

them by the sheriff, in the year 1815, and Jesse Hughes, his uncle, became the purchaser. Among these negroes, there were two boys, one named James and the other Isaac.

James, it is said, was sold by Jesse Hughes, the purchaser, soon after the sale to him by the sheriff, for the sum of \$400, and Isaac, as contended by the defendant, was retained by Jesse Hughes as his own property, and continued in his possession until the year 1838, when he died. The judgments against Josiah Hughes, amounted, with interest to the time of the alleged purchase by Jesse Hughes in 1815, to \$680. And the proceeds of the sale of the negro James, and the estimated value of Isaac at that time, being sufficient to reimburse Jesse, the alleged purchaser, for the money which it is said he paid the sheriff, he permitted the residue of the negroes to continue with Josiah, and set up no claim to them. The executions were returned satisfied by the sheriff, but as there is no direct proof that Jesse paid the money, the fact that he did so is a matter of argument and inference.

It appears, also, that at a subsequent period, in the year 1817, an execution issued against Josiah Hughes, upon a judgment obtained against him by the Bank of Somerset, which was levied upon those of the slaves which it is alleged Jesse did not claim under the previous purchase, and at the sale made to satisfy this judgment, one George Jones, as stated by him in his deposition, became the purchaser, he being one of the sureties of Josiah for his debt to the bank, and that having, by a subsequent sale of part of the property, satisfied the bank, and the other creditors of Josiah Hughes, he delivered the residue of the negroes to Jesse Hughes, as he says, for the benefit of Josiah and his family.

There is much contradictory evidence in the record, with regard to the actual possession of the negro Isaac, during the life time of Josiah Hughes, but it is quite apparent, and indeed is not disputed, that the other negroes were in possession of Josiah Hughes, at the period of his death, in the year 1821. After his death, these negroes seemed to have passed into the possession of Jesse Hughes, who also received into his family,