

Lipscomb & Gillespie
 To the Fall Term 1848
 A. B. Buckley
 of the District Court
 in answer of the plaintiff to the writs
 filed by the Defendant in said case)

To the first interrogatory, one of the plaintiffs
 B. Gillespie says that he received from
 said Defendant two notes of hand on
 Messrs Ward & Maguard, he does not know
 them, nor does he recollect their given names.
 The notes were payable to Sept as admⁱⁿis-
 trator of the succession of J. C. Peyton, and
 were for two hundred & fifty or three hund-
 red dollars each.

To the second I have no data with me
 to fix the precise time when said notes
 were given me, but as well as I recollect
 in the Fall of 1843. The notes were I think
 both then due, with interest and all there of
 same. One of the notes was due & the other
 fell due some months after & both given in
 1837- or 38.

To the third, He says that said notes were
 not given or received in payment,
 but under the following circumstances.

The Defendant previous to the time last
 named was indebted to the plaintiff for
 professional services in some hundred
 & fifty dollars or perhaps more and pre-
 vious to that time some months had
 engaged the professional services of affiant
 in the prosecution of the murders of her
 son, for which she agreed to give & pay
 one thousand dollars.

of Washington County do hereby certify that B. Gillespie and
 A. S. Lipscomb appeared in person before me this day and
 being qualified said on oath that the foregoing affidavit is
 correct, and the answers preceding are true as set forth in
 said affidavit. said answers are made to certain Interrog-
 atories filed by defendant in case of Lipscomb & Gillespie vs.
 A. B. Eberly now pending in the District Court of Galveston
 County & State of Texas - a copy of which Interrogatories are
 attached with these answers - Given under my hand and

the seal of the County Court
 of said County -

November 13th 1848 -

Joseph P. Curtis Chief Justice

M.C.



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At the time before referred to, the Defendant informed him, that she had three notes on said Ward & Maynard, for the same amt each, and wished him to take them on said debt she had two of the notes present and the other she said was in the hands of her agent at Sagane, affiant declined taking them on such terms as he knew nothing of the makers, but consented to take them, and if the money could be collected to account to Dept for it on said claim for professional services. The two notes were handed him, endorsed in blank by Dept and an order given by her for the other note to Mr. Harrison of Sagane, for which the plaintiff gave her a receipt, specifying the terms on which he took ^{them}, as he verily believes. Respondent in a short time presented said order to Mr. Harrison for the other note, but said Harrison claimed it as his own, that he had advanced goods to the Defendant upon it, that he had called on the makers, Ward & Maynard, who refused payment on account of payments and offsets against said claim, or of any of the other ^{notes} claims in the hands of the present Defendant. Respondent called on the Defendant and returned her the order for the note said to be in the hands of Harrison, and offered to return her the other two notes, but she insisted that he should retain them, that there was due her from said Ward and Maynard after the payment to Harrison

at least one of the notes, and requested
that ^{suit} should be brought against them,
which was done, and is still pending as he
is informed by his counsel in the District
Court of Matagorda.

To the Fourth He says that he has no further
accounted for said notes than specified in
his answer above, but stands ready to
do so whenever any thing can be collected
thereon.

B. Gillespie

State of Texas
Washington County } This day the 13th Nov. 1848
personally came before me J. P. Porter
Justice of said County, B. Gillespie, who
made oath in due form of law that
the above answers signed by him to certain
Interrogatories filed by A. B. Ebecky in the
case of Lipscomb & Gillespie vs A. B. Ebecky
in the District Court of Galveston, are
true to the best of his knowledge and
belief and also at the same time came
A. S. Lipscomb the other plff and said that
most of the business with the depts was
confided to the other plff B. Gillespie, that
he has read the answers to the interrogato-
ries of his Co-plaintiff, and prove all
he knows and recollects of said trans-
action he believes to be true, and
now adopts them as his own.

Test
Joseph P. Porter

B. Gillespie
Honor. Lipscomb

The State of Texas }
County of Washington } J. Joseph P. Porter Chief Justice
(Run over to page 2)