

is the daughter of Alice Bartlett, deceased sister of the said Annie P. Stream. The said Annie P. Stream was also survived by a niece, Carrie Bartlett Davis, the wife of Samuel Davis, who is a patient at the Springfield State Hospital, near Sykesville, Maryland, and who is a daughter of Alice Bartlett, deceased sister of the said Annie P. Stream.

"In view of the large number of heirs surviving my sister, I do not believe that the parcel of real estate described as No. 212 Dill Avenue, Frederick, is susceptible of division or partition among the parties mentioned without loss and injury and that it would be to the advantage of all the parties in interest that the same be sold under decree of Your Honorable Court and the proceeds divided as our interests may respectively appear."

To the general interrogatory: "Nothing further."

E. May Spittle

William W. Compher, a witness of lawful age produced on the part of the complaints, having been first duly sworn, deposes and says:

"My name is William W. Compher. I am sixty four years of age. I reside at Lucketts, Virginia, where I have been living for the past fifteen years. I am the youngest brother of the late Annie P. Stream, who died on November 7, 1935 and did not leave a will. My sister, Mrs. E. May Spittle, is the administratrix of Mrs. Stream's estate.

" At the time of her death my sister was a widow and had no children. She was survived by three sisters, Mrs. Sarah F. Shry and Mrs. Laura I. Mock, both of whom are widows, and Mrs. Spittle. She had two brothers, Edward C. Compher and myself. There were also surviving her the following: Edgar Bartlett, Lester Bartlett, Walter Bartlett, John Bartlett and Alberta Bartlett Stevens, children of a deceased sister, Alice Bartlett; Maude Fry and Clarence E. Compher, children of a deceased brother, John Compher. Another daughter of the deceased sister, Alice Bartlett, is Carrie Bartlett Davis, who is a patient at the Springfield State Hospital, near Sykesville, Maryland.

"At the time of my sister's death she owned in fee simple a certain lot, improved by a dwelling house and which is known as No. 212 Dill Avenue, Frederick, Maryland. My sister purchased this property from Ira F. Ray in about Nineteen Hundred and Thirty and it is the property that is described in the deed which is known as Exhibit No. 1.

"None of the heirs at law intend to live in the property and it is my judgment that it is not susceptible of division or partition among them without loss and injury and that it would be to the advantage of all the parties that the property be sold and the proceeds distributed among the heirs in accordance with their respective interests."

To the general interrogatory: "Nothing further."

William W. Compher

Whereupon there being no other witnesses to examine and no further time being required for the production of testimony, the said examiner hereby certifies that the foregoing are the true and original depositions of the witnesses in this cause as the same were taken by Mary V. Butcher, the examiner's sworn clerk, subsequently typewritten, and read over to the witnesses respectively. And the said examiner herewith returns the same enclosed to Your Honorable Court.

Witness my hand and seal this 23rd day of September, A. D. Nineteen Hundred and Thirty six.

Patrick M. Schnauffer (SEAL)  
Examiner

The Cast of foregoing testimony