

464. Did they seem to be casual callers?—Yes; perhaps two or three of them stayed in some time.
465. Did you notice any signs of intoxication on any of them when they came out?—Yes, I did; but those that I saw intoxicated coming out were more or less that way when they entered.
466. There were none of them drunk?—Well, it is ———.
467. Definition wanted again?—Yes.
468. Were any police visible during that day?—I saw Constable Carroll four times during the day—twice in the morning and twice in the afternoon.
469. Just pass the hotel?—Yes.
470. Was he in uniform?—In the morning he was; in the afternoon he was in plain clothes.
471. Did any one seem to be on watch during that day belonging to the hotel?—No one seemed to be particularly on watch. There was never a great number in at a time?—just ones and twos.
472. Have you made any systematic observation since that date?—No, I have not.
473. You could give no facts as to whether the state of things to-day is similar to what it was then?—I could not say. I took this to post myself up, so that I could know personally how things were going.
474. *Colonel Hume.*] When you were with Mr. Thompson, did you say to each other, when you saw a man go in, “Well, now, that is a traveller; that is a resident; that is somebody else”—did you consult together, as it were?—Some persons, two or three, went in that I knew personally.
475. You said, “That is So-and-so,” because you knew him. Well, if a doubtful man came along, what did you do then?—I could not say.
476. Did you say to Mr. Thompson, “I do not think that is a resident; that fellow is going to have a drink”?—Not that I am aware of.
477. You did not consult together?—No. At the same time, I would like to say this: although I saw Constable Carroll four times during that day, under the circumstances, it would perhaps be difficult for him to secure a conviction, though there were so many people visited the hotel.
478. When this man came out shaky, or looked as if he had had liquor, you probably said to Mr. Thompson, “That is So-and-so; he is pretty full up,” or something of that sort, “but he was full when he went in”?—Quite likely.
479. Would you be surprised to hear that Mr. Thompson says he never saw anybody come out the worse for liquor that day?—His opinions may differ from mine.
480. But how could your opinions differ if you consulted together?—I do not know that we consulted together.
481. I asked you, and you said “Yes”?—I said, “We may have.” I would not swear so.
482. You are perfectly certain you saw two or three persons come out the worse for liquor, and that they had had liquor before they went in?—Yes.
483. You did not consult with each other about every man that went in and out?—I do not suppose we did consult about every man.
484. How did you arrive at your conclusions that So-and-so was not a traveller, or that So-and-so was a resident of the place, if you did not consult together?—I speak only of those I knew. There were two or three people whom I knew lived in the neighbourhood; others I did not know.
485. Those that came along that you did not know anything about, what did you say about them?—I put them down simply as men. There were four I knew personally.
486. You did not have a systematic consultation together as each one came out and went in?—No.

THURSDAY, 10TH MARCH, 1898.

CHARLES HERBERT TREADWELL was examined on oath.

*Mr. Treadwell:* I have been solicitor for James Dealy and Stephen Dealy (James Dealy being licensee of the Railway Hotel) for many years. In 1892 Mrs. O'Leary, wife of Constable O'Leary, executed an instrument assigning any interest she might have as next of kin to Daniel Dealy, deceased, to James Dealy and Stephen Dealy.

1. *Colonel Pitt.*] An absolute assignment?—Yes.

2. What is the consideration?—The consideration was this: James Dealy was administrator of Daniel Dealy's estate, and this lady was one of Daniel Dealy's sisters. Well, the estate at the time of Daniel Dealy's death was, as I have often been informed and believe was the case, very largely in debt—there were a great deal more debts than assets—and the next of kin agreed to make over any possible interest they might have to the administrator, James Dealy, who has since been carrying on the hotel for the benefit of himself with his brother Stephen.

3. Who did these two make it over to?—To James and Stephen Dealy.

4. Then, there is no consideration?—It is a release of any interest she might have. The deed is dated in 1892, although I might point out the month and day have never been filled in in ink. That is on account of flaws in the lease, which have taken years to remedy. The deed is as follows:—

THIS DEED, made the nineteenth day of October, one thousand eight hundred and ninety-two, between Hanora Dealy, of the City of Wellington, in New Zealand, spinster, and Catherine O'Leary, wife of Florence O'Leary, of the said City of Wellington, police constable, of the one part, and James Dealy and Stephen Dealy, of the said city, hotelkeepers, of the other part: Whereas Daniel Dealy, late of the said City of Wellington, hotelkeeper, died on or about the twentieth day of August last, intestate, and administration of his estate was on the second day of September last granted out of the Supreme Court of New Zealand, Wellington District, to the said James Dealy: And whereas the lands and premises comprised in the hereinafter in part recited deeds of lease, with the hotel and buildings thereon known as the “Railway Hotel,” were at the date of the death of the said Daniel Dealy vested in him for all the residue then to come and unexpired of a term of twenty-one years from the sixth day of May, one thousand eight hundred and seventy-five: And whereas the said Daniel Dealy died a bachelor, and leaving his