

JOHN TIMOTHY FOLEY: Examination on oath continued.

19. *Mr. Tunbridge.*] You were saying the system of dealing with reports appeared to be well understood. Do you mean the system which you alleged prevailed at this time when your particular report was being dealt, or generally the system of dealing with the report in the Police Force?—What I meant to say was that it is admitted that this is the way that men have been dealt with.

20. You do not wish it to be understood by the Commissioners that one case would constitute a system?—I believe such has been the system, and I believe it will come out later on.

21. Do you know of any other case that has been dealt with in this way?—I will say No.

22. Do you know what is the correct system of dealing with reports in the Police Force? Do you not know that officers are usually called upon to report: in fact, there is only one proper system of dealing with reports against constables so far as you know?—Well, in a case of this sort, it is an extraordinary case.

23. I want to know if you are aware of the proper system that prevails in the Police Force of dealing with defaulters?—The system in some cases is to take the evidence, not on oath, against the constable in the presence of the constable.

24. And is a constable given an opportunity of cross-examining?—So far as I know, that is the case.

25. And the constable is allowed to make any statement in reply to the witnesses?—Yes.

26. At the time these girls were found with the Chinese, is it not a fact that at that time a number of girls were brought up under the Vagrant Act, and fined for associating with prostitutes? Not at that time, but a considerable time afterwards.

27. Has it not been the rule when girls under fifteen have been found associating with Chinese they have been brought up as vagrants and sent to industrial schools?—That is the only case in this city that I have ever known. I know of no others.

28. *Inspector Pender.*] You have been telling the Commissioners about not getting a chance to defend yourself?—Yes.

29. You told the Commissioners yesterday that it was ten days after the Commissioner's decision was made that you first got notice that you had been reprimanded?—Not a word for ten days.

30. You were informed on the 11th of the Commissioner's decision, three days after he decided?—Yes.

31. You said you did not receive information until ten or twelve days after?—I mean after I made my complaint. I received information on the 11th, and on the 12th I applied for a hearing.

32. What further inquiry did you want?—In the usual way, by the Commissioner, and evidence to be taken. I made an application.

33. You wanted me brought before the Commissioner, and the thing investigated there?—Just so.

34. When you saw, as you thought, you were not fairly dealt with why did you not apply to the Minister of Justice to have the papers sent on?—So I did; but according to the regulations there is nothing which permits me to correspond with a Minister.

35. Instead of doing that you went to a private individual?—Well, there was no other course open to me.

36. You could have sent it to the Minister, could you not?—It was contrary to the regulations so far as I knew. In fact, the Inspector or the Commissioner has the option of bringing a constable before the civil Court, but the constable has not that privilege.

37. Previous to making this report about me insulting you, and so on, did not several of the men try to persuade you not to do so?—One of them.

38. Did not six or seven try to persuade you not to make such a report?—The sergeant told me, "If you make that report you will do a serious injury to yourself."

39. What sergeant?—Sergeant O'Malley.

40. He was not in charge; did not several of the constables speak to you about it?—No.

41. Will you swear that?—Yes. He tried to persuade me; but I felt very much annoyed, but I never thought it would go as far as it did. But, of course, when it went so far I was not going to back out of it.

42. You heard just now what I wrote on your application to Mr. Tunbridge a few days ago; does that show animosity on my part against you?—Well, of course, if you had said anything else I would have an opportunity of mentioning the reason.

43. Does that show animosity?—No; but, as I say, had you mentioned anything else I would have referred to it as the reason.

44. I could have sent your application on without saying anything, but instead of that, did I not do what I considered justice to you?—I do not think you could have said anything against me.

45. *Colonel Hume.*] I suppose you do not expect to be treated better nor worse than another constable in the Force?—I look for no better.

46. Under what rule is it that you demand the Commissioner should hold an inquiry?—The regulations.

47. What regulation?—No. 69.

48. Have you ever been in any service or heard of any service where the Judge adjudicates on his own actions?—Except in cases of contempt of Court.

49. What I want to get at is, would you have been satisfied with the decision if it had gone against you?—I certainly would not.

PETER PENDER was examined on oath.

50. *The Chairman.*] Will you tell us what you wish to say?—On the day in question I was attending the Court, which was held by Justices in the jury-room—a small place—and the