

necessitated his dismissal he perjured himself deliberately?—I do not think that is shown. I also stated, I think, that he had a clean defaulter's sheet since June, 1890. There is a report here from the *Auckland Star* of the 20th April, 1896, in which the Magistrate, Mr. Northcroft, in giving his decision in regard to the alleged Sunday trading which happened at the Rising Sun Hotel, commented at some length on the fact that Constable Russell was found in the hotel on the night in question. The case was dismissed.

6. *Colonel Pitt.*] Can you say whether the inquiry was an inquiry on oath or not?—There was a trial for Sunday trading.

7. *Mr. Taylor.*] What I want to know is whether the inquiry which resulted in Russell's dismissal was on oath?—The witnesses do not appear to have been sworn.

8. Will you read Constable Russell's statement at that inquiry?—It is as follows: "I would prefer making my statement before the other constables are called as witnesses. With regard to the reported theft from Bennett, it was reported to me by telephone, and up to the time of the arrest of the boy I never saw Mr. Bennett, and never saw him up to the time I saw him in the hotel on the 5th instant, and I did not know his name. I saw the man several times in the street before, but never knew who he was until Sergeant Gamble took his name. With reference to my brother, I was that confused at the time when Sergeant Gamble spoke to me that I believe I cannot tell what I said. My reason for being so excited was Sergeant Gamble accusing me of having drink, which I denied. That is the only thing I can remember. That is all I wish to say.—G. T. RUSSELL, constable.

9. That is his complete statement?—I do not know whether he said anything more or not. He did not give any more evidence.

10. *The Chairman.*] What was the allegation against him?—He was in the Rising Sun Hotel at 11.30 on Sunday night and the sergeant found him there. Well, there was a man in there and the sergeant asked the constable who he was, and the constable said he did not know, and the man turned out to be his brother-in-law.

11. Did he deny the allegation that he was in the house?—No.

12. *Mr. Taylor.*] The question I want to put to you, Colonel Hume, is this: In view of the very responsible duty that a constable has to discharge towards the public, do you think that the reappointment of this man was in the public interest, seeing he had been drinking in an hotel after hours, and had denied his relationship as he did; is it not exceedingly dangerous, seeing the manner he was discharged?—I am not one of those who think a man should never have a second chance. This man had served in the Force without a slip from the 12th June, 1890. He was promoted to second-class rank on the 1st July, 1893, clearly showing he was giving satisfaction then; and I knew that after being dismissed he had taken the pledge and was keeping it. I have known cases where men have been brought back after making a slip and have performed their duties very much better than they did before.

13. Have you the papers of Constable Gantley, who has been acting as plain-clothes constable in Wellington?—Yes.

14. When did he join the Force?—On the 24th August, 1885.

15. What was the cause of his transfer from Wellington to Christchurch?—I considered it in the interests of the service.

16. Will Colonel Hume tell the Commission what the immediate cause of the man's transfer was; I want the actual cause, and I think the Commissioners are entitled to have it?—I will give you one cause; there are several. I thought his tongue was too big for his mouth for a plain-clothes constable. He talked too much.

17. I should like another cause?—Well, I did not know how to deprive him of being a plain-clothes constable in Wellington, that is, to send him back to uniform, so I transferred him, and sent an order down that he was not to do plain-clothes duty.

18. Now, was there not a definite charge made against Gantley that was the real cause of his removal?—There is no charge on the papers.

19. Does Colonel Hume remember that he was charged with exhibiting obscene pictures in a bar in Wellington?—I do not think he was ever charged with it. There was a report; but, so far as I remember, the case was looked into by the Inspector here. There was nothing obscene about the exhibition, but I think Gantley showed the photograph of some criminal in a bar, as he said he wanted to see if anybody there had seen such a person.

20. Was that matter investigated by the Inspector?—I think so.

21. By Inspector Pender?—Yes, it would be Inspector Pender, but I am not quite sure. There may be papers in the office.

22. Did not Gantley object to his removal?—Yes; they always do.

23. In his letter of complaint, does he not refer to the charges made against him?—His letter is as follows:—

Police Station, Oamaru, 22nd June, 1896.

REPORT of Constable James Gantley, relative to his transfer from Wellington to Oamaru:—

I respectfully beg to report that I have been in the police over eleven years, and during the last four years have performed plain-clothes duty in Wellington. On my arrival at Oamaru I was put on street duty. As I was not reported or in any way found fault with, as far as I know, I would respectfully ask if I am to continue at street duty, and, if so, I would ask to be removed to one of the four large centres, as I have a good knowledge of my duties and of the criminal class, and am willing to perform them to the entire satisfaction of my officers. I would also respectfully say that during the time I have been employed in plain clothes I would point out that I have a record which would favourably compare with the work of any detective in the colony, a record of which I append for three years in the City of Wellington, not including Wanganui, New Plymouth, and the Palmerston and Wairarapa districts, and I feel aggrieved at being removed without having committed myself in any way, as my defaulter's sheet will compare favourably with any constable that has had to perform duty in large towns for the length of service. Hoping that this will meet the consideration of the Commissioner, as I am now put to the expense of £7 to procure uniform.

JAMES GANTLEY, Constable No. 479.