or perhaps sometimes by both at the same time. Question — when the codicil was signed by Mr. Senifer, was he told that it was a codicil and that it was necessary for him? — Answer — I am inclined to think that no mention was made of a codicil untill both papers were signed and when Mr. Senifer had made the acknowledgement of his last will and testament as before stated, Mr. Stone whilst the codicil was before him observed, and you also acknowledge this to be your Codicil. to which Mr. Senifer assented. —

Question — what was the position of Mr. Yates when the will was executed? Ans. It is impossible for me to say — we were all in the room together, but I think Mr. Stone and myself only assisted Mr. Senifer in executing the will by holding the book before him as he lay in the bed so as to enable him to write —

Further Examined by the Caveatee —

This deponent further answers upon interrogatory that he cannot recollect the precise time when the will was executed, it was about sunset as this deponent thinks perhaps a little before or perhaps a little after — He does not think there was any candle in the room, but would not say positively — He also states that there were two windows to the room and he thinks there was a blanket hung at one of them, perhaps at both. — He further states upon interrogatory that in signing his name as a witness to the will, he saw therein that Mr. Stone was the executor. This witness also states that in returning from Mr. Senifers immediately after, in company with Mr. Yates they were conversing about the will; this deponent mentioned to Mr. Yates that he observed Mr. Stone was the executor and asked him if he did not also read the same. and this deponent thinks Mr. Yates replies that he did not. —

Questions by the Caveators — was the will or codicil read in your presence? answer — neither of them was — Question — did you go into the room with Mr. Stone when he carried the papers in for execution? answer — I did. Question — was there light enough in the room to write without embarrasement

when the will was executed? answer I think there was. Question was the will turned down as if designed to preclude its being read. answer It certainly was not. —

Question by the Caveatee — where were you when you were asked to witness the will. and where did Mr. Stone come from. —

Answer — I was in the small room adjoining the one in which Mr Senifer was confined and in which the friends of the sick person generally sat or those rather who attented upon and nursed him — Mr. Stone came into the room from the sick chamber and upon his coming out or perhaps a little before Mrs Thomas Senifer went in. when Mrs Thomas Senifer came out I with Mr Stone and the other witnesses went into the sick chamber — The witness also states that a short time only elapsed from the time Mr Stone came out untill the witnesses returned with him. — Josias H. Hanson aged about 33 years being duly sworn deposeth and saith He saw Mr. Senifer twice during his last illness, and has lived with him four or five years, during which time he has seen him ill frequently — He was during all those illnesses generally very taciturn and patient that Miss Sarah Hanson the Legatee mentioned in the will, is the deponents sister and second cousin to the Testator. She was carried into Doctor Senifer's family at the age of four or five years, and has lived in the family ever since that time — During Mr. George Forbes lifetime, she lived with Mr. Forbes who married Miss Senifer sister of the testator. — She was treated in Doctor Senifers family exactly as one of his children, and the witness has always considered her under the care of Daniel of St Thomas Senifer — Since the death of Doctor Senifer — she lived with the Testator during his first wife's lifetime — The witness does not know what relation the Testator was to Mr. Stone, but he has heard them call each other cousin. —

Cross Examined by the Caveators — Question — was it not designed by you the last year or the year before to go to house keeping? answer yes — The last year I was house keeping and designed to have gone to housekeeping the year before last, and it was my wish that my sisters should live with me — which wish was intimated to Mr. Daniel Senifer last fall. —