No. 5856 Equity.

Ans. He left as his heirs at law the following persons viz:-
(1) A sister Annie L. Wood who is an unmarried adult (widow) and resides in the state of Pennsylvania.
(2) A sister, Catherine S. Sample who is an unmarried adult residing in Frederick County.
(3) Myrtle T. Pipes, a niece, an unmarried infant about 16 or 17 years of age who resides in Carroll County Md. and Margaret R. Pipes, a niece, who is an unmarried adult residing in Frederick County, and both of whom are the children of Mathilda Pipes a deceased sister of Geo. W. Sample whose husband is also dead.
(4) A brother Jerome Sample whose wife's name is Agnes both of whom are adults residing in the State of Pennsylvania.
(5) A niece Amphania S. Peters an unmarried adult residing in Pennsylvania who is the daughter of Maranda Peters a deceased sister of said Geo. W. Sample and her husband is also dead.
7. Int. State whether or not the said real Estate is susceptible of division or partition among said heirs at law without loss and injury thereto, and give your reason for your answer?
Ans. It is not susceptible of division among said parties without loss or injury thereto for the reason that the amount of land is too small to be divided into so many parcels.
8. Int. State whether or not it is necessary and for the benefit and advantage of all the parties entitled thereto that said real estate shall be sold and the proceeds thereof divided among them according to their respective rights and the reason for your answer?
Ans. I think it is for the reason that there is no one to see after the property and take care of it and it would depreciate in value very rapidly.
To the Gen. Int. by the Exam. Ans. I know of nothing further.

Christian S. Zacharias

John J. Welty a witness of lawful age produced on the part of the Plaintiff being duly sworn and examined, deposes and says as follows:-
1. Int. State your name, age and residence?
Ans. John J. Welty, age 80 years: Emmitsburg
2d. Int. Are you acquainted with the parties to this suit and which of them? If yes, how long have you known them and each of them?
Ans. I know them all and have known them for a number of years.
3rd. Int. Were you acquainted with one George W. Sample late of Frederick County? If yes how long have you known him and is he living or dead?
If dead, when and where did he die, and did he die testate or intestate?
Ans. I knew him. He is dead. He died in Frederick County in December last and left no will that I ever heard of.
4. Int. State whether or not he died seized and possessed of any real estate? If yes, state its location, quantity and value and look at the paper now shown you marked Exhibit A. and state whether or not it describes said real Estate?