

The next branch we were coming to when the the court adjourned was, when did the church meeting get out? But, before I speak of that, let me take up the point of the tracks. I know you are anxiously thinking about it, which is quite right, as it is your duty to canvass everything. They may be certain or uncertain according to circumstances. A fact not very well proved may be very uncertain. The evidence is that the tracks were leading to the water, both right foot tracks, that the shore was a mixture of sand and clay, that they were half way between the bank and the water at the time they were measured, that about three double tides would have flowed over them had they been made on the evening of the 23th June. Alex. McKay the constable says he is not sure he got the whole length of the larger track or not, that the heel was clear, and the ball of the foot, that the toe was not so clear as the heel, that no mulls were visible, that there was no impression on my mind, but that I had measured the whole track. If that evidence means that the track wasn't clearly defined about the toe, then it is hard against Millman. There is no evidence that any one else made the track. I put the question to McKay myself did the large track clearly develop? And his answer was either the impression never was there, or it had been obliterated in the sand. The evidence is that the heel was well pressed down and the ball of the foot not so much. Now, the question you must determine is, was the large track so clearly developed as to determine the exact length? If it had developed it would lead to show that it was not Millman's boot. On the other hand if it was not clearly developed then it wouldn't prove it wasn't his track. As I said, if one chain is weak it does not follow that the others are not so strong.

Another branch is the bullets. We find by the evidence of the doctors that Mary Tuplin's death was caused by two bullets—one taken from above the right ear, flattened to a button, the other taken from the inside when the top of the skull was taken off. How were the bullets put there? What had Millman to put the bullets there with? The evidence shows that he borrowed a revolver from Frank Power with the possible intention of buying it, that he bought cartridges in Summerside, that a day or two before the murder Power wanted money to go to a tea-party and he sent for Millman, that Millman said when they met, that he had no money, but to leave the pistol with him, as he and John N. Evans were going on a racket, that two days after the murderer Millman brought back the revolver and gave it up to him at the back of the house, that when Power took it in his hand he said she was full all round, and that was no way to carry her, that Millman replied no, there is three full and two empty, that he put it in his pocket, that after Power heard the body was found and the bullets got, he examined the revolver and saw two empty chambers, and that he then hid it, and that Detective Power came to him he gave it up just as he got it from Millman. Power then, with Johnson, Mann and Colson, all prove that Millman had a pistol at that time. The next thing that comes then—here is the pistol (he was holding it in his hands)—I hope she won't go off—(Mr. Weeks here took out the revolving breach)—did these bullets come from the empty shells? Capt. Wright, of Her Majesty's Navy, whose profession it is to understand these things, says they could be fired from these cartridges. Then there is the question of the distances. I took advantage of when Mr. McKinlay was recalled to inquire as to these. He says from the shore end of the Mud Road, to where the body was found, is $\frac{1}{4}$ mile to where the boat was staked on the shore after the disappearance. $\frac{1}{3}$ of a mile; from this spot to Millman's house, three quarters of a mile, making in all one and