

195. You say that you did not bring out your revolvers when you met the boy in the scrub?—That is so.

196. Then, how came he to ask you, "What are you doing with revolvers"?—He saw them in our belts. A police revolver hangs down. It is quite easy for any one to see it.

197. *Mr. Maginnity.*] I propose, Mr. Chairman, to take the last charge outside of the petition. It is one of assaulting a lad named Bannehr. Were you called upon, Mr. Durbridge, to make any report in regard to a young man named Bannehr?—No.

198. Do you know anything about some trouble between yourself and Bannehr?—Yes. We had a little trouble one Christmas Eve, which we settled at the police-station in front of his father.

199. How long ago was it?—It was last Christmas Eve.

200. Will you tell the Committee, shortly, what led up to Bannehr's going to the police-station?—Constable Kemp was called upon to remove a half-drunken lad from Trafalgar Street; he was making a disturbance, and interfering with a couple of cyclists. The boy was a bit jubilant, and started arguing the point with Kemp. Kemp insisted on his going away, and pushed him down the road. Bannehr, with a number of other lads in a sort of jolly state, came across. I happened to be standing on the road, and Bannehr came up to me and asked me what the hell I was doing, thinking it was me that had interfered with the young men. I said, "That is not your business. Mind your own business." "Oh," he said, "I want to know what the devil you want interfering with a man like this." I asked what business was that of his, and told him that he had better get away home and not interfere with the police. He said he would see me damned before he would go home; it was a free country, and he would do as he liked. He had a walking-stick in his hand, and put on a haughty air. He expressed his influential powers over me as a constable, and so on. I said, "Look here, the best thing you can do is to go home. I do not want to argue the point with you at all," and I pushed him away like that [action indicated] two or three times, until I upset him. He then got cross, and said, "Damn you, I won't go home," and made a smack at me with his walking-stick. As he did so I put my hand out and caught him under the chin, saying, "Don't come any games with me." I caught him with my open hand under the chin, and he fell backwards on the road. He made another smack at me with the stick, and I said, "Now, don't be looking for trouble here. The best place for you is home." He said he would be damned if he would go home; what right had I to interfere with him; he would do as he liked. He and a lad named Daniels then rushed me, as if they were going to throw me. I let them get hold of me—both of them—and stooped low down to the ground. I then stood up rather suddenly, and they fell over my head. Bannehr laid on the ground, and made out that he was terribly hurt. I have seen men stunned, but I never saw a man who was stunned get up so rational as he did. He just laid down for a minute or two, and was then as rational as I.

201. Had he been drinking?—Yes, he had that night.

202. Now, that was the assault?—Yes.

203. Did you see him again that night?—Yes.

204. Where?—When Kemp and I returned to the station at between 2 and 3 o'clock Bannehr came in, walked up to the mess-room, and asked for the sergeant. We told him that the sergeant was in bed, and that if he had any complaint to make we were quite prepared to take it. He persisted in his request, but we objected to call the sergeant.

205. *The Chairman.*] You are referring to the young fellow's father?—Yes. He said that what I had done to his son was a very wrong thing for me to do. I replied that I could not see it; that he had his son's story, and it was only fair that he should have mine. "And, what is more," I said, "there is a sober man who was with us." But he would not listen to it. He said that his son was not drunk, that he never drank, and could not drink, and all the rest of it. However, after some argument, he asked me for an open apology. I said, No; I had never apologized to any man, and would not to his son. But I said, "I will apologize on this condition: that I get an apology from your son." He said that he thought I had overstepped the mark in assaulting his son, and I ought to apologize. After some further argument, I convinced his father, in front of the other boys with him, that young Bannehr and Daniels did their best to try to throw me, and that it was through that that he got the fall. Mr. Bannehr admitted then that his son was in the wrong and that I was, and we apologized one to the other and shook hands. Mr. Bannehr said, "There will be no more about this; we will let matters drop at that."

206. Are you sure that this young fellow apologized to you?—Yes.

207. Did you make that a condition of your apologizing to him?—Yes; I stipulated that before I apologized. I made the remark that I would apologize to no man, and that I would apologize to his son on the condition that he apologized to me.

208. Had he come up to you, or did you go up to him?—He came to me. He came up poking his nose into business that did not concern him.

209. That is the whole history of the case?—Yes.

210. *Hon. Mr. Hall-Jones.*] Is this young Bannehr a lad of good reputation?—He does not knock about with the most respectable class in the town. He is a lad who has got too big an opinion of himself; that is my idea.

211. Did you say he was drunk that night?—He was under the influence of liquor, but I would not say that he was drunk. It was Christmas Eve, and he had been having a night out.

212. Am I to understand that he came up and used bad language to you, and that you put forward your hand and caught him under the chin?—Yes.

213. Did he fall then?—Yes.

214. And then there was a rough-and-tumble on the ground?—No, there was no rough-and-tumble at all.