

Testimony.

## No. 7133 Equity.

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unmarried sister; and the children of Jacob Smothers a deceased brother as follows: Kate Smothers, John Smothers, Jacob Smothers and Maria Smothers all of whom were adults. My brother Robert at the time of his death in addition to owning a part interest in the said land, had, also several hundred dollars worth of personal property.

Mr. E. Franklin Cobbley, was appointed administrator of the personal estate of my brother Robert and was also appointed for the heirs of Robert Smothers as agent to settle up the whole estate. I then purchased from the remainder of said heirs of my brother Robert their interest in his portion of said land. I paid for said interest at the rate of 6 dollars per acre amounting to \$4.55 my share in the estate and some taxes which were due on the property which I paid were deducted from said purchase money in the settlement and the balance I paid in cash to Mr. E. Franklin Cobbley who paid it over to the heirs aforesaid together with the amount due thereon from the personal estate of my said brother Robert.

Mr. Cobbley promised to get me a deed from the heirs after the said purchase money was paid but the matter was neglected for some time until Mr. Cobbley became sick and he finally died some years ago, without having secured deed for me. I have held and enjoyed peaceable and undisturbed possession of said land from the time of my brother Robert's death of over 21 years, and all the heirs who live near the property recognize my right thereto. Since I purchased my brother Robert's interest from the heirs in 1878 my brother William has died, leaving no children surviving him. My sister, Mary Ann Smith and her husband and Eli Smith have also died since that time and left surviving them as their heirs at law William Smith an adult son, whose wife's name is Belle Smith, who reside in Baltimore, Md, also the children of a deceased daughter Ellen Jones whose husband's name was George Jones as dead as follows: Frank Jones an adult son, Ellen Jones an adult daughter and Elsie Jones an adult son all of whom reside somewhere in Washington County, Maryland. also Robert Smith an adult son of my sister Mary Ann whose wife's name is Matilda; Lewis S. Smith an adult son of my sister Mary Ann who is unmarried; Ida Swann an adult daughter of my said sister, who is a widow, and the children of James S. Smith a deceased son of my said sister whose wife Jennie Smith still survives him do follows:

Addie Smith an adult daughter, Albert Smith, Bertha Smith & Charles Smith who are infants and all of whom reside in Frederick County, Maryland. Also Eli Smith an adult son of my sister Mary Ann Smith, who is a non resident of the State of Maryland, but whose whereabouts are unknown, I do not know whether he is married or not. Also

since I purchased the aforesaid land my sister Ann Smothers has died leaving surviving her a widow Eliza Smothers and the following heirs at law: Ann Smothers an adult daughter who is unmarried, Emma an adult daughter who married George West, Lulla an adult daughter, who is unmarried and Ignatius an infant son all of whom are residents of the State of Maryland.