Susan L.Rager	"	No.10512 Equity,In the
	"	
Vs.	"	Circuit Court for Frederick
	"	
	"	County Sitting as a
Earl Boyer and	"	
Ira Boyer	"	Court of Equity.

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It appearing to the Court from the proceedings in this case that the Order of Publication heretofore passed herein has been published as required therein,as is shown by the Printer's Certificate filed herewith,and that the non-resident defendants have not appeared in accordance with the Equity Rules and that the time for their appearance has expired and and that they are in default for non appearing.

It is thereupon this 24th day of June 1922 by the Circuit Court for Frederick County sitting as a Court of Equity and by autherity thereof adjudged,ordered and decreed that the plaintiff is entitled to relief in the premises and the allegations of the bill of complaint are hereby taken as confessed,but because it does not certainly appear to what relief the plaintiff is entitled leave is hereby granted to plaintiff to take testimony before one of the standing Examiners of this Court.

(Filed June 24,1922) Glenn H.Worthington.

T E S T I M O N Y.

Susan L.Rager	"	No.10512 Equity
	"	
Vs.	"	In the Circuit Court for
	"	
Earl Boyer and	"	Frederick County,In Equity.
Ira Boyer.	"	

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To the Honorable. the Judges of said Court an Order of the Court and;

In pursuance of an Order of the Court and notice from its Solicitor for the Plaintiff,I,Albert S.Brown,one of the Standing Examiners of your Honorable Court,did on the 28th day of June A.D.1922 at the Law office of the Examiner in the City of Frederick and State of Maryland,at the hour of 3.30 O'clock P.M.proceeded to take the following depositions of the Witnesses in this cause then and there proceeded before me,ex-parte,that is to say; -

Present;- Mr.Samuel A.Lewis
Solicitor for Plaintiff. No appearance for Defendants.

Exhibits No.1 to the Bill is filed as evidence and is so marked.

Mrs.Susan L.Rager,a witness of lawful age produced on the part of the Plaintiff being first duly sworn and examined viva voce deposed and says as follows;-

My Name is Susan L.Rager,I am 67 years of age and I reside at Hoods Mills Carroll County,Maryland I am the Plaintiff in this case,I was also a Tenant in common in certain real estate situate,lying and being in Frederick County,Maryland,which is correctly described in Exhibit No 1.This property my sister Catherine P.Boyer and myself owned as Tenants in Common,in my sisters lifetime we sold off,from time portions of this land,as will appear by the allegation of the bill,until at the time of my sisters decease in January 1922,all of it had been disposed of but 7 or 8 acres,this land is improved by a 2 story frame dwelling house and outbuildings and is worth about $700.00 or $800.00. My sister Catherine P.Boyer died intestate and her heirs at law are myself and 2 sons of a deceased brother Caleb M.Boyer,These sons of my brother Caleb are adults and live in the far West.when we heard from them last more than 3 years ago,they were living in Washington State; but I dont know their Post Office address,I know that one of these boys married but I dont know his wifes name,my sister left no personal estate,I paid $25.00 for my sisters funeral,heres Mr. Rice's receipt for it (filed as evidence and marked Exhibit "A") I also paid $59.00 on a mortgage of my sisters (filed as evidence and marked Exhibit "B") and there is yet due Mr.Rice $41.50 on her funeral expenses,Catherine P.Boyer was never married and had no children,This property is not capable of being divided without loss and injury and it will be to the best interest and advantage of all concernedd to sell it and divide the proceeds of sale amongst those entitled I dont live