deponent like a child and beged he would go and lay his father out he supposes he was sent by his brother Stately—

Jacob Franklin Waters aged thirty one years being one of the people called Quakers and conscientiously scrupulous of taking an oath having affirmed says— The Deponent knew Philip Nicholls when he saw him and he once saw him in a violent passion with Clarke Higgins for asking him for a chew of tobacco and he was generally called a fool throughout the neighbourhood—

Isaac Philips aged about forty five years sworn— The deponent has been acquainted with Philip Nicholls these thirty years and has seen him frequently he was a very good reaper and a capital hand in a grain field as any he ever saw both for reaping binding or shocking— At harvest it is generally customary to dance and Philip Nicholls would dress himself clean and take out a partner and dance like others and play at cards the deponent has been his partner at playing cards many times— He played a good game and if any man at the table cheated he would be sure to find him out— Philip Nicholls was at the deponents house one whitsuntide and there came a rain and they had to go to planting and Nicholls observed to the deponent if he had been industrious and got done planting before he would not have had to go to planting then—

William Phelps aged sixty six years sworn— The Deponent was acquainted with Philip Nicholls for forty years he respected for him and his Mother for twenty five years he was an excellent reaper could cut and bind well and the deponent has seen him have money which he took good care of— He could play an excellent game at whist no man could cheat him that ever he saw and he could play an excellent game at all fours and was a good stripper of tobacco and went very neat in all his cloathes, was a good hunter and fisher and could dance an excellent reel and was a very industrious man on a plantation— He has seen him playing with the girls at Howard Duvalls with a hand full of chinquapins and he would count them but he does not know whether he would count them right— when at reapings he would laugh and talk like a Gentlemen— when playing at cards he has seen him have money under a candlestick and when he lost he would push it away and when he won he would take it up—

Thomas Lyles aged forty nine years sworn— The deponent never saw Philip Nicholls that he recollects more than twice or thrice he saw him at the warehouse inspecting of tobacco he had no further conversation with him than in the common way with those who came to inspect tobacco, whether he was capable of making a will or not he cannot undertake to say he might or he might not be— He has heard old Daniel Clarke who was an uncle to Philip Nicholls say that he was not capable of doing

doing this or that and that he always was considered an Idiot in the family and that he was not capable of learning at school or they supposed he could not learn and did not send him the deponent does not recollect which this was in the lifetime of Stately Nicholls the brother of Philip and he has also heard Daniel Clarke say that Stately Nicholls left the woodyard for the purpose of taking care of his brother Philip— He has heard Joshua Clarke who was also a relation of Philip Nicholls say that the plantation joined and that he had frequently hired Philip Nicholls for a penny a day and as long as he would put the penny upon the stumps he would work like a turk and would get in such a passion he would have killed him if he could— Being requested to state his knowledge of the General character of Philip Hammond Hopkins—

Answers— And says— That some years ago captain Richard Stringer and the deponent were appointed arbitrators by Prince Georges County Court between Philip Hammond Hopkins and Colmore Duvall— Stringer and the deponent met at Vansville to hold this arbitration the deposition of Walter Bowie and Isaac Duckett gave the award against Philip Hammond Hopkins and that the common conversation here was that Hopkins was a liar and that the general opinion was and now is in the neighbourhood of Hopkins that Philip Hammond Hopkins is a man who is not to be credited even upon his oath— Being asked if in conversation with Philip Nicholls as with others respecting inspecting tobacco he discovered that he was or was not an Idiot—

Answers— He does not recollect that he did—

Doctor James Macgill again called & examined— Being asked if he is acquainted with Philip Hammond Hopkins and if yea what is his general reputation in his neighbourhood as to credibility— Answers— what has been for a few years he does know— Some few years past his character was a very bad one he was reckoned by a great many people a dishonest— He does not know that it was the opinion of the people immediately in Philip Hammond Hopkins neighbourhood never having heard them express an opinion but that it was the opinion of many of the deponents acquaintances, that the deponent was at Vansville when the case between Duvall and Philip Hammond Hopkins was arbitrated and Hopkins then made confessions which still committed him farther and that the general opinion of his acquaintances then Vansville was that Philip Hammond Hopkins was a man that ought not to be believed even upon his oath— So far as the deponent has had any dealings with Philip Hammond Hopkins he has found him honest and clever—

The following Interrogatories and answers thereto were filed and read in evidence by consent of parties— Questions put to Thomas Duckett— 1st Were you ever sent for by the late Stately Nicholls to write his will?—

(2nd)