

No. 4155 Equity

At the execution of the annexed Commission issued out of the Circuit Court, for Frederick County, sitting in Equity, and to me directed, and empowering me to examine Evidence in the case therein depending, between Aaron J. Grove & wife & others, as Complainants, and Daniel R. Grove and others, as Defendants, I, William B. Nelson, one of the Commissioners therein named, did, on the 9th day of August, A. D. 1881, at my office in Frederick City, Maryland, then and there proceed to take the following testimony, to wit:

The Complainants filed with the Commissioner as Evidence "Exhibits A & B," which are herewith returned by said Commissioner.

Daniel P. Whip, a witness of lawful age, produced upon the part of the Complainant, being duly sworn, and examined to Interrogatories filed with the Commissioner by the Complainants and herewith returned, deposes and says, to the

Testimony of Daniel P. Whip.

- 1st Int: - I have known them all for some years
- 2nd Int: - I look at Exhibits A & B, now here shown me I do in Jefferson District, Frederick County, Maryland.
- 3rd Int: - Yes, he was my father-in-law He is dead. He died in August 1874, in Frederick County, Maryland.
- 4th Int: - He died intestate. He was seized and possessed of the Real Estate described in "Exhibits A & B"
- 5th Int: - He left a widow named Sarah Grove, and children and children of a deceased child surviving him. He left children, as follows, to wit: Daniel R. Grove; Martin M. Grove; Louisa E. Thomas; Hiram J. Grove, Charlotte C. Whip and Virginia E. Lighter. His heirs and next of kin are, Daniel R. Grove Martin M. Grove; Louisa E. Thomas; Hiram J. Grove; Charlotte C. Whip; Edward M. L. Lighter and Alma C. V. Lighter. Alma C. V. Lighter is an infant under twenty-one years of age, and all the others are adults.
- 6th Int: - They all reside in Frederick County Maryland, except Daniel R. Grove who resides in Washington County, Maryland, and Martin M. Grove who resides in the State of Arkansas.
- 7th Int: - Charlotte C. is married to Daniel P. Whip; Louisa E. is married to Zachariah G. Thomas; Virginia E. deceased, was married to Charles H. Lighter; Hiram J. Grove's wife's name is Anna Mary Grove; Daniel R. Grove's wife's name is Julia Grove and Martin M. Grove's wife's name is unknown.
- 8th Int: - Virginia E. Lighter is dead and left two children, namely, Edward M. L. Lighter, and Alma C. V. Lighter, who reside in Frederick County, Maryland. Edward M. L. Lighter is an adult and Alma C. V. Lighter is an infant under the age of twenty-one years.
- 9th Int: - Said real estate is not susceptible of advantageous division amongst the widow, children, and grand-children of the said Martin M. Grove, and it will be to the interest and advantage of all the parties interested, infants as well as adults, that the said real estate should be sold, and the proceeds thereof distributed among the parties concerned, according to their respective interests
- 10th Int: - Said real estate consists of about two hundred and twenty acres of arable land, situate about two miles from the town of Jefferson, Frederick County, Maryland, and contains only one set of buildings, and, if divided, the portions or parcels would be too small to admit of advantageous sale, or cultivation. It would be impossible to divide the property without great loss and injury to the parties interested.

Attest my hand and seal of office, this 9th day of August, 1881, at Frederick City, Maryland. William B. Nelson, Commissioner.