

No. 8164, Equity.

John H. Rohrer, a witness of lawful age produced on the part of the Plaintiff being duly sworn and examined *Viva Voce*. deposes and says as follows:-

My name is John H. Rohrer. I am 62 years of age and reside near Smithsburg, Md. My father Joseph F. Rohrer was in his lifetime seized and possessed of a tract of Mountain land in Frederick County, Md. near the Washington County line containing about 54 1/2 acres of land conveyed to him by Franklin Anderson Trustee. It is the same land described in Exhibit B. Now, now show me.

Joseph F. Rohrer died intestate in 1874, leaving a widow, Elizabeth G. Rohrer who is now dead, and the following children; (1) a son John H. Rohrer (the present witness) who is intermarried with Kate M. Rohrer, (2) a son Joseph C. Rohrer whose wife's name is Lucie Rohrer, both of Franklin County, Penna. (3) a daughter Mary H. Rohrer who is unmarried and who resides in Franklin County, Penna. (4) a son Aaron F. Rohrer who is intermarried with Edith H. Rohrer, both of whom reside in Franklin County, Penna.

(5) a daughter Sarah H. Rohrer who intermarried with Daniel P. Saylor both of whom are now dead and who left a daughter Elizabeth Saylor who now resides in Franklin County, Pennsylvania. Sarah C. Saylor left a last will and testament of which Exhibit C, now shown me, is a Certified Copy. (6) a daughter Elizabeth A. Rohrer who was intermarried with Samuel B. Pinckert she is dead, having died intestate and left surviving her husband, Samuel B. Pinckert who is about 65 years of age, and reside in Franklin County, Pa. and the following children all of Franklin Co Penna.

Viz: (a) Archer V. Pinckert intermarried with Minnie Pinckert, his wife.

(b) Roy J. Pinckert whose wife's name is Annie M. Pinckert, and

(c) Elmer S. Pinckert who is unmarried,

(7) a daughter, Susannah F. Rohrer who intermarried with Solomon Newcomer, both of whom died intestate many years ago leaving a son Joseph S. Newcomer who intermarried with Ida M. Newcomer his wife. They reside in Norfolk Virginia and a daughter Edith Newcomer, who intermarried with William M. Howe both of whom reside in Mefflin County, Tennas. Said Edith Newcomer died the latter part of March 1907, intestate leaving

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