

No. 6483. Equity.

The property is worth about \$1600, or \$1700-
The said real Estate is not susceptible of division among the parties without loss or injury thereto, and besides it is subject to two mortgages the first to the Frederick town Savings Institution for \$500, and the other to Lavinia B. A. Wacker for \$475.

I think it would be to the interest of all the parties to have the property sold and the proceeds divided among them.
In the Sen. Int. by the Exam.
Ans I know of nothing further.
Clarence C. Wacker.

Alice A. Wacker a witness of lawful age produced on the part of the plaintiff being duly sworn and examined vis a vis deposes and says as follows:-
My name is Alice A. Wacker, my age 39 years in April next, I reside in Frederick County and know all the parties to this suit.

I knew Edmund P. Wacker, he was my husband, he is dead; he died on March 4, 1875 and left no will.

He left the following widow and children as his only heirs at law viz:-
Alice A. Wacker, his widow (the present witness) and the following children viz:-

- Clarence C. Wacker who is now over 21 years of age
- Annier C. Wacker,
- Henry Roy Wacker,
- Mamie P. Wacker, and
- Alice M. Wacker, the last named four of whom are all infants under 21 years of age and all of said parties reside in Frederick County, Maryland.

I know the real estate of which my (now) husband died seized and possessed. It consists of about 16 acres with improvements situated in District in Frederick County and is fully described in Exhibit A. now shown me. The property is worth about \$1700.

The property can not be divided among the parties without loss and injury thereto; I think it would be to the advantage of all the parties to have it sold and the proceeds divided; because there are two mortgages and it and other debts besides, amounting to about \$1000. The one mortgage is to the Savings Institution for \$500, and the other to Lavinia B. A. Wacker for \$475.

In the Sen. Int. by the Exam -
Ans I do not,
Alice A. ^{her} X Wacker
_{mark}

Test. G. O. Keevy.

Lavinia B. A. Wacker a witness of lawful age produced on the part of the Plaintiff being duly sworn and examined vis a vis deposes and says as follows:-
My name is Lavinia B. A. Wacker, I am one of the defendants named in this case and a sister of Edmund P. Wacker, decd, my brother executed to me the note herewith filed marked "Exhibit C, P." and gave me a mortgage to secure the same. The understanding between us was that there was to be no interest paid on the mortgage but that I was to have a home and my brother instead of interest, which home I have had and live with his family up to this time, I look at Exhibit C and that is a copy of