

Exhibit No. 3 is a certified copy of a deed from James O. Hyder, widower, to Edward F. Fry, for certain lots in Point of Rocks which are unimproved. These lots lie back up next to the Episcopal Church. I should think that these lots were worth about \$200.00

Mr. Fry also owned 54 acres, 2 roods and 33 square perches of land near to the village of Point of Rocks along the concrete State road. This land remained out of the Mercier farm which was conveyed to Mr. Fry by deed of which Exhibit No. 4 is a certified copy, after the conveyance of the larger part of the farm by Mr. Fry and his wife to his daughter, Ollie Carey and Joseph H. Carey, her husband, by deed of which Exhibit No. 5 is a copy. The only improvements on this land consist of a small barrack for hay and the like. I should think this land was wroth about \$1,300.00.

I have known the family of Edward F. Fry ever since I have been in Point of Rocks. Mr. Fry had two sons and 4 daughters. The names of his sons were Scott L. Fry and Charles M. Fry. The wife of Mr. Charles M. Fry is named Mary A. Fry. Mr. Scott L. Fry is dead. He died after his father, but before his mother. I never heard of any will and as far as I know he died without a will. Mr. Scott L. Fry, at the time of his death, left him surviving his widow, Mrs. Mary V. Fry and two daughters and one son by a former wife. The daughters are married, their names are Jane Page, whose husband is Ernest Page, and Emily Shry, whose husband is Carroll Shry. These parties are all of age, but the boy, Edward Fry, is unmarried and is about 19 or 20 years of age. The 4 daughters of Mr. Edward F. Fry, with their husbands, are as follows: Mrs. Purdy B. Stunkle, whose husband's name is Frederick J. Stunkle; Mrs. Ollie May Carey, whose husband's name is Joseph H. Carey; Mrs. Nellie V. Ramsburg, whose husband's name is Walter Ramsburg; and Mrs. Addie C. Blessing, whose husband's name is Edward Blessing. These parties are all of age and reside in or near Point of Rocks, Frederick County, excepting Mrs. Mary V. Fry, the widow of Scott L. Fry. I understand that she is living in Virginia, near to the City of Washington.

I do not see how this land can be divided without loss or injury to the parties interested, but I think it is to their benefit and advantage that the land that the land be sold and the money divided. My reason for saying this is that it just seems impossible to divide the dwelling house into as many parts as there are parties interested, and I do not see how the other land can be divided."

To the general interrogatory: "Nothing further."

Signature of witness waived.

Charles M. Fry, witness of lawful age, one of the Complainants in this cause, having been first duly dworn, deposes and says:

"My name is Charles M. Fry. I am 53 years of age. I reside on a farm near to the village of Point of Rocks. I am a son of Edward F. Fry and Sarah E. Fry, and with my wife, Mary A. Fry, we are the complainants in this cause.

I now look at Exhibit No. 1, filed with the Bill, which is a certified copy of the last will and testament of my father, Edward F. Fry. My father named my brother, Scott L. Fry and myself his Executors. We qualified and were acting as Executors under the will until the death of my brother in October, 1936, shortly before the death of my mother. Since the death of my brother, I have been acting as Executor alone.

By the terms of my father's will, after the death of my mother, there are bequests of \$2,800.00. There is sufficient estate of my father's outside of this real estate to pay these bequests and also any costs of administration and funeral expenses, and any possible debts of my father. My father died owning the real estate which was conveyed to him by Exhibits 2 and 3 filed with the Bill, and also the 54 acres, 2 roods and 33 square perches of land reserved in the Carey deed, Exhibit No. 5, out of the Mercier farm which was conveyed to my father by