No. 9878. Equity.

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A. How would you suggest, Well i couldn8t see how that it could be in that way, those that have the buildings and no land, the buildings would be of no account without the land, especially the barn, it would stand Idle

19. How would you suggest; that the share of Mrs Katie Buhrman and her daughter be alloted to them?

A. Well, i thought maybe, in some cases i have heard of an equal appraisement of it, which has been done.

20. That is that commissions be appointed to set off their portion

A. Well. make a value of the whole thing at an appraisement, what it is worth,

21. And pay her, her part, is that your idea?.

A. yes, Sir, That would be on the value.

22. What is the shape of this tract of land?

A. It lays along as it has been stated.

23, Was Mr Buhrman's description in and about right?.

A. Well,i think it is a little bit high; i don't give quite that many acres of farming land, about 20 or 22 would be about all

24. i mean as to the shape of it.

A. Yes,Sir.

25, And runs in irregular widths at places.

A. Yes, Sir. thereis a tolerably straight line of the whole tract runnig north and south, it is narrow in some places, and wide in some places, It is a little wider way back, and it runs narrow toward the public road, that leads from Foxville to Smithsburg.

26. what do you think the value of this land is, the wholetract?

A. It is a little hard to tell, I believe it would be between $2500.00 and $3000,00 smewhere in there, in my estimation.

Cross Examination

1x. You Couldn t divide this tract of land up and give each one a Certain portion, including the widow, and her child, without causing a loss or a damage, to some one of them, could you?

A. No, you couldn't divide it that way, that is the timber and farming land combined and all.

2x, And in order to give Mrs Buhrman and her daughter, who is an infant, their shares, the only way would be to sell the whole. thing, would it not if you cannot divde it without damage?

A. Yes,Sir. unless it could be done as I have stated by an appraisement,

Re-Direct Examination.

1r. You think that if a value was put on the different parts of the land, it could be divided is that your idea?.

A. Well, you couldn't divide the land by money value. what i mean is, set the value and it can be divided into them many shares.

2r, You Could take the house for instance and ten acres of land, and value that as three shares Could you Not and the balance of the property at a certain sum, and divide that among the balance of the heirs.

A. No. i couldn't see how,

To the general interrogatory by the Examiner.

A. Not any more than I have said.

Harry G. Buhrman.

Edward H. Buhrman.

A Witness of lawful age. produced on the part of the Defendants,being first duly sworn deposes and says. as follows.

I. You are one of the heirs in this case?.

A. Yes.Sir, I am one of the oldest Heirs in this case.

2. Would it be any benefit or advantage to you to have this property sold?

A. I will tel you the flaw in this case, about thirty years ago I paid a mortgage off for my fathe gave him the money, and he made us a deed me and my brother, my next oldest brother to me, the deed wasn't recorded but we are looking it up, there will be trouble for any one that buys it, I will come in here and have it recorded

3. The question I asked you is whether it would be for the benefit and interest of the heirs to to sell this land.

a, i tell you the proper way is to sell the whole place and pay out the Costs, and the share.