

*Mr. Gully* : I think, before we go any further, the exhibits in the case should be before the Committee. [Exhibits produced by the Registrar of the Supreme Court.]

*Mr. Jellicoe* : The exhibit marked "No. 1" was, it is said, found in Chemis's house. *Evidence of Michael Green* (the time between witness first seeing Chemis and the commission of the murder): This witness says he was laying a gas-main on the 31st May, working with others at the end of a road in Kaiwara, within a hundred yards of the Rainbow Hotel, a little past Taylor's shop, on the further side from Wellington. On this point the Committee will have to consider—supposing this witness to be right in his account of the time—what interval there was from the time of his first seeing Chemis to the commission of the murder. To help to fix the time, you might consider how long it took this man, and those who were with him in a spring-cart, to come from Kaiwara to Government Buildings, and passing Hawkings on the way. He says they met Hawkings this side of Pipitea Point, Green and his companions coming into town and Hawkings going out. The clock was striking 5 p.m. as they passed Government Buildings. The next witness (Capling), who was in the cart, says they met Hawkings in his cart going out at this side of the Railway Hotel. Green says he and his companions knocked off work at twenty minutes to 5 p.m.; and that, coming into town, their horse walked a part of the way and trotted a part. The Committee would have to consider what distance would be covered by the witness between half-past 4, when Chemis knocked off, and twenty minutes to 5, when they say they knocked off. *Evidence of Robert Mackie*: This witness is agent for the *Evening Post* at Kaiwara, and a storekeeper there. On the 31st May Chemis called at his shop, in his working-dress, for the *Evening Post*, at half-past 4 o'clock. Green says that he knocked off work at 4.30. Hawkings called at Mackie's half an hour after Chemis had been there getting the *Post* and two loaves, which he took away with him. *Evidence of George Lee*: This witness takes Chemis home in his cart at "something" to 5. Chemis picked him up at Kaiwara at a few minutes to 5 o'clock. Lee brings him along to the bottom of his own lane, where Chemis got down. How long it would take to get from Kaiwara, from Mackie's, the storekeeper, to the place where Lee took up Chemis, honourable members of the Committee will have an opportunity of judging.

*The Chairman* : Would it be right to assume that, having completed his work, he knocked off at that time?

*Mr. Jellicoe* : No; some men knock off at half-past 4. Chemis's habit was to get home as soon as he could.

*Mr. Moore* : But that was the usual time for him to knock off.

*Mr. Jellicoe* : That is what they all say. There was nothing unusual in knocking off at that time. After taking Chemis into the cart, Lee stops to pick up some horse-feed, and after going half a chain he drops Chemis at his gate. He saw Chemis walk up the road. Up to this time Chemis had no weapon: nothing in the shape of a gun was seen about him. The gate was probably reached a few minutes after 5 o'clock. But no witness attempts to fix the time within a few minutes. No one would believe them if they did. Lee says it was about 5 o'clock when they left Chemis. It is important to ascertain the time it would take Chemis to go from his gate to his house, get his gun, cross the ranges, and waylay Hawkings at about half-past 5 o'clock at the place where he was killed.

*Mr. Earnshaw* : How could he know he would waylay that man, who was in town?

*Mr. Jellicoe* : Of course. It is said, however, Chemis had an opportunity of knowing Hawkings had gone to town, and had not returned; but it is impossible that Chemis could have known the exact moment when he would meet Hawkings at this spot. Suppose the suggestion of the prosecution is correct, he could only have known when he left his gate that Hawkings had not then returned; he could not tell what time he would return. Lee's evidence is also important on account of his cross-examination. The next morning he had seen a man running up the Ngauranga Road. He thought it strange to see a man at that time, and he watched the man past the house. Witness could see he had no gun.

*The Chairman* : I was about to ask whether it was possible to see Chemis any distance after his leaving Ngahauranga in the direction of Chemis's house.

*Mr. Jellicoe* : No; there is a bend which commences almost immediately. You could not see Chemis's house from the road.

*The Chairman* : Lee says he saw him "going up the road."

*Mr. Jellicoe* : Lee saw him start up the road. He could see Chemis carried no gun. If he had a gun Lee must have seen it. There was nothing unusual in Chemis obtaining a lift on this occasion. It was usual for Lee to take him in the cart, and drop him at his gate.

*Mr. Earnshaw* : Is there no evidence in regard to demeanour of Chemis up to the time of his going home?

*Mr. Jellicoe* : Not the slightest: there is nothing whatever to suggest anything unusual in his demeanour. None of the witnesses called by the prosecution suggest it. If they could have obtained evidence that Chemis was excited, or that he was in a frenzy, there might have been something for consideration. *Evidence of Mary Hawkings*: Mrs. Hawkings deposes to her husband going to town. He did not come home at the usual time. They had tea at a quarter to 6; they were all in at that time. Bowles wanted to go and look for Hawkings, but she said, "He will come home all right sober enough." She says she saw Bowles return with the horse and cart, but without the driver. She does not say that she made any remark on seeing her husband's horse and cart without any driver. Bowles gives up the horse and cart to Norman; even Norman does not return to Mrs. Hawkings to give her any explanation. Bowles might at least have explained to Norman the circumstances of finding the horse and cart without a driver, but neither of them appear to have gone to Mrs. Hawkings and acquainted her of their discovery. She says it was her mother who came and told her her husband was killed. *William Durrell's evidence*: The trial in this case is taking place in the month of August. Durrell says he had a conversation with Chemis the previous March. Chemis served him with milk. Once witness could not pay the whole of the