

His Honour said no question had been put to the prisoner as to the absence of the flask, and no search had been made. Having referred to the other points, he said it would be the duty of the jury to consider what facts had been sufficiently proved, and whether these facts led them to an inference of the prisoner's guilt. In order to convict the prisoner, that inference must be a rational conclusion, bearing in mind that no human tribunal could expect to have absolute certainty; but they must bring themselves to a conclusion without any reasonable doubt. If, they, however, had any doubt they must give the prisoner the benefit of it.

COPY OF DEPOSITIONS TAKEN ON THE CHARGE OF PERJURY PREFERRED AGAINST BENJAMIN.

Theodore Bernard Jacobsen, sworn, saith: I am an architect. I prepared the plan produced, marked "A," of Chemis's house, $\frac{3}{4}$ in. to the foot.

By Mr. Bell.] I made the plan on Saturday, 17th. That is, I finished it on Saturday. I went to the house first on Thursday, 15th. Mr. Barton, a builder, went with me. A young fellow—I think Mrs. Chemis's brother—was there. I was instructed by Mr. Jellicoe to make the plan. I saw Mr. Jellicoe personally; he sent for me. I did not make any arrangement as to price. I expect Mr. Jellicoe to pay me on behalf of Mrs. Chemis. He simply told me to make a plan of the inside of the house. He said that there were shelves. I put in some other things that Mr. Jellicoe told me.

By Mr. Jellicoe.] I was told to make a ground plan showing shelves, chests of drawers, &c. If I had only been told to make a ground plan, I would not have shown the minor details. I was given to understand the plan was wanted for the Court, and that I would have to give evidence.

George Didsbury, sworn, saith: I am the Government Printer. I produce the printed notes of Sir James Prendergast of the evidence of the accused at the trial of Louis Chemis in the Supreme Court for murder.

Daniel George Arthur Cooper, sworn, saith: I am Registrar of the Supreme Court. I produce the indictment against Louis Chemis. I arraigned him on that indictment. A conviction was recorded. Accused was a witness; his name is on the back of the indictment. He was sworn as a witness before the Chief Justice on the Gospel. I produce all the exhibits except the clothes. The pistol, gun, dagger, also a box containing pieces of paper produced in Court, said to have been found on the ground and in Chemis's house. I produce paper marked "AA," another parcel of papers marked "BB." Cardboard boxes containing pieces of paper, marked "C" to "K," inclusive. Two small wooden boxes marked "G" and "H," and a brown paper parcel containing various exhibits marked "C1." These articles I believe to be in the same state as when produced in Court. They have been out of my possession. I gave them to Mr. Waldegrave. I got the gun back from a messenger of Captain Hume's. The stiletto I got from Mr. Walrond's private secretary. The other papers, &c., I received back from Mr. Leckie, the private secretary of the Premier. The pistol was loaded when in Court. It was not loaded when I received it back from Mr. Leckie.

Harry Albert Atkinson, sworn, saith: I received the drawer produced and its contents from Mr. Jellicoe a short time after the conviction of Chemis. I received in the drawer the powder flask, box of dynamite caps, small box of gun caps, cocoa tin box with powder, empty tin cocoa box, and revolver cartridges. I also received a tin box, which was not in the drawer, containing wads. It was handed to me at the same time as the drawer, but separately. Two or three wads have been used since. The wad-cutter was handed to me also separately, and was not in the drawer, marked "Dybell; size, No. 13." I also received another wad-cutter, marked "Ward," in a wrapper marked "Denton;" also received packet of bullets marked "Gibson." A piece of fuse was in the drawer, also a cake of blistering ointment was in the drawer, also a box of rough-on-rats, and a box of ointment also in the drawer. I also received a tin biscuit-box, and a bandbox. The box is in the same state as when I received it. I have not spoken to Detective Benjamin, or shown the articles produced to any person connected with the Police Force.

By Mr. Bell.] The gun-wads fitted the gun very well—Mr. Richardson and I tried them together.

By Mr. Jellicoe.] I compared the wads with the bandbox, and I formed the opinion it was clear they had been cut from the bandbox.

George Denton sworn, saith: I am an ironmonger in Willis Street. I remember selling you (Mr. Jellicoe) the wad-cutter produced—it is the only one I have of that make and size; it is marked "Ward"—about 19th July last; its price was 1s. 6d. I recognise the sheet of paper round the wrapper. The cutter is an odd size. The paper has been in my possession a year or two. I think I got it from Mr. Mills about 1881. I expect there is no mark to show. I could not say if the wrapper contained any other wad-cutter in April last—13 is a rather unusual size. The other wad-cutter produced is marked "13, Ward." It is not usual to have the maker's name on wad-cutters. I cannot say if wad-cutters of the same make can be produced elsewhere in the city.

William Denton, sworn, saith: I produce my rough cashbook. I find an entry in it on the 13th April, "wad-cutter, 1s. 6d." That means that I sold a wad-cutter and took 1s. 6d. for it. I obtained the wad-cutter from the shelf. I expect it was in a wrapper. I expect we had more of same wad-cutters. I cannot say if the wad-cutter produced is the same; size 13 is an odd number. It is not usual for maker to put his name on them. We had some other wad-cutters of same size on that date. The time was given to me about when to look for the purchase of the wad-cutter either by father or you.

Robert Dybell, sworn, saith: I am a blacksmith at Kaiwarra. I remember Saturday, 13th April last. I did not see Chemis that day. I received instructions from Chemis to buy a wad-cutter two or three days before. I was talking to him of buying one for myself; he gave me the size, No. 13. I came to town (where I live) on 13th April. I know John Daly. I saw him that