

DOWE A. FOSTER, PLAINTIFF, produced on his own behalf, after being duly sworn, deposes and says:

Questions by Mr. Stillrich:

Q. Mr. Foster give me your name, age and address.

A. Dowe A. Foster, 73, 2362 Waystone Court, Vienna, Virginia.

Q. And you are the Dowe A. Foster cited as Plaintiff in Case No. 6E Civils in the Circuit Court for Frederick County. Is that right?

A. That is right.

Questions by Mr. King:

Q. Mr. Foster, you have heard the testimony of your wife. As far as you know is that testimony correct?

A. I would say everything sounds good to me.

Q. To the best of your knowledge, has either she or her family possessed this property openly, notoriously, continuously, exclusively and hostilely in excess of 20 years?

A. That's right. Her deceased husband and I were boyfriends together and we went up there and cut wood and helped haul wood down every year since 1921.

Q. And as far as you know, it has always been known as the Palmer property or the T.E.R. Miller property?

A. Always called Dr. T.E.R. Miller property.

Q. As far as you know it was held by her family?

A. Yes.

Q. And possessed by her family?

A. Right.

Q. Additionally, you said you and her former husband were friends. Did you grow up in this area?

A. My Dad moved here when I was eight years old. George Palmer was the first boy I met as a boyfriend.

Q. So you did know the reputation in the community of the property in excess of 20 years?

A. My Dad plastered the house she was talking about. My Dad was a plasterer by trade. When they built the house, they use to have alot of chestnut wood years and years ago and they sawed the chestnut off and used the chestnut to frame the house. They trimmed it, I believe they trimmed it