

en, to wit:- Maud Marker, whose husbands name is George W. Marker, both of whom are adults and reside in the State of Ohio, Marion C. Marker whose wife's name is Lucy Marker, both of whom are adults and reside in Baltimore City, Md. Harry C. Marker an adult son, who is unmarried and reside in the State of Arizona, Franklin H. Marker, whose wifes name is Fannie Marker, both adults and reside in the State of Ohio, and Jennie C. Marker Biser whose husbands name is Charles Biser both are adults and reside in Washington County, Maryland Luli I. Shepley whose husbands name is Edgar M. Shepley, both of whom are adults residing in Frederick County, Maryland, Calmeda V. Palmer, whose husbands name is Russell M. Palmer, both adults and residing in Frederick County, Maryland, George R. Marker an infant unmarried Ernest A. Marker infant unmarried and is in the State of Ohio, Clara R. Marker, infant unmarried and resides Frederick County, Md., Lottie V. Marker infant unmarried and resides in Frederick County, Maryland- This land is not susceptible of division among the parties entitled to their respective interests in said property, because the land described in the Exhibits consists of three small farms and one tract has the Mansion house barn and other buildings and one tract just a stable on it and the other tract just a barn on it and there are two mountain tracts of land separate from each other and from the farm. It would be to the best interest and advantage of all the parties to this cause to have this land all sold and the proceeds thereof divided accordingly to their respective interests therein. It would be especially to the benefit to the infant heirs- The farming land consists of about 100 acres three tracts and that is worth about \$75.00 per acre- The two mountain lots are separated from each other and the farm land and are worth about \$3.00 per acre-

To the Gen. Int.- Ans.--No sir.-

Marion C. Marker.

John W. Warrenfeltz, a witness of lawful age, produced on the part of the plaintiffs having first been duly sworn deposes and says.- My name is John W. Warrenfeltz, I am 51 years of age and reside in Catoctin District, Frederick County, Md. I know all the parties to this suit and I have heard the testimony of Marion C. Marker given in this case and he has correctly described them ^{named} and would them and there husbands and wives and their places of residence - I knew George W. Marker in his lifetime, he died intestate on July 14th, 1917, seized and possessed of the lands described in Exhibits Nos. 1, 2, 3, 4 filed in this cause and I know the lands mentioned in them and they in my judgment correctly describe the said lands.- These lands consists of a farm of about 100 and then the two mountain lots separated from the farm and from each other. The lands constituting the farm are worth about \$75.00 per acre and the wood lots about \$2.50. The lands mentioned and described in the exhibits 1, 2, 3, 4, cannot be divided among the parties entitled to interest therein without great loss injury and damage to their respective interests therein and it would be to the best interest and advantage of all the parties to this cause especially the infant children to have all this land sold by a decree of the Court and the proceeds thereof divided among the parties interested therein. To the Gen. Int.-

Answer - No Sir.-

John W. Warrenfeltz.

Elizabeth A. Marker, a witness of lawful age, produced in the part of the plaintiffs having first been duly sworn deposes and says:-

My name is Elizabeth A. Marker I am 52 years of age and I am the widow of George W. Marker, deceased. The heirs at law left by my husband are all mentioned in the testimony previously given by my son Marion C. Marker-- My husband died without a will.- It would be to the best interest of all the parties that all of this land be sold and the proceeds be divided among the parties according to their respective interests. I hereby consent that a decree may be passed for a sale of said lands mentioned in Exhibits Nos. 1, 2, 3 and 4 clear and free of dower interest therein and agree to take in lieu thereof the amount of money in cash of the proceeds of sale as the laws of Maryland allow me-

To Gen. Int Ans-No Sir.--

Elizabeth A. Marker.

No other witnesses being named or produced before me and no further time being required for the taking of further testimony in said cause, I there at the request of the Solicitor for the Complainants caused the depositions so taken by me and now return the same to your Honorable Court this 24th day of November 1917 at the City of Frederick, State of Maryland.