

Testimony vs.

No. 7256 Equity.

Testimony

offices of Cobbley and Waters in the City of Frederick and State of Maryland  
at the hour of 11 o'clock A.M. proceed to take the following deposition reports  
- that is to say -

Daniel A. Bowles, a witness of lawful age produced on the part of the Com-  
plainants being first duly sworn, deposes and says as follows:-

1<sup>st</sup> State your name, age and residence & do you know the parties to this  
cause?

Ans. Daniel A. Bowles, I am 41 years old, I reside near Middletown this county  
I know all the parties to this cause,

2<sup>nd</sup> Were you acquainted with George Nitmer in his life time & if yes, please  
state whether he is living or dead?

Ans. Yes sir, I was acquainted with him for a good many years, he is dead  
he died 5 or 6 years ago, I do not remember exactly,

3<sup>rd</sup> Did he leave a widow surviving him and if yes - is she living or dead  
and if dead when did she die?

Ans. Yes sir:- he left a widow - I don't remember her first name, she also is  
dead, she died 5 or 6 years ago, I don't remember exactly how long it has  
been,

4<sup>th</sup> Was George Nitmer at the time of his death possessed of any real estate sit-  
uated in this county and if yes - please describe it?

Ans. He was, he owned a small tract of land about 7 or 8 acres and also another  
tract of land of about 25 acres both of which parcels of land are part of a tract  
of land called "Sweepall" Exhibit "A" & "B" to the Bill properly describe said land  
It is situated about one mile and a half north-west of Wolfsville, Eastern  
District of Frederick County, Maryland, and the two pieces of land, are worth  
probably \$100.00 in all.

5<sup>th</sup> State who are the heirs at law of the said George Nitmer?

Ans. He left the following children, David Nitmer, an adult son whose wife  
name is Lydia Nitmer, Wilhelmina Schroyer an adult daughter, whose hus-  
band is dead, Margaret Crone, an adult daughter whose husband's name is  
John La Crone all of whom reside in Frederick County, Maryland, Martha V. Bru-  
ner an adult daughter, whose husband's name is Daniel Bruner, Mary  
Kailor, an adult daughter, whose husband's name is Thomas Kailor all  
of whom reside in Washington County, Maryland, and Martin V. Nitmer an  
adult son, who died since the death of his father, George Nitmer, in the month of  
April A.D. 1900 and who left surviving him, a widow, the complainant Roseanna  
Nitmer and the following children to-wit:- an adult daughter Lucetta, who  
is my wife William Nitmer an adult son whose wife name is Mollie Nitmer  
who resided in Frederick County until November 1900 and who then removed  
to Washington County and now resides there, Mary Roach an adult daughter  
whose husband's name is Albert Roach, Jennie DeLaughter an adult  
daughter, whose husband's name is Charles DeLaughter both of  
whom are non residents of this state residing in the State of Indiana

6<sup>th</sup> Is the land mentioned in Exhibit "A" & "B" to the Bill susceptible of division  
among the parties entitled thereto without material loss and injury?

Ans. I do not see how it could be divided without loss and injury  
it would be foolish to attempt it, it's too small a quantity.