

A. Yes. There is evidence on the brick house that it was built against the log house because of the roughness of the brick where they didn't lay them smoth because they were laid right against another mouse you see.

Q. Do you remember when the brick house was built?

A. No, it was built by my grandfather directly after he was married.

Q. When was he married?

A. I can't give you the date he was married?

Q. I mean can you give me approximately the date of the erection of the brick house?

A. Approximately seventy-five years ago, through my mother last night, we figured it as near as we could get between seventy-five and seventy-eight years ago.

Q. That would be about 1850.

A. Between seventy-five and seventy-eight years ago we figured the brick house was built.

Q. Don't you have any knowledge of what stood there where the brick house was erected before it was built?

A. Only my father said the blacksmith shop was torn down and the brick house was built. There was something there about an inlet. As I understand, when I was quite small this alley way went back to Mechanics Spring about ten or fifteen feet, we had an entrance. I am wondering if that isn't the entrance, the inlet.

Q. On which side of the lot was that?

A. The western side. That is just my theory, because I remember going in this alley and then into my grandmothers.

Q. (Mr. Weinberg) When that mortgage was written the scrivener was under the impression that the brick house stood on the western half?

A. Yes, he was taking the house as covering the lot.

Q. Does your brother live here in Frederick?

A. No, he is in Virginia.

Q. But you are both desirous that this will should be construed to give your mother an interest--

A. In the western portion of the lot. In other words we believe that when our grandmother

made the will it was her desire that the brick house and the ground occupied by it be the property of George Paisley as long as he lived, and the other part, the 24½ feet that was occupied by the log house, was the property of George Albert Paisley to do with what he pleased. My father said "That is mine", I'll tear it down, I don't want the house".

Q. (Court) Why are you selling this property? You are selling the whole property because you have to make sale of the whole property?

A. Yes, sir.

Q. The only question is how much you are going to give to your mother out of the total proceeds of sale.

(Filed September 13, 1929)

D E C R E E.

Ray A. Paisley

vs.

Ivan L. Paisley and
Willette M. Paisley.

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No. 11945 EQUITY.

In the Circuit Court for

Frederick County, In Equity.

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The above Cause standing ready for a hearing, and having been submitted, the Bill, Answers, Exhibits, Testimony, including the statement of counsel for Plaintiff, and all other proceedings, were by the Court read and considered.

The Court is of the opinion that, by a true and proper construction of the Last Will and Testament of Ann Sophia Paisley, a certified copy of which is exhibited with the Bill of Complaint, George A. Paisley had a life interest only in the brick dwelling house and lot immediately connected therewith, known and designated as the Eastern portion of the lot Number 28, having a frontage of Eighteen feet of Patrick Street and referred to in Exhibit No. 3, title to which passed to the plaintiff, Ray A. Paisley, and to his brother Ivan L. Paisley, one of the Defendants as Tenants in Common, they being the only surviving children of the said George A. Paisley, while the title to the remaining portion of said Lot Number 28, aforesaid, passed under the