6th. The Plaintiffs by their attornies further pray the Court to instruct the jury that if they shall find from the evidence in the cause the matters stated in the plaintiffs fifth prayer and shall further find that the deed from Ira Friend to the defendant offered in evidence calls to begin at the end of the 16th line of the tract called "The Blooming Rose" and that the said deed has been located from the Birch tree at Black W. that then the defendant has not properly located any deed showing title in him for any part of the land upon which the trespasses are claimed to have been committed and said deed is not properly located.

7th. And the plaintiffs further pray the Court to instruct the jury that if they shall find from the evidence in the cause that the patent for the "Resurvey of the Blooming Rose" calls for a maple tree at the end of the 15th line of said tract, and that no such maple tree now stands at the end of said line as located by the defendant and that there is no testimony to show that it ever did stand at the point black T as located by the defendant and that the defendant has extended the said 15th line beyond the distance to which it extends and reaches by the description in said patent of said line to black T, then the said defendant has not properly located said tract of land called the "Resurvey on the Blooming Rose".

8th. The Plaintiffs by their attorneys further pray the Court to instruct the jury that if they shall find that the first line of the deed from Rebecca Frantz and others to Elijah Friend under which the plaintiffs claim part of the tract called "Kensington" calls for a hickory standing at the end of seventy perches on the 16th



line of "Blooming Rose" and that said hickory stands at the point black I as indicated on the plat and that the next line of said deed calls to run with a part of said 16th line of Blooming Rose S 11°. W 120 8-10 pe to a stone and two maple saplings and that said stone and two maple saplings stand at black I upon the plats, and shall further find that the plain black line from black E. to black F. is part of the 16th line of the tract called "The Blooming Rose" is correctly located, then the jury may interpolate the lines from black I to black E and from black T to black I although said lines may not be mentioned in said deed from Geo. Frantz-heirs to Elijah Friend, the father of the plaintiffs in order to gratify the calls of said deed to run with the 16th line of the "Blooming Rose". But the jury are further instructed that before these lines can be so added to the lines of the deed, by them, it is incumbent on the plaintiff to satisfy the jury that the said 16th line of Blooming Rose has been correctly laid down and located on the Plats by the plaintiffs with a correct allowance for the variation of the compass.

And the defendant offered five prayers from one to five inclusive.

1st. The defendant prays the Court to instruct the jury that if they find from all the evidence in the cause that Elijah Friend, father of the plaintiffs died about the year 1869 testate, and that his will was duly admitted to probate on the 21st day of Dec. 1869, and shall further find that by the terms of said will the said Elijah Friend devised to John F. Friend and Elijah Friend his executors, the land described in the plaintiffs' declaration with directions to sell said land