

George Kilworth, shepherd, Waitaki, sworn, said: I also gave evidence at the inquest. I saw the man at 7.30 on Thursday, the 10th instant. He came to witness's place along by a large gorse fence. He was talking to himself, and had a towel in his hand. He came straight to the back door and walked into the house. When he came to the middle of the room I put my hands up to stop him. I said he ought to have knocked before he came into a man's place like that. He said, "Isn't this McCarthy's place?" I said, "No." He said, "Where is McCarthy's?" I said I would show him, and we went outside and I pointed it out to him. He went in that direction. About a chain from the house he came to a water-race, about 2ft. wide, and in stepping over stepped short and fell down. At the other side he got up again and went towards McCarthy's. I saw him go about half-way there. He did not appear to be hurt by the fall. He walked fairly well after that. He was not walking lame then. I took the man to have been on the beer for some time. He looked a wiry man.

To Mr. Raymond: The distance between witness's house and McCarthy's place was about half a mile. It was a still night. When outside my house I can hear McCarthy's children talking. Had there been loud talking or a noise at McCarthy's that night I could have heard it quite plain had I been outside. I went to bed about half-past 9. I went inside and read the paper after showing the man the way to McCarthy's. I was outside just to see what like the weather was twice that evening before going to bed.

Mary McCarthy, daughter of Jeremiah McCarthy, sworn, said: I was at father's house on the night of Thursday, the 10th instant. I remember a man coming to the house about 8 o'clock. He came to the front door and tried to open it, and he could not, and kicked the door. I was inside. He then went to the back door and turned the handle, and when he could not get in he kicked that too. When the man was at the front door my brother Michael came down and asked him what he wanted. I do not know what the man said, but he said something. My brother left then and went to my father. My father and brother Jeremiah then came. The man was then kicking at the back door. I do not know how long he kicked. He said if they did not open the back door he would murder them. My father and brother had not come down when the man said this. He did not say it very loudly. The door was shut. Father asked what he was doing that for, and he said, "It's my own house." Father asked his name, but he would not tell him. Father asked him to leave the place, and he went away. Neither my father nor the man appeared to be angry. The man did not appear to be angry when he was kicking. I saw the faces of the men through the porch window. My mother and two sisters, Annie and Kate, were in the room with me when the man was kicking at the door. They were in the porch. The porch door is the back door. I saw the man go away. He went towards the stable, and father told him not to go there as he might set fire to the place: there were plenty of places along the roads. The man was walking lame coming and going. The man was not very long at the door before father came. I sleep in the front room facing the road, the direction the man came. My sister Annie slept in the same room. I was awake all night, being frightened of the man. My sister Annie was awake all night also. I cannot remember whether father or any others of the family told me whether they were awake that night. I heard the dogs barking, but I cannot say the time. I went to bed about 10. I heard no other noise but the dogs barking. I heard father and mother get up, and sister Annie. Her name is Johanna, but we call her Annie. My mother called Annie, and she was away about a quarter of an hour. They were not disturbed more during the night. Annie locked the door when they saw the man coming towards the house. I do not know why the doors were locked. I saw the man between 1 and 2 o'clock on Friday afternoon. Father and three sisters were with them, and young Davis. The man was sitting on the side of the road, in the direction he went the night before. He was down a hollow not very near my father's gate. The man spoke to father. He said, "Good day." The man spoke first. Father said "Good day" to him. Father asked if there was anything the matter with him. Carts do cross the hollow. The man would not likely be run over where she saw him. They were going in a dray to pull turnips when they passed the man. I have no idea how far the paddock is away from my father's house. There is a plantation of trees between the turnip paddock and their gate. The man said, when father asked what was the matter with him, that he had had his leg poisoned three weeks ago, and that he was going to the chemist's with it.

(At this stage the Court adjourned for an hour for lunch.)

Mary McCarthy's examination continued: My father asked him whether he would have some tea, and he said "Yes." Father then gave him some tea. I do not know whether anything else was given him to eat. He drank the tea. I did not notice whether there was anything the matter with the man then. (A plan of the house was produced, but witness said she did not understand it.)

Johanna McCarthy, sister of previous witness, sworn, said: I was at home on 10th of present month. An old man came to the house that night, about 8 o'clock. He came from the direction of Mr. Kilworth's. I was outside at the back of the house. When I saw him coming I went inside. He came through a fence. I locked the front door. My mother and sisters Mary and Kate were in the house. Ellen was in bed. After the door was locked the man fell on the verandah, and then turned the handle. He kicked the door, and said he would murder us, or something similar to that. He was about five minutes at the front door. He kicked all the time. I did not see his face. He was swearing. He was not making a great noise. He was not kicking the door loudly. My brother Michael spoke to him, but I could not say what the man replied. I gave evidence at the inquest. I told the truth then. I can remember just as well now as I did at the inquest what occurred. The man went to the back door and kicked it for about five minutes. He was swearing. He said, "Open the — door." He said it more than once, but I do not remember how many times. My brothers Jeremiah and Michael came when he was kicking the door. I did not see any one looking in at the kitchen window. My father asked, "What are you doing that for?" The man said, "This is my own house." Father asked him what his name was,