

THE TUPLIN TRAGEDY.

Millman in The Dock.

THE CASE FOR THE DEFENCE.

MR. HODGSON'S ADDRESS.

The Evidence Taken.

MONDAY, JAN. 30.

The case for the defence was opened this afternoon. The Court was crowded. About half-past three o'clock Mr. Hodgson began his address to the jury. In opening, he said that as in a few days more the duty would devolve upon him to again address them, his remarks on the present occasion would be brief. He would not now offer a single word of comment or argument as to the nature of the evidence adduced or the demeanour of the witnesses as testified on the stand; but when he next addressed them he would discuss all these things. After, said he, we have put our witnesses on the stand, and heard what they have to say, it shall be my duty to give a connected history of the case. That I shall not be so reticent. Will you ask me to bear with me. There are three questions before you. (1) Was a murder committed? (2) When was it committed? (3) Was it committed by William Millman? Unquestionably a cold-blooded murder has been committed. That you know. The counsel for the Crown has addressed you upon the matter of the jurisdiction of the Court. That question is not one which will likely require any consideration at your hands. I, however, will not ask for the prisoner's acquittal on any technical ground; but I will insist the case exactly upon its merits. The real question for you to decide is—

"DID WILLIAM MILLMAN, THE PRISONER IN THE DOCK, KILL MARY TUPLIN?"

That is the question which you are asked to consider; not to enquire as to who did the deed. Is the evidence sufficient to tell you that Millman did it? The counsel for the Crown has told you that it is proper to convict upon circumstantial evidence. That is right. Now in circumstantial evidence there must be a complete chain of evidence. If one link is broken, that ends the matter; and there will be but one course for you to pursue. When I next address you, you will have all the evidence grouped together and the weak links in the chain pointed out. One of the links in the chain of circumstances which the prosecution have endeavored to connect the prisoner, is contained in the evidence of the girl Dorothy Ann Adams. She says that on the Friday evening of the murder a boat crossed the creek. In the boat was a man whom she took to be Millman. Now, in this connection, time is very important, and we must be exceedingly careful about it. Many the man's life has hung upon ten minutes—your verdict will depend upon minutes. When I asked her about the time she saw the boat and the man, she said that before she went down to the field to milk she looked at the clock, and saw that it was five minutes past six. She said that it took her about fifteen minutes to gather the cows, and when I added the two together I find that it makes exactly twenty minutes past six. Now, the person who crossed in the boat twenty minutes past six

WAS NOT WILLIAM MILLMAN.

I will put his father, mother, sisters and brothers on the stand to show that he was at his own home at the time the boat was seen crossing. The statement has been made, and no doubt has reached your ears, that at the preliminary examination old Mr. Millman faintly wailed giving his testimony, and that after his recovery he again took the stand and swore to that which was directly opposite to what he had previously said. This statement is correct. The old man misinterpreted the question which was put to him, and thought he was asked about Wednesday instead of Tuesday. He saw his mistake, and at the time corrected it and explained his error. When you see him here on the stand, not one of you will think that he went there to perjure himself. It is a good man's case to make a mistake. For instance, look at Shreeman's evidence to-day. You all know how he made the mistake in dates, and how he corrected himself. But his case does not rest on the Millman's testimony. We have other evidence to offer which will prove beyond a doubt that the young man's hands are clean—that

HIS SOLE IS NOT STAINED WITH BLOOD.

You heard the witnesses fix a certain hour for the firing of the shots. All agree that it was after ten o'clock. George Pratt says it was after ten o'clock when he heard them; so does the other man. It was also after ten when Woodside heard the shots and saw serious—which he so aptly describes as one prolonged shriek. He, however, heard but one shot; the second must have come after he had started up his horse, and the rattle of the carriage prevented his hearing it. Woodside, from his position on the other side of the river, could have heard the shot much better than the others, as sound travels further and more distinctly over an unobstructed water-course. He had, at the outside, but a mile and three-quarters to go to reach his home. He drove briskly, and he tells you that when he reached there he looked at the clock and saw it was twenty minutes to eleven. It is a hard thing to remember looking at the time on a clock or watch unless one has done some certain thing, or been at some certain place, by means of which the circumstance can be fixed in his mind. Now

WHERE WAS MILLMAN AT TEN O'CLOCK THAT NIGHT?

We can prove that he was a long distance from the scene of the murder at that hour. I will prove that Millman was at his own house on that night at ten o'clock; and that he was also at his own house at the hour when the girl Adams saw the man whom she thought was he, tie the knot. I will put the Rev. Mr. Reagh on the stand to testify concerning the church

meeting that night. This meeting was held in the church at Irishtown, and was for the purpose of making arrangements for the holding of a picnic or tea party. After the meeting the place was locked up. Mr. Reagh saw the prisoner's father and mother leave the church for home—one mile from the place. In some five or six minutes after they left, Mrs. Reagh and Mrs. Evans drove away. Mr. Reagh then left the church and walked with Evans to where the latter lived—between 300 and 400 yards away. There Mr. Reagh found his horse tied. He untied it and took it to the well and watered it. The two together took the horse out, took it to the stable and put it up. After that he went into the house. Mr. Reagh had been regulating Evans' clock, and on being asked what time it was said it was seven o'clock minutes past ten. Mr. Reagh has since gone over this ground, put up his horse as before, and did it in thirteen minutes—going more quickly than on the former occasion. When Mr. and Mrs. Millman arrived home from the church Mr. Millman remarked that it was time to go to bed; but the husband suggested it would be better for her to set the bread before she went. Mr. and Mrs. Millman jogged along quietly on the road, and did not look at the clock when they got home. Mr. Reagh had got his watch from Dr. McKay and regulated it every day, getting the correct time from Mr. Clarke, at the Railway Station at Kensington, where it is received from Toronto each morning. Mr. Reagh's watch was, on the contrary, a standing joke among the people. It is fearfully and wonderfully made, and has been known to gain upwards of three quarters of an hour in less than a week. There was nothing like it in the heavens, on the earth, or under the earth; and Bryanton swore by it. Indeed if he had his way he would have everything regulated by his celebrated Waterbury watch. Then there are the footprints on the sand on the shore of the South-west River. These are important, and Constable McKay, in measuring them as he did, showed an amount of detective ability very creditable to him. He took careful measure of the heel and sole, even noting the fractions of the inch. Mr. McKay has told you that these tracks were made some distance from where the tide rises and falls, and therefore could not easily be effaced. There was not an intelligent man present but believed

THOSE TRACKS WERE MADE BY THE GIRL'S MURDERER.

We will show you that the tracks in the sand, and which have been so carefully measured, are about an inch smaller than Millman's foot. (Here Mr. Hodgson went to the dock, and obtaining one of the prisoner's boots, measured it in front of the jury, and the measurement was just one inch smaller than the boot.) I shall show also, by measuring the prisoner's bare foot, that it is longer than the track. This case is bristling with circumstances to which I shall not refer now, but will deal with later. Just one word, however, about the evidence of the man Somers. With regard to his testimony, we will put members of the Grand Jury on the stand, and they will swear that he told them when examined that he could not even then swear it was Millman when he saw him. Then, again, the prosecution have put in a good deal of evidence about a wagon which was met on the road. They got hold of a wagon, but it is the wrong one. Before the case closes I shall put witnesses on the stand who will tell something about another wagon—who will tell you what they saw that night. When I next address you I shall go through all the details of the case, but for the present I refrain from doing so.

THE EVIDENCE TAKEN.

REV. THOMAS R. REAGH (SWORN)—Examined by Mr. Hodgson—Irishtown Church is one of my churches. I was at a meeting in the church on the 28th of June last. I remember being there distinctly. I took place on Tuesday, 28th June. The meeting opened about 8 o'clock. I am acquainted with Mr. and Mrs. John Millman. They are parents of William Millman. They were there that night. I don't remember when they got there. The meeting was called for half-past seven o'clock. I remember the fact of Mr. and Mrs. Millman leaving. They drove. The church is about a mile from their house. Mrs. Reagh was there—it was a meeting of the ladies of the congregation. I had my horse carried there. My wife and Mrs. James Evans drove away with my horse and wagon. They stayed about five or six minutes after Mr. and Mrs. Millman left. They went to James Evans'. Mrs. Reagh and I stayed there all night. I left four or five minutes after my wife and Mrs. Evans. Mrs. Evans lives 300 or 400 yards from the church. After speaking about the prospects of the tea, I walked to Mr. James Evans'. I walked an ordinary gait. When I got there my horse was hitched to a post which supported the clothes-line. We unhitched the horse, took him to the well and gave him a drink. It was a well with a windlass. We had to let the bucket down. We then took the horse to the barn and got a rope to tie him to. Mr. Evans had to get a line. While he was getting the line I got the harness off. Then we fed the horse and some other cattle. Then Mr. Evans went round the barn and took straw to bed the horse. We started for the house, taking the articles in the wagon with us. We went into the house, and either my wife or Mr. Evans' wife said it was late. Some of them asked what time it was. I looked at my watch. It was between 10.15 and 10.17 o'clock. I can't accurately state the time, because I only had the watch a fortnight. I had been going to the station for several mornings to get the time. I was regulating Mr. Evans' clock at the time. It would take us from fifteen to twenty minutes to walk from the church and do what we did before we entered the house. On a former occasion we did it some thing—in exactly 13 minutes. I timed the performance only at we rode the first time, the horse trotting a little, and walked the last. I remember the time particularly on account of the after events. I heard that Mary Tuplin had disappeared, and that my sexton (Bryanton) was suspected. I have tried to regulate Bryanton's watch, and have brought it down so that it would not gain over half an hour a day. There was some joke connected with the sexton's watch. It is a standing joke with some of the congregation—"Mr. Bryanton's watch." I don't know what time it was when we left the church. Mrs. Millman was at one time rather melancholy—something of a religious melancholy—judging by conversations I had with her. She absent herself from church on several occasions. It was a source of great anxiety to the family

Cross-examined by Mr. Peters.—(Witness answers a little.) This is a little less now—she gains a little. At the time I speak of, I had only had her a fortnight. I got her by my father's order, allowing for the difference

between local and standard times. Mrs. Sudsbury was at the meeting. I think her husband came for her. I don't think he was there. I looked at my watch before the meeting broke up. I am not prepared to say that Bryanton's watch did not agree with mine on that occasion. I know Mr. Sudsbury. He lives a mile or a mile and a half from the church. The meeting lasted between an hour and a half and two hours. I didn't begin to calculate the time of the occurrences on that evening till about a fortnight or three weeks ago. The idea of the time has been in my mind ever since. I began to think sometimes after the murder came out. It might have been Wednesday or Thursday after the murder. The prisoner was the first to tell me that Mary Tuplin had disappeared. He did so on the next day (Wednesday) between eleven and twelve o'clock. I was driving home in company with John N. Evans and him. He didn't at first tell me that he was charged with causing the disappearance of the girl; but on the way we met John Tuplin, who called on my side, and when they both arrived he told me that John Tuplin had told him that he had agreed to meet the girl on Tuesday evening. He said that Alice Connolly had told Tuplin. Millman said it was not true, or something to that effect. I then asked Millman where he was last night. He said he was down to the river bathing; that after he bathed he set down for a little while, then went home. He said he bathed alone, and that he was at home when his father came back from the meeting. I was at the station sometime after the murder, and spoke to Mr. Reubin Tuplin. I don't recollect that I told him that the prisoner and Nathaniel Evans were in the same house as I was on the night of the murder. I certainly did not do so. I was not in the house with them on that evening. I might have been with them on another evening. Millman is a parishioner of mine, and I had a conversation with him (before the murder) respecting Mary Tuplin. I asked him whether he had anything to do with that girl. He said "No." I believed that that was some few days before the murder. There were at the meeting: Richard Paynter and wife, John Profit and wife and I think one of his boys, Mrs. Thomas Millman, William Evans and his wife, Mrs. John Sudsbury, and John Paynter and wife. I can't call to mind any others. I don't remember that any of the Bryantons were there except Thomas. James Evans and his wife, Mr. and Mrs. Ives, and William Profit were there. Thomas Bryanton and I think John Paynter, produced their watches that evening. We were looking to see how the time was going. I think it is likely I told them the time by my watch. Thomas Bryanton would have heard what I said it was. John Millman lives about a mile away. It would take him from fifteen to twenty minutes to go home. I am quite positive I'm right about the time. At ten o'clock I would be at the Church door—out in the air. If shots were fired I would have heard them. It was a clear night. The meeting had been in some fifteen or twenty minutes before we lit the lights. I couldn't swear whether the blinds were up or down. The night was half up or half down. It was just getting dark when the lights were lit. Mr. Sudsbury lives about a mile or a mile and a half from the church. The meeting broke up about ten o'clock. It was a moonlight night. The moon was giving a good light. Millman was in Church the Sunday after the murder. I did not see him to speak to after the Wednesday following the murder. He told me on that occasion that Thomas Bryanton told him about the girl's disappearance. I asked him what the girl said when he saw her on the previous Sunday evening. He said she didn't blame him. I didn't ask him where Nathaniel Evans was that evening. I didn't know at that time where John Nathaniel Evans was on the evening of the murder. After the meeting closed Mr. John Millman and his wife left for home, in four or five minutes. It was a few minutes past ten before they left for home.

TUESDAY, JAN. 31.

R. B. NORTON (SWORN)—Examined by Mr. Hodgson—I am a hardware merchant in Charlottetown. I sell pistols, and ammunition for pistols. I have in stock and on hand ammunition for a 32-calibre pistol. (Cartridges produced.) I have one here marked "H." The bullet would show these rings. We sell of this kind from 5,000 to 10,000 a year. Cross-examined by Mr. Peters.—We sell by number. (Cartridge produced.) The ball taken from that cartridge would show them rings. They are all made by the Winchester Manufacturing Co. The ball produced is not exactly the same as that in the pistol. We have some that have no rings on them—by a different maker. (Cartridge produced.) This is by a different maker. It could be fired out of that pistol. Cartridges from the same maker have different marks.

JOHN MILLMAN (SWORN)—Examined by Mr. Hodgson—I am the father of the prisoner. I remember Tuesday, 28th of June, was the day that evening I was at a meeting at Irishtown Church. I left for the meeting about seven o'clock. My daughter said before we were ready, it is twenty minutes to seven. That was before we began to get ready. It would not take us more than twenty minutes to get ready. My son was home when I left. He was at the door when we started with the wagon. He had on his working clothes, no coat. He had a black hat. I saw him when he came to my house. There is a mile to the church. I didn't look at my watch when I left the meeting. We stood talking two or three minutes. I untied the horse and came right home. I would not take over ten or fifteen minutes to drive home at furthest. I drove on that evening just as I usually do. When I got home the gate was open. We drove right on, to where I put the wagon in. My wife went with me, and then walked up to the house, and putting the horse away. While I went into the house William was just going out of the kitchen into the hall to go to bed. He had no coat or boots on. He sleeps up stairs. I don't remember whether or not the lamp was lit when I came in. My bedroom is down stairs. My wife went into a room to take off her things. When she came out again I had to go down to the granary after a bag of flour for my wife to get some bread. My granary was not locked. I got the bag, put it on my shoulder, went into the house and emptied it into a barrel, and then my wife went to work to set the bread. Then we talked a minute or two and then went into bed. I sat by the stove and smoked my pipe. I heard the clock strike eleven while I was smoking. When it struck I even heard smoking quite a little while. It was nearly twelve before I went to bed. I felt chilly, and kindled on a little fire. When I left to go to the meeting I left home Mrs. Nelson Evans, (Elizabeth Jane) William, John Bradford, and I saw William about 12, and Maud, about 15; Johanna about 12, and Maud, about 12; and David Reagh, about six years old. I was examined before the magistrates. At the examination I made a mistake about the evening. I thought the magistrates were asking me about Wednesday evening. I didn't notice when they began to ask about Tuesday evening, was not strong when the examination was held. I am quite sure that my wife set the bread before eleven o'clock. I was not so closely questioned as the witness of this is now. I was not asked about the

details of what we did on that evening. John Tuplin was at our house on Wednesday evening.

Cross Examined by Mr. Peters.—Mr. John Tuplin came to ask about the girl, and if I knew where my son was on Tuesday evening, I told him that I was away at the meeting, and that before I left he had been talking about going to the river to have a wash. I had not heard about the loss of the girl before Tuplin came. I don't remember whether I heard about the loss of the girl through the day or not. I told him at the examination as well as I could then enumerate them. I would not remember as well now as I did then. The statement I then made that I got home between half-past ten and eleven, is, as near as I can tell, correct. When I got home the children were all in bed, except a little girl (Mary Eliza), who was asleep on a bed, and William. The first I saw of William on that evening, he was going out of the kitchen into the hall to go to bed. I believe that the rest were all in bed and asleep. William said, "Good night, da," and went to bed. He was in shirt sleeves. His pants were dark, and he had no boots. I do not know why William did not go to the Church that evening. It was a ladies' meeting. I got up next morning about seven o'clock. I do not know where William went next morning. He ate his breakfast and went to work. I don't remember what he went at. We went to the meeting about seven o'clock. We were there before the meeting went in—quite a little while. I don't remember who was there when we got there. I stayed out a few minutes talking to William Evans and I think, to William Paynter. It was a small meeting, not many there altogether. Mr. Richard Paynter and his missus and Mrs. Thomas Millman and her boy drove from James Evans' with us. We were all on the road together. The only person that drove with us was my wife. After the meeting was over we stopped talking to William Evans and Thomas Bryanton. My son has a brownish straw hat. I would not like to say that I would know it if I saw it. (Hat produced.) It looks like the hat. There was a string around it. I don't know the color of the string. I call that a low-crowned hat with narrow rim. I know John Nathaniel Evans. He lives up at Irishtown, near the Church. I don't remember that I saw him on Wednesday. I don't know that my son went to see him on Wednesday. I was not down to the shore on Wednesday. I won't swear that John Nathaniel Evans was at the shore on Wednesday. I don't know whether I could see the boat where she was moored or not. I always heard she was moored there. My farm doesn't run to the shore. I might have been down to the marsh. I don't remember seeing the boat moored. My son said he had a notion of going down swimming before we went to the church. I don't know how he came to talk about it. He first said he had a notion of going down for a wash that evening. I don't know who was present. He told me afterwards that he had been down to the shore. I don't know whether he told that or not. I swore to the truth as I knew it. I won't swear that he did about nine or ten o'clock. I never asked William why he was up so late that night—he never told me. William did not come out to help me put the horse away, nor to carry the flour in. There wasn't much fire in the stove. It was cool that evening, though it was quite a fine night. I kindled up the fire. There had been fire in it; it was down low and just kindled it up. I never asked my son where he was on the evening the murder was committed, nor has he ever told me. John Tuplin named him when he came to my house, but I did not ask my son where he was that evening. I didn't ask him, because I didn't think but what the girl would turn up. I thought my son was not guilty of that. I don't know that I had any particular reason to ask him. He was home when I left and was home when I came back, and I thought there was no need to ask him. Tuplin said the girl left a little after nine o'clock. I didn't know that my son had a revolver. He used to have some old things a while. Nelson Evans found a revolver up on our granary. I can't tell whether or not it belonged to William. I did not know that he had another revolver. He did not tell me that he borrowed one from Power. I told the magistrates that my son had a toy revolver. I never saw him with a pistol cartridge. A small revolver was produced at the examination. I did not know whether or not it belonged to William. I asked him nothing about the revolver after the examination. I had not talked to my family about where William was that night. I did not speak to John Bradford, or to any other member at my family, nor to my knowledge, to anyone else. I do not know that my son put his boots to dry that evening. His boots were off. I don't remember whether I saw them that evening. I think he wore shoes. He generally wore a pair of brogans. I can't swear whether or not he had on the brogans on that evening. I never asked my son whether or not he had anything to do with Mary Tuplin. I never saw her in my house when I was there. I know the Cousins girls—Lily, Jane and Mary. They were not at my house on Wednesday or Thursday (after the murder) that I know of. I don't know where my son went to on Wednesday or Thursday. I knew he went to town on the following Monday. He went to see about the scandal, he told me. I didn't ask him anything about it. He asked me if he hadn't better go and see. I told him I thought he had. He didn't remember anything about the Power boys. I never heard him hearing it into a barrel. It would be about Patrick Power's evidence at the examination. I never asked him whether or not it was true. Will told me that one of the Power boys was with him on that night, or one night. I don't remember what he said about it. When he said this I was home. This was before the examination and after the girl was missing. I don't remember whether I asked him or he said it himself. It was outside on our own place that he told me. I think it was in the afternoon. I don't remember the day he was doing his road work. I didn't know that he and one of the Power boys had a job together. I remember the time I was at Clifton Court. I was there both before and after noon. I don't remember what time I went to the Court. It is most likely that I talked the matter of the time we got home from the Church with my family. I can't remember the time without talking it over. I don't remember when I first talked it over with my family. We talked something out it with Mr. Reigh—the day before yesterday. I don't remember that I talked it over with him till the other day. Mrs. Nelson was at my house that night—no one else but the members of my family. I had no conversation with Mrs. Nelson Evans about the matter.

JOHANNA EVANS (SWORN)—Examined by Mr. Hodgson—I am a sister of the prisoner. I remember the evening my father and mother went to the meeting in the Church in June last. I was outside and did not see them go. I saw Will about 12. He had no coat on. I don't know what sort of a hat he had on. I didn't see him go away. He said he was going to have a bath. I went to bed about dark. I don't know when either father or mother or Will came home. My eldest sister's name was Elizabeth Jane. She woke me up when they came home. Maud and I sleep together. We did not wake up in the night at all.

Cross-Examined by the Attorney-General.—I don't remember any conversation in our house about Mary Tuplin. I saw John Tuplin speaking to my father at the barn on Wednesday morning. Monday my brother was in town for the lawyer. This was the day the body was found. Jane Cousins was at our house that night. I did not see William in conversation with the Cousins girl that night. Lucy Evans and others were also there. Bradford was at Thomas Millman's wedding potatoes that day, and when he came home he said the girl was found. No one present said anything after he told this. William was in bed late on Wednesday morning. He was in bed after we all had breakfast. He was there when I went to school that morning.

Mrs. JOHN MILLMAN (SWORN)—Examined by Mr. Hodgson—I am the mother of Wm. Millman. I remember the meeting at Irishtown church. It was on the 28th June. It was twenty minutes to seven before we decided to go. My husband thought it was rather late to go. My daughter looked at the clock and told me it was that time. It was Mary Eliza who looked at the clock. I washed my face, combed my hair, changed my dress and got ready. It was about seven o'clock when I was ready. William was home when we left. I spoke to him before I left. The meeting was to arrange a picnic. I asked him if he took a share of the table would he assist us. When we got to the meeting there were some people there. Mr. Paynter's people and Mr. Millman's went ahead of us. Mr. Paynter said he thought we ought to be there. I don't know the time the meeting broke up. About three or four minutes afterwards we started home. It would not take us more than ten or fifteen minutes to get home. When I got home I went into my bedroom. My second daughter was lying in bed then, and I spoke to her. I took off my things then. Perhaps I was eight or ten minutes there. When I came out I saw my son in the kitchen. He was not there when I went in. He had his coat off and boots on. He took off his black felt hat and hung it up. It was the same hat he had on when he went away. I saw him take off his boots and put them back against the wall. He then went to bed. I then set bread. There was no flour in the house. My husband brought it in from an outside building. He set it down on a chair and emptied it into a barrel. It would take me about fifteen minutes to set the bread. After I set the bread I washed my hands and talked for a while to my husband about the meeting. The clock is in my bedroom. I then went to bed, leaving my husband sitting at the stove. I don't remember hearing the clock strike after I went to my room. I did not notice that there was anything the matter with my son's boots. I was asleep when my husband came to bed. I saw my son next morning. We were done of breakfast when he got up. We had breakfast about 6 o'clock. I was upstairs next morning. William's socks were lying on the side of his bed. They were not wet. He wore shoes that night.

Cross-examined by the Attorney-General.—I remember the 29th June last. It was on Tuesday—the day before—that we went to the church meeting. It must have been about seven o'clock when we left. We began to get ready about twenty minutes to seven. Mr. Reagh has been in charge of the church for some years. He has been very little at our

house. I thought we got ready in twenty minutes by what we had to do. Mr. Reagh or Mrs. Reagh were not at the church when we got there. I don't know the time we left the Church, nor what time I got home. That's a fact. We live a mile from the Church. Never heard it called two miles. We had no delay when going home from the meeting. I don't remember speaking to any one in particular. We did not drive home very fast. We did not walk the horse all the way home. My husband took charge of the horse when we got home. I saw no one in the kitchen when I got home. My daughter and the little boy were in my room. The boy's name is David Reagh—called after our minister. I know John Sudsbury. I saw his wife at the meeting. I suppose it was sometime about half-past ten when we got home. My husband heard the clock strike 11 when sitting smoking after I went to bed. He told me so next morning. Wm. was standing in the kitchen when I came out of my bedroom. I was about eight or ten minutes in my bedroom. He was in his shirt sleeves. There was no light in the kitchen when I first went in. Wives says William was sitting at the stove toasting his feet, says what is not true. There was no fire in the stove. I don't think my husband put on a fire. I don't know whether he did or not. I was told. The night was chilly. If my husband did not light a fire to warm himself, he did not do it for any other purpose. I did not warm myself. I have no recollection of a fire in the kitchen on the night of the 28th. The water I used to set the bread was not warm; it had just the chill out of it. I noticed no person light the fire while I was setting the bread. All the members of the family, except William, were up to breakfast at the regular time that morning. Sometimes William stayed in bed when we did not call him up. The bread I set on Tuesday night was eaten that week. I have no distinct knowledge. I saw John Tuplin at our house on the 29th. He was talking to my husband at the barn. I went out when I saw them talking. When I went out I heard him describe about his children seeing a man in the woods at six o'clock the night before. He asked where our son had been the evening before. We told him he had spoken about going bathing. He also asked if my son had any money. I said I did not think he had 25 cents. He said he had seen him with Mr. Reagh, and asked if he was going after his daughter. I don't know what time William came home on Wednesday. He had breakfast with us. He did not have his dinner or supper with us. Some people milk earlier than others. I did not have any conversation about the murder. I heard on Wednesday at noon that the girl was missing. At four o'clock that afternoon John Tuplin came. I spoke to William about it the day after Tuplin left. He asked what John Tuplin wanted. I said I supposed he wanted him. He asked what he wanted him for. I told him what Tuplin told me. He said he knew nothing about it. He told me he had been at the time William's house—asked him. Tuplin told me it was last winter he was there. My husband was present at some of our conversations. On Thursday I had another conversation. Mrs. Evans was not there. The others were, I think. I cannot remember the exact words. It was about talking the Tuplin girl away, and about the people blaming him for coaxing her away. I never heard Mary Tuplin's name till she was lost. I did not hear Tuplin mention Alice Connolly's name. I don't remember hearing it. Alice Connolly is a first cousin to William. She left for Boston after the examination last summer. I never spoke to her after that. The murder may have been spoken of once or twice after that. My husband may have been present. I asked William where he was that night after I returned home from the meeting. He told me he had been down bathing. They often went bathing. I asked him next day, and he told me he had been down bathing, and he told me he had been down bathing, and he told me he had been down bathing. It was in the presence of the family, probably at the breakfast table. He told me he had been sitting on the front doorstep smoking before we came home from the meeting. He had smoked for a year before that. He was not toasting his feet at the stove that night that I know of. On the 24th my son had a grey woolen shirt, black vest, checked pants, and wore shoes. He wore a black felt hat. (Brown straw hat produced.) I won't swear this is his. He has a brown straw hat. I think there was a word around it.

Court took recess.

AFTER RECESS.

JOHANNA EVANS.—Cross-examination resumed by the Attorney-General.—I don't remember hearing any conversation in our house about Mary Tuplin. I saw John Tuplin speaking to my father at the barn on Wednesday morning. Monday my brother was in town for the lawyer. This was the day the body was found. Jane Cousins was at our house that night. I did not see William in conversation with the Cousins girl that night. Lucy Evans and others were also there. Bradford was at Thomas Millman's wedding potatoes that day, and when he came home he said the girl was found. No one present said anything after he told this. William was in bed late on Wednesday morning. He was in bed after we all had breakfast. He was there when I went to school that morning.

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