

there was candles in the room or not. Will you swear there was not three candles in it? No, I will not. Can't say that there was three, or one, or none? The Captain signed first, the witnesses then, shortly after they entered the room it was executed, in a few minutes. Mr. Gowan took it out of his desk, and looked over it, it was not on the table when they went in. After they signed it, Mr. Gowan gave it to Mr. William Gowan. Don't recollect the candle being lit. Did not, to the best of his knowledge go to Burland's house. Never was in his house, but met him at his horse. It was the week before the Captain's death, Met Burland at his house since the Captain's death. Went to pay him a visit! It was after he left Ogle Gowan's employment. On his oath he does not recollect if Testator took out his watch, but he mentioned something about a seal. Does not recollect that testator used a candle, seal and wax, to the deed; it was not out of testator's hand after he took it out of his desk until he signed it. Believes Defendant signed it same day; believes Burland signed after witness, is not certain whether before or after.

JANE COLCLOUGH examined by Mr. MOORE.—Is acquainted with O. R. Gowan. Recollects the funeral of J. H. Gowan. Was in Mount Nebo. Is positive Mr. O. Gowan was at Mount Nebo on both Saturday and Sunday—the day of the funeral and the day after.

Cross-examined by Mr. SCOTT—Her daughter is married to Ogle Gowan.

FRANCES A. GOWAN, examined by Mr. DOHERTY—Is the wife of Mr. Ogle Gowan. Lived at Mount Nebo at the time of Mr. J. H. Gowan's death. Recollects the funeral, it was on a Friday; Ogle Gowan attended it; went to Gorey on Saturday and passed the Sunday at Mount Nebo; saw her husband in Gorey on Saturday, a distance of three miles from the mount. Saw him at Mount Nebo on the Sunday following.

Cross-examined by Counsellor DICKSON.—Her mother was the last witness examined, and is half sister to Mr. Ogle Gowan; witness's husband is her half uncle! her name is F. A. Colclough, is the grand daughter of the late John Hunter Gowan, and is married to John Hunter Gowan's son!!! Was married at the time of the funeral; her grandfather knew she was Mrs. Gowan, she believes a month before his death, passed as the wife of Ogle at the time of the funeral; William Gowan knew of her marriage; her Grandfather called her Mrs. Gowan; and knew of her marriage. Her grandfather left her a legacy of £100, but called her by the name of Frances Anne Colclough in his will; went to Gorey generally of a Saturday, staid there till evening; walked home; went to Dublin sometimes in the Mail Coach which goes through Gorey at 8 o'clock in the evening; did not however go on the Saturday night spoken of.

The Case having closed—

Counsel for the Plaintiff intimated that Mr. Townshend wished to be examined concerning the deed mentioned by Mr. Ogle Gowan, and which was in his (Mr. Townshend's possession,) he was accordingly re-examined by Mr. SCOTT.—Witness was agent for the late Mr. Gowan. Heard Ogle Gowan examined—heard him speak of a deed of the lands of Ashwood, and was surprised at hearing him. The deed was handed to witness by J. H. Gowan, for the purpose of preparing a re-assignment, and it has been in his possession ever since, as he had a LIEN on it. It never left his possession. That is the original lease from Hatton to Gowan of the lands of Ashwood; it was handed to witness prior to 1823, to prepare a re-assignment of a mortgage, and is amongst his papers still.

Cross-examined by Mr. DOHERTY.—It has been said, "Once a Captain, always a Captain," so once an Attorney, always some of the profession will remain. You have been listening to this trial, and to the mention of the deed by Ogle Gowan, and you caught the point there? I did catch the point there. You are certain the deed he spoke of is in your possession? I am certain of it. Will you have the kindness too look at that? Witness, (stretching over his hand for the deed, which Mr. Doherty handed to him.)—There may be a second one.—(Great laughter.) Why I could shew you a third of them.—(Continued laughter.)—What's that? A deed of conveyance of the lands of Ashwood. I wish to convey no reputation, Mr. Townshend, but all I have to say is, that the point's lost! Good night to you.