by me examined out of the presence and hearing of her husband, whether she doth execute and acknowledge said deed freely and voluntarily and without being induced to do so through fear or threats of or ill usage by her said husband and she saith that she doth. Witness whereof I have hereunto subscribed my name and the day and year aforesaid.

Acknowledged before Ben. Metcalf Judge of the Court of Common Pleas for said County of Marion.

The State of Ohio }
Marion County } Ss:

I, John M. Knapp Jr. Clerk of the Court of Common Pleas of the County of Marion and State aforesaid, do hereby certify that the within named Benjamin Metcalf is a regular acting Judge of the Court of Common Pleas, within and for said County duly commissioned as such by the Governor of the State aforesaid and that the signature is genuine.
In testimony whereof I have hereunto subscribed my name and affixed the seal of said Court at Marion this 26th day of October in the year of our Lord one thousand eight hundred and fifty-two

J. M. Knapp Jr Clerk C. P.

And the plaintiff thereupon rested his case.

The defendant then to sustain the issue on her part joined proved by Daniel Ryan (all of whose testimony was taken subject to exceptions) that he has known the tract of land called "Vineyard" upwards of thirty years: that Joseph Slider lived on it when witness first new it; that he occupied for some years and died in possession of it; that two of his sons then lived on it for one or two years; that John Slider then went into possession & remained in possession until his death, which took place some seven or eight years ago; and that since that time the defendant who is the widow of said John Slider has been in possession of that part of said tract which is located on the plat offered in evidence as the possession of said defendant. That witness was upon the ground at the time of the survey and pointed out to the Surveyors the line of the fence which is located upon the plat as the possession of the defendant and others and that the line of said possession as thus pointed out by witness was the line of the possession as held by Joseph Slider — and next by his two sons next by John Slider and at present by the defendant, as previously stated in the testimony of witness.

That witness was present at the house of John Slider shortly before his death, and whilst he was in his last illness, and

an arrangement was then made between said John Slider and William Morgan the lessor of the plaintiff in which it was stated and agreed that said John Slider had shortly before that purchased said tract of land from Thomas R. C. Martin the agent of Robert Martin and had paid a part of the purchase money therefor, and said Morgan agreed that he would go on and pay the balance of said purchase money and obtain a deed therefor to himself for said tract of land from said Robert Martin and that then he, Morgan, would make a deed to the defendant for all that part of said tract lying south of the line commencing at B on the plat and thence eastwardly across the entire tract to C. on the plat. And that said Morgan should hold the residue of said tract, lying north of said fence. This was the understanding and agreement between them.

The defendant further proved by Leonard Shercliffe (whose testimony was also all taken subject to exceptions) that Joseph Slider was in possession and lived on the land from the year 1805 or 1806 until his death about the year 1825 or 1826: and that John Slider then took possession and remained in possession until his death some seven or eight years ago and that the defendant who is the widow of said John Slider, has lived on it and been in possession since his death.

The defendant further proved by Deborah Martin that she knew Robert Martin; that he resided in the State of Ohio; that he was last in Allegany County, Maryland, in the year 1847; that on that occasion he went out on Green Ridge to see his land and she knows that said Robert Martin authorized Thomas R. C. Martin, as his agent to sell said land, to wit, the tract called "Vineyard". The witness further states that the letter now shown her is in the handwriting of said Robert Martin.

Letter

Middle Spring, March March 22nd 1852.

Dear Cousin — Your letter of the 9 of this inst, was handed me Saturday evening this was the first I heard of the death of Thos. I have not seen any of your sisters family for some time, nor heard from Thos. since we told on him on his return from Pennsylvania in December '50 I had frequently thought of writing to him on the subject of my business but put it off. Cousin John informed me in the fall he had received a letter from Hannah which informed him of his marriage not who too. As to the Green Ridge land you mention you to a contract for it. I will defend against any of my father's family or my own. You can send a blank which will be a copy of the patten I will