

repeated. Some other man came along, and said to my husband, "Don't you think he has had enough?" My husband and the strange man went towards Remnant and the other two men then walked away. Remnant told my husband he would go and lay information with the sergeant, and then left us. We went on to the Globe Hotel, and my husband gave me a drink because I was upset, and we then went home. Remnant returned home soon after we reached there. As near as I can judge, it would be about 11.10 p.m. when we reached home. When Remnant reached home he said the sergeant had told him it would be best to let it drop or pass over.

Cross-examined by Sergeant Mackay.] We left home early in the evening, I think about 7.30 p.m. or 8 p.m. My daughter, Remnant, Symes (my husband), and the baby boy all left home with me. I think we went to the New Zealand Clothing-factory. I think we all went together to the Clothing-factory. I could not say how long I remained in the Clothing-factory. When I finally left the Clothing-factory I took with me the clothes I had purchased. My husband and Remnant were outside the Clothing-factory when I left. I cannot say whether or not my husband and Remnant had a drink together that night. My husband had a drink with me at the Globe Hotel after the occurrence. Remnant was not then present. I should think the distance between Remnant and us when the blow was struck was as far as from me to the drill-shed (about 14 yards). The night was neither dark nor light. The two men were in private clothes of a dark colour. Remnant was wearing a dark-brown overcoat. We had one drink each at the Globe Hotel. My husband and I have separated through him taking drink and ill-using me. On the night of the occurrence Remnant had a drop of drink before he came home, but he had none while in my company. I cannot say what he might have had with my husband when they were away from me. I remember they left me in Bridge Street when I went into Clement's shop. They went into next door to Clement's and had a drink.

Re-examined by Inspector Macdonell.] I am sure Remnant and all of us left home together. On consideration, I am now of opinion that Remnant did not leave home with us, but followed us and joined us at the Clothing-factory. It was not at the Co-operative Store that Remnant joined us that evening. I am convinced Remnant was knocked down twice. I was nearly fainting when the occurrence was going on.

MYRA SYMES.

Defence.

15th March, 1902.

Sergeant EDWARD MACKAY states:—

I have been in charge of Nelson Station about three years and six months. I have been in the Police Force nearly twenty-six years, and a sergeant since 1894. On 6th instant I made a report in answer to this charge, and submitted same to Inspector Macdonell. The report now shown me is the one I made. I do not desire to add anything to that report or withdraw anything stated therein. [Report hereto annexed.]

Complaint No. 2.

I beg to state that a man named Charles Remnant, of indifferent character, called at this station in the early part of last year. He was in a semi-drunken condition, and stated that he had been insulted by Constable Burrell. As the man was in a muddled state with drink, and could not tell me anything further than kept on saying he was insulted, I suggested that he put his complaint in writing. This he said he would do. I heard nothing further of him or his complaint until I heard of it by attached memorandum, No. 161. I took it that the man's complaint was an imaginary one while in a semi-drunken state, and the fact that he did not put his complaint in writing, as he said he would.

Cross-examined by Inspector Macdonell.] I asked Constable Burrell if he had insulted the man Remnant. He said, No; but that he had ordered him off the footpath on several occasions. To the best of my recollection, that was all that took place between myself and Constable Burrell on the subject. I cannot now remember when I spoke to Constable Burrell. I cannot say how soon after the complaint was made that I spoke to Constable Burrell.

Questioned by Commissioner.] I made no entry in the diary of Remnant's complaint. I merely told Constable Burrell the man Remnant had complained to me of having been insulted by him. The reason I did not make an entry in the diary under the heading of "Occurrences" was because I did not consider the complaint was a *bona fide* one, and, secondly, I was waiting to receive the complaint in writing.

E. MACKAY.

SERGEANT MACKAY.

Charge No. 3.—Omitting to report that Constables Durbridge and Burrell had improperly taken two single females, named Smith and Kitching, into the single men's mess-kitchen at Nelson Police-station about midnight on the 18th July last.

Finding.—There is no dispute as to the facts of this case, full particulars of which are set forth in the evidence hereto annexed. Constables Durbridge and Burrell took the young women on to the station to have supper. The females are respectable, and there is no suggestion whatever that anything of an immoral nature took place or was intended. The action of the constables was, no doubt, most indiscreet and liable to be misconstrued. In view of a wrong construction being placed on the constables' action, the sergeant should have entered the matter in the diary and reported it to the Inspector.

He is reprimanded, and cautioned to be more careful in future.

J. B. TUNBRIDGE, Commissioner of Police.