

Constable Field, sworn, said : I found the body at a place called Doctor's Road. Sergeant Gilbert and the last witness were with him. The head of the man was lying about 2ft. from the fence, and the feet towards the road. There was fairly long grass at the spot. Found no marks of traffic, and the grass was not much tramped on. The body was lying face downwards. It was dressed in white-mole trousers, brown-tweed coat, and light-felt hat, which was lying close to him. He was wearing right boot and sock; the left foot was bare. Found boot and sock close to the body. The body was quite stiff. The body appeared cold. That was about 1 on Sunday morning. The mouth was closed, but showed the teeth. I saw towel, pannikin, table-knife, and food near the body. Some food was on paper close to the body. There was also some about 2ft. away, nearer the road. Thought the food on the paper had been placed there carefully. I went to McCarthy's and made inquiries, and got him to go where the body of the man was. McCarthy said the man came to his place on Thursday night, was at the back and front door, and had told him to go away, and he went towards the gate. He (McCarthy) did not see him again till next day, when he saw him lying on the side of the road. I asked McCarthy to help us to put the body in the cart, which he did. We took the body to the hospital morgue. I went to the spot where the body was found with Sergeant Gilbert and examined the spot. The ground did not appear to be disturbed where the body had been lying. I went with Detective Livingstone to McCarthy's, and he pointed out where the man kicked the door. I went to where the man had been seen by McCarthy, and the ground looked as if some one had been lying about for a good time. I went to the hollow mentioned, but saw no sign of a man having been lying there. The road is neither formed nor shingled.

Sergeant Gilbert, sworn, said : I went to where the body was found on the night of the 12th. It was lying at the corner of the cross-roads. It was on the face, on the north side of the road. The head was near the fence. I turned it over. He was dead and stiff. The hands and face were quite cold. I put my hand in under the clothing on the chest, and there appeared to be some heat; but it was a warm night, and may have been only fancy. The man was fully clothed, except his hat and one boot being off. The mouth was closed, but I could see his teeth quite well. There was a belt, pannikin, towel, and some food on a piece of brown paper. The clothes produced were those worn by the deceased. I went to McCarthy's house and made inquiries before removing the body. He told me a man came there on previous Thursday, and made a statement similar to one made at the Coroner's inquiry. I asked him to come down and help them to put the body in the express, and see if it was the same man, and he said it was. We examined the ground, and found the grass utmost undisturbed. It looked as if the man had gone there and died. It was a fine moonlight night, and we examined everything minutely with a lamp. The articles looked as if they had been put there, but there was nothing particularly noticeable. They were all lying within a few feet of each other. I noticed the left leg very much swollen, and was going to draw up the trousers, but some one said he had a poisoned leg, and I did not touch it. McCarthy told me on the way down that the man said he had a poisoned leg. Four of them put the body in the express, and three helped to take it out. I went to the spot next day, and there was no disturbance or mark on the ground. I only saw the spot where the man lay. The trousers of the man were dry at the time.

Detective Livingstone, sworn, said : I went to accused's house in company with Constable Field. While there the accused returned from Waimate. He showed us round the house and pointed out where a man had kicked the back door. There were marks on the door as if from nails on the toe of a man's boot. I noticed a short distance from the door a lot of firewood, an axe, and a blacksmith's hammer. Accused was explaining how he used the bad language, and he remarked, "I know I did wrong by allowing the man to lie on the road." McCarthy pointed out the place where the man lay on Friday morning. The grass appeared to have been trodden down about 6ft. square. Some of the grass appeared to have been pulled up. That was about 8 or 9 chains from McCarthy's gate. From McCarthy's to where the man lay on the Friday is 26 chains 9 feet. The distance to where he crossed the road from where he lay was 25ft. The distance from where he lay on Friday to where he first saw him on Saturday morning over the water-race was 30 chains. To where he was found from that was 10 chains, and from there to the railway-crossing was 17 chains 4 feet. Measured the distance about the 18th with Detective O'Brien. I drove McCarthy to his own gate, and he said, "What am I to do in a case where a man does as this man has done?" and I told him to go for the police. He said, "It is a long distance for the police, and I do not like to give a man in charge." The house of accused stands on a piece of level country, and from it you can see three or five miles. There is no plantation sufficient to obstruct the view. You can see a man on this road quite plain, except he should sit down under a gorse hedge. From where the man was lying on Friday to the water-race was about 27 chains. The race was from 2ft. to 30in. wide. It was about 12in. deep. There was about 2in. of water in the race. The road was not much used. Only accused and Davis lived in it. The photograph of deceased produced was taken by my orders four days after death, by Mr. Smith, photographer. The head male attendant and myself were present when the photograph was taken.

Dr. Barclay, sworn, said : I saw a body in the Hospital morgue on Sunday, the 13th, at 11 o'clock. I made external examination at this time. The body was cold, that of a fairly well nourished man, 5ft. 8½in. in height, and about fifty-five or sixty years of age. The rigidity following death was well marked in the lower jaw, the left elbow, wrist, and foot, and the right hip, knee, ankle, and wrist, while in both shoulder-joints the rigidity was only very slightly present, being least marked in the right. I made a *post mortem* examination at 4 o'clock the same afternoon. A patch of greenish colour was formed in the right groin, while small purple patches were to be seen here and there on the abdomen and side of the chest. The usual *post mortem* discoloration was marked in the loins. There was an abrasion on the left side of the nose which had scabbed over. Over the left temple and eyebrow there was a patch of purple and greenish discoloration. The