

That is clearly established by Dybell's evidence (page 43); a man who, after knocking off his ordinary daily work, had a great deal of home work to perform in preparing for his milk-round the following morning. This man is suddenly charged with being an assassin. First, there is an inherent improbability against such a man committing such a crime as murder. Therefore it is incumbent to look for some motive on his part. But in this case there is an entire absence of motive. I do not wish to criticize further the motive relied on by the Crown. I think you will agree with me that no motive was proved when Durrell and Harlen's evidence is considered by the light of Holmes's. Next, you have in Chemis's possession, it is true, weapons, all capable of destroying life, either by stab-wounds or shot-wounds; yet every one of these weapons proclaims the innocence of their owner. The gun, the stiletto, the revolver, proclaim that they were not used in the murder that was committed on the 31st of May. There is evidence that the gun was recently fired at quail. At page 43 Dybell gives evidence that on the morning of the murder, and on the previous day, Chemis told him at Kaiwarra that he had shot two quail. The witness explained that he and Chemis were interested in endeavouring to entice quail to Chemis's property, and consequently there was a reason for the communication being made by Chemis. If the quail were killed on the Friday, and that is Dybell's statement, they must have been on the premises the following day, for there is the evidence of two persons, John Dowd and Frederick Greaves, that they partook of quail on the Sunday. Next, you have the prisoner's clothing identified. You have it established here that the clothing Chemis was wearing on the 1st of June, on the previous day (the day of the murder), and the clothes he was wearing on the 5th of June, when Chemis was arrested, were the same. Do not all these dumb witnesses speak volumes for the prisoner? I ask you to consider the course of the prosecution. Was there any motive on the part of the prosecution to fix the crime upon Chemis? The murder was committed on the 31st of May; the inquest was held on the 3rd of June. At the date of the inquest no arrest had been made. On the 4th of June Mr. Bell says he was consulted by the police. Mr. Bell says that justified the arrest on the 5th of June—(1.) That Chemis had threatened Hawkings. Now that, says Mr. Bell, came from Mrs. Hawkings. (2.) The stiletto. (3.) The circumstances of the altercation between Chemis and Hawkings. (4.) The probability that the murder was committed by a foreigner. Now, the Committee will see that every one of these circumstances existed on the 1st of June, when the police went to Chemis's house; yet there was no arrest made. What was it then that compelled the police and Mr. Bell on the 5th to act on circumstances which were present to their minds on the 1st, unless it was the admittedly severe criticism of the Press. Their reputations were at stake unless they made an arrest. Mr. Bell attended the inquest on the 10th of June. At that time he says, "I had not received any report from Tasker." On the 10th of June Chemis was in custody on the murder charge. On the 12th of June Mr. Bell says, "there was an interview between myself, the police, and Tasker, but I did not suggest anything to Tasker about the paper. After I was informed that the pieces of paper fitted, I gave direction that they should be sewn instead of gummed." Now, you would probably assume from this evidence, without further, that Mr. Bell stood impartial between the Crown witnesses and the prisoner; but if Tasker's report of the 12th June, produced, is looked at, it will be seen at once that the first suggestion or discovery of this so-called paper evidence came from, or was made by, Mr. Bell. [Mr. Jellicoe here read Tasker's report on this point.]

*Mr. Moore:* Was there anything unusual in doing that on the part of the Crown?

*Mr. Jellicoe:* I am not saying that there was, yet it turns out now that he was the "imaginative advocate" who first conceived the paper theory, and discovered, as he thought, the evidence to support it. He clung to it tenaciously throughout, and acted as one who, having no doubt about the guilt of the accused, neglected no proper means to prove him guilty. As to the sheath-knife spoken of by Mr. Bell, bear in mind that neither the Crown witnesses, Caplin, Green, or Lee (pages 10 and 11), or Durrell (page 12, H.-33) suggest that they ever saw Chemis with a sheath-knife, although they had opportunities, whilst Jeremiah Buckley (page 54), and John Dowd (page 54, AA, paragraphs 1 and 8), his fellow workmen, swear positively that Chemis never carried a sheath-knife. On this point there is also the evidence of Chemis's wife. Now, examine the motive for the prosecution. Carroll made a report to the police on the 5th of June. He tells us in that report that when he went out to Hawkings's on the 1st of June the first man he saw at the scene of the murder as early as 7 o'clock in the morning was Charles Bowles. What Bowles said we do not know except from what appears in the report. We do know from the evidence that Bowles had stayed out all the previous night—the night of the murder—in a whare belonging to another man. Something that occurred between Bowles and Carroll appears in this report [extract of report read]: "Bowles told me Mrs. Hawkings knew her husband was dead." Carroll afterwards, so says the report, asked Mrs. Hawkings if her husband had any enemies in the locality. She replied "she only knew of one." I asked her who it was. She said, "Louis Chemis, who works on the road; he is the only person I suspect; but, as my husband is dead, perhaps I should not say anything." Carroll then said, "But you should tell all you know." Then she said that her husband came home two months ago and appeared to be upset. He said that he had seen Chemis on the road, who swore at him and said, "I will do for you yet, old man." That there was a "case pending in the Supreme Court between them." That is the statement made by Mrs. Hawkings to Carroll early on the morning of the 1st of June. You next find Mrs. Hawkings making the same statement at 4 o'clock to Thomson. You will remember that when the police, in consequence of Mrs. Hawkings's statement, decided to proceed to Chemis's house, they were accompanied by Bowles and Norman. They proceeded across the hills. Bowles and Norman followed up the attempt to cast suspicion on Chemis by immediately pointing to footprints on the track to Chemis's, which neither constable were able to observe. But why should these men have been in such a hurry to find evidence tending to raise suspicion against Chemis? I rely on the summing up of the Chief Justice. It will be found that His Honour the Chief Justice summed up strongly in favour of the prisoner. I do not know that