

No. 8851, Equity.

judgment of which Exhibit J, is a Certified Copy. The said land is now held by a great number of persons, who are named in the Bill of Complaint, as tenants in Common, and it would be impossible to divide the land among them without great loss and injury of the said land, which consists of two parcels in worth in my opinion about \$6000.00

To the Hon. Jct. by the Examiner.

I don't know of anything else.

J. Brown Myers.

(Adjourned to March 11th, 1873).

Upton S. Michael, a witness produced on the part of the Plaintiff, being duly sworn and examined viva voce deposes and says as follows:-

In my testimony given in the case a few days I stated that Reuben Poyner died prior to 1874, but upon my attention being called to the matter, I remember that she Mrs Poyner died after my Uncle David Specht became. I remember of her being here in the east, on a visit after his death she visited at my home, at that time, she was then a widow, and upon looking at the proceedings in No 4019, Equity, which was the case for the sale of David Specht real Estate and the assignment of his widow's dower the said Rebecca Poyner was a party Plaintiff thereto.

The Henry C. Wagner mentioned in the testimony in this case one of the children of Catherine Wagner is an adult and still being at Cambridge in the State of Ohio, at least he was still living there in October last. When I last had information of him

To the Hon. Jct. by the Examiner.

I do not

Upton S. Michael.

Whereupon there being no other witnesses to be examined and no further time being required for the production of evidence, the said Examiner, hereby certifies that the foregoing are the original depositions in this case on the same were read over to the witnesses and signed by them respectively, and I himself return the same enclosed to the Court. Witness my hand this 12th day of March, A.D. 1873.

Clayton O. Keely, Examiner.

Costs of the foregoing testimony.		
C. O. Keely	Examiner 24 days	\$ 16.00
Upton S. Michael	with 3 days & mileage	3.45
David A. Specht	" " "	1.65
J. Brown Myers	" " "	1.65

Certified to

Clayton O. Keely, Examiner.