

No 4653 Equity

Containing 140 A. 2 R. 32 P of Land, and being the same lands assigned to Mrs. Matilda Garrett, widow of Johnth Garrett deceased as and for her dower in the Lands of which her said husband died seized and possessed and which descended to the said John E. Garrett as son and one of the heirs at law of said John N. Garrett, the interest of the said John E. Garrett being one undivided half part thereof" A certified copy of which is herewith filed, marked Exhibit H. A.

That the said Matilda Garrett subsequently conveyed the same to Annie R. Garrett wife of the said John E. Garrett by deed bearing date the Thirtieth day of November in the year Eighteen Hundred and seventy six, a certified copy of which is herewith filed, marked Exhibit H. B.

That by virtue of the said last mentioned deed the said Annie R. Garrett has a fee simple to the one undivided half part of the lands assigned to the said Matilda Garrett as and for her dower aforesaid

That the said Matilda Garrett departed this life more or about the fourth day of December in the year Eighteen hundred and eighty. - That the said John E. Garrett, husband of the said Annie R. Garrett departed this life more or about the ninth day of April in the year Eighteen hundred and eighty, and the said Clara Crampton more or about the month of April in the year Eighteen hundred and seventy five leaving her husband the said Oscar P. Crampton and three children, all of whom are unmarried, as her heirs at law viz: John N. S. Crampton Martha M. Crampton your Complainants both adults, and Benjamin E. P. Crampton an infant under the age of twenty one years.

Your Complainants allege that said lands assigned to the said Matilda Garrett as and for her dower aforesaid, are not susceptible of a just and equitable partition and cannot be divided among the parties interested without loss, and injury and that it would be to the interest and advantage of all parties interested, infant as well as adults that the said lands in the proceedings mentioned (excepting thereout a few acres heretofore sold to the 1 Burkittsville Cemetery Company) be sold under a decree to be passed by your Honorable Court and the proceeds of the sale thereof divided among the parties interested according to their several and respective rights. To the end therefore that the defendants hereinafter named may answer the matters and things hereuntofore stated, the same as if they were again repeated and they were thereunto specially interrogated, and that the Lands in the proceedings mentioned may be sold under a decree of your Honorable Court, and the proceeds of sale be distributed among the parties interested according to their several interests, and that your Complainants may have such other and further relief as the nature and Equity of this case may require; May it please your Honor to grant unto your Complainants the writ of subpoena against Annie R. Garrett Oscar P. Crampton and Benjamin E. P. Crampton, all residents of Frederick County Maryland, commanding them to appear in this Court on some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed thereon, And as in duty bound I

Carlton Shaper
Sol. for Complainants

Filed December 29th 1880

Exhibit H. A.
Abstract of Land comprising that part of the 1 Burkitt Estate which was conveyed to John N. Garrett by Ezra Shifer wife by deed dated the 13th day of March 1847 for 45 acres more or less, and a part of that part of said Estate which was conveyed to the said John N. Garrett by George Bear trustee by deed dated the 8th day of May 1841 for 113 Acres. Beginning to include the said two parcels in one general outline at a stone formerly placed in the middle of the Public Road leading from 1 Burkittsville to Middletown at the end of 1 1/2 miles on a line drawn N 25 1/4 W from a stone standing at the North corner of the Dray-yard in Bur-