

people right away, because I have not looked them up ; but there were two or three charges against a doctor, one against a Mrs. Vincent, and one or two against other people, I think.

388. There were two against the doctor, were there not? one against Mrs. Vincent, and one against a young man. Do you know of any more charges than those?—Perhaps those were they.

389. There was no conviction gained in any of those cases?—That is so.

390. Upon that you say there was a great deal of abortion practised in Nelson?—I did nothing of the kind. You stopped me when I was going to explain.

391. You gained information from some medical man's books?—From men interested and others.

392. Those were the only four charges that came before the Court?—That is so, I believe. I have no doubt that what you say is correct.

393. With regard to Bannehr's case, you told the Committee that that should have been inquired into?—In my opinion it should.

394. You know that the occurrence took place at Christmas-time, do you not?—Yes.

395. When some little allowance is made. Are not constables instructed to exercise some degree of discretion at times, so as not to be unduly and unnecessarily hostile to the public?—Well, I think that is usually the case at all times.

396. I mean it is laid down in the regulations, is it not?—Yes, I believe it is.

397. Let me read Regulation No. 15 to you: "The police will be strictly impartial in the discharge of their duties towards all classes, the preservation of order and the prevention or detection of serious crime being their first duty. Offences which are of a trivial character and sometimes committed by law-abiding citizens in ignorance should be dealt with discreetly. A caution will in some instances be all that is necessary and have the desired effect; but this course should only be pursued when sanctioned by the member of the Force in charge. For minor offences the extreme course of apprehension and incarceration should be avoided when it is clear that a summons will insure the offender being duly dealt with by a Magistrate. By section 73 of 'The Justices of the Peace Act, 1882,' any person charged with the commission of an offence may voluntarily appear to answer the charge, and the Justices may hear and determine the case without first receiving an information in writing, unless either of the parties to the case shall, before the commencement of the hearing, require an information in writing"—Undoubtedly.

398. Do you mean to say that Constable Durbridge acted in any other than a discreet manner in dealing with young Bannehr? Did he go outside those instructions?—I should think he did, according to my information.

399. In what respect did he go outside of those directions?—By assaulting young Bannehr, according to my information, very seriously.

400. Did you hear Durbridge's evidence?—No.

401. According to your information he assaulted Bannehr very seriously?—He did.

402. Whom did you get that information from?—Bannehr himself and a number of others.

403. Who were the others?—Witnesses who were there.

404. You do not remember their names?—I could get them.

405. Bannehr and others who were present at the time?—Yes.

406. You have seen the Commissioner's report upon that case, have you not?—Yes.

407. The Commissioner says that a man who intrudes himself into a disturbance with the remark, "What the devil is the matter?" does not deserve much sympathy?—Yes.

408. What was the extent of the assault as described to you by Bannehr?—That he saw a crowd there, and he with others came on the scene; that he asked what was the matter, and somebody said the policeman was ill-treating a drunken man; that he rushed into the crowd and asked, "What the devil is the row about?" or something to that effect, and that Durbridge answered him back, saying, "What the hell has that got to do with you?" or something like that, and struck him a very severe blow and knocked him down straight.

409. That was Bannehr's version of it?—Part of his version. When he got up he said he was picked up by the constable and thrown clear over his head on to the road.

410. You did not have Durbridge present when you were examining Bannehr with respect to that?—No.

411. Now, Durbridge's version differs somewhat from that?—I would expect that.

412. Durbridge told the Committee that as Bannehr rushed in he (Durbridge) held out his hand, which came underneath Bannehr's chin, and Bannehr fell backwards. Then two people came forward to attack Durbridge—Bannehr and another?—I never heard that.

413. Then, the statements vary. Now, would it not have been to the advantage of the Police Force generally if you had had Durbridge present when you were examining Bannehr on that statement?—I do not think so.

414. You think it was quite fair to take a statement behind a man's back and send it on to the Commissioner?—Are not all statements taken like that—unknown to the accused?

415. I mean that you have got instructions from the circular which was read to refer such a statement to the constable for report?—I say the circular does not refer to such a thing.

*Mr. Maginnity*: I wish that circular to be put in as part of the evidence. [Circular produced.]

*Witness*: I say that if such a thing were carried out in every case it would destroy the Police Force in New Zealand. If when constables were accused of offences the accusations were made known to them, and also the name of the person who made the charges, and so forth, we should have great difficulty in getting at the truth.

416. Do you know a young man named Trask in Nelson?—I know three of that name.

417. This one is a butcher. His name is Arther. Do you know Arthur Trask?—I do not know them by their first names.