

No. 8876. Equity.

a widow who is still living, who is 45 years of age, and seven children.

Viz- A son J. Howard Creager, who is married whose wife's name is E. Mabel Creager, a daughter Lettie E. who is married, whose husbands name is Carl E. Gall, all of whom are adults, over 21 years of age, and reside in Frederick County, Maryland, a son Lee M. Creager unmarried, who is an adult and resides in Baltimore. county. Maryland, also the following named children, all of whom are infants and reside with their mother, in Thurmont Maryland;

Viz- Edward C. Creager, Roy Creager, John M. Creager, and Margaret C. Creager. all of whom are unmarried,

At the time of his death the said J. Wesley Creager was seized and possessed, of the real estate described in this cause, and which tracts and parcels of land, are described by Exhibits now shown, no. running and numbered, from 1 to 51, inclusive, and filed in this cause, excepting therefrom several pieces, of land that are known to have been sold, off, in his lifetime, by the Exhibits filed and numbered by number, and letters.-

The said real estate consists of several farms, the principal farm being at Sabillasville, Frederick County, and another farm of 100 acres in creagerstem district, the first mentioned contains about 200 acres the other farm of about 20 acres, these three tracts are worth about in the aggregate \$10,000.

Then there are a number of tracts of Mountain land, situated in Frederick county Maryland. some of this is worth something and some are not of much value,

I should estimate the whole of the Mountain Land Both in Frederick And Washing- to County. worth about Three to \$5000. this real estate is not susceptible of division. an agst the parties of interest without loss and damage, and it would be to the interest and advantage of all the parties, to have all this real estd sold. and the proceeds div ded amongst the parties entitled, It would be to interest and advantage to the Infants as there is no one to look after their undivided interests in this land. and there is no way by which any one is auth- ized to keep the farms. in repair, which is necessary to be done from time to time. and there has bee no reparis, made to these farms for more than two years and they are necessarily depreciating in value, the properties are of different sizes, and values and it would be impossible in proposition, to divide the land among the heirs without loss and injury, to their interests,

There are two lots in thurmont Maryland, belonging to his estate. and these lots are worth about \$150,--a piece, or three hundred for both,

To Gen Interrogatory
Nothing More.

M. J. Creager.

J. Howard Creager. a witness of lawful age, one of the Plaintiffs, having been duly Sworn. deposes and says,--

My name is J. Howard Creager, I am 28 years of age, I reside in Thurmont Frederick County, Maryland, I know all the Parties to this cause, I am one of the Plaintiffs, my father J. Wesley Creager died April 7th, 1912. intestate and left surviving him my mother his widow, Effie D. Creager, who at the time of father's death was 43 years of age, and the following Children. Viz- I am the eldest, my wife's name is E. Mabel Creager, and a Daughter Lettie E. Gall. whose husbands names is Carl S. Gall. all of us are over 21 years of age and live in Frederick County, Md. and a son Lee M. Creager, unmarried, and his lives in Baltimore. county, Md. and he is over 21 years,
And the following infants, Children Viz- Edwin C. Creager aged about 20 years Roy Creager aged about 18 years, John M. Creager aged about 16 years, Margaret P. Creager aged about 3 years, none of the above are married all live with my Mother, in Thurmont this County.

I look at Exhibits filed in this case AND they correctly describe the real estate, of which my Father died seized and possessed, Excepting the lots described in , excepting the lots my Father sold to me in April 1907, these lots are described in Exhibit No. 51, for the sum of \$400,00, I think he paid