Dr. Findlay: The 17th October. We will prove that on that date our sheep were accordingly mustered and counted, and none of Meikle's sheep were there, but eighty-seven, or something like that, had disappeared. Now, what answer was given at the time? When young Meikle was confronted by the police with the fact that twenty-seven sheep of the company's were on his father's land, what answer did he give? Did he point to the fences which my learned friend Mr. Atkinson says were not sheep-proof and through which sheep could easily go? No. If you will read Detective Ede's evidence, on page 22, also the evidence given at an earlier stage, Arthur Meikle said the sheep came from the lease-hold on the other side away from the pre-emptive right. So that we submit that under these circumstances the explanation given by young Meikle of the finding of the twenty-seven sheep created at least a substantial suspicion, and supports Lambert's statement that he saw them driven there. Of course it was not suggested to a farmer jury that the twenty-seven sheep were in broad daylight driven upon the land; but I understand that it is the recognised method of the practical sheep-stealer to bring upon his land a number—not a large number—say, twenty or thirty sheep, leave them there, and take them in ones or twos as they were required, so that if the owner comes along and the missing sheep are found the thief may say "There they are, in broad, open daylight. There's no concealment about their being here. I would not have left them there if I had stolen them, and you can take them away when you like." That, in practice, has been found to be the method followed by the expert sheep-stealer, and so far as *prima facie* appearances are concerned, this is just precisely what was done here. Now I am dealing only with the finding of the sheep, and I pass from it to ask your Honours to remember that we ought to look at the case made by Meikle in 1887 as the best case he could make in answer to our case that our pastures were so good that sheep would not stray from them; and your Honours will see on a perusal of the evidence given then that there is no evidence at all from Harvey or anyone else about this excellent English grass or this 9 in. crop which we are told of by witnesses who come into the box eighteen or nineteen years afterwards. If the sheep being there under such circumstances as these is not sufficient proof to warrant the conviction, surely these sheep added to the discovery of the skins completes the chain required. Now I ask your Honours to treat these skins and the means by which they got there as the crux of the whole case. I submit that the twenty-seven sheep plus the skins at the smithy—for Meikle does not show Lambert took them there—convicts Meikle, or at least shows that his conviction in 1887 was not unreasonable. Meikle says Lambert put the skins there, and, as I have said, the burden of proving this is on Meikle. And with what sort of story does he attempt to prove this? Now, a story may be rejected as untrue for the following reasons: either the preponderance of negative proof may be so great as to reject it, or the unreliability of the witnesses may be so marked as to warrant its rejection, or its own inherent improbability may be so great as to completely discredit it. The testimony required to support a statement is in inverse ratio to its probability. The more probable the less evidence, the less probable the more evidence is required. Well, improbability ultimately reaches a point where no evidence of witnesses would establish its truth. Now, I hope to show that not only is the evidence of the witnesses who tell this story utterly unreliable, for reasons I will show, but that Meikle's story of how Lambert came on the place and placed these skins in Meikle's smithy is only fit for a place in a book of nursery fairy tales. It might well be described as a new Arabian yarn, or how a lunatic got himself convicted in attempting to convict somebody else; a story, I submit, that Meikle might perhaps gravely tell a child or tell his grandame over a winter's fire; a story so crude, silly, and improbable that it does almost as little credit to his imagination as it does to his veracity. Surely, your Honours, it is nothing, if one goes through it, but a broad farce. Here it is pieced together. I take Meikle's evidence from the various parts of the transcript. Pieced together, in words or in effect Mr. Meikle puts it thus: "I am John James Meikle, a man who"—I use his own words—"since I landed forty years ago in this colony have never by word, thought, or deed done anything of which I need be ashamed." Well, that is a pretty big order. "I, a man with such a saintly record as that, am tormented by a rascally company whose servant I caught in the very act of shearing six of my sheep, a company whose manager, Mr. Macaulay, got me put in gaol for a month with hard labour for a purely imaginary assault, and further got me committed for perjury and tried twice by a jury who could not agree as to whether I was innocent or not, although I was as innocent as the babe unborn. This company, to prevent my going to Wellington to support a petition there to expose its nefarious practices, and also for the miserable purpose of getting hold of my farm, enters into a conspiracy with three or four rogues to secure my conviction for sheep-stealing." According to Meikle, he had never done anything wrong; he had given them no cause for this; it was all pure malice on their part, and on his there was nothing but the patient innocence of spotless virtue. Yet, says Meikle, the company engaged a man named Lambert to carry out this horrible design. He was a private detective, "but he was not to detect me, for I was not doing anything to detect." He was not to detect anybody, for nobody was doing anything of that sort. He was not, indeed, to be a private detective at all; he was to be a kind of strawfoot man; he was to spy out Meikle's land and manufacture proofs of Meikle's having stolen sheep; he was to plant sheep-skins in one of his buildings and then he was to run away and tell the police, and they were to find the skins so planted, and the innocent Meikle was to be taken and convicted and sent to gaol. Mr. Lambert was to get £50 from the company for carrying through this pretty little plot. Now let us see what this really amounts to. Before Lambert could get this £50 he must first get some sheep-skins marked with the company's brand. He must then secretly, silently, and surreptitiously put them in one of Meikle's buildings; Meikle must not be able to prove he (Lambert) put them there, or else there would be no conviction. He must secure Meikle's conviction. That was the little task which Lambert had set himself, according to Meikle. Now, Lambert had been a private detective before, or had done some little work of that nature, and he may be presumed to know something of his business; but Meikle asks us to believe this, that this somewhat experienced private detective set about earning his £50 in this way. Meikle says there was a rap at the door. He went and found Lambert there. Lambert says, "I have something to tell you, Mr. Meikle." Mr.