No. 4553 Equity

4th Int.— He left no widow, but he left heirs at Law surviving him, namely, a son William J. Kepler, whose wife's name is Anna, Henry M. Kepler a son, whose wife's name is Amanda; a son Daniel S. Kepler, whose wife's name is Elizabeth; a daughter Ann Rebecca, wife of Isaac Ridenour; a daughter, Malinda, wife of Robert Thomas; a son, John A. Kepler, whose wife's name is Susan; a son Charles C. Kepler, a daughter Sarah C., wife of Joseph Eckton, a daughter Charlotte A. Kepler; and the following grand-children, children of a deceased daughter Mary M., wife of John A. Lighter, who died intestate before her father John Kepler died, namely; Charles E., Daniel A., Mary E., John C., William E., Simon P., Emma K., Alice V., Lorenzo C., and Gertrude L. Lighter; and the following children of Martin L. Kepler, a son of said John Kepler who died since the decease of said John Kepler, namely, Onnida L., Carrie M., and Luther M. Kepler Julia A. Kepler, widow of Martin L. Kepler surviving him. their ages and residences are correctly stated in the Bill of Complaint filed in this case.

5th Int.— He did look at "Exhibits A. B. C. D. & E" in this cause. Said property is correctly described in said Exhibits. It consists of about 368 Acres of Land situated in Middletown District, Frederick County, Maryland, and is worth about Fifty dollars ($50) per acre

6th Int.— It cannot be divided amongst the parties interested without loss and injury, and it would be for the advantage of all the parties concerned, infants as well as adults that said real estate should be sold, & the proceeds thereof be distributed amongst the parties entitled. The said Real Estate consists of two tracts, one containing about 249 Acres of Land, & the other about 119 Acres, and, if it was divided, the parcels or portions would be too small for advantageous cultivation, or sale. There are a great number of parties interested in said real estate, and they could not agree among themselves & the estate therefore would greatly depreciate in value.

Testimony

Henry M. Kepler, a witness of lawful age, produced upon the part of the Complainants, being duly sworn, and examined to Interrogatories filed with the Commissioner by the Complainants, and herewith returned, deposes and says, to the

1st Int.— My name is Henry M. Kepler, aged 48 years, and I reside in Frederick County, Maryland

2d. Int.— I do. They are William J. Kepler, and Annie his wife; Henry M. Kepler & Amanda, his wife; Daniel S. Kepler and Elizabeth, his wife; Robert Thomas & Malinda his wife John A. Kepler & Susan, his wife, Charlotte A. Kepler; Charles E. Lighter; Daniel A. Lighter; Mary E. Lighter; John E. Lighter, William E. Lighter; Simon P. Lighter; Emma K. Lighter; Alice V. Lighter, Lorenzo C. Lighter; Gertrude L. Lighter, and John A. Lighter, of Frederick County, Maryland; Isaac Ridenour and Ann Rebecca, his wife; Charles C. Kepler; Joseph Eckton and Sarah C. his wife, of the State of Ohio, Onnita L. Kepler; Carrie M. Kepler & Luther M. Kepler, John S. Kepler and Julia A. Kepler of the State of Indiana John S. Kepler, an infant, died since the bringing of this suit.

3d Int.— I was. He is dead He died in Frederick County, Maryland, in November 1879. He died intestate