

3rd Have you at any time been acquainted with William Bell if you is he now living, or dead, if dead when did he die and did he die testate, or intestate.

4th Did the said William Bell die seized and possessed of any Real Estate, if you look at papers now shown marked Exhibits No. 1, No. 2, No. 3, No. 4 + No. 5 and say whether the said William Bell died seized and possessed of said Real Estate, and state the value of said Real Estate and where is said Real Estate situated

5th Did the said William Bell leave a widow surviving him if you, is she yet living, state her name and age.

6th Did the said William Bell leave any children, or heirs at Law surviving him, if you state their names, and if married to whom, and if any are under twenty one years of age, state their names and ages.

7th Are said tracts of Land susceptible of division among said heirs and would it be to the advantage of all the parties including the infants to have the same sold and distributed among those entitled thereto, if you give your reasons.

Filed Oct. 2 1878

John C. Motter
Solicitor for Compls.

Testimony

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County, sitting as a Court of Equity and directed to J. B. R. Hood and Wm. B. Nelson, Commissioners therein named and empowering them, or either of them to examine evidence in a cause depending in the said Court between Mary Bell and others as Complainants and John Bell and others as Defendants

J. B. R. Hood, one of the Commissioners named in the said Commission having met at my Office in Frederick City Maryland on Tuesday the 1st day of October A. D. 1878, pursuant to previous notice thereof given, did then and there proceed to examine evidence as follows to wit: The Complainants by John C. Motter their Solicitor filed with the Commissioner as Evidence Exhibits Nos. 1 2 3 4 + 5. The Commissioner then proceeded to take the following depositions to wit:

Nezahiah Pittinger, a witness of lawful age produced on the part of the Complainants being duly sworn and examined to Interrogatories filed with the Commissioner by the Complainants and herewith returned deposes and says:—

1st My name is Nezahiah Pittinger, age 60 years, and reside near Croagerstown Frederick County Maryland.

2nd I know the parties to this suit and have known them about Twenty years, they all reside in Frederick County, Maryland, except Lewis Mertz and Susan Mertz his wife who reside in the State of Pennsylvania.

3rd I have been acquainted with William Bell, He is dead, He died in the year A. D. 1873, and died intestate.