

circumstances that I would do it. I refer to the charge of immorality against ex-Constable Durbridge.

*The Chairman* : The witness himself has not been examined at all upon that point.

*Mr. Maginnity* : No. It is in regard to the second charge reviewed in this correspondence against ex-Constable Durbridge—the charge of immorality. I ask the decision of the Committee whether the girl should be brought here. She is in attendance, but I should very much prefer that she should not be called.

*The Chairman* : We can hardly say until we have heard something about it.

*Mr. Maginnity* : My object in calling her would be to refute the statement made by Inspector Macdonell. You will see that it has already been refuted by Chief Detective McGrath. It is one of the charges made against Durbridge outside of those in the petition.

*The Chairman* : Does the girl charge Durbridge?

*Mr. Maginnity* : No. Her evidence will go to exculpate the ex-constable entirely. I may say that Durbridge is married to one of the girls that Inspector Macdonell has the effrontery to animadvert upon.

*Hon. Mr. Hall-Jones* : We cannot say, Mr. Chairman, whether it will be necessary to call the girl until we have heard from Durbridge.

*The Chairman* : That is so.

*Mr. Maginnity* : This document that I have here is a copy of a report written by Chief Detective McGrath. He reports as follows (page 67 of the file) : "I beg to report that I have seen Mrs. ———, who states that ——— came to her place as housemaid about June, 1901, from the ———, where she had been employed for three or four weeks. She told Mrs. ——— that she was enceinte—"

*Commissioner Tunbridge* : Perhaps the Committee would like to hear all the names. The object in cutting them out was that they should not appear in the printed matter that will go forth to the public.

*Hon. Mr. McGowan* : I would like to say, Mr. Chairman, that from the evidence given I think we must necessarily have Inspector Macdonell here. Several statements have been made regarding him, and, as Commissioner Tunbridge has not pressed for his attendance, I think it is my duty, in the interests of fair play, to ask that the Inspector's evidence should be taken by this Committee.

*Hon. Mr. Hall-Jones* : I shall also ask the Committee to call several witnesses.

*The Chairman* : The Committee will decide, after hearing the evidence, whether it is necessary to call more witnesses, and, if so, what witnesses ; but they cannot decide until the whole of the case by the petitioners has been heard. When they have heard that they will decide on the course to be taken.

*Mr. Maginnity* : I understand that the same right will be extended to the petitioners, if you deem it necessary to call further evidence, to refute any statements that may be made by witnesses called by the Government to oppose the petition.

*The Chairman* : You have the right to call any evidence you wish to establish your petition.

*Mr. Maginnity* : And to refute statements made?

*The Chairman* : Yes, that is so.

*Mr. Maginnity* : I hope the Hon. Mr. McGowan will accept my oft-repeated assurances that we do not want to do anything unjust. I hope it is not imagined that I wish to steal a march in order to establish my case. I want to stand or fall upon the *bona fides* of the men. I am satisfied that the Committee will give everything brought before them their favourable consideration. More than that I cannot ask. I wish, Mr. Chairman, to go a little out of the order of the correspondence, and to now take the charge of immorality against ex-Constable Durbridge.

110. *Hon. Mr. McGowan*.] Before you do that I would like to ask ex-Constable Burrell a question or two. I want to make sure that I have taken your statements correctly in some cases, because they may come up again. You mentioned a document from Mr. Wilson, Mr. Burrell?—Yes.

111. Will you explain to the Committee how that document was obtained?—After I was called upon by Sergeant Mackay to answer the charge I made it my business to look this man Wilson up. I went to the building where he was working—he was working for Baigent, the present Mayor of Nelson. I called him on one side, and told him my business—that I wanted his statement with reference to the affair that took place in Waimea Road. He told me that he had not time to do it there, and asked me to go to his house. I did so, and took the statement at his house.

112. *Hon. Mr. Hall-Jones*.] Did you dictate the statement to him?—No, I did not. It was dictated word for word. Mr. Wilson himself dictated it.

113. *Hon. Mr. McGowan*.] You made a statement about Remnant being drunk, and going to the police-station to make a complaint : was that when he was drunk, or not?—He was drunk then.

114. What was the complaint about that he went to make?—He went to make a complaint that I had insulted him, I understand, at the time.

115. If he was drunk why did you not take any action : do you allow drunken men to be at large?—No ; he was not too drunk to take care of himself. He could walk without being a nuisance to anybody.

116. Was that the occasion upon which you summoned him for not having his cart attended?—No.

117. It was on another occasion?—It was before that that I summoned him.

118. Did he complain of the summons, or of your assaulting him?—He complained, as near as I can remember, that I had assaulted or insulted him.

119. Is it easy for a man who is drunk to go to the police-station and make a complaint about a policeman assaulting him : do you know of any other cases in which it has occurred?—Yes, I do.