had said to him in March 1866 that he had a venereal disease, called Syphilis, and that he had contracted that disease from Laura Foster. The physician treated him for that disease. He stated that the disease was in its primary state. It was in evidence, by another person, that the prisoner told him, previous to the alleged homicide, that he had this disease & that he intended to put the one through who gave it to him. It was in evidence that the prisoner was at the house of the deceased on the Sunday previous to her death. That he was there on the Wednesday previous to that time & that on both occasions he had ~~confidential &~~ private conversations with her. ~~It was~~ testified to. That he was seen Friday morning - the same day on which the deceased left home. near her further's house travelling on a road parallel to the one on which the girl was going. This road led, among other places, to the Bates place & was nearer than the one which the girl was travelling. It was in