

563. Have you heard anything against these constables—against Constable Durbridge? Have you ever heard anything in Nelson against him at any time?—Yes, I have. Just heard, that is all.

564. You do not make it a rule to make friends with the police?—No.

565. You had two suppers: did you have anything to drink with either or both of the suppers?—We did not have two suppers. We were going to have two.

566. Were you satisfied with one?—We were going from one supper-room to the other when it happened.

567. Did you have anything to drink with your supper?—I do not think so.

568. It would only be light. Was it an oyster supper you had?—No; it was eggs we had.

EDWARD GEORGE DANIELL examined. (No. 13.)

569. *Mr. Skerrett.*] What is your Christian name?—Edward George Daniell.

570. What are you?—I am a salesman.

571. Residing at Nelson?—Yes.

572. Were you at work last Christmas Eve?—Yes.

573. Up to what hour?—About 9.30 p.m.

574. And after knocking off work did you meet Bannehr?—I met him about 11.30 p.m.

575. Where?—I think it was on the Trafalgar Street corner—on the pedestal.

576. Did you go to any hotels with him?—No.

577. Did you go to supper with him?—We went to have some supper with him.

578. Where?—At Mrs. Jackson's.

579. Did you have supper?—No.

580. Why?—Well, Mrs. Jackson came into the room in a fainting sort of condition, and I preferred we should go round somewhere else.

581. Leaving the supper-rooms, just tell me what took place. Who were with you?—Young Bannehr, Hamilton, and myself. We just walked across the road.

582. The supper-rooms were up another street?—Yes.

583. As you were walking across the road what took place?—As we were walking across the road Mr. Bannehr was in front.

584. How far?—He might have been a yard in front.

585. And close?—Yes, we were all together. We were one party.

586. Did you observe a small crowd?—Yes, there was a small crowd.

587. What did Bannehr say?—"Hullo! What is the matter here?"

588. Did he use the expression "devil" or "hell"?—He may have done so.

589. He might have said either?—Yes.

590. Who was the observation addressed to?—Anybody in particular who liked to answer the question.

591. Did you see a constable at the time the remark was made?—No.

592. Was it spoken very loudly?—I think not.

593. Was it spoken insulting or aggressively?—Certainly not.

594. It was an inquiry?—Yes.

595. An inquiry mixed with some strong expression?—Yes.

596. What was the result of this observation?—He no sooner said that than Constable Durbridge gave him a push and said, "You go home" or "Go to hell." Bannehr stepped up and said he would not go home—he had one hand in his pocket and one hand on his stick.

597. Did Durbridge shove Bannehr as he said "Go home, Bannehr"?—Yes.

598. And very violently, I suppose?—Enough to make him reel a few yards away, I suppose.

599. Well, Bannehr said that he was not going away: what happened then?—Durbridge hit him in the face.

600. Violently?—Yes.

601. With what result?—Enough to bring a lump, anyhow.

602. Did he knock Bannehr down? Did his hands or any of his body touch the ground?—He staggered back, and I did not notice whether the blow knocked him down.

603. It was a very powerful blow?—Yes.

604. Is Durbridge a powerful man?—I think so.

605. What took place after the blow? What did Bannehr do?—Bannehr struck at him with his stick. I think he hit him.

606. And what then took place?—Then Durbridge closed with Bannehr and I heard a tussle, and the result was that Bannehr was thrown down.

607. How was Bannehr thrown down?—He was thrown over his (Durbridge's) shoulder.

608. Was the tussle a long or a short one?—A short one.

609. Is Durbridge a much more powerful man than Bannehr?—I think he is worth about ten of Bannehr in strength.

610. You mean physically?—Yes.

611. Durbridge threw him over his shoulder on to the ground?—Yes.

612. Was he thrown violently?—Yes, he went down.

613. Who helped him up?—I think I did.

614. After Bannehr struck at Durbridge with his stick did Bannehr ask any one to stand by him? After the first blow was given, then Bannehr got up and struck at him with his stick, then you say they closed and Bannehr was thrown?—I think he asked for assistance.

615. What stage of the affray was that?—When Durbridge and Bannehr were tussling together.