

the above entitled cause, I Albert S. Brown, one of the standing Examiners of your Honorable Court duly appointed Qualified and sworn, did on the 8th day of July A.D. 1904 at the law offices of Messrs. Reag, Reich and Newman in the City of Frederick and State of Maryland, preceed to take the following depositions at the hour of 2.30 o'clock, P. M. of that day.

Present--Mr. John S. Newman, Solicitor for the Plaintiff.

Exhibits Nos. 1 and 2 to the bill filed with the Examiner as evidence and are so marked.

J. T. Brantner T. Brantner, a witness of lawful age produced on the part of the Plaintiff being first duly sworn deposes and says as follows--being examined viva voce--

My name is Tasker T. Brantner, I am 55 years of age and reside in Brunswick, this County, I knew Charles F. Seeberger in his life time, he died in January 1900 intestate seized and possessed of a house and lot in Brunswick, I look at exhibit No. 1 and it correctly describes said property, his wife died a couple of years before he did and left six children, all infants, to wit--Carl F., Grever C., Albert S., Julia P., William and Viola C.; of these six children Carl F. died in June 1903 unmarried and without issue aged about 14 years, Viola C. is a resident of Baltimore City, this state & the other four are residents of the State of Illinois, the said real estate consists of a lot improved by a dwelling and cannot be divided among the parties without less and injury and it would be to the interest and advantage of said infants that the property should be sold, the income from it is very small and the condition of the property now is such that it requires constant repairs; built on a hill every time it rains some work must be done on it and all the income from the property must be used for taxes and repairs. In my opinion \$1000.00 would be a good price for it.

To the General Interrogatory, Nothing More.

J. T. Brantner.

George Dalwicks witness of lawful age produced on the part of the Plaintiff being first duly sworn deposes and says as follows--being examined viva voce.

My name is George Dalwicks, I am 50 years of age and reside in Brunswick this county I knew Charles F. Seeberger in his lifetime, he died in January 1900, intestate, he was seized and possessed at the time of his death of a house and lot of ground in Brunswick, and Ex. No. 1, filed in this cause correctly describes it, Seeberger's wife died about a year before he did. They left surviving him six children, all infants under 22 years of age, to wit--Carl F., Grever C., Albert S., Julia P., William and Viola C., all of these children are residents of the State except Viola C., who lives in Baltimore Maryland. The son Carl is now deceased, he died in June 1903 aged 14 years & left no issue.

The said real estate is not capable of being divided amongst all the parties in interest without less and injury and it would be to their interest and advantage that the same be sold under a decree of the Court. It is located on a hill side and with each heavy rain needs some repair and looking after, the income is small and hardly sufficient for these repairs and taxes & costs of looking after it. It is worth about \$1,000.00.

To the general interrogatory, nothing more.

G. W. Dalwick.

William Schnuffer a witness of lawful age produced on the part of the Plaintiff being first duly sworn deposes and says as follows--being examined viva voce.

My name is William Schnuffer and reside in Brunswick, this county, I knew Chas. F. Seeberger in his lifetime, he died in January 1900, they had six children liv-