

the place was closed. The evidence, I consider, shows that the constable was not the person who demanded or paid for the drinks. Had the constable been on duty the matter would have been more serious. It shows to me, however, that the constable has not a proper appreciation of his position of police constable. He is reprimanded and cautioned, and will perhaps be removed to some other station, where he had better not become quite so intimate with the persons amongst whom he has to perform police duty. The punishment in this case would have been more severe had it not been the first record against him.

J. B. TUNBRIDGE,
Commissioner of Police.

Charge No. 1.

EDWARD WOODWARD, licensee of the Bush Tavern, Nelson, says,—

Examined by Inspector Macdonell.] I know Constable Durbridge. I remember one Saturday night about the end of last football season I closed my licensed house at 11 p.m. After closing up I went outside. I went and stood on the footpath at the corner of the house. Mr. Wastney was with me. About 11.10 or 11.15 p.m. I heard some persons come round the corner of Tasman Street into Grove Street singing. This was going from the direction of the town toward "The Wood." I heard the voices of four or five men singing together. I went through the two gates into the yard at the back of the house. I locked the back gate, and the front gate has a spring, and closes itself. I went into the stable. Mr. Wastney went with me. A man jumped over the fence and went to the passage-door. He opened the door and went inside. The passage was then in darkness. I then followed into the passage. When I reached the passage the man I saw had struck a match, and from the light I could see it was Constable Durbridge. He was in plain clothes. I asked him what he was doing there, and while I was asking him the other men came into the passage. I asked them if they knew the time. One said, "It will be all right, give us a drink." I refused several times. They repeated their request for a drink, and I then gave them one drink each. None of them were much the worse for liquor. I think they had shandygaff or beer, I could not say which. They just had their drink and went away. They left by the gate, which had been opened, I think, by one of the other men. They had one drink only. Some of the party paid for the drink, I do not know which. I am not sure if four or five came in. I made a statement to you some weeks ago and signed it. I remember that in that statement I fixed the time as from 11.15 to 11.30 p.m.

Cross-examined by Mr. Maginnity.] I judged the time of closing by the clock in the bar. I am not aware that the clock has been regulated by the town time at any time. There might have been five persons come into the house, but I am not prepared to say there were more than four persons. I cannot say that one of the voices I heard coming from Tasman Street was that of Constable Durbridge. I cannot state which direction Constable Durbridge and his companions came from. They were perfectly civil and not troublesome. I cannot say which one said it would be all right if I gave them a drink. I do not remember one of the men saying my clock was fast. The other men followed Constable Durbridge immediately into the passage. The only visible light in the house would have been the light in my bedroom, upstairs. It was about ten minutes or a quarter of an hour from the time I closed until Durbridge came into the passage. I am not able to state positively that my clock was not seven or ten minutes faster than the town time, or that it might not have been that much too slow. I was sure it was not much past 11 o'clock, or I should not have given the men the drink. Mr. Wastney was not staying at my house that night. I did not see any one enter the passage before the constable. The constable himself did not ask for any drink for himself or the others.

Re-examined by Inspector Macdonell.] I do not think I said to you that it was Constable Durbridge who first asked for the drink. If I did say so it was a mistake, as the men kept asking for a drink. I gave them the drink to get them away.

Questioned by Commissioner.] The statement I made to the Inspector was made in the dining-room at my house. No third person was present. I do not think any one came to the house to be served while the Inspector was present. I have not a very clear recollection of what passed when the Inspector visited me. The Inspector asked me certain questions and I answered them, and some part of the statement I made without being questioned. The men, in my opinion, were not the worse for drink. Nothing has occurred since the Inspector saw me to induce me to now state anything different to what I told him.

ALFRED WASTNEY, labourer, living at "The Sands," near Port Nelson, states:—

Examined by Inspector Macdonell.] I remember being at the Bush Tavern Hotel one Saturday night about the end of last football season. I was at the house when it was closed up for the night. All lights about the house were put out. Mr. Woodward (the licensee) and I were out on the road together after the house closed. We might have been there a quarter of an hour or twenty minutes talking. I heard some persons coming up the road apparently in the direction of the Bush Tavern. I should think they were 200 yards or more away when we first heard them. Mr. Woodward and I went into the stable to get out of sight. To get to the stable we passed through two gates, and Mr. Woodward locked the back one after us. We waited in the stable a few minutes. The singing continued until the singers appeared to have got close to the house. I next heard some one trying the back gate, then one man got over the top of the gate. He passed into the back passage of the house. There was no light in the passage when he entered. Mr. Woodward followed the man in; I remained in the stable. I noticed a light in the passage after Mr. Woodward arrived in the passage. Woodward said, "What the devil are you doing here; do you know what time it is?" The man replied, "Oh, it's all right, Ted; give us a drink." The other men (three or four) then all followed into the passage. The time was then, as far as I can say, from a quarter to half past 11. After the men entered I left the premises and went home.