It was in evidence by the Father that she had sores upon her person. & that she had been taking medicine. It was in evidence by a physician that Thomas Dale had said to him in March 1866 that he had a Venereal disease called Syphilis & 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 ~~murder~~ homicide that he had this disease & that he intended to put the one through who give 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 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 Father'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 evidence that the prisoner went to the house of Ann Melton on that friday morning, found her in bed & went over & had a whisper conversation with her. It was in evidence that the prisoner on Thursday was at the house of Ann Melton that he sent a man for a quart of liquor that on the same day he went to the mother of Ann Melton & borrowed a mattock he was seen with the same mattock a few hundred yards from where the grave was found on the same evening. It was in evidence that the quart of liquor was brought by the messenger to Ann Mettons house in the absence of the prisoner. It was in evidence by the sister & mother of Ann Melton that she came to their house (where the prisoner had borrowed the mattock) & that she requested a little girl to go down to the prisoners mothers & tell him to come up & get his liquor, but not