

of D.Princeton Buckey,Esq; in Frederick City,Maryland,on Friday September 28,at the hour of 3 o'clock p.m.and then and there,in the presence of the Solicitors for the Plaintiff,the Plaintiffs and their witnesses,proceeded to take the following depositions,that is to say.

Present; Joseph W.Wolfinger and  
D Princeton Buckey,Esqrs.  
Solicitors for Plaintiffs.

Plaintiffs and their witnesses.

Hattie M.Bowman,one of the Plaintiffs in the above-entitled cause,a witness of lawful age, testifying in her own behalf,being first duly sworn by the Examiner,deposes and says;

My name is Hattie M.Bowman,I am 52 years of age and reside at Smithsburg,Washington County, Maryland. I am one of the Complainants in this case. My mother Barbara C.Hershel died sometime in June,1907. She left no will. At the time of her death she owned two tracts of parcels of land in Frederick County,about 3 miles East of Smithsburg,the first parcel containing 12 acres,2 roods and 87 perches of land,and the second parcel containing  $3\frac{1}{4}$  acres of land. The first parcel was bought by my mother from Gideon Bussard and wife,by deed dated the 6th day of April,1878,and recorded in Liber T $\frac{1}{2}$ G.No.9,Folio 264,one of the Land Records of Frederick County,Maryland. (Witness is here shown deed marked Exhibit "A" and identifies same). The second parcel was bought by my mother from my father by deed dated April 6th,1892,and recorded in Liber No.366,Folio 534,one of the Land Records of Frederick County.

(Witness is here shown deed from David A.Hershel to Barbara C.Hershel and identified same).

My Father David A.Hershel,died on the 15th day of June,1928,and the only heirs at law of my mother are myself- I am married to my husband,Herbert C.Bowman,and we reside in Washington County,Maryland; a brother John F.Pote,married to Lizzie Pote both of full age and reside in Turnbull County,Ohio,a sister,Carrie L.Ugnow,whose husband is George Ugnow,Carrie Ugnow died sometime in the year 1909 and left surviving her a husband,George Ugnow,whose whereabouts i know nothing of,and the following children; Ruth Bussard,who is married to Jesse R. Buzzard both of whom are of full age and reside in Jefferson County,West Virginia;2Louisa Showers, married to her husband Philip Showers,both of whom are of full age and reside in Berkley County,West Virginia; Ethel Jones,who is married to Curtis Jones,both of whom are of full age and reside in Jefferson County,West Virginia,Gladys Grimes,who is married to her husband George Grimes,both of whom are of full age and reside in Jefferson County,West Virginia; Edmund Ugnow,a son, of full age,unmarried and resides in Jefferson County,West Virginia; and Austin Ugnow,a son who is an infant,under the age of 21 years,unmarried and resides in Loudon County,Virginia. This real estate is so located and situated that it would be imposible to be separated by partition of division among the parties of interest therein,without material loss and injury to the respective parties,and I feel that it is necessary and to the best advantage of all the parties,especially the infant,that the real estate besold and the proceeds divided among the parties entitled,according the their respective interests,because the two tracts combined constitute one whole tract,containing between 16 and 17 acres,and it could not be divided as there is only one set of buildings and they are not in good condition, falling to pieces. There is no one interested living near the place at the present time to look after the condition of the property and the house is badly in need of repair and falling down,and is depreciating all the time in value.

I would judge that this property as a whole would be worth about \$500.00

To the General Interrogatory;

Nothing further.

Hattie M.Bowman.

Herbert C.Bowman,one of the Plaintiffs in the above-entitled cause,a witness of lawful age, testifying in his own behalf,being first duly sworn by the Examiner,deposed and says;