No. 5730 Equity

Charles M. Rhodes a witness of lawful age produced on the part of the Plaintiff being duly sworn deposes and says as follows

1st Int. Do you know the parties to this Cause?

Ans. Yes Sir. And I am one of them.

2d Int. Did you know Geo. J. Rhodes in his lifetime? If yes, is he dead? If dead when and where did he die and did he die testate or intestate?

Ans. I knew him, he was my father. He is dead; he died in Washington in August 1890 at Washington and he left no will.

3d Int. Did the said Geo. J. Rhodes leave any widow, children or other heirs at law? If yes, who are they and give their names ages and residence?

Ans. He left no widow, but left the following children as his heirs at law, viz:-

1. a daughter Fannie Gladhill, wife of Jacob Gladhill,
2. a daughter Della Strauner, wife of Charles Strauner
3. a daughter, Mary Hemm, wife of Ray. Hemm.
4. a daughter, Ada Forney, wife of Samuel Forney.
5. a son, George O Rhodes,
6. a son, Vernon M Rhodes.
7. a son, Charles M Rhodes, (present witness)
8. a son, Shafer L Rhodes. All of the above parties are over 21 years of age Excepting George O, and Vernon M. and all reside in Frederick County Excepting Gladhill and wife who live in Carroll County, Maryland Strauner and wife, who live in Pennsylvania.

4th Int. Did the said Geo. J. Rhodes, die seized and possessed of any real estate in Frederick County? If yes describe the same give its value and look at Exhibits No 1 & 2. and say if they describe the same?

Ans. He did. It consists of about 28 acres of land situated in Frederick District with improvements. It is worth $1800 or $2000.= Exhibits No 1 & 2. now shown me less what he sold off in his lifetime describe the said real estate. Exhibits No 6 & 5. describe what he sold off in his life time.

5th Int. Is said real estate susceptible of division among said heirs at law without loss and injury, and would it be to the interest of all of said parties, infants as well as adults to have the same sold?

Ans. It is not susceptible of such division without loss and injury. I think it would be to the interest of all to have it sold as soon as possible as there are two Mortgages on it. And the interest is accumulating and would ultimately eat up the property, or the Mortgages must sell.

To the Gen Int. by the Exam

Ans. I know of nothing further

Chas M. Rhodes

Whereupon there being no other witnesses to be Examined and no further time being required for the production of evidence the said Examiner hereby certifies that the aforegoing are the original depositions in this Cause as the same were read over to the witnesses and signed by the