

601. Do you know anything of Remnant to cause you to doubt his statement regarding the assault made upon him?—No.

602. What sort of a man is Stapp?—I do not know much about him. I only saw him once. I would take him to be a decent sort of fellow.

603. You know your regulations, of course?—Pretty well.

604. Regulation No. 17 says, "Members of the Force will be liable to dismissal for disobedience, neglect, or omission of duty." Would it be neglect or omission of duty for a constable to leave his beat?—Yes.

605. For that the regulations make him liable to dismissal?—Yes.

606. Another offence punishable by dismissal is "insolent or indecorous behaviour." Would you consider it indecorous behaviour for a constable to be in an hotel drinking after the closing-hour?—I would.

607. I see that the regulation also includes "anything contrary to the regulations"?—That is so.

608. All the offences of which the constables were found guilty by the Commissioner were offences against the regulations?—Yes.

609. Under which they were liable to dismissal?—Yes.

610. Now, with reference to that circular which Mr. Maginnity has put in, what was your position in regard to that? Did you look upon the information you had gained as not having arrived at a sufficiently complete stage to lay before the men?—That is so.

611. It had not arrived at such a stage that you were called upon, in compliance with the circular, to lay it before the men?—No.

612. When the evidence was complete you would have laid it before the men?—Either that or I would have left it to the Commissioner when I sent the evidence to him.

613. About this incident at the Bush Tavern: I see there is a statement made by Mr. Woodward, the licensee of the Bush Tavern, concerning that?—Yes.

614. What reputation has Mr. Woodward?—I think he has a very good reputation. I think highly of him.

615. Have any charges been made against his house?—Not as far as I know.

616. Is it a fairly well conducted house?—I understand so.

617. No complaints have been made against it to your knowledge?—No.

618. Would you take Mr. Woodward to be a truthful man?—Yes.

619. Would you believe the statement he made when he was first interviewed upon this question?—I did believe it thoroughly.

620. Do you know this hotel?—No, not well; I have only been in it once.

621. I want to get at the position of the back door. It is said to be fronted with a gate 6 ft. high, and the men are said to have entered by the back door, jumping over the gate—at least, one of them is said to have jumped over it?—Yes.

622. Can you tell me whether that man—the first one—jumped over the gate 6 ft. high?—Durbridge is said to have been the first man and to have jumped over the gate.

623. Mr. Woodward says, "I heard the voices of four or five men singing together. I went through the two gates into the yard at the back of the house. I locked the back gate, and the front gate has a spring and closes itself. I went into the stable. Mr. Wastney went with me. A man jumped over the fence and went to the passage-door. He opened the door and went inside. The passage was then in darkness." Would not the passage being in darkness be an indication to any one who went there that the hotel was closed for the night?—Yes.

624. He goes on: "I then followed into the passage. When I reached the passage the man I saw had struck a match, and from the light I could see it was Constable Durbridge. He was in plain clothes. I asked him what he was doing there, and while I was asking him the other men came into the passage. I asked them if they knew the time. One said, 'It will be all right, give us a drink.' I refused several times. They repeated their request for a drink, and I then gave them one drink each. None of them were much the worse for liquor. I think they had shandy-gaff or beer; I could not say which. They just had their drink and went away." That is the evidence given before the Commissioner—not the first statement made by him. The evidence given in the first place is much on the same lines, but he says that they went in by the back door and jumped over the gate, that it was dark, and that Durbridge was in plain clothes. "I asked him what he was doing there. He said it would be all right. They wanted a drink. I refused several times. While reasoning with him the rest came in, and would have a drink. Would not leave without it. At last, for peace's sake, and to get them away I gave them one drink each." Have you any reason to doubt Mr. Woodward's statement of what occurred?—No.

625. Do you know Wastney, a labourer?—I just saw him twice.

626. What is his reputation?—I do not know much about it. I know nothing against the man.

627. Wastney says, "I was on the road in front of the Bush Tavern talking to Mr. Woodward, when we heard a noisy push coming towards us from the town. Woodward says, 'Here comes a rowdy push; let us get in out of the way.' We went round the back; he locked the gate, and went into the stable to watch. One of them jumped the gate and entered the house by the back door, and struck a light. Woodward followed him and said, 'What the devil are you doing here? you know what time it is.' The man replied, 'Oh, it is all right; I am on the randan or on the loose; give us a drink,' &c. Woodward said it was after hours, and he could not do it; then all the rest came in, and they clamoured for drink. I then left and saw no more. Next day Woodward told me it was Constable Durbridge who jumped over the gate first," &c.—Yes.

628. Now, do you think that proper conduct for a constable?—Certainly not.

629. To go to an hotel after it is closed, when the lights are out, to jump over a gate, and practically demand a drink?—No; I think it very improper conduct.