

283. And lay an information against him?—Or charge him.

284. In this case had the constable any right to go and settle with the man's father, or the man himself, and not bring a charge against him?—If the man committed an assault and the constable did not arrest him he should have reported him.

285. The constable stated that the man assaulted him. If that was so, would it be the duty of the constable to take him in charge?—Undoubtedly.

286. And having done so he should proceed against him?—He could not do otherwise.

287. Take the case of Remnant. He appears to have been taken in charge by one of the constables: had the latter any right to take the man in charge and let him go again?—The constable did not take him in charge.

288. He says he did, for a certain portion of the road to the police-station?—I never heard that before. If he said so I would doubt it very much.

289. Supposing that the case was this—that the constable says he saw Remnant assaulting a woman, and that he went over and took him in charge; that he told Remnant to come along to the lock-up, and they started for it, but that Remnant laid down on the road opposite his own house, and his wife came out and pleaded with the constable to let Remnant go: under those circumstances had he any right to let the man go?—No. If the constable said that, I would say that he had no right to be a constable, in my opinion. I never heard it till now.

290. How did Remnant come to give evidence?—In connection with a charge against the sergeant for not reporting to me that Remnant made a complaint that he had been assaulted by a constable.

291. Is Remnant in Nelson now, do you know?—I do not know.

292. Would it be looked upon as a serious offence for a constable who had been playing football to go with other footballers into an hotel after hours and ask for drink?—Yes, it would.

293. Would it be looked upon as a grave offence?—Yes. I should say that in this case the hotelkeeper, hearing the noise, went and closed the house when they were coming.

294. The constable would not be any worse than the rest of the men?—Oh, yes, of course he would.

295. When he was off duty and in plain clothes?—Yes.

296. Why?—Because the regulations say that a constable is always on duty in a way (or in a sense) that he ought to carry out the law. In any case he is there to carry out the law to the best of his ability, and others are not.

297. I would not consider it a very serious offence for a constable to go into an hotel after hours with other people if he were off duty, provided they had walked the legal distance?—Of course, if a constable is a traveller he is entitled to go into an hotel, and commits no crime in so doing.

298. You cannot expect a constable to be better than the rest of the community?—Oh, certainly you can. He is there to see the law is carried out.

299. Is it customary with the police to carry a regulation like that out strictly?—After hours—oh, yes.

300. Would you dismiss a man for doing anything like that—*i.e.*, going into an hotel and asking for drink after hours?—I do not know. Perhaps I would not for the first time, but if he persisted I would. Before you came into the room I said that the influence of any member of the Police Force who does such a thing is gone as far as that particular hotel is concerned.

301. But in the case in question the hotel—the Bush Tavern—is outside Nelson?—I do not know whether it is outside or not. In any case it is not far away.

302. There is really no traffic, or disturbance, or anything else there in the evening—everybody is in bed at the time at which the offence was committed?—I do not suppose there would be much.

303. Would you, then, tell the Committee that a constable ought to be punished severely for going with other young fellows into an hotel under the circumstances under which Durbridge went into that hotel?—I look upon it as a serious offence, and I believe he himself did so at first.

304. Would you expect the Committee to think that that justified his dismissal?—I would not like to give an opinion on that.

305. *Mr. Hardy.*] You told the Committee that the girl whom Durbridge was supposed to have got into trouble came to Wellington to get rid of her child?—That was my information.

306. What do you mean by "getting rid of her child"?—Well, getting clear of her trouble.

307. But, as a police officer, what do you mean—that she was going to be confined, or that there was going to be a case of abortion?—I would understand that she came here to get rid of her trouble illegally.

308. You said that the girl came here to get rid of her child?—I did not say so.

309. Did you not cause the Committee to think that you said so?—I do not think so. I said that was the information I received. What I say is that if any one told me that any woman went away to get rid of her trouble I would certainly think that meant getting rid of it unlawfully.

310. *Hon. Mr. Hall-Jones.*] Some reference has been made to assault cases which have been said to be statutory offences, and hence they were not inquired into. To make the matter clear to the Committee I will ask you this: Take any one of such cases that have been referred to in connection with this inquiry, would it not mean that the complainant would have to issue a summons against the policeman, who had one of his mates with him at the time of the assault, and it would be a case of one civilian's evidence against two policemen's, would it not?—Yes.

311. And a Magistrate always supports the police?—I would not say that.

312. In other words, the Magistrate, after long experience, places great reliance on the word of a policeman?—In any case, in regard to the complaint in question, the policeman would be the accused, and if there was a doubt he would get the benefit of it. It would be a very poor chance for the citizen.