

# No. 4731 Equity

Lawrence L. Nielman  
and Mary C. Nielman his  
wife et al

James P. Cretin et al

No 4731 Equity  
In the Circuit Court for Frederick  
County, sitting as a Court of Equity  
September Term, 1881.

The object of this suit is to procure a decree for the sale of the Real Estate situated in Frederick County, Maryland of which James Cretin died seized, and possessed, and for the distribution of the proceeds of said sale among his heirs, at Law, and those entitled thereto according to their just proportions

The Bill of Complaint states that in the month of February in the year eighteen hundred and fifty seven, a certain James Cretin of Frederick County, Maryland died seized, and possessed of certain Real Estate situated in Frederick County, Maryland, described in Exhibits 1 & 2, to said Bill of Complaint, and also two rods and four perches of Mountain land purchased of William Rollas the deed for which has never been recorded, as required by law, but has been sown and occupied by the said deceased and his descendes for more than thirty years.

The Bill further states that the said James Cretin died testate, leaving a last Will and Testament duly probated and recorded in the office of the Register of Wills of Frederick County, and in which last Will and Testament his widow Mary Ann Cretin was named executrix thereof, a certified copy of which last Will and Testament is filed as Exhibit No 3, to said Bill.

The Bill further states that the said James Cretin left surviving him his above named widow Mary Ann Cretin, who is now dead, and the following named Children and grand children as his heirs at law

1st. The Complainant Mary C. Nielman, a daughter, at present the wife of Lawrence L. Nielman.

2nd. The Complainant John J. Cretin, a son, at present married to Emily C. Cretin.

3rd. The Complainants Mary J. Heery, and Agnes R. Heery, the Children and heirs at law of Ann E. Heery, a deceased daughter of the said James Cretin, who died since the death of her father, intestate, leaving a husband named Francis P. Heery who yet survives her

4th. James J. Cretin, a son

5th. Joseph A. Cretin, a son

6th. Agnes C. Cretin a daughter, who died intestate in 1860, without any children.

7th. Simon E. Cretin, a son who died intestate a short time after his father in 1857 without children, that all the above named parties are adults and live in Frederick County, Maryland with the exception of Francis P. Heery, Mary J. Heery and Agnes R. Heery, who live in Philadelphia, in the State of Pennsylvania, and James J. Cretin, who is a non-resident of the State of Maryland, and who last heard from resided in the State of Michigan

The Bill further states and charges, that by said last Will and Testament the said James Cretin deceased, devised and bequeathed to his said widow Mary Ann Cretin for and during her natural life, all her estate, real, personal and mixed and after her death to be equally divided among his above mentioned children, that the said Mary Ann Cretin was authorized, and empowered, as Executrix thereof, by said last Will, and testament to sell said estate if she should see proper, and to enjoy the interest of the proceeds of such sale during her natural life, and that after

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