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under fence. He is under bond been in possession of them ever since she is now married to Morris Elwood. I knew those lands since 1849 when I first knew those lands Hammell and Combs were in possession of them. On Cross examination he says when he first knew the lots in controversy in 1849 they were not inclosed were never marked but William got them to my knowledge.

The plaintiff then further proved by William Combs that the town of Bloomington stands on lot No 1 or 2 I don't know exactly which but think it is on No 1. I knew John Templeman by sight only I only saw him once. I knew lots No 1 and No 2 since 1840 don't know the exact time when John Sight was living on No 1 or No 2 I can say which in 1840 Sight gave us possession the spring the Rail Road went on.

On Cross Examination He says Sight paid us no rent. He was in possession when Hammell and I bought and I don't know how he was then don't know that I ever said any thing to him about being our tenant when I met him and asked him to give us possession he gave it up to us.

The plaintiff then further proved by Enoch Sight that he has known the lands in controversy 38 years. John Sight was my father. John Mueller had not possession of the lands. John Templeman lived in a house on the lands that is lot No 1 until his death. John Mueller lived on the same lot after Templemans death most of Bloomington was on Mueller and Templemans lands. Lannons lots were out.

John Sight lived in Bloomington don't know how Sight lived there. Templeman gave him permission to live there. I don't know he never paid any rent don't know that he did not go there on his own book. Templeman accepted the lands from the time I was a boy till his death. Mueller there took possession and remained there 4 or 5 years. I am sixty six years old now and can recollect the lands about 38 years. Mueller must have left about six years after I was married which was in 1823. Duff Green was in Westernport. I never saw him on the lands. John Sight never made any claim to the lands on Cross Examination.

He says he never saw Lots No 1 or No 2 run and

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knows nothing about the lines of them.

The plaintiff therefore then gave in evidence the affidavit and petition in this case April 14th 1864.

Peter Lannons lessee
vs
Morris Elwood and Winnefred Elwood

No 20 Originals. Apl Term 1864.

To the Honorable Circuit Court for Allegany County the petition of Morris Elwood and Winnefred Elwood tenants in possession of the premises

States that the said Winnefred Elwood was the wife of one William Lannon and that said William Lannon died seized in his demesne as of fee of the premises and left Mary Lannon an infant daughter and his only heir at law to said premises, that said Winnefred was appointed guardian of said Mary by the Orphans Court for Allegany County and as such guardian and in her own dower right as widow of said William she remained in possession of the premises being the mansion house of said William during the life of said Mary who died in February 1863 and since that time said Winnefred has continued in possession of said premises claiming her dower interest in the same and also a heir to her son daughter Mary Lannon and that the defendant Morris Elwood has intermarried with the said Winnefred and is in possession by virtue of his rights. Wherefore they pray the Court to grant them leave to enter into a special rule requiring them to confess lease and entry all the bread but not ouster.

State of Maryland Allegany County to wit. I hereby certify that on this 12th day of April 1864 before the subscriber a Justice of the peace of the State of Maryland in and for Allegany County aforesaid personally appeared Winnefred Elwood and made oath that the facts and matters stated in the aforegoing petition are true to the best of his knowledge and belief. M Sherry J. P.

as an admission and for the purpose of showing that the said Winnefred was the Widow of William Lannon and that she claimed under him subject to exceptions.

The defendant then 1st proved by William Cunningham one of the Jurors that John Lannon the Witness stated yesterday on his examination in the presence and hearing of the Jury that Mary Lannon died in