

Cross-examined by Mr. Maginnity.] I was present when Mr. Woodward closed the bar. I did not notice the time of his clock when he closed the bar. I cannot say that I compared my watch with Woodward's clock. I took the voices to be from persons coming from town towards the Bush Tavern. I am not prepared to state that the men who came to the Bush Tavern were the same men whose voices I had previously heard singing. I did not see Constable Durbridge at all that night.

Cross-examined by Inspector Macdonell.] I do not know Constable Durbridge.

ALFRED WASTNEY.

Defence.

FREDERICK HENRY DURBRIDGE, constable, states :—

Examined by Mr. Maginnity.] On the night in question I attended a football social held at the Masonic Hotel. A little after 10 p.m., in company with George Glover, Ernest Pratt, a Mr. King, a Mr. Coote, and Mr. Sowman, we proceeded along the Wakapuaka Road as far as Oldham's Creek, between three and four miles, where we left Mr. King and returned to town. We were all on bicycles. On the Nelson side of the cemetery, about a mile and a half from Nelson, one of the party said, "We will have a drink at the Bush Tavern." I remarked, "Very well, if it is not too late." I believe it was Sowman, who, on referring to his watch, said it wanted a quarter to 11. We proceeded to Bush Tavern, and on arrival entered by the side door. I believe Sowman was first and I second. Sowman said to Woodward, the licensee, "Any show for a drink, Ted?" He replied, "Oh, yes; hurry up, it's just about 11." We had the drink and left the house. I did not pay for the drinks; I think Sowman did. Mr. Woodward is incorrect in saying there was no light. There was a small gas-jet burning in the passage. That showed from the road, and the side door was open. Sowman got over the gate and unfastened it. We all then entered. It was the first time I was ever in the house, and I have not been there since. Woodward came from the back somewhere. Sowman was inside the passage when Woodward arrived, and the others were all standing round the door. After leaving the Bush Tavern we proceeded about 200 yards, and there Glover and Sowman left me, Coote, and Pratt. We came along Grove Street and Collingwood Street to the Wakatu Hotel. The hotel was closed. We knocked at the side door, and Mr. Vause, the licensee, opened the door and admitted Coote, who boarded there. Pratt and I then bid Coote and Vause good-night, and the latter remarked it was about half-past 11. Pratt and I proceeded together to the end of Harley Street and there separated, I going to the police-station. I was perfectly sober.

Cross-examined by Inspector Macdonell.] We were all on bicycles. We rode our bicycles until after leaving the Bush Tavern, and then all walked along together, chatting over the football season. The gate may have been locked; I do not know, as I did not get over. The door we entered was at the side of the house, and not at the back. I have not called at Mr. Woodward's house since you saw him. I met him in the street, and asked him if he had made any statement to the Inspector. I thanked him and left him. I never made the remark, "Well, this is the last bullet."

Questioned by the Commissioner.] Some four or five months ago Inspector Macdonell, when I was at Greymouth with a prisoner, asked me about things generally, and if I would like plain-clothes duty at Greymouth. I said "Yes." When the Inspector was in Nelson a few weeks ago in connection with the Jubilee he again referred to plain-clothes duty for me, but said, as he was soon leaving the district, he would not now press the matter, but that he would have liked to have had me if he had remained. There was intoxicating drink at the football social. A man with much drink taken cannot ride a bicycle several miles at night. I believe some of us had been singing a football song while coming along the Wakapuaka Road.

F. H. DURBRIDGE.

GEORGE FREDERICK COULTER GLOVER, storeman at Tasker and Levien's, merchants, Nelson, states :—

Examined by Mr. Maginnity.] I remember being at a football social at the end of last season. Constable Durbridge, Pratt, Sowman, Coote, a man who lives at Wakapuaka, and myself left the social about 10 p.m., and went along the Wakapuaka Road to somewhere about Oldham's Creek, about three miles and a half. The Wakapuaka man there left us, and we returned to Nelson. When nearing the Bush Tavern some one of the party suggested we should have a drink at the Bush Tavern. Durbridge said something about it being too late. Watches were produced, and it was found to be about a quarter to 11. We rode to the Bush Tavern, and saw a light there. I tried the side gate, but it was fastened inside. I believe it was Sowman jumped over the gate. Woodward, the licensee, then came out of the side door, as far as I remember. I said, "We want a drink, Ted." He said, "Oh, it's after 11." I replied, "It cannot be after 11; your clock must be wrong." Sowman said, "We don't make it after 11; we will have a drink and go." We had the drink, and Sowman paid for it. We then left. I lived in the vicinity, and after having the drink and getting outside I left the rest of the party and went home. Durbridge was perfectly sober. We were all perfectly sober.

Cross-examined by Inspector Macdonell.] The gate Sowman got over was alongside the footpath. The gate is in a direct line, as far as I now remember, with the house. I live within a quarter of a mile from the Bush Tavern. I cannot say where the light was, but it was visible as we approached the house from the side. I would contradict any one who says there was no light visible downstairs at all.

Re-examined by Mr. Maginnity.] Durbridge saw me for about three minutes this morning, and said he was in trouble, and wanted me to come to the station and state what I knew about the affair after we left the social. No other person has spoken to me about this matter since the occurrence until Constable Durbridge spoke to me this morning. I saw Mr. Maginnity this morning, and gave him a brief statement of what I knew about the matter.

Questioned by Commissioner.] I have no interest in shielding Constable Durbridge or saying what is not true. I am not a friend of Constable Durbridge's, and have only met him in the football field and occasionally in the street.

GEORGE F. C. GLOVER.