, intermarried with Virginia E. Cutsail, his wife, and residing at Rosemont Avenue, Frederick, Maryland; a daughter, Edna Whipp, intermarried with