

But 2ndly - The Gov^t certifies that the remains were found upon premises of which the Dyke had exclusive control from & after the 23rd Nov - that from that day he changed all his habits in reference to his care of his rooms - & that the concealment evidently attempted here could only or could have been done by him.

The establishment of this proposition indispensable to the Gov^t to entitle them to a verdict - for if the rooms of Mr W. were at all times occupied & there who chose to enter them, no evidence - or only that of the lightest kind, such as a noisy windpipe to maintain & disfigure the proposition - of exclusive possession remaining.

How is it attempted to be proved? By the testimony of Ephraim Littlefield alone. So as to the rooms being constantly kept locked - so as to the having & the key of it & the keeping of the key by the Dyke - & so as to the contents of the tea chest - & the probability that Mr W. would have noticed the change by which the tea chest concealed the remains, or so^d have noticed the remains in his private vault.

It may be, the Gov^t claims that he is, corroborated in various ways - but still the great facts of relation to the loss & exclusion of property by