a great laugh and laughed very heartily, I said to him, why you seem pleased since you went out and I insisted upon his telling me what he was laughing at he replied, I will tell you, I was so pleased to find Emanuel (meaning Stansbury one of the Defendants) as well as the rest of you mistaken about the day and thinking this was Sunday, I will now give another instance on another Sunday, I do not know whether it is the same to which I have just alluded to, but on a Sunday Mr Emanuel Stansbury had taken Mr Lamb to see Mrs Joyce and on the evening he returned with Mr & Mrs Emanuel Stansbury and there was Company at my fathers (Mr Whitaker) and my mother asked Mr Lamb questions about Mrs Joyce to which questions he returned no answer, but broke out every now and then into a great and hearty laugh, Mrs Stansbury undertook to tell me how he acted at Mrs Joyces and said just as you see him act now so he acted nearly all the time that Mr Hagerty and another gentleman were praying with Mrs Joyce and said he was entirely out of his right mind - it is my opinion that from his whole course of dealing that Mr Lamb was not in his right mind.

To the 3d Inty I have in part answered before that after he had left my fathers house from all that I could see, and I saw him often he continued in the same state of mind as when he was at my fathers house

To the 4th Inty I know nothing

To the 5th Inty I know nothing further,

Cross Examination. If I were to judge from the deponent answers the time of his bleeding there was no time at which he was reasonable or at which he could execute with proper judgment a deed or any instrument of writing I should not think him Competent at any time after he went to Mr Stansburys from the time I saw him to execute any instrument of writing, I was at Mr Stansburys frequently befor Lamb died when I heard he was worse.

Examined in Chief by Mr Mc Culloch:

More than once Conversing with Mr Lamb about the disposition of his property, I mentioned to him that he ought to make a will if he meant to leave his property equally among his Children and that if he meant the Law to settle it he should have a settlement with Mr Stansbury he said that he did intend to have a settlement with him Mr Stansbury.

Commission then adjourned

Commission met pursuant to adjournment at the same place on the 13th day of December 1849 at 10 O'Cl A.M. Present the solicitors of the respective parties.

Thomas C Monmonier, a witness of lawful age produced on the part of the Complainant who being duly sworn & examined by the solicitor for the Complainant deposes and answers towit:

On or about the 8th or 9th February last I had a Conversation with Mr Stansbury at the Corner of Holliday and Fayette Streets about Mr Lambs (dec'd) Mr Stansbury Stated that Mr Lamb was not in his right mind and had not been for some time.

Deponent was then Cross Examined by Mr Frick

Mr Law was about to appoint Mr Lamb inspector of weight and

measures and Mr Gelback as I understood was to act for him Mr Lamb being bodily and mentally incompetent to fulfill the duties of the office, I then proposed to go on and perform the duties with the same understanding as that between Gelback & Lamb, and it was in reference to this business that I went to see Mr Stansbury and it was in relation to this that Mr Stansbury made the remarks he did about Mr Lamb. I reiterate that Mr Stansbury told me at the Corner of Holliday & Fayette Streets that Mr Lamb was not in his right mind, nor had he been for some time, I remember the Conversation distinctly.

John L Wilcox a witness of lawful age produced on the part of the Complainant who being duly sworn and examined by the Solicitor for the Complainant deposes & answers to wit I knew Mr Lamb for many years was at his funeral, I have known him 25 or 30 years I called to see Mr Lamb after he had been removed to Mr Stansburys three or four times our Conversation were chiefly of a religious Character, we were members of the same Church for twenty five years before Lamb died, Lambs answers were not very straight and I do not believe him to have been in his sound mind, If I live to the 4th day of this month I will be sixty three years of age

Cross Examined by Mr Frick

I cannot say whether he was or was not Competent to execute a deed when I did not see him, but I saw him several times before he died and I do not think that deceased (Lamb) was in a sane or sound mind at any one of the times when I saw him. I further state that every time I saw Lamb he evidently showed that he was in a lost state of mind

Henry Suter a witness of lawful age produced on the part of the Complainant, being duly sworn and examined by Solicitor for Complainant, deposes & answers, I saw Mr Lamb four or six times during his illness at Mr Stansburys Mr Lamb would answer directly any question put to him but I avoided asking him many because of Lambs difficulty in answering, Mr Lamb made some singular movements which caused me to ask Mr Stansbury whether he (Lamb) was in his right mind, Mr Stansbury seemed to think he was and stated that the appearance of an alienation of mind was owing to the character of the disease my impressions were that he was not in his right mind which led me to ask Mr Stansbury and his answers did not change my opinion. I would not have been willing for him (Lamb) to have transacted any business for me.

Cross Examined by Mr Frick. I was a member of the same Church with Mr Lamb and am now a Class leader, before Mr Lamb left Mr Whittakers I had a Conversation with him relative to his attendance at Class meeting. He (Lamb) told me that he was going move to Mr Stansburys in the Course of the week when he would be able to attend more regularly as it was closer at hand - at the time of this Conversation, I discovered no signs of an aberration of mind and supposed him to be sane - the Conversation was not of much length, at the time Mr Lamb lived at Whittakers I attended Class, I always saw him on those occasions and Conversed with him did not at any time suspect that any thing was wrong about his mind in those Conversations