

to prove this fact beyond reasonable doubt - for if Dr P. and defendant from Dr W. or he says they separated, at Life Ten College, the Govt wholly fails to establish the guilt of Dr W. because there is no proof, a witness admitted, that they were separated, any where, met with each other.

Vide! Wilson's opinion in Zerk's Case, at p. 126 - If the defence were granted a proof of an alibi, & the jury doubt whether to believe the witnesses testifying to the guilt, or the witnesses testifying to the alibi, undoubtedly they must return a verdict of acquittal - notwithstanding the Govt had in the first instance made out a prima facie case.

There remains again the evidence of Govt to show due Dr P. never left the College; to wit - Merchase Turkey - the Police - the thorough search - records - efforts of family & - yet all ineffective in discovering satisfactory trace due Dr P. was seen out of the College.

~~Dr P.~~ This only negative proof - though it may be admitted to be very strong - but it cannot be any more than prima facie - & of course may be rebutted & repelled.

Contrast with this negative testimony of the Govt, the positive proof furnished by Dr P. -

Note the several witnesses -

If this alibi is life doubtful, it is sufficient for Dr P. He is bound to explain nothing - Registrar is under no obligation to account for Dr