last Illness of the said Brayfield. That the first time the deponent was there was as this deponent believes on monday night before the said Brayfield died, that the said Brayfield then appeared to be getting well and seemed to be in his senses— That this deponent was sent for by Brayfields family on the wednesday night following which is the second time above mentioned of his visiting the said Brayfield and was the wednesday night before said Brayfield died— That this Deponents wife accompanied him to said Brayfields the second time they got to said Brayfields about Nor 12 Oclock and found the said Brayfield very ill and supposed him to be out of his senses from the incoherent manner of his conversation. That the said Brayfield frequently observed that he would be a well man & on his feet in a few minutes, that the said Brayfield frequently called for water & appeared to have a fever — but he knew this deponents and every body in the room and called this deponents by name whenever he wanted water to give it to him —
This Deponent is uncertain as to the hour at which he reached said Brayfields on the aforesaid Wednesday night because he had been a sleep for some time & was waked out of his sleep when sent for to Brayfield — This Deponent lived about a mile from said Brayfields and reached said Brayfields house in half an hour or three quarters after he was sent for — That on the said wednesday night that the deponent was at the house of said Brayfield, this deponent did not hear any one mention the nuncupative will of the said Brayfield that nothing was said relative to any will that night within the hearing of this deponent, that at the time this deponent was last sent for to visit the said Brayfield there were several persons residing in the neighbourhood within a mile or thereabouts from said Brayfields who this deponent believes could readily have reduced to writing any deposition that the said Brayfield might have wished to make of his property by will if he had been disposed so to do but whether such persons could have written a will in legal form or not this deponent does not know — That Ignatius Davis Esqr a Justice of the peace & Mr Davis Richardson who were near relatives to Mr Brayfield and her children are amongst the persons alluded to by this Deponent. —

Elizabeth Hines aged 28 year or thereabouts being duly sworn deposeth and saith that the deponent and her husband visited Samuel Brayfield twice in his last Illness the first time was, as well as she recollects on the monday evening befor the death of said Brayfield that he appear then to be getting better and this deponent believes was in his senses —
That the second time was on the wednesday night preceding the death of the said Brayfield that it appeared to this deponent that was between ten & twelve oclock when they came to Brayfields that the said Brayfield appeared to be not altogether in his senses he seemed to be very ill, that he frequently asked for water they wanted him to take more medicine that he said he would not take no more but would trust to the Lord, that said Brayfield

(repeated)

repeated several times that he would be well and on his feet in a few minutes — he seemed to know every body in the room — This Deponent is quite uncertain as to the hour she reached Mr Brayfields as she had been a sleep before she was sent for and was waked by the message that was sent for her she is the wife of Nathaniel Hines heretofore sworn in this case — she lived about a mile from Mr Brayfields and reached his house in about half an hour after she was sent for. —

And Whereas at an orphans Court held under an adjournment on the 16th day of June Eighteen hundred and eight for the purpose of taking the testimony of the witnesses adduced to them in this case — Whereupon Henry Howser who was summoned in behalf of the Defendants appeared in Court on the day & year last aforesaid who was sworn and his deposition taken in Court and filed in the Registers office in the following words, to wit

The Deposition of Henry Howser a witness produced on the part of the defendants being first duly sworn deposeth and saith — That he saw Reubin Davis sign seal and acknowledge the release filed in this case — That the name of this deponent was written as a witness to the said release in this deponents presence and by his request — This Deponent being unable to write this deponent saw Reubin Davis reading the said paper that after the said Reubin Davis had signed sealed and acknowledged the said release & after it was witnessed by this deponent and Ignatius Davis this deponent heard the said Ignatius Davis ask the said Reubin Davis if he the said Ignatius should take it Reubin Davis said yes — the paper was then lying on the table and this deponent does not remember what became of it — a short time after this on the same day — this Deponent and Reubin Davis were talking about what he Reubin had done, and the said Reubin said that he knew he must give up the horses whenever they were called for — that he had no right to them — That at the time Reubin Davis said that Ignatius Davis might take the paper above mentioned the deponent did not hear him say for what purpose he should take it or what use should be made of it — That Reubin Davis did not at the time of permitting Ignatius Davis to take the said paper paper in any manner complain what use was to be made of it. That this Deponent does not recollect that he was present when the paper purporting to be the nuncupative will of Samuel Brayfield was reduced to writing — That he did not hear the witnesses named as subscribing witnesses to the said will relate to Ignatius Davis the words of the will of the said Samuel Brayfield — That this deponent never at any time heard the said witnesses repeat the words contained in the said will — That he saw the witnesses Susannah Hurley, Eleanor P. Davis, Margaret Taylor sign a paper which he supposes to be the will in question. That he is certain that Ignatius Davis read it to them before they signed it but does not remember what were the words contained in said paper — That Samuel Pancoast wrote the name of this deponents as a witness to said paper at the request and in the presence of this deponent. This deponent

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