turned the Summer of 1848; he came home sick, or was sick soon after he came home; he staid home then some one or two years; I think he went away either in '51 or 52; he went west; he then came home and married and went back again.

Q When did he marry?

A I can't tell now exactly; I think between '53 and 54; then he came back again and staid a short time, then rented a house on the road and there remained until his wife died.

Q. About when did he leave this house and go up the road to live?

A. I judge in the neighborhood of '55 or '6.

Q How long did he stay in that house?

A. Until '63, until his wife died.

Q. From 1855 then to 1863, Frank Waltemeyer was not occupying this property at all?

A. No, Sir; then mother took him and the children home to her, because the children were young, and mother raised the children and kept them together, and he staid with her until her death.

Q. When did she die?

A. 1872.

Q. Then from 1872 to 1876 where was Frank Waltemeyer?

A. Frank was in the house after mother died, before he left that time; then the property went into the hands of the administrator.

Cross-Examination.

Mr. Brown.

Q. I understand you to say this house was commenced in 1849?

A. It was.

Q. And finished in 1851?

A. No, Sir, 1850; my husband built it.

Q. Where was Frank Waltemeyer all this time?

A. During the time the house was building?

Q Yes, mam?

A. He was home sick - he came home sick.

Q. He was home all the time?

A. He was home from 1848 to 1852.

Q. You meant to say your husband built the house; he said he did the carpenter's work?

A. He built the house - planned the house.

Q. Didn't Frank Waltemeyer have horses and carts, and didn't they haul the brick?

A. Yes, sir, I think they did.

Q. And Mr. Donnelly - on the stand awhile ago - he built the brick work?

A. I know Mr. Faithful was one; I don't know about anybody else.

Daniel Baughman, in rebuttal, testified: That Mrs. Waltemeyer paid him for the carpenter's work on the house; I boarded at the house at the time and whenever I wanted money I got it; I never know Frank Waltemeyer to support the family.

Testimony here closed on both sides.

At the conclusion of testimony, the Court required of defendant's counsel to say whether they made any claim to twenty years' possession by Frank Waltemeyer, but counsel declined to answer the question.

The plaintiffs offered five prayers as follows, to wit:

1. The plaintiffs pray the Court to instruct the jury that the deed offered in evidence by the defendant from Adam Waltemeyer to James Blair, is no bar to the recovery of