let it remain as it was; as the money I had paid had never been paid to the bank; it was in 1862 or 1863, that I made application to Mr. Bannon for a deed.

On cross-examination, witness testified that she was married in 1850; was a resident of Baltimore; there were no buildings on the place when we bought it; Mr. Turner put the buildings up for me; most of the lumber was cut off the place; I first saw the property when the dwelling was nearly finished; I had no interview with Mr. Cecil about the purchase; I sent Mr. Turner as my agent to buy it; I had never seen the land; the price was $4.12½ per acre for 160 acres; I gave Mr. Turner the seventy-five dollars cash payment, to pay Mr. Cecil, as my agent; I kept boarders in Baltimore at that time; Mr. Turner brought me a receipt from Mr. Cecil; I have the receipt at home; Mr. Pumphrey, Mr. Day, and about fifteen others helped to build the barn; Mr. Turner helped, and the boys, with my brother, finished the work; Mr. Turner bought some of the stock with which the farm was worked; I bought cows, pigs, and chickens; Mr. Turner and myself both contribute to support the family, and purchase stock for the farm.

William A. Turner, a witness called by the defendants testified that he is the son of William B. and Louisa S.; he was born in Baltimore, and is forty years old; he is a carpenter and stair builder; his mother and father have lived on the place, with the boys and girls, nearly ever since witness can remember; it is the family home; his father was working as a carpenter when he moved on the place; his mother,

with the boys, operated the farm until the boys got big enough to look out for themselves; produce from the farm was sent to market, and proceeds spent for mother or paid to her; father never received any of the proceeds; don't remember his father ever working on the farm; his mother superintended; his father has no stock on the farm; witness has a horse on the place; when mother was short on the taxes, we would help her out; but she generally paid them herself; when witness was growing up he used to work on the farm for mother; we considered our time here, until we were twenty-one, and then we went off; I did work twice on the public road to help pay taxes; the barn is about 24 by 100 feet; the cost of the barn, if the frame was got out of the woods, as we got it, would be $400 or $500; the frame would cost about $60, and the balance of the costs would be for work and lumber bought; father and witness came down together from Balto. and worked on the barn one day.

And neither side offering any further testimony, the plaintiff offered the following prayers:

Plaintiff's First Prayer.

The jury is instructed that there is no evidence of any acts of purchase, user, ownership or possession on the part of the said Louisa S. Turner, legally sufficient to vest in her the legal title to or the right of possession of the land in controversy.

Plaintiff's Second Prayer.

If the jury shall find from the evidence that the land mentioned in the declaration is a part of the lands described in the deed from Thomas S. Alexander, trustee,