and another of the said parts of the said real estate was allotted to the said Ursilla who had before said division intermarried with a certain Samuel Schindel the brother of this defendant; and the other of the said parts of the said real estate was allotted to the said Lavinia E. as and for her present part in possession of the said, and the aggregate valuation of each parts was as is stated in the said Bill. And this defendant further admits that he intermarried with the said Lavinia E. at or about the time stated in the said Bill of Complaint; and that he has since the division and allotment of the said real estate been in possession, control and management of the said part of the said real estate so allotted to the said Lavinia E. his wife as aforesaid, and has received the rents and profits thereof. And he also states that he received of the personal estate of the said Ruth Emmert, about the sum of Thirty three or thirty four hundred dollars and not five thousand dollars as alleged in the said Bill of Complaint; and of which the said sum so by him received of the said personal estate a large amount has been expended in improvements and repairs on the said land so acquired by his said marriage.

And this defendant also admits and avers that the said Lavinia E. his said wife did sometime since leave his house and her proper home and has ever since remained in the house with the said Elizabeth Emmert & Samuel Schindel and his wife, and under their control and influences, but this defendant altogether and utterly denies that he ever ill treated or abused the said Lavinia E. his said wife or that he ever gave her any just or colorable cause for leaving his house, care and protection; and that the said Lavinia E. left his said house and protection, when she was well and comfortably provided for, without his consent and altogether against his wishes and remonstrances. And this defendant cannot refrain from the statement of this decided conviction and as a fact that but for the ill counsel often given and the baneful influences constantly exerted over the said Lavinia E. by third parties the deplorable state of things now existing would never have been brought about nor the painful necessity imposed upon him this defendant of bringing to public contemplation a statement of domestic feelings and relations that at once blast the fairest prospects of life, suppress all hope and wound and mortify the most sensitive feelings of an nature. That those from whom he should naturally have expected mutual interest pride, and dearest ties of relationship should have prompted to give good counsel, administer consolation whenever needed, and to do all in their power to preserve and maintain perfect peace and harmony between this defendant and his said wife, have been those to whom bad advice and evil influences this defendant conscientiously attributes all his domestic difficulties and mortifications. This defendant admits that he has his infirmities of passion which are incident to an common nature, but he altogether denies that he is characterized for strong perverse temper or that he has stronger passions or a more irritable disposition than the larger portion of his race and he utterly denies that the said Lavinia E. his wife has ever intentionally been made in reality to suffer in feeling or otherwise from passion or unreasonable temper. That the said Lavinia E. well knew this defendant long before she was married to him and understood perfectly his characteristics and disposition and she never even suggested an apprehension

that any temper of his would likely mar or interfere with their domestic felicity; and this defendant is convinced that the charge in the said Bill of Complaint in regard to ill treatment of the said Lavinia and the manifestations of strong temper towards her by her husband are the base subterfuges of the third parties and whose injurious influences the said Lavinia E. has been and now is as a pretext for their most unjustifiable conduct in the premises.

This defendant knew before his said intermarriage with the said Lavinia E. that she was possessed of a strong temper and rather a perverse disposition which are family infirmities, but he confidently hoped and supposed relying upon her strong manifestations of affection for him, which he has no doubt were true and real that he could in a great measure by talk and dispassion, check, and ultimately reform them and in which he has no doubt he could have succeeded had he not been thwarted by the influences and evil counsels of others. What ever this defendant may state in this answer at all derogatory to the feelings or character of a wife that has ever been dear to him, he states under what he deems a strong necessity for the vindication of himself and for a proper understanding of the true merits of the unfortunate difficulty; and nothing could cause him deeper and more painful regret than to think it was supposed for a moment that he would expose the infirmities of his wife for any thing than the purposes of justice and under the most urgent necessities: and he earnestly hopes that it will not be supposed that he makes any statement in this answer in a spirit of recrimination. For such is by no means his design or wish. He can only wish that he were permitted to let the occurrences of the past remain with the things of the past, and that an impenetrable veil of domestic secrecy might ever rest upon them. And this defendant is never unwilling and indisposed to state or even allude to the frailties of his unfortunate wife, because he is persuaded by that reason of her youth she being now about nineteen years of age only, and the want of the guide of a sound judgment she has become the dupe of the wiles and sinister plans of others by whom she is surrounded. But however painful it may be to both this defendant and his said wife he feels himself called upon to state, that repeatedly since the said marriage the said Lavinia E. has given alarming manifestations of temper, ire and perversities, and that such manifestations, to use no stronger terms, have frequently subjected this defendant to the greatest trouble of mind, and have always required the greatest efforts on his part to appease and assuage them: but this defendant knowing the inherent infirmities of the said Lavinia's temper and making many allowances for youthful whims and freaks, never permitted himself to despair of ultimately correcting the evil, and of making her what was then and is now the dearest wish of his heart, an affectionate, temperate and considerate wife. And this defendant will readily admit that there have been some few occasions upon which he has been provoked to speak to his wife in such unguarded terms as, though with no intention of wounding, might appear to a sensitive person to be so intended, and whenever such a thing has transpired he has always made it his first duty to apply himself most assiduously to the making of amends and atonement with which she always appeared to be satisfied at the time