

Mr. Jellicoe: He has not up to this point mentioned the gunshot-wounds. He gives a full description of the wounds which he found existing on making the *post-mortem* examination. "Having opened the chest, I found the left pleural cavity filled with blood and clots of lung-collapse, and I now found that the wounds previously described beneath the armpit had entered the upper lobe of the left lung—six of them. The right pleural cavity contained blood and clots, and the apex of the lung had a small circular wound, which had evidently been made by a small pellet of shot, the position being in a direct line with a gunshot-wound. [Q. I want to know about the wound in the heart?] Any of the wounds in the jugular would cause death. I opened the pericardium, which contains the heart; it was full of blood and clots. On the upper part on the left side there was an incised wound $\frac{1}{2}$ in. in length; a similar wound $\frac{1}{4}$ in. in length opened into the left auricle of the heart. The distance between the inner wound in the heart and the outer wound on the surface of the body which passed through the lung was 5 in. That wound corresponds with one of the six wounds under the armpit. I measured the depth with probe. As to the jagged wound on the back, it was on the back of the right shoulder, close to the spine and above the angle of the shoulder-blade; that not incised was a ragged round hole, circumference $1\frac{1}{2}$ in. by $1\frac{1}{2}$ in. There were a large number of shot-wounds outside this hole." Then he goes on to describe the wound—a jagged wound "on the back of the right shoulder, close to the spine and above the angle of the shoulder-blade." "The shot had passed into the body. I traced that wound in the interior; it passed slightly upwards and outside to the right. One pellet I presumed had passed into the lung. As to the flesh that had been injured by the jagged wound, I took out the mass, put it in a piece of paper, and carried it home on the Saturday. This was on the 1st June—Saturday. I got the paper out of my bag. I brought the bag from home. The paper was in the bag when I left home on the morning of Saturday. I put it into the bag that morning. It was newspaper. I remember putting it in my bag. I got it from one of my rooms. I do not know what paper it was. I do not keep files of the paper. I do not preserve them. I do not think I had had a *New Zealand Times* that morning. It is not my habit to have old papers. Sometimes half a dozen. I have the *Post* and *Press* regularly." Again, I would point out to honourable members that this evidence is worthy of special consideration. Here is a doctor making a *post-mortem* examination. He has in his bag some newspaper. He is in the habit of taking the *Evening Post* and *Press*. It is not his habit to keep more than half a dozen old papers at a time. Half a dozen old papers would more than cover a paper of the 31st May. He says he took from the body a mass containing shot, and put that mass into a newspaper which he had in his bag. He is not able to say what newspaper it was, except that he is able to say this: that he does not think it was the *New Zealand Times*. He was asked this question: "As to the incised wounds on the body?" He replied, "They were all clean incised wounds, clean cut at both extremities. I mean that they were made by a double-edged instrument. The wounds on the surface of the body were $\frac{3}{4}$ in. on the surface. The wound on the pericardium $\frac{1}{2}$ in., and on the heart $\frac{1}{4}$ in. That shows that the instrument with which the wounds were made tapered. The distance between the inner wound and the outer was 5 in.; therefore the instrument must have been at least 5 in.; besides that, I have not made any allowance for distance through the clothing. Having regard to the wound severing the jawbone, the instrument must have been a very strong one. The mass I took from the shot-wounds I took to my house, and produced it at the inquest. I took it home again. I had not changed the wrapping. I took it home on Monday, 3rd June. I dissected it on 6th June. Before that I had not taken the shot out. On 6th June I opened the parcel. The whole of the wrapping did not come away." Now, the doctor admitted that a small portion of his newspaper might have remained adhering to the mass that he brought away from the body of the deceased. If it did so remain it would have been only a small portion of the paper. The doctor was cross-examined, but in order to keep this inquiry within reasonable limits I shall content myself by referring to evidence which was given for the prosecution, especially as His Honour the Chief Justice says in his memorandum, "There was a considerable amount of cross-examination, but it did not seem to him that anything came out of it." I do not propose to read the doctor's cross-examination, or, indeed, any of the cross-examination, unless my learned friend Mr. Gully, who has an intimate acquaintance with the case, directs my attention to any particular portion, which I shall then read with pleasure. Mr. William Dimock was the next witness examined. He says, "On the 31st I saw Hawkings. He came up to the house about half-past 5 in the evening." Honourable members will observe that nearly every person who went up this road to the scene of the murder found pieces of paper here and there and everywhere. I do not think you will have any difficulty in coming to the conclusion that the neighbourhood was frequently resorted to by picnickers, who either took their luncheon or food with them wrapped in papers, newspapers, or pieces of newspapers, and, having eaten their luncheon, threw the paper away. This accounts for the large pieces of paper and of newspapers being found there and about the adjacent hills. After the murder I suppose every one going through these properties seeing pieces of paper on the ground picked them up. You will find that some of the pieces were very large. Supposing a person went out with a gun (I only mention this as a matter worthy of consideration) to kill Hawkings, and he wanted a piece of paper for wadding, the probability is he would pick up a piece of this waste-paper lying about and use it. If this is reasonably probable I venture to think it is some evidence tending to establish Chemis's innocence. Besides, you will find in the evidence adduced for the prosecution on the perjury charge that Chemis was at this time in possession of wads, and had therefore no occasion to use newspaper for gun-wadding. A mistake may have been made by the police, and reasonably made, when they stated they found a piece of paper in Chemis's house which corresponded with that found in the wound. The constable may have been confusing what was picked up in the house with what was picked up at the scene of the murder. If the large piece produced was picked up at the scene of the murder, then there is no single circumstance to connect Chemis with the crime. It is conceded by Mr. Gully that if the paper theory is unreliable the case for the prosecution is gone.