No. 5737 Equity

Testimony

No. 5737 Equity

Andrew J. Fourhour
Guardian & next friend of
Daniel W. S. Stottlemyer, infant

vs.

Daniel W. S. Stottlemyer
Infant

In the Circuit Court for Frederick County, sitting as a Court of Equity

In pursuance of the annexed Order of Court and notice given me by the Solicitor for the Plaintiff in the above entitled cause I William Wilson one of the regular Examiners of said Court having fixed Monday the 13th day of October A.D. 1890 at my Office in Frederick City, Md. as the time and place for taking the testimony in this cause and having given due notice thereof to the parties concerned, did then and there proceed to take the following testimony, to wit:—

The Plaintiff filed with the Examiner as Evidence Exhibit No. 1. which is herewith returned by said Examiner.

Isaiah Harshman a witness of lawful age produced on the part of the Plaintiff having been legally affirmed and examined to interrogatories propounded deposes and says:

1st Int. State your name, age and residence and whether you know the parties to this suit?

1st A. Isaiah Harshman, age 33 years and reside near Wolfsville, Frederick County, Maryland and know the parties to this suit.

2d. I. Did you know Malinda Stottlemyer and Joshua Stottlemyer her husband both late of Frederick County. If yes, are they living or dead, if dead, when and where did each of them die?

2d. A. I did, I knew them both, they are both dead, they both died in Frederick County, Md, he died in the summer of 1888. and she died in the Month of August 1890.

3d. I. Did the said Malinda Stottlemyer die testate or intestate, and did she leave any children or other heirs at law, if yes, give their names, ages and residences?

3d. A. She left no will, she left one child as the only heir at law, named Daniel Webster Irving Stottlemyer, who is about 9 years of old and who resides in Frederick County.

4th I. Did she die seized and possessed of any real estate, if yes, describe the same, give its quantity, value and location: look at Exhibit No. 1. here shown you and say whether that fully describes the real estate of which she died seized and possessed?

4th A. She did die seized and possessed of said real estate, situated about 2 miles from Wolfsville, in Catoctin District, in Frederick County, Md. it contains about 82 acres of land, and has improvements thereon consisting of a dwelling house, barn and outbuilding, it is worth about $60^{00}$ in my opinion. I look at Exhibit No. 1. it fully describes the property of which she died seized and possessed.

5th I. Would it or not be for the benefit and advantage of said