

No. 5000 Equity

11th Ans. Said real estate will not admit of division among the parties in interest without loss and injury thereto, and it would be to the interest and advantage of all the parties infants as well as adults, to have the same sold and the proceeds divided among them in proportion to their interests, because it would sell to a better advantage as a whole than to have it divided into such small parcels as would be necessary, and besides there is no one specially to look after the infants' interest in the premises

To the 12th Inter

12th Ans. I know of nothing further

Signed

John T. Lowe

Mortimer P. Trayer, (one of the Plaintiffs) a witness of lawful age produced on the part of the Plaintiffs being duly sworn and examined to Interrogatories filed with the Examiners and herewith returned deposes and says as follows:

To the 1st Interrogatory

1st Ans. I know the parties to this suit and have known them for some years

To the 2nd Inter

2nd Ans. I knew Jacob Trayer, he was my father, he is dead, he died in New Market in Frederick County in June 1869

To the 4th Inter

3rd Ans. He left a will

To the 4th Inter

4th Ans. I knew Sarah Trayer, she was my mother and the Executrix of said will she died in New Market in June 1884

To the 5th Inter

5th Ans. She died Intestate

To the 6th Inter

6th Ans. Jacob Trayer died seized and possessed of real estate, it was in three parcels and about 17½ acres in all. My mother in her lifetime as Executrix sold off after my father's death about four acres to Joseph Hodeworth and at her death there was remaining one parcel of about 13 acres situated just South of New Market on the Leaker road and a "back lot" in the town of New Market known as No. 102. I look at Exhibits Nos. 2, 3 & 4. The land therein described is that of which my father died seized and possessed with the exception of that which my father had conveyed and sold off in his lifetime and that which mother sold as his Executrix after his death

To the 7th Inter

7th Ans. He left the following children viz:

- (1) William H. Trayer who is married to Marretta his wife
- (2) Eliza Swomley now the wife of Daniel Swomley
- (3) Thomas C. Trayer married to Henrietta Trayer his wife
- (4) Martha F. Trayer now the wife of Grafton Hammond
- (5) Jacob V. Trayer who was married to Virginia his wife
- (6) Henrietta P. Trayer, unmarried
- (7) George M. Trayer married Maggie his wife
- (8) Susan Emma Trayer now the wife of John T. Smith
- (9) Mortimer P. Trayer (present witness) married to Anna his wife
- (10) Laura V. Trayer now the wife of Oscar O. Bellman

All of these children are adults, William H. and Thomas C. live in Pennsylvania Mr & Mrs Bellman live in Washington County and the rest live in Frederick