

# No. 4868 Equity.

6th Int. - Did said John Wilson die seized and possessed of any Real Estate? If yes, look at "Exhibits Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10," filed with the Bill of Complaint, and state whether they describe it, of what does it consist, where is it situated and what is its value?

6th Ans. - He died seized and possessed of Real Estate. I look at "Exhibits Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10," now shown me. They do describe the Real estate of which he died seized and possessed, less that described in Exhibit No. 10 which was sold off of "Exhibit No. 9." It consists of town Lots and houses and is situated in Frederick City, Frederick County, Maryland, and its value is about \$20,000.<sup>00</sup>

7th Int. - Is said Real estate susceptible of division among those entitled without great loss and damage and would it be to the interest and advantage of all the parties interested therein and especially the infants to have the same sold, and the proceeds thereof divided among them according to their interest? State your reasons for your answer.

7th Ans. - Said real estate is not susceptible of such division. I think it would be to the interest and advantage of all parties, infants as well as adults, to have said Real estate sold, and the proceeds divided. There is such a difference in the values of the different pieces of property that it could not be fairly divided among the parties and in renting it, it would of course go down in value and improvements very much by the time the infants would become of age.

8th Int. - Would it be to the interest and advantage of all said parties to have the same sold forthwith? If yes, state your reasons therefor.

8th Ans. - It would; for the reason that the largest and most valuable piece of said property which is rented to a number of tenants has been set on fire several times in the past two years, and the Insurance Companies refuse to insure it and it is not now insured, and the longer it remains in that condition there is danger of loss to the heirs. As to all of the property it being of the kind which is rented, it will sell to a better advantage before the first of April, 1883, than after that time, that being the general renting season for such property. Some of the houses are desirable dwellings and persons in want of homes would be more likely to buy, and to give better prices before that date than afterwards. I know that by being asked by two persons this morning if the properties would be sold before the first of April next.

Whereupon there being no other witnesses to be examined and no further time being required for the production of evidence, the Commissioner closed the said Commission, and herewith returns the same under his hand and seal, this thirteenth day of February, A. D. 1883.

Clayton O. Needy  
Commissioner.