

section 3 he appoints the officers, and by section 11 he “may from time to time direct the employment and distribution of the said Force as to him shall seem meet.” By that section the Governor, who, of course, is the Minister, or acts through his Ministers, has full control over the distribution of the Force. All these acts come directly within the meaning of Ministerial acts, and I am quite sure no person who has any knowledge of constitutional history would insist that the Premier is responsible to any other body but Parliament. If he does wrong he can be impeached in Parliament, but he cannot be compelled to disclose facts which might subsequently be made the ground of impeachment in Parliament. I am satisfied of that, and therefore concur with the Chairman that he cannot be called upon or compelled to give evidence.

Mr. Seddon : I do not wish to put myself in conflict with the Commission, but I desire to say, in regard to what has been said by the Commissioner who has just spoken, that the Commission has no power to impose a penalty. The question of penalties is the subject of inquiry before a Court of competent jurisdiction. If I were called upon to reply in respect to the question of a penalty, I should then have an opportunity of justifying my position before a tribunal of competent jurisdiction.

Mr. T. Thompson : For the same reasons I would like to say the same.

Mr. T. Taylor : I would like to know if the State reasons are the same in your case.

Mr. T. Thompson : I take up the same position as my right honourable colleague, as a Minister of the Crown, and for the same reasons.

The Chairman : Then you are relieved from further attendance.

The gentlemen in attendance then withdrew.

The Commission spent the remainder of the day in drafting their report.

The Commission at 5 o'clock adjourned until 10 o'clock to-morrow.

TUESDAY, 12TH JULY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting were read and confirmed.

The Commission were engaged during the whole of the day drafting their report.

At 5 o'clock p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

WEDNESDAY, 13TH JULY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

The following letter was received from Mr. Roderick McKenzie, M.H.R. :—

SIR,—

Parliament Buildings, Wellington, 4th July, 1898.
I have the honour to herewith forward you copy of His Excellency's reply to my petition to him concerning matters now pending before the Police Commission reflecting on my private and public reputation, and to again respectfully request the Commission to expunge from its records all references made to me personally by the witness Checketts or T. E. Taylor. Otherwise, to inform me when the Commission will be prepared to receive rebutting evidence, and also evidence as to the antecedents of the witness Checketts. As a considerable number of the witnesses whom I would be compelled to call reside in the Buller County, I will feel obliged if you will at an early date notify me (in the event of the Commission deciding on taking rebutting evidence) whether you will take that evidence in Wellington or Westport.
I remain, &c.,
R. McKENZIE, M.H.R.

H. S. Wardell, Esq., Chairman, Police Commission, Wellington.

[Enclosure.]

SIR,—

Government House, Wellington, 8th July, 1898.
I am directed by His Excellency to acknowledge receipt of your petition. His Excellency has consulted his Advisers on the subject, but they are not aware of all the circumstances. If the evidence complained of was incident to some charges affecting police administration generally or the conduct of any police officer, it seems that it may have been admissible but that it would have been fair to have allowed rebutting evidence to have been called. If, however, the evidence was given independently, then it was beyond the scope of inquiry and should not have been received. In this latter case the Commission may possibly see fit to expunge it from their records. But should it appear they have not done so His Excellency will be prepared to direct that your petition should accompany any report and evidence which may be laid before Parliament.
I remain, &c.,
R. McKenzie, Esq., M.H.R.

DUDLEY ALEXANDER, Captain.

Resolved, That the evidence given by the witness Henry Checketts referring to Mr. Roderick McKenzie, M.H.R., being objected to by Mr. McKenzie, and after consideration it being ruled to be irrelevant to the inquiry, be struck out of the minutes of evidence, as also that relating to the Hon. Mr. Kelly, M.L.C.

The Chairman wrote communicating the above resolution to the Hon. William Kelly, M.L.C., and Messrs. R. McKenzie and T. E. Taylor, M.H.R.

The Commission were engaged during the day drafting their report.

At 5 o'clock p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

THURSDAY, 14TH JULY; FRIDAY, 15TH JULY; SATURDAY, 16TH JULY; MONDAY, 18TH JULY; TUESDAY, 19TH JULY; WEDNESDAY, 20TH JULY; THURSDAY, 21ST JULY; and FRIDAY, 22ND JULY, 1898.

Present : Messrs. Wardell and Poynton.

The Commission were engaged during these days drafting their report.