

No. 7805. Equity.

Charles S. Trail a witness of lawful age proce-
ded on the part of the Plaintiff being duly
sworn and examined *Viva Voce* depon and
says as follows:—

My name is Charles S. Trail.
My age is 47 years. I reside in Frederick
City and know all the parties to this suit.
I knew Col. Silghman J. Kuepferger in
his life time, he died in November, 1903. He
and I owned of a house and lot situated on
the South East corner of Second and Chest streets
in Frederick City—described in Exhibit No. 1 filed with
the Bill in this case.

I understand that by the construction
of Col. Kuepferger's will the title to this property
vested in the two sons of Silghman Thomas Kuepferger
subject to the dower of the widow.

Mrs. Helen Kuepferger. I am well acquainted with
the property and in my opinion it is not suscep-
tible of division without great loss and damage.
I do not think there is enough ground there to
split up two properties while it is a very valuable
piece of property as it now stands.

The Mrs. Helen Kuepferger mentioned
in these proceedings is an infant about 10 or
12 years of age and resides with her mother,
Mrs. Helen Kuepferger in Frederick City. Silghman
Thomas Kuepferger is an adult about 23 years
of age. These two children are the only heirs
at law of the said Col. Thomas Kuepferger.

The said Silghman Thomas Kuepferger
lives in Washington D. C. and I think it
would be to the interest and advantage of
the parties to have it sold and the proceeds
divided among them.

To the best of my knowledge by the Exam-
ation I do not except the property is worth
about \$5000.—
Charles S. Trail.

Franklin B. Smith, a witness of lawful
age introduced on the part of the Plaintiff
being duly sworn and examined *Viva Voce* depon
and says as follows:—

My name is Franklin B. Smith my age
is 48 years; I reside in Frederick City and
know the parties to this case.
I also know the property very well which is