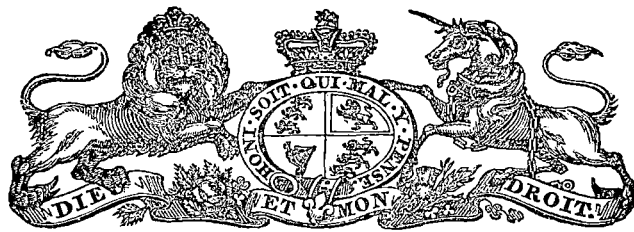


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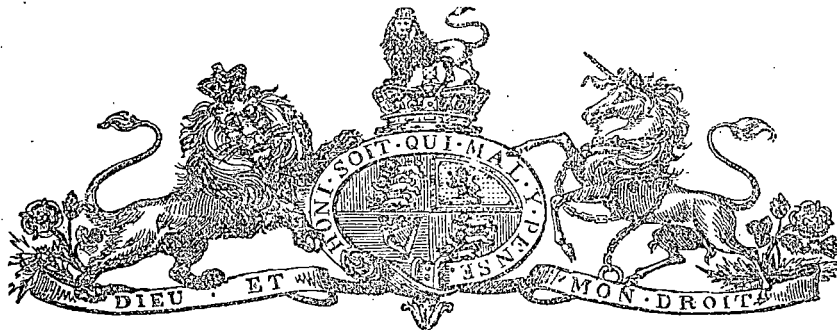
1885.

PARLIAMENT OF TASMANIA.

POLICE COURT, BURNIE:

REPORT FROM SELECT COMMITTEE, WITH MINUTES OF
PROCEEDINGS.

Brought up by Mr. Norton-Smith, and ordered by the House of Assembly to be
printed, November 20, 1885.



SELECT COMMITTEE appointed, on the 12th November, 1885, to enquire into the unsatisfactory manner in which the Business of the Police Court at Burnie is conducted; with power to send for Persons and Papers.

MEMBERS OF THE COMMITTEE.

MR. HARTNOLL.
MR. BRADDON.
MR. ROOKE.
MR. COOTE.

MR. LUCAS.
MR. GRAY.
MR. NORTON-SMITH. (*Mover.*)

DAYS OF MEETING.

Friday, 13th November; Tuesday, 17th November; Wednesday, 18th November; Thursday, 19th November; Friday, 20th November.

WITNESSES EXAMINED.

Mr. C. J. Tatlow, Emu Bay; Mr. James Patterson, Emu Bay; Mr. A. H. Boyd, Emu Bay; Mr. G. Patterson, Emu Bay; Mr. R. A. Murray, Emu Bay; Mr. T. S. Crisp, Emu Bay; Mr. C. J. Mackenzie, River Cam; Mr. H. Berresford, Superintendent of Police, Emu Bay; Mr. A. M'Connell, Sub-Inspector of Police, Launceston; Mr. A. Colhoun, Sub-Inspector of Police, Emu Bay.

EXPENSES OF WITNESSES.

Mr. Tatlow	£	s.	d.
Mr. J. Patterson	7	9	0
Mr. Boyd	8	9	0
Mr. G. Patterson	10	9	0
Mr. Murray	11	9	0
Mr. T. S. Crisp	8	9	0
Mr. Mackenzie	14	15	0
Mr. Berresford	8	8	9
Mr. A. M'Connell	7	7	10
Mr. A. Colhoun	4	10	0
	8	16	6
	<hr/>		
	£90	3	1

M I N U T E S.

FRIDAY, NOVEMBER 13, 1885.

The Committee met at 12 o'clock.

Present—Mr. Gray, Mr. Lucas, Mr. Smith, Mr. Coote.

Mr. Norton-Smith was voted to the Chair.

The Chairman read the Resolution appointing the Committee.

The Chairman laid the following documents upon the Table :—

1. Letter from Mr. R. A. Murray to Mr. Norton-Smith, M.H.A.
2. Letter from Mr. James Patterson to Mr. Norton-Smith, M.H.A.
3. Letter from Mr. Thomas Crisp to Mr. Norton-Smith, M.H.A.
4. Petitions connected with case.

Ordered, That the following Witnesses be summoned to attend and give evidence before the Committee on Tuesday next at 11 A.M. :—

Mr. James Patterson, Emu Bay; Mr. R. A. Murray, Burnie; Mr. A. H. Boyd, Emu Bay; Mr. George F. Patterson, Emu Bay; Mr. Charles John Tatlow, Emu Bay; Mr. Thomas Crisp, Emu Bay; Mr. Charles James Mackenzie, River Cam.

The Committee adjourned till Tuesday, the 17th instant, at 11 A.M.

TUESDAY, NOVEMBER 17, 1885.

The Committee met at 11 A.M.

Present—Mr. Lucas, Mr. Gray, Mr. Braddon, Mr. Coote, Mr. Norton-Smith (Chairman).

The Minutes of the last meeting were read and confirmed.

The Chairman informed the Committee that he had telegraphed to Mr. Boyd to supply the Committee with the Depositions in certain Police Court cases at Burnie; but Mr. Boyd having left for town before the telegram reached him, the Depositions would be forwarded by Mr. Boyd's representative.

The Chairman laid upon the Table a telegram from 19 residents at Table Cape, testifying to the satisfactory manner in which Mr. Boyd had discharged his Magisterial duties at Table Cape.

Mr. Boyd, having been admitted, requested that the following Witnesses be summoned to give evidence before the Committee :—

Mr. C. Sprent, Mr. Quiggin, Mr. C. B. M. Fenton, Mr. C. O'Callaghan, Mr. L. Fleming, Mr. T. M. Clerke, Mr. H. W. F. Kayser, Mr. James Seagrave, Mr. A. M'Connell, Mr. Henry Berresford, Mr. A. Calhoun.

Mr. Boyd having described the evidence that the witnesses named by him would be in a position to give, it was resolved that Messrs. Berresford, Coulhoun, and M'Connell be summoned for Thursday next, at 11 A.M., and that questions be telegraphed to Messrs. Clerke, Seagrave, Kayser, and other witnesses to whom he referred, with a request that they answer them immediately for the information of the Committee.

Mr. Boyd withdrew.

The Committee deliberated.

Mr. Boyd was re-admitted and informed that he had the permission of the Committee to be present during the examination of witnesses, and also to examine those witnesses when the examination-in-chief was concluded.

The Chairman laid upon the table a telegram from Mr. H. Berresford, of Emu Bay, stating that the depositions in the case *Ross v. Smith* were taken from the Wynyard Police Office by Mr. Boyd; those in the case of *Pickett v. Sharp* were in that gentleman's possession, and that the other documents required would be forwarded at once.

Mr. T. S. Crisp was called in and examined.

Mr. Crisp, having been examined, withdrew.

Mr. C. J. Tatlow was called in and examined.

Mr. Tatlow withdrew.

Mr. James Patterson was called in and examined.

Mr. Patterson withdrew.

Mr. A. H. Boyd withdrew.

The Committee deliberated.

The Committee adjourned till Wednesday, the 18th instant, at 11 A.M.

WEDNESDAY, NOVEMBER 18, 1885.

The Committee met at 11 A.M.

Present—Mr. Lucas, Mr. Hartnoll, Mr. Braddon, Mr. Rooke, Mr. Gray, Mr. Coote, Mr. Norton-Smith (Chairman).

The Minutes of the last meeting were read and confirmed.

The Chairman laid upon the Table replies to his telegrams from—(1) T. M. Clerke, (2) Mr. J. Seagrave, (3) H. W. Kayser, and a letter from Mr. Mackenzie forwarding original of the memorial received by telegraph from the residents of Table Cape yesterday.

Mr. Boyd, being admitted, laid certain depositions and charges upon the Table.

Mr. G. Patterson was called in and examined.

Mr. Patterson withdrew.

Mr. R. A. Murray was called in and examined.

Mr. R. A. Murray withdrew.

The Chairman laid upon the Table Mr. Boyd's defence to charges made against him by residents of Emu Bay and the depositions in the case *Ross v. Smith*.

The Committee reassembled at 2:30 P.M.

Mr. Smith (Chairman) laid on the table telegraphic replies to questions from Messrs. Robert Quiggin and C. B. M. Fenton, which were read and confirmed.

Mr. A. H. Boyd, Stipendiary Magistrate, was called in and examined.

Mr. Boyd withdrew.

Mr. Charles John M'Kenzie was called in and examined.

Mr. M'Kenzie withdrew.

The Committee adjourned at 4 P.M. until next day at 11 A.M.

THURSDAY, NOVEMBER 19, 1885.

The Committee met at 11 A.M.

Present—Mr. Hartnoll, Mr. Gray, Mr. Braddon, Mr. Lucas, Mr. Norton-Smith (Chairman).

The Minutes of the last meeting were read and confirmed.

The Chairman laid upon the table a letter from Mr. T. M. Clerke, of Penguin Creek, received in reply to his telegram of the 17th instant.

The Committee deliberated.

On the motion of Mr. Braddon, seconded by Mr. Hartnoll, it was resolved that Mr. H. Berresford, Sub-inspector of Police at Emu Bay, be now examined, and that, taking into consideration the relations of the two parties, Mr. Boyd be requested to withdraw during Mr. Berresford's examination-in-chief, also during the examination of the two witnesses, Sub-inspectors M'Connell and Colhoun.

Mr. Berresford was called in and examined.

Mr. Berresford withdrew.

Mr. Boyd was admitted, and informed of the decision of the Committee, also that on the completion of the examination of Messrs. Berresford, Colhoun, and M'Connell, their evidence should be read over and that he should have the opportunity of cross-examining them.

Mr. Boyd withdrew.

Mr. Colhoun was called in and examined.

Mr. Colhoun withdrew.

Mr. Boyd being admitted, requested that Mr. C. Sprent, Deputy Surveyor-General, and Miss Davis be called to give evidence before the Committee; and, having stated the reasons for so doing, it was resolved that those witnesses be summoned to attend before the Committee this afternoon, Miss Davis to have the option of tendering her evidence in writing.

Mr. Boyd withdrew.

Mr. Sub-inspector M'Connell was called in and examined.

Mr. M'Connell withdrew.

A letter from Miss Davis was received and read.

Resolved, That Miss Davis's letter be accepted as evidence.

Mr. H. Berresford, Superintendent of Police, was recalled and examined.

Mr. Berresford withdrew.

Mr. A. H. Boyd was re-admitted, and further examined.

Mr. Boyd withdrew.

The Committee adjourned till Friday next at 3 P.M.

FRIDAY, NOVEMBER 20, 1885.

The Committee met at 3:30 P.M.

Present—Mr. Lucas, Mr. Coote, Mr. Rooke, Mr. Hartnoll, Mr. Braddon, Mr. Gray, Mr. Norton-Smith (Chairman).

The Minutes of the last meeting were read and confirmed.

The Committee deliberated.

The Draft Report was submitted, read, and agreed to.

The Committee adjourned *sine die*.

R E P O R T.

Your Committee, having examined 11 Witnesses, and considered correspondence and evidence as to the manner in which the business of the Police Court at Burnie is conducted, report to your Honorable House as follows :—

That great difficulty is experienced in obtaining a full Bench at Burnie, in consequence of the refusal of the two local Justices to sit with the Stipendiary Magistrate.

That, as the result of this, the administration of justice is retarded, and those who have business in the Burnie Court are subjected to inconvenience and unnecessary expense.

That the evidence taken by your Committee does not substantiate the charges against the Stipendiary Magistrate.

Considering all the circumstances of the case, your Committee recommend that the Honorable Attorney-General exercise his influence to effect a reconciliation between the Stipendiary Magistrate and the local Justices, and so secure the more efficient administration of justice in the Burnie Court.

J. W. NORTON-SMITH, *Chairman.*

November 20, 1885.