

No. 5437 Equity

and have known them since childhood.

2^d Int. Did you know Charlotte Fox, Wife of John P. Fox? If yea, is she living or dead, and if dead when and where did she die, and did she die testate or intestate?

Ans. I know her she was my mother She is dead. She died on the Property mentioned in these proceedings in Frederick County, on the 25th of April 1888, She died without a Will.

3^d Int. Did said Charlotte Fox die seized and possessed of any Real Estate in Frederick County? If yea describe the same, give its quantity and value and look at paper marked Exhibit No. 1. now shown you and state whether or not that describes said real Estate?

Ans. She did. It consists of a house and Lot of between four and five Acres of land situated in Mechanicstown District in Frederick County and is worth about \$300. = or \$400 = I look at said paper and that does describe the said Real Estate

4th Int. Did the said Charlotte Fox leave any children, or heirs at law? If yea give their names ages and residences, and if any of them are married give the same facts of their husbands names, as the Case may be?

Ans. She did. She left the following: - 1. a son William I. Fox (present Witness) whose wives name is Cora B. Fox, both adults and residents of Frederick County. 2- a daughter Annie M. J. Lightner whose husband is Robert Lightner, both Adults and residents of Frederick County 3. a daughter Catharine Whitmore who is the wife of Jeremiah Whitmore, both adults, and live in Frederick County. 4. And the following grand-children of a deceased daughter Sophia Hape who died before her mother viz: - Sada F. Hape; Cora M. Hape, John Hape, Annabel Hape, and Susan B. Hape all of whom are infants under 21 years of age, and all live in Frederick County excepting Sada F. and John who live in Carroll County

5 Int. State whether or not said real estate is capable of division among the parties without loss or injury thereto, and whether it would be to the interest and advantage of all infants as well as adults, to have the same sold and the proceeds divided? and give your reasons for your answer?

Ans. It can not be divided among the parties without great loss and injury because the tract is too small to be so divided, and there is but one set of buildings on it I think it would be to the interest of all to have it sold and the proceeds divided, as there is no one especially interested in keeping it up, and in the course of time it would go down

To the Gen. Int by the Examiner.

Ans. I do not signed William I. Fox.

Robert H. Lightner - a Witness of Lawful age produced on the part of the Plaintiffs being duly sworn, and examined, deposes and says:

1st Int. State your name, age, and residence, and whether you know the parties to this suit and if so how long?

Ans. Robert H. Lightner; 40 years; near Charlesville; I know them all and have for some time.

2^d Int. Did you know Charlotte Fox, Wife of John P. Fox. If yea is she living or dead, and if dead when and where did she die, and did

Testimony.

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