

668. You are a great personal friend of his?—I might say that.

669. I suppose, owing to the lapse of time, your recollection of what transpired on that night of the row is not very distinct?—On some points perhaps it is indistinct; on others it is very distinct.

670. As regards details you are not clear, I suppose?—The only thing I am not quite clear on is what transpired at the station. As far as what transpired in the street I am pretty clear on that.

671. Were you going to have supper with these other two young men that night?—Yes.

672. When you got to the spot where Durbridge was—I suppose you did not know before you got there that Durbridge had had trouble with a drunken man?—No.

673. Did Bannehr go ahead towards the crowd?—Yes.

674. Are you sure that he did?—Yes.

675. Are you quite certain of that?—Yes. He might have been a yard before us, or two or three feet.

676. What distance were you behind him?—Just a few feet.

677. You are pretty sure that he was ahead?—Yes.

678. Mr. Hamilton states that he was behind—a little behind the two. Which statement is correct, Mr. Hamilton's statement or your statement? You say that Bannehr was ahead of you, and Bannehr says he was behind you?—That is for you to judge, perhaps. I am not quite sure about that.

679. Did Bannehr say to Durbridge, "How came it about that you were ill-treating a drunken man?" Did he say that?—No.

680. A man called Frank says here that Bannehr went up to Durbridge and there asked him why he wanted to knock this person about. Do you know a man named Frank in Nelson?—I know two or three there.

681. He says Bannehr went up to Durbridge and asked him what he meant by knocking this man about: that is incorrect?—Yes.

682. Bannehr made no remark of that sort to Durbridge?—No.

683. You were in front of him?—I did not say so.

684. Durbridge immediately replied to this remark of "What the hell is happening here"?—Yes.

685. Was Bannehr excited when he made that remark?—No; he made it in an ordinary tone of voice.

686. Are you sure of that?—Yes.

687. You did not know he had had about seven glasses of beer before?—The effect would have worked off before that.

688. He was not excited, then?—Oh, no.

689. Is he not an excitable man?—Not particularly, I think.

690. Do you not think it was rather a remarkable thing for Bannehr to go up to the crowd and make use of this expression, "What the hell is happening here"?—It is a natural thing for anybody to do.

691. It is a natural thing for anybody to go up and address that to a crowd?—That is my opinion.

692. You did not make use of an expression of that sort when you went up?—No.

693. Durbridge, you say, pushed him to one side and he staggered back?—Yes.

694. What did he do then. He (Bannehr) said he would not go home?—Yes.

695. Did he do this in an aggressive sort of way?—He just stepped up and said he would not go home.

696. Did he do it in an aggressive way?—He stepped up and said, "I won't go home."

697. What did the constable do then?—He hit him with his closed fist.

698. Are you sure of that?—I did not see his fist.

699. Can you swear that he hit him with his closed fist?—I will swear; if he did not hit him with his closed fist it would not bring up such a lump.

700. Where did he hit him?—On the jaw.

701. Then Bannehr got up and tried to hit him (Durbridge) with his stick?—Yes.

702. Then you came to his assistance?—Not then.

703. Then you got a hold on him (Durbridge) by the arm?—Yes.

704. Fairly?—Yes.

705. You both grappled with him. Had Bannehr a hold on him in the air?—I think so.

706. Did you pull Durbridge down to the ground?—No.

707. Did you make him bend right down?—He might have bent down.

708. What position was he in when you took hold of him?—I cannot remember exactly what position he was in. He had hold of Bannehr, and I just happened to have hold of his (Durbridge's) arm.

709. Did Bannehr try to throw Durbridge in any way?—I do not think he did.

710. You did not know how he had hold of him. The only thing you do know is that he did have hold of him, and you also had hold of his arm. Do you not think it is only natural when a police constable is taken hold of by two young persons like yourselves that he would try and break free—to put this young man over his shoulder? You do not think there is anything improper in that, do you?—I do not know.

711. You got to the station eventually?—Yes.

712. You remember Durbridge stating he wanted an apology from Bannehr, and Bannehr refused to give it?—Yes.

713. I suppose Kemp was quite willing to let you see Sergeant Mackay if you went round to the house?—He demurred at first.