

THE TUPLIN TRAGEDY.

MAP OF THE SCENE OF THE TUPLIN TRAGEDY



- 1. Thomas Power's farm.
2. Nathan Wright's farm.
3. Jonah Adams' farm.
4. Where the body was found.
5. Supposed spring hole.
6. Where the disguised man was seen.
7. Where the boat was usually kept.
8. William P. Evans' farm.
9. James E. Warren's farm.
10. Hiram Thompson's farm.
11. Richard Paynter's farm.
12. William J. Profit's farm.
13. Edward Bryenton's house.
14. Place where the post mortem examination was made.
15. Place where the boat landed with a man it.
16. Place where the boat landed with a man it.
17. Thomas Millman's farm.
18. Donald Cameron's farm.
19. Alexander Cousins' farm.

Millman in The Dock. THE INTEREST INCREASING. Report of the Proceedings. The Evidence Taken.

FRIDAY, Jan. 28. The interest in the Millman trial increases as the case progresses. Every day the Courtroom is crowded with people of all classes, each one eagerly drinking in the details of the evidence.

THOMAS BRYENTON (sworn)—Examined by Mr. Peters—I live at Spring Valley, Lot 18. I know John Tuplin and his wife, Mary, and was slightly acquainted with William Millman. I am a member of the Church. I remember the evening of the 28th June last. I was at the Church that evening. I stayed till after the meeting was over—was there the whole time. I got home about eleven o'clock. I live about two miles from the Church. I walked home. John Millman and his missus and Mrs. Thomas Millman and her son James were at the meeting that evening. Mrs. Thomas Millman left before me. John Millman and his missus left at the same time. The meeting got out about twenty-five minutes past ten. It is about a mile from the Church to John Millman's. I left as soon as the meeting was over. The others stopped and talked together for a minute or two. We had our watches out just before we left the Church. The meeting was about getting up a tea. I saw William Millman in Church on the Sunday before the murder. I saw him both inside and outside the Church. We talked about Mary Tuplin. He asked me how Tuplin's sick boy was. I told him that he was just living. Then he asked me about Mary. He asked me the second time. I told him that I heard some talk about her. He asked me if I knew it was true, and told me he'd like to see the girl to know if the talk was true. I told him to go on up and see her. He said he didn't like to go. I told him Tuplin wouldn't say anything to him. He said he'd like to see the girl to see if the talk was true that the little one belonged to him, but he felt ashamed like to go to Tuplin's. I said me and my wife were going up to see the sick boy, and asked him to go with us. He still seemed ashamed. Then he said if I would ask the girl to come to the gate he would go and meet her there. My wife was there. I don't know whether he heard the conversation. Millman was close to me. I am not aware that anything else took place. After I promised to tell the girl, he said, "don't you let on anything about it." I said no, I wouldn't. We went to John Tuplin's that evening. Before we went Millman came to my house with John N. Evans. He didn't stay long. I was getting ready to go to Tuplin's when he came. I had a little conversation about a pig, but not about this Tuplin matter. I can't say why he came up at that time. I thought he was going up to Tuplin's. It was out of his way a little. He never came before to my house on Sunday that I know of. He came one day seven or eight years ago with his father, when he was a little boy. My wife and I walked to Tuplin's to see the sick boy. I saw Mary Tuplin that evening in her father's kitchen and up stairs. I told her that my missus wanted to speak to her. Then she went out to her. I don't know where Millman or Nathaniel Evans were all this time. I met Millman again that evening. I think John Nathaniel Evans was present. It was just about dark. I went down between John Tuplin's and William Millman's. He called me by name and I went up and spoke to him. He asked me if I told Mary Tuplin. I told him "I thought my missus told her," or else "My missus told her." We had no more conversation—not a word. I went right away home. On Tuesday I was working with John Paynter. I did not see Millman that evening, nor on Monday. I saw him on Wednesday on the Millman Road—near John Millman's house. I went down to see him about this Tuplin matter. I thought Millman had, perhaps, been with the girl. I did not know then that she had been murdered—only that she was missing. We sat down on the side of the road and talked not over twenty minutes. I asked him was he up the road last night. I meant the road near my place. He said he wasn't. I asked him where was he? He said he was down swimming in the evening. He didn't say what time. He might have said it was before sundown. I can't recall. Yes, he said he went down before sundown. He didn't say how long before. He didn't say whether any one went with him. I didn't ask him. He said he came up in the evening and laid about the road near his father's gate till bed time, and then he went to his bed. That's what he said. I swear to that. That's what he said next day (the day after the murder). He said he was in bed when they came home from the meeting. He didn't say anything about that evening. No other conversation took place. I told him that John Tuplin was down at my house threatening to law me, and that he blamed Millman for having done something to his girl, and was going to take the law of me on account of the message I had given. He said he wasn't around anywhere near Tuplin's that night. I told him if he knew anything about the girl to tell me and I would tell Tuplin. He said he had never seen her. He said that he had seen her on Sunday night—the night I took the message. He did not say where. He told me that she told him that she didn't blame him for the child. That was about all that was said. There might be a word that I would forget. Millman did not seem surprised when I told him that the girl was missing. He said nothing. He might have spoken; but nothing about the girl. I was arrested as a party to this murder; but was discharged. While under arrest coming from the Court, Constable MacKay being present, he spoke about the murder and the awful trouble we had got into, and I told him the best thing he could do was to read his Bible and pray. Nothing else was said. I was at Thomas Millman's, I think, when the body was found. I did not go to search for the body; neither did Millman. As soon as I saw them find the body I went up to Thos. Millman's house. I saw William Millman that evening. I told him nothing. He was coming from Charlottetown. I spoke to him on Monday morning before the body was found. I heard afterwards he was on his way to Charlottetown. I told him if he went up about the Cross he would most likely be arrested. I told him about the handkerchief being found. He said it was only a fraud—dropped there by hands. I didn't ask him how he knew it was only a fraud. I went to my work and he went on. I have now told

everything I know. I saw old John Millman get in his wagon and drive home on the night of the murder. His missus was with him. I can't tell the color of the horse nor the kind of a wagon. No other members of the family were present. John Bradford, Eliza, William, Johanna and Maud are the members of John Millman's family. Nelson Evans is married to Jane Millman, who lives at her father's home. Mrs. Nelson Evans was not at the church that night, or Evans himself, nor any of the rest. I had a conversation with Millman some time in May about Mary Tuplin. He said he was over to Margate Church one Sunday to preaching, and saw a woman come out of Somers'. He thought it was Mary Tuplin, and he tried to overtake her but he could not.

Cross-examined by Mr. Hodgson—It was five minutes past eleven after I got home and got my boots off and my pipe lit. My watch sometimes runs down. Before I took him, Millman had not heard that the Tuplin girl was missing. I did not hear that it was Millman's handkerchief that was picked up, and don't know that Millman did. There were more stories going about than truth. Millman told me that he was in bed when they came home from the church. I have met him when he was going down bathing. I did not murder the girl.

To Mr. Peters—The evening that he told me about the girl at Somers' was the evening he said that he was going swimming. Mr. Reedy's watch agreed with mine. On the night the girl was missed my watch was going. It is necessary for me to know what time to open the church.

MARGARET BRYENTON (sworn)—Examined by the Attorney-General—I am the wife of Thomas Bryenton. I know Millman; also Mary Tuplin, slightly. I remember when she was missed. I remember the Sunday before that Millman was at our house. I never remember that he called on the Sunday before. My husband and he went to the barn. I didn't know what his business was. I don't know now. He stayed a few minutes. My husband and I went to Tuplin's that evening. We left him and Evans standing on the road. We got to Tuplin's between sundown and dark. I saw the boy that was sick; also Mrs. Tuplin and Mary. I saw Mary in the house. I gave a message for her from William Millman. My husband told me to tell Mary that William Millman wanted to see her at the gate that night. I said, "Mary, William Millman wishes to speak to you to-night." She said, "Where at?" I said, "At the gate." She made no answer. That was about dark. I did not see Mary go out. On the way home we met two men. One was Archibald Bryenton. I did not know the other. We met them not far from Tuplin's gate. I didn't see Millman after that. My husband and I went home together. I know a person named Morrison. He was with us. I saw no one else. My husband and I walked home together. While on the road some one called my husband. He told me it was William Millman. I didn't see any person. Then I went home. My husband is the sexton of the Church. We got home between nine and ten. I remember the next Tuesday evening. My husband was at the Church. He got home at 11 o'clock. I was examined at Clifton. My husband said it was five minutes to eleven when he said down. That's what it was by my husband's watch. We live two miles from the Church. My husband was walking. On Wednesday he was away to Thomas Millman's.

Cross-examined by Mr. Hodgson—I didn't see Mary go out after I told her Millman's message. I did not see her again that evening. It was after dark when we left home on Tuesday to go to John Paynter's. It was about sundown on Sunday that Millman came to our house. We live a mile from Tuplin's. It would take us half an hour to walk there. We live two miles from the Church. John Tuplin went to our house the day after the girl was missing.

SATURDAY, Jan. 28. EDWARD WARREN (sworn)—Examined by the Attorney-General—I live at the head of the Southwest River. I have mills there. I know where the Mud Road comes out at the shore; also where the water fence is, and where the South Creek is. I remember the day Mary Tuplin was lost. I was home that evening after sundown, in my own house. I went out just before going to bed—about ten o'clock. I heard a shot just as I stepped out of the door. I thought it was a gun shot. It was quite a sharp sound. I supposed, at the time, that the shot was at South Creek. I heard nothing else that I took notice of. I don't suppose I would have heard a shot in the house. I always wind the clock just before going to bed. I remained out a minute or two, and then went in and wound the clock. It was then just about ten. I know the prisoner. I saw him the following Wednesday at Kensington, and had a conversation with him. He asked me if I had heard that Mary Tuplin was found. I replied that I had not, but that I heard that she was missing. He spoke of meeting her father on the road, and that the father was afraid she had been made away with. He said that he had been accused of making away with her; and further, that two boys had said they saw him in the woods; but he was home all

the evening, except while he went to the river to bathe—and then he went right back home. I noticed his appearance at the time. His face colored as he spoke those words. I had no further conversation with him.

Cross-examined by Mr. Hodgson—It was about ten o'clock that I heard the shot. JOHN MANN (sworn)—Examined by the Attorney-General—I live at Iriantown. I know Millman. I have been in his company. I remember the 28th June last. I was in his company a week before that. I saw him going down the road the Friday before. He was going towards the shore—the North sea shore. John N. Evans and James McLeellan were with him. The three were together. I went along with them. A revolver was fired as we went along. I thought Millman fired it. I saw the smoke. Millman was on the right side, John N. Evans next, and McLeellan next. We were walking abreast. I saw the smoke. I jumped round and said it frightened me. John Nathaniel Evans laughed. We talked about shooting. John Nathaniel asked Millman if he had got cartridges. He said he had. He got them at Summerside last week—he could get none at Kensington. He said that he had with the pistol sent a ball through a three-inch plank and stuck it into a tree. I said it must be a good one then. We were still walking along. I went as far as Reedy's forge—they went right along. I saw no more of them that night. I went to school with Millman.

Cross-examined by Mr. Hodgson—I believe it was Millman who fired the shot. ALEXANDER MCKAY (sworn)—Examined by Mr. Peters. I am a constable. I was not examined before. I arrested Millman. I remember the time Mary Tuplin was missing. I joined in the search the following Saturday, with Thomas Cameron and Donald Cameron. We got a boat from John Cameron, and landed first on Hiram Thompson's side. Then we crossed to the opposite side, near the water fence. When we were coming to the shore there were three other parties coming along. One of them, William England, picked up something like a piece of cotton and threw it down again. They came along then to where we landed, and Thomas Cameron went and picked up the handkerchief. [Handkerchief shown.] That is the handkerchief. We saw tracks between the edge of the marsh and the edge of the water. The substance of the shore I judged to be more clay than sand. It appeared to retain the track quite plainly. Outside further it was softer, and a track would not remain long. We saw two tracks. They were different tracks, but both right foot tracks. We took measurements of the tracks. [Two sticks shown. Takes shortest stick in hand.] That is the length of the shortest track. There was a half sole track—the length of which is marked on the stick. We measured the track of the heel; also the stick in the widest part. [Sticks shown.] The stick is the same length; the measurement of the heel agrees, also that of the half sole. The measurement of the track corresponds with the boot in every respect. The total length of the heel is 9 1/2 inches; the half sole 6 1/2 inches; the width of the sole 3 1/2 inches; heel 2 1/2 inches. [The other stick shown.] That is the full length of the other—the larger track. It is 10 1/2 inches; heel about 2 1/2 inches, width of sole between 3 1/2 and 3 3/4 inches. I gave the sticks to Thomas Cameron, who delivered them to Dr. Macneill. I know Frank Power. I got a pistol from him about the middle of August. I took a memorandum so that I would remember it. There was the name on the barrel Alexis. There was numbered under the heel of the stock 1278. [Pistol shown.] This is the pistol. It is the pistol I got from Frank Power. When I got it it had three full cartridges and two empty shells in it. It is so now. I did not take the cartridges out. I delivered the pistol to Detective Power. The letter "H" is visible on the butt of four of the cartridges. On the other it is shattered. When I got the pistol it was rusty, as it is now. I have no doubt that this is the pistol I got from Frank Power. I arrested Millman at his father's house the day after the body was found; afterwards I drove him to town. Charles Somers came with us. I had not much conversation with him. I cautioned him to make no statement to me when I arrested him. He said, when coming to town, that he was not guilty, but that he guessed that before the trial was over the guilty party would be found. He also said that Muttart needn't think that he was trying to hide his face from him. He had a shot just as I stepped out of the door, for his nose was bleeding at the time.

RICHARD REEDY (sworn)—Examined by the Attorney-General. I am a Justice of the Peace. I know Millman, but not Mary Tuplin. I remember when she was missing. I saw Millman about that time. He was at my place on the evening of the 30th June. He was in my house. He brought a horse and wagon. Patrick A. Power was with him. Millman came into the house. He said this is a great scrape that's got up now. I said, "What's that, Will?" He said one of John Tuplin's girls went away on Tuesday night, and they blame me for knowing something about it. He said he was told if he got a pistol to come before me and give an affidavit that he was with him on that night, it would clear him of the whole thing. I explained that if I took the affidavit it would make me liable to a penalty of \$50 and imprisonment.

He then asked me if he would take Patrick Power to Tuplin's and tell them that Power was with him. I advised him to do so. I believed his story. I took it for granted that it was a fact. That was all that passed.

Cross-examined by Mr. Hodgson—I am one of the magistrates in this suit. I remember being in the woods on the Sunday before she was found. I went down through the Mud Road. On coming back, the man that was with me—John Campbell—drew my attention to a turn-round and asked me if I smelled anything. I answered him that I did not at that time. He then turned round to me and we began to search where the smell came from. After looking round, I came right over where the smell came from. It didn't look like blood. It was kind of a grayish-dark color, and all covered with flies. I thought some dead animal had laid there. I saw a big top of a tree here.

To the Attorney-General—I did not think it was blood. A dead sheep would cause the appearance of the ground and the smell. I thought it was a dead animal. I still think so.

BENJ. BRYENTON, SR. (sworn)—Examined by Mr. McNeill—I live in Burlington, about a mile from the head of the River. I remember the time Mary Tuplin was missing. I assisted in the search on Sunday and Monday. We searched the head of the river. I was down on the Thursday after the murder, and before the body was found. I went down about half-past nine. John Tuplin wanted me to go down and see if I could find the girl. I went down right off the Mud Road. I was about fifteen yards west of the water fence. I remained there till between twelve and one o'clock. I smoke. I lit my pipe that night. It might be eleven o'clock or half past ten, I could not tell the exact time. I was in John Cousins' boat. I heard a splash in the water. It was after I lit my pipe. I took it to be some fish jumping, or a muskrat, or something like that. It was a nice clear moonlight night. I could see fifty yards or more. I saw no boat all the time I was there. I observed nothing after I heard the splash, but saw the waves coming in towards the shore. Nobody was there only the fish swimming in the water. I saw no one on the other shore, but heard afterwards that men were there.

Cross-examined by Mr. Hodgson—I was home on the night of the murder. In the evening I was at Hillman's. I got home about ten o'clock. No one else was there except his own family. No one called there. I was about my house before I went to bed. I was on the river when the body was found. The boat I was in on Thursday night was fastened to a stake in the marsh. It was so all the time I was in it. I live about a mile from the Southwest River.

ALEXANDER MCKAY (Constable) re-called—To Mr. Hodgson—When I arrested Millman I got him at his father's home. He made no attempt to escape. I had my breakfast there with him.

Court took recess. AFTER RECESS. Jabez Tuplin (re-called)—Examined by Mr. Peters—One evening 14 or 15 men were searching in the woods. We noticed a smell. It was near the Mud Road—on the north side. We searched there, but found nothing at first. All left but James Bentley, of Margate, who remained with me and searched till we found a rabbit's head partly covered up by turf and leaves. It was near Fred. Davison's line. The smell came from that. We examined it with sticks, then left it and went home.

STAFF-COMMANDER WRIGHT, R. N. (sworn)—Examined by Mr. Peters I am a Staff-Commander in Her Majesty's Navy. I have a knowledge of firearms. [Revolver chamber, shells and bullets produced.] The bullet would certainly fit the shell. I don't think there is room for doubt that these balls could be fired out of this cartridge. The butt of the bullet seems to be almost an exact fit. This bullet could be fired out of this shell. There are apparently three concentric rings in the butt-end of this cartridge. There are three rings on the base of this bullet. The same three rings are in the cartridge. Either of these bullets could be fired out of this shell. [Another revolver shown.] This cartridge could not be fired out of this revolver.

Noonan's is a tavern in Summerside. While there Millman took a bottle of whiskey. He stole it. I packed with Millman about four o'clock. I left him on the street. It was on Saturday, the 18th June. Millman was into Mr. Campbell's. I did not see him going into a store. I have not had any conversation with him since. I live about a mile and a half from his father's. I know him well.

Cross-examined by Mr. Hodgson—I drank some whiskey in Summerside that day. I did not count the number of glasses. Schurman had no whiskey. We drove in Mr. Pillman's wagon. I did not keep any account of the whiskey I took home in the wagon. I took no whiskey. It was brandy. I had three pints of brandy. Before we left Summerside we had about a glass apiece—about two drinks apiece. We bought by the bottle. I did not get tight.

To the Attorney-General—We arrived in Summerside about one o'clock and left about four. We were both quite sober. I never saw Joseph Schurman intoxicated. He was not intoxicated that day. I wasn't.

JOSEPH SCHURMAN (sworn)—Examined by the Attorney-General—I live at French River. I am a farmer. I remember being in Summerside with Colson on the 18th June, before the girl was missing. It was on Saturday. We got to Summerside about noon. We parted when we got to Summerside. I know Wm. Millman now. Colson told me it was him. I saw in Summerside. Colson, Wm. Millman, and I think Wm. Cameron, I had seen him before and I asked Colson who he was. He said, "Will Millman." I had seen him in a shop that day before—I believe it was at David Rogers'. He was standing at the counter, and there were cartridges between them. The cartridges were revolver cartridges. I did not see other goods on the counter before him. I thought he was looking at the cartridges. He was dressed in a dark suit, brown straw hat with a ood on it. Afterwards I saw the same person with Colson, and I asked Colson who he was. Colson replied, "Will Millman." I started for home with Colson, and got home before dark.

Cross-examined by Mr. Hodgson—I did not say that Millman bought cartridges. I paid no particular attention to him. The cartridges may have been examined by some one else. I know Mr. Rogers of Summerside. He is in attendance here.

To the Judge—I see the prisoner in the box. That's the man.

To the Attorney-General—Mr. Rogers was not there.

BENJ. BRYENTON (sworn)—Examined by Mr. Peters—My father's name is Benjamin Bryenton. We live at Burlington, Lot 18. Last summer I worked at Lot 9. I was round home last winter. I went to Colman, Lot 9—on the 22nd June—before the murder. I know William Millman, but have not known him long. I know John Tuplin and his family—the older ones not so well as the younger. Also know the Power boys. I have known them about a year. I know Frank Power. Last April we traded about a revolver. I had the revolver. I had it about two months. I got it from Russel Adams. It was a four chamber breach-loading revolver. It was thirty-two calibre, and had a black handle with carving on it; I don't know the maker's name. The name "Alexis" was marked on the barrel. I mind seeing a number; but don't know what it was. [Revolver produced.] The handle is exactly like it. The name "Alexis" is on it; also a number. It is exactly like the one I had. I traded the revolver with Frank Power. He gave me a watch for it. Frank Power got a few cartridges from me. I got the cartridges at R. T. Holman's, Summerside. [Witness produced a cartridge.] This is like the cartridge I gave Power. It had the letter "G." on the end of it. It is out of the same box at those I gave Power. [Mr. Peters here produced a cartridge.] They were not like this. They were of a different make, though of the same calibre. To Mr. Hodgson—[Witness here produces a cartridge.]—I have brothers older than I am.

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