

*Questions by Commissioner.]* I have been attached to this station about eight years. Ever since I have been at the station it has been the practice for the men living in the station to go to the station to get a cup of tea while on night duty. Ex-Constables McDonald and O'Brien and other old constables here in ex-Sergeant McArdle's time used to do so. I cannot say they did this every night, but it was the practice for them to do so.

PATRICK McGRATH.

#### CONSTABLE BURRELL.

*Charge No. 3.*—Improperly leaving his beat without just cause, and going to the Nelson Police-station at 12.30 a.m. 15th instant, and remaining there until 1.20 a.m.

*Finding.*—This is a similar case to the preceding one, and occurred on the following night. Here, again, I am of opinion the constable remained longer than necessary to prepare and take his tea, to say nothing of him having improperly left his beat unprotected. He is fined 2s. 6d. and cautioned for this second offence.

J. B. TUNBRIDGE,

Commissioner of Police.

*Charge No. 3.*

14th March, 1902.

Inspector EWEN MACDONELL, in charge of Westland District, says:—

On the night of 14th ultimo I again watched at the Nelson Police-station and neighbourhood to see how the men were performing their duty. About 12.30 or 12.40 a.m. 15th ultimo I heard the footsteps of two men going into the police-station. I remained watching till 1.20 a.m., or thereabouts. I heard the footsteps of one man leaving the station. I at once went to the front of the station and saw Constable McGrath leaving the station. I spoke to the constable, and then entered the station, and found Constable Burrell sitting down at the table in the single men's mess-room with his shako off. I asked him what he was doing there, and he replied that he was there getting a cup of tea, and pointed to the gas-stove, which was lighted. He said, "I thought there was no harm." I said, "Don't you know a man was discharged for similar conduct at this station?" and he said "Yes." I had in my mind at the time what I had heard about Constable Burrell; the remarks *re* the man being discharged occurred after we had got outside the station, and not inside.

*Cross-examined by Constable Burrell.]* I said to you, "Constable Martin was discharged for similar conduct, and not for coming into the station."

E. MACDONELL, Inspector.

#### Defence.

ARTHUR BURRELL, constable, states:—

I went to the station from No. 2 beat at 12.30 a.m. 15th ultimo to take a cup of tea. I was just finishing my tea when Inspector Macdonell walked in. I left the station at 12.45 a.m., and not 1.20 a.m. as stated by the Inspector. The evidence of the Inspector, with exception as to the time, is correct.

*Cross-examined by Inspector Macdonell.]* I remember saying to you, "I have only been in the station a few minutes." I do not remember pointing to the clock as I went out, and remarking, "It is now just 1.20 a.m." I remember looking at the clock as I went out, and that the time was 12.45 a.m. The clock was, as far as I know, correct time on that occasion.

ARTHUR BURRELL, Constable 912.

Constable PATRICK McGRATH states:—

*Examined by Constable Burrell.]* I remember the morning of the 15th ultimo. I saw you come to the police-station that night when you arrived. You came to the station about 12.35 a.m. I remember the Inspector coming to the station. You had been, I should think, about six minutes in the station when the Inspector came. I was outside the station when you went away on your beat.

*Cross-examined by Inspector Macdonell.]* When Constable Burrell left the station to go on to his beat you were talking to me in front of the station. You spoke to Constable Burrell as he passed you. After going past you about 10 yards Constable Burrell answered back to you. I think you told the constable to get on to his beat at once. I think his reply was, "I am going, sir." That was all I heard outside. I am clear about what I am saying. You went into the men's kitchen. You were not five minutes in the kitchen. After leaving the kitchen you looked into the men's sleeping-room, and then you and I went and stood in the front of the station, and while we were standing there Constable Burrell passed out. You said to Constable Burrell as he passed that you knew that another man got the sack for leaving his beat and coming to the station, or for something similar. Constable Burrell was only five or six minutes in the station when you appeared. I was in the station about five or six minutes before Constable Burrell entered the station about 12.35 a.m., and you came in about five minutes later. I did not sign the attendance-book before going out that time. I generally sign the book at 1 a.m. I signed the book after I returned to the station after going down the street with you. I signed the book as at 1 a.m., but it was 1.30 a.m. when I got back to the station by way of Bridge Street. We walked down the street leisurely. I should think it would take us about fifteen minutes to reach the Masonic Hotel. You said something about whether or not you could get into the hotel at that hour. I signed the book at 11.30 p.m. at the time shown therein.

*Re-examined by Constable Burrell.]* I remember meeting you at the corner of Trafalgar and Bridge Streets, and we stood talking together a few minutes. I went up Bridge Street after leaving you. It was before returning to the station that I had the conversation with you.

*By Commissioner.]* When Constable Burrell and I had the conversation we were standing in the middle of the street. We were together two or three minutes, and after parting I went straight back to the station.

PATRICK McGRATH.