

No 5125 Equity

5th Ans. - I look at Exhibits A, B, C, D, E, F, now shown me, Exhibit A, describes, the property situated on the East side of the public street, of Creagerstown, Exhibit E, describes, the other tract property, on the west side of said public street in Creagerstown. Exhibit C & B, describe, the land lying near Creagerstown. The other tract of land is all that land described in Exhibit D, except what was conveyed to John Putman by Exhibit F, consisting of the same parcel, therein described. There has been a right of way used, over the Putman land from the 47 acre tract to the Creagerstown and Frederick road.

To the 6th Inter. 6th Ans. Jacob McDonnell left the following children and heirs at law viz:-

(1) a widow, named Mary A. McDonnell, aged between 55 & 60 years.

(2) A daughter Elizabeth J. Jackson, wife of Thomas M. Jackson, who has signed his name to his answer, Harmon J. Jackson.

(3) A Son Jacob V. McDonnell (the present witness) whose wife name is

Clara V. McDonnell. (4) A daughter Eliza F. McDonnell (5) Mary

Wiles, the daughter of Sara Jane Wiles who was a daughter of the

intestate and wife of George P. Wiles. Said Sara J. dying intestate

in the lifetime of her father leaving the said Mary C. Wiles, and

an infant of a few days age surviving her, the said infant dying

a few days thereafter. The said Sara Jane and the infant both died

in 1870. All of the foregoing parties are over twenty-one years of age

except Eliza F. McDonnell, and Mary C. Wiles, and all of them reside

in Frederick County.

To the 7th Inter. 7th Ans. It is not capable of being divided.

It will be to the advantage of all the parties, infants as well as

adult, to have the said land sold, and the proceeds divided

because the lands lie in four separate parcels of greatly unequal

values, and by no means of division could those values be equalized

as the parcels lie separately from each other.

To the 8th Inter. by the Examiner.

Ans. I don't know, that I know of anything.

Jacob V. McDonnell.

Henry J. Krise, a witness of lawful age produced, on the part of

the Plaintiff being duly sworn, and Examined to Interrogatories

filed with the Examiner and herewith filed, returned, deposes and

says:

To the 1st Interrogatory, 1st Ans. I know all the parties to

this suit except Mary C. Wiles, and have known them for some years.

To the 2nd Inter 2nd Ans. I knew Jacob McDonnell. He died

in the latter part of October 1876.

To the 3rd Inter. 3rd Ans. He left no will, to my knowledge.

To the 4th Inter. 4th Ans. He left two properties, in Creagerstown, and

a parcel of land lying near Creagerstown containing about 46 or

47 acres lying along Hunting Creek in Frederick County. One

of the Creagerstown properties by a dwelling house and stable,

the other also improved by a dwelling house, and stable. The

other properties have no improvements excepting the 47 acres

Testimony

Report of Sale