

Martin L. Wachter, a witness of lawful age, produced on the part of the Plaintiffs, being first duly sworn and examined viva voce, deposes and says as follows:-

My name is Martin L. Wachter, I am forty years of age, and I reside near Charlesville, in Frederick County, State of Maryland. I am the same Martin L. Wachter who previously testified in this case as a witness for the Plaintiffs, and I re-affirm my former testimony as being correct.

In addition to the land mentioned in the original bill of complaint, being a farm of about 100 Acres of land between Hansonville and Lewistown, Mr. John W. Miller deceased was the owner in his lifetime and at the time of his death of two parcels of mountain land also located in Frederick County, which are correctly described in Exhibits "B" and "C" to the supplemental bill of complaint filed in this cause, said Exhibits being certified copies of the deeds for said land and correctly describing them so far as I can judge from the deeds themselves. These tracts of land have been cut over and the original timber growing thereon taken away, and are now set in second growth. They are not contiguous and are about one-quarter of a mile distant from one another. I should say that they were worth probably \$5.00 an acre.

This land is not susceptible of partition or division among the parties entitled thereto without loss and injury, and it would be to the benefit and advantage of all parties to this cause, especially the infant defendants, that the same should be sold and the proceeds of said sale divided under the directions of the Court to the parties entitled thereto. It would save expense of advertising and costs of proceedings if the same were included with the property mentioned in the original bill.

To the General Interrogatory propounded by the Examiner.  
Ans. Nothing further.

{ One day }  
{ 8 miles }

*Martin L. Wachter*  
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