while on her Journey, as explanatory thereof — and as a part of the fact of her going from her father's house to the place near where her body was found, As a part of the res gesta. It was objected to by the prisoner as res inter alias acta.

Objection over ruled, & evidence admitted as follows; I asked Laura if Mr Dula had come? She said, yes, he came just before day. I asked where he was? She said, He had gone around to Flank Manda Barnes? I said, if it was me, I would have been further on the road by this time, She said, she had started as soon as she could. I asked where she expected to met him? She said at the Bates place.

The witness further stated that these questions were asked by her in consequence of a communication made to her by Laura a day or two before. (The Prisoner excepted)

I saw Dula on the Wednesday before that Friday some 3 miles from Wilson Foster's house — he was on foot.

C Carlton (testified. I saw the prisoner on the Friday morning of Laura's disappearance He was on the path which leads through my yard on towards the Bates place. It was early — a little after sun up. He stoped in my yard and after a few words with me started off. asking as he left, if the path lead to Kendall's He came