

147. *Colonel Hume.*] You stated that Shirley was an ordinarily efficient sergeant? Was it not a fact that you and I, after consultation, came to the conclusion that Mount Cook wanted an extraordinarily efficient officer?—Yes. That is exactly what we did talk about. Sergeant Briggs was appointed.

148. I think you mentioned Sergeant Briggs to me, did you not?—Yes; I knew Sergeant Briggs in Christchurch.

149. You stated you did not think there was more gambling in Christchurch than here?—Yes, I do not think there is.

150. Do you know the Empire Hotel in Christchurch?—Yes.

151. Have you ever seen such a crowd standing outside an hotel here as stand outside the Empire Hotel in Christchurch?—Perhaps not such a crowd at one particular place.

152. And it was always there—from the morning, all day till 9 or 10 o'clock at night?—Yes; the police tried to move them, and it was a great nuisance.

153. Do you know the Grand Hotel in Dunedin?—No.

154. When I was Commissioner, did I ever give you any particular instructions about suppressing Sunday trading?—You have spoken to me on several occasions about it, I have no doubt.

155. Did I ever tell you this: "The Minister says if Sunday trading is not suppressed you will have some changes"?—I do not recollect that.

156. *The Chairman.*] You have no recollection of that?—I cannot recollect.

157. *Colonel Hume.*] On the other hand, did I at any time say, or could you infer from anything I have ever told you, that anybody in authority desired that the liquor law should not be strictly carried out?—No; you never told me anything of the kind.

158. And you could not infer anything of that sort from anything I have ever told you—any remark I have ever made to you?—No.

159. *Mr. Tunbridge.*] The police can only act according to law?—Of course you must keep within the law.

160. Is it an offence under any law in this colony for a man to stand in the street and receive money from anybody for the purposes of a bet?—No.

161. Unless it causes an obstruction?—Unless it causes an obstruction.

162. Therefore, a constable has no right to interfere with a man who is receiving money as a bet in the public street unless he causes an obstruction?—Unless he causes an obstruction.

163. And the constable would have equally as much right to interfere with a Salvation Army officer who is preaching the Gospel, if he caused an obstruction, as he would with a man who is receiving money for bets?—Certainly, unless they obstructed.

164. And that is under a by-law of the city, is it not?—Yes, under a City by-law; and the Police Offences Act would also cover the case.

165. You do not question the statement that there is betting going on in the street in Wellington?—No.

166. What you do say is, the law does not allow a constable to interfere unless an obstruction is caused?—Yes.

167. I believe there have been cases, and there is one now pending, for betting in the streets?—Yes, the principal man was fined £2 for obstructing the footpath.

168. And steps have been taken to endeavour to detect the causes of obstruction by these people?—Yes.

169. As regards tote-shops: are you not continually instructing the men to keep this matter under notice?—Oh, yes, I have written to Detective Campbell frequently.

170. It is one thing to know this evil is going on—and it is admitted to be an evil—and another thing to be able to procure evidence?—It is indeed, Sir. If Mr. Taylor had to get up prosecutions he would agree with us.

171. Unless you are able to prove absolutely that a place is being kept for the purposes of betting, can you take any action?—Oh, no, you must prove it.

172. And then you must substantiate that evidence by seizure of documents, and so on?—The books are the principal thing—the principal evidence. Without the books and the entries in them you generally fail.

173. Books and memoranda going to corroborate any evidence that the police may have?—Yes.

174. It is suggested the detective officers might get statements from other people. Do you find the people who go and put money on racehorses with these tote-runners anxious to come and assist the police?—No, they clear away and escape from you.

175. And are they not equally as anxious to obstruct the police as the man himself who runs the tote-shop?—You will not get evidence from people outside.

176. *The Chairman.*] Have you reason to suppose that the people who make use of these shops, or walking-totes, are of one class in the community?—Of course we call them betting men. They are well-known to us.

177. There are a large number of private citizens who do business through these people?—Oh, yes.

178. There is a large amount of betting?—An immense amount of betting going on?

179. And it is run principally in the street?—The respectable people do not go into the street.

180. Is it done by letter?—I do not think it is done by letter.

181. How do you suppose it to be done then?—By street betting—going up to the man.

182. But that is in the street?—In the street, or wherever they meet them. There is no law to prevent betting in the street.

183. I want to know whether these men go to the shops to do it?—If we could find them in the shops we would have a chance of establishing a "place."