Daniel Baughman done the carpenter's work, but he took it out in board.

Q. Who is Daniel Baughman?

A. He is a brother-in-law of mine, the one now fighting me; he is the husband of Mary Ann Baughman, a sister of mine.

Q. Where did you have this money you spent on this house?

A. I made it, sir.

Q. Where did you have it?

A. When I made the money I went and give it to my mother, the same as I do to my daughter now, when I stop with her; if I have $15.00 a week or $10.00, I give it to her to keep.

Q. How old are you?

A. If I live to see the 30th of October next, I will be 66 years old. He further testified, that he made the chief part of the money to build the house by digging peat.

Redirect.

Before father's death many of my receipts were destroyed; I accused Mrs. Baughman, and made her leave the house; before I went to Virginia, all of the family had left the house.

Defendant here rested his case.

Eva Schriener in rebuttal: Am defendant's sister; I always thought mother paid for the brick house; she attended the paying of the taxes and ground-rent; defendant has always claimed the house; he said he built it, but I thought differently; I left when my mother died; having lived at the house up to that time with my family - that is, from 1863, until 1873; defendant and his children were in possession when

I left; no other members of the family lived there up to the time he went to Virginia.

Jacob Waltemeyer, in rebuttal: Am brother of defendant; my mother's money paid for the brick house; she got the money, some six or eight hundred dollars, from her father's estate; I never know the defendant to pay any ground-rent; I was present in 1875 or 1876, when my brother, Charles Waltemeyer, the administrator, paid $200 to Mr. Yearly for eight years ground-rent.

Cross-Examined.

There was a stable on the property; don't know who built it, but it was occupied by defendant's horses, and one or two cows of my mother; I only know that mother's money paid for the house, because she told me; the defendant had a trick, whenever he paid money for anybody in the house, he got the receipt in his own name; defendant mortgaged his property to assist me, but I paid it off; the mortgage was on four houses he owned on the Washington Road; these houses he afterwards gave to mother.

Mary A. Baughman, recalled in rebuttal: My mother paid for building the brick house; my mother kept the house during her life, and we boarded with her; defendant did not support the family; the house was commenced in 1849, and finished in 1850; mother took defendant and his children home in 1863, and kept them until her death; my husband did the carpenter's work.

Witness testified further:

Q. Give the jury Frank Waltemeyer's whereabouts from the time the house was built?

A. He went away to Mexico to the war in 1846; he re-