

then we have the motive. Was the prisoner afraid it was true? That at all events operated on his mind, and that was the motive that led to this crime. It has been established that this man had a motive, and that it drove him to the commission of this crime. Having this motive he seeks to make an appointment with the girl, and gets parties to communicate with Mary Tuplin to meet him. It is placed beyond a doubt that he met the girl on Sunday, two days before the murder. By his conversation with McKay, what does he say: "I met her Sunday night, but Muttart needn't think I was trying to hide my face from him. My nose was bleeding". We have him placed around Tuplin's house the night of the murder. We have given proof which leaves no possible doubt that the prisoner met Mary Tuplin on the evening of the murder. It has been insinuated that this man could not be the father of the unborn child. I don't care so much about that. If he believed he was accused, that was sufficient. You can have no better proof that this girl was seduced the time the prisoner was there than the testimony of the poor girl's mother. What is her evidence? I need not read it to you.

The Court here took recess for three quarters of an hour.

After recess the Attorney-General continued: Now gentlemen, I want to call your attention to the evidence from which it appears that a man was seen that evening at the end of the Mud Road, where it joined the river. I am sure you must have been struck with the remarkable intelligence exhibited by little Donald Tuplin, the brother of the murdered girl. He told you that that evening he was on the Margate road, with some other little boys driving a cow, and how they ran in at one fork of the road and intended to come out at the other to frighten the cow, and have some sport, that he saw a man where the two roads join, sitting on the ground with his elbow on his knee, and his head resting on his hand and with what they thought ferns or moss around his neck. When they saw him they were naturally frightened and ran back the way they came. Another witness little Gordon Bryenton, tells the same story. While another, named James Somers, upon whose testimony considerable comment has been made, tells of seeing the prisoner on the roadside under disguise. They all say it was about sundown when they saw this man. This, then, fixes the time he was seen there. Then we have heard of a person crossing the river in a boat. We have been told, and we are aware of the fact, that a Mr. Cousins owned and had a boat moored at the other side of the river from Tuplin's, and that it was moored there on the 28th June, and that the boat was seen coming across the river on this evening about or shortly before sundown. The one who spoke first regarding this is Paul Thompson, who was at the back of his farm, feeding calves, and saw the boat going across from where it was kept towards the Mud Road. He was not able to see it go far because the bush hid it from his view. Then again we have Joseph Davison, who also saw the boat cross in the same direction. He gives the time as between 6.30 and 7.30. Of course that is a wide range, and when he speaks without knowing the exact time it is quite proper for him to take such a wide range. He may be too early or too late. 7.30 may be too late, but I don't think it is; and here I want to call your particular attention to the testimony of Bradford Millman, who was bathing that evening and while there saw a scow on the opposite side of the river; and further that he saw no boat at the Mud Road, when he left for home. They saw no boat there although they were in full view of the place, and what does he tell us, the time was when he got home? He said