

No. 7763 Equity

Warren R. Smith. We are all adults. Thus he also left Grover to Smith Edgar T. Smith, Harry J. Smith. Kitcher Smith the latter four children are infants and reside in Frederick County, Maryland.

Now that I have signed together with myself, all the heirs at law that survive my father Theodore Smith - I am the administrator of my father's personal property, and have sold the personal property as such. Said sales amounted to a little over \$500 - In addition to this amount, the crops will aggregate about \$700 - personal estate left by my father - I mean the entire personal estate including the crops, will amount to \$700 - my father owed at the time of his death about \$1000 - in debts, there isn't enough personal property to pay the debts - my father died seized and possessed, of the following real estate - Exhibit No. 1, I look at, and I think it correctly describes, the home place which contains about 1050 acres of clear land and the balance is in heavy original timber aggregating about 81 acres of land, more or less, and it is worth about Three Thousand Dollars -

I also look at Exhibit No. 2 - he died seized and possessed of this tract also, it is a Certified Copy of a deed to my father from Henrietta B. Lease & Samuel T. Lease - Surviving Exors. of Joseph B. Lease - It purports to convey to my father Theodore Smith two tracts of land, the first tract contains 132 acres of land, more or less, and the second tract named therein contains 20 acres of land, more or less, this is timbered land and is worth about \$800 per acre.

I look at Exhibit No. 3, it is a Certified Copy of a deed from Bernard Lewis to my father, this tract of land is arable land improved by a house and outbuildings, and contains about 9 acres, and 21 perches and is worth about \$3500, all the above land is situated in Frederick County, Maryland -

It is not susceptible of division amongst the parties entitled to interests therein, without great loss, and injury to their interest and in my opinion it would be of interest and to the advantage of all the parties entitled to interest therein and especially the infant heirs that the property, all the real estate that my father died seized and possessed be divided amongst the parties entitled thereto -

The fact that the personal property is insufficient to pay the debts, some of the real estate would have to be sold to pay them any way -