

THE TUPLIN TRAGEDY.

William Millman Arraigned.

PROCEEDINGS IN COURT.

Some Important Evidence.

THE COURTROOM CROWDED.

THOUGH the crowd has been great, the courtroom has, so far, been very comfortable. The improvement in ventilation made under the supervision of Mr. Harris, the architect, had a very beneficial effect, pure air being assured; and our esteemed High Sheriff has been most sedulous in his endeavors to perform the rather difficult task of keeping the mercury in the thermometer down to "sixty-five."

The Foreman of the Jury presented Judge Hensley, yesterday morning, with a presentment setting forth the requirements of the jury for their health and comfort. His Honor at once referred the jurymen to the High Sheriff, directing them to apply to him for whatever they wanted.

The evidence has so far been given with little interruption, though the counsel on both sides are quick to check the slightest breach of the strict rules of court.

The evidence of the father of the murdered girl was concluded yesterday. Both direct and cross-examinations were quietly conducted, although the witness was pressed strongly as to his recollection of the different hours and times to which his attention was directed. He was not allowed to relate anything that had been told him, the prisoner's counsel watching closely every word that was said, ready to object to a single statement of hearsay evidence.

The doctors also bore testimony. One of them (Dr. Wall) was questioned very closely by Mr. Hodgson, for the purpose of ascertaining what he didn't know about some of the mysteries of nature embraced in the physician's art.

The demand for THE EXAMINER since the beginning of the trial has so greatly increased that, although we have published hundreds of extra papers, the supply has not equalled the demand. We shall endeavor, by issuing a still larger edition, to guard against a repetition of this. The papers can be obtained each evening at the Diamond Bookstore, H. A. Harvie, D. Chappell's, W. M. Coffin's, John McIntyre's, at the office of publication, or from any of the newsboys on the streets. Readers at Summerside, Georgetown, Souris, Alberton and other points along the line of railway can obtain their papers on arrival of the morning train from Charlottetown.

THE EVIDENCE TAKEN.

DR. McNEILL (sworn)—Examined by the Attorney-General, said: "I am a Justice of the Peace. The examination of Millman took place before me. A pistol and bullets were produced at the examination. (Pistol produced.) This pistol was delivered to me by Nelson Evans. (Bullets produced.) These bullets were given me by the Coroner. I delivered the pistol and bullets to the Clerk of the Court. I did not see the body of Mary Tuplin. The stone was not produced at our investigation. (Sticks produced showing measurements of the footprints on the shore.) These sticks were produced at the investigation by Thomas Cameron. The marks were put on in my presence in my office.

JOHN COUSINS (sworn)—Examined by Mr. Peters—I live at Burlington, about a mile and a half from John Millman's town boat. In June last season on the Southwest River, she was moored under Mr. Warren's farm, about two chains east of the County Line Road. She was fastened by a lock and chain. I erected a temporary stage before the murder. I moved her there—locked her up about Tuesday before the murder. The color was at first brown; but she has been tarred frequently. She was built for an oyster boat. There was a stove in her. (Stone shown.) That is the stove I have no doubt of it. The first time I saw the boat after the murder was on the Friday following. When I looked into the boat and saw that the stove was gone, I had a strong suspicion that the body was in the river. I assisted in taking the body out of the water. That is the stone that was in my boat—on the Friday after the murder the boat was on the opposite shore, below John Adams'. I sent after her. When she came over, the staple fastening the chain to her was broken off, and also part of her stem. I found out that the boat had been taken across the river by three young men who had been assisting in the search for Mary Tuplin. The rope found on the body did not belong to me.

Cross-examined by Mr. Hodgson—They made pretty free with my boat. That was my opinion when I looked her up. To the Judge—It was about half a mile from where the boat was locked up to Millman's house. To Mr. Hodgson—It's not a mile. It may be a long half mile. JONATHAN ADAMS, JR. (sworn)—Examined by the Attorney-General—I live at Burlington, Lot 18, about half a mile from John Millman's. I remember the Tuesday evening on which Mary Tuplin was lost. I was down in the field weeding some beans. I have seen a boat moored on the other side of the river. The boat always seemed to be moored in the same place. I did not notice her there that evening; but she might have been there. I saw a boat later than that on my shore near the Mud Road. It was about seven o'clock in the evening. It wasn't sundown. I don't know who brought the boat there. I did not notice whether the boat was there next morning. I was not at the shore next morning. A little snow was brought to my shore on the same evening about half-past six. It was brought there by James Somers. I didn't notice whether he set the snow away. Somers did not take the snow away. He went to his home, which is on my side of the river. The snow came over first. I didn't notice the snow there next morning. I first heard of the disappearance of Mary Tuplin on Wednesday evening.

Cross-examined by Mr. Hodgson—I would not swear that it was Cousins' boat. To the Attorney-General—It appeared to be a red boat. As far as I know, Cousins' boat was a redish boat. JOSEPH PATON (sworn)—Examined by Mr. Peters, said: I live at Burlington. I heard of Mary Tuplin's disappearance on Wednesday evening. I went to Jonathan Adams, sr., on Tuesday evening. I could see the river from the road. I saw a boat on the river. There was a man in it. It was going towards the western side of the river.

I saw it go to the shore. I could not tell just exactly where. I was over half a mile away. The man jumped out on the shore. One man was all I saw. It would be between half-past six and half-past seven. It was before sundown. The boat seemed to be a good large one. I had seen Cousins' boat. It resembled Cousins' boat. I supposed it was Cousins' boat. It wasn't the little scow. No other boats are usually moored there. I could give no idea of the person in the boat. Cross-examined by Mr. Hodgson—I would not swear to the time. I went to old Mr. Adams, where they were repairing the house. I got home before dark. PAUL THOMPSON (sworn)—Examined by Mr. Peters—I live at Margate. I remember hearing of the disappearance of Mary Tuplin on Wednesday. I was at home at my father's farm on Tuesday evening and noticed a boat leave Warren's Shore. There was a man in it. It went towards Jonathan Adams', jr. I only saw it go a short distance. It was a reddish boat. It was Cousins' boat that I saw leave the shore. I am sure of it. The time was half-past six or seven o'clock in the evening. I couldn't tell who the man in the boat was—think his clothes were dark. The boat didn't go back before sundown. The next morning the boat was moored a little further down the river than it usually is—it was not in its old mooring place. Where I saw the man cross the river was up quite a little piece. I didn't hear shots or screams or anything of that kind on that evening. I was at a lecture, and got home about ten and went to bed. It was a nice, clear, moonlight night.

DOROTHY ANN ADAMS (sworn)—Examined by the Attorney-General—Jonathan Adams, jr., is my father. I live at Burlington. I remember the evening Mary Tuplin was murdered. I was in the house part of the evening, and also in the field between six and seven o'clock. I was in my father's potato field, near the Mud Road and the water fence. There is one field between—the distance is not long. I saw Mr. McKinlay there last fall surveying. I went down there for the cows and saw a boat on the shore on one side. It was about seventy yards away. The boat was near the end of the Mud Road. I saw the person there. It was William Millman. He was tying the boat. After that he went up through the field towards the Mud Road. I kept him in view until he got out of sight. He had dark clothes on—also a dark hat. I knew William Millman. I have often seen him. The next time I saw him was the following Sunday at the English Church at Iriestown. While tying the boat he bent down. I saw him walking. After seeing him I took the cows home. When I got home I said something to my mother.

Cross-examined by Mr. Hodgson—I had not been to school that day. I am quite sure about the truth of what I said. I went for the cows to milk them. I did not look at the clock before I went for the cows; but I looked a short time before, and it was between six and seven. It would take me about fifteen minutes to walk from the house to where I saw the man. I was going for the cows when I saw the man. I didn't tell my mother when I got home that I didn't know who the man was. I can't tell what kind of a hat the man had on. I don't think his clothes were black. The Attorney-General desired the Judge to ask the witness what she said to her mother. The Judge permitted the question to be asked.

The witness said in reply: When I went home I told mother I saw a man down in the field, and thought it was William Millman. THURSDAY, Jan. 26. JAMES SOMERS (sworn)—Examined by Mr. Peters—I live at Burlington, Lot 18 about two miles from Southwest River—on the same side as Jonathan Adams, jr. I remember the day on which Mary Tuplin disappeared. I was down at the river about four o'clock. I was there till about a quarter after five o'clock. I can't speak positively about the time. I came down through Jonathan Adams' farm, and then crossed the creek where it is narrow; then I went down by the marsh to Thompson's shore, where we dug the bait. When I arrived there I met George Bryenton, and we dug our bait. Then we started for home. He asked me to cross in the scow with him. I did so, and we crossed over to Jonathan Adams' shore and tied her there. She belongs to Benj. Bryenton. There was a short piece of rope to bar, not more than three feet long. There was no other rope in the scow that I know of. Bryenton and I went together for perhaps three-quarters of a mile. I saw him home. He had not so far to go as I had. I afterwards saw the scow on Sunday, the 3rd of July. She was coming out of a little cove on Millman's side. I saw John Cousins' boat moored over at her place near the County Line Road. I met Jonathan Adams there on Tuesday evening. I met him in his field, and I spoke to him for about ten minutes.

Cross-examined by Mr. Hodgson—I saw two young men on the shore while I was digging bait. They were just off Thomas Millman's shore. We met on the shore. That was a little after five o'clock. Bryenton had taken the scow over to Hiram Thompson's shore. Before I left home I was working amongst my potatoes. I saw Adams' about half-past five o'clock. To Mr. Peters—I did not know the young men I met on the shore. The young men had gone away before I crossed over to Adams'. It is a common thing to see young men walking on the shore. DONALD TUPLIN, (ten years old) brother of the murdered girl, was examined by the Judge as to whether he understood the nature of an oath, (sworn)—Examined by the Attorney-General and said: I am a son of John Tuplin and a brother of Mary. I remember the day Mary was lost. It was on a Tuesday. My brother was buried that day. I was home that evening. I went with Churchill Underhill for Mr. Underhill's cow. Gordon Bryenton and my brother Andrew went with us. We drove the cow past the Mud Road. The Mud Road leads from the main road. We went in the Mud Road leading towards Margate—the Mud Road comes out in two places. We went just as far as the turn, but did not go further because we saw a man there. The man was sitting down. He was sitting with his elbows on his knees, and his hands up to his face. He had moss or ferns in his hands, holding them up to his face. His clothes were dark. He had a hat on his head. It was between a brown and a black. He didn't move. We made no noise, but ran into the other road, and went back the same way we came in, and went home. I said something to Mary. Mary was then washing the dishes. She stayed in after that about an hour and a half. The sun was down when she left. It was between sundown and dark that we saw the man.

Cross-examined by Mr. Hodgson—I was examined before Dr. McNeill and Mr. Ready—the magistrates. I don't know the day of the week. It was a good many days after the body of my sister was found. I said about six o'clock, and that was true. I thought it was an old crazy man. I saw the prisoner at our house once. It was between Christmas and New Years. My father, sister, Harvey Maudsley, Archd. Bryenton, and my brother Jabez, were there. I don't know when I went to bed. I slept alone that night. Harvey Maudsley did not stop there that night.

Millman came in the evening. I didn't know that the gate was taken off the hinges. To the Attorney-General—I thought it was about six o'clock in the evening. It was after sunset. GORDON BRYENTON (sworn)—Examined by the Attorney-General, I know Donald Tuplin, also John Tuplin who was buried. On the evening he was buried I was with Donald Tuplin, Andrew Tuplin and Churchill Underhill. Churchill was driving the cow home. I went into the Mud Road to frighten the cow, with Donald and Andrew. We went as far as the turn, and saw a man there. He was sitting down in the upper road. Donald Tuplin was ahead; I came next. The man had dark clothes on. He was sitting with his hand on his head. We didn't stay long, but turned round and went out. I went home. I didn't know the man. He had on a dark hat. He didn't look at us. The sun was just going down. Cross-examined by Mr. Hodgson.—Mr. Tuplin told me that I was to come to Court. Churchill drove the cow to his house. I don't know who milked her. He tied her with a rope to a ring in the stable. I hadn't my supper then. I stayed with him about five minutes to walk home. When I got home our cows had been milked and put back to pasture. Supper was ready when I got home. They kept the supper for me. The sun was down when I got home.

JAMES SOMERS (sworn)—Examined by Mr. Peters, said: I was not examined before the Magistrate. I live at Margate, about three-quarters of a mile from Mr. John Tuplin's house. I have been married to his daughter about five years. I remember the evening of the funeral on which Mary Tuplin disappeared. I was on the Main Road (near the Mud Road) that evening. I went with my wife. We were in a wagon. I was driving her over to Millman's. On walking back I passed the Mud Road. No one was with me. The sun was not down, but it was nearly down. I saw a man about half way between the Mud Road and Tuplin's house. He was sitting down on a bank under the trees. There was wood all around. He was only a second or two. He had his hand up to his head. His elbow was on his knee. He had ferns around his neck. He had dark clothes on—I don't know but black. He had on a brown straw hat. I was about three or four yards from him. I did not speak to him. I did not at that time know William Millman. I had never seen him. I saw him the day after he was arrested. I saw the road going towards Warren's farm. It was the same mile that I saw sitting at the end of the Mud Road. I am sure of that. I see the prisoner now. That is the same man. When I saw Millman on the road going towards the road, he had a brown straw hat on. The hat was low in the crown, with a narrow rim. After I saw the man at the Mud Road I went home and then I went to the Methodist Church to light the lights, and stayed till the meeting was over. I lit the lights about half past eight. About twelve o'clock I left home, and went to Milton. I walked, and went out fishing in Richard Cole's boat. After I saw the man I saw some little boys ahead of me. They were Donald Tuplin, William Tuplin, George Clarke and Andrew Tuplin. I spoke to the boys.

Cross-examined by Mr. Hodgson—I was not examined before the Magistrate. I was examined at the inquest. I spoke of seeing the man in the woods that night. I told the Coroner. There can be no mistake about that. I wore a dark hat on. It was a brown straw hat. It is correct to say he had a dark hat. If I swore to it it must be correct. (Long pause.) The brown straw hat is correct. (Pause.) The dark hat was not correct. I would not swear that a Grand Jurymen did not ask me if I knew Millman. I don't mind. (Long pause.) I don't think I was asked by the Grand Jury. I didn't say before the Grand Jury. I cannot swear whether that man was Millman or not. (Long pause.) I didn't mind. I can't answer that question. I said that I did not know the man. I did not state before the Grand Jury that I couldn't say whether or not it was Millman I saw on the roadside. I cannot account for not being heard before the Magistrate. I told the Coroner about the man on the roadside. It was about eight o'clock that I got to the church. I lit the lamps as soon as I got there. I never saw William before I saw him on the roadside. It would be about half-past seven. The sun set about half an hour after I saw the man on the roadside.

AFTER RECESS. JAMES SOMERS—Recalled at the request of the Judge. To the Judge—I could not identify the man when I sat in the woods. I saw him for the first time in charge of the constable. I identified him then as the man I saw in the woods. I did not tell the Grand Jury that I could not identify Millman then and there. To the Foreman—If I see a man once I would know him again. To a Jurymen—I stopped and looked at him for a second. I took a good look at him. I have no doubt whatever that Millman was the man I saw there. To the Judge—It was only two or three yards from him. JAMES MUTTART (sworn)—Examined by the Attorney-General—said: I reside at Margate. My home is in Fifteen Point; but I work with William Pound. I know John Tuplin. I know where he lives. I remember the time Mary Tuplin was missed. I passed Tuplin's the Sunday night before that—just between the two lights. I was coming from Hillman's. I was going home. Mr. Pound lives at Margate Corner. After I passed Tuplin's gate, I met three persons, and they worked down to fill my pipe. I sat there perhaps five minutes. Miss Tuplin came out of her father's field. She came right up to me. She said, "Is that you Muttart?" I said "Yes." She said, "Did you see any other young fellow along?" I asked her who she was looking for and she said, "It is not any difference to you." I jumped up then and saw a man coming, and I asked, "Is that the man you are looking for?" He took out his handkerchief and covered the side of his face. I followed right after him. We just went about 20 yards, then he turned back again. He never spoke nor changed his handkerchief. He went back till he met her. I looked around and saw him and Mary standing in the road. He was close enough to put his hand on her shoulder. The man was William Millman. I swear to that. I have no doubt about it. I have seen him in our church at Margate. I did not know him personally. He had very dark clothes on, and a brown straw hat. It was a dark brown hat. There was a kind of yellow cord around the hat. It was not a ribbon. It was narrow in the rim, and low in the crown, and rather longer than broad. I got home just after dark. It was on the Sunday before the murder, the very night before her brother died, that I saw Millman on the road. I was at Margate corner on the evening of the murder. There was a prayer meeting, but I was not at it. I was out till between nine and ten, and then I went home to Pound. I was home between nine and ten. Mr. Pound saw me go to bed, also William Brown and George Hamilton saw me go into the house. There were out with me George Frizzle, Charles Hamilton, Warren and Russell Sample. They were with me all the evening. Found lives about a mile from John Tuplin's. I know John Tuplin. I was

at his house; but not in his house. Dod Frizzle was with me. It was on Wednesday night. We had been at Kensington before that. That was the first time I was ever at the house. After coming from Kensington Frizzle said he thought he'd go out and see how the boy was; so I says, I'll go with you if you like. We drove Frizzle's horse and wagon. We went into the yard. The gate was wide open when we got there. We saw John Tuplin, Jabez Tuplin and George Profit. We asked how the boy was. The answer was, "No better." Frizzle asked if he would go in to see him; Tuplin said "No, he is very low." We lit our pipes. Tuplin or Profit gave us the matches. I lit three or four matches, but could not light the pipe. Profit then lit it and handed it to me and we drove off. We arrived home about 10 o'clock and went to bed. Frizzle started from Pound's gate to go home. We did not touch Tuplin's gate that night. We never got out of the wagon.

Cross-examined by Mr. Hodgson—The Sunday night on which I saw Millman was not very dark. It was just between sundown and dark. It would be about eight o'clock. I know Mary Tuplin to see her. I was quite a good little piece past Tuplin's house when I sat down to light my pipe. It was below the Mud Road on Woodside's land. I did not think there was any one there till I heard her come through the bush. I never thought or said there was any one with her before she came out. I am slightly acquainted with her. I saw her referred to, we spoke to John Harvey Maudsley. On the Wednesday night we referred to, we spoke to John Tuplin. He knows me slightly. It was after dark.

WILDA SOMERS (sworn)—Examined by the Attorney-General—I am the daughter of John Tuplin and a sister of the murdered girl. I was examined before the Magistrate. My husband's name is James Somers. My sister was missed on Tuesday, the 28th of June. My brother died on the 26th, he was buried on Tuesday evening, the 28th. I was at my father's house on that evening after the funeral. I left about seven o'clock. I think it was about that time. My house is between Margate and my father's. I first went to Hillman's, at the "Black Horse." Frank Hillman gave me the horse and wagon, and I went home and got the baby. I left the baby at my mother's and then drove to Hillman's. My husband drove me a piece of the way. We passed the Mud Road—myself, my husband, and baby. We saw no one. I parted with my husband at the schoolhouse. He turned round and went back home again, and I drove over to Hillman's. My sister, Mrs. Hillman, was sick, and I went there to nurse her. I did not go home till after my sister Mary was murdered. I don't remember the day I went home. It was, I think, the day I was subpoenaed to the investigation at Warren's farm. I remember the Sunday before my sister was murdered. I was at my father's. Archibald Bryenton was there. It was after nine o'clock. My husband was there with me. I saw Mary that evening, also mother, father and Jabez. I spoke to Mary that evening. I knew Mary was about to become a mother. I thought so. I believed so. I swear. I didn't know who was the father. I spoke to Mary about it on the Sunday before she was murdered. I don't know that Mary was out of the house that evening. She was in the house when I was there. I have seen the prisoner. I saw him at Mr. Connolly's at Margate a couple of years before the murder, but did not see him between the two dates. I did not know that letters passed between Mary and Millman. I didn't see any letters. I saw Mary on the day before she was murdered. (The witness, overcome by emotion, here fainted away and was taken from the Court.)

After some time the witness resumed: (Handkerchief shown)—I have seen it before. I couldn't swear that was Mary's handkerchief. It's like one that I saw with Mary. There is a letter "M." like that on it. The letter was worked on with white thread just like that. (Witness here burst into tears.) Mr. Hodgson said he would ask the witness no questions.

THE MAILS. THE boats with 63 bags of mails left Cape Tormentine at 8.15 this morning and reached Cape Traverse at 12.30—just fifteen minutes after the train had left. Forty-four bags were left behind which are being brought over this afternoon. The boats from Cape Traverse left at 7.15 this morning and reached Cape Tormentine at 10.20. They brought 20 bags from Summerside and 30 from Charlottetown. The mails will arrive in this city via regular train to-morrow.

Programme for the Carnival. THE following specially prepared programme will be rendered by the 82nd Battalion Band at the grand Carnival in the Excelsior Rink this evening:— March—Grand Medley. Southwell Valse—Dorothy. P. Bucaloss' Valse—'I'll Await My Love'. Herndon Valse—Loch Lamond (Scotch air). Round March—Mikado Selections. Sullivan Valse—Dreaming. Round Valse—Alexandria. Round March—Emerald (Irish air). Round March—Boulangier. Desormer Valse—Fairy Revels (Cornet solo). Round Valse—Daphne. Peagan Schottische—My Queen. Heath Valse—Xmas Gathering. Smith March—Buffalo Bill's Wild West. Round Valse—Mountain Glen. Round Galop—Fast Mail. Brooks God Save the Queen.

THE NORTHERN LIGHT.—It cannot be said, this year, that the Northern Light was laid up too soon in her winter quarters at Souris. As our readers already know, she attempted to reach Pictou on Monday, the 16th inst. She had eight passengers on board, Senators Carvell and Howland being among the number. She succeeded in getting about half-way across, where she encountered heavy ice, tightly packed, with no opening to be seen. Finding that it would be impossible to proceed further, the captain turned his ship about and ran back to Georgetown, where the passengers were safely landed, after which she was headed for Souris, where she arrived not any too soon; for there has not been a single day since her arrival there on which she could have got even half-way over, and the probability is that if she had got caught in the ice on Monday, she would be cut in the straits yet. On Friday last the dock hands were allowed to return to their homes. The captain, however, with three engineers, cook, steward and watchman, are ordered to remain in her for the winter. There is still open water off Souris, but the other side of the straits is packed with heavy ice, making it utterly impossible, at present, for the winter steamer, or, for that matter, any other steamer that was ever built by the hands of man, to reach the Nova Scotia shore.

To SKATEES.—Great variety of costumes at the Excelsior Rink to-night.

MILL OWNERS!

Henry Disston & Son's Saws

—ARE THE—

BEST IN THE WORLD.

FOR SALE WITH

FILES, OILS, SWAGES, &c.,

—BY—

NORTON & FENNEL,

City Hardware Store.

Charlottetown, Jan. 12, 1888.

DRIVE DULL CARE AWAY,

And make yourself HAPPY by purchasing your

CLOTHING, ETC.

—AT—

B. S. DAVIES & CO'S.

A FULL RANGE OF

Suits, Overcoatings and Pant Patterns,

AT PRICES AWAY BELOW THE VALUE.

At the same time we guarantee satisfaction in FIT, TRIMMING and FINISH of all Garments.

In our MENS' FURNISHING DEPARTMENT we carry the best lines in HATS and CAPS, SHIRTS, COLLARS and CUFFS, and NECK-WEAR. Everything marked away below the value.

CALL AND SEE FOR YOURSELF.

Charlottetown, Jan. 21, 1888.

It is not often really honest goods are offered at the prices we quote below. But the fact is we have a good many Dolmans, Ulsters, Jackets, Jerseys, Sacks and Redingotes remaining, although our sales in this department have been very large, and we are now offering all that remains at extraordinary low prices to turn them into cash, before stock-taking. Ulsters worth up to \$4, for \$2; \$8 for \$5; Jackets worth \$4.25 for \$3; worth \$7 for \$5, and our whole stock at equally low prices.

These prices are certainly remarkable, but there is no questioning them—we guarantee them genuine. Call and secure first choice.

BEER BROS.

Ch'town, Jan. 3, 1887.

JAMES PATON & CO.,

will continue to give Bona Fide Bargains in all kinds of DRY GOODS. Our reputation for selling the

Best Goods at the Lowest Prices

is well known throughout the Island. We think it needless to quote prices in the papers as they very often mislead the public. All we ask is when you are searching for good goods, at low prices, call on us.

During this month we have a number of rare Bargains to offer in

Dress Goods, Mantle and Ulster Cloths, Men's Overcoats, Ladies' Dolmans and Jackets, Fur Capes and Boas, and the Largest and Best Assortment of Carpets on the Island.

JAMES PATON & CO.,

Cash Store Charlottetown and Summerside,

Jan. 4, 1888—27 wky