

1616. You are certain I did not read the second charge over to you?—No. I understood I was fined for disobedience of orders, and gossiping on the street.

1617. *The Chairman.*] Was Farrell's name mentioned?—Yes.

1618. By whom?—By Smith.

1619. *Inspector Atchison.*] Could I not also have heard it, if a remark had been made?—Yes; and I think you also made some remark about Farrell.

*Constable
T. Carroll.*

4th Oct., 1878.

TUESDAY, 8TH OCTOBER, 1878.

HENRY MACE, being duly sworn, was examined.

Mr. H. Mace.

8th Oct., 1878.

1620. *Mr. Barton.*] You were a member of a firm of brewers in this city, Mace and Arkell?—Yes; I sold out.

1621. Can you say whether there was any partiality respecting the performance of police duties in regard to publichouses with which you were connected as a brewer?—Yes.

1622. In what way?—By the police in reporting upon houses, or the character of applicants.

1623. Will you state to the Committee any instances that you may remember?—There was supposed to be one: that was the case of Fenton and the Royal Tiger Hotel. Mr. Staples, I think, bought the property; and, after he bought it, Fenton would not deal with him.

1624. *The Chairman.*] Who was Fenton?—The landlord. When the licensing day came, the police objected to the license being granted, as the house was not a fit place to be licensed, not being sufficiently good for business to be carried on in it. I believe it was Mr. Monaghan who made the objection.

1625. Was the objection sustained?—He was ordered to rebuild.

1626. *Mr. Barton.*] Before the next licensing day?—Yes; but there has been nothing done since; and it is a couple of years ago since that decision was given, and the house is still licensed.

1627. *The Chairman.*] Did the police ever again object to the place not being rebuilt?—I have not heard a word about it since.

1628. *Hon. Mr. Gisborne.*] When you say rebuilt, do you mean that the whole house was to be rebuilt, or that it was to be repaired, or what?—I understood there was to be another storey erected, or else a new house altogether.

1629. *The Chairman.*] Have you any complaint to make against the police?—I thought, at one time, that the conduct of the police was very hard.

1630. Did you think they were unfair?—I thought so at one time; but, when you come to look at the thing, you see the brewers are all interested, and they feel hurt when they do not get their own way. When one is out of the business he sees that many things the police do were right, although there were complaints. The only case I remember in which the police did wrong was the case of Fenton.

1631. Do I understand you that Fenton was ordered to rebuild, but that, afterwards, when Staples bought the property, and put a new tenant in, he was not obliged to rebuild?—Yes; Fenton had some two years to run; then Staples bought the property, and, in the meantime, Fenton would not deal with him. Fenton only got his license conditionally he would rebuild, but, as his lease had only this short time to run, it would not pay him to build, and Staples would not do it; so Fenton thought the best thing he could do would be to sell out. He did so; but the man who succeeded him has had a license for two years, and has not been compelled to rebuild.

1632. *Hon. Mr. Gisborne.*] The Licensing Bench ordered him to rebuild?—Yes; the police recommended it, and the Bench ordered it.

1633. *Mr. Barton.*] They would only grant the license on that condition?—Yes.

1634. *Hon. Mr. Gisborne.*] Yet the Bench have since granted the license without the rebuilding having taken place?—Yes.

1635. Is it an old building. Has the place been licensed for a long time?—It has been licensed for twenty years, I dare say.

1636. *The Chairman.*] Is it in very bad repair?—I do not think so.

1637. Do you think it is now a fit place to hold a license?—I think it is plenty good enough for the locality. They are all of the working class. If a publichouse suits a neighbourhood, that is all that is required. Of course, that is only my opinion.

J. N. OWEN, being duly sworn, was examined.

Mr. J. N. Owen.

8th Oct., 1878.

1638. *The Chairman.*] You are landlord of the Melbourne Hotel in Willis-street?—Yes.

1639. *Mr. Barton.*] There was lately a case against you in the Resident Magistrate's Court, before Mr. Mansford?—Yes.

1640. And a recommendation was made that further proceedings should be taken against you. You remember that: it was published in the newspapers?—I was not aware of that.

1641. You did not see it in the papers?—No; I was away from home at the time. I was at Dunedin.

1642. Well, when you came back did you go and see Mr. Atchison?—I do not think I did. I am sure I did not speak to him on the subject. I saw Sergeant Smith.

1643. What did you say to him?—I simply said I was in Dunedin when this affair had occurred: that I believed the girl had let somebody in by mistake; and that I hoped he would take no more cognizance of the matter, because it should not occur again.

1644. Did you pay any money to any of the police?—Never in my life.

1645. You swear that?—I do.

1646. Now, on your oath: did you not lately send any cases of brandy or other liquors to Atchison's house?—I think I sent up one case from Mr. Young's (my spirit merchant). That was about three years ago.