

Frederick County by the said Alberta B. Stevens or M. Alberta Stevens, as she is designated in said action at law, against the estate of the said Annie P. Stream.

WHEREFORE, having fully answered, this respondent prays to be hence dismissed with his reasonable costs.

Filed September 4, 1936.

Leo Weinberg
Solicitor for V. Augustus Stevens

TESTIMONY

Edgar Bartlett and Annie Bartlett, his wife,	"	In the Circuit
Lester Bartlett and Minnie Bartlett, his wife,	"	Court for Frederick
Walter Bartlett and Myrtle Bartlett, his wife,	"	County in Equity
John Bartlett and Ada Bartlett, his wife,	"	No. 13229 Equity
Sarah F. Shry, widow, Laura I. Mock, widow,	"	
Maude Fry and Edgar Fry, her husband,	"	
Clarence E. Compher and Bessie Compher, his wife,	"	
Edward C. Compher and Ella M. Compher, his wife,	"	
William W. Compher and Effie M. Compher, his wife,	"	
and E. May Spittle and Walter L. Spittle,	"	
her husband, Complainants	"	
v.	"	
Alberta Stevens and Carrie Bartlett Davis	"	

" " " " " " "

TO THE HONORABLE, THE JUDGES OF SAID COURT:

In compliance with an order of court and the notice given me by the solicitor for the complainants, I, Patrick M. Schnauffer, one of the standing examiners of Your Honorable Court, did on the tenth day of September, Nineteen Hundred and Thirty six, at the law offices of David C. Winebrenner 3d, Esq., in Frederick City, Frederick County, State of Maryland, at the hour of two o'clock P. M., proceed to take the following depositions of the witnesses in this cause then and there produced before him, ex parte that is to say: Present, Mr. David C. Winebrenner 3d, solicitor for the complainants.

The exhibit marked "Exhibit No. 1" to the Bill of Complaint filed with the examiner as evidence and is so marked.

E. May Spittle, a witness of lawful age produced on the part of the complainants, having been first duly sworn, deposes and says:

"My name is E. May Spittle. I am sixty one years of age. I reside at Point of Rocks, Maryland, and have resided there about fifteen years. I am the sister of the late Annie P. Stream, who resided at No. 212 Dill Avenue, Frederick. My sister, Mrs. Stream, died intestate on November 7, 1935 and I duly qualified as her administratrix in the Orphans' Court for Frederick County, Maryland. Exhibit No. 1 is a deed to the home property of my sister which I have described as No. 212 Dill Avenue, Frederick. Mrs. Stream died seized and possessed of the land described in this deed. At the time of her death she left the following heirs at law: Edgar Bartlett, whose wife's name is Annie, Lester Bartlett, whose wife's name is Minnie, Walter Bartlett, whose wife's name is Myrtle, John Bartlett, whose wife's name is Ada, Sarah F. Shry, who is a widow, Laura I. Mock, who is a widow, Maude Fry, whose husband's name is Edgar, Clarence E. Compher, whose wife's name is Bessie, Edward C. Compher, whose wife's name is Ella, William W. Compher, whose wife's name is Effie, and myself, whose husband's name is Walter.

"The relationship of each of the parties which I have mentioned is that of sister or brother with the exception of Edgar Bartlett, Lester Bartlett, Walter Bartlett and John Bartlett, who are the children of Alice Bartlett, a deceased sister of the said Annie P. Stream, and Maude Fry and Clarence E. Compher, who are the children of a deceased brother, John Compher.

"My sister was also survived by a niece, Alberta Bartlett Stevens, the wife of V. Augustus Stevens, who resides at Mt. Pleasant, Frederick County, Maryland, and who