

The prisoner accounted to the police officers who searched his premises for the appearance in the gun of having been recently fired off by saying he had fired at some quail. The police, though they made a search of the premises for evidence, and the search therefore may be believed to have been minute, found no powder-flask or powder, no percussion-caps, no wads or wad-cutter.

The jury, no doubt, credited the evidence, and concluded that the possession of the paper by the prisoner was proved, and that it connected him with the crime. It was proved that the prisoner had returned home that evening shortly before five o'clock; that his residence was about a quarter of a mile from the spot where the murder was committed; that he had the means of knowing that Mr. Hawkings had gone into town that day, and had not returned at five o'clock, and that Mr. Hawkings's usual hour for returning was before six o'clock.

There was some evidence of motive, and of expressions of the prisoner of ill-feeling towards Mr. Hawkings.

At the trial, in the cross-examination of witnesses for the prosecution, there was much suggestion on behalf of the prisoner that other persons bore ill-feeling towards Mr. Hawkings. It did not seem to me that anything came out in this cross-examination.

In the course of the case it appeared that at about five o'clock in the afternoon of the day of the murder a man with a gun was seen proceeding along a public track on the Kaiwara hills, first in a direction away from Hawkings's land, and afterwards towards Barber's slaughter-yard; this slaughter-yard is on the Kaiwara side of the prisoner's house, and not far from it. Who this man was was not shown at the trial. From one of the witnesses called by the Crown it was proved that early in the morning after the murder a person living on the Ngauranga road saw a man, a stranger to him, running up that road towards Johnsonville.

The prisoner was not arrested till the 5th June; it was not till the 6th that the shot-wound was found to contain portions of the newspaper of the 23rd May. At the trial the police officers were closely questioned by the counsel for the prisoner for the purpose of showing that the paper said to have been found in the house might have been in truth found on the spot; the jury, however, were, in my opinion, justified in concluding that there had been no mistake in this matter. The stiletto found in the prisoner's house on being examined by Mr. Skey bore no traces of blood. It appeared, however, that before being examined by him it had, in the course of the post mortem examination, been inserted into some of the wounds and made bloody, and afterwards washed in cold water. The fact that no blood-stains were discoverable by Mr. Skey was therefore quite consistent with the supposition that it had been used in the murder.

Accompanying this statement are the plans produced at the trial; the photographic copies of the portions of newspaper relied upon as connecting the convict with the crime. The originals are in a box with the Registrar, who, of course, will deliver them to any person you appoint to receive them from him. The stiletto, shot-pouch, bullets, &c., are also in the possession of the Registrar.

I have, &c.,

JAMES PRENDERGAST.

The Hon. the Minister of Justice.

P.S.—It has not, I think, been usual to give a detailed account of the case when reporting in reference thereto for His Excellency's information. As, however, the evidence is very lengthy, and much matter of little importance introduced by the cross-examination, I have thought that the foregoing account, which cannot be looked upon as exhaustive, might aid His Excellency in considering the case.

Enclosure.

REGINA v. LOUIS CHEMIS.

Murder.

Mr. BELL, with him Mr. M. RICHMOND, for the Crown.

Mr. BUNNY, with him Mr. DEVINE, for the defence.

NOTES OF EVIDENCE.

IN THE SUPREME COURT OF NEW ZEALAND, }
WELLINGTON DISTRICT. }

ARTHUR COOPER, Registrar of Supreme Court, Wellington District, examined.

1. *Mr. Bell.*] I produce papers in action *Hawkings v. Chemis*. Writ sealed 22nd December, 1888. I produce also statement of defence filed in January, 1889. Warrant to defend also filed. Mr. Devine was solicitor for the defendant; Mr. Chapman for the plaintiff. Evidence for plaintiff taken 15th January, before the Chief Justice, without jury. Evidence for the defence on the 19th January. Mr. Hawkings was called as a witness; also the defendant, Louis Chemis. He gave evidence on the 19th. When all the evidence was taken it was adjourned for further consideration. It has not been set down by either party.

JOSEPH ANDERSON, Authorised Surveyor, Wellington, examined.

2. *Mr. Richmond.*] I have made survey of the scene of the murder of Mr. Hawkings. I was employed by Mr. Bell. I have made the survey. This plan shows the result of my survey. I went along the ground. I made a traverse along the Hutt Road up to Mr. Hawkings's house. I crossed to Khandallah Station; then from Hutt Road to Chemis's house; then following a track leading up to the ridge around, joining Hawkings's road again, about 8 chains above the pegs marked 19-24.

3. Did you make any other traverse?—I made another traverse from peg 5 near Chemis's house, shown by a green traverse joining it in to the previously-described traverse at peg 12. Continuing along the previously-described traverse you come to peg 14; then down a hollow in the side