whether she was competent to execute the codicil the witness stated that she appeared to be conscious, but not the same woman as in former years. From what Miss Colvin said the witness did not know that she (the witness) was competent to judge of her mental capacity. She told witness she had made a Will giving Mrs. Sally Colvin and Mrs Dyson property, that she was crazy and must make another Will and therefore sent for Teackle. She appeared to be more collected and to understand what she was talking about but did not appear to be the same person as she had been before. Think the codicil was prepared and executed in the early part of September, 1844.

In the Spring of 1844 Miss Colvin wished witness to take a Deed of the dwelling house at the corner of Exeter street. declined taking the Deed because she thought Miss Colvin was not then competent, had no recollection of having consulted Mr Teackle whether she should take it.

At the time of the Deeds to Witness and her husband of Sept 1844 she appeared to understand what she was doing. She offered this Deed to Witness & said if she refused it she would never offer it to her again. Witness did not consider her to be the woman she had been in conveying her property, but she appeared to know she was conveying. The witness was then asked if at the time of this last Deed she considered Miss Colvin competent to make a Will, and replied that she did not do things in her accustomed manner.

This Witness further stated that she did not see the codicil of 1844, but may have heard from Miss Colvin what was in it. She wanted then to make a will to die by like that made by Redgate in 1842

The only knowledge the Witness had of the Will of 1847 was that in the fall of that year she saw her and she said that she had made a Will giving her a large legacy, but that Cecilia Warford had told her that her father was worth $100.000 and that she must make another Will and leave Witness nothing. In the fall of 1847 Cecilia asked Witness if she knew her father was worth $100.000. He said he had been in New Jersey and ascertained it. Witness stated that she had never asked her father, that he had made it himself, and as the question excited Witness a little She said if it was so, no one over gave him a $10,000 house. She never heard her father was worth so much. In 1835 Miss Colvin told her he was worth about $40,000.

At this period in 1847 Miss Colvin appeared to be depressed in spirits and crippled and weak. She failed every year from 1843, year by year, until she could not go about at all. At this time she did not do things as formerly. Witness might not be competent to judge if she was in condition to make a contract. She appeared to know what she was telling her.

Witness moved from Pratt street in 1847 to a house opposite to Miss Colvin. Miss Colvin was in the habit of driving out during the years 1847 and 1848. As Witness first child was born in July 1848 witness did not drive with Miss Colvin until the Autumn of that year. went that Autumn with Miss Colvin & Miss Warford & her nurse & child



in the carriage to see an exhibition of paintings at the Athenaeum. Witness dined with Miss Colvin about 1846 with Bishop Waugh, Dr Johns, & Col Berry & others. At that dinner heard Miss Colvin say to some one, but as she was at some distance could not say to whom it was addressed "Why should not I love Christ, he died for me, but the devil died for you." This remark occurred at the dinner table. Witness recollects no conversation between Miss Colvin & Bishop Waugh in the parlor after dinner.

About Christmas 1848. Witness dined again at Miss Colvin's.

The lessors of the plaintiff further gave in evidence various assignments from the heirs at law of Rachel Colvin to Elisha Warford (as follows)

Know All Men by these Presents that whereas I Anna Hudnutt of Groveland Livingston County, New York, one of the next of Kin and presumptive heirs at law of Rachel Colvin of the City of Baltimore, and State of Maryland, who is possessed & seized of a large real and personal Estate.

And whereas as such next of Kin and presumptive heir-at-law, in consideration of the sum of one thousand dollars to me in hand paid by Elisha Warford of Hunterdon County and State of New Jersey, I have assigned and transferred, and do hereby assign and transfer to the said Elisha Warford, his heirs, executors, and assigns All the right or interest which I now have or may hereafter acquire by reason of the death of the said Rachel Colvin intestate to any and every portion of her estate real personal or mixed to which I may be or become entitled as one of her heirs-at-law and next of Kin.

And in the event of the death of the said Rachel Colvin intestate with regard to all or any portion of her estate real or personal, then & in that case I do hereby agree and bind myself, my heirs, executors and assigns to and with Elisha Warford, his executors and administrators, to make over, transfer and convey to him the said Elisha Warford, his heirs executors and assigns, All the the interest, right and title which may devolve or become vested in me by reason of the intestacy of the said Rachel Colvin as aforesaid to any part of her real or personal estate in my character of one of the next of kin and heirs-at-law of the said intestate

And I do hereby further agree to and with the said Elisha Warford, his executors and administrators, that on the death intestate as aforesaid of the said Rachel Colvin; and at the request of the said Elisha Warford, his Executors and administrators, I will execute acknowledge and deliver any instrument or instruments of writing, but at the cost of the said Elisha Warford which may be necessary, convenient or proper, more fully and effectually to transfer convey and assure to the said Elisha Warford, his heirs, executors or assigns, All such right title and interest either at law or equity as may or might devolve on me by reason of the death intestate as aforesaid of the said Rachel Colvin to any part of her real or personal estate, and in my character as one