ANNIE ELIZABETH SMITH, a witness of lawful age, being produced on behalf of the Complainants, after first having been duly sworn, deposes and says:

Questions by Mr. Nikirk:

Q. Give you full name, age and place of residence, please.

A. Annie Elizabeth Smith, Route 1, Frederick, and I am now 75 years of age and I was born in the year 1888.

Q. Mrs. Smith, I show you a deed dated March 24, 1927, from Earl Stull and Margaret Stull, his wife, to Raymond O. Smith and Annie E. Smith, his wife, and ask you if that is the property that wasowned by you and Mr. Smith?

A. Yes, it is.

Q. During the time you and Mr. Smith owned that property, did you occupy it and use it as your own property?

A. Yes.

Q. During that time was there ever any question raised or any person whatsoever or any claim made against you regarding title to this property?

A. No sir.

Q. Is your husband physically able to give testimony in this matter?

A. No, his health will not permit it.

Q. Did you know Earl Stull and Margaret R. Stull, his wife, who conveyed this property to you?

A. Yes, I did.

Q. Who was residing on the property in question at the time you and your husband acquired it in 1927?

A. Mr. & Mrs. Stull made their home there.

Q. Was the property fenced at that time?

A. As far as I can recall it was.

Q. Did you know or ever hear of Susan Fogle?

A. I never knew her but the Stulls had advised me that she had died many years ago. This was before I came to reside in Frederick County, and I have lived here now for about sixty years.

Q. According to the best of your knowledge and information, Susan Fogle has been dead for more than sixty years.

A. That is correct.

Q. Do you know of any heirs or relatives of Susan Fogle who may still be living at any place?

A. No, I do not know of any heirs that she had and I know nothing at all about her family.