

licensee for breach of the licensing laws in Nelson, and he was convicted and license indorsed. I also had a case against a licensee in Auckland. I am not in the habit of frequenting hotels, and I court the fullest inquiry into my habits as regards temperance. I was perfectly sober that night.

No cross-examination.

*Question by Commissioner.]* Mrs. Witt's object in wanting to see me was to know from me where a lady who had been staying with her was: whether she had gone to her home in Rangiora or was still staying in Wellington. About a fortnight or three weeks after this occurrence Constable Burrell, who was on night duty, called me to accompany him into the hotel after 11 p.m. to see if there was any breach of the law going on, as voices were heard on the premises. We entered by the back. Four or five men were sitting around a table. Their glasses were empty. We called Mrs. Witt on one side and told her it looked bad leaving men who were not boarders on her premises after hours. There was no sign of a breach of the law, and we then left. The bar was closed and the lights out as far as I remember. The barmaid was standing opposite the bar-door as if she had just left the bar. It was then about 11.10 or 11.15 p.m. I was only twenty or twenty-five minutes in the hotel on the night of the occurrence with Oakey.

THOS. S. C. KEMP, Constable 915.

ARTHUR BURRELL, constable, stationed at Nelson, examined by Mr. Maginnity, states:—

I remember being at the Exchange Hotel with Constable Kemp some months ago, but I cannot say whether it was before or after Christmas. I went to the hotel after Kemp. I knew I should find him there. We had arranged to meet there. When I went in Kemp was in the bar-parlour with Mrs. Witt, the licensee. He remained a few minutes after I arrived. As I was standing at the bar-parlour door I saw Constable Kemp put a coin on the table before Mrs. Witt. I cannot say what the coin was. He said it was in payment for drinks, and asked Mrs. Witt not to tell the barmaid he had paid her. Mrs. Witt said, "Very well." I then walked out, and Kemp followed me. Mrs. Witt was not upset in any way. Kemp was perfectly sober. I was also sober. I am a total abstainer. About a fortnight after that I was on night duty. I met Kemp at the corner of Trafalgar and Bridge Streets. It was about a quarter after 11 p.m. I suggested to Constable Kemp that we should pay the house an official visit, as the house was closed and I could hear voices inside. Constable Williams was also present, and it was suggested Kemp and I should go to the back while Williams went to the front. We went to the back. On arriving at the back door Mrs. Witt was just in the act of letting out a man. We walked into the bar together. There were three men sitting at a table in the bar-parlour. The barmaid was just closing the slide of the bar. There were glasses on the table in front of the men, but no drink in them. We called Mrs. Witt on one side into a room adjoining the room in which the men were sitting. We asked her something about doing after-hours trading, and she said the last drinks had been served before 11 p.m. We then left the premises. I have not been to the hotel since with Kemp.

No cross-examination.

*Questioned by Commissioner.]* Mrs. Witt met me while I was coming from the railway-station on the day in question. She asked me to tell Kemp she wanted to see him. I promised to do so. I told Kemp what she had stated on reaching the station.

ARTHUR BURRELL, Constable 912.

JOSEPH SWINDELL WILLIAMS, constable, stationed at Nelson, examined by Commissioner, states:—

I remember Constables Burrell and Kemp going into the back of the Exchange Hotel on Saturday night, 18th January last. I fix the date from my memorandum-book. They asked me to stand at the front while they entered at the back. I did so. It was a little after 11 p.m. I understood they went in to see if there was any illegal trading going on. They were a few minutes in the hotel.

J. S. WILLIAMS.

NEW ZEALAND.—POLICE DEPARTMENT.

Received, 26/2/02.

From Inspector Macdonell, Grey.

SUBJECT: Misconduct of Constable Kemp in Exchange Hotel, Nelson.

Police Office, Greymouth, 23rd February, 1902.

*Re Misconduct on the Part of Constable Kemp in the Exchange Hotel, Nelson.*

It would appear that about the beginning or middle of last month a Mr. Oakey, an engineer, of Nelson, went to the Exchange Hotel about 8 p.m. Soon after or at the time Constable Kemp came in, and Oakey shouted for him. Kemp afterwards asked the barmaid to shout for them; she refused, as they were not regular customers, whereon Kemp went behind the counter and gave Oakey a glass of gin, and took a shandy for himself. The barmaid requested him to pay for it, but he refused. Shortly after he went behind the bar again and took a sixpenny cigar for Mr. Oakey and another for himself. He refused to pay for these also. The barmaid and he had some words over it. It appears Oakey said he would pay sooner than have any trouble over it.

The evidence in this case is as follows:—

EVA SANFORD, barmaid, Exchange Hotel, Nelson, says,—

About perhaps two weeks before the Jubilee, one night, Kemp and another man came into the bar. The other man shouted for both. Shortly afterwards Kemp asked me to shout; I refused. He then went behind the bar or counter and gave a drink to the other man; it was gin he gave him. He took a cigar for himself, and smoked it in the bar. He refused to pay. I remonstrated with him, but he simply laughed, and to this day has not paid. Burrell came in afterwards, but had nothing to do with this; he had a drink, but it was paid for. I think it was Mr. Oakey, engineer, he gave the drink to—I mean Kemp. They were in about an hour altogether. I would