

A. One winter a number of years after the death of her father, Isaac Michael.

Q. Are you familiar with the handwriting of your Aunt, Mary Ann Stillions?

A. I am very familiar with her handwriting. She has written me a number of times.

Q. Would you say from your knowledge of her handwriting that the inscription on the back of that receipt was her own handwriting? (Excepted to)

A. That is her own handwriting.

Q. Mrs. Wise, in the answer of the respondent, Frank Stillions, he sets up the fact that Mary Michael, whom he later married, had actual, hostile, visible, notorious, exclusive and continuous possession of said property from the date of said gift, evidenced by said receipt, in 1885, until her death in 1916. Is this correct or not?

A. If that would be correct, why should she come to us and tell us that Stillions said she shouldn't come home until she had told us to write to all the heirs, and get the place made over to her, so that she could give it to him; that he didn't no longer do for her, and that please do that for her, or she wouldn't go home. (Excepted to)

CROSS EXAMINATION.

(Questions by Mr. DeLauter).

Q. Your Aunt, Mrs. Stillions, did reside on these premises from the time of the death of her father to the time of her death, did she not?

A. Nearly all the time. A few weeks once he took her away, but he wasn't away very much, but she told me that he had forsaken her.

TO THE GENERAL INTERROGATORY.

A. Mrs. Stillions came to see us, and asked to give him the place, saying that we all had enough, and he thought that we might give it to him. He didn't tell us that he held any claim on it at all. He just stated that he would like to stay there, and thought that he had to have a home, and also that he didn't care for her properly, and wasn't deserving of what she had, and she didn't feel that we could give him anything. (Excepted to).

Signature of Witness waived.

CHARLES W. MICHAEL, a witness of lawful age, produced on the part of the plaintiffs, being first duly sworn and examined viva voce, deposes and says as follows:

My name is Charles W. Michael. I live in Middletown, Frederick County, Maryland, and am a farmer and 49 years old. I know all the parties to this cause. Isaac Michael was my grandfather, and I knew him in his lifetime. He owned a small tract of land near Quebeck schoolhouse in Middletown District containing probably 3 acres of land, more or less. I look at "Exhibit A and B" which are now handed me, and they correctly describe the property mentioned in these proceedings. My grandfather, Isaac Michael, died in or about the year 1886. During his lifetime, and at the time of his death, he was living on the property mentioned in these proceedings. I have heard my sister, Mrs. Wise, testify as to the children and heirs at law of my grandfather, Isaac Michael, and her testimony in regard to the matter is correct, to the best of my knowledge. There are quite a large number of nieces and nephews scattered throughout the United States, but I believe they are correct just as she gave them. The property mentioned in these proceedings is, in my judgment, not capable of being divided among all the parties in interest, and it would be necessary, and in fact for the benefit and advantage of all parties concerned, that the same be sold under the direction and supervision of the Court, and the proceeds divided among the parties entitled to the same. In my judgment, the property ought to be worth in the neighborhood of \$300.00.

 (Questions by Mr. Mathias).

Q. Mr. Michael, will you state to the Court whether or not Isaac Michael and his heirs at law have had actual, hostile, visible, notorious, exclusive and continuous possession of the property mentioned in these proceedings for a period of more than 20 years? (Excepted to).