as Mr Oneill: the memorandum was then placed in the hands of Mr Oneill. Mr Oneill did not sign such paper, whilst witness was present; what has become of such paper witness personally knows not, he has never seen it from that time to this; to the best of his recollection he has seen Mr Oneill but once since that time; there was such a difference or change in the apperance of the same individual on those two occasion when witness saw him, that he cannot be positive that the gentleman who has been pointed out to him as Mr Daniel Oneill is the same man to whom the memorandum was presented some Eight years since; the change in person was in this, that last when Mr Oneill was pointed out to witness he seemed to be a fleshier man, an older man, and much more of a gentleman in his dress and carriage; on this last occasion he seemed to be a man unaccustomed to any kind of labour to earn his livelihood, and on the first occasion he was a rough looking Irishman; when witness last saw him he wore his hair very long, and in good order and on the first occasion his hair was short and neglected.
The impression of witness is that the deed was in the room at the time the memorandum was presented to Mr Oneill to sign and Mr Oneill might have read it if he had chosen, it, the deed "H.C.S." was very briefly explained in the presence of Mrs Drake to Mr Oneill (being then unexecuted) as a paper that was designed to convey all her property to Mr Cole, in trust, so that Mrs Drake might have the same controul over her property as though she remained a single woman; witness cannot recollect any remark made by Mr Oneill, and after such explanation in a very few minutes witness came away, with Mr Cole, witness has not seen "H.C.S." from the interview last detailed until the month of September in the year 1850 when witness was informed by Mr Cole that Mrs Drake was dead and had died without a will,
4th To the Fourth of said Interrogatories, that the purport of said memorandum (though witness not having seen it for eight years cannot give the exact language of it) was an acknowledgment that he O'Neill, had seen and read the deed intended to be executed by Mrs Drake prior to her marriage with him, that he approve of it, and gave it his sanction and that this memorandum was signed by him to be evidence of such knowledge, his impression is that it contained another feature, that what ever was necessary to be done by him, to unite in carrying out the purposes of the deed he would do.
Victoria Williams, a witness of lawful age produced on behalf of the Complainant, being first duly sworn on the Holy Evangels of Almighty God, being examined on the interrogatories to her specially propounded in that behalf and hereunto annexed makes oath deposeth, and saith as follows that is to say, (pages of Interrogatories)
1. To the First of said interrogatories, that she knows Mr Cole, Mr Oneill Eliza Fleming, and James Nash she has known Mr Cole from her childhood, Daniel Oneill since the year 1842,

and Mrs Fleming and Mr Nash for some time, she has likewise known Mr Lechler since the death of Mrs Oneill formerly Catharine Drake.
2. To the Second of said interrogatories, that in April in the year 1848, witness resided with Mrs Catharine Drake, at the corner of William and Cross Street.
3. To the Third of said interrogatories, that witness knew the said Catharine Drake who was the wife of the Uncle of witness, William Drake; Witness knows that about that time the said Catharine Drake, was under an Engagement to be married to Mr Daniel Oneill the Defendant, Witness lived in the house with Mrs Drake, Mr Daniel Oneill visited Mrs Drake, and there was an Engagement of marriage between them, Mrs Drake said that she would not be married to Mr Oneill until all her property was settled on herself; she said this to any, and every one, The Engagement was broken off because Mr Oneill would not sign a paper, that was left at the house to be signed, and the Engagement was broken off on that account; The paper was there waiting for his signature, the witness and others were having the wedding supper prepared, the marriage being to take place that night, and the guests invited Mr Oneill borrowed the paper, took it from the house, and brought it back again, He was sent for on that day to know whether he intended to sign the paper or not, and if not to say so, Mrs Drake told Witness to go on with the wedding supper, that it should be turned into a party, She bade Witness write a note to Mr William D. Cole informing him, that the marriage was really broken off, witness obeyed her, this on Tuesday the Eleventh day of April in the year 1848; the day on which the wedding was to take place, and when the invited guests attended
4. To the Fourth of said interrogatories, that she has now looked at "H.C.S." and the handwriting corresponds with that of the memorandum, left at the house, and she recollects the said paper "H.C.S." Mrs Drake took witness with her to the Office of Mr Cole, She gave Mr Cole instructions to have her property settled entirely on herself so that she could do as she wished with it, in Case she should marry again; he (Mr Cole) was to draw up the writing, the instrument to that effect, Mr Cole then asked her, to name the individuals to whom it was to go, after her death, She said, that she would do that at some future day, Witness does not recollect, that she said any thing more that day, shortly after the paper marked "H.C.S." was brought to the House, and Mrs Drake took it herself to have it Executed, witness saw the said paper "H.C.S." about the time of the proposed wedding; witness does not remember whether she, the witness, read the said paper "H.C.S." or not, but she does recollect reading the memorandum paper; Afterwards, shortly after the day of the proposed wedding, Mrs Drake left the house with the paper "H.C.S." telling witness, that she was going to have her business settled; A. Miss Essender was there at the time, witness saw the paper "H.C.S." as she was then spending some time there, Witness does not know in whose handwriting "H.C.S." is, Mrs Drake, when she brought the deed