which he did and which by said map appeared to be on the southwest side of Goodwin Street 83 feet to a 20 foot Lane, thence Southwesterly 163 feet and 6 inches to another 20 foot Lane, thence Northwesterly 132 feet, and thence northeasterly 152 feet to the place of beginning of which piece of ground the lot in controversy is a part. No body that ever I heard of claimed the property but the Sleepers. After the house burned down in 1840 it lay open as a common till Mrs Campbell one of defendants enclosed it again. I never heard of the Sleepers paying rent. I never knew John Shroud. I don't know when he died Sleeper had all the property now described enclosed and forty feet more on the west which Mr Fletcher enclosed after the house was burned down; he was a blacksmith. I and the Sleeper boys went to school together.

James Leach: I was born in 1801 always lived on the alley that runs on the east side of the Sleeper property. A man named John Shroud lived and died on the property in 1806 or 1807. Jacob Sleeper took it about 1808 he started the blacksmith business. He lived there till he died and the Sleepers lived there till 1840 when the house burned down.

The defendants Counsel here proposed to ask witness the following questions.

Did the Sleepers claim the property as their own absolute property in any conversation

with you? Did the Sleepers admit the claim of any other person to the property in conversation with you about it. The plaintiff objected unless the defendants were prepared to show that the plaintiff or some one under whom he claimed was present at such conversation. The Court sustained the objection and refused to permit the question to be put, to which refusal the defendants prayed leave to except, and that the Court would sign and seal this Bill of Exceptions &c which is accordingly done this 23rd day of March 1874.

George W. Dobbin Seal.

After the introduction of the evidence in the Second Bill of Exceptions mentioned, which is hereby made part of this Bill of Exceptions the defendants then further proved by said James Leach that all the time the Sleepers lived on the property, they were in quiet peaceable possession by enclosure; never any demand being made on them for rent by any one to the knowledge of the witness.

Mrs Campbell died about nineteen years ago, she moved off the property because she had to go, the house having burned down.

Cross Examination I was a Carpenter; was for 35 years steadily employed. My memory is not as good as it used to be. I can't say when Mrs Hannah Sleeper died. I might have been in the house every week, month and year for 36 years I was on intimate terms with the family. Me and the Sleeper boys went to school together.

The defendants Counsel here proposed to ask witness the following questions,