

the late John Hunter Gowan, is well acquainted with his hand writing; believes the name John Hunter Gowan, not to be in Testator's hand writing. Saw the deceased sign many hundred of Pension bills; witness's father keeps a shop, and took Pension bills in payment for goods.

(A number of other witnesses were in attendance on behalf of the Plaintiff, but Counsel intimated that it would be unnecessary to examine any more.)

Plaintiff's case here closed.

## DEFENCE.

Mr. DOHERTY, commenced by saying he regretted that his part of the case was not disposed of by some person more intimately qualified by a competent knowledge of the circumstances of the transaction than, from the short time he was acquainted with them, he could pretend to be. Gentlemen, continued Mr. Doherty, my learned friend Mr. Scott, has, in his statement, of the case, occupied a great portion of your time, but not a moment longer, I am quite certain, than was sufficient for the due discharge of his duty to his client. Gentlemen, we who are of the profession of the law, are so much in the habit of magnifying every case that comes before us, that Juries at length become distrustful of us. If we venture to say that this is a highly interesting case—that it is an important case—that it is a most important case, why, you will say, we have heard the same thing from Counsel ever since the day we first stepped into a Jury box and it frequently happens that you have been quite disappointed in believing us. It is indeed like the bulletins of health that we read of sometimes in the newspapers, where the sick person is stated to be getting better, and better, and better, until at length the scale of health falls, and it comes to this, that he is no more! (laughter.) I do say, however, that this is, in my opinion, the most important case in which I was ever yet engaged. The issue you have to try is, whether the deed conveying the lands of Ashwood to the defendant was the deed of the late John Hunter Gowan or not. If you find that it was not his deed, you fix a stigma on a character till now unquestioned; if you do not, I much doubt, all who hear me must doubt, any created being must doubt, if your verdict would give him any property at all; for I regret to say, that such is the state of the law, that many a tedious and wearisome step the child would have to take in the Courts, before he could even then recover what his parent left him. And upon what grounds would you inflict ruin and disgrace on this young man, and not on he alone, but on others also?—Is it upon the uncorroborated evidence of that witness whose testimony my learned friend himself admitted should be received with caution? Is it upon the testimony of that man, of one of the greatest villains I ever saw produced in this or any other court. I confess I cannot find words to express the detestation, the horror I feel at the prevarications, the falsehoods, the infamous conduct exhibited here this day by that perjured villain. Your Lordship must not judge of the moral character of this County by what you have heard the last two days, for it is far from being a fair sample of its character if you were to judge of it by the persons who have come from Mount Nebo. I was at one time at Mount Nebo myself, and I have to this hour a lively sense of the great kindness and attention I there met with from Mr. Gowan. My learned friend has truly stated that Mr. Gowan was a very active character. He was, as he stated to you, bold, active, intelligent, fond of field sports, and of the society of his neighbors. He had all the virtues of country gentlemen, and he had also many vices mingled with them. He had sixteen children. Some time after he became a widower, he took into his house a woman of bad character, and it is in consequence of this unfortunate connection that all those evils have followed.—He had sixteen children, thirteen by his wife, and three by this woman. I will admit that the conduct of the Defendant Wm. Gowan and his brother, Ogle Gowan, was, in many respects, not to be justified! I will admit that there was hypocrisy and craftiness, and what was sufficient to disgust any one of right feeling in their conduct!! but you are to consider that they were bred of that parent; that their father also was cunning and artful, for though he had some virtues, he had many and great vices. I regret that I should be obliged to speak in this way of John Hunter Gowan, who is now in his grave; but I cannot forget that he taught his children a les-