

No. 5123 Equity

Henry Baylus, Teresa J Smith wife, of Charles Smith (5) Marietta Trail
(6) Mollie Trail (7) Nolley Trail, and (8) Hanson Trail.

To the 7th Inter of the Ans They are, all adults excepting Marietta Trail -
Mollie Trail, Nolley Trail, Hanson Trail, and Teresa J Smith, who, are under
twenty-one years, of age, and, all, of said parties reside in Frederick County
excepting Charles Kohlhaas and wife, who reside in Montgomery County and
Henry Baylus and wife, who reside in the State of Virginia - - -

To the 8th Inter of the Ans It is not susceptible, of division, among the
parties interested without, great loss and injury, and it will be to the
advantage, of all the parties to have the land sold, and the proceeds
divided, among them, as the property will depreciate, and go, down rapidly
To the Gen Inter by the Examiner. Ans. I know of nothing further
Signed, Charles D. Dixon.

Testimony

Whereupon, the taking, of said Testimony was by consent adjourned
to the 9th day, of April A. D. 1886, at the place, aforesaid, at which time
and place I then and there proceeded, to take the following: - Hannah Warfield
(the competency of this Witness is excepted to by Plaintiff, and other defendants
on the ground that she is the Claimant) a Witness of Lawful age
produced on the part of the Defendants being duly sworn, and examined to
Interrogatories, deposes and says -

1st Inter State your name, age, and residence?

Ans. My name is Hannah Warfield, Age 33 Years, and I reside in
Frederick County

2nd Inter What was your Mother's Name

Ans. Jane Kohlhaas, the decedent mentioned in this case.

3rd Inter How many children did she have and how many of these are deceased
leaving children?

Ans. She had eight children; only four of whom are living; only one of those
deceased left children. Her name was Charlotte Ann Trail, who left the following
children: - (1) Susannah Rebecca Trail (2) Charles Trail (3) Emily J. Bayliss
wife of Henry Bayliss (4) Marietta Trail, (5) Teresa J. Smith wife of Charles Smith
(6) Hanson Trail, (7) Ashwood Trail (8) Ida Trail, (9) Nolley Trail, all of whom are living

Ans. She left Justus Martin, Charles Kohlhaas, Frederick Kohlhaas, and
myself, all of whom were married, Justus Martin's wife now being dead

4th Inter State in and about the date, of the Marriage of each of these children (excepted to)
Ans. Frederick was married about 1864, I think, Justus about 1865 and
Charles about 1866 as good as I can remember; Mrs. Trail was married
long before any of these, about 1853, I guess.

5th Inter State whether or not these children, viz: Frederick, Justus,
Charles and Mrs. Trail remained at home after their marriage or whether
they set up for themselves? (Excepted to).

Ans. The three boys set up for themselves, and did not remain at home,
I have heard my mother say that Mrs. Trail did the same?

6th Inter State when you were married, and to whom?

Ans. In Sept 1-1886; to Lyurgus M. Warfield -

7th Inter. State when your father died?

Ans. In 1876, I think.

8th Inter. State when your mother died? Ans. Nov 4-1885

Testimony