table, and a large looking glass, and he believes five silver ~~tea~~ spoons and one large silver dumbling spoon. Question by the Plaintiffs did you understand that Ignatius Matthews or Walter McPherson was purchasing for Mr. Pye, Answers, that he did know, that they were, but believes that if Mr. Pye, paid for the goods by a certain time they were to be his. were any of the goods purchased at that time by Mr. Matthews or McPherson removed from Mr. Pyes, or were they left in his possessions, Answers he does not know. Question by the Defendant, was Mr. Pye indebted to you at the time he applied for the benefit of the insolvent act Answers, that he was indebted to him twelve hundred pounds of tobacco on his private account and he believes between five and seven pounds to Simpson and this deponent partners in the tavern aforesaid; and further says, that on the day Mr. Pye's land was sold Mr. Sewall told this deponent in conversation, this is not done to defraud Mr. Pyes creditors, but only to make the matter easy with Mr. Pye, this deponent replied, he hoped not, that it would be very hard upon him who was a young man, and had been obliged to follow business for a maintenance, to lose twelve hundred pounds of tobacco, upon which Mr. Sewall told this deponent to make himself easy that he would see the tobacco paid to him, and this deponent thinks this conversation happened before the land was sold. Question by the Defendant, have you at any time since, the application of Mr. Pye to the Chancellor, received any part of the debt due you, and Simpson & Gibson or any security for the same, Answers, he has not. Adjournment by consent to the first monday in march when

Ann Dixon being duly sworn, was questioned by the Plaintiffs, have you lived in the family of Mr. Pye, Answers she lived there the best part of two years. Question by the Plaintiffs do you remember what plate Mr. Pye had in his house, answers five silver table spoons, some tea spoons, soup spoon, two salts, he had also, one tea pot and cream pot, which she has heard him and others of the family say was given to his son by his grand mother, when did you hear that the property of the tea pot and cream pot was in the son, Answers, about two years ago. Question by the Plaintiffs was the tea pot and cream pot used in common as the other plate in the house, and do you know what has become of them, Answers they were, and she believes they are at Mr. Pyes yet, Question, who do you think they are there, Answers she saw the tea pot at Mr. Pyes this morning. Question by the Defendant, do you know, or did you ever hear that Mr. Pye had secreted any of his property, or delivered it into any bodys hands, Answers, that she does not know, nor never heard that he had, but has often heard him say in his distress that he would give up all his property to his creditors if that would satisfy them, and lye with his wife and three children on the floor, that the first time she heard Mr. Pye make these declarations was a short time after a sale of Mr. Pyes property, but does not recollect what sale, Question by the Plaintiffs, did these declarations of Mr. Pye happen before or after he had applied for the benefit of the insolvent act, Answers, that she has heard him say before, and after he took the benefit of the act, that he did not do it to defraud his creditors but to give him time to pay his debts, that she did not hear Mr. Pye declare that he would give up his property, if it would satisfy his creditors as mentioned above until after she had left Mr. Simmes

Hoskins Hanson, who being duly sworn as above, says, that Mr. Pye owed the State for taxes about forty seven pounds, and that he, as collector of the tax, distrained Mr. Pyes effects for payment, to the amount of seventy eight pounds by the appraisement, a copy of which he has annexed to this deposition, and after given due notice thereof sold them to the highest bidder, Question by the Plaintiffs, do you remember what the property you distrained

distrained sold for, Answered, about fifty one pounds, Question by the Plaintiffs, do you know that Mr. Pye had any by bidders at the sale made by you, Answer, he had not to his knowledge, but that he this deponent had by bidders, as he had had several sales before, and the property sold greatly under value, but that nothing passed between him and Mr. Pye respecting what might be purchased by him, nor was there any agreement between them, that Mr. Pye should have the property at any time after, at the price it sold for, this deponent further says, that he recollects that after several articles were sold, some person told him, that Mr. Robert D. Simmes, was a ~~purchaser~~ for Mr. Pye, Question by the Plaintiffs, do you recollect whether the whole of the property mentioned in the schedule annexed was sold, and the prices each articles sold for, Answers, that he recollects a mare colt, sold for twenty pounds and a bed for six pounds, but does not remember what the other articles sold for, and that all the articles were sold, and that the whole amount of sales, was about fifty one pounds currency. Question by the Plaintiffs, did Mr. Simmes purchase any thing at the sale above mentioned, Answer, he did, but does not recollect what it was Question by the Defendant, who was employed by you as by bidders, Answers Walter McPherson and Ignatius Matthews, and that after the sale was over they came to him, and he took the goods at their bids and discharged them, that a table purchased by Mr. Simmes he did not deliver him but carried it home with the other effects, and that he considers Mr. Simmes as liable to him for the price it sold at,

Robert D. Simmes being duly sworn says, he heard that the property of Mr. Pye taken by distress was to be brought for Mr. Pye, by his friends and that this deponent told Mr. Pye if that was to be the case, that he this deponent would not come to the sale, and that Mr. Pye told him, that he had nothing to say with regard to the sale, but wished he would come and bid, Question by the Plaintiffs whether from the manner of Mr. Pyes requesting him to come and bid he considered he was to purchase for himself or for Mr. Pye, Answers that from him he understood from others, that he conceived he was not to purchase for himself, but from what Mr. Pye said to him, he was left in doubt, and that if Mr. Hanson ~~chose~~, that he might make him pay for what he purchased, upon the whole he did not consider himself as the person who was to have the goods purchased by him, and that if Mr. Pye had offered him the money for any thing he purchased he should have given it up to him, but not from any thing Mr. Pye had said to him, but from the common report, that Mr. Pye was to redeem the goods sold. Question by the Plaintiffs what did you buy, Answers, a walnut table for twenty odd shillings he does not exactly remember, but more than he would give for it now, that he did not pay for nor remove the table or make any enquiry about it since. Question by the Defendant, did Mr. Pye directly or indirectly speake to, or insinuate to you, that he wanted you to bid for him at the sale Answers, that he did not, did any other person in behalf of Mr. Pye speake to you, to that purpose Answers, no person did, that he remembers, that towards the end of the sale Mr. Pye observed that his property was going off low, and requested the people to bid, and that he then repeated, that had he bid largely he should have been taken in, as he had not the money to pay, and that his mind was much altered from what he had heard before, Question by the plaintiffs do you know Mr. Pyes negroes and what are the value of them, Answers he knows the following negroes and thinks they are of the value annexed to their names in the following list, to wit. Oswald about eighteen years old, £75. Nace, twenty five (carpenter) £80. Jerry, thirty £75. John, seventeen, £55. Frank, seventeen, £50. Andrew, forty five, £25. George, thirty three £60.

Milley