No 4409 Equity

To 6th Int.— The land of David Wolf Jr could not be divided among those interested without great loss and injury It is too small a tract to divide into so many parcels It would be divided up into so many small tracts that they could not be sold or held and cultivated to advantage. Besides there is but one set of buildings on the Land.

To 7th Int.— It would be to the interest and advantage of all the heirs infants as well as adults to sell the said land & divide the proceeds among those entitled It is desirable to sell it so that each one can get his share of the proceeds. The repairs are not well kept up, and if held and rented out it will still further deteriorate

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Peter Hauver's Testimony

Peter Hauver, a witness of lawful age produced on the part of the Complainants being duly sworn and examined to Interrogatories filed with the Commission by the Complainants and herewith returned deposes and says

To 1st.— I know the parties to this suit and have known them for some time.

To 2d Int.— I was acquainted with David Wolf Jr. late of Frederick County in his lifetime He is dead. He died in Ferville in Frederick County Maryland about A D. 1860

To 3d Int.— David Wolf Jr. was seized and possessed of Real Estate at the time of his death A farm and a mountain lot. I look at papers now shown me marked Exhibits Nos 1, 2, 3 and 4. Exhibits Nos 1 and 4 contain a correct description of the land owned by David Wolf Jr He sold in his life time the land described in Exhibits Nos. 2 and 3. which was part of the land conveyed to him by the Deed of which Exhibit No 1 is a copy The balance of the land in Exhibit No 1 and all the land described in Exhibit No. 4 which is a mountain lot, David Wolf Jr. died seized, and possessed of. I know all the land

To 4th Int.— David Wolf Jr left a widow surviving at the time of his death Her name is Catharine Wolf. She resides in Frederick County on the farm She is over sixty years of age and in good health.

To 5th Int.— David Wolf Jr. left children and descendants surviving him, as follows. He left a daughter Celia A. Catharine now the wife of John W Haynes They are adults and reside in Frederick County State of Maryland A daughter Maranda now the wife of James Gordon They are adults and reside in the State of Ohio A son Bradley Wolf who is an adult unmarried and was at the time of filing this Bill a resident of Frederick County State of Maryland, but is now a resident of the State of Indiana. A daughter Hester E. Wolf who is an adult unmarried and resides in Frederick County in the State of Maryland A daughter Adeline V Wolf She is an infant unmarried and resides in Frederick County Maryland A son Amos A. Wolf who is married, and the name of whose wife is Mary Wolf. They are adults, and reside in Frederick County State of Maryland. A daughter Susan A. Elizabeth now the wife of James C. Easterday. They are adults and reside in the State of Kansas. A son George W Wolf who is married, and the name of whose wife is Sophia Wolf. They are adults, and reside in the State of Indiana. He also left a son David S. Wolf who died about November A. D. 1877 leaving a widow Agnes Wolf who is an adult surviving him, and two children Albert Wolf and Emma J. Wolf both of whom are infants. The said Agnes and her two children reside in the State of Arkansas

He left also a son Richard H. Wolf who died intestate during the year A. D. 1877, leaving a widow Elizabeth Wolf who is an adult living in Baltimore city, and a son Charles Wolf who is an infant and resides in Frederick County Maryland

To 6th Int.— The land of David Wolf Jr could not be divided among those interested without loss and injury. There is but one set of buildings in the farm, and to divide it up into so many small tracts it would not be sold or held and cultivated without loss.

To 7th Int.— It would be to the interest and advantage of the parties interested infants as well as adults to sell the said land and divide the proceeds May reasons are that it is desirable