

EIGHTH: Answering generally the said Bill of Complaint, your Respondents say that for more than fifty years the deed aforesaid, dated October 7, 1905, has been recorded in the Land Records of Frederick County and gives notice to all the world of its contents. That the said Marie Celeste Welty died on or about the 3rd day of August, in the year 1935, more than twenty years ago, and if the Complainants had any interest at all in the said real estate, which your Respondents deny, the said interest accrued upon the death of the said M. Celeste Welty, and your Respondents say that the Complainants in this case are barred by limitations, and are guilty of laches. Your Respondent further say that after the death of the said M. Celeste Welty, the said J. Bernard Welty exercised full and complete control over the said properties, that he occupied the town property in Emmitsburg as his home, and that he rented the farm for share rent, that he paid the State and County property taxes on the said properties, that he made such repairs and improvements to the said properties as he in his sole and uncontrolled judgment determined were necessary or desirable, that at no time did he admit or acknowledge any interest of the heirs of his deceased wife, M. Celeste Welty, in and to the said real estate, and at no time did the said heirs of his deceased wife, M. Celeste Welty, assert any interest in and to the said real estate; that the said J. Bernard Welty nominated, constituted and appointed the said Tyson J. Welty and the said Ethel Welty Gelwicks as Executors of his said last will and testament, a certified copy of which is filed as "Complainants' Exhibit No. 3" with the Bill of Complaint, and requested that his said executors serve without bond. That the said executors qualified in the Orphans' Court of Frederick County, gave notice to creditors, and fully administered in the said Orphans' Court the estate of the said J. Bernard Welty; that none of the defendants made any claim against the estate of the said J. Bernard Welty for and on account of any rents or other monies due and payable to them by reason of any ownership they might have in the two pieces of property above described.