No. 9878, Equity.

Mr. Then that would cause damage in a division, would it not?.

A. I would think so.

To the General interrogatory by the Examiner

A. Nothing that i know of.

Charles A, Toms.

Defendants' Testimony.

Henry G. Buhrman.

A witness of lawful age, produced on the part of the Defendants, being duly sworn, deposes and says as follows;-

My name is Henry G. Buhrman;- I am 50 years old;- i resideat Foxville Frederick County. Maryland. i am one of the Defendants in this case.

I. Your Father in his lifetime, Levi Buhrman was possessed of certain real estate, was he not?.

A. Yes, Sir,

2. I show you Exhibit No, 1, do you identify that as a deed or copy of a deed for a piece of land to your Father?

A. Yes. Sir. that is right.

3. Your father got from Susanna Funk a tract of land containing 48. Acres and 191 perches, and you indentify this as a copy of the deed for it,

4. I hand you exhibit No, 2, tell me what that is for?

A. that is another seperate piece of land He bot latter on.

5 Who from?

A. The Toms land.

6. How many acres in that?

A. About ten acres I think. it says on there more or less.

7. I hand you exhibit No. 3. tell me what that is?

A. That is from Joseph Fox, Trustee.

8. How many acres ?

A. Over 14 in that tract,

9. And Exhibit No, 4.

A. this is from William A, Buhrman my uncle.

10. How many acres in that?.

A. About 8 acres.

11. These Exhibits i havehanded you do they correctly describe the land that you father died seized and possessed of ?

A, Yes, Sir. that is the land.

12, How long ago was it he died?

A. about 25 years, i suppose.

13, He left No will

A. No will, No. Sir.

14. Do you think it would be to the interest and advantage of all the parties to to this suit, that is you and your brothers and sisters and Mrs. Katie Buhrman. and the Infant to have this land Sold?

A. No i don't think so.

15. Tell me why you don(t think so?

A. Well it is the old homestead and they are supposed to hold it. the heirs that was my fathers request, always to keep it and hold it as long as they lived there,

16. You mean as long as they lived.

A, Yes, Sir as long as they lived.

17. Is that land susceptible of division between the heirs?

A. Well no. i wouldn't think so, i wouldn't see in any satisfactory way that it Could be.

18. Couldn't three parts be taken up in the house and part of the land around there and the rest of the land divided equally among the remaining three heirs?.