

No. 8038. Equity.

and met in pursuant to adjournment

Present.

Mr. T. M. Kiser.

Solicitor for Defendants.

Josephus Stottenger a witness of lawful age produced on the part of the Plaintiff being first duly sworn deposes and says as follows:-

1st. State your name, age & residence and do you know the parties to this cause? -

Ans. Josephus Stottenger, I am 23 years old, and I reside in Frederick, Maryland, I know all the parties to this cause.

2nd. Did you know Martin V. B. Stottenger is he living or dead, & if dead, when did he die? -

Ans. I knew him, he died in June 1906.

3rd. Did he die testate or intestate seized and possessed of any real estate in Frederick County, Maryland?

Ans. He died intestate, at the time of his death he owned about 12 acres of land in this County, unimproved by a log 1 1/2 story house worth possibly \$150 - I look at Exhibit "B. G. P." it is a certified copy of the deed for the property & correctly describes it.

4th. Is this land capable of being divided amongst the parties entitled to it without loss & injury? -

Ans. It would not, it is a small piece of rocky land & is not susceptible of division, it would be better to sell it, and divide the proceeds.

5th. Who did Martin V. B. Stottenger leave surviving him as his heirs at Law? -

Ans. He was never married and his heirs at law are his nephews & nieces, children of his Brothers and Sisters who are likewise dead.

6th Name these people & their residences, if you know? -

Ans. The children of Mathias Stottenger deceased of Martin V. B. - to-wit - myself - Josephus Stottenger, My wife name is Maud; Andrew J. an adult son, whose wife name is Sarah; Ida C. an adult daughter whose husband's name is Benjamin Stottenger; John H. an adult son whose wife name is Sarah; Susanna an adult daughter whose husband's name is Charles Holt; Alice Martin an adult daughter whose husband's name is Adam Martin; and an adult unmarried daughter Sarah Stottenger, all of whom residents of Frederick, then there is an adult son Henry whose