

2- That they admit the matters and things contained in the second and third paragraphs of said Bill of Complaint and consent to the passage of a Decree for the sale of the real estate described in said Bill of Complaint and the distribution of the proceeds among the parties as their interests appear.

Holden S. Felton

Solicitor for Catherine Morgan and
Norman Morgan, her husband, May
Morgan and Robert Morgan, her husband.

(Filed August 20, 1935)

TESTIMONY

Margaret R. Zimmerman, widow,	"	No. 13072 Equity
et. al.,	"	In the Circuit Court
vs.	"	for Frederick County,
Howard D. Zimmerman, et al.	"	Maryland, in Equity.

TO THE HONORABLE JUDGES OF SAID COURT:

The above cause standing at issue and notice having been given by the Solicitor for the Plaintiff of a desire to take testimony in said cause, I, Patrick M. Schnauffer, one of the standing examiners of this Honorable Court, duly appointed, qualified and sworn, having assigned the 17th day of October, A.D. 1935, at 2:00 P.M. at the Law office of H. K. DeLauter, Esq., in Frederick City, Frederick County, Maryland., as the time and the place for taking testimony in said cause, notice having been given the respective parties, did proceed to take the following depositions, to wit:

Present:

H.K.DeLauter, Esq., Solicitor for Plf.

Plaintiff and her witnesses.

Joseph H. Zimmerman, a witness of lawful age, being one of the parties to this cause, and being duly sworn deposes and says:

1. State your name, age, residence and relation to this suit.

A. My name is Joseph H. Zimmerman, 27 years of age, reside near Feagaville, Frederick County, Maryland, and am one of the complainants in this cause.

2. Do you know Joshua E. B. Zimmerman, is he living or dead; and if dead, when did he die and whom did he leave as his heirs at law?

A. Joshua E. B. Zimmerman was my father; he died on or about March 10, 1934, and left surviving him as his only heirs at law, his widow, Margaret R. Zimmerman and the following children Eleanor Kemp; whose husbands name is Ralph Kemp, Joseph H. Zimmerman, whose wife's name is Florence Zimmerman, Charles E. Zimmerman; whose wife's name is Glenna Zimmerman, Maude Fraley whose husband's name is Harry P. Fraley, and Howard D. Zimmerman, whose wife's name is Marcella Zimmerman. There was also another son named Edgar Zimmerman who died on or about the day of , 1930, leaving surviving him a widow, Nellie Zimmerman and the following children, Catherine Morgan, whose husband's name is Norman Morgan, May Morgan whose husband's name is Robert Morgan, Marie Linton whose husband's name is Harry Linton; Joshua Zimmerman; George Zimmerman, Howard Zimmerman, Roberta Zimmerman, and Dorothy Zimmerman and Samuel Zimmerman. All of these grandchildren of Joshua Zimmerman are infants under the age of 21 years excepting Catherine Morgan.

3. State whether or not your father owns any real estate at the time of his death.

A. My father at the time of his death owned two farms in his individual name, both located near Jefferson; one of the farms contains 121 acres, more or less, and is described in Exhibit A which is a certified copy of the deed from Sarah M. Culler to my father, dated January 21, 1901, and the other farm contains 38 acres of land, more or less, and is described in Exhibit B which is a certified copy of the deed from Dorsey S. Culler and wife, to my father, dated April