

No. 4506 Equity

a mass of land, of which about one hundred acres have been sold since his death. There are about two hundred acres left, which are worth about 50¢ per acre.

5th Sub. - I look at Exhibits Nos 4 & 5 now here shown me. It is. I also look at Exhibits Nos. 2 & 3 now here shown me, the real estate therein described, is that which was sold off since the death of the Thomas J. Marlow

6th Sub. - He left a widow named Mary Marlow, who died last May, in Frederick County, Maryland.

7th Sub. - He left two sisters, Margaret A. Marlow, and Ann R. Marlow. They are both dead. Margaret A. Marlow died about twenty-one or twenty-two years ago, and Ann R. Marlow died two years ago last April.

8th Sub. - He left eleven children surviving him, namely, Frazier Marlow, who died since the filing of the Bill of Complaint in this case, leaving a widow named Violetta Marlow, and the following children, namely, Thomas J. Marlow, adult, Sophia J., wife of William Wallace McElhenny; Elyza B. Marlow, Laura G. Marlow, Minnie Marlow, & Aurora M., wife of Charles G. Schorby, all adults except Minnie Marlow, who is an infant under the age of twenty-one years, and all residing in the State of Kansas, except Sophia J. McElhenny, who resides in Illinois; William Gilbert Marlow, a son, who died intestate, unmarried and without children, Francis Marlow a son, adult, married, whose wife's name is Emily Marlow, and living in Missouri; Leaco Marlow, a son, adult, married, whose wife's name is Mary Marlow and residing in Illinois, John Stone Marlow, a son, now deceased and intestate, who left a widow now named Elyza Stewart; and the following children namely, John William Henry Marlow; Thomas Mortimer Marlow, married, whose wife's name is Rosa Marlow, adult and residing in Missouri, Clarence Marlow James Albert Marlow, Edward J. Marlow, Mary Marlow and Juliette Marlow, all adults except Ed and E. Marlow, James A. Marlow, Mary Marlow, and Juliette Marlow, who are infants under twenty-one years of age, and all residing in Missouri; Margaret E. Marlow, a daughter, adult, and residing in Frederick County, Md., Sarah H., a daughter, wife of Samuel Clapham, adult, & residing in West Virginia, Thomas J. Marlow, a son, adult, married whose name is Mary Marlow, residing in Missouri; Mary Anna Marlow, a daughter, adult, and residing in Frederick County, Maryland; Robert G. Marlow, a son, adult, married whose wife's name is Mary G. Marlow, and residing in Missouri; and Frances L. Marlow, a daughter, adult, & residing in Frederick County, Md.

9th Sub. - Said real Estate is not susceptible of advantageous division amongst the parties interested, and it would be for the benefit and advantage of all the parties interested, infants as well as adults, that the said real estate should be sold, and the proceeds thereof distributed amongst the parties entitled, because it cannot be divided without great loss and injury, and if divided, the parcels would be too small for advantageous cultivation or sale, the said real estate being former land

10th Sub. - He died testate.

David G. Charlton, a witness of lawful age, produced upon the part of the Complainant, being duly sworn and examined to Interrogatories filed with the Commissioner by the Complainant, and here with returned, deposes and says, to the

11th Sub. - My name is David G. Charlton, aged about fifty years, and I reside in Frederick County, Md.

Testimony