

## No. 5906. Equity.

now shown me and about 7 acres which he had sold but not conveyed to Dennis Denny and about 2 acres which he had agreed to sell to Daniel Black and his wife on which last parcel there has never been anything paid.

The said Thomas W. Ham left surviving him the following parties as his heirs at law viz:-

Laura E. Ham, who is unmarried and lives in Frederick County.

Kate H. Dwall, a widow, who resides in Frederick County.

Ellen D. Ham (nunat witness) who is unmarried and lives in Nebraska

Margaret J. Grove, a widow, who lives in west Virginia.

Sarah H. Williams, wife of Alvin D. Williams who lives in the State of Nebraska

Corilla C. Shearer, the wife of Daniel D. Shearer who lives in Alleghany County, W. Va.

and also two nephews, George W. Ham whose wife's name is Jennie, and William F. Ham whose wife's name is Alice all of whom are non-residents of Maryland

and over 21 years of age these two nephews are the sons of George W. Ham

a brother of Thomas W. Ham dec'd and who was killed during the late war.

The said real Estate can not be divided among said heirs at law without serious loss and injury thereto, I think it is impossible for the parties to agree upon a sale or partition among themselves and that it would be to the interest and advantage of all to have it sold and the proceeds divided. It is the desire of all the parties in interest to have the family burial ground on said land (about 1 acre) reserved and excepted from a sale under the decree of the Court with a right of way thereto.

To the Hon. Ct. by the Examiner  
And I don't know of any Ellen D. Ham

Mrs Kate Dwall a witness of lawful age produced on the part of the Plaintiffs being duly sworn and examined has her deposition and says as follows:-  
My name is Kate Dwall; I reside in Frederick County and know all the parties to this suit. I knew Thomas W. Ham, he was my brother & lived with him nearly all my life. He is dead; He died in Frederick County at his home about Sept. 19. 1891 and left no will. He was never married. I know the lands of which he died seized and possessed and they are correctly described in Exhibits A to G, inclusive filed with the Bill or copying therefrom the parts mentioned.

Exhibits 1 to 15 inclusive and those mentioned in Exhibits W, H. & Nos 1 & 2

Thomas W. Ham left surviving him the following parties and nephews as his heirs at law:-

Laura E. Ham, unmarried, who lives in Frederick County.

Kate H. Dwall, widow, who lives in Frederick County.

Ellen D. Ham, unmarried who lives in Nebraska.

Margaret J. Grove (widow) who lives in west Virginia.

Sarah H. Williams, wife of Alvin D. Williams both of whom reside in Nebraska.

Corilla C. Shearer wife of Daniel D. Shearer both of whom reside in the State of west Virginia.