

suggested came out of the disguised visit of Mr. Jellicoe. Norman has always appeared to me to have behaved as an innocent man. It is suggested that when Norman was served with the subpoena he came direct to me. That was probably so. I am not very certain on this point, but I think that Norman came to me and told me that he had been served with a subpoena, he having been made to understand that he would have to be called for the defence in the perjury case. Now, both Bowles and Norman would have been called by me. When Mr. Jellicoe says that he could get nothing more out of Norman because he stuttered, I do not accept that statement.

*Mr. Jellicoe* : You will admit that the Magistrate refused to allow Norman to be treated as a hostile witness, on your objection.

*Mr. Bell* : That is very likely true. I should object in any case. Mr. Jellicoe imitated the man's stuttering to him to intimate that he was shamming, and that was, I think, where the difficulty arose. I objected to the witness being so treated. I pass from this, Sir, except to remind you that you asked the question yourself (on page 25), "Is there any evidence to cast suspicion upon these two men?" With regard to Bowles and Norman: Mr. Jellicoe referred to the fact that (on page 25) Norman showed the track to the police, and that he and Bowles showed the track to Chemis's house from the scene of the murder. Bowles and Norman were both acquainted with the way to Chemis's house. The inquiries made by the police would have led them in any case to make inquiries at Chemis's house. They had to be shown the way by some one, and naturally took the two men who were at Hawkings's house when they went to make the investigation. In the middle of page 13 Mr. Earnshaw asks, "How could he know he would way-lay that man who was in town?" The answer of Mr. Jellicoe was, "It is said that Chemis had an opportunity of knowing that Hawkings had gone to town and had not returned. You will find on page 27 of the evidence (H.-33), in the sixth line of Charles Bowles's evidence, 'On Fridays he (Hawkings) always used to go to town to take butter to Mr. Dickson's.' This being so, everybody in Kaiwarra was bound to know Hawkings's habit.

*The Chairman* : It would be generally known all round.

*Mr. Bell* : Yes. He passed Chemis's road, and was, in fact, Chemis's neighbour. Now, with regard to the suggestion, Sir, that there was no reason for the police being particular about these papers: Carroll, the Committee will remember, and Healey went out on the morning of the 1st in consequence of some intimation which had been given by the doctor to the police the night before; and I might pause to remind the Committee that the doctor ordered the body to be taken to the Morgue. Having the body in the custody of the police at the Morgue, there was no necessity for the doctor to make a speedy investigation of the body. I can see that a good deal of difficulty arose on the 1st June through the doctor going down to the Morgue rather late in the day after breakfast. No doubt the doctor might have made the examination on the night before, and it is certainly lamentable that it was not done. But the doctor did not allow the body out of the custody of the police. He would not have ordered the body to the Morgue unless he suspected foul play. Carroll and Healey went out first thing in the morning in consequence of this information given by the doctor. Carroll picked up some pieces of paper, and came to the conclusion that a gun had been fired at the place where the blood was. Carroll came back to town the same morning, having to give evidence in the Police Court. A party of detectives left town for the scene, leaving Benjamin behind to ascertain at the Morgue what was the character of the injury that had been done to the man. Carroll went on from the Police Court to the Morgue to help at the *post-mortem*, and he came out and told Benjamin about the stabs, and, as Benjamin was exceedingly anxious to get out to the scene, he went straight away before the shot-wound was discovered. But, before that Carroll had told Benjamin about the blackened pieces of paper, and that he thought a gunshot had been fired. When Benjamin arrived at the scene he had the doctor's statement that it was a knife-wound, and Carroll's statement that, in his opinion, there had been a gun fired on the spot. Further, there was something that the police could see on the ground—namely, bits of blackened paper. It is an unfortunate history; everybody can see that, but there it is. The police knew that a murder had been committed, though they believed it was not by means of a gun-shot. Whether they thought a gun had been fired or not, they must necessarily be careful of these pieces of evidence found on the spot unless they were possibly incompetent to perform their duty. On page 17 Mr. Jellicoe says that a "good deal of 'juggling' was involved in transferring the thousand and one pieces of paper from one hand to the other, from envelope to envelope, and from place to place." There was no juggling in the matter at all, Sir. I do not know whether it is intended to suggest that Mr. Tasker's actions were juggling. Each constable—and this was, I think, the only way it could be done—who had found pieces of evidence delivered them into the hands of a person who inspected them, and endeavoured to ascertain whether they bore any relation to each other. These papers coming into this person's hands from the policeman are examined by him, and then pieced together; but there was no possibility of his making a mistake, for he knew perfectly what he had to do; but, having each piece in a separate case, he had to see whether they bore any relation to one another, and it is impossible that he could have allowed any mistake to have occurred. With regard to the suggestion that Mr. Bunny was absolutely unfit to conduct the defence of anybody: I must say that he exhibited no signs of that incapability. He had another counsel with him—Mr. Devine. There is no doubt that Mr. Bunny's effort killed him, and that he was already suffering from a severe illness, there could be no doubt about that fact, but he certainly showed no signs of being incapable during the trial, though I am not sure that I thought his address was a strong one. I did not attribute that to illness. I attributed it to the fact that he was not a very experienced advocate in criminal cases. He did not abuse the police enough according to the practice of a regular criminal advocate, with a strong case to answer. With regard to the statement that the jury was a remarkably young one, I am not able to speak positively from memory, but I should not have thought that to be a fact. The foreman was on the wrong side of fifty, and though there were one or two young men on the jury, I think, Sir, that if the names were looked at and the ages taken, you would not find the suggestion to be correct. With regard to the