

MR. BURGEE: If the Court please, I would be quite willing to get a duplicate receipted tax bill for this property and present it for your consideration. That is the only other evidence I have to present.

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THE COURT: The record shows that the property which is the subject of these proceedings, as described in the deed which is on record in this case in Liber J.L.J. No. 7, folio 224 - this deed is dated April 14, 1894, and it is from Tilghman Brooks directed to his wife, and purports to convey his interest to his wife. As they were married and held the property jointly this would have been a defective deed, because there was no straw party. So one of the matters that would be cleared through this proceeding to quiet title would correct that defect.

The record indicates that there has been no one who has questioned this conveyance even though it was an improver conveyance. It can be presumed now to give to Helen Brooks all the right, title and interest that Tilghman Brooks had by way of a quit-claim deed, at least; and the record further shows that Helen Brooks, to whom this property was conveyed by Tilghman Brooks, left a Will dated June 16, 1924, giving all of her property, both real and personal, which included specifically a house and lot at Petersville, to Cora Brooks, John R.W.H. Brooks and Helen Anne Brooks, in equal shares, which would mean that they would each have a one-third interest in the property. The evidence discloses that Helen Anne Brooks married one Henderson and had two children by that marriage: Cora and Winifred. Cora and Winifred both testified in this proceeding; the record further discloses that the father of Cora and Winifred died in approximately 1911, and that their mother, Helen, thereafter remarried, and her husband, Henry W. Owens, still survives. So from the date of the will, June 16, 1924 - that is the probate of the Will following Helen Brooks' death in 1924, Helen Ann Brooks would have at least a one-third interest in the property