

No. 6483 Equity.
 Charles C. Wacker.

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Alice Ann Wacker, Annie
 E. Wacker, infant, Henry Roy
 Wacker, infant, Marnie P. Wacker,
 infant, Alice M. Wacker, infant
 Lavina B. Wacker, mortgagee
 and The Frederick Loan Savings
 Institution, Mortgagee.

No. 6483 Equity.

In the Circuit Court for Frederick
 County, Maryland, sitting in Equity.

To the Honorable, the Judges of the Circuit Court for Frederick County, Maryland, sitting
 as a Court of Equity: -

Your Orator, Complaining, says: -

1. That he is an adult over 21 years of age and a resident of Frederick County, Maryland.
2. That he is a son of Edmund P. Wacker, who died residing in Frederick County, Maryland, on the date March 14th, 1895, leaving surviving him a widow, Alice Ann Wacker, and your Orator and the following Children in his heirs at Law, viz: - Annie E. Wacker who is about 13 years of age, Henry Roy Wacker who is about 10 years of age, Marnie P. Wacker who is about 7 years of age and Alice M. Wacker who is about 5 years of age.
3. That the said Edmund P. Wacker died intestate, and at the time of his death was seized and possessed of a lot or parcel of land (situated, lying and being in Lincoln District in Frederick County, Maryland, containing about 16 acres of land, as described in the deed from Lavina B. Wacker et al. to Edmund P. Wacker dated March 27th in the year 1884, and recorded in Liber W.D.P. No. 1 folios 272 etc, one of the Land Records of Frederick County, Maryland, a Certified Copy of which said Deed is past herewith as a part hereof marked "Exhibit A".
4. That on the date April 9th 1886, the said Edmund P. Wacker and Alice A. Wacker, his wife, executed a mortgage on said Real Estate to the Frederick Loan Savings Institution, Mortgagee, securing the payment of a promissory Note in amount \$570.00 which said mortgage note is yet due and unpaid but with interest paid to the date March 27th 1896 which mortgage is now a first lien on said real Estate, a Certified Copy of which said mortgage as recorded in Liber W.D.P. No. 2 folio 577 one of the Land Records of Frederick Co., Md, is herewith filed as a part hereof marked "Exhibit B".
5. That on the date October 20th, 1886, the said Edmund P. Wacker and Alice A. Wacker, his wife, executed a mortgage unto Lavina B. Wacker, the defendant, as mortgagee, to secure the payment of a promissory note in amount \$475.00 which said note is yet due and unpaid without interest and which said mortgage is at this date a second lien on said real Estate, a Certified Copy of which said mortgage as recorded in Liber W.D.P. No. 3 folio 252 is herewith filed as a part hereof marked "Exhibit C".
6. That the said widow, Alice A. Wacker is about 49 years of age
7. That said real Estate is not susceptible of division or partition