No. 9878. Equity.

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of Frederiwk County, died seized and possessed and how long have you known the same,

A, I am acquainted with it. I have know it about 35 years,

2, Do you know how many acres of land there is in the whole tract owned by Levi, Buhrman?

A, No, I think it is about 80 acres, somewhere along there, by what I hear, more or less.

3. Will you describe this tract of land,stating how much is tillable, location of its buildings and whether it is Oblong or squareor irregular. in shape,

A, as far as i know there are between 25 and 30 acres tillable land, may be more or less. this tract of land i supose is a mile long very close it. and the buildings are at the nasrow end, The end where the buildings is on i don't think is much more than 100 yards wide, where it comes to the public road,

4 are the buildings at the extreme end of the whole tract; is that what you mean?

A, i don't know which you call the extreme end, The buildings are at the narrow end, the buildings set at one end of the tract on the public road leading from Smithsburgto Foxville, It seems like one lot was bought to this first piece, one after another, it wasn' bought in One piece, It is the narrow at each end, and the end where the buildings are the narrwest, The buildings are about a half mile from Thomas C, Fox's store, at Foxville,

5. what is the value of this property?

A, The way land has been selling up there, I would think it would be worth, between $3000. and $4000, it would depend on how many would want it.

6. How many acres of land is cut off from the whole tract by the public road?

A, Well i guess it would be between six and eight acres,

7. What in your Judgment is the value of that piece of ground?

A, Well it might be worth $300,00

8. is this land you have just described susceptible of division between all the parties without loss and injury?,

A, No,sir. I don't think so,

9, why not?.

A, it couldn't be cut up in pieces, divided thay way,

10,Will you explain just why that can't be donewithout loss and injury?

A, Well,that farm is scattered all over the place, There is farming land at each end and in the middle, and timber land through it, it isn't in Fields, it is patches, and in judgment it would be impossibae to divide it to the satisfaction of all,

11, What is thevalue of the buildings independent of the land?

A, Well, thereccouldn't be buildings put there like is there for $2000, now, quite a big bank Barn there, and quite a good House, The House is in good condition, log House weatherboarded, there is also a wagon shed and other buildings,

12, Would it be to the interest, benefit and advantage of all the parties, especially to the infant, that the property be sold?

A, I think it would,

Cross Examination.

1x. Will you explain how it would be to the advantage of Hezekiah Buhrman, Edward Buhrman, Mary Buhrman, Alfred Buhrman, Henry G. Buhrman, and Mary buhrman to have this Homestead of thiers sold.

A. Well, i believe they would fare better; i think they would get their own then,

2x. What do you mean by getting their own?

A, Wouldn't it be divied up in shares,

3x, If they each got their part of the land, you think it would be to their advantage and interest is what i understood you to say?

A, No sir.

4x, What do you mean?

A. I think it would be better to sell it.

5x. Explain how it would bt to the advantage of these others than Katie Buhrman, and Olive Buhrman; how about the Others?

A. The othes i guess are getting their share and Mrs Buhrman is getting Nothing,

6x. As a matter of fact, couldn't this tract of land be divided up in five equal shares?