

you can come pretty close to it. 100 feet deep would be just about half an acre. (128 square perches according deed)

Q These two back lots, you say it wouldn't necessarily interfere with the front lot - a purchaser might not want more than the front lot with the house on it. Now the back lots there, would they be desirable to somebody owning property next door that would want these lots, one or both of them?

A Well for building purposes, Mr. Pearre, it wouldn't be so valuable because it wouldn't be out, back there.

Q But somebody who already had a building for instance that owns property - what I am getting at is would there be any sale for these two lots separate from the main lot?

A Of course there would be sale, there's always somebody looking for ground at a certain price, but the one lot would just hurt the value of it to take it off from the front. The other lot it wouldn't. If that lot across the railroad would belong to Mr. Harman Coblentz, just a square out of his field.

Q Mr. Coblentz has his own house?

A Yes, he has farm buildings, but it is worth more money to him than anybody I know.

Q It is across the railroad?

A Yes, sir, railroad goes right straight down and his field runs to the railroad and this is just a block out the corner of Mr. Harmon Coblentz' field.

Q (Mr. Coblentz) The other lots bordering on the railroad are the lots of Mr. Emory L. Coblentz and Rose Rudy and were all sold back from the front lot back to the railroad?

A Yes, sir.

Q They were all part of the original lot?

A Part of the original lot, belonged to Mrs. Coblentz or her husband.

Q In this case the proceedings show the property belong to Mrs. Bussard one-third and Mrs. Beall two-thirds and to Mrs. Beall's children after her death. Do you think this property is susceptible of division without loss or damage to any of the parties to be divided among the parties? Could you divide it up so there would be no loss to anybody?

A My best judgment, the lot back of the railroad could be sold off; the others could not.

Q Then your conclusion would be they couldn't be divided without --

A Without injury.

John W. Holter

MRS. OLIVE FRANCES BEALL, one of the defendants, being first duly sworn, deposes and says:

By Mr. Coblentz:

Q Your name is Olive Frances Beall?

A Yes, sir.

Q You are a daughter of Mr. James O. Bussard?

A Yes, sir.

Q When did Mr. Bussard die?

A 15th of December, 1930.

Q What are the names and ages of your children?

A James Edward, was 17 last December; Louis C., Jr., was 15 last September; John C. was 13 last December, and Richard F. was 10 last May; and Olive Virginia Elizabeth was seven last January.

Q Your father left a will I believe. I show you will which was filed in this case as Exhibit No. 1 to the bill of complaint. Will you state whether or not that is a certified copy of your father's will?

A Yes. It is like the copy that was given to me.

Q You are one of the Executrixes of the Will?