

Peter F. Shepley after being duly sworn ~~deposes~~ and says:-

I am one of the Complainants in this case and the son of James A. Frey, who died on the 16th day of December, 1922, intestate, leaving as his heirs at law the following: Edith W. Gardiner, whose husbands name is Franklin C. Gardiner, Mary Etta Creager, whose husbands name is John Creager, Ida B. Beard, daughter, whose husbands name is Frank C. Beard, myself, a son whose wifes name is Harriet Lillian Shepley, David R. Frey, a son, whose wifes name is Rose Frey, all of the above children are residents of Frederick County, Maryland. Richard R. Frey, a son, a resident of Chicago, State of Illinois, whose wifes name is Gurley E. Frey, a resident of Washington, District of Columbia, James L. Frey, a son, resident of Howard County, Maryland, James M. Creager and Melissa A. Creager, children of a deceased daughter, Annie Creager, residents of Washington County, Maryland, and Hazel C. Creager, an infant, daughter of Annie Creager, deceased, who was a daughter of James A. Frey and who resides in Washington County, Maryland.

That my father died without a Will, owning two tracts of land, situated in Frederick County, which two tracts are described in a Deed from Sallie M. Frey et al to James Frey and recorded in Liber J.L.J., No. 7, Folio 414, a certified copy of which is filed in this case, marked Exhibit, No. 1, which I now hold in my hand and which is one of the two pieces my father owned at his death, the other piece of property is described as Exhibit, No. 2, which I hold in my hand and is the same property conveyed in a Deed from George Gline and wife to James Frey and recorded in Liber A.F., No. 4, Folio 111.

That this land is so situated that it is not susceptible of partition or division among all of us children, without serious loss and damage and it would be to the best interest and advantage of all the parties that the same be sold at public sale and the proceeds divided according to what interest we have in it.

I think it ought to be sold as soon as possible before the