

bonds he expected to assign to me, he desired to retain, but would assign the said thousand dollar bond against Robinson for the full amount due on its face, which he also did in writing inscribed on the bond - I do not remember the date of the other bonds assigned to me against Robinson, assigned to me by P. N. Gorham and alone referred to, nor the exact amount except the one for one thousand dollars; but Gorham never assigned to me any other bonds against Robinson except the three above referred to and they were the same upon which suit was subsequently brought in my name against the said Gorham in the County Court of Rockingham County, N.C. Carolina, and in which I obtained judgment against him for a part of the amount - I expected to have obtained judgment against Gorham for the whole amount of the bonds due on their face, and do not know how it happened that judgement was given only for a part - and did not know the fact, until sometime subsequent to the date of the judgment, I examined the Clerks office - Subsequent to the assignment of the above bonds to me by Gorham, and before I brought suit against him, Robinson paid me, in part the sum of \$250 - for which my son gave him a receipt to me, and which was not credited on the bond, supposing the receipt would answer the same purpose - this amount of \$250, I am ready to allow as a credit on the bond, when the balance on said bond due me by ^{Robinson} Gorham is settled - Not long after the last assignment on the thousand

dollar bond, and before the payment of the \$250 by Robinson he, Robinson informed me that he had offsets to the bond to the amount of six hundred dollars and gave me a statement of them from P. N. Gorham's receipts, which offsets I never intended to allow Gorham who had assigned me the bond for the full amount due on its face -

Question by Plaintiff's Counsel - When you brought suit against Gorham on the bonds alone referred to, did Gorham hold any claim against you on account of said bonds or on any other account, which was filed as an offset?

Answer - Name whatever that I am aware of -

Question by some - Did W. W. Robinson ever apply to you for the \$250 which he paid you in part of the above referred to bonds?

Answer - He did - and stated at the time that P. N. Gorham told him that I could pay it back - but I declined to do it because there was and is still a balance due me on the thousand dollar bond -

And further deponent saith not -

James W. Moody

James W. Moody having been first duly sworn says as follows - In the fall of 1837, I applied to Dr. James Gray for money which he owed me, and he stated that he would get Dr. P. N. Gorham to pay it - who was owing him - I mentioned the subject to Dr. Gorham and he stated he would pay the money as soon as he could collect of W. W.