

454. I thought this took place at 12 o'clock at night?—No; it took place at 12 o'clock in the day. I refused to go at first.

*Mr. Jones.*

25th Sept., 1878.

455. *The Chairman.*] Do you say it was at 12 o'clock in the day?—Yes.

456. There were three of you together?—Yes.

457. What were you doing?—We were doing nothing except taking this man home.

458. What day was it?—It was a Sunday. I was conducting myself properly, because I was in business, and might come into contact with people I knew, at any time of the day.

459. *Mr. Rolleston.*] What was your business?—A grocer's assistant.

460. *Mr. Tole.*] Were you put down in the cell?—Yes.

461. By whom?—I do not know.

462. *The Chairman.*] Were you thrown down?—I was bundled in and shoved down.

463. Did you fall down in consequence of the shove?—If I remember aright, I was carried in, because I resisted as well as I could.

464. Were you insensible at the time, or is your recollection good?—My recollection is good, but I was excited, because I was afraid of losing my situation.

465. The police did not charge you with resisting them in the execution of their duty?—No; there was only a charge of drunkenness. In the morning, one of the men said, "We could give it to you warm for resisting us." That was all he said. I was charged with drunkenness.

466. What made him say that to you. Did you say you would complain?—I might have said I would complain. I believe I told them so.

467. Was it in consequence of anything you said, that they said that?—It was in the morning before I was tried. The policeman who arrested me (a short dark-complexioned man) said that. He said I had resisted him, and he could make it warm for me; that he was very nearly entering an assault against me, as well as drunkenness. Then he said he did not know who I was, or he would not have arrested me.

468. *Hon. Mr. Gisborne.*] I believe you are living in the Wairarapa now?—Yes.

469. Did you see the Inspector of Police at all, and complain to him?—No; I did not see him, neither did I complain to him.

470. Did you see a sergeant or any officer of the police?—No.

471. You never made any complaints?—No; to no one except Kells.

472. The officers of the force knew nothing about the matter?—Not that I know of. I do not know how this has cropped up. I knew nothing of it, and did not know what I was wanted for when I got the notice on Monday.

RICHARD KELLS, being duly sworn, was examined.

473. *The Chairman.*] The last witness was in your employment?—Yes.

474. When did he come out? When did he enter your service?—It was in 1875.

475. You were then living in Vivian Street?—No; in Manners Street.

476. You were a grocer?—Yes.

477. When did you leave there?—Very shortly after the occurrence.

478. Could you not tell us when you left?—I think it was in October.

479. What year?—In 1875 I think, because I have been where I am now for two years, and I was in that shop ten months.

480. Would you state what you know about the arrest of Jones?—He had not been long in my employ at the time. He was away one Monday morning, and when he came into the shop he said, "I suppose you know?" I said, "What?" He said, "About my being locked-up yesterday." I said, "Nonsense!" He said, "Yes." I said, "You could not have been drunk then." He said, "No; I was taken up when taking a man home." He said he was tied by his wrists behind his back. His wrists were a good deal swollen. I saw him on the Sunday, going home. There were three of them together. I had decided on the previous day, Saturday, to go to the Hutt, and, as he knew all about the fixtures, I asked him if he would go to the shop on the Sunday and show the carpenters what had to be done. He promised he would. On the Sunday it came on to rain and I did not go to the Hutt, and was going to the shop when I saw him coming down the street from the shop. It must have been about ten minutes afterwards that he was arrested. He was not drunk.

481. Had he been long in your service?—No.

482. Was he steady?—Yes.

483. Had you ever seen him drunk?—Never.

484. He was sober when you saw him on the Sunday?—Yes; he was walking all right. One man was very drunk, and Jones seemed to be persuading him to go home. I do not know whether he had any drink in him, but he was not drunk; and since then he has been very steady.

485. He remained in your employment?—Yes; for some time. We had a slight difference about getting another man.

486. Did you make any complaint in this matter?—I was asked whether I knew anything about the matter, and I said what I knew. I did not know it was going any further. One of the policemen told my brother about the man being locked up.

487. What did he say?—He said he had been locked up. I think he was locked up for a purpose. My brother seized everything, and it was done to get this man away from the place, because I knew nothing of the business. I would not be certain, but that is my impression.

488. Do you mean your brother put the police upon this man?—Only one policeman. He has now gone away. That was the person who locked him up.

489. He told your brother that he had locked Jones up?—Yes; he pointed him out to me. He came into the shop one day and said, "So-and-so was locked up;" and added, "So-and-so told me." He did not mention the man's name. I think it was done for a purpose.

490. You have since differed with this young man?—Yes.