

519. Then they sent for Mr. Bannehr—sen. or jun.?—I think it was Mr. Bannehr, sen., that went in first.

520. They called him by name?—Yes.

521. You cannot say what occurred between the constables and Mr. Bannehr, sen.?—No.

522. Have you had any conversation with either Durbridge or Burrell since you have been over here?—No.

523. Is it a common thing in Nelson for people to be up later on Christmas Eve than on other nights?—I think so.

524. This is usual in most towns. There is a crowd in the streets, and people generally stop up later?—Yes.

525. There is nothing in the insinuation that you were intoxicated, or that Bannehr was intoxicated?—No.

526. And what drinks you had were chiefly half-and-half—beer and ginger-beer?—Yes.

527. So if you had seven drinks you only had half alcohol?—Yes.

528. Has young Bannehr a good reputation? Has he the reputation of being a steady young man?—I think so.

529. What reputation have the constables?—As far as I know, they are all right.

530. You have not heard or known of any previous assaults by them?—Well, I have heard of one.

531. It is not within your own knowledge?—No; it is just hearsay.

532. *Mr. Colvin.*] You do not mix up with the police in Nelson, Mr. Hamilton?—No.

533. Then Mr. Bannehr, jun., is a very respectable young man as far as you know?—Yes.

534. And is not in the habit, in the ordinary course of conversation, of using bad language—he is not in the habit of swearing?—Of course, he does sometimes.

535. You were very hungry that night. You had been into one supper-room and had supper half an hour previous to your going to have another one?—Yes.

536. Did you have a drink after you had the supper?—No.

537. Then, the drink had not the effect—this shandy-gaff—of making you hungry?—No.

538. Can you account for Mr. Bannehr singing out when he went along to the scene of the row, “What the hell is the matter here”?—Well, it is only natural, I think, for any one to ask what is the matter.

539. I quite understand you talking to yourselves, but to sing out, and he must have sung out pretty loudly, because you say the constable was in the centre of a number of people, and he came out afterwards and must have been able to recognise Mr. Bannehr, because immediately he came out he asked what the hell he had to do with it. Mr. Bannehr must have sung out louder than the ordinary tone of conversation?—I do not think so.

540. How do you account for the constable hearing him and knowing his voice?—Well, it is just like hearing your voice in this room. The crowd was not a big one.

541. Some of the evidence shows that there were about twenty people?—It was just as if he was speaking in the street as we were going past.

542. You were working until about 9.30 p.m. in the store?—Yes.

543. And you picked up Mr. Bannehr then?—No, not till after.

544. When did you meet him?—I could not say where we met him.

545. You had three or four drinks after you met him?—Yes.

546. About three would be about enough for you. Your carrying-capacity would not be more than three or four. How many do you think you could do with without getting excited?—I do not know. I have never tried.

547. You say you were all sober?—Yes.

548. *The Chairman.*] What was the nature of this row? Was it a free fight or were the people just having a “jawing-match”? How would you describe the row?—We did not see the row. We missed it when we got there.

549. Then, there was practically no row when you got there?—No; they were just talking.

550. You did not see Constable Durbridge when you got there?—No.

551. Did you see any other constable?—No.

552. Did Constable Durbridge appear to be doing anything when you saw him?—No; he was just walking out of the ring.

553. Did he give you the idea that the constables were doing much in the way of duty while there?

554. Do you know if there were any other constables besides Constable Durbridge there?—I know Kemp was there besides Durbridge.

555. Now, did Durbridge hit Bannehr in a savage sort of way, meaning to hurt him?—I think so.

556. You saw him strike him?—Yes.

557. And you think he hit him as hard as he could—that he meant to lay him out?—That I could not say.

558. Do you know anything about boxing?—Very little.

559. Of course, Bannehr hit Durbridge or meant to hit him savagely?—With a stick?

560. Yes. Now, after all this “scrap,” and Bannehr being laid out, you went home with him?—Yes.

561. Did you when you got to Mr. Bannehr’s house talk the matter over as to what steps should be taken?—No; Bannehr just told his father what had happened, and he set about going down to the police-station right away.

562. Did they say that they were going for the purpose of demanding an apology?—No, I do not think he said anything about that.