

Q Which came into the farm by a deed from the Fredericktown Savings Institution to the Boyers?

A That is correct.

Q Was that doubt or question of title resolved by you?

A Yes. When this question was raised we called Mr. Mathias, who had examined the title for us originally. It developed that in the chain of title a deed from Lewis E. Owens, unmarried, dated the 31st day of August, 1934, given to the Fredericktown Savings Institution, and conveying 107 acres, more or less, contained a statement that the property described as conveyed by said deed contained this language: "and being the same real estate as described in the Deed from Harry R. Howser and Carrie L. Howser, his wife; Charles L. Howser and Lillian E. Howser, his wife; John W. Howser and Lulu W. Howser, his wife; Florence C. Tabler and Norval K. Tabler, her husband, to Lewis E. Owens, dated the 8th day of August, in the year 1923, and recorded in Liber No. 344, at folios 573, etc., one of the Land Records of Frederick County, Maryland, containing one hundred and seven (107) acres of land." The true situation relating to said call was this: By the deed from the Howsers Lewis E. Owens only acquired an undivided one-half interest in the 107-acre tract, but at the time he executed the deed to the Fredericktown Savings Institution he owned the full fee simple title to the 107-acre tract. He had previously acquired the other undivided one-half interest as the only child and heir-at-law of his mother, Mary J. Owens. At the time that he conveyed the 107 acres to the Fredericktown Savings Institution he was in truth and in fact the owner of the whole 107 acres, and the question raised by title related only to the alleged faulty call in the deed from Lewis Owens to the bank.

Mr. Mathias arranged to secure an affidavit from Raymond A. Brown^{ing}, who knew the Owens family well and who stated that Lewis