

heir at law from her, and she died, as I am informed, without a will, as none has ever been 423
probated in the Orphans Court, seized and possessed of two tracts of land, situate, lying
and being in Buckeystown District, near Point of Rocks, Frederick County, Maryland. I am
shown the Exhibits A and B filed in this cause, and I think they properly describe this land.
The two tracts are adjacent to each other, and compose one tract of land containing the
amounts stated in the two exhibits. This tract is situated between two farms, one bounding
on the north and west owned by Charles M. Fry, and on the south by Mrs. Charles Shry, and on
the east by the Point of Rocks and Licksville Public Road. It did have two houses, but the
mansion house is uninhabitable, and the other is a small log house in bad condition, and it is
deteriorating in value every day.

I have read the testimony of Mr. John W. Fisher, the preceding witness, as to the heirs
at law and next of kin and first cousins of John W. Fisher, deceased mentioned in this cause,
and he has described them accurately, as I know most of them and believe that they are all of
and his only first cousins and nearest heirs at law and next of kin.

I am not certain, however, about Mrs. Fannie V. Butts except to say that my general
information is, that she was related to John W. Fisher in some way, but just how I do not
know.

This land cannot be divided among the parties in interest to any advantage, as it is not
adaptable for building purposes, but only for agricultural purposes, or for someone who might
want to buy the whole tract and build themselves a home. The land is of a creek bottom or
gravel soil, and there are about one or two acres in the tract of some kind of growing timber.
The timber, however, is not very valuable, but such as would furnish fire wood. As I have
stated, it is not susceptible of partition or division among the parties interested without
loss and injury, and, in my opinion, it would be to the benefit and advantage of all the
parties that said real estate be sold and the proceeds arising therefrom be divided among
them according to their respective rights and interests.

This property is worth, in my judgment, about six hundred dollars, or probably a little
more."

Cross-examination waived.

To general interrogatory - A. In reference to Fannie V. Butts, it has always been the
impression in the neighborhood that she was related to John W. Fisher on his mother's side.

To general interrogatory again propounded to witness - A. Nothing further.

Sidney R. Hickman

Adjourned until August 17th 1932 at 2 P. M. and examination resumed at the Office of
D. P. Buckey, Esq., in Frederick, Maryland.

FANNIE V. BUTTS, a witness of lawful age, produced on the part of the Plaintiffs, being
first duly sworn, deposes and says:

My name is Fannie V. Butts, I am 48 years of age and I reside at 233 E. 5th St., Fred-
erick, Md.

I knew John W. Fisher, who died on the 16th day of June, 1931. He never married and he
left some real estate near Point of Rocks, in Buckeystown District, Frederick County, Maryland,
which he inherited as the only heir of his mother, Catherine E. Fisher, deceased. He was her
only child. Catherine E. Fisher was a sister to my mother, who is now dead. My mother's
name was Jennie E. Weaver and she married Charles Weaver, who is also dead. I was their
only child.

I have read the Exhibits filed in this case and they fully describe the land which was
inherited by John W. Fisher, as the only heir at law of his mother, Catherine E. Fisher.
This land and the buildings thereon are worth I think about \$800.00

CROSS EXAMINATION: