

MR. NEWMAN:

I object to this. If he wants to prove the chain of title, he ought to introduce the papers which support the chain of title.

MR. STORM:

If the Court wishes us to go to that expense, we will.

I would like to invite your attention to Equity #5670 and ask that Exhibit B being the Deed to Daniel Baugher in 1841, be accepted as an Exhibit. This describes this particular piece of property as - quote from the second page of the deed - also the brick building with 20-1/2 acres of land thereunto belonging, it being the same bequeathed by the late Jacob Smith of Frederick County, deceased to Jacob and Emanuel Smith, by his Last Will and Testament dated on the first day of June, 1816. In the same proceedings, the advertisement of the Trustees as published in "The Examiner" for three successive weeks prior to March 1890 describes the property as the first parcel of land to be sold in these proceedings - "20-1/2 acres lying on the Turnpike Road improved with a large two story brick house with ^{two} story back building, basement and cellar. There is a good stable, barn, corn house, apple and peach orchard. A flowing fountain and running stream on the premises." In an effort to get the title back before Jacob Smith, who wrote his will in 1816 I read all the deeds to Jacob Smith, there being approximately 30 such deeds and covering a period of about - back to 1778 and I was unable to find any direct conveyance of 20-1/2 acres.

Mr. Murray:

Did you take this title back to common---

Mr. Storm:

I took it only so far as Jacob Smith and was unable to get a deed to him describing it in the same terms he describes it when he conveys it.

Mr. Murray:

I was wondering when you say you have no way of picking up the 20-1/2 acres.

MR. NEWMAN:

Q. Mr. Storm, did you find in any of these deeds a line for the north portion of this land which Mr. Summers contracted to convey to Dr. White.

EDWARD D. STORM, a witness of lawful age, first being duly sworn, testified as follows: