

## No. 4375 Equity

7th Sub. - Said real Estate is not susceptible of a advantageous division among the parties concerned, & cannot be divided without loss and injury to all parties interested, and it will be to the benefit and advantage of all the parties interested, that said Real Estate should be sold, and the proceeds thereof distributed amongst the parties entitled, for the reason that said real estate consists of only a small house and a lot of one and a fourth a cre of land, which, cannot possibly be divided among the parties interested, & because there is no body bound to make repairs, and to take care of said property, so far as I know

8th Sub. - It would rent, at the lowest estimate, for \$36 per annum

James Boye's  
Evidence

James Boye, a witness of lawful age, produced upon the part of the Complainants, being duly sworn and examined to Interrogatories filed with the Commission by the Complainants and herewith returned, deposes (and says, to the

1st Sub. - My name is James Boye, age about 3 (years) I am a laborer & reside in Centerville, Frederick County, Maryland

2nd Sub. - I know all the parties to this suit & have known them all for some years.

3d Sub. I was. She resided in Centerville Frederick County, Maryland, in the House now occupied by Henry Bryan & wife, for some years before her death. She was married at the time of her death. She died about five years ago, in Frederick County, Maryland. She was possessed of said House and Lot, she lived on at the time of her death. Her husband died some years before her decease, but she left a number of children.

4th Sub. - I look at Exhibit A now here shown me. It is.

5th Sub. - She left the following children and heirs at law, namely, Eliza, wife of Clement Rebecca, wife of Henry Bryan, Martha, wife of Augustus Brooks, Jane, deceased, since her mother's death, who was the wife of John Jones & who did leave a daughter Lora Jones, an infant under the age of twenty one years, William H. Jones, named in the Bill of Complaint, Henry Jones, and Jacobus Jones, all adults, and all residing in Frederick County, Maryland, except Martha Brooks and her husband, who reside in Baltimore City, Maryland.

6th Sub. - It has, by Henry Bryan and his wife, ever since the death of the said Letha Jones, who died about five years ago, without any agreement, or any payment of rent.

7th Sub. - It cannot be divided without loss and injury to the parties interested, and it would be to the advantage and benefit of all the parties interested, in fact as well as adults, that said real estate should be sold, and the proceeds thereof distributed among the parties entitled, because the property consists of a small house & a lot of one and a quarter acres of ground situated in Centerville, Frederick County, Md., which without a stint of division among the heirs & because there is no one to keep the property in repair and to take care of it.

8th Sub. - About \$36 a year.

9th Sub. - I have not received any, nor has any been paid to any her whetge

Eliza Boye, a witness of lawful age, produced upon the part of the Complainants, being duly sworn and examined to Interrogatories filed with the Com-