Daniel Ragon a witness produced by the petitioner aged about 44 years after being duly sworn saith, that this deponent was present when Mrs Hurley a witness to the will of Samuel Brayfield related to Ignatius Davis, the words said to have been spoken Samuel Brayfield which was related in the presence of Eleanor S. Davis and Margaret Taylor who are also witnesses to said will, that he heard no names - mentioned for the children, that since the probate of said will he heard Mrs Hurley and Eleanor S. Davis say that Samuel Brayfield did not mention the names of the children at the speaking of the words purporting to be his will his words were his wife and children and that at the time the relation was given to Ignatius Davis as aforesaid Mrs Hurley did not mention the names of the children named in the will that the property bequeathed to Reubin Davis is still in the possession of said Davis, that Samuel Brayfield left a widow residing on the farm in the dwelling house where he died, within a short distance from Reubin Davis that he left no lawful heirs but a brother and sister of the whole blood and he thinks three sisters of the half blood that this deponent, was informed and believes that the property left by Samuel Brayfield came by his wife, except one cow, which Samuel Brayfield had before his marriage that this deponent in consideration with Samuel Brayfield about 5 or 6. weeks before his last illness said that in a letter written by his brother John Brayfield he enquired how was old Sam and Samuel Brayfield that he complained to this deponent, that his brother John had never treated him as a brother and believed he never would. That Samuel Brayfield said he always intended to leave his brother something handsome if he had treated him as a brother — but that he would leave him nothing unless he acknowledged him as a brother and would write to him as such -

That John Brayfield had always lived in the neighbourhood of Samuel Brayfield until the year 1798. when he moved to the state of Kentucky, that he knows Samuel and Joseph Pancoast who are the children of Jane Brayfield by a former husband that Samuel Pancoast was of the age about 17 years at the death of Samuel Brayfield and that both Samuel & Joseph Pancoast were under the care and Guardianships of Samuel Brayfield from the Intermarriage with their mother until his death and that there were no other children in the family.

and whereas at an orphans Court held on the second tuesday and fourteenth day of June eighteen hundred and eight being the day fixed on by the said Court to take testimony of the witnesses — adduced to them in this case - Ignatius Davis present here in Court is admitted as a witness in behalf of the defendant who being sworn & his deposition taken in Court and filed in the Registers Office in the following words, to wit

Ignatius Davis a witness produced and sworn in the case on the part of the defendant deposeth and saith that the release of Reubin Davis of the bequest to (him)

him in the nuncupative will of Samuel Brayfield now in hearing was signed and sealed and acknowledged in the presence of this deponent by the said Reubin Davis and by him delivered to this deponent to be filed in this Court for the use of the legal representations of the said Samuel Brayfield deceased and that the said release was accordingly filed by this deponent for the use aforesaid - That the name of Reubin Davis signed to the said paper so as aforesaid filed is the proper hand writing of the said Reubin Davis that the name of Ignatius Davis signed as a witness to the said release is the proper hand writing of this deponent who did attest the execution of the said release this deponent further saith that before the execution of the said release by the said Reubin Davis that this deponent fully explained to him what would be the operation of the said release. Whereupon the said Reubin Davis agreed to release all his interest under the said nuncupative will to the legal representations of Samuel Brayfield - & did execute the aforesaid release for the said purposes -

That from the conversation which this deponent had with the said Reubin before and at the time of executing the said release this deponent knows that the said Reubin Davis did intend by the said release to relinquish to the legal representations of Samuel Brayfield all his right & claim to any bequest in the said nuncupative will in due form of law that when the said Reubin Davis had signed sealed and acknowledged the said release before him, this deponent asked the said Reubin if he should take it to the Office and have it recorded with the other papers the said Reubin said yes, whereupon this deponent took the paper from the table where it was lying before the said Reubin Davis & filed it in this office for the use of the legal representations of Samuel Brayfield - That at the time of executing and delivering the release aforesaid Mrs Brayfield the widow was in the room but sick in bed -

This Deponent is the half brother and intimate friend of the said Mrs Brayfield and was attending to this business as her agent - he has not and never has any interest in the business - Samuel Brayfield at his death left personal property worth about three thousand Dollars the whole of which except perhaps one cow he got by his said wife - The property mentioned to be bequeathed to Reubin Davis was in his possession at the time of making the will and has continued in his possession ever since - but Reubin Davis was told often before and after executed the release as this deponent believes that he might give up the property whenever it should be claimed by Samuel Brayfields representations - That property is returned in the Inventory of Samuel Brayfields Estate - See Exhibit No. 7. herewith transmitted. Nathaniel Hynes and Elizabeth his wife who were summoned in behalf of the plaintiff appeared in Court on the fourteenth day of June last mentioned the day fixed on by the Court for the purpose aforesaid, who were severally sworn and their depositions taken in Court and filed in the Registers Office in the following words and figures, to wit

Nathaniel Hines aged 38 years or thereabouts being duly sworn deposeth and saith that this deponent was at the house of Samuel Brayfield deceased twice in the (last)