

right in my judgment it would not bring over \$1,000.00. Of course it could not be divided among the parties without loss and injury thereto, because it is just one piece of town property. The real estate in these proceedings consists of a lot 50 by 150 feet on which is situated a frame dwelling house with 7 rooms and therefor it could not be divided without loss and injury. The same was used as a residence by Mr. Kelly and his wife and family and in my judgment it is to the best interest of all the parties to have the same sold. TO THE GEN. INT!-Nothing further.

Samuel E. Thomas.

ROBERT DAWSON, a witness of lawful age produced on the part of the plaintiffs, having first been duly sworn and examined deposes and says!-

My name is Robert Dawson. I am 34 years of age. I reside in Brunswick, Maryland, where I have lived for the past 6 years. I know the property mentioned in these proceedings very well. I live in the immediate neighborhood about 300 yards from the property mentioned. I think the value of said property is about \$2500.00, and that it would bring the same at public sale if sold clear of Mrs. Carey's, formerly Mrs. Kelly, dower right, however if sold subject to her dower right in my judgment the property would not bring over \$1,000.00. Of course it cannot be divided among the parties in interest without loss and injury, because it is just one piece of property, consisting of a frame dwelling house and lot. In my judgment it would be to the best interest of the parties for the same to be sold. TO THE GEN. INT!- Nothing further.

Robert Dawson.

LOUISE A. CAREY, formerly Louise A. Kelly, surviving widow of John A. Kelly, deceased, one of the defendants having first been duly sworn and examined, deposes and says!-

My name is Louise A. Carey. I was formerly Louise A. Kelly and I am the surviving widow of the late John A. Kelly, the decedent mentioned in these proceedings. Mr. Kelly and I were married the 28th day of November, 1901, and we lived together until his death August 17th 1914, by our marriage we had three children, the names of whom are John S. Kelly, 13 years, Malinda R. Kelly, 10 years, and William G. Kelly, 4 years, all of whom are now living with me in our home in Brunswick, Maryland. The above named children and myself are the only heirs at law of my late husband, the said John A. Kelly. I married John A. Carey my present husband on February 22nd, 1916, I now look at the paper handed me marked Exhibit No. 1, it is a certified copy of a deed from the Real Estate and Improvement Company of Baltimore City to Louise A. Kelly and John S. Kelly, Malinda R. Kelly and William G. Kelly for the real estate mentioned in these proceedings, bearing date the 25th day of September, 1914, and being duly recorded among the land records of Frederick County. Exhibit No. 1 is herewith filed and offered in evidence. The lot of ground described in this deed was purchased by my late husband, John A. Kelly, in his lifetime through an agreement of purchase executed between him and the Real Estate and Improvement Company of Baltimore City, and upon which at the time of his death he had paid in part payment of the purchase price the sum of \$275.81, leaving unpaid the sum of \$1172.19, which was paid by me as shown by the recital in Exhibit No. 1. I not only have an absolute interest in this property to the extent of an undivided 75 and 7/10 % interest, but I also have my dower right in the property as the surviving widow of the said John A. Kelly, as appears by recitals in said Exhibit No. 1. I am well acquainted with the property mentioned in these proceedings. It is located on the West side of what is known as 9th Street, New York Hill, in Brunswick, Frederick County, Maryland. Exhibit No. 1 contains the correct description of the property. The property consists of a lot and two story frame dwelling house with 7 rooms. As stated in my answer I hereby reserve my dower right in the property and do not consent to the sale of the same free of my dower right.

TO THE GEN. INT!- NOTHING FURTHER.

Louise A. Carey formerly Louise A. Kelly.