

1898.
NEW ZEALAND.

POLICE FORCE OF NEW ZEALAND

(REPORT AND EVIDENCE OF THE ROYAL COMMISSION ON THE).

Laid on the Table of both Houses of the General Assembly by Command of His Excellency.

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(REPORT AND EVIDENCE OF THE ROYAL COMMISSION ON THE).

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COMMISSION.

RANFURLY, Governor.

To all to whom these presents shall come, and to ALBERT PITT, Esquire, a Barrister, JOSEPH WILLIAM POYNTON, Esquire, a Stipendiary Magistrate, and HERBERT SAMUEL WARDELL, Esquire, a Stipendiary Magistrate: Greeting.

WHEREAS allegations and statements have been lately made from time to time respecting the administration, efficiency, and control of the Police Force of the colony:

And whereas, in view of the public importance of the matter, both as regards the public and the members of the Police Force, it is expedient that full inquiry should be made into the several matters hereinafter mentioned:

Now, therefore, I, Uchter John Mark, Earl of Ranfurly, the Governor of the Colony of New Zealand, in pursuance and exercise of every power and authority enabling me in this behalf, and by and with the advice and consent of the Executive Council of the said colony, do hereby appoint you, the said

ALBERT PITT,
JOSEPH WILLIAM POYNTON, and
HERBERT SAMUEL WARDELL,

to be Commissioners for the purpose of inquiring into the several matters and things hereinafter mentioned and referred to, that is to say,—

1. The general organization, distribution, control, and enrolment of the Police Force of the colony as it now exists in its several branches, and the discipline and efficiency thereof, and in what respect the said Force, or any part thereof, could be better recruited, organized, controlled, or made more efficient.

2. The pay, emoluments, and rewards of the said Force, including any provision for superannuation or retirement therefrom, and the allowance of compensation thereon; and to make suggestions as to all or any of these matters, or in respect of allowances to be made to members of the said Force in case of illness or accident while in such Force, or by way of compassionate allowance to their wives or families in case of death.

3. As to the general conduct, sobriety, and morality of the members of the said Force, and the alleged failure of the said Police Force to maintain order and enforce the laws of the colony.

And you are hereby directed to inquire into the said several matters aforesaid, at such place or places in the colony as you may think fit, by all lawful ways and means, subject to the terms of these presents :

And, for the purpose of such inquiry, you are hereby empowered to summon and have before you and examine on oath or otherwise, as may be allowed by law, all witnesses or other persons whom you may judge capable of affording you any information upon or in respect of the said several matters of inquiry hereinbefore mentioned, or any matter or thing arising thereout or connected therewith :

And also to have before you and examine any books, writings, records, or documents whatsoever which you shall deem necessary for your information in the premisses :

Provided that no inquiry shall be held by you into any matter or thing which has already been investigated and determined before any judicial or other lawfully constituted tribunal, or where any member of the Police Force has been dismissed from the service, or whose services have been dispensed with in consequence of his misconduct or for any other reason :

Provided also that if any allegation or statement is made before you which relates to or affects the personal conduct of an individual member or members of the said Police Force, you shall not enter upon any inquiry in respect thereof until the person so affected has had at least twenty-four hours' notice in writing of such allegation or statement, giving such particulars of time, place, and circumstances thereof as you shall deem sufficient ; full opportunity being afforded to any such person to cross-examine any witness giving evidence against him, and to call any evidence in reply which he may think fit.

And I do also require you, not later than the thirtieth day of April, one thousand eight hundred and ninety-eight, or as much sooner as the same can conveniently be done (using all diligence), to report to me under your hands and seals your proceedings herein, and your opinion touching the several premisses.

And I do further declare that this Commission shall continue in full force and virtue, and that, subject to these presents, you, the said Commissioners, shall and may from time to time proceed in the subject-matters thereof as you shall judge expedient, and that your powers and functions hereunder shall continue in full force, notwithstanding that the inquiry hereby directed may not be formally adjourned.

And, lastly, it is declared these presents are subject to the provisions of "The Commissioners' Powers Act, 1867," and its amendments.

Given under the hand of His Excellency the Right Honourable Uchter John Mark, Earl of Ranfurly ; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George ; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies ; and issued under the Seal of the said Colony, at Christchurch, this fourth day of February, in the year of our Lord one thousand eight hundred and ninety-eight.

R. J. SEDDON.

Issued in Executive Council.

T. H. HAMER,
Acting-Clerk of Executive Council.

R E P O R T,

To His Excellency the Right Honourable Uchter John Mark, Earl of Ranfurly,
Knight Commander of the Most Distinguished Order of Saint Michael and
Saint George, Governor and Commander-in-Chief in and over Her Majesty's
Colony of New Zealand and its Dependencies, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the Commissioners appointed by your Excellency's Letters Patent of the 4th day of February, 1898, to inquire into the several matters and things hereinafter mentioned and referred to, that is to say,—

- (1.) The general organization, distribution, control, and enrolment of the Police Force of the colony as it now exists in its several branches, and the discipline and efficiency thereof, and in what respect the said Force or any part thereof could be better recruited, organized, controlled, or made more efficient:
- (2.) The pay, emoluments, and rewards of the said Force, including any provision for superannuation or retirement therefrom, and the allowance of compensation thereon; and to make such suggestions as to all or any of these matters, or in respect of allowances to be made to members of the said Force in case of illness or accident while in such Force, or by way of compassionate allowance to their wives or families in case of death:
- (3.) As to the general conduct, sobriety, and morality of the members of the said Force, and the alleged failure of the said Police Force to maintain order and enforce the laws of the colony,—

have now the honour to report to your Excellency as follows:—

The scope of our inquiry has necessitated our visiting so many parts of the colony, and the hearing of so many witnesses, that we found it impossible to submit our report at the time originally appointed. We therefore applied for and received from your Excellency an extension of the time for presenting it.

In view of the great public interest in the matter of our inquiry we deemed it advisable to admit the Press and public to our sittings, and to give all parties desirous of bringing any matter under our consideration, or against whom any complaint was made, the right to appear by counsel, and advertised the arrangements in all the daily newspapers of the colony.

The opportunity thus afforded was taken advantage of to lodge complaints of a more or less serious character against individual members of the Police Force of all grades, and to make charges of maladministration, negligence, and general inefficiency against the Force as a whole.

Many of the complaints and charges so preferred have on investigation proved to be of a very trivial character, but nevertheless a considerable time was occupied in their investigation, and a large amount of evidence taken which swells the bulk of the records we have to submit to your Excellency, while others were of an important character, and will be commented on in this report.

In the early part of our inquiry we took evidence of matters forming grounds of complaint against the Police Force which occurred subsequent to the date of our Commission, but afterwards, having held that our inquiry was limited to that date, we refused to receive evidence on such matters.

PART I.

Organization.

At the passing of "The Abolition of Provinces Act, 1875," there existed a Police Force in each province, under the control of the Provincial Executive, enrolled under "The Constabulary Force Ordinance, 1846," and Armed Constabulary Acts of 1867 and 1869.

No alterations in the law governing the Force took place until the passing of "The Police Force Act, 1886," which is still in operation, and which controls the administration of the Force. By section 17 of that statute it is provided that all officers and constables enrolled under the Armed Constabulary Acts of 1867 and 1869, and serving as a Civil Police Force, shall be deemed to have been duly appointed to the Police Force constituted under "The Police Force Act, 1886." By sections 2 and 3 of the said Act the appointment of officers and constables, and by section 11 the employment and distribution of the Force, rests with your Excellency, while by section 10 the power to dismiss constables is given to the Commissioner of Police. The control of the Force is therefore with your Excellency, acting by the Minister in charge of the department, the Commissioner of Police, while possessing certain powers under the Act and exercising a limited authority in certain departmental matters, being really in the position of an Under-Secretary.

Strength.

The total strength of the Force of all classes, exclusive of district constables, for the years 1891–98 was as under:—

	1891.	1892.	1893.	1894.	1895.	1896.	1897.	1898.
Inspectors ...	12	7	7	7	7	6	7	7
Sergeants ...	62	60	53	55	51	51	45	56
Detectives ...	14	14	14	13	13	13	12	16
Constables ...	404	401	407	410	416	404	452	457
Totals ...	492	482	481	485	487	474	516	536

Distribution.

The distribution of the Force in the colony on 31st March last was as follows:—

Police District.	Inspectors.	Sergeants.	Constables.	Detectives.	Total.
Auckland ...	1	10	91	5	107
Napier ...	1	4	37	1	43
Wanganui ...	1	3	32	...	36
Wellington ...	1	9*	80	4	94
Nelson and Westland ...	1	6	33	...	40
Christchurch ...	1	9*	91	4	104
Dunedin ...	1	15	93	2	111
	7	56	457	18	536

* Including one sergeant-major.

The Force was distributed in the districts as follows:—

Districts.	Inspectors.	At Head Station.		Detectives.	Number of Out-stations.	At Out-stations.	
		Sergeants.	Constables.			Sergeants.	Constables.
Auckland ...	1	4	39	5	52	6	56
Napier ...	1	1	8	1	27	3	29
Wanganui ...	1	1	5	...	21	2	27
Wellington ...	1	5	34	4	30	4	46
Nelson and Westland ...	1	1	5	...	21	5	28
Canterbury ...	1	4	32	4	36	5	59
Dunedin ...	1	5	29	2	49	10	64

There are 110 mounted men included in the number of constables given above, of whom eleven are at head stations and ninety-nine at out-stations.

Each rank is divided into three classes, the number of each of which was, on 31st March last, as follows :—

	First Class.	Second Class.	Third Class.
Inspectors	6	1	1
Sergeants, including two sergeants-major	24	14	18
Constables	126	115	216
Detectives	4	4	3

Rank and Service.

The service of each rank on 1st February, 1898, is shown in following table :—

Ranks.	Under 1 Year.	1 Year to 2 Years.	2 Years to 3 Years.	3 Years to 4 Years.	4 Years to 5 Years.	5 Years to 6 Years.	6 Years to 7 Years.	7 Years to 8 Years.	8 Years to 9 Years.	9 Years to 10 Years.	10 Years to 15 Years.	15 Years to 20 Years.	20 Years to 25 Years.	25 Years to 30 Years.	30 Years and upwards.	Total.
Inspectors—																
First-class															5	6
Third-class													1			1
Sergeants-major														1	1	2
Sergeants—																
First-class													4	6	8	18
Second-class												2	6	4		12
Third-class												7	11	6		24
Constables—																
First-class											4	34	45	11	7	101
Second-class	1		1				1	2	1		35	62	4	7		114
Third-class	68	31	31	12	21	11	8	17	19	10	12					240
Detectives—																
First-class												2	1	1		4
Second-class												1	2			3
Third-class										3						3
Fourth-class							2	1	1		1					5
Total	69	31	32	12	21	11	11	20	21	13	53	107	74	37	21	533

District Constables.

In addition to the regular Police Force, of which the numbers have been given, there are fifteen district constables, six of whom are in the Auckland, three in the Wellington, two in the Nelson, and one in each of the other districts. These men are residents in localities where there is no regular police officer, who have been sworn in as constables, and who receive a small salary in respect of their being occasionally called upon to perform local police duty. They wear no uniform, are not liable to be transferred, and are under but little supervision. They are useful in the absence of regular police, but are regarded as a "make-shift," and will disappear as settlement advances, and the Force becomes strong enough in numbers to supply their places with trained constables.

Increase of Strength necessary.

The department has not kept pace with the growth of the colony in population and settlement, and to meet present requirements a considerable increase of the strength of the Force is necessary, notwithstanding that sixty men have been added to it during the last two years.

In each of the large towns the number of constables on street duty is, in the opinion of the local Inspectors, below the requirements, while there is no reserve to fill temporary vacancies caused by men being employed on special duty, such as the escort of prisoners from place to place, attending the Courts, races, and other public gatherings, absence on leave and sickness; these and many other matters reduce very seriously the number of constables available for ordinary street duty, so that the "beats" in the cities are frequently unfilled.

The evidence shows it not to be an unusual circumstance for the number of constables on street duty to be about half the number required to occupy the beats of the cities; indeed, in all the towns we visited we heard of the beats not being filled.

It is absolutely necessary for efficient police supervision that the beats should not be too large, and that they should be occupied, and to secure this there ought to be a reserve of at least ten men and one sergeant at each of the four chief towns; and to meet the requirements of the smaller towns and country districts not less than ten additional men should be at the disposal of the Commissioner to be located as he may deem advisable. There are some suburban districts with from five hundred to a thousand inhabitants having no constable within miles of them.

The detectives in the Force are fairly capable men, but their number at some stations is insufficient.

Infirm Members.

There are in the Force aged and infirm men who have reached the stage at which they are no longer efficient, but who are apparently retained because those in command of them have been unwilling to take action which would result in their being removed from a position on which they depend for their living. The regulation, No. 10, by which officers were required to retire at the age of sixty-five, and other members of the Force at sixty, having been revoked in 1888, retirement at a given age is not now compulsory, and in the absence of any retiring-allowance men hold to their office as long as possible. A compassionate allowance is made in cases of men declared by a medical Board unfit to be retained in the Force, and also under some special circumstances, but no right to it exists.

Comparative Strength in Australian Colonies.

The proportion of police to population in this colony, compared with that of the neighbouring colonies, as exhibited in the following table, gives weight to our opinion that the Force in this colony is below efficient strength:—

New Zealand	...	...	...	...	...	1 to 1,435
South Australia	...	...	...	...	...	1 " 1,100
New South Wales	...	...	...	...	...	1 " 702
Victoria	...	...	...	...	...	1 " 833
Queensland	...	...	...	...	...	1 " 578
Western Australia	...	...	...	...	...	1 " 335

From the figures given of the strength of the Force from 1891 to 1898 it will be seen that the number of sergeants was gradually reduced from sixty-two in 1891 to forty-five in 1897.

Promotions.

The return of promotions, which will be found in the Appendix, shows that during the years 1891 to 1897 only one constable was raised to the rank of sergeant, while promotion from class to class was very slow. In some cases promotion was barred by records upon the constable's defaulter's sheet of trivial offences committed many years before, the result of inquiries conducted in a manner which placed the constable at a great disadvantage. The effect of this has been to greatly discourage the men, produce discontent, and reduce to a minimum the *esprit* of the Force.

Transfers.

While there has been so little promotion, there have been necessarily many transfers from station to station, many of which were not acceptable to the men concerned, while others had been eagerly sought for.

Outside Offices.

Many offices under the Government and local bodies which impose duties outside those of a police officer are held by constables at out-stations, the emoluments of which vary considerably, as do also the conveniences and expenses of life at different stations; consequently strong efforts are made to secure the better stations, success in the obtaining of which gives rise to jealousy and dissatisfaction, founded on a suspicion that unfair means have been resorted to to obtain them.

The holding of these offices puts the constable in the position of having to serve many masters, while the work interferes at times with his police duties. These offices are as follows:—

UNDER GENERAL GOVERNMENT.

Clerk of Magistrate's Court.
 Clerk of Warden's Court.
 Bailiff.
 Receiver of Gold Revenue.
 Mining Registrar.
 Agent of Public Trustee.
 Registrar of Births, &c.
 Registrar of Electors.
 Inspector of Factories.
 Inspector of Weights and Measures.
 Labour Agent.
 Collector of Statistics.

UNDER LOCAL BODIES.

Clerk of Licensing Committee.
 Registrar of Dogs.
 Inspector of Nuisances.
 Poundkeeper.
 Ranger.
 Inspector of Slaughterhouses.
 Inspector of Kerosene-stores.

It is objectionable, for many reasons, that constables should hold these offices, and is only excusable on the ground that, the constables being paid less for the work than any one else would be, it is economical. There are, however, localities, in which a constable is stationed for special reasons, where, but for these offices, he would have but little to do, and the objection to them being held does not so strongly apply. We are of opinion that the office of Clerk of Court should not be held by a constable where the civil complaints exceed, say, one hundred in number for a year, on the ground that it must interfere with his police duty.

Connection between Police and Permanent Artillery.

A close connection exists between the Civil police and the Permanent Artillery from the fact that members of the latter body, on joining the police, have to answer in the affirmative the question, "Are you willing to undergo a course of ten days' drill annually?" For two years an effort was made to keep up this drill, but it was found to interfere so seriously with police arrangements that it has been discontinued. The Commander of the Forces informs us that, although he has on two occasions called for the Permanent Artillerymen in the Police Force to appear for drill, they have not been able to do so as they could not be spared. In some instances, under the supposed authority of section 75 of "The Defence Act, 1876," members of the Permanent Artillery have been employed on ordinary police street duty—a duty for which they are quite untrained. We think it very important that the respective duties of the two bodies should be clearly defined.

Discipline.

We find a considerable want of that strictness of discipline which is essential in a Force such as the police. This is evidenced by the demeanour and behaviour of men more or less in all the districts, but we were more struck with it at Christchurch, Napier, and Auckland. Throughout the colony we observed a bad habit which the constables have of gossiping while on beat duty. This want of discipline is probably attributable to a great extent to the want of efficient supervision by sergeants—a class until quite recently very much below, and still below, the number required—and to the large number of young untrained constables in the Force. In Auckland the senior constable of ten on night duty for a month was one of just two years' service.

Young constables newly enrolled are placed upon street duty without preliminary training. For a time a constable of longer service accompanies the new man on his beat, but this training is insufficient. By circular of the 30th April, 1896, an order was given that all constables available should be instructed and catechized weekly by non-commissioned officers on subjects appertaining to police duties, and that Inspectors should themselves give a lecture monthly to all their subordinates available, and catechize them on the duties they have to perform, but this instruction has not been carried out in a systematic manner. The nearest approach to a proper execution of the order has been in Wellington. The result is that important and responsible duties are intrusted to inexperienced men not trained to perform them.

Political Influence.

There undoubtedly existed until very recently a strong feeling in the Force, and it probably still lingers, that to secure promotions or appointments to a good station—that is, one at which the emoluments for extra duties are considerable, the cost of living low, and the quarters good—it was necessary to have recourse to influence outside the Police Department,

and that, in order to reach the Minister at the head of the department, it was desirable to obtain the assistance of some member of the Legislature or friend of the Minister; and, acting on that opinion, this influence has been resorted to in many cases. The practice is not of recent origin—it has been in existence more or less since the abolition of the provinces, and under successive Ministries.

The influence thus invoked, so far as our inquiries have enabled us to ascertain, has been exercised more frequently with a view to remedy a supposed wrong or injustice than to obtain special favour in the way of preferment, and without much success; but that it has been used with both objects is established by the evidence we have taken. In no case, however, has it been proved that political services were urged or suggested as the ground for consideration or preferment. In the majority of the cases which have come under our notice the Minister appealed to has replied firmly that the arrangements of the department could not be altered. In a few cases only the concession asked for was granted.

The late Commissioner (Colonel Hume) has informed us that letters marked "Private" are not put on the file, but are usually destroyed, and are therefore not produceable. We can, consequently, form no opinion as to the extent to which influence used in this way may have been successful in securing the advancement of members of the Force. That such influence has been used we can have no doubt—it is used in every service and every State.

As illustrative of the point to which reliance upon support from outside the department has reached, one Inspector (Pardy) stated that a constable had told him that he had sufficient influence to overrule him and the Commissioner too; and a member of the Legislative Council told us that he had been many times applied to by policemen and their friends for his assistance, and had written or wired to Ministers about them; he also stated to us that on one occasion a constable had taken two telegrams already written and addressed to the Minister or to the Commissioner for his signature, and that he had signed one of them: he added that it did not secure its object.

The promotions made during the latter part of last year and the beginning of this year have done much to create a more contented and hopeful spirit in the Force, and we have no doubt will tend to destroy the feeling that outside influence is necessary for advancement.

It is of the highest importance, in order to secure efficiency and proper discipline, that this feeling should cease to exist, and that men should realise that promotion depends on their efficiency and the good opinion of their own officers, and it should be regarded as the duty of all prominent men, politicians especially, to abstain from using their influence on behalf of members of the Force, and not encourage them to break one of the Police Regulations, and so expose themselves to punishment; but so long as the internal affairs of the Force are under the personal control of a Minister it is probable the influence referred to will be brought to bear upon him.

Alleged Sectarian Influence.

It has been stated in evidence before your Commissioners that members of the Force of the Roman Catholic faith are in charge of the majority of the out-stations, and it has been suggested that they have been favoured by Inspectors of that creed. The returns show that 101 Roman Catholics are in charge of out-stations, and 134 Protestants. The suggestion that the members of the Roman Catholic Church have been specially favoured appears to us to be unsupported by facts.

A large proportion of those who joined the Force many years ago, and who are now in charge of stations, were men who had been members of the Irish Constabulary, who in process of time have become senior members of the Force and are numbered amongst its most efficient constables. Of the Inspectors four are Roman Catholics and three Protestants. The proportion of Roman Catholics holding stations is 42·9 per cent., while the percentage of Roman Catholics in the Force is 41·6.

Efficiency as shown by Crime Returns.

Notwithstanding all that we have referred to, the work of the police has been fairly satisfactory in the detection of crime and preservation of order.

As bearing on this subject, we submit for your Excellency's information a statistical analysis of the annual returns, showing in tabular form the proportion of persons sum-

moned or apprehended to the number of crimes reported during the last eleven years. It is obvious that such proportion, if the figures are correct, will reveal the efficiency of the police from year to year :—

Year.	Total Number of Crimes reported in each Year.	Number of Persons summoned or apprehended.	Percentage of Persons summoned and arrested to Crimes reported.	Population of Colony.	Proportion of Police to Population.
1886	18,135	17,000	93·7	635,215	1 to 1,265
1887	17,752	16,500	92·9	646,913	" 1,328
1888	12,897	11,854	91·9	652,125	" 1,347
1889	12,945	11,885	91·8	664,855	" 1,346
1890	13,115	12,177	92·8	668,353	" 1,375
1891	12,674	11,748	92·6	675,775	" 1,401
1892	13,153	12,187	92·6	692,426	" 1,439
1893	13,165	12,100	91·1	714,258	" 1,472
1894	13,530	12,100	89·4	728,121	" 1,495
1895	14,010	12,435	88·7	740,699	" 1,530
1896	14,673	13,171	89·7	754,016	" 1,461
1897	15,219	14,042	92·2	768,910	" 1,435

This table shows that the proportion varies but slightly annually. On the whole there has been a slight decrease in the proportion of persons summoned or apprehended to the number of reported offences. It must be observed that during the same period the proportion of police numerically to the population decreased to a much greater degree until the year 1895, when it reached its lowest point. It is clear that the number of detected crimes compared with the number of those reported, all other things being equal, varies as the strength of the police to the population. In 1886 the proportion of persons summoned or apprehended to the number of reported offences was 93·7 per cent., and in 1895 it was 88·7 per cent. In the former year the proportion of police to population was 1 to 1,265, and in the latter year 1 to 1,530, being a large decrease. Making allowance for this, we cannot find that there has been a falling-off in the efficiency of the Police Force during the period covered by these figures.

By circular No. 18, 1888, officers in charge of districts were directed, when compiling annual returns, to include only those offences for which persons had been or were liable to be arrested, and omit those relating to breaches of by-laws of local authorities, breaches of the Licensing Acts, Rabbit Nuisance Act, &c. If particulars of these cases had been continued in the returns the percentage of persons summoned, &c., would have been greater than appears on the annual table. These returns should show the number of cases under the Licensing Acts, and give particulars for each district as well as for the whole colony.

RECOMMENDATIONS.

After careful inquiry into the present condition of the Police Force, its organization, emoluments, and control, and into the several matters and things connected therewith referred to us by your Excellency's Commission, we submit the following remarks and suggestions as the result of a careful consideration of the evidence given before us and the suggestions made by a large number of members of the Force of all grades, and of various terms of service, speaking for themselves or as delegates of men with whom they serve :—

Control.

The control of the Force being, as we have stated, given to your Excellency by the statute already quoted, it becomes a department under the charge of your Excellency's Ministers. The effect of this has been, in our opinion, to give rise to the desire which we have stated exists in the Force to get behind the officers of the department at the Ministerial head, and has led to that resort to political influence which has caused so much dissatisfaction to the men and to the executive officers of the department,

It appears scarcely necessary that the attention of a Minister of the Crown should be occupied with the internal arrangements of the Police Force, and we submit with all deference that in our opinion the Commissioner of Police, while controlled by the Minister as to expenditure and responsible to him, should have absolute authority as to all appointments, promotions, transfers, dismissals, and distribution of the Force.

The Commissioner of Police, to be intrusted with the powers we are proposing, should be a man of police experience and qualified for the office, and we are of opinion that in the present Commissioner of Police the colony has an officer admirably suited for the position.

Mr. Tunbridge, the present Commissioner, having attended the sittings of the Commission throughout the colony, has had an opportunity of forming an estimate of the individual character of a majority of the members of the Force, and of becoming acquainted with their various grievances and aspirations for the benefit of the body to which they belong, which must be of great value to him.

Districts.

A map showing the police districts will be found in the Appendix.

We recommend that the boundaries of the Districts of Nelson and Westland should be altered so as to include that portion of Marlborough now forming part of the Wellington District, and that the headquarters of the district should be at Nelson instead of Greymouth, as at present; and that Kawhia, which is at present included in the Wanganui District, should form part of the Auckland District, and that the headquarters of the Wanganui District should be removed from New Plymouth to Wanganui. We are informed that the Wanganui headquarters was established at New Plymouth in consequence of Native troubles in the neighbourhood of Parihaka, but no reason appears to your Commissioners for the continuance of that arrangement. We consider that Palmerston North and the present out-stations adjacent thereto, all which now form a part of the Wellington District, might well be added to the Wanganui District. The City of Wellington, with its rapidly increasing population and its other out-stations, will furnish full employment for the Inspector, sergeants, and men of that district. The alterations now proposed will, in our opinion, conduce to the more efficient working of the districts affected by them.

The districts of Auckland, Wellington, Christchurch, and Dunedin each cover a very large area, and the duty of visiting the numerous out-stations necessitates frequent and, occasionally, long absence of the Inspector from headquarters. At such times the local charge is shared by a sergeant and the district clerk, although he may rank only as a constable. This is inevitably attended with loss of discipline and efficiency.

Sub-Inspectors.

With a view to remedy this, we suggest the appointment of a class of Sub-Inspectors, at a salary of £250, one of whom should be stationed in each of those districts. These officers would be qualified and fitted to inspect the out-stations or take charge of headquarters in the absence of the Inspector, and would be available for relief duty in cases of emergency.

Sub-Districts.

We are aware that Mr. Commissioner Tunbridge has initiated a system of sub-districts, each comprising several out-stations, each sub-district to be under the charge of a sergeant. We strongly advise that this system should be carried out throughout the colony. It appears to us a convenient way of securing the frequent inspection of out-stations, without which no satisfactory discipline and efficiency can be secured.

Retirements.

For the sake of the efficiency of the Force it is desirable that the retirement of constables and sergeants at the age of sixty years should be compulsory, and of Inspectors at the age of sixty-five years unless specially requested to retain office.

We do not consider it necessary or advisable that we should name the constables or sergeants whose services we consider should be dispensed with on this ground. The Commissioner of Police, having accompanied us on our journey through the colony, personally inspected the men, and heard all the evidence adduced, is in a position to do this, and we recommend that his opinion be acted upon in the matter.

With regard to Inspectors, however, we find it to be our duty to make special recommendations.

The inquiries made at Napier have satisfied us that Inspector Emerson is no longer fitted to hold his office. With age he has lost the activity and energy of mind and body which are necessary for the proper discharge of his duty; his conduct of late has been in many respects unbefitting his position, and he has lost the necessary control of the men serving under him, and his services ought to be dispensed with.

Inspector Emerson, after having served with great credit in the Royal Irish Constabulary, joined the New Zealand Force in 1864, and has held the rank of Inspector since 1868. As an Inspector he has done good service in times of war and peace. We, taking all the circumstances into consideration, recommend that he be called upon to resign, and that on resignation he be granted such retiring-allowance as, having regard to the result of our inquiries at Napier, recorded in our special finding, concerning him, your Responsible Advisers may consider proper.

At Auckland and at Christchurch we found the discipline very lax, and a want of the close personal supervision and knowledge of the men which we consider essential on the part of the Inspectors.

Inspector Hickson has served as Inspector for twenty-six years, and has been a valuable and efficient officer, but by reason of age has lost the energy and capacity necessary for charge of such a district as Auckland, the area of which is very large and comprises fifty-two out-stations, some of which he has not visited at all and others but seldom during the five years he has been in charge of the district. In our opinion, with a view to the efficiency of the Force, Inspector Hickson should be called upon to resign, and on his doing so be granted the usual retiring-allowance.

Inspector Broham does not appear to us to have that interest in the details of his duties which is desirable, and, contrasting the state of efficiency and discipline of the Force in his district with that of Wellington and Dunedin, we are convinced that the fault is greatly due to the want of vigilant supervision by Inspector Broham, and we recommend that his attention be called to the necessity for more personal energy in the supervision of the men under his charge in town and country, and in the enforcement of the rules and orders regulating the Force.

Depot.

We recommend the establishment of a central depot at Wellington for the training of recruits for the colony. This is a matter which we regard as being of the highest importance. It is unfair to the constable as well as to the public that he should be put on street duty without preliminary training, as is now done. He is armed with much power, and his ignorant use of it may cause serious mischief to the public and himself. Fortunately, those cases which have been brought to our knowledge in which constables have so erred have not been of a grave character.

Enrolment.

Recruits should spend at least four months at the depot, and while there should be diligently trained in all matters relating to police duty by sergeants selected by the Commissioner for the purpose. The subjects in which they should be trained should include the law relating to police duties, functions, and powers, ambulance work and first aid, athletics, simple drill, and other matters ordered by the Commissioner. Ambulance instruction might be given by the police surgeon; no one to be received as a recruit unless he passes an educational test examination to be fixed by the Commissioner.

During the period of training recruits should be paid 4s. a day, with free quarters in barracks. They should not be enrolled as constables until they shall have passed a satisfactory examination. The details of such examination should be arranged by the Commissioner.

Depot training is the method adopted in the chief Police Forces of the Empire, and we regard it as essential to a good Police Force, and believe that with such a system as we now recommend the general efficiency and status of our Force would be greatly increased and the colony thereby benefited.

The system of enrolment established by Police Regulations Nos. 7 and 59 is that all vacancies in the rank of third-class constables shall be filled from the Permanent Militia exclusively, but this, not proving satisfactory, was modified by Order in Council of the 12th March, under which persons not serving in the Permanent Militia may be enrolled.

The departmental records show that a number of irregular appointments were made to the Force in contravention of the regulations limiting the selection of recruits to members of the Permanent Artillery. Most of them were made after it was found that this system had broken down.

There appears to have been no injustice done, as there were no men available at the time in that body who might have complained of being passed over.

The Commander of the Forces tells us that the system of enrolling men for the police from the Permanent Artillery is most unsatisfactory from his point of view, as it deprives the Military Force of many of its best men, whom it has taken a long time to train, and the benefit of whose training is lost to the colony in consequence of their gun practice not being kept up. It was arranged that they should have ten days' drill annually, but they have not been able to attend in consequence of the extent to which it would weaken the Police Force; even if they did attend it would not, in his opinion, be sufficient to keep them up to the necessary standard of efficiency.

We recommend that the present connection between the Permanent Artillery and the Police Force should cease.

From a police point of view the Permanent Artillerymen are not the best recruits, they having for the most part acquired habits quite inconsistent with their new duties. We are of opinion that recruiting for the police should be from the general public and not from any military body; but, taking into consideration the fact that some men may have joined the Permanent Artillery with the view of entering the Police Force, we feel it would be right that the opportunity should be given them of doing so, and suggest that all who desire so to do should be called upon to send in their applications by a date to be appointed, after which none should be received. Their admission to the Police Force should be dependent upon the Commissioner of Police being satisfied as to their suitability. All applications for enrolment should be made to the Commissioner, who should direct inquiries into character and fitness to be made personally by a police officer of rank not below that of sergeant. No candidate should be enrolled under twenty years or over thirty years of age, and not unless the Commissioner be satisfied as to his personal fitness and educational qualifications.

We recommend that the present standard height of 5 ft. 9 in. be maintained, with a chest measurement of 38 in.

Detectives.

We consider it desirable that the present regulation limiting the choice of men for the detective branch to members of the Police Force should be abolished, and that the Commissioner should have the power to appoint any person he may consider suitable to be a detective notwithstanding he may not have served in the Force, provided he has passed the examination required to be passed by constables.

The Commissioner should have power to appoint any detective to be Chief Detective at any station.

Promotions.

Promotions from the rank of constable to that of sergeant should be on the ground of personal fitness combined with efficient police service, and not on the ground of seniority alone. Seniority should be taken into consideration only when other things are equal. Cases of exceptional zeal and ability in the prevention or detection of crime, or special ability in other branches of the service, should be ground for this promotion; but no constable should be appointed a sergeant until he shall have passed an examination in the law of evidence and in the elements of criminal law. This examination should not be competitive.

All promotions should be absolutely at the discretion of the Commissioner, and notified in the *Police Gazette*.

We recommend the abolition of the rank of sergeant-major.

Abolition of Classes.

The existing division of each rank into classes has been the cause of much discontent and jealousy. Its object is to hold out a prospect of obtaining an increase of pay by promotion from one class to another in the rank to which the member of the Force belongs; but, in the absence of any rule governing these promotions, it has given rise to the greatest dissatisfaction. The abolition of classes, and an increase of pay with length of service, will

secure a uniformity of salary throughout the Force commensurate with length of service. We therefore strongly recommend that classes in all ranks be abolished.

Transfers.

The removal of police officers from one place to another is a necessity of the service; but we have found a difference of opinion on the subject of the advantage of frequent removals. Some of the witnesses have asserted that the longer a constable is at one station the better he becomes acquainted with the people and the greater his facilities become for the performance of his duty. On the other hand, it is represented that the familiarity and intercourse with the people arising from a long residence in small communities lead the constable into relationship with one section of the community, which generally results in partisanship, and he becomes identified with local squabbles, with the result that he is regarded as antagonistic to another section of the community.

It appears to us that a man in the position of a constable in charge of an out-station in a country place can hardly avoid forming alliances and acquaintances which tend against the efficient discharge of his duty, and that it is undesirable that any officer should remain in charge of any one out-station for more than five years.

There is another reason in favour of removals at as nearly as possible regular intervals, in the fact that there is a great diversity in the conditions of life at the various out-stations. At some there are good quarters, with pleasant surroundings and cheap living, while at others there are none of these. We have already pointed out the jealousy and envy with which officers who have been long in charge of the favourite stations are regarded by those who, though of equal service, find themselves for many years in stations where they are without any of the advantages possessed by their more fortunate comrades. Transfers at intervals of five years, or less in cases of particularly unfavourable stations, would give each officer in charge a share of the good and bad stations, instead of, as at present, men remaining at one station, good or bad as the case may be, fifteen or twenty years.

Frequent removals of course involve expense, but we are satisfied the expenditure will be for the benefit of the public and the Force.

There is a proper existing rule that the charge of stations shall be given only to married men, but we see no reason why a constable who becomes a widower, but who has grown-up daughters or a respectable woman as housekeeper, should not be allowed to retain charge of a station.

Uniforms.

We are of opinion that sergeants and constables should be supplied with uniforms free as in the case of prison warders. The charge upon the wages of sergeants and constables for the cost of their uniform is a very serious one, and we strongly recommend that their representation in regard to this contained in the evidence should be taken into consideration, and that they should be supplied with the following articles of uniform free, viz.: One tunic, one shako, two pairs trousers or pants, two pairs boots—annually; one mackintosh every second year; one overcoat every third year.

It is desirable that the number of the constable should be more conspicuous on the uniform, and we suggest that the number-plates now worn on the shako should be larger, and that the number should be embroidered on the tunic or in some other way made conspicuous: as now worn it is not.

Bicycles.

We recommend that the use of bicycles by the police should be encouraged, as they have been proved to be of great assistance in police-work. In suburban and country districts, where police are few and far between, they are of especial usefulness, and in some cases have been provided by constables in charge of stations at their own cost. It is desirable that in cases where they can be used with advantage they should be supplied, and that all machines, including those provided by constables and used on police duty, which may be damaged in the service should be repaired at the cost of the department.

Police Surgeons.

Police surgeons should be appointed by the department, at fixed salaries; they should attend sick constables and sergeants in barracks or other quarters within certain areas, and

give medical certificates in cases that require them. They should also attend police-cell cases when required, and render such other medical service as may be arranged in connection with a pension system or otherwise.

At present constables have to obtain certificates at their own cost, and are at times put to the expense of paying their medical attendants for repeated certificates of unfitness for duty when suffering from slight illness. Such certificates are often received with suspicion of malingering, which would no longer exist if the certificates were given by the police surgeon.

Medical attendance on sick constables and sergeants should be free, the usual deduction being made from their pay while on the sick-list, except in cases of injury received in the course of duty.

Inquiries.

There is a rankling sense of injustice felt by some constables owing to records of offences being on their defaulters' sheets, in respect of which they feel they have not had a fair trial. Some go so far as to say that they have not been aware of their records until the sheets were produced to your Commissioners. We are satisfied that in many cases the men have good grounds for complaint. Investigations were, a few years back, conducted in a perfunctory way, and the Inspector, in many instances, was the prosecutor and judge combined. But few instances of this have taken place in recent years; but that Inspectors not now in the Force have behaved in a despotic manner we have no doubt, and the evil results of their acts still remain. It is very desirable that there should be a feeling amongst the members of the Force that punishments are imposed only after a fair trial. We recommend that when an Inspector is conducting an inquiry the evidence should in every case be taken in writing, and signed by the witnesses; that a copy of the decision should be given to the sergeant or constable immediately after it is delivered; and that it should state, in the case of a conviction, whether or not it is to be recorded on his defaulter's sheet. Should the constable or sergeant desire to appeal against the Inspector's decision, he should have the right of appeal to the Commissioner. In the event of appeal the evidence should be taken on oath before a Stipendiary Magistrate, and forwarded to the Commissioner with a report by him on the case. This would give the Commissioner the advantage of having evidence taken on oath, and the case presented to him from the point of view of a man trained in the laws of evidence and wholly disinterested, on which to form his judgment, without in any way interfering with his discretion, as the final decision should rest with him.

The record of trivial offences on a constable's defaulter's sheet should be cancelled after five years' good conduct.

Retiring Allowance.

Although there is no allowance on retirement as of right, it has been the practice for years to grant to constables an amount not exceeding one year's pay as compassionate allowance. In the case of Inspectors, up to two years' pay.

Reappointment after Compensation.

Three cases have been brought to our knowledge where officers have retired on compensation and have been subsequently reappointed to the Force on the understanding that the amount paid to them should be refunded, but this has not been done.

It has been suggested that these men have been favourably treated by the department in being allowed to retain these sums.

In one case an Inspector (Moore) was, after being retired on compensation, readmitted to the Force as sergeant-major. The Minister telegraphed to him, "You are to be reinstated in the Police Force with rank sergeant-major. On first vacancy Inspectorship you to be promoted to your former rank as Inspector. Compensation paid to you to be refunded."

He afterwards contended that the proper interpretation of the Minister's telegram was that he was not required to refund the compensation until restored to his former rank. As the refund was not made the Minister informed him he had lost his confidence, and the officer remained and died in the rank of sergeant-major.

The colony has lost nothing by the amount not being repaid, except the interest, as the amount, if not paid to the officer, would in the usual course have been paid to his widow at his death.

In another case, a first-class constable (Cullinane) who retired on compensation was allowed to rejoin as third-class constable.

The third case was that of a third-class constable (Hattie) who, after retiring on compensation, was allowed to rejoin with the loss of his long-service pay and seniority.

These men have not been in a position to refund the money received as compensation, although each promised to do so, and have been allowed to remain in the Force.

In all these cases the position taken up by the officer was that, as neither his former position nor pay was given him, it was not reinstatement.

As in the first case mentioned, the only loss the colony suffers is the interest on the sums paid to the time these men may be again retired, as no second compensation can be paid.

As the result of our inquiries we acquit the department of blame in respect of the case of Inspector Moore, but in the other two cases we consider too great indulgence has been shown; and in future repayment of the compensation—in full, if the reappointment be to former rank, or in part, if to an inferior one—should be antecedent to the reappointment.

Hours of Duty.

The day is divided for street duty into the following reliefs: From 5 a.m. to 9 a.m., 9 a.m. to 1 p.m., 1 p.m. to 5 p.m., 5 p.m. to 9 p.m., 9 p.m. to 5 a.m.

Men on duty from 5 to 9 a.m. go on again from 1 to 5 p.m.; those on from 9 a.m. to 1 p.m. are on duty again from 5 to 9 p.m. The night-duty men who come off at 5 a.m. do not go on again until 9 p.m., but have to attend the Court sittings during the day as required.

The night-duty relief of eight hours is long and wearying work. To keep the men up to their duty sergeants are appointed in the cities to visit them at intervals during the night, but in the country towns there is practically no supervision. We have examined witnesses with a view to ascertaining if there is any plan by which the eight hours' night duty might be shortened, but without success. In order to secure the night duty being efficiently done it is necessary that the sergeants should be sufficient in number, and vigilant and earnest in the discharge of their duty.

It is desirable to introduce a regulation forbidding all members of the Force, and especially detectives, to give unauthorised information relating to police matters to the Press.

Any information to be given to the Press should be given by the officer in charge of the station, and no one else.

Relieving Allowance.

Some dissatisfaction exists in the Force in respect of the travelling-allowance made to constables on relief duty. Formerly, under Regulation 239, they were paid their actual expenses; but that regulation has been altered, and single men now receive 1s. 6d. per day, and married men 3s. They complain that, after allowing for the ordinary cost of their mess, they have to pay more than they receive. We have no doubt this is so, and recommend the allowance be made 2s. 6d. per day to both married and single. We see no reason why the allowance to married men should be more than to single men.

Leave.

Under the existing regulations sergeants and constables are entitled to twelve days' leave in the year, but it is not cumulative, and they complain of this.

By the rules of the Force they are stationed away from the districts where their friends reside, and have usually long distances to travel to visit them, so that in many cases the greater part of their leave is spent in transit. The relatives of many of the men reside in Australia, and a visit to them is impossible with the leave now granted.

It should be optional with the constable whether the leave should be taken annually or allowed to accumulate for a reasonable time. We recommend that the annual leave be fourteen days, and that it be cumulative up to twenty-eight days in two years; and in the case of those wishing to visit Australia, by permission, to six weeks in three years.

This alteration would not cause extra cost to the department, but effect a saving. When a constable goes on leave and his place is filled by one from elsewhere, the travelling-expenses of the relieving constable are paid by the department, and the fewer the occasions of such relief the less the expense to the department.

We find that at some stations constables are allowed a day off every fourth Sunday—a privilege not granted at other stations. It is desirable that uniformity of practice should exist in regard to Sunday leave as far as possible.

Police Quarters and Cells.

The police-stations at Wellington, Auckland, and Invercargill require immediate attention. At Auckland new barracks are about to be erected, which will provide the necessary and proper accommodation for the men; but the building used as the police-station is quite unsuitable and very inconvenient. At Wellington the accommodation is insufficient for the men, and the conveniences and lavatories very deficient—the walls stained and the plaster broken. At Invercargill the station-offices are so bad that they ought to be at once pulled down and a new building erected. At Oamaru there is want of more accommodation. A mess-room is much needed there, as, in consequence of this want, the constables have been boarding at hotels, which is very objectionable.

The condition of the police-cells generally has been brought under our notice by several witnesses, and we have personally inspected the cells at each place we have visited. The evidence of the witnesses and our observations require that we should represent the urgent need for change in the manner of treating persons held in custody in respect of charges of which they may not be proved guilty. The treatment of such persons contrasts very unfavourably with that of convicted criminals. It appears to be considered that, because occupants of the cells are unfortunate drunkards and outcasts, any place in which they can be safely secured is all that is required. The great majority of the cells are, when closed, little better than dark rooms, ventilated by a few perforations in the wall, without any resting-place but the floor, and from which access to proper sanitary arrangements is practically barred. There is a regulation that not more than three persons are to be confined in a cell at one time unless unavoidable, but we find that it is not a very unusual circumstance for more than the prescribed number to occupy them, and on such occasions the atmosphere becomes sickening. People arrested on Saturday who are detained until Monday suffer considerably, and women, we are informed, suffer especially.

We earnestly recommend that steps be taken to provide proper ventilation and light in all police-cells; that some arrangements be carried out to give means of access to proper sanitary conveniences; that hammocks—such as are supplied to prisoners in gaols—be provided at the cells for those in a condition to use them, and a seat or bench on which to rest by day. The blankets supplied for use in the cells are represented as being in some cases foul and infested with vermin; they are undoubtedly thin, and the colour is well chosen to hide dirt. The rule is to have them washed “every three months—oftener if necessary.” There was no evidence to prove this rule is not carried out.

PART II.

Pay.

The present pay in the various ranks in the Force is as follows:—

Rank.	First Class.	Second Class.	Third Class.
Inspectors*	£400 per annum	£350 per annum	£300 per annum.
Sergeants	9s. 6d. per day	9s. per day	8s. 6d. per day.
Constables	8s. "	7s. 6d. "	6s. 8d. "
Detectives	13s. 6d. "	12s. "	10s. 6d. "

Fourth-class detectives receive 9s. 6d. per day. Constables who joined before 10th February, 1887, receive 7s. per day, and 1s. per day extra after ten years' service. Those who have joined since 1st April, 1895, receive pay of £10 a month, equivalent to 6s. 8d. per day, and are required to insure at their own cost for the sum of £200, payable at sixty years of age or death. Sergeants are paid an additional 10s. a week as house-allowance when not

*£50 per annum house-allowance.

provided with quarters. Sergeant-majors, of whom there are two, receive 10s. 6d. a day. Unmarried constables are provided with free quarters in barracks, while married constables, unless in charge of stations, have to find their own quarters.

The rates paid to constables in the several Australian Colonies are as follows:—

	s.	d.	s.	d.		s.	d.	s.	d.		
New Zealand ...	6	8	to	8	0	Queensland ...	7	0	to	9	6 (c.)
New South Wales ...	7	0	"	8	0 (a.)	South Australia ...	7	0	"	8	0 (d.)
Victoria ...	6	0	"	10	0 (b.)	Western Australia ...	7	0	"	8	6 (e.)

(a.) With free uniform and a pension. (b.) With quarters, fuel, light, and water, or an allowance in lieu thereof; part of uniform free, and a pension. (c.) With a pension. (d.) With free uniform and a retiring-allowance of one month's pay for each year of service. (e.) With free uniform, lodging-allowance, and a benefit fund to which the State contributes.

From this it will be seen that the constables of the New Zealand Police Force are not only paid the lowest rates, but receive none of the other advantages enjoyed by the members of the Forces in the neighbouring colonies. The result of the low pay, together with the small number of men in the Force in this country in proportion to the population, is shown by the following comparison of the cost per head of the population in the several Australian colonies:—

	s.	d.	s.	d.		s.	d.
New Zealand ...	2	8	Queensland ...	6	11½		
Victoria ...	4	4	South Australia ...	4	1½		
New South Wales ...	5	0½	Western Australia ...	13	5¼		

Constables complain that the pay is insufficient: that after paying for uniform and life insurance there is no margin for saving, that in the case of married constables with children it keeps them in poverty. We believe these statements represent the actual fact, and it is one which operates strongly against the efficiency of the Force. It is true there are many applications for admission, but, if it is desirable, as we are convinced it is, to secure for the Police Force respectable and able young men who will enter it with an honest intention of doing their duty and making it a life's work, the rate ought to be higher.

Taking into consideration the wage paid in this country for ordinary labour and the lower mechanical arts, the character of the work performed by the police, the responsible nature of their duties, the class of men and the educational standard necessary for the proper performance of those duties, we recommend that the rates, subject to a deduction of 5 per cent. towards a Pension Fund, be as follows:—

	s.	d.
Constables—		
On joining ...	7	0 a day
After five years' service ...	7	6 "
" ten years' service ...	8	0 "
" fifteen years' service ...	8	6 "
" twenty years' service ...	9	0 "
Sergeants—		
On appointment ...	9	6 "
After three years' service ...	10	0 "
" six years' service ...	10	6 "
" twelve years' service ...	11	0 "
Detectives—		
On appointment ...	9	6 "
After three years' service ...	10	6 "
" six years' service ...	12	0 "
" nine years' service ...	13	6 "

and that a special allowance of 1s. per day be given to constables employed on plain-clothes duty.

District Clerks.—The position of District Clerk should be rewarded by special allowance. The position is a very responsible one and requires a man of superior education to perform its duties. We therefore recommend that the Clerk of each district be paid 1s. a day in addition to his ordinary Police pay.

We recommend that Inspectors on appointment be paid £300 per annum, with an increase of £25 every three years of service up to a maximum of £400. Sub-Inspectors £250 a year, with an increase of £10 every three years to a maximum of £280.

These rates of pay should apply to all present members of the Force, as well as to those who may hereafter join it.

Free quarters being provided for single constables in barracks, we consider the right of married constables to a house-allowance should be recognised, and an allowance of 8s. a week

granted them after three years' service, and the present allowance of 10s. a week continued to married sergeants. Widowers with families should receive the same house-allowance as married men.

It may be mentioned that we are informed the rate of pay given to constables in Great Britain and Ireland is from 30 to 50 per cent. higher than the wage of the class from which they are for the most part drawn.

Pensions.

At the present time men serving in the Force who may retire, or whose services may be dispensed with, whether on the ground of age, infirmity, sickness, or accident, or any other cause, have no claim for monetary assistance. It is true that a grant by way of compassionate allowance, or under section 15 of the Police Force Act, is made in most of these cases—indeed, so often that it may be regarded as a rule; but this is not satisfactory to the Force. The men feel that some reliable provision should be made for their future, and the majority have expressed their willingness to contribute from their pay and emoluments for the purpose of securing it. They do not approve of the present system of compulsory insurance.

The Police Force differs from other branches of the public service. Policemen for many years have to do dreary night duty, and it appears from the evidence that, although they are generally men of superior physical development, there is a tendency to break down at an age at which other Government employés are still vigorous. Their occupation exposes them to great risks of injury and disablement. The duty of a policeman appears to unfit him for any other kind of work, and he must retire at a comparatively early age if the Force is to be an efficient one. For these reasons we strongly recommend the establishment of a Police pension system, such as exists in connection with the Police Force of other colonies.

In making this recommendation we may be going against public opinion, as no other department of the public service now enjoys this advantage, but the special conditions of the Police Service appear to us to justify and require it.

We suggest the following as sources from which a pension fund could be formed:—

- (1.) Deductions of 5 per cent. from all Police Department salaries.
- (2.) All emoluments derived from offices outside police duty, less money out of pocket.
- (3.) Contributions from Government departments for which the police do work, approximately commensurate with the work done.
- (4.) Fines for breaches of Police Regulations.
- (5.) Interest on amount standing to the credit of Reward Fund with the Public Trustee.
- (6.) Contribution from the State of a sum approximating to the amount which would become payable to the present members of the Force as compassionate allowance under the present system; or an annual payment of the sum required to meet any demands beyond what the income of the fund will provide.
- (7.) If considered advisable, the amount of penalties recovered for offences under licensing-laws, gambling-laws, and Police Offences Act.

We submit the following scheme for retiring-allowance and pension, founded upon the evidence of officers of all ranks in the Force, and upon the systems in existence in connection with the Police Services in England, Ireland, Australia, and other parts of the Empire:—

Any police officer who shall retire on a certificate granted by a medical Board certifying that he is permanently unfit for duty, having five years' and less than fifteen years' service, shall be entitled to receive a retiring-allowance equal in amount to one month's pay for each year of service at the rate he may be receiving at the time of his retirement.

In case any police officer shall lose his life in the execution of his duty, or die while in the Force from injuries received in the execution of his duty, an amount equal to three years' salary at the rate paid him at the time of his death or injury shall be paid to his widow or children.

In case any officer shall die in the course of nature while in the Force, his widow or children shall be paid an amount equal to the total sum of his contributions to the pension fund.

Any police officer who shall retire on certificate as above, having fifteen years' service, shall be entitled to a pension of fifteen-fiftieths of his pay at time of retirement, and after

fifteen years an additional one-fiftieth for each additional year of service up to thirty years, when he will be entitled to the maximum pension of three-fifths of his pay.

No police officer shall be allowed to retire, except on certificate as above, unless he shall have served twenty-five years and have reached the age of fifty-five years.

Any police officer who shall, on certificate as above, be shown to be permanently disabled by injuries sustained in the execution of his duty shall be entitled to a pension irrespective of the term of his service, the amount of such pension to be at the discretion of the Commissioner; provided that it shall not be less than fifteen-fiftieths or more than three-fifths of his pay at time of receiving such injury.

Any police officer who shall be dismissed the Force, or who shall have voluntarily retired before reaching the age of fifty-five years, shall forfeit all claim on the pension fund.

By reference to the table showing the length of service of men in the Force it will be seen that there are seventy-four men of over twenty years' service, thirty-seven men of over twenty-five years' service, and twenty-one of over thirty years' service; of these one is now over seventy years of age, five are now over sixty-five years of age, twelve are now over sixty years of age, and twenty-six are over fifty-five years of age.

These men must therefore become an early charge upon the proposed pension fund, and to meet this it is equitable that the State should contribute to the fund as we have suggested.

In order to arrive at an approximate estimate of the amount of that contribution, we must refer to the payments that have actually been made, and to the liability of the State under the Police Force Act, section 15. That section empowers your Excellency, out of moneys voted for the purpose, to award to any officers or constables such sums of money as shall seem meet as, *inter alia*, compensation for injuries, or as allowance to such as shall be disabled by bodily injury, or worn out by length of service. By a return furnished us it appears that the amount paid by the State during the last ten years is as follows:—

Year.					Retiring-allowance.			Compassionate-allowance to Widows and Children.		
					£	s.	d.	£	s.	d.
1888	...	...	...	...	4,210	15	7	164	5	0
1889	...	...	...	...	742	8	9	191	12	6
1890	...	...	...	...	3,747	18	4	786	4	0
1891	...	...	...	...	4,384	9	3	547	10	6
1892	...	...	...	...	1,735	14	7	392	7	6
1893	...	...	...	...	2,008	1	3	310	5	0
1894	...	...	...	...	1,669	17	6	564	9	8
1895	...	...	...	...	795	7	11	219	0	0
1896	...	...	...	...	1,842	6	2	1,247	17	6
1897	...	...	...	...	1,683	7	6	1,284	18	9
					£22,820	7	10	£5,781	10	5

Amounting in the aggregate to £28,601 18s. 3d.; and in addition to this a pension of 15s. a week is paid to a man who was permanently injured.

The liability of the State in respect of the Force under these heads may therefore be taken to be recognised, and our proposal is to relieve it, on the payment of a fixed sum, of any further responsibility. A present payment of £30,000 would, with the annual income to be derived from other sources, be sufficient to establish the proposed pension fund on a satisfactory basis, and so enable men who are past the stage at which they are valuable police officers to be retired from the Force without injustice and without further cost to the State.

If the pension system cannot be adopted, then we recommend that a retiring-allowance similar to that now granted to prison warders—viz., one month's pay for each year of service—be given to all members of the Force whose services are dispensed with, or who may be medically certified to be permanently unfit for duty, instead of the special grants which are now in most cases made as compassionate-allowances.

The adoption of these recommendations and the increase of the Force proposed will involve additional expenditure on the Police Force, but we are quite convinced it must be incurred if the colony desires to have a police service characterized by vitality and earnestness, as opposed to one in which the duties are performed in a perfunctory manner, without heart or

enthusiasm. That there is a great deal of discontent, dissatisfaction, and apathy in the Force there can be no doubt. Life and energy must be infused into it, and we believe that the adoption of the suggestions we have made, and the granting of the rates of pay and the pension system now recommended, will bring about that result, and secure to this country an efficient Force at a much lower cost per head of the population than is possessed by any neighbouring colony.

Rewards.

On the question of rewards much evidence has been given, and a change in the system is greatly needed. Constables have been in some cases rewarded by promotion and grants of money for what appears to us to have been strictly matters of ordinary duty. These rewards have excited much jealousy, and a suspicion that favouritism existed. Monetary rewards should be abolished, except in the case of constables or sergeants who have attained the maximum of pay by length of service, and for acts of bravery or meritorious conduct not connected with crime.

We recommend that rewards for special police service, such as detection of crime, should be by a shortening of the period required to be served before the next increase of pay accrues. In all cases the recommendation for a reward should emanate from an Inspector without personal application by the officer by whom it may be considered due.

Punishments.

Punishments for minor breaches of the regulations should be by fine, but, for more serious offences not calling for dismissal, by putting an offender back in his service-time, or disrating him.

The decision of the Commissioner of Police should be final in all cases of rewards and punishments.

Emoluments of Outside Offices.

In view of the increase of pay and allowances we are now recommending, and with a view to assist in the maintenance of the proposed police pension fund, we recommend that all emoluments attached to offices held by constables not within the duties of police officers, except so much as shall represent money out of pocket, shall be paid into the pension fund. We have already stated that these emoluments are a cause of jealousy in the Force, and we are satisfied the change we now recommend will remove a cause of dissatisfaction to the men, and one of the greatest difficulties the heads of the department have to contend with in the distribution and transfer of constables. One of the evils of these emoluments being retained by constables was mentioned by several witnesses—viz., that they have the effect of making the position of a constable financially better than that of a sergeant, and some good constables who would be valuable non-commissioned officers as sergeants have declined promotion on that account.

PART III.

General Conduct.

Concerning the general conduct, sobriety, and morality of the members of the Force a great amount of evidence has been taken on charges against individual constables, and on a general charge against the Force as a whole. No time was fixed by us anterior to which the conduct of any member should not be investigated, as it was felt that such a limitation might be construed into a desire to shield some unworthy member of the Force. We considered that the purging of the Force of such persons, if they existed, should be one of the results of our inquiry, and therefore permitted the past character of any officer now in the Force to be investigated fully.

The general conduct of the Force, taken as a whole, has been good. It is doubtful if any other body of men, numbering so many, would bear the searching investigation the Force has undergone without as many or more instances of neglect of duty or lapses from good conduct coming to light than have during our inquiry.

The records of the department, however, show that there are a few men in the Force who have brought discredit on it. These men have been repeatedly punished for

various breaches of the regulations, and it is to be regretted that they have been allowed to remain in the Force. Their presence must have furnished a bad example to others, as their records appear to be known by all the men.

These offences have not been of recent date, and as the men have been dealt with and punished, and appear to be now behaving properly, we do not think we should mention their names, no charge having been brought against them before us; but we consider their continuance in the Force should be only permitted while their conduct is irreproachable. Any future transgression, however slight, should at once be taken advantage of to get rid of them. A past such as theirs requires a long course of good conduct to expiate it.

Should the Commissioner consider that in the interests of discipline such men's services should be dispensed with, even without any fresh lapse on their part, he should have a perfectly free hand in dealing with them.

Sobriety.

The offence mostly dwelt upon by those who brought charges against the Force was drunkenness. This is properly considered a serious police offence. Regulation 62 says, *inter alia*, "Drunkenness on duty will invariably be punished by dismissal or enforced resignation, according to previous character. Simple drunkenness will not be overlooked even on a first occasion. Under extenuating circumstances recommended by the Inspector, this offence may on a first occasion be visited with a lesser punishment, but should the offence be repeated the member of the Force will be dismissed."

This regulation has in a great number of cases been enforced, as will be shown by the return in the Appendix, but in other cases there appears to have been an excess of indulgence in dealing with this offence.

Men have been dismissed on account of drunkenness, and have been reinstated owing to pressure being brought to bear on the Minister in charge of the department. The having a large family to provide for, the general unfitness of the man for any other occupation, his previous good conduct, and his steadiness since his dismissal have been the reasons urged by those seeking his reinstatement.

We are reluctant to condemn the exercise of mercy, but it is dangerous to discipline to indulge in it. A man when dismissed from the Force should understand that he is not to enter it again: dismissal should be final.

Morality.

No direct complaint of immorality or misconduct in connection with immorality was made to us. The cases in which a constable has been adjudged the putative father of an illegitimate child are very few. In view of the fact that the Force is largely composed of young vigorous unmarried men, a considerable number of whom have passed into the Police from the Military Force, we are surprised more cases of this kind have not come to our knowledge, as they probably exist.

At present there is no police regulation directly relating to immoral conduct, and one should be framed making adjudication of paternity of illegitimate children or other immoral conduct ground for dismissal.

Efficiency.

We propose now to deal with the question of the efficiency of the Police Force in respect to the enforcement of the laws relating to the sale of liquors, gambling, prostitution, and neglected children, as to which complaint is made; and in doing so shall deal with the subject in its general aspect, without referring, except where it may appear necessary, to individual cases which have been brought under our notice: such cases will be dealt with separately.

In treating of this part of our report, it appears to us that, while pointing out certain matters which, in our opinion, have tended and do tend to affect injuriously the power of the police to enforce the laws of the colony, it comes within the scope of our Commission to offer suggestions for such amendments of the laws as may enable the police more effectually to enforce them. We hope, therefore, in so doing we shall not be considered to be going outside our duty.

Licensing Laws.

A large amount of evidence has been produced to show that the sale of liquor during prohibited hours is practised by hotelkeepers in spite of the provisions in the licensing-laws. We are satisfied that this practice is pretty general throughout the colony, although not to the extent those who are hostile to the liquor trade assert. A return which will be found in the Appendix, showing the number of arrests for drunkenness on Sundays indicates that comparatively few persons obtain liquor on Sundays from hotels or private sources in sufficient quantities to bring about intoxication.

We do not think that those who charge the police with negligence in enforcing the observance of the law relating to the sale of liquor properly appreciate the difficulties they have to contend with. There is a very general unwillingness on the part of persons who induce hotelkeepers to break the law to give evidence against them: and yet it is generally on such persons the police must rely for evidence to support their information.

The police visit licensed houses in towns on Sundays, but their approach is in many cases announced by sentries, secret electric bells and telephonic communication being used for the purpose.

As the law now stands, it is no offence to be in an hotel on Sunday, or at any time during closing hours. Drink may be sold to a lodger, who may supply his guests, and travellers may obtain refreshment on arrival from a journey. When the police enter an hotel they may find a number of persons therein, and actually witness the consumption of liquor; but if a lodger will say he was treating those present as his guests, and the police cannot prove the contrary, it would be useless to prosecute.

A strong inducement to publicans to resort to perjury in defending such cases is the severe nature of the penalties imposed by the Licensing Act. Indorsement must follow a conviction for certain offences. Many hotel leases contain a provision for forfeiture in case of indorsement of the license, and this may involve a loss of hundreds, or even thousands of pounds to the licensee. The evidence may, and often does, show that the offence is merely a technical one, or possibly due to the carelessness of a servant. In such cases, and in all first offences, a discretion should be given to the Magistrate whether or not an indorsement should follow a conviction. The monetary penalties for such offences might be considerably increased. Indorsement is in many cases a punishment out of all proportion to the offence, and Magistrates must feel a reluctance to convict when it carries such a penalty.

Some startling facts were brought under our notice as the result of the observations of persons who "watched" various licensed houses on Sundays, which undoubtedly indicate that a large Sunday trade is carried on. The number of persons who entered those houses, counted between 8 a.m. and 8 p.m., is said to have amounted in one case to 200; in another, 250. The houses referred to are not hotels at which a large number of boarders reside, and, after making allowance for boarders, members of the licensee's family, those who enter to obtain meals and for other legitimate purposes, there is no doubt whatever in our minds that a large number of those who entered did so for the purpose of obtaining liquor. Whether they succeeded we do not know, and the entry of the premises is not, as we have pointed out, illegal.

We are of opinion that the law should be amended in the direction of prohibiting during closing hours the supply of any liquor for consumption by the guest of a boarder, except with meals, and making all persons, other than *bond fide* travellers, lodgers, and members of the hotelkeeper's family and servants, found on licensed premises at prohibited hours, without reasonable excuse, liable to a penalty as provided by section 25 of the English Act. That section, altered as proposed by us, will read as follows:—

"If, during any period during which any premises are required under the provisions of this Act to be closed, any person is found on such premises, he shall, unless he satisfies the Court that he has reasonable excuse for being thereon, be liable to a penalty not exceeding £2.

"Any constable may demand the name and address of any person found on any premises during the period during which they are required by the provisions of this Act to be closed; and if he has reasonable grounds to suppose that the name or address given is false, may, if such person fail upon such demand to give his name or address, or gives a false name or address, apprehend him without warrant, and take him as soon as practicable before a Justice of the Peace.

“ Any person required by a constable under this section to give his name and address who fails to give the same, or gives a false name or address, or gives false evidence with respect to such name and address, shall be liable to a penalty not exceeding £5.”

The circumstances of the colony appear to require the slight modification of this section we propose by the insertion of the provision for reasonable excuse. The hotel in this country is often the only place where people can meet their visiting friends, and it would be a great inconvenience if their doing so on Sundays was prohibited by making a *bond fide* visitor liable to a penalty. At some places in the colony, in consequence of tidal rivers and other causes, intending travellers by sea and land have often to wait for steamers, coaches, and other vehicles at hotels, in the absence of other suitable accommodation, until long after the hour fixed for closing. Such cases as these appear to require the modification of the English Act suggested, but the onus of proof of “ reasonable excuse ” must be on the party claiming it, and what is a “ reasonable excuse ” should be a question of fact to be determined by the Magistrate trying the case.

If the existing law is amended as now indicated, the power of the police to enforce the observance of the law relating to hours of closing would be greatly augmented.

Taking into consideration the difficulties the police have in proving breaches of the licensing laws in licensed houses, we consider they have been fairly successful. It is quite certain that numerous offences under these Acts are committed which are not detected, and of which probably many could be detected with more vigilance on the part of the police ; but any want of vigilance which may exist, or has existed, cannot, in our opinion, be attributed to the heads of the department. We are satisfied the late Commissioner has done nothing to check the men in the performance of their duty in the matter, but, on the contrary, has encouraged vigilance in respect of it. It has been suggested that constables who were energetic in prosecutions against hotelkeepers suffered—that they, by the influence of those they had prosecuted, had been removed to other stations, and sometimes to less advantageous positions ; but the evidence adduced does not establish this. It is true men have been transferred in some cases shortly after such prosecutions, but such removals have been shown to have been generally to the benefit of the constables. Although hotelkeepers have complained of what they thought sharp work on the part of constables, and have threatened to use their influence to get them removed, and although there are several cases in which a strong impression was created in the minds of some members of the Force that there removal was the consequence of publicans’ influence, yet in no case has it been proved that the removal took place as the result of their action.

A return will be found in the Appendix giving the number of prosecutions and convictions for breaches of the licensing-law (chiefly for being open at unlawful hours, and not including drunkenness) during the last seven years.

The existence of the system of “ No licenses ” in the Clutha district and the King-country has developed a numerous class of sly-grog sellers, whose defiance of the law has called for unusual action on the part of the police.

Sly-grog Selling.

The difficulties already referred to in respect to prosecutions for selling after hours and on Sundays exist and are greater in cases of sly-grog selling. Usually, persons breaking the law in this way in districts where alcoholic refreshment is not otherwise obtainable are regarded by those obtaining it as benefactors, and they are most unwilling to give evidence against them. Such sales are usually in private, and the difficulty of obtaining evidence on which to secure conviction is in consequence very great. The police, after using all ordinary methods, have had recourse to a system which is strongly condemned by many persons : We refer to a system of deception. Constables have, under instructions, assumed false characters and resorted to subterfuge to obtain the confidence of men with the intention of betraying them. We do not think it necessary that we should express to your Excellency our opinion on the ethical question involved, but from a police point of view the course pursued has proved satisfactory. We are aware there are some cases which may justify its use, but express the hope that it will never become a recognised police system in this colony.

In sly-grog-selling cases if purchasers as well as vendors were by law made liable to a penalty it might tend to check the offence. It is true it might increase the difficulty of getting the evidence of those persons, but if the power given by section 5 of “ The Evidence Further

Amendment Act, 1895," were exercised in their behalf it would relieve the witnesses of the consequences of their breach of the law.

In the Clutha district, from October, 1894, to November, 1897, the police prosecutions for sly-grog selling numbered sixty-eight, and resulted in twenty-three convictions, the fines amounting to £645. In the face of this, some witnesses examined at Balclutha charged the police with wilful neglect of duty, alleging that many more convictions could have been obtained if more persistent efforts had been made. On the evidence adduced we have formed the opinion that the action of the police in the Clutha district was earnest and effective, and the censure undeserved. Those who complain do not appear to realise that every conviction is followed by more caution and circumspection on the part of offenders, and consequently subsequent convictions are more difficult to secure. No prosecutions were initiated for these offences in Clutha by any one outside the Police Force. The complainants against the police took no steps themselves, but vigorously urged the police to action, and often by their public proceedings with this object must have put offenders on their guard and increased the difficulty of detecting breaches of the law.

Every reasonable inducement has been offered by the department to constables to use vigilance in discovering offenders, and liberal money rewards have been given to those on whose information convictions have been obtained. Money has not been spared, but it is evident it should not be too liberally spent for this purpose lest it induce crime of a more serious character.

In the district known as the King-country, in which the Maori population preponderates, and in which no licensed houses have existed (except one licensed brewery), the illicit sale of liquor has long been carried on. In May and June a few convictions for sly-grog selling were obtained by the police, but as breaches of the law became more numerous and undisguised the attention of the department was called to it by the local Justices of the Peace. The police thereupon took action by sending constables in plain clothes to the district under instructions to do their best to detect offenders, but as the residents suspected the men and the object of their visit offenders were on their guard, and the result was not satisfactory. It has been stated that the fact they were about to visit the district was known there before they reached it, and the officer in charge at Auckland, Inspector Hickson, has been blamed for neglecting to take proper precautions. In his evidence Inspector Hickson stated he had informed the local Justices by letter that the men were going there, and said he believed it had been made public by them. The Justices concerned wrote to us denying this, and stating that they had received no notification from Inspector Hickson of the intended visit, and the Inspector has since withdrawn his statement and apologized for his error in making it. Letters on this subject will be found in the Appendix.

Last year a more carefully organized effort was made, which resulted in eighty-three prosecutions, on which fifty-seven convictions were obtained, and fines and costs amounting to £631 were inflicted, and twelve sentenced to imprisonment without the option of a fine, but sly-grog selling undoubtedly continues to be carried on extensively. The quality of the liquor sold is very bad, and the effect mischievous. Although the Native population preponderates, there is a large scattered European population, and it is a matter for serious consideration whether it would not conduce to the welfare of the people and to their observance of the law if licensed houses existed in their neighbourhood at which reasonably good liquor could be obtained under proper regulation and control. We are not called upon to express an opinion on this as a social question, but we are satisfied—although no evidence has been given on the subject—that the present condition of things must have the effect of leading many persons, Natives especially, to regard the laws of the colony with but little respect, and that they feel justified in using dishonest means to evade detection when they find deception used to detect breaches of the law.

The alternative would be to make it a prohibited district, so that section 33 of "The Alcoholic Liquors Sale Control Act, 1895," should apply.

The party known as "Prohibitionists" have made the condition of things in respect of sly-grog selling in Clutha and the King-country the ground of special complaint against the police, and allege that the department is indifferent in enforcing the law, and in sympathy with the liquor traffic.

It must be remembered, however unsatisfactory it may be to those who desire absolutely to prevent the supply of liquor to any person, and who think they have obtained their object by the abolition of licenses, that there are those to whom from constitution or habit alcoholic stimulant is necessary, or who regard it as necessary, and who will have it if obtainable, and sly-grog selling is the result.

Selling liquor without a license is a statutory offence, and not a crime, and therefore not of supreme importance from a police point of view. To deal with all cases of sly-grog selling, and enforce the strict observance of the licensing-laws in the manner desired by some who have given evidence would, until the sentiment of the community undergoes a considerable change, require the almost entire attention of a Police Force larger than that which now exists in the colony.

No facts have come before us which we consider justify condemnation of the Police Department in connection with its action in regard to the liquor-laws. Individual constables have on occasions neglected their duty, but in all cases brought under our notice punishment in some form has followed.

Gambling.

Gambling, in the form of betting on horse-races, is very prevalent in the colony, the favourite mode here being on the licensed totalisator, which is legalised, while betting totalisator-odds with unlicensed persons (known as "tote" betting) is illegal, as also is betting with minors. The police have been censured for negligence in respect of these illegal forms of betting. We find police action in the present state of the law is surrounded with difficulties, and submit the following as some of them :

It is illegal for a man to occupy a place for the purpose of making ordinary bets, but he may move about and make as many bets as he pleases. He may not occupy an office for the purpose of betting with persons "resorting thereto," but he may have a dozen offices if he arranges his bets by correspondence, telephone, telegraph, or by moving about amongst the people in the streets or elsewhere. If a warrant be obtained, and the office of a "tote" bettor raided, his accounts may not show that he has been practising "tote" betting, as they are often kept in such a way that the entries are understood only by the owner. Shops are kept ostensibly for a lawful trade or purpose where secret "tote" betting is carried on. Bookmakers openly ply their vocation in the main streets of the large towns of the colony, and there is no power to prevent them unless they obstruct the traffic.

These facts present some of the difficulties in the way of the police securing convictions for breaches of the law against gambling, but many cases have been tried in our Courts and a number of convictions obtained, returns of which will be found in the Appendix. Bookmakers have, as a rule, command of money, and usually get good legal assistance, and the niceties of the law as to betting are taken full advantage of.

We are of opinion that the laws relating to gaming require amendment. If it is not desired to make betting wholly illegal, then the practice of betting as an occupation, or in connection with any other business, should be made unlawful.

With a view to diminish the nuisance of street-betting, we think that section 4 of "The Police Offences Act, 1884," should be amended by the addition of the following new subsection : "Any two or more persons assembled together in any part of a street for the purpose of betting shall be deemed to be obstructing the street, and be liable to a penalty of not exceeding £10 or imprisonment not exceeding three months with hard labour"; or, as an alternative, so as to make any person who shall be found frequenting any public place for the purpose of betting liable to the above penalty.

Brothels.

The law as to brothels appears to be satisfactorily enforced. A considerable amount of prostitution undoubtedly exists, but where it has become a nuisance by the establishment of brothels the police have taken action to suppress it. As those who can give evidence of the acts of prostitution necessary to constitute a brothel are, for obvious reasons, reluctant to do so, the police have to rely on indirect testimony, and experience difficulty in obtaining convictions; but many prosecutions have been instituted with a considerable amount of success and advantage to the community. Returns on this subject will be found in the Appendix. Although there is reason for believing that houses of that class remain, there is no ground for suggesting they are carried on with the connivance of the police, or that the police are indifferent or negligent in dealing with them.

In Auckland the police appear to be under a special difficulty in obtaining convictions, owing to the existence of a by-law of the City Council which makes every inmate of a brothel liable to punishment, and unwilling witnesses eagerly take shelter behind it and

refuse to give evidence on the ground that no witness can be compelled to incriminate himself.

The class of prostitutes found in the streets, so long as they conduct themselves with decency and do not "solicit," do not come within the power of the police, however offensive their presence may be to the public.

In the course of the evidence given at Dunedin, to show neglect on the part of the police in respect to the existence of brothels, reference was made to a house in Asher's Lane occupied by Mrs. Desarthe, an old infirm woman, with whom two young girls (her daughters) were residing. We are satisfied the witnesses were mistaken in attributing disgraceful conduct to these Desarthe girls, and that neither the girls nor Mrs. Desarthe were the persons the witnesses had in their minds and intended to refer to.

We feel that an injustice may be done them by their names appearing in the evidence, and desire to express the opinion that no misconduct on their part was proved. It is a matter for great regret that respectable citizens can be found so ready to asperse the character of others without first making themselves acquainted with facts easily ascertainable.

Neglected Children.

The duty of the police with respect to neglected and indigent children and those in vicious surroundings is to bring them before a Court with a view to an order being made committing them to an Industrial School, and it has been alleged that the police are negligent in the discharge of this duty.

The expense of maintenance of indigent children committed to industrial schools falls upon the local Charitable Aid Boards, and there is a tendency on the part of these bodies to jealously watch what they consider any unnecessary charge upon them; and they have, in some cases, remonstrated with police officers for what, from their point of view, appeared an excess of zeal in this matter. In consequence of this special instructions were given by circular of the 21st December, 1891, as follows:—

(Circular No. 16/91.)

Police Department, Commissioner's Office, Wellington,
16th December, 1891.

THERE is reason to think that a notice which appeared in the *Police Gazette* of 9th May, 1888, pages 92 and 93, and the Circulars No. 19 of 2nd November, 1889, and 16 of the 29th September, 1890, have had the effect of unduly discouraging the committal of children to industrial schools.

The design of the notice and of the circulars was to prevent the committal of children where the Charitable Aid Boards were willing to make more suitable provision in some other way. The Charitable Aid Boards, however, have no special interest in children committed for any reason except indigence. The Government did not desire to put any obstacle in the way of the committal of children living in disorderly houses or given to vagrant habits. When children of this class are sent to an industrial school the cost of their maintenance does not affect the Charitable Aid Boards, and there is no reason to consult the Boards before bringing such children before a Magistrate.

The Government is quite prepared to take the consequences of a vigorous administration of "The Industrial Schools Act, 1882."

A. HUME,

Commissioner of Police.

In view of all the facts we are satisfied there has been no wilful neglect of duty on the part of the police. It can hardly be considered the duty of police officers to investigate the case of every apparently neglected child which comes under their observation; this appears to be more the function of persons connected with charitable bodies. It would, however, be well if the police, when they have reason for so doing, called the attention of some person specially appointed to deal with such cases to the matter, with a view to their being privately investigated, the interference of the police with domestic affairs being always undesirable; and if the result of such investigation, on being reported to the police authorities, justified it, action should be taken, supported by the evidence of those who investigated the case.

In respect to one case at Auckland, which was specially referred to as a neglected case, the evidence showed that the children referred to were on three occasions taken before the Court, but the order was on each occasion refused on the ground that their mother, with whom they were living, was not a prostitute; and, unless the police were negligent in putting their case before the Court, which has not been shown, no blame can be attached to them. We consider Inspector Hickson showed commendable earnestness in regard to this and other cases of neglected children which came under his notice.

There is another class of neglected children who are brought under the notice of the police by their criminal conduct. As to these the duty of the police is clear, and, so far as our inquiries go, they have performed it.

We are of opinion that the age at which children can be committed to the Industrial School should be raised. The age up to which children may now be committed is fifteen years, and this is too low. The age of consent is now sixteen years, and yet a girl between fifteen and sixteen years may be the associate of prostitutes without the police having power to rescue her.

General Remarks.

The sittings of the Commission have been attended by Mr. Tunbridge, the present Commissioner of Police, who has held the office since October last, and by Colonel Hume, who was Commissioner from 1890 up to Mr. Tunbridge's appointment. Each of these gentlemen heard all the evidence adduced, cross-examined witnesses who were called in support of allegations against the department, gave evidence themselves, and produced all documents and records in their custody which were required. The Commissioner of Police further furnished us with all returns and other information called for. From both these gentlemen we received every assistance in their power to afford.

We summoned the Right Hon. the Premier and the Hon. Mr. Thompson, the Minister in charge of the department, to give evidence before us. They appeared and claimed to be exempted on the ground that, as your Excellency's Advisers, they ought not to be called upon to give evidence upon matters as to which they will have to tender their advice to your Excellency, and that as Ministers they can only be called to account for their actions by Parliament. For the reasons given we considered we ought not to require them to give evidence, and did not do so.

A number of constables gave evidence as to personal grievances: men who complained that others, their juniors, had been advanced over their heads, and others who thought their services entitled them to promotion, and that they had been unjustly passed over. These men represented two sections of the Force—namely, those who consider that seniority should give a right to promotion, and those who claim it on ground of special services. There is no existing rule as to promotion; generally it has been for seniority combined with a clean defaulter's sheet, but this did not always secure it. Promotion for special services has been the exception.

A number of men were promoted in class on the ground that they had been Clerks of Court for a certain time. They were in many cases junior to others who had not been fortunate enough to be appointed to stations, and therefore had not been Clerks of Court. The subsequent advancement of these men was made, not on the ground of length of service in the Force, but of service in their class, and men who have longer service in the Force feel they have a grievance in being, as they consider, passed over. On the other hand, if those junior in service but senior in class were not advanced, they too would feel that they had suffered an injustice. The regulation (No. 59, now repealed) relating to promotion appears not to have been generally understood throughout the Force. By it advancement was to be by seniority in class, and not in service.

These promotions constitute one of the evils of the class system, which we desire to see abolished; and by the adoption of the system of payment by length of service, which we recommend, this grievance will, we believe, be removed.

It would be wholly impossible, without an almost entire reclassification of the Force, to remedy the grievances of constables who consider they have been unjustly treated in respect of promotion.

We do not think it necessary to comment upon the individual cases referred to, except those mentioned in the Schedule; but the evidence given in respect to them has been of value in enabling us to form an opinion on the general question of promotions, which we have given expression to in our remarks under that head.

SPECIAL FINDINGS.

The following are our findings on such complaints as have been brought before us which we consider require special notice; the others are submitted in Schedule hereto:—

Charges by Mr. Thomas E. Taylor, M.H.R., and Findings thereon.

Charge No. 1.—“Tuesday, 15th February, 1898.—The Chairman, Police Commission, Wellington.—SIR,—With a view to placing myself in a position to appear before your Com-

mission, I beg to affirm that there is grave discontent existing among the members of the Police Force in this colony; also that the wrongful use of political power by Ministers of the Crown and others has disorganized and demoralised the Force, and generally acted in a prejudicial manner upon the public interests. I propose to elicit facts in support of these allegations before you.—I am, yours faithfully, T. E. TAYLOR.”

Finding.—The matters herein referred to are all dealt with in our general report.

Charge No. 2.—That Inspector Emerson, in charge of the Hawke's Bay Police District, is of drunken habits and addicted to gambling.

Amended Charge.—That on or about the following dates Inspector Emerson was in a state of drunkenness: 2nd May, 1897, at Gisborne; 6th July, 1897, at Gisborne; 7th January, 1898, at Napier. That since he has been in charge of the Hawke's Bay District he has been of intemperate habits and addicted to gambling, and that his conduct in these respects has been destructive of discipline and injurious to the public interests.

Finding.—The charge in reference to the 2nd May, 1897, we declined to investigate, considering that it had been dealt with by Mr. H. E. Kenny, S.M., upon his inquiry *re* Inspector Emerson. Our inquiry in respect of the other charges was confined to the time during which Inspector Emerson had been stationed at Napier. A great number of witnesses were subpoenaed at the instance of Mr. Taylor, M.H.R., and attended and gave evidence in support of such charges at the sittings of the Commissioners at Napier. Many of such witnesses were from Gisborne and other distant places. It was sought to be established that at the Gisborne races on the 6th day of July, 1897, Inspector Emerson was intoxicated. The majority of the witnesses called proved that Inspector Emerson was not intoxicated, but that he was suffering from a bad cold and cough, and was very unwell; so much so that some of his friends induced him to leave the racecourse and return to his hotel at Gisborne early in the afternoon. Although some of the witnesses swore that on this occasion he was “in liquor,” we are satisfied that the weight of the evidence is in his favour, and that he must be acquitted on the charge of intoxication on the 6th day of July, 1897. His falling in the luncheon-booth on that day we are satisfied arose from the seat giving way, and not from intoxication on the part of Inspector Emerson.

It was further alleged that Inspector Emerson was intoxicated at Napier on the 7th day of January, 1898. This was sought to be established by evidence of four persons who, whilst sitting on a seat on the Napier Esplanade, had their attention called to the appearance of figures on the face of the moon by Inspector Emerson, and by reason of his putting his hand on the shoulder of one of them, a female, to call her attention to what he thought he saw. We are satisfied from the evidence of the witnesses called for the defence that Inspector Emerson thought it was his daughter whom he touched on the shoulder, and who had shortly before gone to the Napier Breakwater to see some friends off by steamer. We are further satisfied by the evidence of certain members of Inspector Emerson's family, and of other independent witnesses who were in conversation with him close to the time of the occurrence complained of, both before and after, that on that evening and at that time he was perfectly sober.

We feel bound, however, to report that it has been proved before us that at least on three separate occasions Inspector Emerson has been in the state described by the witnesses as “in liquor,” and at other times also has been so in the presence of some of the members of the Force serving under him. Such a state of things must, of course, be subversive of discipline, and is altogether improper and undesirable.

The occasions to which we refer when Inspector Emerson was so “in liquor” were as follows: (a) On board the steamer on passage between Napier and Gisborne, about five years ago, shortly after Inspector Emerson went to Napier; (b) at Gisborne at night when proceeding from one hotel to another, at which he was staying—namely, the Gisborne Hotel; (c) At Napier, at about dusk, when going to his home in company with two friends (about October, 1896).

A female witness, who at the time referred to lived next door to Inspector Emerson in Napier, swore that upon two separate occasions she saw him taken home in a cab in a state of intoxication, but as this evidence is wholly uncorroborated, and as it is absolutely denied by Inspector Emerson, we cannot consider the allegation proved.

Notwithstanding the above facts, which are, in our opinion, fully established by the evidence before us, a very large number of highly respectable persons were called before us and swore as to the temperate habits of Inspector Emerson. These were persons holding

responsible public and official positions in Napier, such as Mr. Frederick Sutton, late M.H.R., Dr. William Percy Menzies, Dean De B. Hovell, Rev. James Gillies Paterson, Hyam P. Cohen, member of Borough Council; Fairfax Frederick Fenwick, manager, Bank of New Zealand, Napier; Richard T. Walker, editor, *Hawke's Bay Herald*; Dr. De Lisle, Napier; Maurice N. Bower, Town Clerk, Napier; George Thomas Tanner, clerk, Hawke's Bay County Council; Robert Bishop, manager, Messrs. Sargood, Son, and Ewen, Napier; Thomas Morrison, journalist, Napier; John Craig, manager, New Zealand Loan and Mercantile Agency Company, Napier, and others, and who must have had frequent opportunities of being brought into contact with Inspector Emerson and of observing his habits as to sobriety; and they were almost unanimous that he was not of intemperate habits, as alleged, and that they had never known him to be in a condition to interfere with the performance of his duty. In addition to these witnesses, Sergeant Mitchell, who is stationed at Napier, and District Clerk Norwood, also stationed at Napier, both gave similar evidence. If Inspector Emerson's habits were "generally intemperate," we cannot reconcile that fact with the evidence of these respectable persons to whom we have referred. Inspector Cullen was called by Mr. Taylor to prove that Inspector Emerson was of intemperate habits, but, although he had been stationed at Napier with Inspector Emerson for some fifteen months, he was only able to speak of one occasion when he saw Inspector Emerson "in liquor," and that was in 1892, when Inspector Emerson was residing at Hamilton and was on a visit of inspection to Napier, a date prior to that included in our inquiry. Inspector Cullen stated that on various occasions he had seen signs of liquor on him, but nothing very much.

Inspector Emerson is a good deal shaken by illness, and this, combined with his advanced age, might lead many persons erroneously to think at times that he was "in liquor" when such was not the fact.

It has also been proved before us at Napier that about the 11th September, 1896, Inspector Emerson was drinking and playing cards for small sums of money on board a steamer lying at the wharf at the Spit at Napier. Upon this occasion Inspector Emerson was a passenger by such steamer from Napier to Wairoa, and apparently the sailing of the vessel was delayed, and he and others were playing cards to pass the time until the steamer should leave. The amount of money played for was merely ordinary stakes, such as are usually played for for the purpose of giving an interest to the game and providing refreshments. The principal point in the matter, however, appeared to us to be the fact that the steamer had no license to sell liquor whilst alongside the wharf at the Spit, and that therefore Inspector Emerson was a party to breaches of the licensing-law being there committed. It was also proved that on one occasion in the Working Men's Club at Napier Inspector Emerson, contrary to the club rules prohibiting gambling in the club, played cards for a stake—namely, 2s. 6d. a corner. It was also proved that on several other occasions Inspector Emerson played cards for money—namely, shilling and half-crown euchre-loo; that he so played in the hotel where for the time being he was staying on his tour of inspection, in his private room, and that on one occasion the playing was kept up till about 2 o'clock in the morning.

There was evidence before us from which we came to the conclusion that when he was stationed on the West Coast of the Middle Island Inspector Emerson owned racehorses and raced them.

Beyond the foregoing there was no evidence of any gambling on the part of Inspector Emerson. There was nothing in the evidence before us to lead us to conclude that Inspector Emerson had neglected his official duties in any way, or that the police work in his district was not satisfactorily performed. Our recommendations concerning Inspector Emerson's case appear in our general report.

Charge No. 3.—That members of the Police Force frequent licensed houses improperly; and that Constables Barrett and McKenzie have frequented licensed houses in Christchurch contrary to the Police Regulations. That the details of the matter connected with Constables Barrett and McKenzie are as follows: They did, whilst on duty on the night of Thursday, the 13th August, 1897, improperly leave their beat and enter Arena's Hotel, in Cashel Street, Christchurch, remaining there for half an hour.

Finding.—As regards the complaint No. 3 of Mr. T. E. Taylor, M.H.R., against Constables McKenzie and Barrett, the evidence in support and in refutation of the charge was exceedingly contradictory. Upon the whole, and after giving the matter the fullest consideration, we consider we are bound to give the accused the benefit of the doubt we have in the matter, and thus to acquit them of the charge.

Charge No. 4.—That the police have failed to enforce the laws of the colony.

Finding.—We consider this charge is, on the whole, disproved by the evidence before us; but the matter is fully dealt with in our general report. We conclude from the evidence adduced that the percentage of reported crime in the colony which is undetected is comparatively small. Where the police have “failed” to enforce the laws of the colony such failure has, in our opinion, been due to existing defects in various statutes and difficulties in obtaining evidence, and not to want of zeal or ability on the part of the police.

Charge No. 5.—That there has been a lax administration of the law relating to the suppression of houses of ill-fame.

Finding.—We do not consider this charge proved. In all districts the evidence before us has satisfied us that the police have taken all proper steps for minimising the nuisance created by houses of ill-fame, and whenever such places have become in any way disorderly houses have taken prompt measures for the prosecution of the offenders. In the present state of the law, and in the absence of any provision for more effectively regulating prostitution, the effect of police action is merely to drive the keepers of houses of ill-fame from one locality to another. This is a social question which requires to be specially dealt with by legislation, and we cannot hold the Police Force responsible for the present state of things in relation to it.

Charge No. 6.—That Constable Christie, of Mosgiel, did, whilst in charge of Balclutha, collect moneys for various people and engage in duties for profit outside of his police duties, and neglected to protect citizens from injuries.

Finding.—We find this charge not proved.

Charge No. 7.—That about the beginning of 1893, or thereabouts, Constable Christie did carry on the railway from Balclutha, in a passenger-car, contrary to the regulation, the dead body of a child, thereby defrauding the revenue.

Finding.—Constable Christie admitted that he did so carry the dead body of a child—his own child of one month old.

Charge No. 8.—That Sergeant O’Grady is of intemperate habits, and has been during the past five years, and is neglectful of his duty as a police officer. The following are some of the instances of neglect of duty on Sergeant O’Grady’s part: The loss of a watch by Mrs. Jane Isabel Young; the breaking of public lamps, reported by McLaren; the theft of various articles from one McLaren; the failure to suppress the larrikin nuisance.

Finding.—The evidence before us proves that, though Sergeant O’Grady, as he admitted, is in the habit of taking liquor when he wants it, he cannot be fairly said to be of “intemperate habits.” Nor can it be honestly said that he is neglectful of his duty as a police officer. So far as we could discover, his police duties appeared to be carried out in a proper and efficient manner.

With reference to the particular instances of neglect of duty above alleged, we have to report as follows: (*a.*) As to the loss of a watch by Mrs. Jane Isabel Young: There was no evidence whatever of neglect on the part of Sergeant O’Grady. This charge was, during the hearing, abandoned. (*b.*) As to the breaking of public lamps, reported by McLaren: We acquit Sergeant O’Grady of any neglect of duty in this matter. (*c.*) As to the theft of various articles from one McLaren: It appears that McLaren’s poultry mixed with some of those of his neighbours, stated to be women of the town, who, it was alleged, killed and ate such poultry. Such conduct Sergeant O’Grady was powerless to prevent. (*d.*) The failure to repress the larrikin nuisance: It appeared the young lads of Oamaru at times congregated of an evening near the Athenæum there, but it also appeared that the police from time to time dispersed them, and used all reasonable efforts to keep the larrikin element in Oamaru in check.

Charge No. 9.—That Constable Mullaney frequents licensed houses, and conducts himself in such a manner as to interfere with the efficient discharge of his duty.

Finding.—The evidence adduced completely exonerated Constable Mullaney from the charge made against him. The evidence given in support of the charge, as well as that given in defence, showed conclusively that Constable Mullaney is an excellent police officer, strictly temperate, and in every way a credit to the Force. The evidence on his own behalf included

two Prohibitionists, men of good standing in their district, and who spoke most highly of him as a police officer, and of his character generally. The charge against him can fitly be described as vexatious.

Charge No. 10.—“I hereby charge Sergeant O’Grady with having acted in an improper manner towards Mrs. Mary Simpson, in that he has on various occasions suggested that he should have sexual intercourse with her, and that on one occasion he brought two men to her house in Reid Street, Oamaru, and asked her to have improper relations with them, telling her that they had plenty of money, and she was to make them pay well for it, and that the Sergeant on these various occasions was under the influence of liquor.—T. E. TAYLOR.”

Finding.—A charge somewhat similar in terms to the above (No. 10) was lodged with us on behalf of Mrs. Mary Simpson. It was in Mr. T. E. Taylor’s handwriting, and varied from the above in that it alleged that Sergeant O’Grady asked her that the “two men” should be allowed to enter her house for immoral purposes. Mrs. Simpson’s charge was withdrawn by her, whereupon Mr. Taylor lodged the above charge himself. Mrs. Simpson was too ill to attend before the Commission, and at Mr. Taylor’s request we attended at her house with Press reporter and our own reporter; but owing to Mrs. Simpson being so very ill and so much distressed at our coming to her house, we could not take her evidence. No other evidence was tendered. Letters bearing upon this matter appear in the Appendix.

Charge No. 11.—That Constable Patrick McGill is of intemperate habits, and on the 9th and 10th of April, 1898, was in a state of drunkenness on the public streets. Also, that in connection with the collection of the dog-tax in Sydenham he has displayed gross carelessness in registering dogs in Sydenham which ought to have been registered in Springston district. In the case of an intended visit of inspection *re* kerosene licenses, he informed the person concerned—viz., one Bowden, of the intended visit.

Finding.—The records show that Constable Patrick McGill, about the 7th day of March, 1890, was compelled to resign in consequence of drunkenness, and that about the 5th June, 1890, he was reinstated. Since that time, according to the evidence before us (and some of which was given by many well-known leading men, both in business and out of business in Christchurch, and who have had frequent, and, indeed, almost daily and nightly opportunities of observing Constable McGill), it appears that his conduct as regards temperance has been satisfactory. The charge that he “is of intemperate habits” is quite disproved. The specific charges of his drunkenness on the 9th and 16th of April, 1898, were not proved. The charges against Constable McGill in connection with the collection of the dog-tax and inspection *re* kerosene licenses we did not investigate, as these duties were not in his capacity as a police officer.

Charge No. 12.—That Inspector Emerson has neglected to enforce the Gaming and Lotteries Act, and on occasions shown open sympathy with those accused—as in the prosecution of Robinson and others.

Finding.—We are of opinion that such neglect has not been proved; but we are of opinion that his conduct during the hearing of a prosecution of two spielerers at Napier was indiscreet and improper.

Complaints by Various Persons, and Findings thereon.

Charge by Mr. James Brown against Sergeant Hannan, of Stafford, of acting dishonourably in reference to the purchase of certain property of Miss Conway, at Stafford Town, West Coast.

Finding.—We find this charge, so far as it relates to Miss Conway’s property, fully proved, and are of opinion that the circumstances show that Sergeant Hannan should no longer be retained in the Police Force of the colony. Miss Conway, of Stafford, by the death of her mother, became under her will entitled to a certain hotel, land, billiard-table, and other property. Sergeant Hannan was Clerk of the Court and agent for Public Trustee at Stafford at the time of Miss Conway’s mother’s death, and was on friendly terms with the family. His wife was at Mrs. Conway’s death-bed. He led Miss Conway to believe he was her friend, and represented to her that he knew some one who would buy the hotel property, but that he could not get more for her than £135 for the whole property. He represented, further, to her that one Henne, a rival hotelkeeper at Stafford, would not buy her property from her,

On the other hand, he had represented to Henne, for whom he had undertaken to purchase a part of the property—viz., the license and billiard-table—and who had authorised him to give £160 for such part, that Miss Conway would not sell same for less than £170. Sergeant Hannan subsequently told Henne that Miss Conway had sold the property to him, Sergeant Hannan, and he agreed to sell the license and billiard-table to Henne for £160, who agreed to buy same at that price after he knew that Hannan had bought for himself. Upon Hannan's representation that he could not get more for her, Miss Conway agreed to sell, and did sell, the whole property to him for £135, so that he got the whole property (including land and buildings, estimated for stamp duty by his solicitor at £45) for £135, and sold the license and billiard-table only to Henne for £160. In short, we find that he deceived both Henne and Miss Conway, each of whom Hannan led to believe he was acting in their interest, and that he acted fraudulently towards both of them.

Complaint of Third-class Sergeant John Dwyer, No. 268, as to his non-promotion in turn.

Finding.—Sergeant Dwyer, in our opinion, is an excellent officer, a fact which the present Commissioner of Police has recognised by removing him from Clyde to Christchurch. We think that the non-promotion in turn of Sergeant Dwyer arose through a misunderstanding by the late Commissioner of Police (Colonel Hume) in thinking that Sergeant Dwyer was unwilling to be moved from his position as police-gaoler at Oamaru. If Sergeant Dwyer's position in the seniority list can be now rectified without injustice to others we are of opinion that it should be done. We are of opinion that in all cases of sergeants or constables acting as police-gaolers their seniority of service should not be interfered with by reason of their so acting.

Complaint of Constable H. Mulholland, No. 135, that he has been most unfairly treated in regard to promotion, and that his juniors in the service have been promoted to the rank of sergeant.

Finding.—Having heard Constable Mulholland's evidence at great length, we do not consider he has any ground of complaint owing to non-promotion to the rank of sergeant. Constable Mulholland's case is an illustration of the necessity for periodical removals of constables, so that the better as well as the more undesirable and disadvantageous stations should be occupied by different constables in turn. While Constable Mulholland was at what may be called a "good" station, with considerable extra emoluments, he made no complaint of non-promotion. We have no recommendation to make in this case.

Complaint of Mr. A. C. Henderson, of Invercargill, solicitor, that he had suffered pecuniary loss and much annoyance through the Police Force at Invercargill preventing prisoners employing him. Also suggesting that members of the Force be not allowed to remain too long in one place.

Finding.—There has been evidently some feeling between the complainant, Mr. Henderson, and Sergeant Macdonell, but we cannot say that it is proved that members of the Police Force at Invercargill prevent prisoners or others employing Mr. Henderson professionally. We think the police should be instructed to send for any solicitor a prisoner may desire to see, or, if he does not know the names of the local solicitors, the names of those in the habit of practising in the local Police Court, of whom a list should be kept at the station, should be supplied to him. We think this would prevent such complaints as Mr. Henderson's being made in the future. The matter of periodical removal of members of the Force is dealt with in our general report.

During the investigation of the above complaint, evidence was given as to what were considered questionable methods used by Sergeant Macdonell in obtaining evidence in criminal cases, by leading persons to believe that certain other persons had made statements to him which had not been made, whereby such first-mentioned persons were deceived into making certain admissions. Whilst recognising the difficulties the police often have in procuring the necessary evidence to obtain conviction against guilty persons, we desire to record our opinions that a resort to falsehood by the police in order to procure evidence to obtain a conviction is highly reprehensible.

Complaint by First-class Constable John Jeffries, No. 36, who complains as follows: (1.) That many juniors to myself in the service have been promoted to higher class and pay, while others have been appointed to stations where the emoluments are considerable in

connection with work outside what is generally deemed to be police employment. (2.) That during the time Colonel Hume was Commissioner I was transferred four times, being a removal about every year and eight months on the average, which I think unreasonable; besides, it has been ruinous financially and otherwise to myself and family. I am utterly unconscious of having done wrong in any way to deserve it, hence am anxious to know why I have been selected for so much punishment. (3.) That, having been informed by Colonel Hume I was transferred from Picton because I interfered in the last election, and, having denied the accusation, asked him to grant me an inquiry into it, and he peremptorily declined to do so, thus affording me no opportunity whatever of defending myself, which I consider a drastic and most un-English-like proceeding, and contrary to all sense of fair-play. (4.) That when transferred from Picton Station, Colonel Hume would not allow me any compensation for improvements I had made to it, and which I was almost bound to effect or carry out in order to make the premises inhabitable and somewhat comfortable, neither would he permit me to remove them after giving up possession of the building, but retained them, either in the interest or on behalf of the Government, or for the benefit of the constable who succeeded me there, which I consider not only denotes ill-feeling and prejudice against me, but was a drastic proceeding, whereby I have been made a monetary sufferer, amounting to several pounds. The improvements in question consisted of the erection or fitting-up of venetian window-blinds, clothes-bars and hooks, hat-racks, shelving, lamp-stands, &c., wash-house, wood- and coal-house, and other outdoor improvements, all of which were necessary and cost money.

Finding.—A great deal of evidence was taken in reference to this complaint, both at Nelson and Blenheim, and we have come to the following conclusion on the matter: (1.) As to non-promotion complained of by Constable Jeffries, we have no recommendation to make. His and similar complaints upon this head are dealt with in our general report. (2.) As to the second complaint we have no recommendation to make. (3.) The main point sought to be established by Constable Jeffries in reference to his conduct during the preparation of the electoral roll for the House of Representatives, prior to the last general election, was that he, Constable Jeffries, had not improperly omitted from the Wairau electoral roll the names of a number of persons living at Admiralty Bay and other places to the westward of Pelorus Sound, who were entitled to have their names placed upon that roll. The evidence entirely satisfied us that Constable Jeffries carried out the instructions he received from his superiors fully and in a perfectly impartial manner. We are also satisfied that a telegram which was sent to him by Sergeant Möller, at the instance of Mr. Mills, M.H.R., altering his (Constable Jeffries') first instructions was not received by him at all. (4.) We are of opinion that Constable Jeffries should have been allowed to remove from the police quarters occupied by him at Picton the following things: Venetian window-blinds, clothes-bars and hooks, hat-racks, shelving, and lamp-stand; and that, as he was not allowed to remove them, he should be paid a reasonable value for the same.

Complaint of Third-class Constable John Cullinane, complaining of evidence given by Charles Slight before the Commissioners concerning the complainant, and alleging a promise by the Minister in charge of the Police Department that complainant should be restored to his former position as first-class constable upon refunding the compensation which he had received on being allowed to retire from the Force through illness.

Finding.—We find that Constable Cullinane retired from the service as a first-class constable owing to illness, and that the Minister in charge of the Department agreed that he should be allowed to rejoin as a constable upon refunding the compensation which was paid to him on retirement. This he did not refund, claiming that he was promised by the Minister that he should be reinstated as a first-class constable. This promise is not proved to our satisfaction. We consider that when Constable Cullinane leaves the service again he should not receive any further compensation or retiring-allowance. If the police pension scheme is instituted he would be entitled to receive his pension in the usual way, his service to count from the date of his rejoining the Force.

Complaint of Constable Edward Brophy, who complains that he was put to extra expense in being sent on relief duty to Seddonville and detained there on that duty for nearly six months, whereas he had been led to believe he would be kept there for only a few weeks.

Finding.—We consider that, under the circumstances, Constable Brophy should be compensated to a reasonable extent for the extra expense so incurred by him.

Complaint of Constable Thomas John O'Brien, representing that he had been ordered to proceed on transfer from Auckland to Napier, and that while so proceeding he was wrecked in the s.s. "Tasmania," and lost clothing and effects to the value of £80 16s., and that the Police Department had refused to recompense him in any way in respect of such loss, on the ground that he should have insured the articles referred to.

Finding.—We are of opinion that as Constable O'Brien was proceeding to Napier under orders, and, as the loss was beyond his control, he should be reimbursed by the department the value of his uniform and clothing. We cannot consider the department liable for extra articles, such as his violin and things beyond his outfit as a constable.

Mr. Fleming's Complaints.—We consider the several charges made by Mr. George Spencer Fleming, and which are set out in the Schedule hereto, were wholly without foundation, and we have ordered that the costs of such witnesses as were subpoenaed at his request be paid out of the amount deposited by him for their expenses.

In addition to the matters referred to in the Schedule hereto, a large number of letters were received by us containing suggestions as to various matters connected with the organization and administration of the Police Force of the colony. At each place where we held sittings, the local members of the Force were invited to bring any grievances, complaints, or suggestions which they had to make in respect to the Force before us, and at each place complaints and suggestions were received in writing. These have been carefully considered, and the result of our consideration is embodied in our general report.

We now return to your Excellency the Commission with which you honoured us, together with this report. The Evidence, Minutes of Proceedings, and Appendix are being printed, and will be forwarded to your Excellency as soon as possible.

In witness whereof we have hereunto set our hands and seals, this twenty-eighth day of July, one thousand eight hundred and ninety-eight.

(L.S.) ALBERT PITT,
 (L.S.) J. W. POYNTON,
 (L.S.) H. S. WARDELL.

SCHEDULE.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
1	John McMahon (ex-police-sergeant)	Police Department	AUCKLAND DISTRICT. As to his alleged wrongful discharge from the Police Force	Case not entertained by Commissioners as to his retirement from the Police Force, being excluded by terms of the Royal Commission; his contention as to the existence of a rule in the service that powers of watchhousekeeper in watchhouse are absolute (and as to which the Commissioners took evidence) held not to be proved by the evidence given	Ex-Sergeant McMahon alleged that the rule referred to existed, and sought to justify his conduct on occasion referred to in his complaint.
2	A. J. McClusky (ex-Inspector of Police)	Police Department	As to his alleged wrongful discharge from the Force	Matters not entertained, being excluded by the terms of the Royal Commission.	
3	Thomas Collis	Police Department	As to his alleged wrongful discharge from the Force	Not entertained.	
4	District Constable C. T. Dunne (Kaikati)	Police Department	Complaining as to the insufficiency of his pay as a District Constable		
5	Maria Smith	Police Department	Persecuting her son and herself	Satisfied no ground exists for charge, and that complainant suffers from a delusion in the matter.	Consider salary should be increased.
6	Rév. F. W. Tsitt	Police Department	(1.) That the efficiency of the Police Force has been seriously impaired to the detriment of the public interest by the exercise of outside influence which has been brought to bear upon it, especially by influence of an outside nature (2.) That the licensing laws and those laws which relate to gaming have not been strictly enforced; and that the laws under which the sale of intoxicating liquors in the King-country and other Native districts is prohibited have been administered with special laxity	See reference to these matters in general report.	
7	John Bell	Constable McLelland	Unfair arrest of complainant when he was ill; and held medical certificate	Disproved.	
8	John Bell	Inspector Hickson	Unduly interfering with complainant	Disproved.	
9	John Bell	Constable Kennedy	Improper interference with complainant when about to address a public meeting	Disproved.	
10	John Bell	Sergeant Lyons and ex-Sergeant Gamble and ex-Sergeant McMahon	Unlawfully conspiring to prevent complainant addressing the public	Disproved.	
11	John Deans	Sergeant Green	(1.) Insulting language to complainant in reference to his wife (2.) Allowing hotel at Onehunga to keep open after hours	We are of opinion that the words alleged to have been used were used, but merely in jest.	
12	George Everard Bentley	Police Department	As to administration of licensing laws; conduct of police in Auckland; state of police cells, and treatment of prisoners therein	Appears that the hotel at Onehunga, referred to was frequented by travellers who had visited Onehunga to attend a ball or entertainment. See report of evidence, and see also special reference in general report as to watchhouses and police-cells.	

SCHEDULE—continued.

Number of Charge or Complaint	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.	
NAPIER DISTRICT.						
13	T. E. Taylor ..	John Emerson ..	Being of drunken habits, and addicted to gambling	..	See special findings. No appearance. Dealt with in general report. No appearance of Miss Moore. Her letter appears in the Appendix. Complainant did not appear at time appointed. Complaint not dealt with; but we were satisfied upon the Constable's explanation that complainant had no ground for complaint	
14	T. E. Taylor ..	John Emerson ..	Having neglected to enforce the Gaming and Lotteries Act, and on occasions shown open sympathy with persons accused	..		
15	T. E. Taylor ..	John Emerson ..	Having been drunk on May 2nd, 1897, at Gisborne; July 6th, 1897, at Gisborne; and January 7th, 1898, at Napier	..		
16	T. E. Taylor ..	John Emerson ..	Intemperate habits since having charge of Hawke's Bay district, and addicted to gambling	..		
17	J. H. Phillips ..	John Emerson ..	Mismanagement of Police duties ..	..	
18	S. P. Norwood ..	..	Suggestions as to position of District Clerks ..	..	
19	Miss Elizabeth Moore ..	..	Concerning evidence given by Colonel Hume re the late Inspector Moore's retiring-allowance	..	
20	Harry Bryant Thompson	Constable Dennis Bros-nahan	Allowing Railway Refreshment Rooms at Waipawa to be kept open between departure and arrival of trains	..		
NEW PLYMOUTH DISTRICT.						
21	J. J. Gilbert ..	Constable John Gillespie	Improper conduct when in Armed Constabulary in 1886	..		Not heard; excluded by terms of Commission.
WELLINGTON DISTRICT.						
22	Constable John Gillespie	Police Department ..	Upon several occasions having been unfairly treated	..		These charges were withdrawn on account of complainant's illness, but matters appear to have been already investigated by Mr. Hasselden, S.M. Disproved .. Disproved .. Matter already dealt with by a previous Commissioner of Police
23	Francis Rumsey ..	Constable T. O'Rourke ..	(1.) Assisting a prisoner who was convicted of theft to evade justice. (2.) Neglect of duty on various occasions ..	..	
4	Charles Slight ..	Police Department ..	Claiming compensation for services as constable ..	..	
25	Constable T. O'Rourke	To give evidence and to defend his character upon matters not connected with Rumsey's charges	..			Evidence satisfactory.

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
26	Sergeant A. H. Wright	Police Department	<p>WELLINGTON DISTRICT—continued.</p> <p>Complains of being deprived of 1s. per day clerical allowance in 1893</p>	<p>It appears that the former holder of the office of District Clerk at Wellington has received 1s. per day. Wright was promoted a first-class constable, and removed to Wellington as District Clerk. The intention of the Commissioner (Lieut.-Colonel Hume) appears to have been to do away with this allowance in respect of new appointments</p>	<p>See reference to this subject in general report.</p>
27	Constable F. O'Leary	..	<p>To give evidence concerning his character</p>	<p>This constable lost some summonses whilst he was proceeding to serve them. He paid the costs incurred in consequence of their loss.</p>	<p>The implied imputation against Inspector Pender of having improperly deprived Constable Foley of the charge of the Manners Street Police Station, Wellington, is disproved by the evidence.</p>
28	Constable John T. Foley	Police Department	<p>Complains of his treatment in the service since placed in charge of Manners Street Police Station, Wellington</p>	<p>This constable complained of having been reprimanded and an entry made upon the defaulter's sheet without his having been informed that it would be so entered. He denied having committed the offence in respect of which such entry was made. He obtained the removal of the entry by applying to Mr. John Duncan, M.H.R.</p>	<p>Copy of certificate of death of Amy Dyson appears in appendix, showing death from natural causes.</p>
29	Ex-Const. George Neale	Inspector Pender	<p>At Christchurch: Neglect of duty in not calling witnesses in case of alleged concealment of birth by Mrs. Boyd of child of one Amy Dyson, and that in consequence there was a gross miscarriage of justice</p>	<p>Evidence not completed; but so far as it went it wholly disproved the charge alleged against Inspector Pender, which we fully believe to be utterly unfounded. Complainant withdrew, and declined to call further evidence</p>	<p>These matters are all dealt with in the general report.</p>
30	T. E. Taylor, M.H.R.	The Police Department	<p>(1.) Asserts grave discontent among the members of the Police Force in the colony. That the wrongful use of political power by Ministers and others has disorganised and demoralised the force, and generally acted in a prejudicial manner upon the public interest 2.) That the police have failed to enforce the laws of the colony</p>	<p>..</p>	<p>..</p>
31	Frederick Pirani, M.H.R.	..	<p>PALMERSTON NORTH DISTRICT.</p> <p>Complaining that Constable Gillespie had been persecuted by the Department at the instigation of brewers and publicans</p>	<p>..</p>	<p>Not heard in consequence of absence of Mr. Pirani owing to illness. No evidence tendered. Constable Gillespie also at same time confined to Wellington Hospital through illness.</p>

SCHEDULE—continued.

Number of Charge or Complaint	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
32	W. Hamer ..	Constable John Gillespie	<p>PALMERSTON NORTH DISTRICT—continued.</p> <p>Neglect of duty in respect of charge of theft against two men made by complainant</p>	..	Not dealt with. Complainant not present; Constable Gillespie being absent also through illness.
38	Sergeant Edward Wilson	..	Explanation as to removal from Akarua, and correction of evidence given in reference thereto	Sergeant Wilson's explanation and evidence thereon quite satisfactory.	
34	E. Purser ..	Police force at Blenheim	<p>BLENHHEIM DISTRICT.</p> <p>Failure to take prompt action <i>re</i> disappearance of Harry Satherley</p>	We consider the police did all in their power under the circumstances. Whether Satherley died from accident or was murdered is yet to be proved.	
35	John Jeffries ..	Colonel Hume ..	Unfair treatment	See special finding.	
36	James Brown ..	Sergeant Daniel Hannan	<p>WESTLAND DISTRICT.</p> <p>Fraud in trafficking in hotel property</p>	See special finding.	
37	John Cullinane	..	Complaining of incorrect evidence having been given about him, and urging claim to promotion	See special finding.	
38	Henry Nickless	Constable Bennett	Disclosing information wrongfully	Charge disproved.	
39	Ruffino Taminelli	Constable Stewart	Failing to take action against persons who placed complainant's wagon in river bed	Charge disproved.	
40	Antony Marley	..	Complaining of the evidence given by Constable Philpotts	Marley was not before the Commission at Westport, but Constable Philpotts applied there to have an entry in his defaulter's sheet removed, which entry was the result of his observations to Marley as to the latter's conduct. We have no recommendation to make in the matter. (See his evidence.)	
41	Constables Macdonnell and Brophy	..	Complaining that marks were put on their defaulter's sheets unjustly	We have no recommendation to make. The constables should have continued to watch the steamer "Dingadee" when ordered to do so.	
42	Constable James Gantley	..	<p>CANTERBURY DISTRICT.</p> <p>Asks to be allowed to refer to allegation in evidence given before the Commissioners which suggested he had been guilty of exhibiting obscene pictures</p>	Allegation disproved. Constable Gantley's statement quite satisfactory.	
43	Ex-Sergeant Beck	Certain officers of Police	Complaining of being unjustly treated	Withdrawn.	
44	Constable Flewollen	Police Department	Claiming that others unfairly promoted over him ..	See evidence. This constable has an excellent record, a clean sheet, and we think he must have been inadvertently overlooked in the matter of promotion; and we recommend him for favourable consideration.	Matter of promotion dealt with in general report.

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
CANTERBURY DISTRICT—continued.					
45	Rev. Father D. M. Salvador (Lyttelton)	Constable O'Connell	Complaining of allegations made by Constable O'Connell in his evidence concerning him	See evidence.	
46	W. M. De Weston	Certain members of the Police Force	False arrest of complainant, and assault	Not heard, having been already dealt with in law courts.	
47	Constable A. Stanton (District Clerk, Christchurch)	Police Department	Complaining of being refused clerical allowance as allowed to other District Clerks	Does not appear to have any right to allowance, which the late Commissioner (Lieut.-Col. Hume) evidently intended to do away with on new appointments.	Matter of allowance to District Clerks dealt with in general report.
48	Detective Benjamin (delegated)	Police Department	Complaining as to expense incurred by detectives in procuring and maintaining bicycles for detective work	See general report, where matter dealt with.	
49	Constable George Hastie	Police Department	Non-promotion	See evidence. Matter dealt with in general report.	
50	Amelia Cook	Constable Patrick McGill	(Particulars not given)	Not heard, having already been dealt with by law court.	
51	Sydney Day (Sydenham)	Police	Neglect of duty; not detecting perpetration of burglary	Not proved (see evidence).	
52	J. D. Crockett (ex-Mounted Constable)	Police Department	Providing complainant with an unsound trooper, and that in consequence complainant suffered loss and inconvenience	Horse unsound, but whether so when purchased does not appear.	
53	T. E. Taylor, M.H.R.	Constable Patrick McGill	That Constable McGill was of intemperate habits. That on the 9th and 16th April, 1898, was in a state of drunkenness in the public streets; also, that in connection with the collection of the dog-tax in Sydenham he has displayed gross carelessness; also, that in case of intended visit of inspection 72 kerosene, because he informed the person concerned, namely, one Bowden, of the intended visit	See special findings in these cases.	
54	T. E. Taylor, M.H.R.	Constable McKenzie (Christchurch), and Constable Thomas Barrett (Christchurch)	Improperly entering hotel in Christchurch, namely, Arenas's Café, and remaining there during the time they should have been on duty	See special findings in this case.	
55	George Spencer Fleming	Constable Patrick McGill	Having broken into house of John Cook and Amelia Cook and assaulted them	Not heard. Matter already dealt with by court of law.	
56	George Spencer Fleming	Constable Ryan	Neglect of duty in case of one Spain who drew a knife and assaulted one Jansen	Not proved.	
57	George Spencer Fleming	Inspector Broham	Being bouncable and arrogant	Charge withdrawn.	
58	George Spencer Fleming	Sergeant Scully	That he insulted and unduly interfered with one Jules Lelievre	Disproved.	
59	George Spencer Fleming	Sergeant Scully	Assaulting Jules Lelievre and August Lelievre, and causing disturbance in public street	Withdrawn.	
60	George Spencer Fleming	Police	Not inquiring into circumstances of complaint, made by one Field at Eketahuna, as to loss of bullock	No evidence adduced.	

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
CANTERBURY DISTRICT—continued.					
61	George Spencer Fleming	Police	Neglecting (about two years previously) to discover people who stole—(a) 2,000 of complainant's sheep at Katuna; (b) a number of sheep belonging to one Hugh Buchanan of Little River; (c) 300 cattle belonging to one Randall of Akaroa Heads; (d) 1,000 sheep belonging to — Menzies of Macintosh Bay	Not proved.	
62	George Spencer Fleming	Detective Benjamin	In June, 1897, forcing his way into house of Mrs. Cummings in Tuam Street, Christchurch, while she was ill in bed	No evidence adduced.	
63	George Spencer Fleming	Constable Hill	Insulting one Annie Murdoch, and then arresting her on imaginary charge	Disproved.	
64	George Spencer Fleming	Constable Hill	Forcing his way into house of girl named Smith, breaking a window, and blackening her eye	Disproved.	
65	George Spencer Fleming	Constable Ryan	Failing to keep promise to attend at Fort Levy at complainant's house, to keep order against possible intruders and larrikins at a dance given there by complainant	Disproved.	
66	George Spencer Fleming	Constable Ryan	Vexatiously causing complainant to make unnecessary alterations to woolshed	Not proved.	
67	George Spencer Fleming	Police Department	That Constable Crockett supplied with and compelled to ride a horse unfit for work, and unsafe also	Not heard. Dealt with on Constable Crockett's own complaint	See order as to the costs &c complaints by Mr. George Spencer Fleming.
68	George Spencer Fleming	Sergeant Rutledge	That three years previously the Sergeant, then at Lyttelton, refused to investigate case of cruelty to animals at Diamond Harbour	Disproved.	
69	Constable Stephen Maitland Kelso	Police Department	Complaining of non-promotion		This Constable appears by the evidence to have been recommended for promotion by his Inspector upon three separate occasions. We think he must have been inadvertently passed over in the matter of promotion, and we recommend him for favourable consideration.
TIMARU					
70	Constable J. J. Wethered	..	Relating to being fined 10s., and asking for promotion	..	Dealt with in general report.
71	T. E. Taylor, M.H.R.	Constable Mullancy	That Constable Mullaney frequents licensed houses, and conducts himself in such a manner as to interfere with the efficient discharge of his duties	..	We make no special recommendation. Special finding.

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
TIMARU—continued.					
72	Robert Crawford	..	Claiming promotion ..	Inspector Weldon, in September, 1884, recommended this constable for promotion to first class, and a distinct written promise was given by Colonel Reader, then Commissioner of Police, in a minute upon Inspector Weldon's recommendation, that Constable R. Crawford should be promoted to second class upon first vacancy in Dunedin. He was not promoted second class until 1893. If there had been any previous vacancies in Dunedin in the interim since Colonel Reader's minute it is clear that the promise to Constable Crawford has not been kept, and we recommend him to favourable consideration. Constable Crawford has an excellent record	Matter dealt with in general report.
73	T. E. Taylor, M.H.R.	Sergeant Thomas O'Grady	Alleged improper conduct towards Mrs. Mary Simpson	See special finding ..	No evidence taken in consequence of illness of principal witness. Withdrawn.
74	Mary Simpson	Sergeant Thomas O'Grady	Alleged improper conduct towards Mrs. Mary Simpson	..	..
75	T. E. Taylor, M.H.R.	Sergeant Thomas O'Grady	Intemperate habits and neglect of duty ..	See special finding.	..
76	Hugh McLaren	Sergeant Thomas O'Grady	Neglect of duty ..	Disproved.	..
77	H. G. Hunt	..	As to pay of members of Police Force ..	Dealt with in general report under the head of "Pay of the Police Force."	..
78	Michael Hannon	Michael Greene	Neglect of duty and absent from beat during hours of duty	We find that Constable Greene quitted his beat and went to his sleeping-room, and remained there longer than was necessary for the alleged purpose of changing his boots. We do not find he was in liquor.	..
79	Edmund Charles Trehey	..	Asking for mess to be established at Oamaru, &c. ..	Dealt with in general report.	..
OTAGO.					
80	T. E. Taylor, M.H.R.	Police	Neglect of duty in respect of suppression of houses of ill-fame	See special finding and general report.	..
81	Arthur Henry Widdas	Constable T. Howard	Falsely charging complainant with being drunk ..	Not considered by Commission ..	Charge having been already brought before a Court and dealt with.
82	Constable James Pratt	Police Department	Claiming promotion ..	Matter dealt with in general report ..	We have no special recommendation to make.
83	W. J. Winter	Constable Pratt	Compaining of incorrect statements in Constable Pratt's evidence	..	See Appendix. See also Ex-Inspector Buckley's letter on same subject in Appendix.
84	Constable David Hannifin	..	Asking to be allowed to give explanation in reference to evidence given by Sergeant Conn	..	See Constable Hannifin's evidence, pages 460 to 462.

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved, Wholly, Partially, or Disproved.	Remarks.
<i>OTAGO—continued.</i>					
85	Constable J. W. Brennan	..	Complaining of evidence given about him, and asking that it be corrected	..	See evidence given by Inspector Pardy relating to him, pages 209 and 250.
86	Sergeant John Dwyer	..	Claiming promotion	..	See special finding.
87	Constable Hugh Mulholland	..	Claiming promotion	..	See special finding.
88	R. Rainer Jones	..	Claiming reward for arrest of escaped prisoner	..	The reward is claimable, if at all, from the Prisons Department, provided the Judge trying the case recommended the payment of such reward. No such recommendation was made in the case referred to by complainant.
89	Constable Daniel Treacy	..	Asking that service in Armed Constabulary be allowed, so that he can get long-service pay.	..	Constable Treacy's case is similar to many others. He and they must have known when they entered the Service that the period served in the Armed Constabulary would not count. The work in the Armed Constabulary was not as wearisome as that in the police, and it is a rule of the Department that "service in the Armed Constabulary does not count as service in the Police Force." We see no reason to disturb this rule.
90	Constable Jas. Leece	..	Claiming promotion	..	We have no recommendation to make.
91	Sergeant P. Bowman	..	Claiming extra pay for acting as gaoler at Arrowtown	..	We have no recommendation to make. No pay attached to the position of Police Gaoler (as such) at Arrowtown.
92	T. E. Taylor, M.H.R.	..	Constable Christie	..	See special finding.
93	J. J. Meikle	..	Constable Leece	..	We find that the statements made by Constable Leece as to the stock and chattels upon complainant's property were believed by him to be true at the time he made them. We also find that the words relating to the young man Johnston, "remaining to father such a large family," were not intended to impute immoral relations between Mrs. Meikle and Johnston, although open to such a construction.
94	A. C. Henderson	..	Sergeant Macdonnell	..	See special finding.
95	Nicholas Azzariti	..	Unfair treatment of complainant's wife	..	Disproved.
96	Robert Rae	..	Failure of police to arrest certain persons	..	Disproved.
97	Mrs. S. J. Slattery	..	Neglect of duty on part of police	..	Withdrawn.

MINUTES OF PROCEEDINGS.

WELLINGTON.

MR. POYNTON arrived in Wellington Friday, 11th February, 1898.

Colonel Pitt arrived in Wellington Saturday, 12th February, 1898.

SATURDAY, 12TH FEBRUARY, 1898.

During the day an informal meeting was held at the residence of Mr. Wardell, at which preliminary matters were discussed and agreed upon.

MONDAY, 14TH FEBRUARY, 1898.

The Commission sat at the Parliamentary Buildings, Wellington, at 10.30 a.m. on Monday, the 14th day of February, 1898.

Present: Albert Pitt, Esquire, barrister; Joseph William Poynton, Esquire, S.M.; and Herbert Samuel Wardell, Esquire, S.M.

Resolved, on the motion of Colonel Pitt, That Mr. Wardell be appointed Chairman of the Commission.

The official reporters, A. M. Kay and J. Dunbar Gray, and the Secretary, E. W. Kane, were in attendance.

The Commission was read.

Resolved, on the motion of Mr. Poynton, That the public proceedings of the Commission shall be open to the Press.

The Commission resolved as follows:—

1. That any person making an allegation or complaint, or against whom any complaint is made, may appear personally or may be represented by counsel.

2. A form of advertisement, to be inserted in all daily papers throughout the colony outside the Wellington Provincial District, was agreed to, as follows:—

ROYAL COMMISSION TO INQUIRE INTO MATTERS AFFECTING THE POLICE FORCE OF THE COLONY.

NOTICE is hereby given that a Royal Commission has been appointed to inquire, *inter alia*, into the general organization, distribution, control, enrolment, discipline, efficiency, pay, emoluments, and rewards of the Police Force of the colony as it now exists, and as to the general conduct, sobriety, and morality of the members of the said Force, and the alleged failure of the said Police Force to maintain order and enforce the laws of the colony.

Pursuant to the terms of the Commission, no inquiry will be held by the said Commission into any matter or thing which has already been investigated and determined before any judicial or other lawfully constituted tribunal, or where any member of the Police Force has been dismissed from the service, or whose services have been dispensed with in consequence of his misconduct or for any other reason.

All persons who desire to make any complaint or allegation within the terms of the Commission are hereby notified that a general statement of such complaint or allegation, in writing, must be forwarded to the Secretary of the Commission, at the Parliamentary Buildings, Wellington, so as to reach him on or before the 10th day of March, 1898.

The Commission will sit to hear evidence and make inquiry into such complaints or allegations, and generally into the administration, efficiency, and control of the Police Force, at such places as may be most convenient, at times

E. W. KANE,

Secretary of the Commission.

Wellington, 14th February, 1898.

3. A form of advertisement to be inserted in all daily papers within the Wellington Provincial District was agreed to as follows:—

ROYAL COMMISSION TO INQUIRE INTO MATTERS AFFECTING THE POLICE FORCE OF THE COLONY.

NOTICE is hereby given that a Royal Commission has been appointed to inquire, *inter alia*, into the general organization, distribution, control, enrolment, discipline, efficiency, pay, emoluments, and rewards of the Police Force of the colony as it now exists; and as to the general conduct, sobriety, and morality of the members of the said Force, and the alleged failure of the said Police Force to maintain order and enforce the laws of the colony.

Pursuant to the terms of the Commission, no inquiry will be held by the said Commission into any matter or thing which has already been investigated and determined before any judicial or other lawfully constituted tribunal, or where any member of the Police Force has been dismissed from the service, or whose services have been dispensed with in consequence of his misconduct, or for any other reason.

All persons in the City and Provincial District of Wellington who desire to make any complaint or allegation within the terms of the Commission are hereby notified that a general statement of such complaint or allegation, in writing, must be forwarded to the Secretary of the Commission, at the Parliamentary Buildings, Wellington, so as to reach him on or before the 1st day of March, 1898.

The Commission will sit to hear evidence and make inquiry into such complaints or allegations, and generally into the administration, efficiency, and control of the Police Force, at such places as may be most convenient, at times to be hereafter notified.

E. W. KANE,

Secretary of the Commission.

Wellington, 14th February, 1898.

4. That Mr. Tunbridge, Commissioner of Police, be asked to have a copy of the Commission inserted in the *Police Gazette*, and also a notification inviting all members of the Police Force to lay any complaint or suggestion they may desire before the Commission.

5. That the Commissioner of Police be asked to supply all papers and records that may be likely to afford information to the Commission.

Colonel Arthur Hume, the late Commissioner of Police, attended, and asked permission to read a letter he had addressed to the Hon. the Minister of Justice, asking that he might be allowed to attend the sittings of the Commission and cross-examine witnesses, and, if necessary, call evidence. Colonel Hume asked the Commissioners to grant their permission to his being present, and cross-examine witnesses and call evidence if necessary.

The Commissioners resolved that the necessary permission be granted to Colonel Hume, as requested.

During the afternoon the Commission sat at the office of the Commissioner of Police, and Mr. Tunbridge was present.

Peter Pender, Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5.30 the Commission adjourned until to-morrow at 10.30 a.m.

TUESDAY, 15TH FEBRUARY, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Colonel Hume and Mr. Tunbridge were in attendance.

The minutes of the previous meeting were read and confirmed.

Resolved, on the motion of Colonel Pitt, That the advertisement sent to the newspapers in the City of Auckland, Wellington, Christchurch, and Dunedin be inserted in three issues of the newspapers.

John Evans, senior clerk, Commissioners' office, Police Department, attended, was sworn, and gave evidence, which was taken down by the reporter.

During Mr. Evans's examination Mr. T. E. Taylor, of Christchurch, M.H.R., attended, and stated that, as he had made charges against the administration, he should be allowed to ask questions; and the Commissioners thereupon agreed to Mr. Taylor's request, and he was permitted to cross-examine the witness.

Colonel Hume was to be called as the next witness, and, as Mr. Taylor desired to be present, and expressed a wish that the evidence of Colonel Hume would not be commenced till to-morrow, the Commission adjourned at 1 p.m. till 10.30 a.m. to-morrow.

WEDNESDAY, 16TH FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Hume, Inspector of Prisons and late Commissioner of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 p.m. the Commission adjourned till to-morrow at 10.30 a.m.

THURSDAY, 17TH FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Arthur Hume continued his evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned till to-morrow at 10.30 a.m.

FRIDAY, 18TH FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Arthur Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Arthur Hume continued his evidence, which was taken down by the reporter.

Mr. Taylor intimated that it was necessary for him to return to Christchurch by to-day's steamer, but that he would meet the Commission on a subsequent date, and would then desire to continue his cross-examination of Colonel Hume.

At 4.30 o'clock p.m. the Commission adjourned till to-morrow at 10.30 a.m.

SATURDAY, 19TH FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

The Commissioners were engaged during the day perusing official documents and exhibits.

At 1 p.m. the Commission adjourned till 10.30 a.m. on Monday next, 21st February instant.

MONDAY, 21ST FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Before commencing to take evidence the Chairman (Mr. Wardell) said he wished to make a remark to the reporters—viz., “During the last day or two some things have occurred which make me inclined to doubt the wisdom of admitting the Press to this inquiry. I refer to comments on incomplete evidence, and the publication of remarks not on oath (aside, in fact) which make or suggest charges against individuals. These asides it is impossible for us at all times to stop, as they are uttered before we can interfere—especially as part may be relevant. But the Press should abstain from reporting these, or, having reported them, from accentuating the mischief by paragraphing them and quoting them in leading articles. We hope the reporters will take this hint, and that editors will not forget the responsibilities of their papers, and that reporters should confine themselves to reporting sworn evidence only.”

Mr. Poynton and Colonel Pitt concurred in the remarks made by the Chairman.

Colonel Hume continued his evidence, which was taken down by the reporter.

At 5 p.m. the Commission adjourned till 10.30 a.m. to-morrow.

TUESDAY, 22ND FEBRUARY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Colonel Hume continued his evidence, which was taken down by the reporter.

The Chairman informed Colonel Hume that for the present his evidence was concluded, but that he would probably be required to give further evidence at a subsequent date.

Captain John Coleman, Permanent Artillery Defence Force, attended, was sworn, and gave evidence, which was taken down by the reporter.

Mr. Tunbridge brought before the Commission an official file of papers (Police, 97/1437) relating to the petition of ex-Constable G. Neale, and which the Cabinet desired the Commission to consider, if coming within the scope of the Commission.

Resolved, That the Commission is of opinion that, having no power to inquire into any case of dismissal, the petitioner should be informed that if he desires to bring any charge against any officer of police he must formulate it, and forward it to the Secretary before the 1st March, 1898, and it will then be dealt with.

At 5.30 p.m. the Commission adjourned till 10.30 on Thursday next.

THURSDAY, 24TH FEBRUARY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

The Commission was engaged during the day in perusing official records.

At 5 p.m. the Commission adjourned till 10.30 a.m. to-morrow.

FRIDAY, 25TH FEBRUARY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Mr. Tunbridge and Colonel Hume were in attendance.

Complaint :—Charles Slight, ex-constable, but at present a licensed victualler, Paikakariki, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 1 o'clock p.m. the Commission adjourned till to-morrow at 10.30 a.m.

SATURDAY, 26TH FEBRUARY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

The Commission was engaged perusing records and correspondence, and at 1 p.m. adjourned until 10.30 a.m. on Monday next.

MONDAY, 28TH FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

The Commission was engaged up to 1 o'clock p.m. perusing official records and correspondence.

At 2.30 p.m. the Commission met at the Central Police-station, Lambton Quay. The Force was drawn up on parade, and, after being inspected, were addressed by the members of the Commission, and also by Mr. Tunbridge, and were invited, if they had any complaints to make or suggestions to offer to place same before the Commission, when they would receive full consideration.

The Commissioners and Mr. Tunbridge then inspected the quarters of the men, and examined the official books in use at the station.

The Mount Cook and the Manners Street Stations were then visited, and the men and quarters inspected.

The Commissioners addressed the men at each station.

At 5.30 p.m. the Commission adjourned till 10.30 o'clock to-morrow.

TUESDAY, 1ST MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of George Neale, ex-constable, against Inspector Pender:—Mr. Neale and Inspector Pender were in attendance.

George Neale, ex-constable, at present boardinghouse-keeper, Napier, attended, was sworn, and gave evidence, which was taken down by the reporter.

At the conclusion of his giving evidence, Mr. Neale called the following witnesses, viz.: Colonel Hume; Peter Pender, Inspector of Police; and William Thomas Mason, Sergeant-Major, Police Force, Wellington: and they were each sworn, and gave evidence, which was taken down by the reporter.

At 5 p.m. the Commission adjourned until 10.30 a.m. to-morrow.

WEDNESDAY, 2ND MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of George Neale, ex-constable, against Inspector Pender:—Upon George Neale being called to attend, the Secretary stated that Mr. Neale had called at the office before the hour for the meeting of the Commission, and stated he did not mean to attend the Commission further, for the reasons disclosed in his letter to the Chairman. The following letter, addressed to the Chairman, was read:—

SIR,—

Wellington, 2nd March, 1898.

I beg to draw your attention to a charge made by me against Inspector Pender and Constable Cullen, for suppression and obstructing a charge of murder *in re* Boyd case, concealment of a birth of a child in Christchurch in 1883. The opening proceedings on the 1st instant by the Royal Police Commission were as follows, viz.: solely to confine myself to the charge preferred by me against Inspector Pender, and that other charges brought by me would be dealt with by the Commission. I have already now submitted to the Commission the names of those subpoenaed in the above case that were subpoenaed to give evidence, and I have also been subjected to a cross-examination not at all relevant to the case in question.

Further, the reports appearing in the public Press of the 1st and 2nd March, 1898, at Wellington, are not consistent with the evidence taken, which is misleading in the above case on the 1st March, 1898.

Further, I beg to draw your attention that I shall be doing an act of injustice to myself and family by attending a Royal Commission as set up, and also at my own expense, for the benefit and welfare of the community at large.

I remain, &c.,

GEORGE NEALE.

The Chairman, Police Royal Commission, Wellington.

There being no appearance of George Neale, the Chairman inquired of Inspector Pender if he desired to give any further evidence. Inspector Pender, being reminded he was still on his former oath, gave evidence, which was taken down by the reporter. During his examination Inspector Pender handed in a copy of the certificate of the registration of death of Amy Dyson, and it was marked as Exhibit No. 14. Inspector Pender not desiring to call any further evidence, the Chairman intimated that, as Mr. Neale had not attended, the case was closed.

Case of Sergeant-Major Moore:—Miss Elizabeth Moore wrote complaining of the evidence given by Colonel Hume concerning her father. *Resolved*, That Miss Moore be informed that the Commission would sit at Napier on a future date, when the Commission would be prepared to receive her evidence.

Colonel Hume attended, and, being reminded he was on his former oath, gave further evidence, which was taken down by the reporter.

At 5 o'clock p.m., the Commission adjourned till 10.30 a.m. to-morrow.

THURSDAY, 3RD MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

The Commission perused and replied to a quantity of correspondence.

At 11 o'clock a.m. the taking of evidence was continued.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Hume continued his evidence, which was taken down by the reporter.

During the evidence of Colonel Hume, Mr. Taylor raised the question as to what was Mr. Tunbridge's position on the Commission. The Chairman stated that Mr. Tunbridge was present as head of the Police Department, and that the Commission had agreed to his being so present, with the right to cross-examine witnesses or to defend his department.

Mr. Tunbridge brought before the Commission a memorandum from Constable Carr, Patea with reference to the evidence of Colonel Hume referring to the constable; also, a memorandum from Sergeant E. Wilson, Palmerston North, calling attention to certain evidence given by Colonel Hume.

Resolved, That the officers in question would be given an opportunity at a later date of giving evidence, if they so desired.

Mr. T. E. Taylor handed in a complaint that he proposed to call evidence to prove that Inspector Emerson, in charge of the Hawke's Bay Police District, is of drunken habits and addicted to gambling.

At 5 p.m. the Commission adjourned until 10.30 a.m. to-morrow.

FRIDAY, 4TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Several letters were received, read, and dealt with.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Hume continued his evidence, which was taken down by the reporter.

Arthur Hobbins Wright, Sergeant of Police and District Clerk, Wellington, attended, was sworn, and gave evidence, and the same was taken down by the reporter.

James Armishaw, of Wellington, brickmaker, attended, was sworn, and gave evidence, which was taken down by the reporter.

Mr. T. E. Taylor, M.H.R., handed in a complaint that Constables Barrett and McKenzie have frequented licensed houses in Christchurch, contrary to the Police Regulations.

At 4 p.m. the Commission adjourned until to-morrow at 10.30 a.m.

SATURDAY, 5TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Maria Smith, of Wellington, widow, attended, and made a statement. The Chairman informed her that if she would make specific charges the same would be considered by the Commission.

Colonel Hume made a correction of his evidence, which was taken down by the reporter.

At 12 o'clock the Commission adjourned till 10.30 on Monday next.

MONDAY, 7TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Inspector Pender, called by Mr. Taylor, attended, and, being reminded he was on his former oath, gave further evidence, which was taken down by the reporter.

Sergeant Arthur Hobbins Wright, District Clerk, Wellington, called by Mr. Taylor, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Foley:—John T. Foley, third-class constable, Manners Street, attended, was sworn, and gave evidence, and the same was taken down by the reporter.

Mr. T. E. Taylor, M.H.R., handed in the following complaint:—"I desire to call the above witnesses to prove that the police have failed to enforce the laws of the colony" (names of twenty-one witnesses given).

At 5 o'clock p.m. the Commission adjourned till 10.30 a.m.

TUESDAY, 8TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Constable Foley:—Colonel Hume attended, was sworn, and gave evidence, which was taken down by the reporter. John T. Foley, being reminded he was on his former oath, continued his evidence, which was taken down by the reporter. Peter Pender, Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Florence O'Leary:—Florence O'Leary, police-constable, Newtown, attended, was sworn, and gave evidence, which was taken down by the reporter.

Mr. Taylor's charge, police failing to enforce the laws of the colony:—Robert Denton, engineer, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter. John Arthur Daniel Chisholm, watchmaker, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter. Ernest Fraser Jones, general printer, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 p.m. the Commission adjourned until 10.30 a.m. to-morrow.

The Commission sat at 10.30 a.m.

WEDNESDAY, 9TH MARCH, 1898.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Mr. Taylor's charge, police failing to enforce the laws of the colony:—Mr. Taylor called the following witnesses—viz., Arthur Wakefield Nicol, plumber, Wellington; Joseph Beaglehole, carpenter, Wellington; James Robert Crawford, blacksmith, Wellington; Irene Diana Jones, spinster, Wellington; William Hurrell, carriage-maker, Wellington; Percy Denton, watchmaker, Wellington; Featherston Herron, labourer, Wellington; Albert Tonks, saddler, Wellington; Augustus Thompson, carpenter, Wellington; George Petherick, bootmaker, Wellington. Each of the witnesses was sworn, and gave evidence, which was taken down by the reporter.

On the conclusion of the evidence the Commissioners dealt with a number of letters and other correspondence.

At 4.30 p.m. the Commission adjourned till 10.30 a.m.

THURSDAY, 10TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Florence O'Leary:—Charles Herbert Treadwell, Wellington, solicitor, attended, was sworn, and gave evidence, which was taken down by the reporter.

Application of Constables Johnston and Murphy:—Constable John Jackson Johnston attended, was sworn, and gave evidence, which was taken down by the reporter. Constable Michael Murphy attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—The Rev. John Crewes, ex-minister of religion, attended, was sworn, and gave evidence, which was taken down by the reporter.

Mr. Taylor called Detective William Campbell, Wellington, and Plain-clothes Constable Charles R. Broberg. The witnesses were sworn, and each made a statement, which was taken down by the reporter.

At 5.15 p.m. the Commission adjourned till 10.30 a.m. to-morrow.

FRIDAY, 11TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Mr. Tunbridge, Colonel Hume, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint:—Mr. J. J. Gregson, of Wellington, settler, attended, and made a statement. The Chairman informed Mr. Gregson he could bring the matter again before the Commission on some future date.

Colonel Hume, called by Mr. Taylor, being reminded he was still on his oath, gave further evidence, which was taken down by the reporter.

Frank Geoffrey Burton Waldegrave, Under-Secretary, Justice Department, attended, was sworn, and gave evidence, which was taken down by the reporter.

A number of letters and other correspondence was perused and answered.

The Commission at 5.30 p.m. adjourned until to-morrow at 11 o'clock a.m.

SATURDAY, 12TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Hume, being reminded he was on his former oath, gave evidence, which was taken down by the reporter.

At 1 p.m. the Commission adjourned.

DUNEDIN.

WEDNESDAY, 16TH MARCH, 1898.

The Commission met at the Supreme Court Buildings, Dunedin, at 10.30 a.m., and arranged formal business.

At 3.30 o'clock p.m. the Commission met at the Central Police-station. The Force was drawn up on parade, and, after being inspected, the men were addressed by the members of the Commission and by Mr. Tunbridge, and were invited, if they had any complaints to make or suggestions to offer, to place same before the Commission, when they would receive full consideration.

The men's quarters were then inspected, and the official books in use examined.

The Commission then adjourned till to-morrow at 10.30 a.m., at the City Council Chambers.

THURSDAY 17TH MARCH, 1898.

The Commission opened its proceedings for public business at 10.30 a.m., at the City Council Chambers.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

The Commission fixed the order of business, and arranged for the calling of witnesses.

William Stone Pardy, Inspector of Police, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned till to-morrow at 9.30 a.m.

FRIDAY, 18TH MARCH, 1898.

The Commission sat at 9.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Inspector William Stone Pardy attended, and, being reminded he was still on his former oath, continued his evidence, which was taken down by the reporter.

Complaint:—Constable Hugh Mulholland, of St. Clair, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—Mr. Alexander S. Adams, solicitor, Dunedin, attended as counsel for Mr. John Hay, and, after discussion he promised to have the complaint lodged by Mr. Hay put in proper form.

Complaint:—Frederick Mallard, ex-Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

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

SATURDAY, 19TH MARCH, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint:—Mr. John Hay attended, with his solicitor, Mr. Adams. Mr. Adams stated that since yesterday's sitting he had had an opportunity of conferring with Mr. Hay, and that he was instructed to state that Mr. Hay did not now propose to proceed further before the Commission with the complaint lodged.

Mr. T. E. Taylor, M.H.R., lodged the following complaint:—That there has been a lax administration of the law relating to the suppression of houses of ill-fame.

General efficiency of the Force:—William Stone Pardy, Inspector of Police, attended, and, being reminded he was still on his former oath, gave further evidence, which was taken down by the reporter. John Andrew Millar, M.H.R., Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge of Mr. T. E. Taylor—suppression of houses of ill-fame:—James McGill, Moray Place, Dunedin, builder, attended, was sworn, and gave evidence, which was taken down by the reporter. John Bryce Thompson, builder, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. William Stone Pardy, Inspector of Police, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. Terence O'Brien, Chief Detective, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. Joseph Albert McGrath, detective, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. John Cooney, plain-clothes constable, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. Tudor Boddam, plain-clothes constable, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned until 10 o'clock on Monday next.

MONDAY, 21ST MARCH, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Mr. Tunbridge was in attendance.

The Commission spent the morning perusing and answering correspondence, and going through documentary evidence.

At 1 p.m. the Commission adjourned till to-morrow at 10 o'clock a.m.

TUESDAY, 22ND MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Mr. Tunbridge was in attendance.

The Commission spent the morning perusing documents and records.

During the afternoon the Commission visited the following suburban police-stations and inspected the quarters and examined the official books—viz., North Dunedin, South Dunedin, Caversham, St. Clair, and Anderson's Bay.

At 6 p.m. the Commission adjourned until Friday next at 10 a.m.

FRIDAY, 25TH MARCH, 1898.

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

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Robert Rae, of Kensington, butcher, wrote to the Commission saying he did not propose to proceed further with the complaint he had lodged, as the matter complained of had occurred some years ago, and the constable chiefly concerned had now left the Dunedin district.

Complaint :—Nicholas Azzariti, Port Chalmers, settler, attended, was sworn, and gave evidence, which was taken down by the reporter. Susan Azzariti, wife of the said Nicholas Azzariti, attended, was sworn, and gave evidence, which was taken down by the reporter. Denis Treacy, constable, Port Chalmers, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint :—R. R. Jones, of Dunedin, private detective, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint :—Denis Treacy, constable, Port Chalmers, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of J. M. Brennan, constable, Caversham :—William Stone Pardy, Inspector of Police, attended, and, being reminded he was still on his former oath, gave evidence, which was taken down by the reporter.

Complaint :—Sergeant John Dwyer, sergeant of police, Clyde, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint :—Sarah Jane Slattery, of Dunedin, wife of John Slattery, miner, attended, was sworn, and gave evidence, which was taken down by the reporter. Sergeant William McLeod, at present stationed at Sydenham, Christchurch, formerly of Clyde, attended, was sworn, and gave evidence, which was taken down by the reporter. James Danvers Leece, constable, formerly of Clyde, at present stationed at South Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. William Stone Pardy, Inspector of Police, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5.15 p.m. the Commission adjourned until to-morrow at 10 a.m.

SATURDAY, 26TH MARCH, 1898.

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

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Complaint :—Charles Bonner, mounted constable, Queenstown, attended, was sworn, and gave evidence, which was taken down by the reporter.

William Stone Pardy, Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint :—Sergeant John Dwyer attended, and, being reminded he was on his former oath, gave further evidence, which was taken down by the reporter.

Colonel Arthur Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions :—Sergeant John Dwyer, Clyde, attended as a delegate for certain members of the Police Force stationed on the goldfields in the Otago district, and, being sworn, gave evidence, which was taken down by the reporter.

At 1 p.m. the Commission adjourned till Tuesday next, at Invercargill, at 10 o'clock a.m.

INVERCARGILL.

TUESDAY, 29TH MARCH, 1898.

The Commission opened its proceedings for public business at the Supreme Court Buildings, Invercargill, on Tuesday, the 29th March, 1898, at 10 o'clock.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Mr. Tunbridge and Colonel Hume were in attendance.

Complaint :—Arthur Chillas Henderson, solicitor, Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. During the hearing of Mr. Henderson's evidence a new charge was sprung against Sergeant Macdonell, to which he was entitled to twenty-four hours' notice, but which he waived, and the case was proceeded with. John McDonough, police-constable, Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. Peter McDermott, labourer, Seaward Bush, Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. Richard Matthews, solicitor, Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. Mary Powell, wife of Thomas Powell, West Plains, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaints and suggestions :—William Walker, constable, Riverton, attended, was sworn, and gave evidence, which was taken down by the reporter. Godfrey Cornelius Jeffery, police-constable, at present at Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5.30 p.m. the Commission adjourned until to-morrow at 10 o'clock a.m.

WEDNESDAY, 30TH MARCH, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. Taylor, M.H.R., were in attendance.

Complaint of Mr. Henderson:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., John McAlister, solicitor, Invercargill; A. C. Henderson, solicitor, Invercargill; James Torrance, medical practitioner, Bluff; James Young, medical practitioner, Invercargill; William Bernard McIlveney, plain-clothes constable; William Warring, sergeant of police; Godfrey Cornelius Jeffery, constable; Ewen Macdonell, sergeant of police; and the Hon. J. G. Ward.

At 5.45 p.m. the Commission adjourned until 10 o'clock to-morrow.

THURSDAY, 31ST MARCH, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. Henderson:—Lavington George Roope, of Invercargill, brewer, attended, was sworn, and gave evidence, which was taken down by the reporter. John McDonough, constable, North Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. During the examination of Mr. Roope, certain evidence was given by Mr. Roope which practically amounted to a charge against Constable McDonough, and to which he was entitled to twenty-four hours' notice, but which he waived, and the matter was proceeded with. Ewen Macdonell, sergeant of police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of John James Meikle:—John James Meikle, farmer, Wyndham, attended, was sworn, and gave evidence, which was taken down by the reporter. James Kelly, M.H.R., Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. Robert McNab, solicitor, Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. William Graham Fox, collector of rates, Southland County Council, and ex-Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter. Hon. Joseph George Ward attended, was sworn, and gave evidence, which was taken down by the reporter. James Danvers Leece, constable, South Dunedin, formerly of Mataura, attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—William Graham Fox, ex-Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—Arthur Henry Weddas, hairdresser, Invercargill, attended, and lodged a written complaint against Constable Howard. The Chairman informed the complainant that, as the matter had already been inquired into by a Court of law, the Commission were debarred from inquiring into the matter.

Evidence in respect of Constable Thomas Mayne:—Ewen Macdonell, sergeant of police, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5.15 o'clock p.m. the Commission closed its proceedings at Invercargill, and adjourned till 4 p.m. to-morrow, at Balclutha.

BALCLUTHA.

FRIDAY, 1ST APRIL, 1898.

The Commission opened its proceedings for public business at the Courthouse, Balclutha, on Friday, the 1st April, 1898, at 4 o'clock p.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the preceding meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. Taylor, M.H.R., were in attendance.

Sale of liquor within the Clutha District:—Mr. Daniel Douglas Macdonald, solicitor, Dunedin, appeared on behalf of the following witnesses, who had been subpoenaed: George Thomson, J.P., James Thomson, John Dunne, J.P., Dr. Smith, J.P., and William Wilson. Mr. Taylor called—Alexander Scott Malcolm, schoolmaster, Kelso, attended, was sworn, and gave evidence, which was taken down by the reporter. Thomas Greenwood, Railway Stationmaster, Tapanui, attended, was sworn, and gave evidence, which was taken down by the reporter. Bertrand Edgar De Latour, surgeon, Tapanui, attended, was sworn, and gave evidence, which was taken down by the reporter. Andrew Christie, constable, Mosgiel, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 7 p.m. the Commission adjourned till 9.30 a.m. to-morrow.

SATURDAY, 2ND APRIL, 1898.

The Commission sat at 9.15 a.m.

Present: Messrs. Wardell and Poynton.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

The Chairman announced that Colonel Pitt would be absent from the Commission for a few days, as he had to proceed to Westport in connection with the Easter Encampment of Volunteers, and at its conclusion would rejoin the Commission.

Sale of liquor within the Clutha District:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Robert Hislop, Stationmaster, Clinton; John Ramage, tinsmith, Balclutha. During the evidence of this witness the Commission interposed, as it related to a charge against Constable Christie, of which no notice was given, and the further evidence of the witness was adjourned. William Mathieson, mounted constable, Tapanui; Thomas Griffith, constable, Balclutha; Alfred Edward Remer, constable, Clinton; Daniel Stewart, solicitor, Balclutha; James Thomson, Balclutha; William Moir, farm-labourer, Balclutha; George Thomson, J.P., dealer, Balclutha; and James Henry, bootmaker, Balclutha. It was arranged that any remaining evidence be taken at Dunedin.

The Commission, at 4 p.m., adjourned till Monday next at 10 o'clock a.m., at the Corporation Buildings, Dunedin.

DUNEDIN.

MONDAY, 4TH APRIL, 1898.

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

Present: Messrs. Wardell and Poynton.

The minutes of previous meeting read and confirmed.

Complaint of Mr. T. E. Taylor:—Mr. T. E. Taylor, M.H.R., handed in the following complaint: "That Constable Christie, of Mosgiel, did, whilst in charge of Balclutha, collect moneys for various people, and engage in duties for profit outside of his legal duties, and neglected to protect citizens from injuries."

Complaint:—James Pratt, constable, Clyde, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—Thomas Griffith, constable, Balclutha, attended, was sworn, and gave evidence, which was taken down by the reporter.

General efficiency of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: David Latimer, police-constable, Dunedin; Owen McCormack, police-constable, Dunedin; Jeremiah Toomey, police-constable, Dunedin; Patrick O'Neill, sergeant of police, Dunedin; Sergeant John Bell, district clerk, Dunedin; and William John Quinn, police-constable, Dunedin.

At 9.45 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

TUESDAY, 5TH APRIL, 1898.

The Commission sat at 10 o'clock.

Present: Messrs. Wardell and Poynton.

The minutes of previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. Taylor—suppression of houses of ill-fame:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: John Frederick Woodhouse, solicitor, Dunedin; William Asher, house and estate agent, Dunedin; William Stone Pardy, Inspector of Police; and Right Rev. Bishop Neville.

Sale of liquor within the Clutha District:—John Dunne, J.P., farmer, Balclutha, attended, was sworn, and gave evidence, which was taken down by the reporter.

Application of Constable Parker, Waimate:—William Stone Pardy, Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—Sergeant Brown, of South Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. Colonel Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge against Constable Christie:—Mr. D. D. Macdonald, solicitor, Dunedin, appeared for Constable Christie. The following witnesses attended, and each being sworn, gave evidence, which was taken down by the reporter: William E. Burley, cabinet-maker, Balclutha; Frederick Mills, bootmaker, Balclutha; James William Mitchell, tailor, Balclutha; Michael Bernstone, tailor, Balclutha; James Henry, bootmaker, Balclutha; and Alexander Burnett Henderson, builder, Balclutha.

During the examination of this witness Mr. Taylor handed in the following further charge against Constable Christie: "That about the beginning of 1893, or thereabouts, Constable Christie did carry on the railway from Balclutha, in a passenger-car, contrary to the regulations, the dead body of a child, thereby defrauding the revenue.—T. E. TAYLOR."

As Constable Christie was entitled to twenty-four hours' notice, the further consideration of the charge was adjourned until to-morrow. Mr. Macdonald said, with regard to the charge as to the child, Mr. Christie's child, a month old, died. Mr. and Mrs. Christie desired that it should be buried in Dunedin, where other of their children were buried. It was put in a coffin, and Mr. and Mrs. Christie brought it, wrapped in brown paper, to Dunedin, in a first-class railway-carriage. Mr. T. E. Taylor said those were the facts. It was a breach of the railway regulations. He was satisfied with the admission.

Suggestions:—Ward George Wohlman, police-constable, Dunedin, attended as a delegate from the members of the Police Force, Dunedin, and, being sworn, gave evidence, which was taken down by the reporter.

At 6 p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

WEDNESDAY, 6TH APRIL, 1898.

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

Present: Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

General efficiency of the Force:—David Pinkerton, M.L.C., attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of J. J. Meikle:—A letter, dated the 2nd April, 1898, was received from Mrs. Jane Meikle, wife of J. J. Meikle, referring to the evidence given at Invercargill by Constable James Danvers Leece. Constable Leece attended, and, being reminded he was still on his former oath, gave further evidence, which was taken down by the reporter.

Complaint:—James Danvers Leece, constable, South Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

Political interference:—Alexander Samuel Adams, barrister and solicitor, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

General efficiency of the Force:—Christopher Conn, sergeant of police, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. James Bennett Dales, constable and assistant-clerk, Police-office, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. Thomas Griffiths, constable, Balclutha, attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—Ward George Wohlman, constable, Dunedin, attended, and, being reminded he was still on his former oath, gave further evidence, which was taken down by the reporter. Ernest Bingham, constable, South Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge against Constable Christie:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Robert Angus, labourer, Balclutha; George Thomson, J.P., dealer, Balclutha; George Campbell, farmer, Cannibal Bay, near Balclutha; Adam Patterson, storekeeper, Catlin's River; Thomas Griffith, constable, Balclutha; and John Gibson Smith, medical practitioner, Balclutha.

Sale of liquor within the Clutha District:—William Stone Pardy, Inspector of Police, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 6.15 p.m. the Commission adjourned until 10 a.m. to-morrow.

THURSDAY, 7TH APRIL, 1898.

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

Present: Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Charges against Constable Christie:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., James Hogg, watchmaker, Balclutha; Rev. Father James O'Neill, Catholic priest, Milton; and Andrew Christie, constable, Mosgiel.

Constable Walker's complaint:—At the request of Constable Walker, of Riverton, the Commission examined his defaulters' sheet, and the same was noted in evidence.

Sergeant Macdonell, of Invercargill, wrote forwarding extract from official reports relating to a charge against Constable Griffiths, and the same was ordered to be noted on the evidence.

Sergeant Dwyer, of Clyde, wrote forwarding a letter from the Stipendiary Magistrate, Queenstown, in reference to his conducting cases in Court, and the same was ordered to be noted on the minutes.

Constable Drury, of Waitati, attended in compliance with a summons, but, as Mr. Taylor had left for Christchurch by the express train, the constable was excused from further attendance.

Thanks:—Resolved, That the Chairman send a letter to his Worship the Mayor of Dunedin, thanking him for the use of the rooms in which the sittings had been held.

This concluded the whole of the Dunedin business, and the Commission adjourned until Wednesday next, at 10 o'clock a.m., at Oamaru.

OAMARU.

WEDNESDAY, 13TH APRIL, 1898.

The Commission opened its proceedings for public business at the Supreme Court Buildings, Oamaru, on Wednesday, the 13th April, 1898, at 10 o'clock a.m.

Present: Messrs. Wardell and Poynton.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

General efficiency of the Force:—Thomas O'Grady, sergeant in charge police, Oamaru, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of Mr. T. E. Taylor, M.H.R.:—Mr. T. E. Taylor, M.H.R., handed in the following complaint: "That Sergeant O'Grady is of intemperate habits, and has been during the past five years, and neglectful of his duty as a police officer." The following are some of the instances of neglect of duty on Sergeant O'Grady's part: The loss of a watch by Mrs. Jane Isabel Young; the breaking of public lamps reported by—McLaren; the theft of various articles from one McLaren; the failure to suppress the larrikin nuisance.

Complaint of Mr. T. E. Taylor, M.H.R.:—Mr. T. E. Taylor handed in the following complaint: "That Constable Mullaney frequents licensed houses, and conducts himself in such a manner as to interfere with the efficient discharge of his duty."

Complaint of Mrs. Simpson, handed in by Mr. T. E. Taylor, M.H.R.: "I hereby charge Sergeant O'Grady with having acted in an improper manner towards me in the following ways, viz.: He did bring two men to my house in Reid Street about three years ago, and propose to me that they should enter my house for immoral purposes. He said they had plenty of money, and I was to make them pay well. I refused them admission. He has on various occasions suggested immoral connections to me, and on other occasions has threatened to force me to leave the town.—MARY SIMPSON.—R———— Street, Oamaru, 13th April, 1898.—Witness to signature—George Dash."

Withdrawal of case:—Thomas Mayne, plain-clothes constable, wrote desiring to withdraw his application to lay his case before the Commission, and his application was granted.

Complaint of Mr. Michael Hannon:—Michael Hannon, hotelkeeper, Oamaru; Constable Michael Greene, Sergeant Thomas O'Grady, Mounted Constable Henry George Hunt, Constable William Christie, Constable Edmund Charles Trehey, Constable Patrick Cotter, and James Albert Sheard, hairdresser, Oamaru, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

At 2.30 o'clock the Commission inspected the police quarters and men on parade, and examined the official books in use at the station. The men were addressed by the Chairman, and invited to lay any suggestions before the Commission that they might think desirable.

Suggestions:—Constable Edmund Charles Trehey attended, and, being sworn, gave evidence, which was taken down by the reporter.

Failure of the police to carry out the licensing-laws in the Waimate district:—George Dash coachbuilder, Waimate, attended, and, being sworn, gave evidence, which was taken down by the reporter.

At 5.30 p.m. the Commission adjourned until 10 o'clock to-morrow.

THURSDAY, 14TH APRIL, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint:—Constable David Hannifin, of Port Chalmers, attended to give evidence in reference to certain evidence given by Sergeant Conn at Dunedin. Ernest Page Lee, barrister, appeared for Constable Hannifin. David Hannifin and Christopher Conn, sergeant of police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint of Mrs. Mary Simpson:—Mr. Lee, solicitor, handed in the following written document: "I hereby withdraw the charges made by me to the Police Commission against Sergeant O'Grady.—MARY SIMPSON. Witness—Ivon A. Barton."

Complaint of Mr. T. E. Taylor:—Mr. Taylor handed in the following complaint: "I hereby charge Sergeant O'Grady with having acted in an improper manner towards Mrs. Mary Simpson in that he has on various occasions suggested that he should have sexual intercourse with her, and that on one occasion he brought two men to her house in Reid Street, Oamaru, and asked her to have improper relations with them, telling her that they had plenty of money, and she was to make them pay well for it, and that the sergeant on these various occasions was under the influence of liquor."

Complaint of Hugh McLaren:—Mr. McLaren attended, and said he desired to withdraw the charge. Permission granted, and charge withdrawn.

Complaint of T. E. Taylor against Sergeant O'Grady:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Henry Richmond, librarian, Oamaru Athenæum; Ernest Page Lee, barrister, and secretary to the Athenæum; Thomas Edward Taylor, M.H.R., land and estate agent, Christchurch; David Smart, Ardgowan, Oamaru, ex-constable; Michael Greene, police-constable, Oamaru; Isabella Young, wife of

Alexander Young, labourer; Thomas O'Grady, sergeant of police; William Smythe, Oamaru, baker; William Cross, salesman, Oamaru; John Barclay, stonemason, Oamaru; Michael Madden, police-constable, Oamaru; Patrick Cotter, police-constable, Oamaru; Thomas Mayne, plain-clothes constable, Oamaru; Edmund Charles Trehey, constable, Oamaru; Michael Greene, constable, Oamaru; and George Will, grocer, Oamaru.

At 6 o'clock p.m. the Commission adjourned until 9.30 o'clock to-morrow.

FRIDAY, 15TH APRIL, 1898.

The Commission sat at 9.30 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Mrs. Simpson being too ill to attend at the Courthouse, the Commissioners visited her residence with a view to taking her evidence on Mr. Taylor's charge. Finding her physically unfit to undergo examination, nothing was done, and no other evidence was offered.

Complaint of Mr. Taylor—charge against Sergeant O'Grady:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: James Houston Milligan, grocer, Oamaru; James Allen, carpenter, Oamaru; Hugh McLaren, contractor, Oamaru; William Smythe (recalled); Elizabeth Ellen Dudeney (made declaration in lieu of oath); William Christie, constable, Oamaru; Hugh McLaren, lamplighter, Oamaru; Thomas O'Grady, sergeant of police, Oamaru; Thomas Broham, Inspector of Police, Christchurch; James Craig, timber merchant; Heber Newton, barrister, Oamaru; Henry Hawthorne Grant Ralfe, Clerk of Court, Oamaru; Thomas Young Duncan, M.H.R.; Terence O'Brien, detective, Dunedin; Henry Aitken, J.P., Mayor of Oamaru; Thomas Young Duncan, M.H.R. (recalled).

Sale of liquor within prohibited hours at Waimate:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: William McLeod, butcher, Waimate; George Johnston, groom, Waimate; Lawrence Thynne, groom, Waimate; Edward Sole, cook, Bluecliffs, near Waimate; Charles Hobbs, road-foreman, County Council, Waimate; Walter Foster Finn, clerk, Waimate; Geoffrey Selwyn Matthias, bank agent, Union Bank of Australia, Waimate; Frank Henry Parker, police-constable, Waimate; John Manchester, general storekeeper, Waimate.

This concluded the sitting at Oamaru, and at 4 o'clock p.m. the Commission adjourned until to-morrow at 10 o'clock, at Timaru.

TIMARU.

SATURDAY, 16TH APRIL, 1898.

The Commission opened its proceedings for public business at the Courthouse, Timaru, on Saturday, the 16th April, 1898, at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Suggestions:—A telegram was received from Constable Dougan, of Temuka, stating that Constable Barrett, who had written suggestions, and who was summoned to attend to-day, was too ill to leave Temuka. Thomas Livingstone, detective, in temporary charge of police-station, Timaru, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Charge against Constable Mullaney:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Martha Gilmour, wife of Adam Orr Gilmour, hotelkeeper, Fairlie's Creek; Margaret Jane Hamilton, wife of James Hamilton, carpenter, Fairlie's Creek; Adam Orr Gilmour, hotelkeeper, Fairlie's Creek; Ellen Gilmour, daughter of Adam Orr Gilmour; William James Comrie, Presbyterian minister, Fairlie's Creek; Francis Robert Gillingham, farmer, J.P., Fairlie's district; and Allen Hugh McLean, J.P., farmer, Fairlie's Creek.

Suggestions:—Charles Fraser, sergeant of police, Timaru, in charge of district, but at present on leave of absence, attended, was sworn, and gave evidence, which was taken down by the reporter.

Frank Stanley Parker, constable, Waimate, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Suggestions:—John Joseph Weathered, constable, Timaru, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Inspection of quarters:—At 2 o'clock p.m. the Commission inspected the men on parade, and they were addressed by the Chairman. The Commissioners then inspected the police quarters and offices, and examined the official books in use.

Upon resuming,

The Rev. William Gillies, Presbyterian clergyman, stationed at Timaru, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint:—Robert Crawford, mounted constable, Timaru, attended, was sworn, and gave evidence, which was taken down by the reporter.

Rev. William Gillies attended, and gave further evidence, which was taken down by the reporter.

Colonel Hume (called by Constable Weathered) attended, was sworn, and gave evidence, which was taken down by the reporter.

At 4 o'clock p.m. the Commission adjourned until Monday next, at 10 o'clock, at Christchurch.

CHRISTCHURCH.

MONDAY, 18TH APRIL, 1898.

The Commission opened its proceedings for public business at the Council Chambers, Christchurch, on Monday, 18th April, 1898, at 10 o'clock.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Thomas Broham, Inspector of Police, Christchurch, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 2.15 p.m. the Commission visited the Central Police-station. The men were drawn up on parade and inspected, and were then addressed by the Chairman, and invited to lay any complaints or suggestions before the Commission. The quarters of the men were afterwards inspected, and the official books at the office examined.

Subsequently the following suburban stations were visited: Papanui Station, St. Albans, Bingsland, Sydenham, and Addington, and the official books examined at each place.

At 6 o'clock p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

TUESDAY, 19TH APRIL, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint:—Alfred Stanton, district clerk, Christchurch, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of Mr. T. E. Taylor, *re* Constables Barrett and McKenzie:—Mr. Philip Kippenberger, solicitor, Christchurch, appeared for Constables Barrett and McKenzie. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Thomas Broham, Inspector of Police, Christchurch; Thomas Edward Taylor, M.H.R., Christchurch; Frederick Robson, bootmaker, Sydenham; Alfred Thomas Hoddinott, machinist, Christchurch; Thomas Broham (recalled); Garrett Fitzgerald, detective, Christchurch; Frank Thompson, house and land agent, Christchurch; Thomas Barrett, police-constable, Christchurch; Donald McKenzie, police-constable, Christchurch; Claude Alfred Manning, assistant barman, Opawa; George Beauchamp, manager, Café Hotel, Christchurch; Henry Paget, night-watchman, Christchurch; Major Cunningham, life insurance agent; William Robinson, boot- and shoe-maker, Christchurch.

Complaint:—S. Maitland Kelso, mounted constable, Christchurch, attended, and, being sworn, gave evidence, which was taken down by the reporter.

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

WEDNESDAY, 20TH APRIL, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaints of Mr. T. E. Taylor, M.H.R.:—General charge, and failure of the police to enforce the laws of the colony. Mr J. A. Cassidy attended to represent Mr. Kippenberger, who was to appear for certain constables, but was unable to attend to-day. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: John Joyce, M.H.R.; George Bowron, leather merchant; William Wilcox Tanner, M.H.R.; George Thomas Smith, M.H.R.; Francis Whitmore Isitt, Wesleyan minister of religion; Thomas Broham, Inspector of Police; John Cullen, Inspector of Police, Westland, and lately in temporary charge at Christchurch. During the evidence of Mr. Tanner the question was raised as to whether evidence given by a witness before the Commission was privileged. Mr. Tanner was relieved from giving further evidence until the Commissioners had time to confer and consider the question. Later in the sitting the Chairman announced that the Commissioners had arrived at the opinion that witnesses attending before the Commission and giving evidence were privileged, as they would be in a Court of justice; but he desired to say that they did not in any way express an opinion as to the liability of the newspapers in publishing what the witness had said. The witnesses are privileged when the newspapers may not be.

General organization of the Police Force:—William Jarvis Harker, independent gentleman, attended, was sworn, and gave evidence, which was taken down by the reporter.

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

THURSDAY, 21ST APRIL, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Enforcing of licensing-laws:—Edward Mackay, sergeant of police, Christchurch, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint:—S. Maitland Kelso, mounted constable, Christchurch, attended, and, being reminded he was still on his former oath, gave further evidence, which was taken down by the reporter.

Complaint:—James Gantley, police constable, Christchurch (for whom Mr. Philip Kippenberger, solicitor, appeared), attended, was sworn, and gave evidence, which was taken down by the reporter.

Failure of police to enforce licensing-laws:—Charles Henry Pratt, constable, Christchurch, attended, was sworn, and gave evidence, which was taken down by the reporter; Frank Thompson, house and land agent, Christchurch, and Alfred Thomas Hoddinott, machinist, Christchurch, attended, and, each being sworn, gave evidence, which was taken down by the reporter. During the hearing of the evidence of the last two witnesses reference was made to a number of people frequenting the Tattersall's Hotel on a Sunday. Word was sent to the licensee (Mrs. Conway) that if she so desired she might produce evidence. Desiring to do so, Charles Ross, head stableman, Delamain's Stables, attended, and, being sworn, gave evidence, which was taken down by the reporter. At this stage Mr. Cresswell, solicitor, attended as solicitor for Mrs. Conway, and desired a postponement of further evidence till to-morrow, which was granted.

Failure of the police to enforce licensing-laws, and general efficiency of the force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: James Armishaw, kilnman, Tonks's Brickyard, Wellington; Emma Gordon, spinster, St. Albans, Christchurch; Jane Roberts, spinster, Linwood; Christina Caverhill, spinster, Linwood; Harriet Field, wife of John Field, Lower High Street; John Connell, police-constable, Lyttelton.

At 5.30 the Commission adjourned until 10 o'clock to-morrow.

FRIDAY, 22ND APRIL, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Alleged Sunday trading at the Tattersall's Hotel, Christchurch:—Mr. Cresswell, solicitor, Christchurch, attended as solicitor for Mrs. Conway, the licensee. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., James Meade Conway, son of the licensee; Leith Carter, clerk, Christchurch; William James Hussey, coach-driver, Christchurch; Jane Sophia Francis Conway, widow, licensee; Charles Rose, stableman, Christchurch (recalled); Helen Cockayne, boardinghouse-keeper, Christchurch; Phœbe Conway, spinster, Victoria Conway, spinster (daughters of the licensee, Tattersall's Hotel); Edward Mackay, sergeant of police, Christchurch; J. Meade Conway (recalled); Mary O'Neill, domestic servant, Tattersall's Hotel.

Alleged Sunday trading:—George William Pearce, licensee, Railway Hotel, Christchurch, attended, and, being sworn, gave evidence, which was taken down by the reporter. Charles Armstrong, blacksmith, Christchurch, attended, and gave evidence, which was taken down by the reporter. Mrs. Schulthies, licensee, White Swan Hotel, Christchurch, and Mr. Marshall, licensee, Royal George Hotel, Christchurch, attended. Mr. Tunbridge understanding that the witnesses would object to answer questions which might criminate them, they were not examined.

Charges of general inefficiency of the Police Force:—Mr. P. Kippenberger, solicitor, Christchurch, appeared for Constables Barrett and McKenzie. Thomas Barrett, police-constable, Christchurch, and Donald McKenzie, police-constable, Christchurch, attended, and, each being sworn, gave evidence, which was taken down by the reporter. James Stewart, hotel servant, attended, was sworn, and gave evidence, which was taken down by the reporter.

Failure of the police to enforce the licensing-laws:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Joseph Knott, traveller, Christchurch; Frederick Robson, bootmaker, Christchurch; Albert Turner, tinsmith, Rangiora; Henry George Ell, salesman, Spreydon, Christchurch.

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

SATURDAY, 23RD APRIL, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Henry George Ell, being reminded he was still on his former oath, gave evidence, which was taken down by the reporter.

Suggestions: Constable David Jackson, Rangiora, and Maurice Roche, constable, Amberley, attended, were sworn, and gave evidence, which was taken down by the reporter.

Political interference:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Maurice Roche, constable, Amberley; David Jackson, constable, Rangiora; Frank White, silversmith, Christchurch.

Failure of the police to enforce the licensing-laws :—William Wilcox Tanner, M.H.R., Christchurch, attended, was sworn, and gave evidence, which was taken down by the reporter. John William Simms, printer, Christchurch, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 1.15 the Commission adjourned until 10 o'clock a.m. on Monday next.

MONDAY, 25TH APRIL, 1898.

The Commission sat at 10 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Charges lodged by Mr. George Spencer Fleming against certain members of the Police Force :—Mr. Weston, solicitor, appeared for Mr. Fleming; Mr. Donnelly, solicitor, appeared for Constable Hill; and Mr. Kippenberger appeared for Sergeant Scully. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., George Spencer Fleming, J.P., farmer, Port Hills; Hugh D. Buchanan, sheep-farmer, Little River; John Henry Menzies, J.P., Mackintosh Bay, sheep-farmer; John Randall, sheep-farmer, Christchurch; William Bowes Clarkson, cattle-dealer, Christchurch (James Gibbs, shepherd, was called, but, as it appeared his evidence would not be material to the charges, he did not give evidence); Richard Shanks, warehouseman, Christchurch; Patrick Ryan, constable, Little River; Annie Murdoch, spinster, Christchurch; Victor Austin Hill, constable, Christchurch; Patrick Scully, sergeant of police, Christchurch; William Henry Scott, constable, Christchurch; Thomas Moore, night-watchman, Christchurch; Elizabeth Smythe, spinster, Christchurch; and Jule Lelievry, of Little River, farmer; John Finnerty, boardinghouse-keeper, Christchurch; Patrick Scully, sergeant of police, Christchurch (recalled).

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

TUESDAY, 26TH APRIL, 1898.

The Commission sat at 10 o'clock.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Political interference :—John Connell, constable, Lyttelton, and the Rev. Father Salvador, Roman Catholic priest, Lyttelton, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Charges of Mr. Fleming against the police :—George Laurenson, J.P., merchant, Lyttelton, and Mr. G. S. Fleming attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint :—Joseph D. Crockatt, of Christchurch, ex-mounted constable, attended, and, being sworn, gave evidence, which was taken down by the reporter. Colonel Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Delegates *re* repairing bicycles in use by detectives :—Richard Marsack, detective, Christchurch, attended as a delegate, and, being sworn, gave evidence, which was taken down by the reporter.

General working of the Force :—Thomas Broham, Inspector of Police, attended, and, being reminded he was still on his former oath, gave evidence, which was taken down by the reporter.

Suggestions :—Harry Feast, general commission agent, Christchurch, and ex-Inspector of Police, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of Mr. T. E. Taylor :—Mr. Taylor, M.H.R., lodged the following complaint : That Constable Patrick McGill is of intemperate habits, and has, during the past year and previously, been seen in a state of drunkenness on the public streets. Also that, in connection with the collection of the dog-tax in Sydenham, he has displayed gross carelessness, and in the case of an intended visit of inspection *re* kerosene licenses he informed the person concerned of the intended visit.

At 4 o'clock p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

WEDNESDAY, 27TH APRIL, 1898.

The Commission sat at 10 o'clock.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint :—Samuel Flewollen, constable, stationed at Bingsland, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint :—Sydney Day, of Sydenham, butcher, attended, was sworn, and gave evidence, which was taken down by the reporter. The witness was proceeding to give evidence which amounted to a charge against a police-officer. The Commission decided to adjourn the further evidence of the witness until the officer referred to had notice.

Complaint:—George Hastie, constable, Lyttelton, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—W. M. de Weston, of Christchurch, settler, attended to give evidence in reference to a complaint he lodged. He was informed that, as the matter had been already adjudicated on in a Court of law, the Commission was barred from inquiring into the charge.

General inefficiency of the Police Force:—The following witnesses—viz., Lillie Broadwood, wife of John Broadwood, of Christchurch; Thomas Barrett, constable, Christchurch; Thomas Broham, Inspector of Police, Christchurch; Thomas Edward Taylor, M.H.R., Christchurch; Lillie Broadwood (recalled)—attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Mr. G. S. Fleming's charges:—The following witnesses—viz., George Laurenson, of Lyttelton, merchant; Gideon Henderson, farmer, Diamond Harbour; John Robert Henderson, farmer, Diamond Harbour; George S. Fleming; Charles Rutledge, sergeant of police, Lyttelton; Thomas Joseph McCormack, constable, Lyttelton—attended, and, each being sworn, gave evidence, which was taken down by the reporter. Mr. Weston, on the conclusion of Mr. Laurenson's evidence concerning the charge against Inspector Broham of being of domineering manner, stated he would not proceed further with the matter, and asked that the evidence should be expunged.

The charge against the police of neglecting to make inquiries regarding alleged cruelties to a horse was withdrawn by Mr. Weston at the conclusion of the evidence given by the police.

Charge of Mr. T. E. Taylor *re* Constable McGill:—Mr. J. A. Cassidy, solicitor, appeared for Constable McGill. Mr. Cassidy taking exception to the want of definiteness in the charge, it was altered as follows: "That Constable Patrick McGill is of intemperate habits, and on the 9th and 16th April, 1898, was in a state of drunkenness on the public streets. Also that, in connection with the collection of the dog-tax in Sydenham, he has displayed gross carelessness in registering dogs in Sydenham which ought to have been registered in the Spreydon and other districts. In the case of an intended visit of inspection *re* kerosene licenses he informed the person concerned—viz., one Bowden—of the intended visit." Mr. Cassidy was offered the right of an adjournment to give him time to meet the altered charge. He decided to hear the witnesses called in support of the complaint, reserving his right of cross-examination at a future time. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Alice Matilda Wallace, spinster, Christchurch; Annie Watters, wife of Thomas John Watters, of Christchurch; Henry George Ell, of Christchurch, salesman; William Oswald, salesman, Christchurch; Robert William Jewiss, draper's assistant, Opawa; and Ernest Trist, tent-maker, Opawa.

At 5.15 p.m. the Commission adjourned until 9.30 o'clock a.m. to-morrow.

THURSDAY, 28TH APRIL, 1898.

The Commission sat at 10 o'clock.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Resolutions: On the motion of Colonel Pitt, it was resolved,—1. That, having regard to the terms of the Royal Commission appointing this tribunal, the members of the Commission resolve that in future no charge or matter will be entertained or dealt with by the Commission which has arisen or happened, or which shall arise or happen, after the 4th day of February, 1898, being the date of the Royal Commission herein. 2. That, having regard to the public notice published in all the daily papers of the colony calling upon persons having complaints in respect of matters to be dealt with by the Commission to lodge such complaints in writing with the Secretary of the Commission by a certain date—namely, the 10th day of March, 1898—and to the special notice given at the opening of the sittings of the Commission in Christchurch, and having regard, further, to the already lengthy period during which the proceedings of the Commission have been continued, the members of the Commission resolve that no charge or complaint brought before the Commission by any person or persons will be accepted, investigated, or dealt with by the Commission in Christchurch which is not now before it; and that at other places where the Commission may sit, no charge, complaint, or matter will be investigated or dealt with by the Commission unless such charge, complaint, or matter, with reasonably detailed particulars as to names of persons, dates, and places of occurrence, be forwarded in writing to the Secretary of the Commission (and so as to be received by him) within twenty-four hours after the commencement of the sittings of the Commission at each such place.

Complaint, Mr. Taylor against Constable McGill:—The following witnesses attended for cross-examination by Mr. Cassidy; each gave evidence, which was taken down by the reporter: Annie Watters, Alice Matilda Wallace, Henry George Ell, William Oswald, and Robert William Jewiss. Benjamin Throp (called by Mr. Taylor), Inspector, Borough of Sydenham, attended, was sworn, and gave evidence, which was taken down by the reporter. After the evidence of Mr. Throp, it was pointed out that the alleged offence of Constable McGill having communicated his intended visit of inspection regarding storage of kerosene had been already dealt with by the Inspector, and, Constable McGill being already punished in connection therewith, the Commission, on satisfying themselves that this was correct, refused to go further into the matter.

General condition of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—namely, Thomas Broham, Inspector of Police, Christchurch; Samuel Flewellen, constable, Bingsland; and Walter Martin, Clerk of the Court, Avon.

Delegates from local Police Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Constable John James Cassells; Thomas Bourke, Sergeant; Alfred Stanton, constable and district clerk; and Charles Henry Pratt, constable.

At 4.15 p.m. the Commission adjourned until to-morrow at 10 a.m.

FRIDAY, 29TH APRIL, 1898.

The Commission sat at 10 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Charge of Mr. T. E. Taylor, *re* Constable McGill:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: John Tucker Ford, auctioneer, Addington; Frederick Trent, merchant, Christchurch; John Cox Sopp, J.P., chemist, Addington; George Bissett, journalist, Christchurch; Ashton Wachsmann, auctioneer, Addington; Frederick Henry Pyne, auctioneer, Christchurch; William Henderson, chairman of directors of saleyards, Addington; John Wilson Storey, retired farmer, Christchurch; Montague Lewin, gentleman, Addington; Samuel Flewellen, constable, Bingsland; Edward Thomas Bosworth, constable, Sydenham; James Gantley, constable, Christchurch; George Lambie, manager Union Steamship Company, residing at Addington; Margaret Beveridge, matron Samaritan Home, Christchurch; Robert Parker, private detective, Christchurch; Richard William Shepherd, constable, Christchurch; John Bridgman, valuator, Christchurch; Edwin Cicero Berry, butcher, Christchurch; Daniel Falvey, commission agent, Christchurch; Richard Robert Bell, formerly in charge of Samaritan Home, Christchurch; Louis Edmund Crosby, J.P., Addington; George Thompson, tram-driver, Addington; John Hoare, tram-driver, Christchurch; George Collier, formerly licensee of the A 1 Hotel, Christchurch; Patrick McGill, police-constable, Addington; Annie Watters, wife of Thomas John Watters (recalled); Lzaiah David Davis, furniture dealer, Christchurch.

General efficiency of the Force and conduct of the police:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: John Cox Sopp, J.P., chemist, Addington; Frederick Trent, merchant, Christchurch; Jane Elizabeth Patrick, widow, Christchurch.

General conduct of the police:—The following witnesses, called by Mr. Kippenberger, solicitor, attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz: John Martin Thompson, J.P., formerly professional musician; Henry Bylove Sorenson, auctioneer, Christchurch; Edward Smith, J.P., boot and shoe dealer and superintendent Christchurch Fire Brigade, and Edward Walker Turton, employé Ballantyne and Co, ex-superintendent Fire Brigade, Christchurch; Thomas McClatchie, J.P., settler, Christchurch.

General efficiency of the Force and conduct of the police:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Thomas Broham, Inspector of Police; James McDonald, constable, Christchurch; John James Cassells, constable, Christchurch; Edmond Michael Joyce, constable, Christchurch; Edward Mackay, sergeant of police, Christchurch; John James Cassells, constable, Christchurch (recalled); Christina Thompson, wife of William Thompson, Cambridge Terrace; Samuel Saunders, journalist and editor of the *Lyttelton Times*; and James Walker, tobacconist, Christchurch.

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

SATURDAY, 30TH APRIL, 1898.

The Commission sat at 10 o'clock.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Mr. Tunbridge intimated that search had been made for any papers in connection with the complaint made by Mrs. Thompson against a policeman, for accosting her in the street; that no papers could be found at the Christchurch Police-office, and, that as Sergeant Mason was the officer in charge at the time the occurrence happened, he could be examined at Wellington later on.

There being no further evidence forthcoming, the Commission closed its sittings at Christchurch, and adjourned until Wednesday next, at Hokitika, at 2 p.m.

HOKITIKA.

WEDNESDAY, 4TH MAY, 1898.

At 12 o'clock noon the Commissioners visited the police-station. The men were drawn up on parade and addressed by the Chairman. The quarters were then visited, and the official books at the station were examined.

The Commission opened its proceedings for public business at the Courthouse, Hokitika, on Wednesday, 4th May, 1898, at 2 o'clock p.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
The minutes of the previous meeting were read and confirmed.
Colonel Hume and Mr. Tunbridge were in attendance.

General efficiency of the Force, and suggestions:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz: Alexander McDonald, sergeant of police, Hokitika; Daniel Hannan, sergeant of police, Stafford Town; Michael Joseph Wildermoth, constable, Hokitika.

Complaint of Mr. R. Taminelli, sawmiller, Kanieri, against Constable Stewart and other officers of the Police Force:—Mr. Beard, solicitor, appeared for Constable Stewart. Ruffino Taminelli, sawmiller, Kanieri, attended, and, being sworn, gave evidence, which was taken down by the reporter. George Stewart, constable, Kanieri, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Mr. Henry Nickless, against Constable Bennett:—Mr. Lewis, solicitor, appeared for Constable Bennett. Henry Nickless, sawyer and wood-turner, Flowery Creek, attended, and made an affirmation in lieu of oath, and gave evidence, which was taken down by the reporter. Mr. Lewis announced that Constable Bennett would waive his right to the twenty-four hours' notice of the complaint. Albert Bennett, constable, Hokitika, attended, was sworn, and gave evidence, which was taken down by the reporter.

There being no further evidence forthcoming, the sitting was closed at Hokitika, and the Commission adjourned until to-morrow, at 10.30 a.m., at Greymouth.

GREYMOUTH.

THURSDAY, 5TH MAY, 1898.

The Commission opened its proceedings for public business at the Courthouse, Greymouth, on Thursday, the 5th May, 1898, at 10.30 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
The minutes of the previous meeting were read and confirmed.
Colonel Hume and Mr. Tunbridge were in attendance.

General efficiency of the Force:—John Cullen, Inspector of Police, Westland District, attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge against Sergeant Hannan, *re* purchasing Miss Conway's Hotel:—Mr. M. Hannan, solicitor, appeared for Sergeant Hannan. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Alfred Hassall King, District Land Registrar, Hokitika; Frederick John Simon Charles Henne, hotelkeeper, Staffortown; Daniel Hannan, sergeant of police, Staffortown. Frederick John Simon Charles Henne recalled.

At 2 o'clock p.m. the Commission visited the police-station. The men were drawn up on parade, and addressed by the Chairman. Afterwards the quarters were inspected, and the official books examined by the Commissioners.

Complaint:—Complaint of Robert Vincent McGlone, constable, Reefton, formerly of Greymouth. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Robert Vincent McGlone, constable, Reefton; Michael McKeefrey, constable, Greymouth; Edward Sterling White, sergeant of police, Greymouth; John Tanner, farrier, Greymouth; Anthony Isemonger, constable and district clerk, Greymouth.

At 5.15 the Commission adjourned till to-morrow, at 10 o'clock a.m.

FRIDAY, 6TH MAY, 1898.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
The minutes of the previous meeting were read and confirmed.
Colonel Hume and Mr. Tunbridge were in attendance.

The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: John Cullen, Inspector of Police, Greymouth; Michael McKeefrey, constable, Greymouth.

There being no further evidence tendered, the proceedings of the Commission at Greymouth closed, and the Commission adjourned until 8 o'clock a.m., at Reefton.

REEFTON.

FRIDAY, 6TH MAY, 1898.

The Commission sat at the Police Office, Reefton, on Friday, the 6th May, 1898, at 8 o'clock p.m.
Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.
Mr. Tunbridge was in attendance.

The men were drawn up on parade and inspected, and the official books in use at the station examined.

There being no complaints to inquire into, and the local Force stating that they had no suggestions to make, the Commissioners adjourned till to-morrow, at 8 o'clock p.m., at Westport.

WESTPORT.

SATURDAY, 7TH MAY, 1898.

The Commission sat at the Courthouse, Westport, on Saturday, 7th May, at 8 o'clock p.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Prior to the opening of the proceedings the Commission inspected the local Force and the quarters. The men were examined, and addressed by the Chairman, and the official books in use examined.

The minutes of the previous meeting were read and confirmed.

General efficiency of the Force:—Henry Green, sergeant of police, in charge of police at Westport, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaints of Constables McDonnell and Brophy *re* entries in their defaulter's sheet: Mr. Harden, solicitor, appeared for the constables. After Mr. Harden had addressed the Commission, it was decided that the Commission should examine the papers in connection with the entries upon their arrival in Wellington, and to examine Inspector McGovern at New Plymouth.

Complaint:—Edward Brophy, constable, attended, was sworn, and gave evidence, which was taken down by the reporter. Colonel Hume and George Henry Harris, constable, Westport, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint:—Thomas Philpotts, constable, Charleston, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—George Henry Harris, constable, Westport, attended, was sworn, and gave evidence, which was taken down by the reporter.

There being no further evidence forthcoming, the Commission closed its sittings at Westport, and adjourned till Tuesday next, at 10 o'clock a.m., at Nelson.

NELSON.

THURSDAY, 12TH MAY, 1898.

The Commission opened its proceedings for public business at the Court-house, Nelson, on Thursday, 12th May, 1898, at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

The Commission intended to open at Nelson on Tuesday, the 10th May, 1898, but in consequence of being delayed by heavy weather, and the roads being washed away, the opening of the proceedings was delayed till to-day.

Prior to the opening of the proceedings the Commission inspected the police quarters and the men on parade, and the books were examined.

General efficiency of the Force:—Henry McArdle, sergeant of police, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—Robert Kelly, mounted constable, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable John Cullinane:—Mr. A. Maginnity, solicitor, appeared for Cullinane. John Cullinane, constable, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter. Henry McArdle, sergeant of police, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter. Colonel Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge against Sergeant Hannan of purchasing an hotel:—Kate Conway, spinster, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter.

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

FRIDAY, 13TH MAY, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Complaint of Constable John Jeffries:—Mr. Samuel Perth McNab, solicitor, appeared for Constable Jeffries. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Hugh Calders, chief postmaster, Nelson; Henry McArdle, sergeant of police, Nelson; John Bennett Tunbridge, Commissioner of Police, Wellington. The further hearing of the complaint was adjourned until to-morrow, at the sittings of the Commission at Blenheim.

There being no further evidence forthcoming, the proceedings of the Commission at Nelson were closed, and the Commission adjourned until to-morrow, the 14th May, 1898, at 11 o'clock a.m., at Blenheim.

BLENHEIM.

SATURDAY, 14TH MAY, 1898.

The Commission opened its proceedings for public business at the Borough Council Chambers, Blenheim, on Saturday, the 14th May, 1898, at 11 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Complaint of Constable Jeffries:—Mr. McNab appeared for Constable Jeffries. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: John Jeffries, constable, the Port, Nelson; and James Butler Stoney, registrar of electors, District of Wairau.

Complaint of Edward Purser *re* failure of the Police in connection with the Satherley case:—As the complaint was lodged without the twenty-four hours' notice being given, Colonel Hume and Sergeant Kiely were informed they were entitled to the twenty-four hours' notice, but which they waived. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Edward Purser, Mayor of Blenheim; and Nicholas Kiely, sergeant of police, Blenheim.

Suggestions:—Nicholas Kiely, sergeant of police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Inspection of police quarters:—At 2 o'clock p.m. the Commission inspected the police quarters. The men were drawn up on parade, and addressed by the Chairman. The official books were then examined.

At 6 o'clock p.m. the Commission adjourned until 10 o'clock a.m. on Monday next.

MONDAY, 16TH MAY, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Suggestions:—William John Parry, constable, Blenheim, attended, was sworn, and gave evidence, which was taken down by the reporter.

General Efficiency of the Force:—Thomas Henry Prior, mounted constable, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Jeffries:—Clarence Herbert Snow, of Blenheim, hawk, formerly boardinghouse-keeper, and John Porter, labourer, Blenheim, attended, and each being sworn gave evidence, which was taken down by the reporter.

Re Satherley Case—Mr. Purser's Complaints:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: William Gamble, expressman; Arthur Hume, ex-Commissioner of Police; and Edward Purser (recalled).

Suggestions:—John Jeffries, constable, The Port, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Jeffries:—The following witnesses were sworn and gave evidence, which was taken down by the reporter, viz.: John Jeffries, constable; Charles Houghton Mills, M.H.R.; Colonel Arthur Hume. At Mr. McNab's request his cross-examination of Colonel Hume was postponed till the Commission sat at Wellington this week.

There being no further evidence forthcoming, the proceedings of the Commission at Blenheim were closed, and the Commission adjourned until Wednesday next, at 10 o'clock a.m., at Wellington.

WELLINGTON.

WEDNESDAY, 18TH MAY, 1898.

The Commission resumed its sittings at the Parliament Buildings, Wellington, on Wednesday, the 18th May, 1898, at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Suggestions:—John Bennett Tunbridge, Commissioner of Police, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

The Commission then adjourned until to-morrow, at 10 o'clock a.m.

THURSDAY, 19TH MAY, 1898.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Ex-Inspector Buckley's request *re* Constable Pratt's evidence:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter: Peter Pender, Inspector of Police, Wellington; Arthur Hobbins Wright, Sergeant of Police, Wellington; Arthur Hume, ex-Commissioner of Police.

Delegates' Suggestions:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: Alfred Hammond, constable, Wellington, and Allan Cameron, constable, Wellington.

Complaint:—Alfred Hammond, constable, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

Re Mrs. Thompson's Evidence concerning Assault by Policeman at Christchurch:—William Thomas Mason, Sergeant of Police, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—John O'Donovan, Sergeant of Police, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

Constable Jeffries' Complaint:—Arthur Hume, ex-Commissioner of Police, attended, and was cross-examined by Mr. McNab, solicitor, and his evidence was taken down by the reporter.

Charges against Constable O'Rourke by Francis Rumsey:—Francis Rumsey, wood-splitter, Otaki, attended, was sworn, and gave evidence, which was taken down by the reporter. Constable O'Rourke was informed that as part of the charges against him referred to matters connected with his duties when acting for the Public Trustee, the Commission would not go into them. He, however, specially requested that the matter should be gone into, as Rumsey had been injuring his character by showing a copy of the letter making the charges to the people about Otaki.

At 5.30 p.m. the Commission adjourned till 10 o'clock to-morrow.

FRIDAY, 20TH MAY, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Constable Jeffries:—Mr. McNab, solicitor, appeared for Constable Jeffries. James O'Malley, Sergeant of Police, Masterton, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Francis Rumsey against Constable T. O'Rourke:—Timothy O'Rourke, constable at Otaki, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of John Gillespie:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: John Gillespie, constable, Wellington; Arthur Hume, ex-Commissioner of Police; and William Thomas Mason, Sergeant-Major of Police, Wellington. In reference to the complaint of Constable Gillespie, the Commission decided that all matters which had previously been inquired into by Mr. Haselden, S.M., were excluded from the scope of the present inquiry. At the request of Constable Gillespie he was granted permission to appear by counsel when the Commission would sit at Palmerston North, to argue the point.

Suggestions:—Correction of Former Evidence:—John Jackson Johnston, constable, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Brophy:—Colonel Arthur Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—John Bennett Tunbridge, Commissioner of Police, attended, and, being reminded he was still on his former oath, gave evidence on examination by Mr. Taylor, and the same was taken down by the reporter.

Complaint of Constables Brophy and McDonnell (Westport):—Colonel Arthur Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Harris (Westport):—John Bennett Tunbridge, Commissioner of Police, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

Resolution:—It was intimated that, at the close of the present sitting at Wellington, no more evidence would be taken upon the return of the Commission to Wellington, except the evidence of the Premier and the Minister of Defence and such other evidence as the Commissioners may deem it necessary to call.

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

SATURDAY, 21ST MAY, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Arthur Hume, ex-Commissioner of Police, attended, was sworn, and gave evidence, which was taken down by the reporter, and produced papers relating to the complaints and evi-

dence of Constable Philpott (Charleston), Constable Harris (Westport), Constable McGlone (Reefton), Constable McClelland (Christchurch), Constable John Jeffries (Nelson), Constable Bennett, on complaint of Henry Nickless, and Constable Mathieson (Tapanui).

The Commission at 12 o'clock noon adjourned until 10.30 o'clock a.m. on Wednesday next, at Napier.

NAPIER.

WEDNESDAY, 25TH MAY, 1898.

The Commission opened its proceedings for public business on Wednesday, 25th May, 1898, at 10.30 o'clock a.m., at the Courthouse.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the preceding meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. Taylor against Inspector Emerson:—Mr. Taylor handed in the following amended charge: "That on or about the following dates Inspector Emerson was in a state of drunkenness: May 2nd, 1896, at Gisborne; July 6th, 1897, at Gisborne; January 7th, 1898, at Napier; that since he has been in charge of the Hawke's Bay District he has been of intemperate habits and addicted to gambling; and that his conduct in these respects has been destructive of discipline and injurious to the public interests."

General Efficiency of the Force:—John Emerson, Inspector of Police, Napier, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 2 o'clock p.m. the Commission inspected the Police quarters. The men were drawn up on parade, and addressed by the Chairman. The official books in use were afterwards examined.

Complaint:—Thomas John O'Brien, constable, Napier, attended, was sworn, and gave evidence, which was taken down by the reporter.

General Efficiency of the Force:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: Thomas John O'Brien, constable, Napier; Rudolf Blofield Matthias, Clerk of the Court, Napier; John Emerson (recalled); Arthur Hume, ex-Commissioner of Police, Wellington.

At 4.45 p.m. the Commission adjourned until 10.30 o'clock to-morrow.

THURSDAY, 26TH MAY, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Mr. Taylor, M.H.R., lodged the following complaint:—"That Inspector Emerson has neglected to enforce the Gaming and Lotteries Act; and on occasion shown open sympathy with those opposed, as in prosecution of Robinson and others."

Escape of — Gower from Woodville:—John Emerson, Inspector of Police, attended, was sworn and gave evidence, which was taken down by the reporter.

General Efficiency of the Force:—John Bennett Tunbridge, Commissioner of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Mr. Taylor's complaint against Inspector Emerson:—Mr. Cresswell, solicitor, appeared for Inspector Emerson. The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: Thomas Hopper Hustwick, Inspector under the Licensing Act; Jane Sheen, widow, licensed victualler, Gisborne; Herbert Roscoe, stoker, Holt's timber-mills; Isabella Roscoe, wife of the said Herbert Roscoe; Ellen Barney, domestic servant, Napier; Hetty Roscoe, spinster, Napier; John Hodgson Aislabie, commission agent, and secretary Poverty Bay Turf Club, Gisborne; James Price, stablekeeper, Gisborne; Edward Patricks Joyce, commission agent, Gisborne; James Craig, confectioner, Gisborne; and Arthur Francis Bridges, ex-licensed victualler, Gisborne.

During the examination of Mr. Hustwick, Mr. Cresswell raised the question whether Inspector Emerson's conduct on the 2nd May last could be inquired into by the Commission, as matters occurring on that date had already been inquired into before Mr. Kenny's Commission. After hearing Mr. Taylor, and consultation by the Commission, the Chairman stated that the opinion of the majority of the Commission, from which he dissented, was that the condition of Inspector Emerson on the 2nd May had already been inquired into by Mr. Kenny, S.M., under his Commission, and could not therefore be gone into by the present Commission. The Chairman dissenting on the ground that Mr. Kenny's Commission only referred to Inspector Emerson's condition when he went on board the "Dingadee," and not prior thereto.

At 5.15 p.m. the Commission adjourned until to-morrow at 10 o'clock a.m.

FRIDAY, 27TH MAY, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Charge of Mr. Taylor against Inspector Emerson:—Mr. Cresswell, solicitor, appeared for Inspector Emerson. The following witnesses attended, and each being sworn, gave evidence, which was taken down by the reporter, viz.: John Nesbitt, wool-buyer, Gisborne; George Heslop, J.P., farmer, Woodville; William Wood Fullbrook, gardener, Napier; James Taylor, J.P., farmer, Woodville; James Buckman Elms Herd, foreman, fellmongery, Toamoana; Francis Logan, solicitor, Napier; Frederick Forbes, hotel employé, Napier; Horace Baker, surveyor and land agent, Napier; William James Grundy, draper, Napier; John Ferguson Jardine, commission agent, Napier; Charles Philip Lound, Secretary Working-men's Club, Napier; Patrick Black, Sergeant of Police, Gisborne.

General Efficiency of the Force:—Patrick Black, Sergeant of Police, Gisborne, attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge of Mr. Taylor against Inspector Emerson:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: Agnes Patton Moore, formerly Fullbrook, Napier; Thomas Charles Moore, medical practitioner, Napier; Annie Parkinson, widow, Napier; James Smith, mounted police-constable, Gisborne.

Complaint of Harry Bryans Thompson against Constable Brosnahan:—When the charge was called on Constable Brosnahan was in attendance, but there being no appearance of the complainant, the complaint lapsed. Constable Brosnahan asked the Commission to examine certain papers under which the license was held, and which would explain his position.

At 5.15 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

SATURDAY, 28TH MAY, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., in attendance.

Complaint:—Harry Bryans Thompson appeared, and, in answer to a question by the Chairman, desired that the whole of his charges be inquired into. The Chairman informed him that the Commission decided that the only one that came within the scope of the Commission was the charge preferred against Constable Brosnahan, of allowing the Railway Refreshment-room at Waipukurau to be open daily after and before the arrival and departure of trains, and pointed out to him that this was no breach of the law, as the terms of the contract under which the licensee had the rooms permitted it. Mr. Thompson then desired to make charges against Mr. Tunbridge, Commissioner of Police, which the Commission refused to accept, as they had not been lodged within the required time, viz., twenty-four hours after the opening of the Commission at Napier.

Charge of Mr. T. E. Taylor against Inspector Emerson:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., William James Grundy (recalled), Charles Philip Lound (recalled), Mary Elizabeth Tanner, wife of William Tanner, Napier; Henry John Holder, president, Working-men's Club, Napier; Charles Philip Lound (recalled); Frederick Badley, merchant, Dannevirke; and Simon Lindsay Flyger, baker, Napier.

At 12 o'clock noon the Commission adjourned until Monday next.

MONDAY, 30TH MAY, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. T. E. Taylor against Inspector Emerson:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Arthur James Cotterill, solicitor, Napier; John Ferguson Jardine, commission agent, Napier; George Henry Swan, Mayor of Napier; Thomas Harvey, police-constable, Napier; James Siddells, sergeant of police, Dannevirke; Thomas Reidy, carpenter, Napier; Anne Panton, wife of James Panton, baker, Napier; Barrett Rutledge, constable, Taradale; Alfred James Mitchell, sergeant of police, Napier; Russell Beecham, commission agent, Napier; Alfred Thornton Danvers, veterinary surgeon, Hastings.

During the examination of Thomas Reidy, carpenter, the witness refused to answer certain questions put to him by the Chairman, and, after being duly cautioned of the consequence of such refusal, and the witness still refusing to answer the questions put to him, the Commission ordered the said Thomas Reidy to forfeit the sum of £10, and directed Edward William Kane, the secretary to the Commission, to proceed to recover the same in manner by law provided.

General efficiency of the Force :—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Barrett Rutledge, constable, Taradale, and Alfred James Mitchell, sergeant of police, Napier.

At 4.30 p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

TUESDAY, 31ST MAY, 1898.

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

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. T. E. Taylor against Inspector Emerson :—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Francis Logan, solicitor, Napier; John Cullen, Inspector of Police, stationed at Greymouth; Walter Williams, Woodville; William Coughlan, constable, Clive; Samuel Percival Norwood, constable and district clerk, Napier.

At 2.30 p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

WEDNESDAY, 1ST JUNE, 1898.

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

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. T. E. Taylor against Inspector Emerson :—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Herbert John Bennett, constable, Wairoa; James Hannah Smyth, toll-keeper, Wairoa; Arthur Hume, ex-Commissioner of Police; Harry Rolls, tailor, Napier; George Bickerstaff, shop-assistant, Napier.

General efficiency of the Force :—Walter Williams, constable, Woodville, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of Constable Gillespie :—John Bennett Tunbridge, Commissioner of Police, attended, and, being sworn, gave evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned until to-morrow at 9.30 a.m.

THURSDAY, 2ND JUNE, 1898.

The Commission sat at 9.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor were in attendance.

Complaint of Mr. Taylor against Inspector Emerson :—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., John Cullen (recalled); William Heslop, Omarunui, J.P., formerly president, Town and Suburban Racing Club, Taradale; Sarah Erskine, confectioner and caterer, Gisborne; William James Quigley, architect; Arthur John Cooper, bootmaker, Gisborne; John Eugene Whitby, produce merchant, Gisborne; Cecil Francis Lewis, general merchant, Gisborne; Robert Little, farmer, Gisborne; James Harris, livery-stable keeper, Gisborne; James Price, cab-driver, Gisborne; Annie Parkinson, widow, Napier.

After the completion of the day's evidence, the Commissioners, accompanied by Mr. T. E. Taylor and Mr. Cresswell, solicitor for Inspector Emerson, visited the premises of Mrs. Annie Parkinson, and inspected the same in connection with the evidence.

Mr. Taylor then closed his case, and Mr. Cresswell asked for an adjournment until 9.30 a.m. to-morrow before calling evidence.

At 3 o'clock p.m. the Commission adjourned till 9.30 o'clock to-morrow.

FRIDAY, 3RD JUNE, 1898.

The Commission sat at 9.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. Taylor, M.H.R., were in attendance.

Complaint of Mr. Taylor against Inspector Emerson :—Mr. Cresswell, solicitor for Inspector Emerson, called the following witnesses, each of whom, being sworn, gave evidence, which was taken down by the reporter—viz., Thomas Edward Taylor, M.H.R.; Frederick Sutton, commission agent, Napier; Percy William Menzies, medical practitioner, Napier; De Berdt Hovell, Dean of Waiapu, Napier; James Gillies Paterson, clergyman, Presbyterian Church, Napier; Hyman Phineas Cohen, auctioneer, Napier; Charles Hugh Cranby, merchant, Napier; Samuel Carnell, J.P., photographer, Napier; Henry Williams, ironmonger, Napier; Fairfax Frederick Fenwick, manager, Bank of New Zealand, Napier; John Griffin, contractor, Napier; Richard Thomas Walker, editor,

Hawke's Bay Herald, Napier; Frederick Irvine De Lisle, medical practitioner, Napier; John Commons McVay, saddler, Napier; George Thomas Fannin, clerk, Hawke's Bay County Council, Napier; Robert Bishop, manager Sargood, Son, and Ewen, Napier; Maurice Norman Bower, Town Clerk, Napier; Josiah Pratt Hamlin, licensed Native interpreter, Napier; Thomas Morgan, schoolmaster, Napier; Thomas Waitt Balfour, insurance and general agent, Napier; Thomas Morrison, journalist, Napier; Alexander Eccles, chemist, Napier; John Craig, manager, New Zealand Loan and Mercantile Company, Napier; Patrick Barry, wood and coal merchant, Napier; John Emerson, Inspector of Police, in charge of Hawke's Bay and East Coast District; Harry Faulkner, caretaker, Recreation-ground, Napier; Charlotte McMillan Emerson, spinster, Napier; Daisy Emerson, spinster, Napier; Florence Hooper, spinster, Napier; Margaret Hooper, spinster, Napier; Henry Clarke Wilson, clerk, Union Bank of Australasia; Richard Major Roberts, draper, Napier; Sydney Reynolds, visitor to Napier; John William McDougall, journalist; Henry Charles Wilson, dentist, Napier; and James Spence, storekeeper, Napier. This closed the witnesses called on behalf of Inspector Emerson.

General efficiency of the Force:—Frederick Sutton, commission agent, Napier, attended, was sworn, and gave evidence, which was taken down by the reporter.

There being no further evidence forthcoming, the proceedings of the Commission at Napier were closed, and the Commission adjourned at 4.30 p.m. until Wednesday next, at 10.30 o'clock a.m., at Auckland.

AUCKLAND.

WEDNESDAY, 8TH JUNE, 1898.

The Commission opened its proceedings for public business at the Harbour Board Offices, Auckland, on Wednesday, the 8th June, 1898, at 10.30 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
Colonel Hume and Mr. Tunbridge were in attendance.

General efficiency of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Frank Lawry, M.H.R. for Parnell; Arthur Hume, ex-Commissioner of Police; James Hickson, Inspector of Police, Auckland; Martin Grace, Chief Detective, Auckland.

At 4.30 p.m. the Commission adjourned until to-morrow at 10 o'clock a.m.

THURSDAY, 9TH JUNE, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
The minutes of the previous meeting read and confirmed.
Colonel Hume and Mr. Tunbridge were in attendance.

Delegates from Police Force:—Edward Thomas Howell, constable, Auckland; Joshua Hutchison, constable, Auckland; and Samuel Thompson, constable, Auckland, attended as delegates from the local Police Force; and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint of George Everard Bentley:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: George Everard Bentley, journalist, Auckland; James Hickson, Inspector of Police, Auckland; Patrick Crean, constable, Auckland; and Rose O'Brien, matron, Auckland Police-station.

Ex-constable John Haddock's case:—As it appeared that the Right Hon. the Premier had promised to make provision for ex-Constable Haddock's case to be inquired into by the Commission, it was decided to wire to Wellington in reference to the matter, and to give a final decision whether the case could be gone into.

Complaint of ex-Sergeant McMahon:—Mr. Jackson Palmer, solicitor for Sergeant McMahon, attended, and applied that Sergeant McMahon's case should be inquired into, alleging it was not barred, Sergeant McMahon having resigned. The Commissioners decided (Mr. Wardell dissenting) that, as ex-Sergeant McMahon's services had been dispensed with in consequence of misconduct, the matter to be inquired into was outside the scope of and barred by the terms of the Commission. The grounds of Mr. Wardell's dissent were that, as Sergeant McMahon was allowed to resign from the Police Force, it could not be said that his services had been dispensed with, and he had all the rights of a person who had resigned, even though the resignation was enforced. Mr. Jackson Palmer then applied to be allowed to tender evidence to show that, as Sergeant McMahon got into trouble through observing an established rule as to non-interference with a watchhouse-keeper, it was desirable in the interests of discipline that the existence of this rule should be established beyond doubt, or that it should be abolished, in order to prevent a recurrence of a similar trouble in future. The Commission consented to hear evidence on this point.

At 5.15 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

FRIDAY, 10TH JUNE, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Complaint of John Bell against Constable McClellan:—John Bell, ship's-rigger, Auckland, and William John McClellan, constable, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint of John Bell against Constable H. P. Kennedy:—It appearing that the complaint had already been decided upon before a competent tribunal, the Commission decided they had no power to inquire into the complaint.

Complaint of John Bell against Sergeant Lyons:—John Bell, ship's-rigger, Auckland, and William Lyons, sergeant of police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint of John Bell against Inspector Hickson and Sergeant Kelly:—John Bell, ship's-rigger, Auckland; James Hickson, Inspector of Police; and Joseph Swinburne Kelly, sergeant of police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Suggestions:—Henry Patrick Kennedy, plain-clothes constable, and Arthur Hume, ex-Commissioner of Police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Suggestions:—John Hinton, constable, Eden Terrace, Auckland, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of John Dean against Sergeant Greene:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., John Dean, market-gardener, Onehunga; William Haggan, driver baker's cart, Onehunga.

Complaint of John Dean that hotels at Onehunga are allowed to keep open after hours:—John Deans, market-gardener, Onehunga, and Bernard Greene, sergeant of police, Onehunga, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint:—Annie Jane Cassells, widow, Auckland, attended in reference to a complaint lodged, but, as it appeared the matter complained of had arisen since the date of the Commission, the Commissioners decided they had no power to deal with the matter.

Complaint of ex-Constable John Haddock:—The Chairman intimated that he had communicated with the Premier with reference to ex-Constable Haddock's case. The Premier had replied that the promise he had made in the House with reference to Haddock's case had escaped his memory at the time of the preparation of the Commission, otherwise he would have made special provision for the case to be inquired into, and requested the members of the Commission to hold an inquiry, and report thereon.

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

SATURDAY, 11TH JUNE, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Complaint of ex-Sergeant McMahon:—Mr. Jackson Palmer, solicitor, appeared for Sergeant McMahon. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., John McMahon, ex-sergeant of police; John Strathern, inspector, Charitable Aid Office, Auckland; Alexander McGilp, constable, Rawene; Joseph Swinburne Kelly, sergeant of police; and William Lyons, sergeant of police, Auckland. The further consideration of the complaint was adjourned until Monday next.

At 12.45 p.m. the Commission adjourned until Monday next, at 10 o'clock a.m.

MONDAY, 13TH JUNE, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

The Police and Permanent Artillery:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Arthur Pole Penton, Commander New Zealand Forces, Auckland; Arthur Hume, ex-Commissioner of Police; and Sir Arthur Percy Douglas, Bart.

Ex-Sergeant McMahon's case:—Mr. Jackson Palmer, solicitor for ex-Sergeant McMahon, attended and intimated he did not intend to call further evidence.

The following complaint, lodged by the Rev. F. W. Isitt, was taken into consideration:—

The Chairman of the Police Commission, sitting in Auckland: SIR,—I, the undersigned, lay the following charge against the Police Department that it may be inquired into at your sessions in Auckland:—

1. That the efficiency of the Police Force has been seriously impaired, to the detriment of the public interests, by the exercise of outside influence which has been brought to bear upon it, especially by influence of a political character.

2. That the licensing-laws, and those laws which relate to gaming, have not been strictly enforced; and that the laws under which the sale of intoxicating liquors in the King-country and other Native districts is prohibited have been administered with special laxity.

FRANK W. ISITT.

James Hickson, Inspector of Police, Auckland, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of ex-Sergeant McMahon:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., James Hickson, Inspector of Police, Auckland; Patrick Crean, constable, Auckland; and John Bennett Tunbridge, Commissioner of Police.

Complaint of the Rev. F. W. Isitt:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Rev. William Gittos, Wesleyan minister of religion, Auckland; Hami Kingi, Wesleyan minister of religion, Kopua, Waikato (the Rev. William Gittos was sworn in as interpreter); John Edward Taylor, settler, Mangere, and member of District Hospital and Charitable Aid Board; and Charles Stanyer, constable, Otorohanga.

At 5.15 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

TUESDAY, 14TH JUNE, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Rev. F. W. Isitt were in attendance.

Complaint of Rev. Mr. Isitt:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., William Jones, constable, Te Awamutu; John Cavanagh, constable, Ngaruawahia; Frank Souter Malcolm, outfitter, Auckland; David Goldie, timber merchant, Auckland; John Watson Forbes, constable, Te Aroha; Edward William Sharman, medical practitioner, Auckland; Arthur Cleave, proprietor, *Sporting Review and Licensed Victuallers' Gazette*; Rev. William Henry Wilson, Church of England clergyman, Paeroa; Laurence Carroll, constable, Kihikihi; John Henry Upton, bookseller, Auckland; John William Ellis, J.P., sheep-farmer, Otorohanga; Patrick Macdonnell, J.P., storekeeper, Otorohanga; Alexander Rose, Collector of Customs, Auckland; and Arthur Myers, brewer and wine and spirit merchant, Auckland.

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

WEDNESDAY, 15TH JUNE, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Rev. F. W. Isitt were in attendance.

Correction of evidence (general efficiency of the Force):—James Hickson, Inspector of Police, Auckland, attended, and, being reminded he was still on his former oath, gave evidence, which was taken down by the reporter.

Complaint:—Charles Thomas Dunne, of Katikati, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of John Dean against Sergeant Greene:—Frederick Neave, labourer, Opitonui, near Coromandel, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of Rev. F. W. Isitt:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Rev. George McMurray, Auckland; Rev. William Beatty, Auckland; the Rev. William Eugene Gillam, Ellerslie, Episcopalian clergyman; George Thomas Wilkinson, Government Native Agent and Land-purchase Officer, Otorohanga; Charles James Johnston, J.P., Otorohanga; John William Ellis, J.P.; John Edward Taylor, settler, Mangere; and Herbert William Brabant, S.M., Auckland.

Case of Constable Gillespie:—Herbert William Brabant, S.M., Auckland, attended, and, being sworn, gave evidence, which was taken down by the reporter.

At 5.15 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

THURSDAY, 16TH JUNE, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Rev. F. W. Isitt were in attendance.

Complaint of Rev. F. W. Isitt's charges:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., William Alfred Bayley, detective, Auckland; Martin Grace, chief detective, Auckland; Peter Thomas McMahon, detective, Auckland; William Maddern, detective, Auckland; William Murray, sergeant of police, Tauranga, and formerly of Rotorua; Gabriel Elliott, Wesleyan Home missionary, Kaihu; James Alexander Mathew, constable, Auckland; Michael Gaffney, constable, Auckland; Abraham Bowden, cab-proprietor, Auckland; William Joseph Napier, solicitor, Auckland; George Goldie, Sanitary Inspector, Auckland; Samuel Dawson Hanna, manager, Auckland Freezing Company; Alexander Alison, manager, Ferry Company, Auckland; John McEffer Shera, sharebroker, Auckland; Laura Francis, deaconess of an unsectarian order, Door of Hope Rescue Home; Charlotte Sparks, widow, adjutant, Salvation Army, and in charge of Rescue Home, Grey Street, Auckland; and the Rev. William James Williams, Wesleyan minister, Auckland.

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

FRIDAY, 17TH JUNE, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

Complaint of the Rev. F. W. Isitt:—The following witnesses attended, and, each being sworn gave evidence, which was taken down by the reporter—viz., Lizzie Porter, secretary of the Society for the Protection of Women and Children, Auckland; James Hickson, Inspector of Police, Auckland; Thomas Gresham, barrister and solicitor, and Coroner at Te Awamutu; the Right Rev. George Michael Lenihan, D.D., Roman Catholic Bishop of Auckland (made affirmation in lieu of oath); Patrick Herbert, detective, Thames; Frank Lawry, M.H.B., Parnell; and John Bennett Tunbridge, Commissioner of Police.

Case of Matthew O'Brien, constable:—John Joseph Reynolds, J.P., Helensville, attended, and, being sworn, gave evidence, which was taken down by the reporter.

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

SATURDAY, 18TH JUNE, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

Complaint of Mrs. Maria Smith:—Thomas Harrison Smith, constable, Auckland, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of the Rev. F. W. Isitt:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Hubert Ferguson, Inspector of Factories, Auckland; William Thomas Jennings, M.L.C., Auckland.

At 6.30 p.m. the Commission adjourned until 10 o'clock a.m. on Monday next.

MONDAY, 20TH JUNE, 1898.

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

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Rev. F. W. Isitt were in attendance.

Complaint of the Rev. F. W. Isitt:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Henry William Northcroft, S.M., Wanganui; James McCrea Brigham, secretary and treasurer, Auckland Harbour Board, Auckland.

General efficiency of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Edwin Harrow, farmer, Lake Takapuna; James Hickson, Inspector of Police, Auckland; and John Bennett Tunbridge, Commissioner of Police.

Complaint of John Dean against Sergeant Greene, Onehunga:—Bernard Greene, sergeant of police, Onehunga, attended, and, being sworn, gave evidence, which was taken down by the reporter.

There being no further evidence forthcoming, the proceedings of the Commission at Auckland were closed, and the Commission adjourned until Wednesday next, at 10.30 o'clock, at New Plymouth.

NEW PLYMOUTH.

WEDNESDAY, 22ND JUNE, 1898.

The Commission opened its proceedings for public business at the Courthouse, New Plymouth, on Wednesday, 22nd June, 1898, at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

Complaint of John Gilbert against Constable Gillespie:—Mr. Gilbert appeared, and was informed by the Chairman that his complaint could not be gone into, as the complaint arose before either himself or Constable Gillespie were in the Police Force, and that the complaint was over twelve years ago, and also because his (Gilbert's) services had been dispensed with.

General efficiency of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Francis McGovern, Police Inspector, New Plymouth; William Grey, constable, New Plymouth; Hal Goodacre, boot-manufacturer, New Plymouth; Martin Dudley Stagpoole, sergeant of police, New Plymouth; Michael Roche, constable, New Plymouth; Charles Ahier, sawmiller, New Plymouth; John Duffin, ex-sergeant of police, New Plymouth; and Francis McGovern (recalled).

There being no further evidence forthcoming, the proceedings of the Commission closed at New Plymouth, and the Commission adjourned until 10 o'clock a.m. on Friday next, at Wanganui.

WANGANUI.

FRIDAY, 24TH JUNE, 1898.

The Commission opened its proceedings for public business at the Courthouse, Wanganui, on Friday, 24th June, 1898, at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

General efficiency of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., John Ellison, sergeant in charge, Wanganui; Charles Cargill Kettle, District Judge and S.M., Wanganui; Benjamin McCaul, livery-stable keeper; John Ellison (recalled); Marguerite Williamson, wife of Hugh Williamson, chemist, Wanganui; Margaret Bullock, widow, Wanganui; Luke Lynch Carolan, cab-proprietor, Wanganui; Frederick Hamilton Spencer, clerk in holy orders, Wanganui; Thomas Godfrey Hammond, Wesleyan missionary, West Coast, North Island; and Francis McGovern, Inspector of Police, Wanganui and West Coast district.

There being no further evidence forthcoming, the Commission, at 4 p.m., adjourned until to-morrow, at 9.30 a.m., at Palmerston North.

PALMERSTON NORTH.

SATURDAY, 25TH JUNE, 1898.

The Commission opened its proceedings for public business at the Courthouse, Palmerston North, on Saturday, 25th June, 1898, at 9.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

General efficiency of the Force:—Edward Wilson, sergeant of police in charge of sub-district, Palmerston North, attended, was sworn, and gave evidence, which was taken down by the reporter.

Correction of evidence:—Edward Wilson, sergeant of police, Palmerston North, and Arthur Hume, ex-Commissioner of Police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint of Constable Gillespie:—It being reported to the Commission that Constable Gillespie was unable to attend through illness, his complaint was not dealt with.

Complaint of F. Pirani, M.H.R.:—It being reported to the Commission that Mr. F. Pirani, M.H.R., was unable to attend through illness, his complaint was not dealt with.

Complaint of W. Hamer, of Foxton, against Constable Gillespie:—There being no appearance of Mr. Hamer, his complaint lapsed.

There being no further evidence forthcoming, the proceedings of the Commission at Palmerston North closed, and the Commission adjourned until Monday next, at 10.30 o'clock a.m., at Wellington.

WELLINGTON.

MONDAY, 27TH JUNE, 1898.

The Commission resumed its sittings at the Parliament Buildings, Wellington, on Monday, 27th June, 1898, at 10.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, Mr. T. E. Taylor, M.H.R., and the Rev. F. W. Isitt were in attendance.

General efficiency of the Force (Mr. Taylor's complaint) :—Henry James Checketts, fireman and greaser, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

Production of papers :—Arthur Hume, ex-Commissioner of Police, attended, and produced papers relating to Thomas J. O'Brien, constable, Napier, and Patrick Quinn, constable, formerly of Hawera, now at Palmerston North, and gave evidence thereon, which was taken down by the reporter.

Re evidence of ex-Constable Charles Slight :—Alexander Hattie, constable, Palmerston North, attended, and, being sworn, gave evidence, which was taken down by the reporter.

General efficiency of the Force (complaint of Mr. T. E. Taylor) :—William Campbell, chief detective, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

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

TUESDAY, 28TH JUNE, 1898.

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

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, Rev. F. W. Isitt, and Mr. T. E. Taylor, M.H.R., were in attendance.

Arthur Hume, ex-Commissioner of Police, attended, and produced papers relating to the following matters :—(1) Papers relating to the correspondence from certain Justices of the Peace at Otorohanga and the Police Department relating to the sale of grog in the King-country ; (2) transfer of Constable Donovan from Coromandel to Tolaga Bay ; (3) correspondence between the Rev. F. H. Spencer, Rotorua, and the Police Department relating to the sale of grog to the Natives ; (4) papers relating to Constable Watty's retirement ; (5) papers relating to transfer and threatened dismissal of ex-Constable Pascoe from Methven, Canterbury ; (6) Constable Whelan's transfer from Tauranga to Port Awanui ; and, being sworn, gave evidence on the several matters, which was taken down by the reporter.

General efficiency of the Force :—Arthur Hume, ex-Commissioner of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Municipal Colonial Police :—John Bennett Tunbridge, Commissioner of Police, and Arthur Hume, ex-Commissioner of Police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint against ex-Sergeant Hannan :—Ex-Sergeant Daniel Hannan applied to be further heard in reference to the complaint against him, and to be allowed to call more evidence. The Commissioners, after consultation, informed him that he would be allowed to give rebutting evidence on any testimony given after he was examined, but not on any other matter. He was accordingly reminded that he was still on his former oath, and gave evidence, which was taken down by the reporter.

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

WEDNESDAY, 29TH JUNE, 1898.

The Commission sat at 10.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

The Commission was occupied during the whole of the day discussing matters in connection with the preparation of the report.

At 5.15 p.m. the Commission adjourned until to-morrow, at 10.30 o'clock a.m.

THURSDAY, 30TH JUNE, 1898.

The Commission sat at 10.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

The Commission was engaged during the whole of the day discussing matters in connection with the preparation of the report.

At 5.30 p.m. the Commission adjourned until 10.30 o'clock a.m. to-morrow.

FRIDAY, 1ST JULY, 1898.

The Commission met at 10.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, Mr. T. E. Taylor, M.H.R., and the Rev. F. W. Isitt were in attendance.

General efficiency of the Force :—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Henry J. Checketts (recalled), Roderick McKenzie, M.H.R., Henry J. Checketts (recalled), the Hon. William Kelly, M.L.C., Arthur Hume, ex-Commissioner of Police, and John Bennett Tunbridge, Commissioner of Police.

Production of papers :—Arthur Hume, ex-Commissioner of Police, attended, and produced papers referring to the following matters: Constable Walter Bond Young, Constable W. J. Rist, Constable William Patrick Patton, Constable Michael Cox, Constable S. M. Kelso, and, being sworn, gave evidence thereon, which was taken down by the reporter.

At 5.15 p.m. the Commission adjourned until to-morrow, at 10.30 o'clock a.m.

SATURDAY, 2ND JULY, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Correspondence :—The following communication was received from the Right Hon. the Premier :—

Premier's Office, Wellington, 1st July, 1898.

MEMORANDUM for the CHAIRMAN, POLICE COMMISSION.

REFERRING to the request preferred by the Commissioners, asking the Premier to name a time when it would be convenient for him to be examined, the Premier begs to say that, having carefully considered the position, he has come to the conclusion it would be inexpedient—if not unconstitutional—that he should attend before the Commissioners for such a purpose.

The Commission was appointed by His Excellency the Governor upon the Premier's advice, and when the Commissioners have made their report it will again be his duty to tender advice to the Governor.

This being so, the Premier thinks he ought not to submit himself for examination, and commit himself to opinions which might prejudice his future action, or tend to diminish his responsibility to Parliament. This seems the more obvious at the present time when Parliament is in session.

With regard to the list of matters which accompanies the above request, the Premier suggests that the departmental records will possibly afford the Commissioners all the information they desire, or that the same may be obtained from other sources.

R. J. SEDDON.

The following communication was received from the Hon. the Minister of Justice :—

MEMORANDUM for the CHAIRMAN, POLICE COMMISSION.

Office of the Minister of Justice, 2nd July, 1898.

REFERRING to your communication *re* my appearing for examination, I beg to refer you to the Premier's memorandum of the 1st July, and to state that I am also of opinion that I ought not to submit myself for examination, and commit myself to opinions which might prejudice my future action, or tend to diminish my responsibility to Parliament. This seems the more obvious at the present time when Parliament is in session.

With regard to the list of matters which accompanies the above request, I would suggest that the departmental records will possibly afford the Commissioners all the information they desire, or that the same may be obtained from other sources.

T. THOMPSON.

The Commissioners sent for Mr. T. E. Taylor, M.H.R., who had desired the attendance of the Premier and Hon. Mr. Thompson, and, upon Mr. Taylor attending, the Chairman informed him of the receipt of the two foregoing memoranda, and the contents thereof.

The following memorandum was sent to the Right Hon. the Premier :—

MEMORANDUM for the Right Hon. the PREMIER.

I HAVE the honour to acknowledge the receipt of your memorandum of the 1st instant, referring to our request that you would name a time convenient for you to attend the Commission to be examined on certain matters by Mr. Taylor, M.H.R., and to inform you that on its contents being communicated to that gentleman he announced his intention of bringing the matter before the House on a question of privilege on Tuesday next.

4th July, 1898.

H. S. WARDELL, Chairman, Police Commission.

General efficiency of the Force: Thomas Cahill, M.D., Wellington, attended, and, being sworn, gave evidence, which was taken down by the reporter.

At 1.30 p.m. the Commission adjourned until 10.30 o'clock a.m. on Monday next.

MONDAY, 4TH JULY, 1898.

The Commission sat at 10.30 o'clock a.m.

Present: Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

Colonel Pitt having to proceed to Nelson, it was arranged that he should draft certain portions of the report, and transmit same to the other Commissioners at Wellington for perusal and approval.

The Commissioners were engaged during the whole of the day perusing documents and drafting the report.

At 5.30 p.m. the Commission adjourned until 10.30 a.m. to-morrow.

TUESDAY, 5TH JULY, 1898.

The Commission sat at 10.30 o'clock a.m.

Present: Messrs. Wardell and Poynton.

The minutes of the previous meeting were read and confirmed.

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

At 5 o'clock p.m. the Commission adjourned until 10.30 o'clock a.m. to-morrow.

WEDNESDAY, 6TH JULY, 1898.

The Commission sat at 10.30 o'clock a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

The Commission were engaged during the whole of the day perusing documents and drafting their report. At 5 o'clock p.m. the Commission adjourned until to-morrow at 10.30 o'clock a.m.

THURSDAY, 7TH JULY, 1898.

The Commission sat at 10.30 o'clock a.m.

Present : Messrs. Wardell and Poynton.

Minutes of the previous meeting read and confirmed.

Mr. Taylor, M.H.R., attended and delivered a letter, dated the 7th July, 1898, asking for subpoenas for the Right Hon. R. J. Seddon and the Hon. T. Thompson to attend for examination before the Commission, as follows :—

DEAR SIR,—

After full consideration of the matter, I beg to make application for subpoenas for the Right Hon. R. J. Seddon and the Hon. T. Thompson. I shall be glad if you will let me know what day will suit them for examination, so that I may arrange not to inconvenience them.

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

7th July, 1898.

I am, &c.,

T. E. TAYLOR.

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

The Commission at 5 o'clock p.m. adjourned until 10.30 o'clock a.m. to-morrow.

FRIDAY, 8TH JULY, 1898.

The Commission sat at 10.30 o'clock a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

Mr. T. E. Taylor, M.H.R., wrote, under date 8th July, 1898, quoting authorities in support of his application for the issue of subpoenas for the attendance of the Right Hon. R. J. Seddon and the Hon. T. Thompson, as follows :—

DEAR SIR,—

With further reference to my application for subpoenas for the Hon. the Premier and the Defence Minister, and the conversation we had yesterday on the subject, I beg to ask your attention to May's "Parliamentary Practice," page 111. It is there stated as follows : "The claim to resist subpoenas upon the same principle as other personal privileges—viz., the paramount right of Parliament to the attendance and service of its members—was maintained in former times. Of late years, so far from withholding the attendance of members as witnesses in Courts of justice, the Commons grant leave of absence to their members on the ground that they have been summoned as witnesses, and have admitted the same excuse for defaulters at calls of the House." May then goes on to declare that "Although the claim of privilege is not now enforced as regards other Courts, one House will not permit its members to be summoned by another without a messenger desiring his attendance, &c. It seems clear that the privilege of exemption from subpoenas has ceased to exist by virtue of its non-assertion."

On the 4th May, 1894, the Hon. R. J. Seddon, A. J. Cadman, P. A. Buckley, John McKenzie, W. P. Reeves, J. G. Ward, and James Carroll were all examined on oath before the Fox Royal Commission. A full report of the proceedings is embodied in the Appendices of the House of Representatives for 1894—H.—5.

The control of the Force has been by Ministers and not by a Commissioner, and Ministers only can explain what principles were applied in the selection of recruits, or in transfers and certain promotions. Your order of reference empowers you to call all persons or papers calculated to elucidate the questions submitted to you for investigation. Whatever attitude Ministers may assume, I submit, is a matter that does not affect my right to call them as witnesses before you. They are possessed of information and facts without which I am unable to establish certain points in the charges lodged by myself; and, under these circumstances, I ask that you will supply me with subpoenas for Monday next at any hour which will suit the convenience of the Ministers named.

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

I am, &c.,

T. E. TAYLOR.

The Commission was engaged during the whole of the day perusing documents and drafting their report.

SATURDAY, 9TH JULY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

Subpoenas were issued for the attendance of the Right Hon. R. J. Seddon and the Hon. T. Thompson for Monday next.

The Commission was engaged during the whole of the day perusing documents and drafting their report.

At 1 o'clock p.m. the Commission adjourned until 10 o'clock a.m. on Monday next.

MONDAY, 11TH JULY, 1898.

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

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

The Premier, the Right Hon. R. J. Seddon, and the Hon. T. Thompson, Minister of Justice, were in attendance.

Addressing Mr. Seddon and Mr. Thompson,

The Chairman stated : The Commission issued a subpoena for your attendance on the application of Mr. Taylor, as he alleged that he wished to examine you on matters connected with the control and general organization of the Police Force.

Mr. Seddon : Mr. Chairman, I came here this morning, as I did not wish to show any disrespect to the Commission. For State reasons, and believing as I do that it is unconstitutional for me to be here to tender evidence—in fact, you might just as well summon His Excellency the Governor—upon the points which have been submitted—as far as I am concerned, there is nothing that I can do or say to throw light on the question. To appreciate my position, take, for instance, a question that is mentioned here in this list supplied to me—of recruiting. It might be that I should say the system of recruiting from the Permanent Artillery was not in the best interests of the Police Force. If I were to express that opinion the Commission, in reporting or recommending to His Excellency the Governor—which is practically recommending to me or the Government—might adopt my view, and it would be then said that it was not the report of the Commission, or the opinion of the Commissioners, for they had simply indorsed the opinion of the Prime Minister. Under these circumstances I, as I have said, not wishing to show any disrespect to the Commission, have obeyed the subpoena, but for State reasons I think it is not expedient to tender evidence. I shall therefore decline to be examined, and hope the reasons I have given will be satisfactory to you in supporting the position I have taken up.

The Chairman : Mr. Taylor, have you anything to urge ?

Mr. T. E. Taylor : Yes ; I wish to draw your attention to this fact : that under the order of reference which authorises you to inquire into certain matters you are empowered to call any persons or papers to throw light upon the Police Force in connection with reforms in that department of the public service, and any person or paper which might throw light on the causes which have led to discontent in and disorganization and demoralisation of the Force. Now, if the Force had been entirely under the control of the Commissioner, the Commissioner would undoubtedly have been available for thorough examination of the methods and causes alleged to be injurious to the Force ; but, as a fact, the Police Force have not been under the control of the Commissioner, because the Commissioner has admitted to you that it has been Ministerially controlled, and the reasons given for certain actions and things which have been done are that they are only known to the Ministers who have instructed the department to do them. Now, before the Commission can ascertain the causes for discontent, disorganization, and demoralisation of the Force, facts which are only in the possession of the Minister must be elicited. The action is not the Commissioner's, it is the Minister's action. The authorities do not admit that a member of Parliament can claim any privilege against such a tribunal as you preside over. May's "Parliamentary Practice," page 111, says, "The claim to resist subpoenas upon the same principle as other personal privileges—viz., the paramount right of Parliament to the attendance and service of its members—was maintained in former times. Of late years, so far as withholding the attendance of members as witnesses in Courts of justice, the Commons grant leave of absence to their members on the ground that they have been summoned as witnesses, and have admitted the same excuse for defaulters at calls of the House. But, although this claim of privilege is not now enforced as regards other Courts, one House will not permit its members to be summoned by the other without a message desiring his attendance, nor without the consent of the member whose attendance is required ; and it may be doubtful whether the House would not protect a member served with a subpoena from the legal consequences of non-attendance in a Court of justice, if permission had not been previously granted by the House for his attendance." Now, it will be within your recollection that a Royal Commission was sitting in Wellington a few years ago in connection with some missing documents or reports of Colonel Fox, and the whole Cabinet—including all the Ministers without exception—were examined before that Commission upon oath. So that a precedent is established there ; and I submit that the occasion for that inquiry was nothing like so important as the matters connected with this inquiry. Take a case in point : The Commissioner says he has nothing to do with appointments, and that a number of appointments from the Permanent Artillery have been exceedingly bad. Then, we have it in evidence that a large number of appointments have been made in defiance of the law, and I say it is within the scope of this Commission to inquire why those appointments have been made. There are a large number of men who have been exceptionally treated, and we want to find out why they have been exceptionally treated ; and I submit that the key that will give you the explanation of many matters which have been before you during this inquiry is in the possession of Ministers—the present Defence Minister, and the Minister who was his predecessor. That is the position, and if the Commission is not to be balked in its main purpose, then, I submit, Minister must place before the Commission any facts required—not necessarily opinions—and if they, as the guardians of public documents, and trustees of certain matters for the time being, are to be permitted to refuse such information, then, I say, the purpose of the Commission is set at naught, and practically you are defied by persons who refuse to come under your interrogation.

Mr. Seddon : I claim no privilege. The reference in May has no reference to my case. That referred to claims to exemption by members of Parliament.

The Chairman : We quite understand that, and had taken the matter Mr. Taylor referred to into consideration prior to issuing the summons.

Mr. Seddon : I wish to put myself right. I claim no privilege whatever. On the constitutional phase of the question, which Mr. Taylor did not touch upon at all, I said you might just as well ask His Excellency the Governor to attend. Now, with regard to the appointments which it has been stated has been made by the Defence Minister, there is a complete answer, for His Excellency the Governor cannot ask me why I have appointed any person. Now, if His Excellency the Governor cannot ask me, he being the head of the colony, how can he ask me through the Commission? I am not answerable to any one except Parliament in that respect, therefore Mr. Taylor has cut the ground from under his own feet. Then we come to another point, that Ministers of the Crown have given evidence before a Royal Commission, but the circumstances were entirely different. In respect of a document lost in transmission and appearing in a public print, and where Ministers themselves under the circumstances were directly concerned and desirous, of course, of putting their information before the country, that was entirely another matter. I could volunteer evidence before you, and if I thought fit.

Mr. Taylor : And betray your trust.

Mr. Seddon : It would be entirely unconstitutional, on the ground that your investigation is of such a character as to make it so. In the Fox Commission there was no question of mal-administration whatever against the Government of the day or any of the Ministers. In another Commission it was purely a question of ascertaining the best means of dealing with confiscated land in which the Maoris had been wronged and which the Maoris had claimed, and which had been the subject of petition for years. In that case every Minister went before the Commission to help them in respect of that matter, and if there was nothing contrary to the position of a Minister I might do the same on another Commission to-morrow if the circumstances were the same. But as far as this Commission is concerned the circumstances are different, and I think Mr. Taylor fully recognises that. We had the matter laid down before this Commission sat that no Government could set up a Commission to try itself. A Government has to be tried by Parliament—Ministers can go before their peers and no one else. That is the well-known constitutional position. Under the circumstances, then, for State reasons and in accordance with parliamentary practice, I must, whilst submitting myself before the Commission to show my respect for it, at the same time say that nothing has been said which will change me from the determination which I have come to, and which I believe is a proper one.

Mr. Taylor : Can you quote any authority?

Mr. Seddon : Mr. Ritchie, president of the Board of Trade at Home, presented himself before a Commission and said that for State reasons he declined to give evidence.

The Chairman : He assigned the same reasons that you give?

Mr. Seddon : So I am given to understand. That is the only case I have heard of in connection with anything of the sort.

Mr. Taylor : What was the case?

Mr. Seddon : It was some inquiry, and he tendered himself. But, at all events, if there was no precedent I—

Mr. Taylor : You would make one.

Mr. Seddon : I would make one.

The Chairman : With regard to the question of privilege, as I intimated, we understood on reference to May that we had the power to issue the summons, and in the exercise of that power we did so. The Premier has appeared in answer to that summons, and has assigned certain reasons for declining to give evidence. It is for us to say whether, in our opinion, these reasons are sufficient. On a former occasion I intimated that I thought they were, and I still think so. I think that we cannot call a Minister of the Crown to account for his Ministerial actions. It is admitted that the department is under the control of a Minister. That being so, I take it that he, as a Minister, is responsible for his Ministerial actions to the Governor and to Parliament, and that we, as a Commission set up by the Governor, are not empowered or entitled to examine him upon those acts for which he must be exclusively responsible to the powers I have named—certainly to Parliament, if not personally to the Governor as the Premier says. With regard to the case referred to—the Fox Commission—I see a very broad distinction between that inquiry and this. That was an inquiry limited to a mere question of fact as to which no question of Ministerial action was involved; but here the list of matters which Mr. Taylor proposed to put before the Premier evidently touches Ministerial policy. The question of pensioning- and retiring-allowances are clearly matters of Ministerial policy, and the other matters enumerated in the list are matters of Ministerial action; and taking the view I have taken I am of opinion that we cannot compel the Premier to give evidence.

Mr. Taylor : If the Right Hon. the Premier is responsible to the Governor for his actions, is he not responsible to a Royal Commission appointed by the Governor? You have your authority from the Governor.

The Chairman : I accept the Premier's assurance. I take it he speaks as an expert on that matter, that the Governor, as Governor, cannot call him to account for his action, that his responsibility constitutionally is to Parliament. Having formed that opinion, I, for my part, consider the reasons assigned sufficient, and exonerate the Premier from answering any questions on the subject.

Mr. Poynton : The only thing we have to consider as Royal Commissioners is whether we ought in face of the refusal to give evidence to impose a penalty. In my opinion, no Judge would impose a penalty under the circumstances. The Premier is called here and alleges that he is called to account for Ministerial acts for which he is accountable only to Parliament. That is to say, no doubt, if his acts are Ministerial acts he is not responsible to this body but to Parliament. The list of items submitted by Mr. Taylor comes within the definition of Ministerial acts. Under section 2 of the Police Force Act the Governor has power to embody a Police Force. Under

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

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

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

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

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

The Chairman : Then you are relieved from further attendance.

The gentlemen in attendance then withdrew.

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

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

TUESDAY, 12TH JULY, 1898.

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

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting were read and confirmed.

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

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

WEDNESDAY, 13TH JULY, 1898.

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

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

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

SIR,—

Parliament Buildings, Wellington, 4th July, 1898.

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

I remain, &c.,

R. MCKENZIE, M.H.R.

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

[Enclosure.]

SIR,—

Government House, Wellington, 8th July, 1898.

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

I remain, &c.,

DUDLEY ALEXANDER, Captain.

R. McKenzie, Esq., M.H.R.

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

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

The Commission were engaged during the day drafting their report.

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

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

Present : Messrs. Wardell and Poynton.

The Commission were engaged during these days drafting their report.

SATURDAY, 23RD JULY, 1898.

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

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The Commission was engaged during the day and evening in the preparation of their report.

At 11 o'clock p.m. the Commission adjourned until 10 o'clock a.m. on Monday next.

MONDAY, 25TH JULY, 1898.

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

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

The Commission were engaged during the whole of the day and evening in connection with the preparation of the report, and the draft having been completed was sent to the Government Printer to be put in type.

At 1 o'clock a.m. on Tuesday morning the Commission adjourned until 10 o'clock a.m.

TUESDAY, 26TH JULY, 1898.

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

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

The draft report was received from the Government Printer, and, after perusal, was agreed to by the Commission.

Colonel Pitt, having to leave for Nelson, authorised the Chairman (Mr. Wardell) by writing under his hand to sign his (Colonel Pitt's) name and affix his seal to the report of the Commission before being sent to His Excellency the Governor.

Complaint of George Spencer Fleming :—The Commission resolved that the expenses of the witnesses called by Mr. George Spencer Fleming, of Christchurch, in respect of the charges made by him against certain members of the Police Force during the sittings of the Commission at Christchurch, be paid out of the moneys deposited by him as security for the payment of their expenses, the said charges being held to be frivolous and vexatious.

Acknowledgment :—*Resolved*, That the Commission desires to place on record its appreciation of the manner in which Mr. E. W. Kane, the Secretary to the Commission, has discharged his duties, and its recognition of the arduous duties performed by the reporting staff.

Colonel Pitt and Mr. J. W. Poynton, Commissioners, desire to place on the minutes a record of their thanks to Mr. Wardell, Chairman of the Commission, for the uniform courtesy, patience, and kindness shown to them by him throughout the sittings of the Commission.

At 4.30 p.m. the Commission adjourned until to-morrow at 10 o'clock a.m.

WEDNESDAY, 27TH JULY, 1898.

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

Present : Messrs. Wardell and Poynton.

Minutes of the previous meeting read and confirmed.

The revise of the draft reports was received from Government Printer and corrected.

At 4 o'clock p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

THURSDAY, 28TH JULY, 1898.

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

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting were read and confirmed.

A fair copy of the report was received from the Government Printer and duly signed by the Commissioners, and was forwarded to the Right Hon. the Premier for transmission to His Excellency the Governor.

This concluded the proceedings of the Commission.

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MINUTES OF EVIDENCE.

WELLINGTON.

MONDAY, 14TH FEBRUARY, 1898.

PETER PENDER, Inspector of Police, examined on oath.

1. *The Chairman.*] We want you, Mr. Pender, to give us, as far as you can, a general sketch of the formation of the present Police Force of the colony. When did you join the Force?—I have been fifty-two years in the Police Force.

2. *Colonel Pitt.*] Do you remember the year you joined?—In 1845, in Ireland—the Irish Constabulary.

3. But the New Zealand Force?—I came over from Victoria to Christchurch in 1862.

4. *The Chairman.*] In what position?—I came over here to assist in organizing the Police Force. I came as first-class sergeant, and was appointed sergeant-major almost immediately, and shortly afterwards I was appointed Inspector.

5. *Colonel Pitt.*] In 1862; was that the provincial police then, or the General Government?—Provincial.

6. Canterbury?—Yes; Canterbury.

7. *The Chairman.*] To what period was it a provincial Force?—I think it was in 1869 we became merged into the Armed Constabulary. It was a local provincial Force up to that time. St. John Branigan took charge of the police, and we were taken in with the Armed Constabulary, which was then a colonial Force.

8. In 1869 it ceased to be a local Force and was merged into the Armed Constabulary, and you then held the position of Inspector?—Yes; I have held the position of Inspector since May, 1864. Then I think it was in 1876 the General Government took charge, when the provinces were abolished.

9. Then, although merged into the Armed Constabulary, it was still a provincial Force?—Yes; I believe the provinces paid for the police, as far as I can remember.

10. *Colonel Pitt.*] And made the appointments?—And made the appointments.

11. *The Chairman.*] It was a colonial Force under local control?—Yes.

12. In 1876, when the provinces were abolished, what change took place?—The whole Force came under the General Government, and became a colonial Force.

13. And what was the organization; under whose immediate control was the Force placed?—Well, I think it was Colonel Moule, or Colonel Reader—I forget which. It was Colonel Reader, I believe.

14. *Colonel Pitt.*] There was a Commissioner of Police at Wellington?—Yes; I believe it was Colonel Moule previously.

15. Did you retain your position as Inspector?—Yes. I may say—I do not know whether it is material—as an Inspector, I was appointed to the third-class in Canterbury. The Commissioner there adopted a classification system. I rose to the first class, but I did not get the pay; and other Inspectors, who were in Hokitika, for instance, and other places, who were only appointed Inspectors, under no classification, took precedence, when the General Government took over the Force, over those who had been working up under the classification system.

16. And who had the control of the police at Hokitika, the General Government?—The Westland Province.

17. Westland was not a provincial district then, was it?—Oh yes, some time before that.

18. You say the Inspectors of Westland took precedence?—And other places as well. Men at other places who were simply appointed as Inspectors, without any regard to grade, took precedence over those who had been working up under the classification system.

19. In Westland and other places?—One or two other places—although those under the classification had been longer in the Force.

20. *The Chairman.*] Under this system, when the Force was taken over by the General Government and placed under the immediate control of a Commissioner at Wellington, what was the system of administration?—Well, there was very little change. Things went on in much the same way.

21. How was enrolment carried out?—Sworn men.

22. Selected by and from?—I was appointed by the Governor.

23. *Mr. Poynton.*] But with regard to the Force itself, how were the constables enrolled—from any particular body of men, or were they simply taken from the general population?—They were taken from the general population. After some time I think the men were sent down from Wellington. I am speaking from memory. Things went on in much the same way for some time. Then men were taken from the Permanent Artillery. I think some were taken from the permanent force at Lyttelton for Christchurch, the same with regard to Dunedin, and the same, I think, with regard to Wellington.

24. *Colonel Pitt.*] From the Permanent Force?—Yes.

25. When were they first established?—I am not certain at all about the date.

26. You mean by the Permanent Force the Armed Constabulary?—No, the Permanent Artillery.

27. *Mr. Poynton.*] You had nothing to do with the enrolment?—No, nothing at all.

28. *The Chairman.*] Where were you stationed at this time?—Christchurch and Timaru. I was first for some time at Christchurch, and then I was for some years at Timaru, and then came back again to Christchurch. A number of the Armed Constabulary men, I think, after the provinces were abolished, were transferred to the general Force.

29. How did those men who were transferred from the Permanent Artillery and from the Armed Constabulary shape in police duties?—Well, I think, fairly well. Of course, some of them turned out only middling; others were very good men, but I may say they were not equal to the men that we had in Canterbury.

30. That is, the southern portion of the Force?—Well, the Commissioner in the Canterbury force was then Mr. Shearman. A number of men came over from Australia, the same as they did to Otago. In fact, for a long time the force was pretty well supplied with men from the other colonies, and they were all superior men.

31. *Colonel Pitt.*] Were they not mounted men?—No. Some of them were. The Force was recruited pretty well from those colonies. The Irish Constabulary men were taken on then. They were all men of experience.

32. All good men?—Well, not all.

33. *The Chairman.*] They were experienced in police duties?—Yes. You could put them in uniforms and send them out, and they knew what to do.

34. You were in the service in Australia, Mr. Pender, and you say these men who came over were experienced men. You attribute that to their training in Australia?—They had a superior training altogether.

35. What was the training they received?—The training in Australia at that time did not differ very much from the training here, with the exception that they had a depot at Melbourne, where all the men were trained before they were allowed to go out. Every man had to undergo a training—had to pass an examination.

36. *Colonel Pitt.*] What do you mean by examination—physical, of course?—And intellectual as well.

37. *Mr. Poynton.*] A knowledge of his duties?—A knowledge of his duties generally. He had to undergo three months' training in the depot. It was four months in the Irish Constabulary.

38. Did the same system prevail in the Irish Constabulary?—The Victorian system at that time was a mixture of the English and Irish system.

39. What I especially want to get at is, whether the training was a strictly military training, or, whether it was a training in the duties of constables as civil officers?—They were trained by the non-commissioned officers, and instructed in their duties.

40. As constables?—As constables.

41. Were they drilled as well?—Drilled as well.

42. I am trying to distinguish the military and civil character of their duties?—They were trained, and carried arms—rifles and revolvers—and they were mounted.

43. And they were instructed in their duties as police?—Yes. They now have lecture-rooms, both in Ireland and England.

44. *The Chairman.*] And do you know for how long the training was?—I think for three months at that time.

45. *Mr. Poynton.*] Three months in Victoria, and four in Ireland?—Yes.

46. *Colonel Pitt.*] In Melbourne they had lectures too?—Not at that time. The sergeant lectured the men; but now they have public halls where they deliver lectures, and so they have at Home.

47. *The Chairman.*] You attribute the fact that these men were better than the Armed Constabulary to the fact that they had been specially trained as constables?—Well, perhaps they were superior men. Sir Charles McMahon was an old military officer—a captain in the army—and when he took charge of the Force, the improvement commenced at once—improvement in the Force generally. He was a man of great ability, and had been a captain in one of the hussar regiments, and he was appointed Chief Commissioner, and was in charge of the Force generally. He was then Captain McMahon, afterwards known as Sir Charles McMahon. Then, Captain Standish, another military officer, took charge.

48. And now, I think, we must bring you back to New Zealand. Having got a Force composed of members of the Armed Constabulary and Permanent Artillery, and partly of men who had been trained in Australia, how did the Force work? The Force worked fairly well, in my opinion. Of course, there were exceptions, as in other Forces I have known. There were "black sheep" every now and again.

49. What was the administration? What power had the local officers of police at Christchurch, for instance, Wellington being the centre?—There was an alteration made with regard to local Inspectors. Up to that time I think a local Inspector had power to remove the men in his own district.

50. To remove them from one station to another?—Yes, to transfer them; but every instance of removal was notified to the Commissioner.

51. *Colonel Pitt.*] Up till when did that obtain?—I could not really fix the date.

52. It was after the Government took control?—After the Government took control. He had power to transfer men to all stations within his own district, but all transfers had to be notified to the Commissioner, to be approved or otherwise.

53. *The Chairman.*] How long did this system of recruiting from the Armed Constabulary and the Permanent Artillery last?—Men were taken from the Permanent Artillery up to a short time ago.

54. Up to the last amended regulations?—I can hardly say.

55. To March, 1897?—I could not tell you the date.

56. *Colonel Pitt.*] Do I understand you to say that they were taken exclusively from the Permanent Artillery up to 1897?—I am not quite sure about that. No, I think not.

57. *The Chairman.*] Were not all vacancies filled from the Permanent Artillery?—Yes, I think so.

58. You are not aware of any exception to that rule?—I could not answer that with any degree of certainty. I cannot recollect.

59. Will you kindly tell us anything you may have to say about the working of the Force up to that period—up to the change in 1897. How did these men recruited from the Permanent Artillery do their work as constables?—Well, Sir—

Colonel Hume: May I be allowed to say that Mr. Pender has omitted to state what happened in 1886 when the Police Force Act was passed.

60. *The Chairman.*] What happened when that change took place?—I do not think there was any change really in the working generally of the Force by the passing of the Act of 1886. I was in charge in Canterbury, and I do not think there was any change.

61. You do not know of any change taking place?—Not in the general working of the Force. I do not recollect any. I think we went on just the same. There was some reduction. I forget whether it was at that time or previously.

62. It was under that statute the present regulations were made?—Yes.

63. Had you any regulations prior to that?—Yes. We had provincial regulations. Then when the Armed Constabulary came in there were regulations.

64. Did the regulations under this Act bring about any change that you are aware of?—They did differ in some respects, but really I cannot recollect them. I think they pretty well followed the Victorian regulations.

65. *Colonel Pitt.*] These present regulations?—In many things I know the regulations were similar. In New South Wales they were somewhat the same.

66. *The Chairman.*] With regard to the organization of the Force under this statute of 1886: how did it work with you? You were in full charge, were you?—Yes. I do not think the Artillery were up to the previous standard. The transferring of men from the Artillery did not work well, I think.

67. *Mr. Poynton.*] They were not up to the standard of previous recruits?—No.

68. *The Chairman.*] You consider recruiting from the Permanent Artillery not satisfactory?—That is my opinion.

69. *Mr. Poynton.*] You think they require some other training in addition to the artillery training?—I think it is essential that they should be trained other than in mere drill.

70. *The Chairman.*] After they are recruited from the Artillery are they put through any training as constables? Is there any depot training?—There is no depot training. The Inspectors and sergeants do all they can to instruct them. I myself, a couple of times a month—certainly once every month—instruct them.

71. Had they any regular system of training?—Of course, I cannot speak with regard to other districts, only my own. When a new man arrived, whether he came from the Permanent Artillery or otherwise, I always placed him with an old hand for a fortnight or so.

72. He picked up what he could, but there was no regular training?—No regular training.

73. Did men so treated make what you consider good and efficient constables?—Not as a rule. Some of them turned out very well, and made good men.

74. But that was the exception?—They were allowed liberties while in the Artillery that told very much against them after they came into the police. It did not suit police work at all.

75. What liberties?—Well, they were allowed to frequent publichouses and to go to any place they wished. The discipline in the Artillery was altogether different from that in the police, and the life too. As a rule, the discipline of soldiers is not suitable for the police, but of course there were many exceptions. Many of them made capital constables.

76. *Mr. Poynton.*] You do not attribute that to their training as artillery-men?—No.

77. *The Chairman.*] I wish to let you understand the sort of information we want from you: will you kindly, without asking any other questions just now, make any statement or offer any information you have as to the general working of the Force and its efficiency whilst under your control at Christchurch. We will come to Wellington afterwards. Or, say, since 1886?—The Force during the whole time I was there was thoroughly efficient, making allowances for men now and again who got into trouble.

78. Do you know anything of the mode of selection from the Permanent Artillery?—No, Sir.

79. Those selected for removal into the Police Force?—No, I do not.

80. You have really nothing to tell us with regard to the condition of the Force whilst in Christchurch beyond that you consider it was in a thoroughly efficient condition?—It was in a good condition.

81. Up to the time of your removal?—Yes.

82. Now we will come to Wellington. You came to Wellington in what year?—1892.

83. And what can you tell us of the condition of the Force when you came here?—The Force was a good Police Force.

84. It was in good order when you came here?—Yes; it was in good order.

85. Did you consider it efficient?—Yes, I did.

86. You considered it good and efficient when you came here?—Yes.

87. Is there anything at all in connection with the working of the Force which you would like to bring under our notice?—I think married men labour under a great disadvantage compared with the single men.

88. What is their disadvantage?—The single men have free quarters and a mess at the station, and they are provided with free fuel and light.

89. They have free quarters, and are provided with free fuel and light, and they mess at the station?—Yes. Of course, they pay for their mess. Married men have to pay house-rent, which is very high here; and they have in many instances to live long distances from the station, which, in my opinion, detracts from their efficiency. They have to travel a long way in the morning, for instance, and be at their work at 5 o'clock. I know one sergeant here who had to walk two miles, I think it was.

90. In order to get a suitable house at a moderate rental they have to live a long way from the station?—Yes; that is so.

91. That is, you think, a very great disadvantage?—Yes. I think also it is a disadvantage to the Force generally and the public that the members of the Force are not all together.

92. You think the efficiency of the Force is affected by their not being together?—No doubt of it.

93. What remedy do you suggest?—Well, if it were possible, they ought to be provided with house-accommodation at some convenient place. They should be provided with cottages.

94. Do you suggest cottages near the station?—Cottages near the station, given to the men at a reasonable rent.

95. You think, under the circumstances connected with this station, the men ought to be provided with cottages?—I think in a city like this the men ought to be all together. Of course, they would be charged a reasonable rent for their cottages.

96. Is there any other respect in which you consider married men are at a disadvantage?—No; I think not, Sir. I do not know anything else.

97. Then, I understand you to have expressed two opinions: first, that there ought to be a depot for training recruits; and, secondly, there ought to be cottage-accommodation for married men in the vicinity of the station?—It is so important a matter that I think it would be worth the while of the State to provide cottages, and make the men pay a reasonable rent.

98. *Colonel Pitt.*] You say the married men should be charged rent. Why should they be charged rent if the single men get their quarters for nothing?—Oh, well, all the better if they get their cottages free.

99. Do they get leave to marry?—There is a limit of time.

100. If you give men leave to marry you take the responsibility of that leave?—Mr. Tunbridge has made a rule that they are not to marry till they are twelve months in the Force. I think it is a very good rule.

101. You are not prepared to express the opinion that, when free cottages are provided, free quarters should be given to the married men as well as the single men?—Well, I should be very glad to see it, but I am afraid there is no chance of getting it.

102. If it could be done you would support it?—If it could be done.

103. You think it would be an advantage to the Force?—No doubt it would.

104. *The Chairman.*] Do you think married constables are as good and efficient as single constables?—They are.

105. Undoubtedly?—No doubt about it.

106. Do you go so far as to say that one class is better than the other?—Perhaps the married men are more settled and steadier.

108. You say the married men are quite as efficient, and probably steadier?—Probably steadier; yes.

109. Do you think one central depot for training in the colony would be sufficient?—Well, I think so, till the Force increases.

110. With present facilities they could easily be brought to the one depot, and it would be on the whole cheaper?—Yes; but the Commissioner would be able to give you better information on that head than I can. In my opinion you cannot expect an efficient Police Force in the absence of a depot—utterly impossible, in my opinion—that is, to have thoroughly efficient men, as they ought to be; and there should be pensions.

111. *Colonel Pitt.*] Pensions are provided for?—No, they are not.

112. Oh, yes; the Governor, according to the regulations, can grant pensions. [Regulation read by *Colonel Pitt.*]

113. *Mr. Poynton.*] That is dependent on the bounty of the Governor; but Mr. Pender thinks there should be some regular system of pensions—something for a man to look forward to. Is that not so?—Yes; something for a man to look forward to, so that a man can leave when his time is up with something to live upon.

114. You think there should be some regular system of pensions?—Yes. I think there are pensions in all the other colonies except Tasmania. I believe, too, wives get pensions after the husbands die.

115. *The Chairman.*] Is there any other suggestion you have to make to us?—I know of nothing in particular.

116. *Colonel Pitt.*] What is your age, Mr. Pender?—I am seventy years' old.

117. In any of the police systems you have spoken of in the other colonies is there any age-limit at which an officer must retire?—I think not for the officers.

118. Or the constables?—I do not know at present. I think there is for the constables and non-commissioned officers.

119. What is it?—I know a man a superintendent, who has been close on fifty years in the Force in Victoria.

120. Under the regulations is there any age-limit?—Not for the officers.

121. Do you think there is for the men?—Yes.

122. What is it?—Sixty years, I think.

123. What was the pay when you joined the Force, and has it varied up to the present time?—I could not say, Sir, what the pay was. I cannot bring to mind what the pay was. I think it is about the same now.

124. It has not varied?—I do not think so.

125. You think it remains about the same?—I think so. I forget now exactly.

126. As regards the proportion of the police to the population, how has that varied between the time of your joining in Canterbury up to the present time, or has it varied at all?—It is much less now. The Police Force is much less now than it was in Canterbury in proportion to the population.

127. *The Chairman.*] Population has increased, and the police have not been increased in the same ratio?—No.

128. *Colonel Pitt.*] In your opinion, is the proportion of police to the population sufficient at the present time?—I think not, Sir. I am speaking now of the Wellington district.

129. What about Christchurch? You know what that was when you left there?—That was five years ago.

130. Well?—There were not sufficient men then.

131. Now, you have been telling us of the system of training in other places: In New Zealand how long is a man instructed before being allowed to go on public police duty?—At the present time?

132. Yes?—Well, latterly, of course, there has been a number of men taken on from the public, and these men were instructed by us as much as we could.

133. But tell me this: During the time you have been in the Police Force what has been the average period a man has been instructed before he is allowed to go on public police duty?—Oh, he is sent out at once, but with another man.

134. *The Chairman.*] On beat with another man?—On beat with another man.

135. Two men on the same beat?—Yes; he travels the beat with an older constable.

136. That is, recruits are sent on the beat without training, but in company with another constable?—Yes, for a time. Of course, it would depend on circumstances. If there was a pressure of work he would have to go single-handed. We keep them as much as possible for the first month with another man.

137. *Colonel Pitt.*] Can you tell me during the time you were in Canterbury what was the average number of defaulters' reports against the police each year?—No, I could not, Sir; but I never had very many. I had very few.

138. What do you mean by "very few"—in the year, or altogether?—Well, in the year.

139. I want you to explain to me a little more clearly what you mean by the difference in the discipline of the Permanent Force and the Police Force?—Well, of course, the difference between the discipline of the Artillery and the police is quite distinct—very marked; it is different altogether.

140. Do you think military discipline is an advantage or a disadvantage?—Well, if police training were to be combined with the drill, and so on, I do not know that it would be any disadvantage.

141. But I wish to know if the discipline they are subjected to as members of the Artillery is an advantage or a disadvantage?—Well, I consider it a disadvantage as a policeman.

142. I notice you are an old soldier yourself. Do you consider your military experience was a disadvantage to you when you joined the Force?—I got my experience as a policeman before I went to the Crimea. I was all the time in the Irish Police, and I volunteered to the Crimea. I went out as a volunteer from the Irish Police. I was trained as a policeman, therefore, before I went out.

143. You told us Sir Charles McMahon was a military man. Was not his military knowledge an advantage to the Force?—I have no doubt it was.

144. I would like to get from you in what particular the military discipline of the Permanent Artillery is a disadvantage to those men as policemen?—I do not say the actual drill is a disadvantage.

145. I am not speaking of the drill at all, but the discipline?—I will explain that to you. The artillerymen are in the barracks, and when they get out on leave they knock about the streets—about hotels, or wherever they like to go—and they are free. I suppose they are free when they are out on leave, and they are allowed to associate with people and be as friendly with people just as if they were in no Force at all. When they go into the police that is a disadvantage. It would never do for a policeman to go knocking about publichouses, nor would it do for him to be talking to everyone he met in the streets. Other smaller things perhaps tell against him in the same way.

146. That is, of course, assuming that the policeman does not do that?—Oh yes, of course.

147. *The Chairman.*] What I understand you to mean is that a policeman off his duty is a policeman still, while a soldier off his duty is a civilian?—A policeman is always a policeman, whether off or on duty.

148. *Mr. Poynton.*] Would you make any suggestion as to enrolment, Mr. Pender—as to how men should be enrolled?—There would be no difficulty at all with regard to enrolment if they had a depot.

149. Yes, but somebody would have to be responsible. Would it not be better to have a Board, composed, say, of the Inspector of the district, the Minister of Justice, and the Commissioner of Police, to suggest or appoint recruits—would it not be better to have some system like that?—The Commissioner of Police in all places I have been in put men on. That duty is cast on the Commissioner.

150. You think he would be sufficient?—Yes.

151. It would not be better to have more than the Commissioner?—I do not think so. County Inspectors in Ireland take the men on, and send them up to Dublin to be drilled. The Commissioner in Melbourne takes the men on. The Inspector-General of Prisons in my time took the men on.

152. Do you think it would be better to select from the whole body of the population? Would you not be more likely to get better material in that way than if it were limited to the Artillery?—Well, I do. I think a better selection, at all events, could be made from the community. There are no better men for policemen than farmers' sons.

153. Are the Irish Constabulary recruited in a large measure from farmers' sons?—Yes, nearly the whole of them. I believe a number of the London police come from the country.

154. *Colonel Pitt.*] And do you think a farmer's son, with a fair education, with training at a depot—selected by the Commissioner owing to physical and mental powers—would turn out a first-class policeman?—I think so. In my experience, farmers' sons—men from the country—have been the best men.

155. *Mr. Poynton.*] Do you know anything about the failure of the police to enforce the laws? Can you state whether the police have failed to enforce the laws, or whether the laws require amendment—if so, in what particular direction—I allude, of course, to the licensing laws?—Well, the police are generally blamed—but I think unfairly, unjustly blamed—for not enforcing the licensing laws. It is a most difficult thing, most difficult. No doubt the members of the Commission know better than I can tell them how difficult it is to enforce the licensing laws. The difficulties are only known to those who have to do the work.

156. Do you think an amendment of the licensing laws would assist the police?—There is one particular point I think would help, and probably put an end to a great deal: that is, fine every man found in a public-house.

157. To make our law similar to the English law?—Yes.

158. That would assist the police to prevent illicit trading?—I think it would help to prevent illicit trading. I believe the respectable hotelkeepers would be only too glad to fall in with that.

159. I suppose you are aware a large amount of illicit trading is supposed to be going on, which the police are powerless to prevent, owing to the condition of the law?—There is no doubt there is some.

160. You think an amendment of the licensing law in the direction you have indicated would assist the police, and, as you say, put an end to it?—Yes, probably put an end to it. Keep a book with a list of the boarders and travellers.

161. That would also apply to sly-grog selling? You would apply that to cases where men purchased liquor?—I do not see why it should not.

162. *The Chairman.*] I do not quite understand you. How would you apply it in those cases?—Well, of course they would have to find grog on the premises.

163. Well, suppose a man is living at a country lodging-house, and the proprietor is prosecuted for sly-grog selling, is that lodger or anybody in the house to be liable to a penalty? Is that what you suggest?—No. If a number of strangers were found at a boarding-house I do not see why they should not be liable.

164. *Mr. Poynton.*] Do you mean to say any person purchasing liquor from a person without a license?—Yes.

165. Do you know of any other breach of the law in which the police have failed through a defect in the law or some other reason? What about gambling?—That is a very difficult thing to control and manage.

166. Do you think the law should be amended in any particular direction?—I know Mr. Tunbridge has been considering the matter ever since he came, and has been working at it.

167. *Colonel Hume.*] When you were appointed Inspector you were appointed third-class Inspector. Was that an advantage or a disadvantage to you?—Well, it was not an advantage.

168. Will you explain to the Commissioners how it was a disadvantage?—Other men who were in charge a long time after me got to the first class, and had a salary of £400 a year. I remained, I think, for four years at £350. I lost £50 a year for four years, I think it was. Then, when the General Government took over the Force those who were under no classification were taken on as first-class Inspectors.

169. In those days the recruits were taken from the general population?—Yes, Sir. A number of men came from the other colonies—from London and from Ireland.

170. Do you know who appointed them?—The Commissioner.

171. Did that system work well?—Yes; worked very well all the time I was there.

172. Then, you were at Home recently, were you not?—Yes, in England and Ireland.

173. Did you go into the subject of this lecturing there?—I did. I went through the depot in Dublin.

174. And I understand they place great importance on this lecturing?—Drill is only a secondary consideration compared with the lecturing and the instruction. Any one that understands police work, I think, will agree that instruction is the main thing—having a proper place to keep the men for instruction for some time.

175. Do you know whether they put more importance on this lecturing business than they do on the examination?—Well, as to examinations, no man is allowed to leave until he has passed the examination.

176. Examination on those matters on which they have been lectured?—Yes, on police matters.

177. Then, a local Inspector had power to transfer the men in his own district?—Yes.

178. How did that system work?—Well, I thought it worked very well. Of course, it was all subject to the approval of the Commissioner.

179. *The Chairman.*] Was the transfer carried out before you got the approval?—Yes.
180. Then you reported you had made the transfer?—Yes.
181. And that worked well?—Yes. The men had the right to appeal.
- 181A. *Colonel Hume.*] I suppose in your experience you have had some complaints from constables, from time to time, about the dates of your appointments, have you not?—Oh, yes.
182. Can you tell the Commissioners how the appointments were dated as regards joining the Armed Constabulary Force and joining the police?—I think some of the Armed Constabulary men got their service in the police. I am not sure they all got their service from the constabulary in the police.
183. Well, you state that these Permanent Artillery men did not always make good constables. I suppose you have found civilians do not always make good constables too, have you not?—Yes. That is the reason I say they ought to be trained, and then you find out whether they are suitable or not. They should, in my opinion, be taken on on probation.
184. You had a good many Permanent Artillery men doing duty as constables when they were Permanent Artillery men?—Yes.
185. Were you consulted as to their fitness and characters before they were taken on—whether they were likely to make good constables, and how they had done their duty? You had a good many at the Exhibition, I believe?—Yes, they did their work very well at the Exhibition. They were mixed with the general Force at the Exhibition, and they got on very well indeed; but they were picked men, I think.
186. What I wanted to get at was this: were you consulted before they were appointed to the Police Force as to whether they were likely to make good constables, or whether they had done their duty?—I was. I recollect I was consulted on two or three occasions as to how they had done their duty, and as to whether they would make good constables.
187. *The Chairman.*] Were they taken on permanently?—Some of them were. Some of them I recollect very well whose names were sent to me to know what I thought about them.
188. *Colonel Hume.*] Was any man taken on that you can remember you said you could not recommend?—I could not say, but I do not think so. Of course, some of them were taken on at other places, of whom I know nothing. I do not know who was taken on at the depot.
189. Was anybody appointed in Wellington that you did not recommend?—No. I do not think so.
190. You stated when you took over the Wellington Police Force it was a thoroughly good and efficient Force. Have you any reason to think it is not so now?—There is a very good and efficient Police Force here at present—a good, steady, respectable lot of young men.
191. Do you consider it has been so all the time you have been here?—Now and again we got “black sheep.”
192. But I am speaking of the Force?—Yes, generally.
193. Now, you say single men have a good many advantages over the married men?—Yes.
194. Can you tell us what the messing comes to per day?—No, I do not know.
195. They do not each have a separate room?—No.
196. The married men live all over the town?—Yes.
197. What happens when the firebell rings at night as regards these men?—Well, as a rule, they run to the fire.
198. And they are all supposed to go, whether off duty or on duty?—That is the rule.
199. And very often it is a false alarm?—Often a false alarm.
200. How long have you considered that the Police Force in Wellington was not up to the required strength?—Well, the population has been increasing very fast for some years. There has been a slight increase in the number of men, but, as far as I can judge, a further increase is required. I am told, from a rough calculation, the population of Wellington during the last eighteen months has increased by 7,000. The shipping is increasing—in fact, everything is increasing around here.
201. Taking the last five years, has there been much undetected crime in Wellington, do you think?—No, I do not think more than the average. There has been undetected crime, of course, but we have generally kept crime in check. The more serious crimes within the district during that time have been detected.
202. *The Chairman.*] Numerically, what is the difference in the strength of your Force now and when you came to Wellington?—Well, I could not exactly say. I may say there have been some promotions made recently which have had a very good effect.
203. *Colonel Hume.*] Do you approve of that supernumerary beat system for training recruits?—Yes, in the absence of a better.
204. *Mr. Poynton.*] Then, you do not think it is sufficient?—Oh, no, not at all. The men ought to be properly trained in a depot.
205. *Colonel Hume.*] I understood you to say that one of your objections to the Permanent Artillery being appointed constables was because they formed a good many acquaintances and associated with people. But is it not a fact, or is it a fact, that men who have been serving in the Permanent Artillery in Wellington were not posted here?—I believe latterly they have not been. Of course, that made a difference.
206. As regards the publican business, I understand your recommendation is that you want to throw the onus on the publican to prove what the people who are in his house are there for, as in the English system?—That is the opinion I have formed from experience.
207. *Mr. Poynton.*] Not throw the onus on the publican; you mean throw it on the persons who are there?—Yes.
208. *The Chairman.*] You referred to recent promotions. Can you tell us the system by which promotion is made. Is there any system—a recommendation, for instance, from the lower officers

upwards? How is a man selected for promotion?—By the Commissioner. Mr. Tunbridge has consulted me with regard to the men in my district. He has called on me to make recommendations.

209. Have these promotions in your district been made on your recommendation, or after reference to you?—Those of the rank of sergeant have all been referred to me.

210. You are prepared to show what the records of these men are?—Oh, yes.

211. Men who have recently been promoted to the rank of sergeant have been promoted on your recommendation in your district?—Yes.

212. *Mr. Poynton.*] In regard to those of inferior rank you are not consulted?—The Commissioner has generally spoken to me about them.

213. Can you make any suggestion with regard to the system of promotions?—No; I think the system at present in force might be followed.

214. You think that matter should be left to the Commissioner?—Left to the Commissioner.

215. *The Chairman.*] With regard to constables who have been promoted to different grades: they have been promoted on your report?—The Commissioner spoke to me about them. I am not sure about his speaking to me in regard to the whole of them.

216. Can you tell me by what system they are selected for promotion?—Seniority.

217. Alone?—The Commissioner has spoken to me about them, and if there is a bad man he is passed over.

218. Are we to understand, taking it as a general rule, men have been promoted from one rank of constable to another without any report or reference to you?—I do not think I sent in any report with regard to the constables. I did with regard to the sergeants.

219. Is that only recent promotions?—That is recent promotions, since Mr. Tunbridge came.

220. *Colonel Pitt.*] I understand you to say that these promotions were made by consultation between you and the Commissioner?—The Commissioner called on me to submit names of men I would recommend for the rank of sergeant in my district. I did so.

221. *The Chairman.*] With regard to the general system of promotions prior to that, has it been by any reference to yourself, so far as promotions in your local Force are concerned?—I do not think I was consulted before.

222. Never been consulted before?—I do not recollect being consulted.

223. Have you ever recommended men for promotion before?—I forget. I may have in one or two cases—some special thing.

224. Are we to take it that you have had very little to do with the promotion of men in the Force?—Very little to do with it. I have now. As I have said, the Commissioner has called on me to make recommendations.

225. *Colonel Pitt.*] Have you any knowledge of any outside influence being used to secure the promotion of constables—influence outside the department, with the Minister—or sergeants, or members of the Force?—I have very little to do with the people outside.

226. I want to know have you any knowledge of members of the Force being promoted through the influence of persons outside the Force?—No; I do not think I have. It would not come under my observation.

227. I am asking if you know of any such case?—I do not recollect any such case. There may have been, but I do not recollect.

228. You spoke of the Police Force in Victoria being armed. Was there any special reason for the Force there being armed—for bushranging, for instance?—No; I do not think there was any special reason.

229. What is your opinion as to the propriety of the police being armed?—In my opinion they ought to be all armed.

230. With what?—With a rifle.

231. A man could not carry a rifle about on his beat?—They were for a long time armed here—up to the time of Sir George Grey's Government. Then their rifles were taken from them. We had the Whitworth rifle.

232. You mean to say you were drilled?—Yes.

232A. But as to an ordinary policeman on his beat: of course, you would not think of giving a man a revolver on his beat—when he is on duty?—Oh, no. I disapprove entirely of their having arms on ordinary beat; but in cases of emergency you do not know what may turn up.

233. You disapprove of their being armed in the ordinary way of duty?—Oh, entirely. Such a thing would be ridiculous now.

234. Colonel Hume asked you if you had had many cases of undetected crime in Wellington during the last five years. You said, "No." What I want to ask you is, have you known of any cases during that period where a crime has been committed and the offender not apprehended?—Oh, yes, men have escaped; but there are not very many cases.

235. *The Chairman.*] Do you attribute the fact that a certain amount of crime is undetected to the fact that the Force is, as you consider, undermanned in the district?—Well, it is difficult to answer that question, but I have not the least doubt that, if there were more police, the prevention would be better. The great object is to prevent crime, and, if you increase the Force I think it would prevent crime. Prevention is, in my opinion, the principal thing. We have been fairly successful in detecting crime.

236. *Colonel Pitt.*] Known crimes?—Known crimes.

237. *The Chairman.*] Has anything come to your knowledge which you can communicate to us in connection with the promotion, degradation, or reduction of any officer or constable of the Police, as the result of political influence. No, I cannot say that I do know of any case. Of course, that is a thing I might not know anything at all about. I have no knowledge of such a thing.

238. Has anything come to your knowledge in respect to such a thing? You may not know it, but such and such a thing might be reported in the Force as being done. Statements come to your hearing; and if you have any to make, we can make inquiry into them, and whether there is any truth in them or not?—At present, I cannot bring to mind any case.

239. You have not heard anything to show that political influence has been used to secure the promotion or reduction of men in the Force?—No, I do not know that I could give any information. Of course, as I said before, I have no knowledge of these transfers and promotions, until they come to me, except since Mr. Tunbridge came.

240. What I want to know is, whether it has come to your knowledge that any political influence has been used to the disadvantage or advantage of particular men in the Force?—I could not say; I could not give you any particular instance. I hardly know what political influence you mean.

241. *Colonel Pitt.*] Supposing a publican, for instance, thinks that a constable is unduly zealous in the performance of his duties in watching his house. He thinks that constable would be better employed in another district. He goes to the member for the district, who goes to the Minister or the Commissioner?—I do not know of any such case. No such case has come under my knowledge in my district. Of course, the Commissioner manages the Force.

242. *The Chairman.*] Do you know of political influence being used to bring about the removal of a man from one district to another?—No, I cannot recollect any case.

243. *Mr. Tunbridge.*] As regards the question which has just been put to you, although you are not able to put your finger on any particular case, I would like to know whether you are aware that some of the men—I do not mean to say all the men—feel that there is a power behind the police-officers that they can go to, which is subversive of discipline?—I have heard that they go to members.

244. I do not expect you to be able to state any particular case; but is there not a feeling in the breasts of some of the men that it is better for them to seek outside influence—I am not saying any particular party, or anything of the kind, outside influence—than go to their officers; that they are more likely to get promotion from another source than by proper performance of their duties?—I think there was a feeling of that sort, but it has disappeared now.

245. *Mr. Poynton.*] You are aware there was such an impression?—By mere talk, and nothing more.

246. *Mr. Tunbridge.*] As regards the strength of the police at Wellington: you came here in 1892?—January, 1893, I think.

247. You do not happen to know what the population of the City of Wellington was at that time?—No.

248. At any rate, from a rough calculation, within the last year or so the population has increased by 7,000?—Yes; within the last eighteen months.

249. Would you say, from a rough calculation, that the population of Wellington within the last five years has increased 15,000?—I would not be a bit surprised. It is increasing daily.

250. In 1892, according to the annual reports, the strength of the police at Wellington was 46, and in 1897, 52—an increase of six men. Now, would you consider that increase of six men sufficient to keep pace with the increase of population?—Scarcely, I think.

251. You say your Police Force is fairly efficient. That, I take it, is their efficiency according to their numbers?—Yes.

252. But you think the Force would be much more efficient if it was more numerous?—I do. I think it requires more men to insure prevention.

253. You speak of the Police Force at Christchurch being efficient. Do you mean it was an efficient Force under the old provincial system, or right up to the time you left?—Well, it was more efficient under the old provincial system, but still it was efficient up to the time I left.

254. As a matter of fact, under the old provincial system the Force was more numerous?—More numerous and more efficient.

255. Although the population was less the numbers were greater, and consequently the efficiency of the Force was better?—Oh, yes. No doubt about it.

256. For instance, what was the number of officers under the old provincial system?—Well, at Christchurch there was a Commissioner and an Inspector, and an Inspector at Timaru. Then Oamaru was added, and there was an Inspector there. Then the two at Timaru and Oamaru were cut off, and the Commissioner left.

257. Under the old provincial system there were three Inspectors and a Commissioner?—It was after the provincial system ceased that the Oamaru district was added, but there was an Inspector at Christchurch and an Inspector at Timaru, and a Commissioner, under the old provincial system.

258. But for many years past there has been simply one Inspector for the whole district?—One Inspector; and he has Oamaru as well.

259. That is to say, there is one Inspector now where there were three before?—Yes.

260. As far as you know there has been a similar reduction throughout the whole of New Zealand?—Yes. I think it was in 1881 there was a reduction of the Force, and that told very much against its efficiency.

261. As regards the instruction of recruits: at present you have no recruit sent to your station unless you have a beat for him?—No.

262. Every man you have has a beat?—Yes.

263. Therefore, the little time that you can spare to put a man on a beat with a recruit causes another beat to suffer?—Yes.

264. The same in the case of a man being sick?—Yes.

265. The same in the case of a man taking annual leave: Therefore, you have not a spare man anywhere to take the place of a man who is sick, or a man who is on annual leave, or pending the time a man may be trained?—That is so.

266. What number do you consider you ought to have as a sort of reserve? I mean for vacancies that may arise through a man being sick, or on leave, or on escort duty?—I think we could get on very well with six men more.

267. To have these beats full, and to have reserves to take the place of men on escort duty, or men who are sick or on leave, how many more men do you consider you would require?—We would want at least four more men.

268. *The Chairman.*] You want six more men on beat and four on reserve?—I think we could get on very well with six or seven men more altogether.

269. That would be roughly an increase of 12 per cent.?—Yes.

270. I do not know whether you have any idea of the proportion of police to population in the other colonies?—No. The *Gazette* will show that, but it is less in New Zealand.

271. As regards pensions, you say there is a pension system in all the Australian colonies?—Yes, with the exception of Tasmania.

272. And you consider the Force would be much more efficient if there was a pension system here?—No doubt about that. The men would have something to look forward to.

273. They would be more zealous in their duties, and when the men came to an age which made them incapable of the proper performance of their duties they would be able to retire?—Yes.

274. As to the age-limit, I see there was an age-limit till 1885—officer 65, constable 60. You consider a police constable at 60 years is quite too old to perform ordinary police duties?—It is time, I think, that he went out at the age of 60. Very few of the men at Home go up to 60.

275. As to free quarters or providing lodgings for married men, do you know if in the Australian Colonies men receive lodging allowances?—They do in New South Wales. I am not sure about Victoria.

276. What is the amount?—One shilling a day.

277. Do you know of any other Police Force in which the men have to find their own uniform?—I know of no other Force.

278. Is it not a cause of very great discontent that they have to purchase their own uniform?—Yes.

279. You do not know of any similar system in any Police Force?—No.

280. Will you kindly tell the Commissioners how long it takes a man from the time he joins to get promoted one step?—Up to a short time ago men had been in the third class for twelve and fourteen years.

281. Not through any misconduct, but simply because there were no vacancies in the superior class, or, if there were, the vacancies were not filled up?—Yes.

282. Are not the men feeling this question of class very keenly?—Yes. No doubt, it is a very important thing.

283. You told the Commissioners you did not think you had been consulted with reference to the recent promotions in class?—I think you spoke to me about it.

284. You are quite right; you were not consulted. From your recollection, do you know any man in your district advanced in class—promoted you call it, but I call it advanced in class—that has not been almost invariably the senior man in the class to which he belonged?—No, I think they are all senior men.

285. The questions, then, in regard to which a great deal of dissatisfaction exists are lodgings for married men and the unsatisfactory condition of the classes?—Yes.

286. *Mr. Poynton.*] And the pensions?—Yes.

287. *Colonel Pitt.*] What are the relative rates of pay in New Zealand and the other colonies?—I could not say exactly.

288. With regard to the number of Inspectors in the Canterbury District at the time of the abolition of the provinces and now, is not the means of communication considerably better now than it was then?—No.

289. Since 1876?—No; we had the railway through then to Timaru, Oamaru, and Dunedin.

290. *The Chairman.*] You consider the Force under-manned and under-officered?—Here at present in Wellington?

291. Yes?—I do not know about the officers; I could manage myself for a while all right.

292. *Mr. Tunbridge.*] As to the question of officers, I do not know whether it has occurred to you, but when you are absent from Wellington on inspection duty in the country, or away on other business, or on leave, your district clerk acts for you?—Yes.

293. Your district clerk was until a very short time ago a constable, was he not?—Yes.

294. Your district clerk, holding the rank of constable, sends out orders to the sergeant or sergeant-major: do you consider that right?—No, I do not.

295. Have you any suggestion to make to obviate that which may be called an anomaly—a constable sending out orders to a sergeant?—I do not know really how it can be remedied.

296. Do you think there should be some officer holding a rank over the sergeants at each of the four police centres to act in your absence?—A Sub-Inspector; yes. At Palmerston, for instance, there would be a Sub-Inspector in Victoria, and he would be deputed to take charge during my absence.

297. You rather qualify your statement, therefore, that you do not think you are under-officered in Wellington?—Oh, at Wellington we can get on very well, I think.

298. Do you think there should be some officer immediately below you in rank to take charge during your absence?—Yes; but I happen to have a very superior man in my office,

299. *The Chairman.*] You must look apart from that. You must consider that you as Inspector must go round your district and visit stations up country; and during that time who is the man at the head in Wellington?—Well, really, my clerk is.

300. You do not hand over to the sergeant-major?—Well, he is responsible for the duties.

301. But he does not take the office?—He goes to the office about everything.

302. Are the orders prepared by the constable and issued to the sergeant-major?—Yes.

303. *Colonel Hume.*] You remember, I think, when there was a second officer at Wellington, Dunedin, Christchurch, and Auckland?—I was not here then.

304. Where were you then?—At Christchurch.

305. You had a second there?—No. Mr. Shearman was Commissioner, and I was Inspector.

306. *The Chairman.*] Subsequently, when you were Inspector and Mr. Shearman was up here?—I had no officer with me.

307. *Colonel Hume.*] Do you happen to know one out of the four places where these two officers got on together—whether there was not incessant fighting between the two?—I do not know about that.

308. You think they did get on together?—No, I am not saying that.

309. Supposing a crime is committed when you are away from Wellington, does Mr. Wright, your district clerk, or the sergeant-major, deal with it?—If there was anything serious he would telegraph to me.

310. Without saying anything to the sergeant at all?—It would be entered in the crime-book, and the sergeant-major would be informed.

311. Supposing a crime is reported in your office during your absence, who deals with it?—The clerk sends out generally to the chief detective, and it passes immediately to the sergeant-major.

312. But without any instructions?—He can give instructions if necessary. He can make any suggestion.

313. *The Chairman.*] Who is responsible for the detection of the crime in such circumstances?—The chief detective and the sergeant-major.

314. The clerk only hands over the report to the detective, and the detective will be responsible?—Oh, yes.

315. And he is second in command?—Well, as regards crime he is.

316. If you were in town, does the chief detective take his instructions from you?—Oh, yes.

317. When you are away he acts as your representative in directing constables as to what they are to do in dealing with crime?—Well, he has detectives under him.

318. He has nothing to do with the constables?—No.

319. Who instructs the constables?—The sergeant-major.

320. In your absence the chief detective is in charge of his department, and the sergeant-major is in charge of the ordinary police?—Yes.

321. And the district clerk is in charge of the office?—Yes.

322. *Colonel Hume.*] And he signs for you?—Yes. For instance, a telegram comes that a man is supposed to be or is coming to Wellington. If I am absent, the district clerk indorses on the back "For the immediate attention of the Chief Detective and the Sergeant-Major," and then it goes on to Mount Cook to the sergeant there. The whole of them are set in motion at once. The sergeant at Mount Cook is telephoned to.

323. *The Chairman.*] If you are absent from town and some one calls to see the Inspector to make some report, whom does he see?—If he wants to see the Inspector he goes into the office of the clerk, and if it is anything in the way of the detection of crime, the district clerk takes it down in writing and sends it on to the chief detective, or the sergeant-major if he is absent.

324. Does it occur to you to express to us any opinion as to whether that is a satisfactory condition of things or not, or whether in your absence there ought to be some officer second in command to take charge?—It would be much better if there were an officer, of course.

325. Do you think in a large centre like this there ought to be a Sub-Inspector?—There must shortly be a Sub-Inspector, I think.

326. You think it would be an improvement on the present system?—There is no doubt about it. As Inspector I ought to be out much more often than I am, inspecting the stations at Palmerston, and Feilding, and Pahiatua, and all round there. I am responsible for those places.

327. In your absence do you think it is essential and desirable there should be a second in command here?—In a large town like this I think so.

328. *Colonel Pitt.*] What about Christchurch, Dunedin, and Auckland?—Well, I believe Auckland is a very large place.

329. In your opinion there ought to be a Sub-Inspector there?—I would not like to express an opinion about that, because I do not know it.

330. What about Christchurch?—I always got on very well in Christchurch; but I do not know how the population has increased there since I left.

331. But, having regard to what you knew of it, do you think there should be a Sub-Inspector there?—I think it would be better.

332. And Dunedin?—Yes, I think so.

333. Having arrived at that, what do you think of the suggestion made by Colonel Hume that in the past there has been friction between these two officers?—There is friction in everything, but if there is proper discipline I do not see why there should be friction.

334. You do not think the service would be likely to suffer through there being two officers?—I do not think so at all. If there was a little sharpness between them it might be all the better.

335. Assuming they worked loyally together, you think there ought to be two rather than one?—Oh, yes. It would be a very great assistance in a large town like Wellington.

336. *The Chairman.*] I suppose there is more maritime business here than in any other port?—Yes; in fact, the sergeant-major at present here does Sub-Inspector's duties in many instances.

TUESDAY, 15TH FEBRUARY, 1898.

JOHN EVANS, examined on oath.

1. *The Chairman.*] What position do you hold in the service?—I am senior clerk in the Commissioner's Office, Police Department.
2. You are not a member of the Police Force?—No, Sir.
3. How long have you been in the office?—I joined the Police Department on the 15th September, 1881; I was transferred from the Field Force—the Armed Constabulary—at that time.
4. Are you in charge of the records of the department?—Yes.
5. Under whose control was the Police Force at the date you joined the department?—Under Colonel Reader.
6. As Commissioner?—Yes.
7. Who were in charge in the various centres? There was a certain number of Inspectors, I suppose?—Yes.
8. There were no higher officers than Inspectors between the Commissioner and Inspectors in 1881?—No.
9. How many Inspectors were there?—The total number for the whole colony was eleven.
10. Can you give us details of the districts and the number of Inspectors in each?—There was one Inspector in Auckland, one in Wellington, one in Wanganui, one in Hawke's Bay, one in Dunedin, one in Southland, one in Lake District (Central Otago), one in Christchurch, one in Timaru, one in Westland, and one in Nelson.
11. *Colonel Pitt.*] None in Taranaki?—Wanganui includes New Plymouth and Taranaki.
12. There were no Sub-Inspectors?—No.
13. *The Chairman.*] Who were the officers next in rank below the Inspectors?—The next officer in rank would be the sergeant-major.
14. How was the Force distributed? What was the total number of men in the Auckland police district, the Wellington district, and so forth?—On the 31st March, 1881, there were in Auckland 15 sergeants, 71 constables, 3 district constables, and 4 detectives; in Wellington, 6 sergeants, 32 constables, and 2 detectives; in Wanganui, 5 sergeants, 22 constables, and 1 detective; in Hawke's Bay, 5 sergeants, 20 constables, and 1 detective; in Dunedin, 12 sergeants, 61 constables, and 4 detectives; in Southland, 3 sergeants, 13 constables, 1 district constable, and 1 detective; in the Lake District, 4 sergeants and 13 constables; in Christchurch, 9 sergeants, 50 constables, and 2 detectives; in Timaru, 2 sergeants, 21 constables, and 1 detective; in Westland, 6 sergeants, 23 constables, and 1 detective; in Nelson, 6 sergeants, 11 constables, 4 district constables, and 1 detective.
15. Now, we have got from you the numerical strength of the Force, and its distribution on the 31st March, 1881?—Yes.
16. Can you tell us how the Force was recruited at that time?—To the best of my belief civilians were enrolled at the depot in Wellington.
17. Was the depot under the control of the Wellington Inspector, or under the control of your office?—There was an officer in charge.
18. Who was that officer, and what was his rank?—I believe he was an Inspector.
19. Is he included in the number you gave us as in the Force?—No.
20. Was the depot under the control of the civil Force, or under the control of the Armed Constabulary?—The Armed Constabulary.
21. Is the Armed Constabulary included in the numerical strength you have given to us?—No.
22. Well, this officer was an Inspector of what?—Of the Armed Constabulary.
23. Do you refer to the Armed Constabulary at Mount Cook?—Yes.
24. *The Chairman.*] Then, it was not the Police Force Depot; you see we want you to make a distinction between the Armed Constabulary and the ordinary civil constabulary, unless both were under the same control?—It was a distinct Force. The men were subsequently transferred from that to the Police Force.
25. *Colonel Pitt.*] The Armed Constabulary did police duty, did they not?—Occasionally.
26. They had to attend Court, and serve and execute warrants, and so forth?—Not as a rule before they were transferred.
27. They were a military body?—Yes.
28. *The Chairman.*] The Commissioner of Police at that time was in charge of the two Forces?—Certainly.
29. That is, the Armed Constabulary was a separate body, but under the control of the Commissioner of Police?—Yes.
30. Now, when these men were recruited at the depot what was done with them there?—They were drilled.
31. Were they enrolled as members of the Armed Constabulary, or as members of the ordinary Police Force; and were they included in the numbers you have given us?—None of the men who were at the depot were included in those numbers.
32. When you speak of men going to the depot, were they recruits for the Armed Constabulary only, or for the ordinary civil police?—They may have been for both. Those taken on for the police were subsequently transferred to the police.
33. Then, they did not belong to the Police Force until they were transferred?—No.

34. When they were enrolled in the Armed Constabulary were they trained as members of the Armed Constabulary?—Yes.

35. And were subsequently transferred to the police?—Yes.

36. Was the Police Force only recruited from men of the Armed Constabulary?—They joined the Armed Constabulary in the first instance.

37. Have you any knowledge of any men having been recruited for the civil Force in any other way than from the Armed Constabulary?—I am not aware of any other mode at that time.

38. What were your duties in the office?—I was only junior clerk in the office at that time.

39. Have you any knowledge at all of the Force other than what you have obtained through having access to the reports furnished to the department?—No; I have had no police experience.

40. You have been simply confined to the office?—Yes.

41. Are there any records kept in the office of promotions and transfers, or what has led up to these promotions, and transfers, or dismissals?—Of dismissals, yes. In some cases, no doubt, there are records of transfers and promotions too.

42. Can you tell us how promotions, dismissals, or removals were brought about: what was the system of promotion, if there was any?—I cannot say.

43. You can put in the annual reports of the Police Department?—From 1870 to 1897.

44. In what book did you say the records are kept of promotions and transfers, so far as you have them?—In the register.

45. Can you give no reason why these promotions were made?—No.

46. Can you tell us what led up to them?—Possibly there were vacancies.

47. But there is no record of the reasons?—No.

48. Can you produce a record of the promotions?—Yes, I produce a letter-book of the department containing certain promotions made in 1883.

49. Is there any system, so far as you are aware, of recording the conduct of individual members of the Police Force?—Yes.

50. Is that kept at the Head Office, or in the separate districts?—Defaulters' returns are furnished monthly to the department.

51. That is the "black list"?—Yes.

52. *Colonel Pitt.*] Can you say for the last ten years what has been the average number of the defaulters' returns?—No.

53. *Mr. Poynton.*] Can you, by taking time, tabulate a statement to show whether there were more defaulters during the last two or three years than in the years before?—It could be done in time.

54. *The Chairman.*] Can you supply us with an abstract, year by year, of the offences recorded against constables for the last ten years in each police district?—Yes. (Exhibit No. 1.)

55. *Mr. Tunbridge.*] You have just been examined on the question of records, showing the means by which men have been promoted from time to time. You state there is nothing beyond what appears in the register in the office, to show how the men were promoted, other than the mere record in the book that they were promoted?—It was so at the time I was alluding to.

57. First, you gave the Commissioners to understand that the records in the office here merely showed that the men were promoted without showing what led up to these promotions?—In some cases, no doubt, there were reasons given—for meritorious conduct, &c.

58. I mean in regard to promotions to fill vacancies: there is nothing in the book to show how these men were selected?—I cannot say how they were selected.

59. I am only asking you whether there is anything in the office to show how they were selected?—I have no knowledge of the grounds for selection.

60. *Colonel Pitt.*] I understand you produced that letter-book to show that was all there was?—At that time.

61. *Mr. Poynton.*] Subsequently, is there any file of papers to show how the men were selected for promotion?—No.

62. *Mr. Tunbridge.*] Will you kindly look at this record of promotions made by me?—Yes.

63. You see there how they are made?—Yes.

64. Will you kindly tell the Commissioners how the selections have been made?—The Inspectors have been called upon to recommend. The memorandum reads as follows:—

[Confidential.]

(Circular No. 23/97.)

Police Department, Wellington, 27th October, 1897.

Addressed to Officers in Charge of Police Districts.

PLEASE forward as early as possible the names, &c., of four constables whom you can recommend for promotion to the rank of sergeant.

The recommendations to state fully the grounds upon which they are recommended.

In making these recommendations, it should be borne in mind that the principal object is efficiency, and that seniority, although receiving the consideration it demands, must stand second to efficiency.

Also the names of constables whom you can recommend for plain clothes duty.

J. B. TUNBRIDGE, Commissioner of Police.

65. You know of your own knowledge that each Inspector did send in a report recommending officers for promotion to the rank of sergeant on that circular?—Yes.

66. And were there, subsequently, 17 constables promoted to the rank of sergeant?—Yes.

67. And were these constables promoted to sergeants upon the recommendations of their Inspectors?—Yes.

68. *Colonel Pitt.*] Why were not the 28 men recommended appointed?—Because there were only vacancies for 17 sergeants.

69. *Mr. Tunbridge.*] There is something in the records of the office, so far as that batch is concerned, to show why these men were promoted?—That is so.

70. *The Chairman.*] Now you have a record to show how promotions are made?—Yes.

71. Is that the first case in which you have a record of the grounds for promotion?—Yes, except in meritorious cases.

72. *Mr. Tunbridge.*] Now, there has recently been advancement in class, which is called “promotion” here?—Yes.

73. In making selections for these advancements, do you not know that the seniority-book was consulted, and that the senior men were advanced except in cases where the men had been reported within a recent period for misconduct?—Yes.

74. And you know what was the system on which these promotions were made?—Yes.

75. Do you remember the number of these recent promotions in class?—Something over 50; 25 were advanced from third to second class, and 27 from second to first class.

76. Now, as regards transfers: You stated, I think, there was nothing to show in the office, beyond the fact that the men had been transferred, why they had been transferred?—In many cases there is nothing; simply the fact that orders were sent out for transfers.

77. Has that system prevailed since I have been here?—I believe you have called upon Inspectors to recommend.

78. There has been no batch of transfers?—Not a large batch.

79. As a matter of fact, since I have been here, has not every transfer that has taken place been in consequence either of the man being a defaulter, or a transfer to fill a position which would be considered of benefit to the man, and for which he was more suitable?—Yes.

80. Unless the man has been a defaulter the transfer has been to the man’s benefit?—Yes.

81. *The Chairman.*] Within what period?—Since October, 1897.

82. *Mr. Tunbridge.*] Then, there is reason apparent in the office for these transfers since October, 1897?—Yes.

83. But there is no reason apparent in the documents in the office for the batches of transfers that occurred prior to that time?—In many instances.

84. Will you kindly refer to these annual reports, and give the strength of the Force for the year ending the 31st March, 1886?—It was 494.

85. Will you give the numbers in the report for the year ending the 31st March, 1896?—484; a reduction of ten in ten years.

86. Now, will you refer to the Year-book of the colony for 1897? Do you see there that the increase of population between 1886 and 1896, the years you have quoted, has been 18·9 per cent.?—Yes.

87. An increase of nearly one-fifth?—Yes.

88. Which shows that, although the population has increased during that period by 18·9 per cent., the Police Force has decreased by ten?—Yes.

89. *Colonel Hume.*] When I took over charge of the police in 1890, what were you in the office then?—Third clerk.

90. And who were over you?—There were two seniors—Messrs. Fox and Goldfinch.

91. What was the salary of the chief clerk, Mr. Fox?—£375 at that time.

92. He was dispensed with shortly after I took charge?—Yes.

93. Was his vacancy filled up?—No.

94. Do you recollect how the *Police Gazette* was issued in those days?—It was compiled and issued by Sergeant-Major Fair.

95. He had the rank of sergeant-major on a salary of what?—£228 2s. 6d., which included allowances.

96. And his sole duty was to compile the *Gazette*?—Yes.

97. Do you remember if he had anybody to help him in that arduous duty?—I believe he had assistance in compiling the index.

98. He was dispensed with soon after I took charge?—Yes; he was transferred to police duty.

99. How is the *Gazette* compiled now?—It was taken over by Mr. Tasker.

100. Who was Mr. Tasker?—A clerk in the Commissioner’s office.

101. Did he get any extra pay for this *Gazette*?—No.

102. Was anybody put in the office to help him in consequence of having to do the *Gazette*?—No.

103. Do you recollect who was Commissioner when I took charge of the department?—Major Gudgeon.

104. Do you recollect what the salary of Major Gudgeon was?—£400.

104A. Had he anything to do with defence when I took the police over from him?—I do not think so. He was Commissioner of Police only.

105. What salary did I get as Commissioner of Police?—I do not think you drew any salary as Commissioner of Police.

106. I got nothing?—I do not think so.

107. Had I ever any salary as Commissioner of Police?—Not to my knowledge.

108. I should like to go back to 1881 for a minute. You produced letter-books just now showing the manner in which promotions and transfers were made, or memoranda about them. Who made the promotions?—The Commissioner.

109. Without reference to the Minister at all?—To the best of my belief.

110. When was this?—In 1883.

111. And as regards transfers and appointments: who made them?—I believe the Commissioner made them.

112. I suppose in Major Gudgeon’s time Mr. Fox was away sometimes?—Yes.

113. Do you recollect being in charge of the office?—Not while Mr. Fox was here, or in Major Gudgeon's time.
114. Do you study that Year-book you were shown just now?—No.
115. Do you happen to know whether there has been an increase or decrease in crime within the last three or four years in the colony?—No; I have not studied the Year-book.
116. Were there many promotions during the whole of my time?—I cannot say whether there were many or not. A return of promotions could be prepared.
117. Who made any promotions there were in my time?—You issued the orders in the office.
118. Yes; but who made the promotions?—The Minister, I suppose.
119. Who made the appointments?—The Minister, I think.
120. Who made the transfers?—They were done on Ministerial authority.
121. *The Chairman.*] Then, you say that generally appointments, transfers, and promotions were made by Ministers during Colonel Hume's time?—Yes.
122. Do you know how they were made by the Minister: were they made on the recommendation of anybody in the office, or did the recommendations pass from the Minister through your office?—On the recommendation of the Commissioner in the case of transfers.
123. There is a distinction between appointments, and promotions, and transfers?—Transfers and promotions were made by the Minister on the recommendation of the Commissioner.
124. *Colonel Hume.*] Had I any power to make appointments, transfers, or promotions on my own responsibility?—I think not.
125. You stated just now that these promotions and transfers were made on the recommendation of the Commissioner to the Minister; how do you know that?—From the written memoranda.
126. Then, is there not some mistake in your statement that there are no documents to show anything about appointments, promotions, and transfers before Mr. Tunbridge took charge?—The documents are there, but no reasons are given.
127. *The Chairman.*] You can produce these ministerial records of the promotions?—Yes.
128. *Colonel Hume.*] Do you recollect a batch of third-class constables who had seven years' service and over, with clean defaulters' sheets, being promoted to the second class?—Yes.
129. Is there a record of that?—Yes.
130. When was this?—Three or four years ago.
131. Then, shortly after that there was a batch of third-class constables, with seven years' service and over, with only one trivial offence recorded against them, who were promoted?—Yes.
132. There is a record of that?—I think so.
133. Then, there was another batch of third-class constables, acting as Clerks of Court, who were made second-class constables?—I believe so.
134. You have records of this?—Yes.
135. Now, there was a constable at Southbridge, Canterbury, not very long ago, and the station was closed: Do you recollect that?—Yes.
136. Consequently, the constable there was transferred somewhere else?—Yes.
137. Was there a record of that, showing the reason for the transfer?—Yes.
138. Then, have there not been men transferred on the recommendation of the Inspector, because he thought they might do better in other districts?—I cannot recollect one instance. There may have been cases.
139. Do you recollect the system I adopted in recommending these transfers generally. For instance, if a man was Clerk of Court, for which he got £10 a year extra, did I transfer him to a place where he would be Clerk of Court also?—I believe you tried to do so.
140. And as regards giving men stations when they became vacant: Do you recollect the system I adopted then?—I think according to seniority, and so far as they were competent, and where they were married men.
141. How was their competency determined?—By a return furnished by the district officers.
142. Are there any records of this?—There is only one, I think.
143. *Colonel Pitt.*] You have mentioned that some time ago appointments, promotions, and transfers were made by the Commissioner without reference to Ministerial authority: When did the practice commence of the appointments being made on Ministerial authority?—I cannot give any date.
144. Was it before Colonel Hume took charge as Commissioner?—I dare say it was.
145. Was there any circular or minute on the subject from the Minister of Justice?—Not to my knowledge.
146. *Mr. T. E. Taylor.*] Did I understand you to say that this system of making transfers from returns furnished by the district officers only commenced in 1897?—Yes.
147. That was the first return made to ascertain the ability of members of the Force. Previous to that there were no returns from the district officers?—No.
148. Do you always prepare a written statement, under instructions from the Commissioner, of transfers and promotions and appointments, or transfers and promotions, for signature by the Minister, or approval by the Minister?—No; Colonel Hume generally prepared them himself, and wrote his own memoranda.
149. Did those lists go up for approval by the Minister?—The Commissioner would present them, I believe, to the Minister.
150. Do you know whether there was any difference between the lists supplied by the Commissioner and the lists approved by the Minister: as a matter of fact, were not lists altered between the time of leaving the Commissioner and coming back from the Minister?—I believe so.
151. That is to say, the Commissioner's recommendations were overridden by the Minister, and altered by the Minister?—I believe alterations were made. They would appear on the documents.
152. As a matter of fact, you know that such alterations were made?—Yes.

153. *Mr. Tunbridge.*] You have been asked a question about the reduction of your office staff: Do you consider that reduction has been conducive to the good working of the office or otherwise?—Otherwise.

154. Very much so?—I should think so.

155. So much so that you had to approach me with a view to getting an addition to your staff?—Yes; and I also approached Colonel Hume.

156. Has it become so acute that both yourself and Mr. Tasker have been compelled to work late here during holidays and to carry work home with you?—I have never taken work home, but Mr. Tasker has and does.

157. *The Chairman.*] You are speaking of the office at the present time?—Yes.

158. *Mr. Tunbridge.*] I have endeavoured to relieve that by bringing in a constable to assist you, as a temporary measure?—Yes.

159. Up till about a fortnight ago you had not accommodation here for an increased staff?—No; we were crowded up.

160. *Colonel Hume.*] Do you know of any other office where they do not work occasionally on holidays or after hours at night?—I suppose the majority of them do.

161. Do you think I used to work much at night?—I have no doubt you did.

162. Have you ever come down at night?—Yes.

163. Often?—Yes.

164. And Mr. Tasker too?—Yes.

165. Often?—Yes.

166. Has the third clerk ever come back at night?—I do not know that he has ever come back.

WEDNESDAY, 16TH FEBRUARY, 1898.

ARTHUR HUME, Inspector of Prisons, and late Commissioner of Police, examined on oath.

1. *The Chairman.*] When were you appointed Commissioner of Police, Colonel Hume?—On the 1st July, 1890.

2. We want to take you step by step through all the matters referred to this Commission. Firstly, we will take the general organization of the Force, then its distribution, control, and so on, taking item by item, so as to lay a foundation for our inquiry?—Perhaps you will let me make my own statement.

2A. Yes; if you will kindly make it in the order I have named, because otherwise our attention may be disturbed from the subject-matter of our inquiry. We would like you to confine yourself as much as possible in the first instance to the general organization of the Force while it was under your control, and then go on to the distribution, control, and so on?—I shall have to ask the Commission to let me go back first of all to the report of Colonel Moule, Commissioner of the Armed Constabulary Force, dated the 18th July, 1877.

3. Very well. Was he then Commissioner of Police?—He was Commissioner of the Armed Constabulary Force. They were not separated then. They were about to be separated, I think.

4. *Colonel Pitt.*] What was his office?—Commissioner of the Armed Constabulary Force. My object in doing this is to show that one of the grievances the police suffer under is the want of promotion—the slow promotion. Now, in that year, the Marlborough Force consisted of one first-class Inspector, two sergeants-major, one sergeant, and three constables.

5. In 1877?—Yes, Sir; when they were taken over by the General Government. In Nelson District at the same time there were 1 first-class Inspector, 1 first-class Sub-Inspector, 3 first-class sergeants, and 8 constables. The Westland District comprised 2 first-class Inspectors, 1 first-class Sub-Inspector, 1 sergeant-major, 7 sergeants, 21 constables, and one detective. The Napier police district consisted of 1 first-class Inspector, 3 sergeants, and 16 constables. In the other districts there was not quite so large a proportion of officers and non-commissioned officers.

6. *The Chairman.*] You say the other districts were not quite so much over-officered?—I do not know really; perhaps I had better give some of the others too. Take Canterbury: Canterbury consisted of 3 first-class Inspectors, 2 second-class Inspectors, 1 accountant, 9 sergeants-major, 13 sergeants, 67 constables, and 4 detectives. That is a fair proportion of them all, I think. Of course, I was not in New Zealand at that time, but I am informed that the reason of this was—of course this is only hearsay—the provincial people knew the General Government were going to take over their local Forces, and they made promotions accordingly, as they would be no longer responsible. That is what I am told. However, the reason I have quoted this is that it has caused ever since a stagnation of promotion. Now, in 1887, Major Gudgeon, who was then Commissioner of Police, says: "The present strength of the non-commissioned officers in New Zealand is as follows: four sergeants-major and sixty-six sergeants, or one to every six constables." He says the results of his inspection convince him that the Force would gain in efficiency by reduction of those numbers, and he goes on to say that in his opinion the Force should be reduced to four sergeants-major and fifty-two sergeants. In the next paragraph he says: "In the case of first-class constables the proportion is out of all reason as compared with second- and third-class"; and he gives the numbers as "140 first-class, 100 second, and 147 third." And he says here again: "A large saving will be effected by your decision"—that was, the decision of the then Defence Minister: "That in future the strength shall be 100 first-class, 100 second-class, and the excess shall be gradually reduced by the simple expedient of not filling up vacancies." Then, in his report dated the 3rd May, 1888, he says: "The retirement of four Inspectors in consequence of retrenchment in the Government service has enabled me to effect the amalgamation of several districts as follows:—." There was a reduction then of four Inspectors. Then, in consequence of the large amount of sly-grog selling that was going on at the Bay of Islands, he opened a district there

and sent Inspector McGovern, with very satisfactory results; he says: "and since Inspector McGovern assumed charge of the Bay of Islands there have been twenty-four convictions for sly-grog selling within its boundaries, and fines amounting to £412 have been inflicted." He goes on then to comment on the cancellation of section 10 of the police regulations, whereby it was provided that officers should retire at the age of sixty-five and men at the age of sixty. "It will in the interest of the public be necessary to name some age at which both officers and men should retire from the service; I would suggest that both officers and men should do so at the age of sixty-five, at which period of their lives they would not be likely to be of much value to the public service." Then he goes on to say that he regrets he has been unable to decide on any system which would provide a general pension scheme for the Force, unless assisted by a yearly grant-in-aid from the Government. Then he goes on to comment on section 59 of the regulations, "by which it is compulsory that all recruits for the Police Force should be drawn from the Permanent Militia of the colony. This rule limits the choice for police in a manner that cannot fail to be detrimental to the service now that the militia are reduced in number."

7. Armed Constabulary it was then?—No, it was the police then. They were separated under the Police Act of 1886. That Act separated the two Forces. "I would therefore suggest for your consideration that the rule should be altered to this extent: that, while the militia should have the first chance, yet, in the event of there being no suitable men available from that corps, I should be at liberty to take on men from outside." He says, in his report of 1889, that "the result of the late retrenchment and amalgamation of police districts has been that the department has gained in economy without having suffered appreciably in efficiency." Then he says he regrets to report our detective system is very unsatisfactory, and he goes on to show how he thinks detectives ought to be appointed. I do not think that matters much. Then he says: "Arrangements have been made by which a system of examination for the New Zealand police will be instituted and held for the first time in January, 1890, at the headquarters of each police district." This, I may say, is important. The question may come up that some one passed this examination and did not get what he ought to have got.

8. That was not an examination for recruits, but an examination for classification?—For promotion. He says: "The examination will be divided into two parts, junior and senior: a pass in the former will render a man eligible for promotion to first-class constable; in the latter to the rank of sergeant." Then, in the following year—that is, the 5th April, 1890—he says, "I have much pleasure in informing you that the Police Force of this colony retains its popularity, and that a large number of recruits of good class can be obtained from the Permanent Artillery." I am not, I may say, quoting fully from these reports, because I presume they will be before the Commission. Then here is an important thing: "For the last three years there has been but little promotion in the police. This state of things has arisen from the fact that the higher ranks have been blocked by an excessive number of sergeants and first-class constables, a heritage from provincial institutions."

9. I would like to know the position of a first-class constable, as against second- and third-class?—First-class constables get 6d. a day more than second-class.

10. A mere matter of pay?—Yes.

11. Nothing else?—Of course a first-class constable and a second-class constable get charge of stations before a third-class constable.

12. *Mr. Poynton.*] If the two are out together on duty and a difference arises how the work should be executed, the second-class constable would have to obey the first-class?—Yes.

13. *The Chairman.*] Do the regulations fix a period in your service when they are entitled to the higher rank?—By service?

14. Yes?—No. I shall be better able to explain that later on. I missed out a point in the 1887 report, and that is the goldfields allowance.

15. *Mr. Poynton.*] There was a goldfields allowance before that date of 1s. a day?—A shilling a day in the Westland and Otago Lakes districts. He says:—

There is another item of police expenditure in which a saving may shortly be made—viz., the goldfields allowance of 1s. a day to the men stationed in the Westland and Lakes districts. The amount paid last year under this head was in Westland about £648, and in the Lakes about £338. This allowance was originally granted to remedy an apparent injustice by equalising the pay of men who were by chance stationed in expensive and remote districts. So far as Westland is concerned, the necessaries of life are not now much more expensive than in other places; and if any inequality does exist in the inland towns, such as Reefton, the progress of the East and West Coast Railway will soon remedy the evil.

16. *Colonel Pitt.*] What is the object of referring to that—is that within our inquiry now?—I presume before you have done with the colony you will have some men coming up and saying that they have been deprived of this shilling a day.

17. There is no shilling a day now?—It is done away with, but they will probably bring it up as a grievance.

18. *The Chairman.*] When was it abolished?—It was abolished before I came into office. Then, Major Gudgeon, in his last report, 1890, refers again to this examination business. He says:—

The first sitting under these regulations was held last January. Forty-three competitors attended, of whom twenty-four passed most creditably, for the papers were difficult but exceedingly well considered, and were due to the kindness of H. A. Stratford, Esq., R.M., Oamaru, who volunteered his services as Police Examiner. I have promoted the four men who obtained the greatest number of marks in this examination, in order to encourage those who had the energy to read up the theory of their duty. It is not, however, intended that this promotion shall become a precedent.

Then he refers to the long-service pay having been done away with. He says:—

I would again bring before your notice the advisability of instituting some system of pension which shall apply to at least a portion of the Police Force. We have now 400 men drawing long-service pay, of whom 295 receive 1s. per diem after ten years' service, and 105 receive 6d. after five years' service. Concerning these men I have no recommendation to make at present, for it may be fairly assumed that the long-service pay was granted in lieu of pension.

There are, however, 67 constables who, having joined since the 10th February, 1887, are debarred by circular of that date from receiving long-service pay, and it is on their behalf that I suggest a method whereby they may receive pensions with the minimum of expense both to the Government and to themselves.

Then he goes on to show how a pension fund may be created.

19. What period of service entitled a man to long-service pay?—Five years' to 6d., and ten years' to 1s. a day. Then, in my first report, dated the 1st May, 1891—that was from July, 1890—I state: "Vacancies in the Force have been almost entirely filled by transfers from the Permanent Artillery or the Prisons Department, and this system works well, the recruits having acquired a good knowledge of discipline before being transferred to the Force." And that was the year of the labour troubles. With a total force then of 492 of all ranks—

20. That 492 is without counting district constables and Native constables?—No, Sir, everybody.

21. The report says it is not so. The report says there are ten district and ten Native, in addition to the 492?—Oh, yes. You are quite right. I thought it included all. It does not. With a force of 492, with the aid of the Permanent Militia and some special constables, I was able to successfully cope with the labour difficulty. Then I go on to say: "On assuming charge of the police I received instructions to move from the West Coast, Middle Island, and the Lake District, Otago, all those who were still drawing the extra shilling per diem as goldfields allowance."

22. That was an instruction to you?—Yes, Sir, from the Minister. I go on to say: "Previous to these transfers a considerable amount of discontent existed on the Coast, in consequence of the old hands receiving 1s. per diem goldfields allowance, in which the younger hands did not participate." It was done away with in this way: That as the men moved away they were no longer to get it. I state also that there were constant complaints that sly-grog selling was being carried on on the West Coast. I go on to show that during that year, in consequence of the changes, I presume it was, sixteen persons were convicted of sly-grog selling, and fines amounting to £292 10s. were inflicted on the West Coast. In the next paragraph I refer to a matter that was alluded to yesterday:—

On taking charge of the department I found that Inspectors in charge of districts had assumed the right of transferring constables from one station to another within the district without any reference to this office, and doubtless in this way unnecessary changes have been made; but that practice has now ceased, and all transfers must be sanctioned from headquarters.

23. You put a stop to that?—Yes. Then I drew the attention of all concerned to the necessity of special and more stringent supervision being exercised by the police in the matter of the Licensing Act, more especially as regards Sunday trading and the closing of houses nightly at the stipulated hours, and directing that transgressors, when discovered, should invariably be summoned to answer for their conduct. Then, I go on to comment on the no-promotion business:—

Though virtually no promotions have been made since I took charge, it is an open secret that much discontent prevailed in the Force owing to the system, or, rather, want of system, which hitherto had been adopted in selecting men for promotion and charge of stations, together with an entire absence of classification of stations and subdistricts. At the present time, in all parts of the colony, there are to be found third-class constables in charge of important stations, while first-class constables are kept on street duty and compelled to pay house-rent, while their juniors have the lighter duties to perform and get Government quarters provided. Rewards also appear to have been indiscriminately distributed, while cases really deserving of both remuneration and mention in merit-sheets appear to have been entirely overlooked. All these circumstances have tended considerably to bring about uneasiness and discontent. A better feeling has, I am glad to say, already been established, and, though promotion has been blocked, the disappointment is less acute than if juniors had been promoted over the heads of their seniors for no greater qualifications or recommendations than political or local influences.

Then, I did away with that examination business:—

The system of examination which was in force last year was found to be useless, expensive, and harassing. Many members of the Force who at small stations are also Clerks of Court had an unfair advantage over the hard-worked town constables, inasmuch as the former had access to the statutes, with spare time to study them, with the constant experience to be derived from attending Courts; so that, had the examination test continued, it would have been found at no distant date that the majority of those qualified for promotion had served most of their time as Clerks of Courts in small stations, and would probably, from want of experience, be quite unfit for the duties of a non-commissioned officer at the larger places.

Then, I got framed a superannuation scheme on the lines of the Government taking long-service pay, together with one year's pay allowed as compensation, and investing them in insurance to secure every man a lump sum of £400, or an allowance of a little more than £1 per week if not taken in a lump sum, on attaining the age of sixty-five years. A member of the House took a great deal of trouble about it, and the police were consulted. He endeavoured to work it up, but they would not give up the long-service pay, and they could not have both.

24. Was the scheme printed?—No. I may say it really was not my scheme.

25. *Colonel Pitt.*] Do you mean a member of the House agitated against it?—No; he was agitating for it. He made out the scheme and brought it to me, and he had permission from the Minister to visit stations, and ask the men about it.

26. Then, it originated with him?—I modified it again, in the hope that it might be carried into effect. Then I go on to say:—

Sly-grog selling is perhaps the most difficult matter we have to deal with, but during the year the number of convictions under this head have been very satisfactory, and the offenders cleverly detected; and all ranks deserve special commendation for their services during the labour troubles.

The present organization no doubt admits of changes in accordance with the altered state and conditions of the colony—that is, bearing in mind that the organization was borrowed in its entirety from one of the other colonies. On the breaking out of the goldfields in this colony in 1861 it was thought a large number of the criminal class would find their way over here, and to meet this a police system was introduced, and a posse of men were specially engaged to establish and carry out its workings and operations. Evil-doers were sternly met and put down, and that peaceful order of things resulted which has now been established for many years past. But, looking to the altered circumstances of the colony, it is obvious that a more simple system of administration will meet all our requirements, and will insure more efficiency and economy; in fact, to simplify matters, what is required in this colony is a thoroughly efficient and active municipal and rural constabulary, whose aim should be to preserve law and order rather than make prisoners and obtain convictions.

One step towards this end is to make larger districts and therefore fewer of them, and to give the officers in charge of districts a position and standing that will command confidence and respect. Then, follow the example of other

colonies in utilising the services of the police in manifold ways, such as acting as Clerks of Court, Bailiffs, Gaolers, Crown Lands Rangers, census enumerators, assisting County Councils and Corporations in carrying out their by-laws, besides making them useful in multifarious small offices, thus bringing them into touch with the people and affording them, at least, an opportunity or excuse to know what is going on round about them, instead of dawdling or idling about their barracks or stations. The working of small districts is fraught with much disadvantage—firstly, the cohesion or co-operation of the Force is somewhat marred; secondly, unnecessary administration and expense are caused; and, lastly, the disunion destroys not alone *esprit de corps*, but actually creates jealousy.

There are too many ranks, both of sergeants and constables, and a new classification is much required. Firstly, third-class sergeants should be rated as senior constables; secondly, the rank of sergeant-major, which is an anomaly in a police service, should be abolished; thirdly, the second- and third-class constables should be amalgamated; and, lastly, the office of chief detective should be done away with.

Then I go on to say that the Detective Force is in an unsatisfactory state, owing, in my idea, to the way in which selections have been made, and suggest how it could be remedied. Then, in my report of the 1st July, 1892—that is, for the year 1891, I state:—

Vacancies in the Force have been almost exclusively filled up by transfers from the Permanent Militia, and no fault can be found with the men so enrolled, who are—in addition to being well set up, drilled, and disciplined—intelligent, zealous, and reliable. . . . From my experience during the past year, I am more than ever convinced that to have a thoroughly efficient Police Force, it is imperative that the Inspectors, sergeants, detectives, and constables should be periodically moved from one station to another. In making these changes I have invariably endeavoured, as far as possible, to put an end to what has existed for some years past, and has rightly been looked upon as a just cause for complaint—namely, young third-class constables being put in charge of country sub-districts, while their seniors, the older hands, have been kept in towns doing street duty. It will, of course, take some time for this injustice to be entirely worked out; but as sub-districts become vacant, the next senior for a station, provided he is fully qualified, is selected, while his place in the town is taken by the last recruit.

Then, I go on to talk about the enforcement of the Licensing Act:—

. . . more especially as regards Sunday trading, and closing licensed houses at stipulated hours. In many cases convictions have been obtained, but not without considerable difficulty. That Sunday trading and selling during prohibited hours are carried on to a great extent throughout the colony cannot be denied, but the department is severely handicapped by the difficulty of obtaining convictions, as the law is so complicated and defective, that, in many cases taken into Court, though the police feel bound to prosecute, not the slightest hope of a conviction is entertained. When a case breaks down the result is two-fold: the police of a district are damaged in the eyes of the public, and the law-breaker is encouraged to continue his illegal trade. It may be stated in illustration of what is meant, that, though as many as fifty persons may be seen or known to enter a public-house on a Sunday or during prohibited hours, no prosecution can be instituted with any hope of success, as no sufficient evidence may be obtained to prove the actual sale of liquor. It is almost hopeless to endeavour to successfully enforce the provisions of the Act, unless the police are relieved of the necessity of proving an actual sale. This might be done by amendment of the Act to provide that admission of persons not being lodgers, or the fact that a bar is found open during prohibited hours, shall be *prima facie* evidence that the house is being kept open for the sale of liquor.

Then, I state that “there have been practically no promotions in the Force during the past year, owing to the ranks of sergeants and first-class constables being over-crowded.” I then go on to say that a classification has been prepared which shows that the colony, divided into seven districts as at present, would require seven Inspectors, twenty first-class sergeants, twenty-one second-class sergeants, thirty senior constables—I had recommended that third-class should be done away with—115 first-class constables, 282 second-class constables, four first-class detectives, four second-class detectives, seven third-class detectives, nine district constables, and nine Native constables.

27. *The Chairman.*] You recommended that the Force should consist of these numbers?—Yes, Sir. Then, I go on to explain:—

To carry out this scheme would entail an additional expenditure in salaries of about £2,500 per annum on the present estimates, but it would hold out fair hopes of advancement to the men in the Force in the future, would give promotion to many at once who have been disappointed in this respect for many years past, and, though last, not least, would give 6d. a day increase to all who are now holding the rank of third-class constable. Some of these third-class constables have held that rank since 1879, and, though qualified in all respects for promotion have, through no fault of their own but simply from stagnation by former overcrowding of the senior ranks, never obtained any advancement, either as regards pay or status.

Then, in my report of the 1st July, 1893, I state:—

Vacancies in the Force have been, as heretofore, filled up by transfers of gunners from the Permanent Artillery, and this system continues to work very satisfactorily. . . . During the past year all the Inspectors with one exception have been moved, and many of the non-commissioned officers and constables; and I have no hesitation in reporting that these moves have been beneficial to the efficiency of the Force.

Then, as regards the superannuation scheme:—

The matter of a superannuation scheme for the members of the Force has received considerable attention, and the absence of any provision for retirement through old age or physical incapacity is a serious embarrassment to the administration of the Force; but, owing to the advanced age of the majority of the present members of the police, any scheme that would commend itself must necessarily be established by so large a grant from Parliament as to place it absolutely beyond possibility of ever becoming a practical reality, especially as no superannuation scheme is general throughout the Civil Service of the colony, and therefore it is considered one branch could not be exceptionally treated in this respect. In order, however, to provide against members of the Force being turned adrift penniless when they become incapacitated from illness or old age for further service, all members of the Permanent Militia before being enrolled as constables, are now required to produce a certificate showing that their lives are insured for not less than £200, payable on attaining the age of sixty years, or at death, if prior. This to some extent meets the important question of superannuation, while it is not considered a very heavy tax on their pay, as it will be recollected that constables, not being members of the Civil Service, are not liable to the deduction of 5 per cent. from their pay, as provided for for Civil servants by clause 11 of “The Civil Service Reform Act, 1886.”

28. Do I understand that in that suggestion the cost of keeping up the policy should be taken from their salary?—It was actually done, Sir.

29. It was then the practice?—It was then the practice.

30. Does that practice continue?—Oh, yes.

31. At the present time every man is insured up to that amount?—Yes. Every recruit has to insure, before he is taken on now, for £200.

32. The premium is paid by themselves out of their pay?—Yes.

33. It is not paid through the department in any way?—If they are insured in the Government Insurance it is deducted out of their pay in our office.

34. The department has nothing to do with paying the premium?—Oh, no. It is deducted from the men’s pay monthly. My report goes on:—

Promotion, which has been virtually at a standstill for some years past, owing to the senior grades of sergeants and first-class constables being beyond their required strength, is now likely to flow steadily on; but, owing to the numerous grades of the different ranks in the Force, this question of promotion becomes one of great difficulty as to selection. This may be better understood when it is known that a first-class constable in charge of a station, who is probably Clerk of Court, and holds other appointments for which he is paid extra, is, as regards pay, responsibility, and hard work, infinitely better off than a first-class sergeant in a large town, who gets nothing but his police-pay proper, has to find a house, and oftentimes finds household commodities are far more expensive in towns than in the country districts. It is obviously necessary that many of the sergeants must be stationed in the towns, and I have no hesitation in recommending that in such cases, where they are married, the State should provide them with quarters, or an allowance in lieu thereof. At present, in many cases, the promotion of a third-class sergeant is a direct loss as regards pay.

I may state that, on that recommendation, sergeants in towns were granted an allowance of 10s. a week as lodging-allowance. Even then it is a big loss to a man to be promoted from first-class constable in charge of a station to a third-class sergeant. I think it could be proved that some of them lose £80 or £100 a year.

35. *Colonel Pitt.*] Yet want of promotion has been bewailed all through?—Yes. Then, I go on to deal with the cost of supervision:—

From the return attached, showing proportion of police to population, and cost of police per inhabitant in each of the Australian Colonies, it will be seen that New Zealand is far below any of her sisters in both these respects; but I am of opinion that the time has now arrived that the police, at the centres at least, should be augmented, especially as a considerable number of what appear to be the criminal class are flocking just now to New Zealand, no doubt on account of the depression elsewhere. Another matter I also desire to draw attention to is that at no police-station in the colony have we a matron. There are at many stations a female searcher; but when there are female prisoners the searcher's duty ends when she has carefully searched the prisoner, who is then handed over to the care of constables, usually married men; but I am strongly of opinion that, at the chief centres at least, there should be a matron on the strength of the police establishment, who, after searching the female prisoners, would have charge of them until such time as their cases are disposed of. It is extremely undesirable that constables, whether married or single, should at any time be in charge of female prisoners while they are under detention at a police-station.

I may state that on that I succeeded in getting four matrons for the principal centres at the pay of £100 a year each. Then I go on:—

I am also of opinion that at the larger centres two mounted constables should patrol the suburbs nightly. This has been done during the long winter nights, for three hours, at uncertain hours; but these recommendations, if carried out, mean extra expense, and, therefore, a corresponding increase in the cost of police per inhabitant in this colony.

Then, in my report dated the 1st July, 1894, I state:—

Vacancies in the Force have been, as heretofore, filled by transfers of gunners from the Permanent Militia, and this system continues to work satisfactorily.

Then,—

I was instructed to promote to second-class rank all third-class constables who had served seven years in the Force with clean defaulter-sheets; and shortly afterwards I was directed to promote to second-class rank all third-class constables who had seven years' service in the Force with only one trivial entry in their defaulter-sheets, and these promotions no doubt caused some dissatisfaction. In a Police Force, the fact of a constable having a clean defaulter-sheet should not be the only qualification for promotion, as there are so many different contingencies which should be taken into consideration. For example, two constables join at the same time; one is posted to a city, the other goes to the country. The city man is open to all sorts of temptations, which are wanting in the country station, while he is constantly under the eyes of his superiors, and consequently more liable to have an entry recorded against him in his sheet which would at once debar him from promotion; while his more fortunate comrade in the suburban or country station, though perhaps by no means so efficient a constable, would be far less likely to sufficiently commit himself to cause an entry to be made against him, and would thereby claim advancement before the one who had been less advantageously situated. Again, the public generally, especially in small communities, are apt to think that their local constable is *par excellence* as near perfection as possible, and ought at once to be promoted, quite forgetting that the police is a colonial and not a local Force.

In the next report, of 1895, I still report that the recruits from the Permanent Militia are satisfactory:—

I stated last year that the New Zealand Police Force labours sorely under two great disadvantages—the want of a superannuation scheme, and, as a consequence thereof, and a result therefrom, tardiness of promotion. It was thought that this might to some extent be overcome by promoting to second class all third-class constables on their completing seven years' service with clean defaulter-sheets; but if this were carried out the second class would be very soon in excess of the number provided for by the estimates, and a very serious injustice would be done to some forty now at the head of the list of the third class, who, perhaps, have two or three trivial offences recorded against them, but who, in consequence of these two or three offences, could never be advanced, and would be daily seeing their juniors promoted over their heads. After giving these matters a great deal of serious consideration, I framed a scheme by which increases of pay would be given by length of service, all other things being equal, and if this scheme is adopted I believe it will give general satisfaction throughout the Force, as a man on entering would know, if his conduct and ability gave satisfaction, what exact rate of pay he would be on ten or twelve years hence. If the proposed scheme for advancement is not adopted, I would suggest, in all fairness to the forty constables already referred to as at the top of the third-class list, and to many others, that a continuous service of, say, five years without an entry against them should wipe out any previous record of misconduct, and so place them in a position that will prevent the constant supersession by their juniors on account of irregularities committed many years ago. To carry out efficiently the proposed scheme it will be necessary to have only four classes of rank—viz., Inspectors, sergeants, constables, and detectives, and for these ranks only provision has been made in the proposals now before the Government. At the present time we have no less than thirteen different ranks in a Force of less than five hundred men.

I may state that that scheme, if it had been adopted, would have cost very little more. It might have cost £400 more than we are actually paying now, and every man would have got his increase annually.

36. The scheme would have cost £400 a year more?—Yes.

37. *The Chairman.*] An increasing charge every year?—No; decreasing, because the long-service men would be dying out. Then, I went on to show that there had been complaints about the removals of constables—all put down to different reasons. The brewers put it down to one reason, the prohibitionists to another, and the public to another, and so on. One was removed because he looked too well after the publichouses; and another was removed because he did not look sufficiently well after them, and so on. I went on, about the liquor question,—

In commenting on this liquor question a great deal is said about the Force being reorganized, but I boldly assert that, as long as the liquor laws remain as at present, no organization could possibly successfully grapple with the question.

And I say so still, without the slightest fear of being contradicted. Then, I go on to show what is in my opinion required—that clause 25 of “The (Imperial) Licensing Act, 1872,” *in toto* should be on the statute-book of the colony, instead of merely the last few lines of the clause, as at present.

38. *Colonel Pitt.*] Is that with regard to people being found on the premises during prohibited hours?—Yes. It is perfectly clear that whoever framed our Act had the English Act in his hand, because the last four or five lines are exactly word for word those of the English Act.

39. *Mr. Poynton.*] The other portion of the clause may have been struck out by the House?—I do not know how it came to be left out. I had the clause typed and sent to several members. I do not know whether I acted rightly in so doing or not, but I could never get it brought forward, though the police are always blamed for not doing their duty. Next year, in my report of the 15th June, 1896, I again report:—

Now, as regards the proposed control of licensed houses, it was stated last year, and is now reiterated, that what is required on our statute-book is clause 25 of “The (Imperial) Licensing Act, 1872,” *in toto*, and not as at present, merely the last few lines of that clause.

Then, I go on to say,—

One great disadvantage the Force labours under, and it becomes more apparent every year, and requires no inquiry to find it out, is that many of the sergeants and some of the constables have passed the age of activity required to fill the positions; but, owing to there being no superannuation scheme in force, it seems somewhat heartless to turn away an honest and willing servant, who has given the best part of his life to the service, and grant him merely twelve months' pay as a compassionate allowance, and from this cause the efficiency is doubtlessly impeded.

And I say now I had sergeants and I had constables who were too old for their billets, but I would not recommend their being turned adrift after their service, merely giving them a year's pay. I did not think I was justified in doing so.

40. *The Chairman.*] They were entitled to a year's pay, and that would amount to what, in the case of a sergeant?—£164 for a first-class constable, and £175 for third-class sergeants.

41. That was all they got on being discharged?—They were not entitled to that.

42. *Colonel Pitt.*] They were entitled to a month's pay for every year of service?—No; they were actually entitled to nothing, but usually got twelve months' pay.

43. *The Chairman.*] It has been the practice to give them that?—Only twelve months' pay. Take, for example, the department over which I have the honour to preside. Supposing a warder with thirty-three years' service leaves through ill-health he gets thirty-three months' pay; but a policeman, who is doing very much the same sort of work, with thirty-three years' service only gets twelve months' pay. One is a Civil servant and the other is not. It is optional with the Minister, I may say, to give him anything more, but he cannot claim it as a right.

44. *Colonel Pitt.*] Do you make any recommendation or reference to the Permanent Militia in that report?—Yes, Sir, I am coming to that now. I state that a force of policemen, with a strong detachment of the Permanent Militia had been sent to the Urewera Country, and were there some months. The report goes on to state:—

Owing to the continued absence of so many of the Permanent Force, as referred to in the foregoing paragraph, it was found that qualified men could not be provided to fill the existing vacancies in the police by the Permanent Militia, and consequently the department for some time was considerably hampered through vacancies remaining unfilled; and when the Force returned from the King-country, there were so many vacancies existing that there were not enough qualified gunners to fill them, and after all that fulfilled the requirements had been taken there still remained many vacancies to be filled in the Force, and recourse had to be had to men who had not previously served in the Permanent Force; and by a careful selection on your part of duly qualified men, those admitted have so far given entire satisfaction, and are proving a valuable addition to the Force. It will thus be seen that the system of recruiting for the police from the Permanent Force entirely broke down, and this is only a forerunner of what is certain to happen should war break out, and the Permanent Force be required for active service.

The reason that was put in was: the idea, of course, of getting the police from the Permanent Militia was that when war broke out you would have so many trained gunners all over the country; but it was found that when we came to distribute these men through the colony it would take—well, ten days in some cases to get them here, even supposing you could relieve them of the stations at which they were posted.

The fact of selection for the police being limited to the ranks of the Permanent Force, or about 180 men, renders the field of choice altogether too limited, and allows no scope for picking and choosing; whereas if a selection was made from the general community, a much better stamp of men for constables could be secured. The system of taking the best men from the Permanent Force for the police no doubt seriously affects the efficiency of that Force, and though I see no reason why a man who shows aptitude for the police should be debarred from joining it because he is a member of the Permanent Force, still the regulations making it compulsory to recruit the police from that body should be at once cancelled.

45. Now, I would like to ask here, what was it that changed your opinion on that point? Up to the year 1895, and in that year, you still report that the system of taking recruits from the Permanent Militia for the police was satisfactory?—That is so.

46. And now, in 1896, you say the system has entirely broken down?—Because I could not get the men to start with; and the Commander of the Forces said it was detrimental to his Force taking his best men away for police. They were up at Te Whaiti, in the Urewera Country, instead of coming to us.

47. What happened, in this instance of being called into active service up there, was a defect in the system?—Yes; and also I consider the recruits from the Permanent Force had fallen off. Further, as Mr. Pender stated, I think, to the Commission, and as I say in my report, “another advantage in recruiting outside the Permanent Force is that those selected are strangers to each other, and have not a large circle of friends in the various towns.”

48. For a number of years you report in favour of that system, and then in 1896 there is a complete change of front?—Yes. First of all, we could not get the men, and then the men we were getting were not so good a stamp of men that we had been getting previously, and the Commander of the Forces was objecting.

49. *The Chairman.*] The fact is, Colonel Hume, your mind was mature in 1896 in regard to the opinions you arrived at?—Yes. I state another reason here: “It has been found that men who have gone through their service in the Permanent Force with exemplary characters are often

unable to resist the temptations which naturally beset the path of constables." Well, you can only learn such a thing as that by experience.

50. *Mr. Poynton.*] You are still convinced that the thing has broken down entirely?—Yes. The police could not be got into the centres to be of assistance as trained gunners; they would be too scattered.

51. Your opinion is, that it is a mistake to recruit from the Permanent Artillery?—Alone, yes. It is too narrow a field.

52. *Colonel Pitt.*] Are members of the Permanent Artillery desirable as recruits for the Police Force at all?—Oh, yes. I see no objection to a Permanent Artillery-man being made a policeman. He need not be debarred just because he happens to be a Permanent Artillery-man.

53. And yet you are stating reasons why such a practice is objectionable?—In some cases.

54. *Mr. Poynton.*] You agree that in some cases they make good men?—Yes. I quite agree with Mr. Pender in that. Then, in my report of 1897—my last report—I again hammer at them about the English Licensing Act. I then go on,—

The system of recruiting from the public as well as from the Permanent Militia is working satisfactorily, and there is, of course, a much larger number to select from. I alluded in my last report to the fact that some of the older members of the Force had passed the age of activity required for policemen, and to the hardship that would be entailed if these men were turned adrift, as no superannuation scheme exists; and, as men are being taken on without previous training, it has occurred to me that a scheme somewhat as follows would prove practicable, and would furnish the necessary training for recruits, and at the same time provide for the older men alluded to—viz., that the station at Wellington should be a depot. Recruits, on joining, should be taken on probation for a period of three months, during which time they should be instructed not only in the necessary drill and their outdoor work, but by means of lectures on various matters which it is necessary, to be efficient, they should know. At the end of their probation period, if their conduct and qualifications were satisfactory, they would be taken on permanently, and then could be drafted where required. The older men who have passed their prime should be stationed in Wellington, and the recruits would join them in their daily work, so that whilst the elder men taught the younger and supplied experience, the younger would, while learning their duties, be able to render their elder comrades the necessary assistance in strength and activity required to efficiently perform police duty. The fact that there is a police-station at Mount Cook would facilitate the training of probationers, for towards the end of the probation term the recruits might, by being sent to that station, where they would, whilst still under depot control, have at times to act more on their own responsibility, prove their fitness to enter the Force. The Crown owns ground adjoining that station, and it would, I think, be money well spent if married quarters were erected there, where the older constables could reside.

Reference is made to athletic training; and I also notice here,—

From time to time statements have been published that candidates are enrolled in the Force without proper inquiries being made as to their character and previous history. Now, during the past year sixty-six recruits have joined the Force—viz., Permanent Militiamen sixteen, and civilians fifty. In the case of the former, their conduct and bearing during their service in the Permanent Force, and while (as in most cases) they had been doing temporary police duty, were taken into consideration, while the civilians were specially selected by yourself from a long list of applicants, on the recommendations of reliable persons, and their histories for the last two or three years were carefully investigated.

In support of that I would like to show the Commission the form of application. In that form a man has got to state his last situation, name and address of employer, business, &c., of employer, position held by him, salary or wages, length of stay (giving date), cause of leaving, occupation in the interval. He has also got to state his last situation but one, his last situation but two, his last situation but three, his last situation but four.

55. *The Chairman.*] And what is done with these applications when they come in?—They are filed, and the man is informed his name is put on the roll. They have also to be recommended by two persons. They have to produce two references as to character—responsible persons, well acquainted with the applicant in private life. Then, the mode of selection outside the Permanent Artillery when I was in charge was as follows: I used to tell the Minister how many vacancies there were, how many of those I wanted as married men, how many of the different religious sects, and then I handed him over the roll, and he selected them. He would decide how many of the Permanent Artillery he would take, and tell me the names.

56. *Mr. Poynton.*] Then he had the appointment, not you?—He had the appointment. The Act or regulations do not say the Commissioner is to select recruits.

57. *Colonel Pitt.*] Did you make any recommendation?—No. I may now and then have said, "So-and-so has been in the cavalry, I think he would make a good man," if a mounted man was wanted; but as a rule I did not recommend.

58. *The Chairman.*] You have just touched the question of appointments. Will you now give us some information about the removals, and so on, in order. How were these removals managed?—I would like to say with regard to these appointments, that many of these Permanent Artillery-men had been acting as constables during the time they were in the Permanent Artillery. While in the Artillery they were taken on very often as acting-constables. For instance, while the Exhibition was on at Wellington we had some twenty of them on Exhibition duty, and assisting the police generally.

59. Did they get any special pay?—Yes, their pay was made up to that of a third-class constable, and always is when they do police duty.

60. I think, perhaps, having mentioned the matter of pay, give us at this stage the pay of the several classes?—Unfortunately, I have not got the estimates here. I could not say straight off. I was going to say, in regard to these men who were acting as constables, the Inspectors under whom they had served were asked, before any of them were appointed to the Police Force, to report whether they would make good constables or not.

61. These men who were on that occasion employed as constables?—Who had been employed on any occasion.

62. They have been employed in other cases?—Oh, yes; they have been employed in Auckland too, and elsewhere.

63. Only such men who had been employed and were recommended were received into the Force?—Oh, no; but we asked for a report from the Inspectors as to those particular men whom they had had the chance of seeing on police duty.

64. In those cases the opinion of the Inspector was taken?—Yes. Well, the next thing I would like to say is: I think a very great mistake was made in giving the police an electoral vote. The position is intensified at every election.

65. *Mr. Poynton.*] Will you state the reasons why you think so?—At every general election it is absolutely necessary that men should be sent to different places on that particular occasion, and therefore they are disfranchised. Another thing is: It is all very well for a candidate to go and ask a policeman for his vote, but naturally it must give that policeman a political leaning one way or the other.

66. *The Chairman.*] They are all canvassed for their votes, and it must give them a political leaning?—Quite so. In fact, I go further than that and say that, in my opinion, anybody in the employ of the Government ought not to have a vote. Well, the next thing we get on to is the subject of transfers. The mode I adopted was: I submitted to the Minister a list of transfers that I considered necessary, for his approval. I forgot to state that when I first took over the office it was under the Minister of Defence. Since then it was transferred to the Minister of Justice. The Minister of Justice now administers the police.

67. *Mr. Poynton.*] How long since?—I could not give you the exact date straight off. I should think it was about eighteen months or two years ago.

68. *The Chairman.*] You submitted, then, a list of proposed transfers?—Yes, for the approval of the Minister, and he either approved or disapproved, as he thought fit.

69. You give reasons for your recommendations?—If he asks. I do not put them in writing usually. Sometimes the Minister says, "Oh, well; I happen to know that man: he has got a sick wife; I do not think that climate would suit him. This had perhaps better stand over"; and he would alter that. Another time he will say, "That man has got a very large family: I do not think there is any necessity for moving him." And then, of course, if one alteration is made it entails probably the alteration of two or three others; and, as I have pointed out in my reports, there is this tremendous difficulty about these transfers: If a constable wants to be transferred, we hear nothing about it; it is all right. If he does not want to be transferred, there is a petition almost invariably got up to keep him there. I believe, myself, the best way to get over the difficulty would be to let it be clearly understood a man should be removed, say, every five years. That is quite long enough for him to be in one place.

70. *Mr. Poynton.*] Would that not entail a large cost?—It does not follow. It all depends how far you arrange it. In any case, it is a big cost every year.

71. Can you give an idea what would be the average number of years they stay in one place at the present time?—I suppose there are men who have been at a station for sixteen years.

72. But can you give a rough average?—No, I do not think I could.

73. If the average were five years, then it would be no extra cost to periodically shift them as you suggest?—The average at present is a great deal more than five years.

74. *The Chairman.*] You have cases where men have been at the one station for how long?—I think there was one case of a man being stationed at one place for nineteen years.

75. *Colonel Pitt.*] You mentioned yourself some had remained at the one station for some time?—Fourteen or fifteen years.

76. *The Chairman.*] In speaking of these removals, do you refer specially to those who are in charge of small districts?—Those in charge of different stations.

77. What class of men is placed in charge of these stations—are they men of a particular class?—No, Sir. Do you mean class, or rank?

78. Are they second- or third-class constables, or what?—As I read out this morning, I found in some places junior third-class constables in charge of stations, and first-class constables doing duty in town. I obviated that to a great extent.

79. What is your opinion in respect to that?—Seniors ought to be at the different stations first if they are qualified. In order that I might know exactly how the seniority business stood in this matter, soon after I was appointed I had a distribution return sent in to me half-yearly.

80. *Colonel Pitt.*] Was that continued?—Yes, Sir. It showed, first of all, the name of the station, and the rank and name of the man, whether mounted or foot, whether married or single, number of children, date when he went to the station, religion, residence of parents or relatives if in the colony. Then there is a note at the bottom of that return: "Officers in charge of stations are to be filled in first, above; all others on the strength of the district, but not in charge of stations, will be entered according to seniority," so that I could see directly who was the man in charge, the order of seniority, his religion, number of children, and so on; and so see whether he would be a suitable man to be transferred to a particular district or not.

81. Why do you ask their religion?—I will answer that, but I would rather that it should not be taken down. Well, there is no use mincing matters: if there are two out on a station, I do not think there ought to be two Roman Catholics or two Protestants. I think there ought to be one of each.

82. *The Chairman.*] You desired a diversity of religions amongst the men on a station?—Quite so; and on the big stations I liked a fair sprinkling of each.

83. The number of country stations where there are more than one is not large, is it?—Oh, yes, there are a great many places. Just to give you an idea: Coromandel, 2; Devonport, 2; Eden Terrace, 2; Newton, 3; Gisborne, 5; Hastings, 2; Waipawa, 2; Wairoa, 2; Patea, 2; Stratford, 2; Feilding, 2; Manners Street, 2; Masterton, 3; Palmerston North, 5; Blenheim, 4, and so on. While on this return I just wish further to explain that this return placed me in a position to know as to whether the first man was the senior man, and was fit for a station that was vacant as regards number of children, where his relatives were—for that is an important consideration—and so forth. Of course, I knew nearly all the men in the Force, or something about them. I knew pretty well their qualifications right through the Force. Then I got in that return which

you saw yesterday. I found very often I was not sure whether a man was fit to be mounted or not, if it happened to be a mounted constable's station that was vacant. Further, I did not know whether a man was fit to be Clerk of the Court or not, whether Stipendiary Magistrate's or Warden's, and so I got that return; and with those returns before me I was in a position that I could tell pretty well how a man would do on a station without referring to the Inspector at all, and in many cases I did not refer to the Inspector, asking him whether he thought the transfer was a desirable one or not. I think it was stated yesterday, when I transferred a man who was Clerk of the Court, for which he received £10, I invariably transferred him to a station where he would also be Clerk of the Court. I do not think there was any exception to that at all, so that the man would lose nothing by it. I did not, however, go further than Clerk of the Court. For instance, there were men who were agents for the Public Trustee. Well, I could not consider that. It would be an endless thing if I went in for consideration of everything. Another man, for instance, is Postmaster at a place, for which he gets as much as £15 a year.

84. Well, in transferring constables who were Clerks of Court you put them in posts where they would act in the same capacity?—Yes, but I did not go beyond Clerks of the Court; and also when I knew that a man had a grown-up family or just growing up I endeavoured to get a suburban station for him where there would be a chance of his children getting some employment. I do not know that there is anything else about transfers. There was something said yesterday about men paying for their uniforms. That is a matter I never considered one way or the other. I never had any complaint about the men having to pay for them, and I never considered it one way or the other.

85. Do you know whether that was taken into account in fixing the rate of pay?—I could not say at all. While on the subject of pay, I may mention that when I submitted my scheme that they should be paid by increments—by length of service—I was careful in framing the scheme that no man should lose anything—that is, that no man should be reduced by its coming into effect; and in order to do that I had to start at a lower scale than they were getting: that is to say, that a third-class constable at this time was getting £127 10s. a year to start with, and in order to carry out my scheme he was reduced to £120 a year, £7 10s. being taken off for the first year.

86. You had to suggest a reduction of pay to the new men?—Yes, I was obliged to do that, because I had to work up to such a high scale to prevent anybody being reduced. The scheme was submitted to the Premier, who was then Defence Minister, I think about January or February of the particular year, and he gave me to understand that he approved of it and would submit it to Cabinet.

87. What year was that?—I think it was 1895—1894 or 1895. When the 1st of April of that year came round I put the men joining after that date on the £120, because the scheme was to start from the 1st of April. The Premier was extremely angry with me, and said I should not have reduced the pay without his sanction. I explained to him it was a misunderstanding—that I thought the scheme was to be adopted, and that I knew if it was not adopted the men could get the balance afterwards; whereas if they had been paid the higher scale they could not have been made to refund. He told me to let the matter remain as it was, and the men have received the £120 ever since.

88. That has been going on ever since?—Been going on ever since.

89. And has the other part of the proposal been adopted?—No; the scheme has never been adopted.

90. The progressive rise has never been adopted?—No.

91. So that they have got the reduced pay without the progressive rise?—Yes; the scheme was never adopted. I may say that I consulted several of the officers and men, and they all seemed to approve of the payment by long service. They did not know the exact scale, but they knew they would be paid by annual increments, or whatever it was, and they knew—or they would know from my proposal—that if they came into the service, and behaved themselves for, say, ten years, they would know what pay they would be getting at the end of that period.

92. Your scheme was to give a rise every two years?—I will not say it was every two years, but it was something of that sort. I think it was something like two years right through, but it was taken by service instead of classes. I may say it is the same system that was in force in the Royal Irish Constabulary and in the London police.

93. Can you state the changes that have been made in the rate of pay during, say, the last ten years?—There has been no change during the last ten years. I think I can speak pretty well since 1880, and I do not think there has been any change in the rate of pay since that time.

94. I would like to know the class of men from whom the police are recruited—the social class, as compared with the wage-earning community—who do they rank with?—They are farmers' sons as a rule.

95. Then you do not place them in the same category as skilled mechanics?—We very seldom get skilled mechanics.

96. You put them as a sort of superior labourer?—Yes.

97. Do they come from the labouring class, or the skilled mechanic class?—They are farmers' sons as a rule.

98. Who have no trade or occupation of their own?—Quite so.

99. *Colonel Pitt.*] Do you mean agricultural settlers?—Yes; principally agricultural men—men who have worked on farms, ploughmen, and so on. Of course, when I said there was no material change of pay I told you this morning the long-service pay was done away with.

100. *Mr. Poynton.*] And the goldfields allowance?—And the goldfields allowance. The long-service pay was done away with in February, 1886.

101. *The Chairman.*] You say the Force is primarily composed of men who have worked on farms—agricultural labourers, farmers' sons, and others, who have not been trained to any particular pursuit?—Yes.

102. In fixing their pay, what class of men do you consider they should run side by side with as regards pay?—Well, I should think, very much on the same lines as the present warders.
103. *Colonel Pitt.*] I think the Chairman means in ordinary life?—I should say they should all earn from 6s. to 7s. a day.
104. *The Chairman.*] What I want to get at this this: whether you consider the rate of pay of the police should be the same as that of an ordinary labourer, or whether it should be equal to that of skilled labour, or how would you rate it?—Oh, I should say ordinary labour. Of course, they have many advantages. For instance, in a place like Wellington their mess was, when I had charge, about 1s. 3d. a day—1s. 3½d. to 1s. 4d. They get three good meals a day for that, and they get light and fuel and lodging for nothing—that is, those who are single men.
105. You say it should be at the rate of an ordinary labourer with the advantages of free quarters, light, lodging, cheap mess, and so on?—Yes. There was a question raised about the strength of the Force. The strength was shown in 1886 as 494, and in 1896 as 484, showing a decrease of 10, with a large increase of population. Now, if we come to the next year, 1897, we find an increase there of 32 during that year. Now, that is accounted for because of the boom in Auckland. We had to open stations on the goldfields on account of the big boom; and also on account of the influx of people there were increases elsewhere. I am trying to show this: that the police were not unnecessarily decreased. The comparison of ten years is no criterion at all. They had not got bicycles ten years ago.
106. *Colonel Pitt.*] Who had not?—Nobody; the general public. The police in Christchurch, for instance, have now to my certain knowledge over 20 bicycles of their own private property. They carry out portion of their duties on them.
107. *The Chairman.*] Well, I suppose they are taking the place of the troop horses, because one year we had 119 troop horses?—You cannot do that, because we have to get troop horses in places where they cannot get bicycles.
108. *Mr. Poynton.*] But then the thief gets a bicycle too?—Oh, I do not think it has come to that.
109. *The Chairman.*] Please explain what facility there is for the use of the bicycle?—A man can go three miles in ten minutes instead of its taking him three-quarters of an hour.
110. When going to serve summonses?—Yes, or anything in connection with his duty. What I want to show is that the whole state of living has altered altogether. The telephone system was not in vogue ten years ago in the way it is now.
111. You wish to show that the police are more efficient owing to mechanical appliances?—Quite so.
112. A given number of men can do more at the present time than they could ten years ago?—Quite so. The telephone alone is an immense help, and so is the bicycle.
113. *Colonel Pitt.*] But it does not do beat duty?—Oh no. And then, in addition to that, I would point out—and I think the Year-book bears me out—that there has been a steady decrease of crime.
114. *Mr. Poynton.*] Say, for the last ten years?—Say, for the last ten years.
115. *The Chairman.*] When you say "reduction of crime" do you mean any particular class of crime, or do you mean generally?—The general criminal returns; but it is not to be wondered at because we all know when the goldfields broke out the riff-raff of society came here. You have not your Sullivans and your Burgesses and those people now. Those people have died out, or have gone somewhere else, and the criminals that come to New Zealand now are few and far between.
116. You say there has been a falling-off in the returns of crime during the last ten years?—The Year-book will show that.
117. In face of the increase of population?—Yes. There will be an increase this year; but what is it? A hundred and five Maoris shut up in gaol because they ploughed someone's land. That will make a big increase in my prison returns this year.
118. *Colonel Pitt.*] Do you think that burglaries have decreased during the last ten years?—I think, perhaps, they have increased this year, because they ran rampant in Auckland for a short time.
119. During the last two or three years they have not increased?—No; I do not think so. New Zealand is the least of all, except South Australia, in regard to apprehensions on summonses and commitments, according to the Year-book for 1897, page 336.
120. *The Chairman.*] I understand you to be expressing the opinion, although not in direct words, that in this colony we do not require the same numerical strength of police in proportion to population as is required in other colonies?—That is my decided opinion.
121. *Colonel Pitt.*] Is there any reason why the police in New Zealand should be paid less than in the other colonies?—No; I do not think so. Perhaps I am hardly competent to give an opinion. I have not been to any of the other colonies, and I do not know what the rate of living is there. It may be more expensive living for all I know.
122. *The Chairman.*] Is there anything further you can tell us at this stage?—I may mention that when I took charge I found when reports against constables were brought to and heard by Inspectors, the constables were not always told what was in those reports; and if they were punished or admonished, or whatever it might be, they were not told whether it would be in their defaulter's sheet or not. The matter came up when these promotions for seven years' service without an entry in their defaulter's sheet came on. Men stated they thought they had clean defaulters' sheets; and when this matter came up it was found they had two or three entries against them, and they said they were never told of these entries. I gave strict orders that a man was to see a report against him, and given a chance of making his defence; and then he was to be told whether the entry was to stand against him or not. Then, in the matter of rewards, there is a Police Reward Fund, standing, I think, with a credit of £2,000, made up from fines.

123. *Colonel Pitt.*] Solely from fines?—Largely made up from fines; but when the two forces were separated in 1886 it was halved—the police got their half, and the Armed Constabulary their half.

124. *The Chairman.*] Made up of fines inflicted on the men themselves?—Inflicted on the members of the old Armed Constabulary Force. It is at the discretion of the Commissioner to give these rewards for meritorious conduct, showing any special aptitude in any special case—detection or anything of that sort. I generally asked the Minister to approve it; but I believe there is no reason why the Commissioner should not do it. I think I have given it myself in some cases. There is also an item on the estimates for rewards for sly-grog selling. The Minister has to approve of that. I may say rewards are always given in the cases of detection of sly-grog-selling.

125. *The Chairman.*] That reward is at the disposal of the Minister?—Yes; a separate fund. Anything over £5 in connection with the Police Reward Fund has to get the sanction of the Governor. Then, there is £8 given for every deserter from the Navy.

126. *Colonel Pitt.*] That is paid by the Admiralty?—£3 is paid by the Admiralty, and £5 by the Colonial Government.

127. Who gets the £8?—The constable that makes the arrest. Then, £3 is given for stragglers by the ship.

128. That is for over-staying leave?—Yes. Of course, the ship deducts it from the men's pay. Merchantmen also give a reward for the apprehension of their men.

129. *The Chairman.*] In those cases the reward is a personal one to the constable apprehending?—Yes, and it is entered in the man's merit-sheet.

130. *Colonel Pitt.*] One matter we have to inquire into, Colonel Hume, upon which you might give us your experience, is as to the morality of the Force during the time you were Commissioner?—It seems to me that in regard to that it would be well to produce the defaulters' sheets. They will show you for the last ten years how many men have been punished. Of course, I cannot say whether men have been immoral and not been detected, or whether they have been drunkards and not been detected. If any particular case is brought up the papers can be produced. I may say I am entirely satisfied with the morality of the Force, and its sobriety, and I consider that in this colony we have a thoroughly reliable and efficient Police Force, and that there is no disorganization.

131. *The Chairman.*] Can you suggest an improvement in the system of rewards for the detection of crime?—No; I think the rewards are ample.

132. Ample with respect to the arresting of deserters, and so on. Do you suggest any system of rewards for the detection of crime, or do you think it unnecessary?—You can go up to any amount you like, only the Governor's sanction has to be obtained after £5, but I have never known it to be refused.

133. Have you anything further you would like to state at the present moment?—No, I think not.

134. *Mr. Poynton.*] How do the rates of pay of the warders compare with the police?—A warder on entering the service gets £125 a year and quarters, or £20 a year in lieu of quarters—that is to say, if we have not got a house to give him, and he is a married man, he gets an allowance of £20.

135. He also gets his uniform?—Yes; uniform free, but not food.

136. *Colonel Pitt.*] How long is his uniform supposed to last him?—He gets a serge suit and two pair of boots and an extra pair of winter trousers once a year, and a dress suit, which he has to wear on Sundays and at the Supreme Court, every three years, and a great-coat every three years, and a cap every year. Of course, he gets nothing else—no rewards, or anything of that sort.

137. *Mr. Poynton.*] Are they recruited from the Police Force or the Artillery?—Principally from the Artillery, and some outsiders, too. If a policeman asks to be transferred he generally is if he is a good man.

138. What is the system of granting leave in both branches?—The police get twelve days' leave a year on full pay, and the warders fifteen days—fourteen days, and an extra day for Queen's birthday.

139. A man cannot forego his leave one year and take double the period of leave next year?—No, it is not cumulative.

140. You were getting no pay as Commissioner of Police?—None whatever. I never had a penny; and part of the time I was Under-Secretary for Defence, for which also I got nothing.

141. *The Chairman.*] You ceased to be Commissioner of Police when?—On the 25th October, 1897. When I handed the department over to Mr. Tunbridge I received the thanks of the Minister for having satisfactorily performed the work.

142. *Mr. Taylor.*] I propose, first of all, to ask Colonel Hume some questions about the police regulations. The regulations that are in force now were gazetted on the 12th January, 1887, I think, with some slight alterations which took place in March of last year?—That is so.

143. Section 7, or regulation 7, and regulation 59, were repealed on the 18th March, 1897?—Yes.

144. Regulation 7 reads: "Applications for enrolment in the Police Force (hereinafter termed 'the Force') are to be made from the Permanent Militia exclusively (see section No. 59)". That was supposed to be in full operation from the 18th October, 1887, up to the 18th March, 1897. Was the rule fully enforced?—No. Of course you cannot get blood out of a stone. There were no men, and the police could not wait.

145. In your report of 1891 you say "the recruiting from the Permanent Force continues to work very satisfactorily"?—Yes, that is right.

146. And the same in 1892, 1893, 1894, and 1895?—That is right.
147. Then, up to 1895 was this exclusively enforced?—I expect so.
148. What I want to get at is this: From 1887, or from the time you took charge, up to the 18th March, 1897, or up to the time when the recruiting from the Permanent Artillery broke down, were all the appointments made from the Permanent Force?—That is easily found out, but I cannot answer you straight off. I do not think they were.
149. Would you say whether there were any appointments made from outsiders?—I cannot say without having access to the documents. I think it is answered in one of my reports. In the report for 1891 I state: "This, however, does not debar special enrolments for the police of desirable men who, from previous service in the London or county police in England, the Royal Irish Constabulary, or (for mounted men) in the Imperial cavalry, are likely to prove efficient recruits though they may not have served in the Permanent Militia."
150. Do you remember whether a man named G. H. Nixon was appointed direct to the Force, without having served in the Permanent Artillery?—Yes; I think he is acting-detective now. I think I can tell you without reference to the papers about him. We had very reliable information that the Government Buildings were going to be burned down, and we put Nixon on. He was given to me as a very reliable man. We put him on as night watchman, and I told him when I put him on I would try and do something for him if he carried out his duties satisfactorily. He was there, I think, three months, and then I got the Minister to appoint him to the Force.
151. That was in contravention of the regulations?—Oh, yes.
152. Do you know whether he was secretary to Mr. Lawry's election committee in Parnell in 1893?—I do not know. I know he is a very good acting-detective. As far as I remember that is the exact circumstance. I think he is the man.
153. *The Chairman.*] In what year was he appointed to the Force?—I cannot tell that. He has got about three years' service.
154. *Mr. Taylor.*] In the Police Force?—Yes.
155. I would like to ask whether Nixon, before he was appointed acting-detective, had any experience of constable's work?—I should think not.
156. He went straight on as acting-detective?—Oh, no; he did constable's duty for some time and plain-clothes duty, but that does not affect me. The Inspector runs his own district. I do not tell him, excepting, of course, occasionally; when I know a man has done something very good in another district, I may tell the Inspector. I may say they are not acting-detectives, they are plain-clothes constables.
157. You do not know he was a member of Mr. Lawry's election committee?—No; that is the first I have heard of it.
- 157A. You do not remember Mr. Lawry recommending him?—No; but that can be ascertained from the form of application.
158. Are there never any other recommendations, excepting those that accompany the application or are attached to the application form?—The man has to be recommended by two respectable people, and he has to show his last five situations.
159. Are there not other persons recommending in addition to the two that fill in this form?—Yes.
160. Are they not kept?—No; returned to the man, unless they are copies.
161. You are quite clear Nixon was appointed on the recommendation of the Minister?—I did not say so. This man was taken on in a peculiar sort of way. If my memory serves me right, we put on two men. I do not remember the name of the other man. He was taken for this night-watchman business, and told if he carried out his duties something would be done for him, because it was a very ticklish business. We had reliable information that arson was going to be tried.
162. You think an inexperienced man was a good man to employ for the purpose of preventing the buildings being burned down?—You do not want a detective to walk round a building to see that it is not burned down.
163. The point I want to get at is that he was appointed in defiance of the regulations?—I would not say so straight off, but I believe so.
164. Did you make any appointments at all during your term of office without consulting the Minister?—I do not think so. I will not be certain. I may have at first, but I do not think so.
165. If that is so, this man must have been discussed with the Minister before he was appointed?—No doubt. When this Government Buildings scare was over I took this man's name to the Minister.
166. *The Chairman.*] You took a special outside man to do this duty?—Yes. I took two men.
167. *Mr. Taylor.*] Why did you not go into your own Force?—I had not got the men to spare.
168. *The Chairman.*] He was an outsider, who came recommended to you to do this duty?—Yes.
169. *Mr. Taylor.*] I would like to know whether the practice could not have been followed of taking some of the artillerymen to do this special duty?—I do not think it could. If my memory serves me right it was about seven o'clock at night when we heard it.
170. And would not the Permanent Militia be available?—No; I do not think it would, as far as I remember.
171. What becomes of them at night?—I am speaking from memory. They may have been up in the Urewera Country.
172. Was it necessary to put a man on in an instant, and was this man the only one on the spot?—I do not say so. It is impossible to tell at this stage what were the exact circumstances.
173. In your evidence you said that you gave in the list of applications for employment the number of men of each religion required. Is the ratio of religion fixed so far as the police is concerned?—No.

174. How do you determine the number of religions required for each particular body?—Only my own idea.

175. No fixed rule?—No fixed rule.

176. In making the appointments, is there a fair proportion allotted to each province according to the population, or are they selected haphazard from the different provinces?—The Minister could answer that; I could not.

177. The whole of the appointments really are Ministerial appointments?—Quite so; and I cannot see anywhere that the Commissioner has to appoint them. I do not see it anywhere in the regulations.

178. What was the practice when you took charge—the same practice?—I think so.

179. Did you never make an appointment during the first six months of your office?—I may have, but I can let you know later.

180. *Colonel Pitt.*] Do you know when the system of referring to Ministers commenced?—I could not tell you, but it can be ascertained.

181. *Mr. Taylor.*] Colonel Hume mentioned a return that he had prepared when he took charge of the department, having special reference to transfers, that would enable him to know the merit of the men who were entitled to transfers, and so on?—Excuse me, I did not say anything about that. I said I knew the men, as a rule. There was nothing about merit.

182. To give you their standing, then?—Their seniority, their religion, where their relatives resided, and so on.

183. That would enable you to know whether it would be wise to make a transfer?—That is right.

184. *Colonel Pitt.*] You said transfers were practically made by the Minister?—So they are.

185. Did he consult these returns before he made any alterations of your suggested transfers, or did he just make the alterations?—He had that return before him, and also the other one.

186. Did he study it carefully?—I do not know whether he studied it carefully; but what I pointed out was this: He has said to me, "I know that man, he has got a sick wife, and I do not think he ought to go there."

187. *Mr. Taylor.*] Has any Defence Minister under whom you have served visited all the police-stations throughout the colony and become personally acquainted with the men?—I cannot tell, Mr. Taylor. I do not know what the Defence Minister does when he is away.

188. Did he make himself personally acquainted with the members of the Force?—I do not know. I should think it likely, for instance, that Mr. Seddon knows every policeman on the West Coast.

189. A good many appointments have been made from the West Coast?—Yes.

190. More in proportion than the population warrants?—No; I cannot say that.

191. Did you make any official visit with the Minister through the whole district?—No.

192. And you do not know that any Minister ever made a deliberate visit of inspection all over the colony: he may have done, but you do not know of it?—Quite so. I have gone round with the Minister of Justice two or three times; but I have not gone with the Defence Minister, I hardly think, anywhere.

193. As a matter of fact, have not some of the men been in the same place twenty years?—I would not like to say that straight off, but I can produce a return in connection with that. I think a man outside Nelson is about the longest, but I could not say how long that is. I wanted to be on the safe side when I said sixteen years.

194. Colonel Hume stated that in making the transfers he always transferred an officer who had been Clerk of the Court to another place where he would be Clerk of the Court, so that he would not lose his £10 a year?—As near as I possibly could.

195. Have you never had any complaints from constables who are qualified for country stations, and who have clean defaulters' sheets, in regard to taking men who have been Clerk of Court for years and years down to town duty, and letting other men take their places?—Undoubtedly; they have a right to have a turn when there is a vacancy.

196. Both for the experience and the emolument?—Yes.

197. In the scheme of classification you said you submitted to the Minister, the Premier, and which you thought he approved, did the reduced pay only apply to third-class constables?—That is all.

198. No other rank was reduced?—No.

199. The lowest paid body of men were the men who were affected by this reduction?—Yes.

200. Your idea was that that reduced pay should be put to a special fund to provide for retiring allowances?—No. What I meant to say was this: when I started this thing I did not want anybody to be reduced at all that was in the Force. Those men who lost the £7 10s. were not in the Force at all: they were coming in, and in order to work up to first-class constables who were on big pay—to work a sliding scale up to that—I had to start at the lower pay.

201. The reduced pay was approved of, but the scheme itself was not adopted?—No, the reduced pay was not approved of. I got "wiggled" for introducing it without authority.

202. But it was adopted?—The Minister said, "Let it stand."

203. There is one regulation, part of Rule 202, that provides for eight hours' duty at night: do you not think that is largely responsible for some of the offences that constables are reported for?—I may explain in the day-time they are four-hour shifts, but the night shift is from 9 at night to 5 in the morning.

204. And he is never to sit down?—No, never to sit down. That is the practice in all Police Forces. I do not know how you can relieve it. It is universal, I think.

205. Is there no means of allowing a man to go to the barracks for an hour?—No. I tried to work that, but I found I could not. I believe it is the rule in every Police Force in the world, as far as I know, to have an eight-hours' shift at night.

206. As to the question of uniform, you are strongly of opinion they should get their uniforms free?—I have never given the matter much consideration.

207. And the house-rent for constables?—That is a very big item.

208. Sergeants get an allowance of 10s. a week towards their house-rent, whilst a constable on a smaller rate of pay has to pay his house-rent without any assistance at all?—Yes.

209. Constables are under the necessity of answering all fire alarms?—I reduced it down to one-half of those off duty.

210. Is that a fresh regulation?—It was in February, 1896.

210A. In regard to the reporting of offences of constables, I think Colonel Hume said the report was prepared, and then the constable was allowed to see the charge that was made against him now?—Yes.

211. And then he makes a reply?—Yes.

212. Is there any official report by his Inspector that he does not see?—I believe a case has happened lately in which it was not shown. I think it ought to have been shown. I may say it was against the regulations. It ought to have been shown. I refer, of course, to Chief Detective Henderson's case. It ought to be shown in every case.

213. The Inspector's comment on the charge to the Commissioner should be shown?—No, I do not think so.

214. Seeing the man's rate of pay is involved, and his status in the Force, why should not the Inspector's comment on the report be shown to the constable affected by it?—If that were done it would destroy discipline altogether. If you did that you might as well show the Commissioner's minute to the Minister, and the Minister's direction to the Commissioner. I do not think the constable should see that; but I will add this: that all the time I was Commissioner, if a man asked to see it it was never refused.

215. *Mr. Poynton.*] He had no right to see it?—That is my idea. He should not be able to claim the right. There might be things in it that the constable should not see.

216. *The Chairman.*] I suppose Inspectors' remarks are taken almost as conclusive? You do not hold any other inquiry?—It all depends what the punishment is. If it is only punishment, not attended with dismissal, there is generally an end of it. Chief Detective Henderson's case is a case in point.

217. But that was an appeal by petition to Parliament?—Yes. However, I would say this, in answer to that question: I think the Commissioners will be able to judge when they see the offences, and the punishments that have been awarded, by the records.

218. *Mr. Taylor.*] I know of cases in the Canterbury District where the Inspector has been at loggerheads with men, and for a considerable time there has been great feeling between the Inspector and certain men. A man has been reported for an offence by the sergeant; the man has been shown the sergeant's complaint and made his reply. Then the Inspector has also made a report on the case, and sent it on to the Commissioner, but the man has never seen the Inspector's report?—If it is not on the defaulter's sheet it is not worth talking about.

219. But when it is on the defaulter's sheet it has gone too far then?—It may seem a matter of opinion, but I believe it would be detrimental to discipline. In just the same way there is an agitation about disclosing probation officers' reports, in regard to which I believe a Bill was introduced into Parliament. I believe it would be detrimental to publish them.

220. *The Chairman.*] What does the Commissioner decide upon? How does he get the facts to decide upon?—I was not entirely guided by any Inspectors' reports. I generally knew something about the case. Of course I cannot say exactly. Mr. Taylor will not name any particular case. All I say is this: that a man has ample opportunity of coming to this Commission and stating his grievance. There will be no black mark against the man for doing so.

221. *Mr. Taylor.*] I would like to know whether Colonel Hume, in cases just referred to, attaches much importance to the Inspectors' comment?—It all depends who the Inspector is.

222. Did I correctly understand you to say that there were some men retained in the Force, who were incapable from old age, simply because there was no superannuation scheme or retiring-allowance?—Yes, I think I can say that.

223. There are men in the Force who are incompetent?—Well, no; they are not incompetent, because they are given billets which they can fill. I have one in my mind's eye at present. I found him at the Bay of Islands struggling to get on a horse, and he was given the billet of Inspector of Weights and Measures at Auckland, which he can carry out, so that he is not altogether a "drag."

224. Are there not a number of men whom you would like to retire if you could make superannuation provision for them?—Undoubtedly.

224A. They are retained because there is no superannuation fund?—That is it.

225. Colonel Hume said he thought it was a mistake to give the Force a Parliamentary vote, because of the influence at elections. There are only 500 of them altogether, spread all over the colony. Do you not think they would be as much a political power if disfranchised, as they are now, probably more?—No. A candidate goes to a man, and says, "Are you going to vote for me?" That man has a certain lien on the politician if he gets in.

226. You have said: "I consider the Force thoroughly efficient; no disorganization exists"?—Yes.

227. In your report for 1891, there is this paragraph:—

The Detective Force is in an unsatisfactory state, owing perhaps to the fact that men have been selected for this branch more from the number of arrests made by them when constables, or the number and verbosity of reports furnished, or, worse than all perhaps, from political influence or favouritism, instead of from special intelligence, or natural gifts and extraordinary powers.

That is deliberately stated in your report of 1891. Does that not mean disorganization? How do you reconcile the two statements?—I flatter myself that I have wiped all that out.

228. Have there been many retirements from the Detective Force?—Not many, but the men in it have been very much improved.

229. Take the clause preceding :—

There are too many ranks, both of sergeants and constables, and a new classification is much required. Firstly, third-class sergeants should be rated as senior constables; secondly, the rank of sergeant-major, which is an anomaly in a police service, should be abolished; thirdly, the second- and third-class constables should be amalgamated; and lastly, the office of chief detective should be done away with. The rank of sergeant-major has virtually become obsolete. In former times the holder of this position was selected for his knowledge of drills, which he imparted to the men, but now the office is administrative, and to a great extent absorbs or monopolizes the duties which ought to devolve upon the Inspector; besides, a sergeant-major is an unnecessary go-between the ordinary rank and file and the superior officer.

That existed in 1891?—Yes.

230. Have you altered that?—No.

231. And yet you say you consider the Force thoroughly efficient and not disorganized?—Yes. It is not disorganized because that remains so. It is not disorganized because all my recommendations are not being carried out. All I say is, it would be better if that were done.

232. There is a general muddle in ranks?—There is no general muddle at all. There are too many ranks, that is all. That is what is the matter.

233. Have you not said the number of ranks bars promotion?—No, I have not said the number of ranks bars promotion.

234. Have you not said that too many sergeants bars promotion?—Yes.

235. Does that not mean disorganization?—Yes; but that is all wiped out now. Sergeants were made the other day.

236. Has the Chief Detective been abolished?—No, but the fact of retaining the name does not disorganize the thing. I never supposed when I wrote those reports that every recommendation was going to be carried out. If I got half of them carried out, I think I would be lucky.

237. At the present time it is not over-officered at any point?—I have nothing to do with the present time.

238. At the time you left off control?—At the time I left off control they were an efficient body.

239. When Colonel Hume said it was thoroughly efficient and not disorganized, did he refer to to-day, and not to October last?—No; I say it was not disorganized in October last. The fact of there being too many sergeants does not disorganize it. The only thing is the unfortunate rate-payer has to pay if there are too many sergeants. It ought to make it much more efficient.

240. Does not dissatisfaction mean disorganization?—I have not said there was dissatisfaction amongst the men.

240A. In your report of 1891 you say: "A better feeling has, I am glad to say, already been established, and though promotion has been blocked, the disappointment is less acute than if juniors had been promoted over the heads of their seniors for no greater qualifications or recommendations than political or local influences"—That is what I call disorganization—putting juniors over seniors.

241. Had that stopped in 1891?—I think quite stopped.

241A. And local or political influences do not affect transfers and promotions in 1897 at all?—Local and political influences; when did I say that?

242. Here; the term is here in your report?—That must have come on after that, because I have told you straight about that; that they do exist. The promotion was blocked at that time, there is no doubt about that.

243. It is not so now?—No; they are promoting them now.

244. And those injustices have absolutely ceased now?—Of promoting juniors over the heads of seniors, I think absolutely. There may be some exceptions.

245. What would the reason for the exception be?—Well, for instance, the constable that caught the convict Allandale; he would be promoted for meritorious conduct.

246. Were not some promotions made by the Minister during your term of office without any reason being given you at all for the promotion?—No; I do not think so.

247. You do not remember a single case?—No; I do not think so.

248. Were all the promotions recommended by you adopted by the Minister?—Yes, I think so.

249. In every case?—I think so.

250. Was it only in regard to transfers that he interfered with your recommendation?—Yes; I do not think he interfered with any promotions I recommended. In the detective branch he made more promotions than I had recommended, but in the way only of seniority.

251. In the other branch were no promotions made without your recommendation?—I do not think so.

THURSDAY, 17TH FEBRUARY, 1898.

Examination of Colonel ARTHUR HUME on oath continued.

Colonel Hume: I wish, Sir, to correct a mistake, which I find I made yesterday. When I spoke of Constable Nixon being one of those two men who were employed as night-watchmen at the Government Buildings when an attempt at incendiarism was suspected, I was entirely wrong. Constable Nixon was a different man from either of these two. The Commissioners can easily understand how the mistake arose, because at that time I was also Under-Secretary for Defence, and it was impossible for me to remember details of each particular branch. Both of the two men employed as night-watchmen were appointed to the Militia after they had completed their work at the Government Buildings.

252. *Mr. Taylor.*] And were subsequently taken into the Police Force?—One is in the police now. The other is still in the militia.

253. *The Chairman.*] Where did Constable Nixon come from?—He was not in the Permanent Artillery, he was taken on direct from the outside.

254. *Mr. Poynton.*] What date was that?—The 14th April, 1896. He was recommended by Mr. Lawry, M.H.R. for Parnell, by Mr. Seymour Thorne George, and by Mr. Duthie, manager of the National Bank of New Zealand, all at Auckland; and on his application he showed his trade as that of "casual canvasser." He is still in the Force as plain-clothes constable at Wellington.

Colonel Hume: Yesterday, Sir, I was asked to produce some papers. I have here Circular No. 4 of the 14th April, 1887, in reference to the goldfields' allowance being abolished, and doing away with long-service pay. The approval is dated the 12th February, 1887.

255. *Mr. Poynton.*] Who was the Minister?—Hon. John Ballance. This circular is in the handwriting of Major Gudgeon, who afterwards signed it when sending it round the Force. It is as follows:—

(Draft Circular for approval.)

FROM and after the 10th February, 1887, men joining the Police Force will not be entitled to receive long-service pay whether by virtue of previous service in the Armed Constabulary Force and Permanent Militia or of subsequent service in the Police Force; but this regulation shall not affect the rights of any member of the Force who joined before the 10th February, 1887.

Members of the Force transferred to the Lake and goldfields districts from and after the 10th February, 1887, will not be entitled to receive the goldfields allowance heretofore granted; but the rights of those already stationed in those districts will not be affected by this regulation.

Approved.—J.B. 12/2/87.

The next paper I was asked to produce was in reference to the examinations being done away with. I take the whole responsibility of that order, and I think I gave the Commissioners to understand why I did away with the examinations. I did not ask the Minister to do it, but did it on my own responsibility altogether. However, I showed to the Minister the report of the examiner, who was very anxious that it should be published in the papers. I was not, however; and I took the report to the Minister, and we decided it was not to be published. I will read it to the Commission, as it has a good deal to do with my decision to do away with the examinations. It is as follows:—

SIR,—

Oamaru, 5th July, 1890.

I have the honour to forward herewith attached a list of successful candidates at the junior police examination on the 17th day of June, 1890, and to add a general report, with a few criticisms on the papers, in the hope that they will encourage the members of the Force to persevere in this undoubtedly most useful work, which compels them to acquaint themselves with all the details of their duties, responsibilities, powers, and privileges, besides better educating them to approach the high standard raised by the code, which requires the constabulary to consist of well-educated, intelligent, truthful, honest men, as guardians of our peace and our laws; to be wise as serpents and harmless as doves; to protect the weak, unfortunate, and destitute; to encourage those trying to reform, who should be physically and mentally strong to do right, and terrors to evildoers who persist in crime. I am confident that the police regulations and Acts relating to crime, and duties devolving on the police, have been more studied during the last twelve months than for many years past; but I would strongly recommend—and I speak from experience—that side by side with the theoretical the practical knowledge of discipline be maintained by parades and drill, so easily to be acquired, as there are drill-instructors residing in nearly every town in New Zealand, whose services could be obtained at a very little cost compared with the advantages to be gained. There are other essentials to maintain the high character of this splendid and most useful body of men—viz., to be deprived of the franchise and disconnected altogether from political influence; to be well-paid, from 8s. per day and upwards, and, as promotion is slow, let time count for increase in pay, so that first-class constables may not weary for the retirement of sergeants; and, above all, have a pension-fund, to be contributed to by the men, and largely subsidised by the Government; and with forced retirement at fifty-five years of age from active service to the pension list. With these advantages and inducements to aspirants stricter discipline might be introduced, and breaches of Rule No. 54, *et ejusdem generis*, be severely punished. Nearly one hundred candidates passed before me in review this year, and I am of opinion that at least one-fourth of them are eligible for the rank of Inspectors and to be on the Commission of the Peace, and half to be non-commissioned officers. During the present examination there are thirty-two good writers and spellers, and of these six very good penmen, but some of the ordinary writers are, nevertheless, well-educated men.

On saluting: Very few have obtained more than half marks for this question, and one candidate suggests there is no information in the books about the rank and uniform of officers of the navy and army; but he forgets when making this excuse that the Commissioner of Police, having made the rules, requires the constables to acquaint themselves with the necessary particulars; and for the edification of the candidates I may mention that the lowest ranked executive commissioned officer in the Royal navy entitled to a salute from a constable, and, *a fortiori*, from his own men, is a sub-lieutenant, who wears $\frac{3}{4}$ in. gold stripe, with a loop round the cuff of his sleeve, and those officers who have stripes without loops belong to the civil branches of the navy; and that as the rank of ensign has disappeared from the army, the lowest ranked executive commissioned officer entitled to a salute is a second lieutenant, who is known by a star on the shoulder-knot of his full dress and on the lappel of his undress.

Question No. 8 on the first paper, which carried the highest marks of any, has been creditably answered by a majority; but about No. 11, which is an equally important question, there have been varied opinions. One candidate, while admitting a telegram to be insufficient, stated, if in Bradshaw's place, he would engage a friend to assault the alleged offender, and then arrest both for committing a breach of the peace; but he does not explain how he would extricate his friend from the consequences afterwards. All the candidates appear familiar with the duties in Question No. 13 of the first paper. In the second paper some of the questions have been slightly misapprehended, especially No. 13, and one or two candidates have inferentially hinted I have travelled outside the books with my question, but they may disabuse their minds of any such suspicion by reading page 168 of Johnston's "Justice of the Peace," for I have used the words given by the author in such a manner as to try to catch the candidates' memory if he had read paragraph No. 528. Question No. 9, second paper, is the most difficult one presented, and has been really splendidly answered by twenty-three, and fairly well by seven candidates.

Trifling errors: Under this head I would remind one candidate that conciseness with sense is a good quality, but when without sense, and descending to flippancy, it is objectionable. The spelling of the word "separately" has sorely puzzled not a few, for twelve candidates have spelt it "seperately," one "separatly," one "sepratly," and another "sipperratly." To their credit, be it said, nine candidates cited the case of *Galliard v. Laxton* correctly, and two partly so. One is indebted to his knowledge of the case for his escape from failure. Alexander Cruickshank, H. P. Rasmussen, E. P. Bird, and Daniel O'Rourke have answered the questions very evenly and creditably; but Rasmussen, of these, is the only one who knew *Galliard v. Laxton*.

Notwithstanding the hard labours, mentally and physically, in the duties of examiner, there is much pleasure in assisting such a really good set of fellows in their efforts to improve themselves, mingled with regret in being obliged to reject others, some of whom appeared to have struggled bravely to grasp the subject. Those who have passed will have the satisfaction of knowing that they have succeeded by merit only—the result of study. I conclude by resigning my position as examiner, and with regret; but the work interferes with my other duties, hence my decision. But before subscribing my name, I beg to recommend for your most favourable consideration that Alexander

Cruickshank (who is entitled to a certificate of honour), H. P. Rasmussen, and E. P. Bird be promoted, and that you will put a good mark against the name of Daniel O'Rourke.

I have, &c.,

H. A. STRATFORD, Examiner.

It was pretty well that report which decided me. I could not think of any competent man to examine, and I thought it better to do away with the examinations. I did away with them on my own responsibility. I was asked yesterday whether or not I made appointments on my own responsibility. I do not think I did, so far as I can see on the papers. So far as I can ascertain by the papers I was told to take men on from the Permanent Artillery, and they were taken. Of course, I did not go and ask the Minister each time if So-and-so was to be taken into the Force. I would show him a list, and he said, "All right; take them on as the vacancies occur." I find one man—Wilson—was taken on, and I cannot tell whether I asked the Minister or not. There is nothing on the papers to show that I asked the Minister. He was an Otago-bred boy, who went Home and served six years in the Lifeguards, and I wanted a mounted man at the time.

256. *Mr. Taylor.*] That case will be the only exception?—So far as I know at present.

257. *The Chairman.*] You were told to take men from a list of Permanent Artillerymen supplied to you?—Yes.

258. By whom was the list supplied?—By the Defence Office, as the men applied for the police.

259. They were taken in the order of their application?—Yes, I think I can say that; and provided they were qualified.

260. There was no selection in that case?—Excepting that sometimes a man did not finish his gun-drill, and then I had to take a man below him who had finished his drill.

261. *Mr. Taylor.*] Wilson was appointed during Captain Russell's term of office?—Yes.

262. And after Mr. Seddon came in you made no appointments at all?—No.

263. In making appointments from the Permanent Artillery I suppose the fact of belonging to the Artillery was the only qualification necessary. You did not inquire into the men's character or records before they were appointed to the police?—Of course I did; and the men were recommended by the commanders of batteries.

264. I mean, as to the men's moral conduct?—I was given their defaulters' sheets.

265. *The Chairman.*] Would a testimony of good character coming from their immediate officer in the Artillery satisfy you?—Yes, as a rule. Of course, their defaulters' sheets came with them.

266. *Mr. Taylor.*] Inspector Pender made a statement to the effect, I think, that it was the exception for Permanent Artillery-men to make good constables?—I did not understand him to say that.

267. It was the exception, I think he said?—He said they did not make as good constables as civilians.

268. Do you confirm Inspector Pender on that point, Colonel Hume?—I should not like to give an opinion one way or the other, because I have not the means to judge. The District Inspector has the means of judging; the Commissioner of Police has not.

269. Coming back to Constable Nixon: had he done ordinary police duty before being appointed to plain-clothes duty. Was he ever in uniform?—I cannot tell you that straight off.

270. Are men who are taken into the Force given any instruction at all as to their legal powers and special duties as constables before being turned loose on the streets?—They are instructed by their non-commissioned officers and Inspectors.

271. How long would a man remain in the barracks before commencing street duty?—He would commence immediately.

272. So that a man coming off a farm would go straight into the street to do duty?—Yes, but with another man, as Inspector Pender told you.

273. They do not walk together?—Yes.

274. Some time ago an order was issued that classes of instruction were to be held by the Inspector?—That is right. I am going to produce that circular.

275. How do you reconcile that order with the fact that you abolished the examination classes instituted by Major Gudgeon?—That is right.

276. What was the date of the circular ordering that classes should be held?—It was in regard to lecturing the men, and it was the system Mr. Pender said he found in vogue at Home. It was issued about two years ago.

277. What is the nature of the instruction given to the men by the Inspectors?—On the Acts and regulations, and their duties generally.

278. Is any regular course of instruction prescribed for the Inspectors?—They are allowed to use their own discretion.

279. Do you know whether the order has been obeyed in all the large centres since it has been issued: as a matter of fact, are you aware that in some centres it has not been carried out?—I am not.

280. It has not been reported to you?—It has not.

281. And you think the classes have been held since you relinquished control?—The Inspectors all told me so.

282. As a general principle, do not you think that men who have to discharge such delicate duties as policemen should receive a special course of instruction before being put on duty?—It would be better if you could do it.

283. Are not special classes held in connection with the Royal Irish Constabulary, where the men are instructed in all matters of importance?—You cannot compare the Royal Irish Constabulary with the Force here. In the former case they go to a depot, where they are thoroughly instructed before they are allowed out.

284. They go to a depot where they are kept for six months before they are allowed out at all?—Yes; a system which I have recommended should be adopted here.

285. Would you be surprised to learn that constables have told me that, through want of knowledge of their duty and legal powers, they have abstained from interfering at many points where they thought they should have interfered?—I am not surprised at anything the constables have told you. I think constables have no right to say such a thing as that.

286. That is not the point. Are you surprised?—Not in the least surprised. It is their own fault: that is all I can say. They are paid to know the law, and I do not see why they should not know it.

287. Has Police Regulation No. 61—"Members of the Force seeking by influence to obtain promotion or other advantage in the service are warned that such interference on their behalf will militate against the end they have in view, and render them liable to severe punishment"—been enforced?—Yes; I think so, where you could find out. It is impossible to find out. The men do not do it themselves, but get their wives to do it for them.

288. As a matter of fact, have not interferences on behalf of men's promotions and transfers been made by public men, politicians, and tradesmen in numerous cases?—Yes; no doubt they have.

289. Notwithstanding the fact that examination classes, as instituted under Mr. Stratford's control, were abolished, probably for good reasons, you admit, Colonel Hume, that there is a necessity for special training of the police for street duty, by having instituted classes of instruction under the Inspectors?—That is right.

290. And did you recommend a central depot being established?—I have done so in my report.

291. Yesterday Colonel Hume stated he considered the Force thoroughly efficient, and that no disorganization existed. In your report of 1892, on page 3, you say, "As regards the detective branch of the Force, a thorough reorganization is required, and it should be placed under the control of a man experienced in criminal investigation." Has that been done?—Yes.

292. Under whose control?—Mr. Tunbridge.

293. I want to establish this point: that Colonel Hume tried to secure these reforms, and failed to do so; and I wish to find out why the Minister in charge failed to give effect to it?—Yes.

294. I suppose you spoke to the Minister privately on matters concerning the Force when you presented your reports?—Yes.

295. And practically nothing was done to make the Force as you wished?—I would not say that.

296. Nothing was done to place the detective branch of the Force under the control of a man experienced in criminal investigation, although you made the recommendation in 1892, and right on until October, 1897, when Mr. Tunbridge was appointed?—That is so.

297. Did the disorganization which existed in 1892 continue to 1897?—I do not think so. The very fact of my writing a report like that helped to pull the detectives together; and there is no doubt that they improved very much.

298. In your report of 1894 to the Defence Minister, in paragraph 5, there is an expression which I should like you to explain. Speaking of promotion, you say, "In making changes it has been my object to alleviate, as far as possible, such injustices as have existed for some years in the Force—viz., married constables being stationed in towns, and thus having house-rent to pay, while single constables had charge of stations, and got house-rent, light, and fuel free; and junior constables having charge of stations, while their less fortunate senior comrades were doing street duty"; and now, when a station becomes vacant, the senior constable not having charge of one is, when duly qualified, as a rule, promoted to the vacant station. Were there any exceptions to that rule?—I cannot specify them; there were bound to be.

299. Yesterday I asked you to see if there were any exceptions, and whether no undue promotions were made?—I know of two cases. I asked the Minister to promote the men, and he did so.

300. That is, for meritorious conduct?—No, for good general service.

301. And beyond these two there were no other undue promotions?—No.

302. *Colonel Pitt.*] What do you call "undue promotions"?—They were promoted out of their turn.

303. *Mr. Taylor.*] In February, 1897, there was a batch of promotions of constables to the rank and pay of first-class constables, and two included in the list were Frederick Charles Smith and Timothy O'Rorke: Were they promoted by virtue of seniority? Those are the two men I have just alluded to.

304. They were promoted for special reasons?—Yes. The man Smith was formerly an officer in the Force, and I am not sure whether he resigned or was retrenched, and he got back as a constable. I recommended him for promotion, as he was a good officer. Constable O'Rorke did some clever identification work at Otaki.

305. Is it not a rule, where there are special reasons for promotion out of order, that they are gazetted?—Yes.

306. Were any special reasons gazetted in these cases?—No. It was my mistake only; it was an oversight.

307. As a matter of fact, did not these two promotions form the subject of Ministerial consultation?—No; they were purely from myself. I always had an eye on the man Smith up the Wairarapa. O'Rorke was stationed at Otaki, where a great many people passed through by the trains, and he had led to the capture of two or three thieves. The promotions were purely on my own responsibility. I remember the Minister asked me if I was quite sure they were all right. There was no political influence whatever in either of these promotions.

308. The Minister did ask you whether it was all right?—Yes, whether I was justified in making the recommendations to him, "because," he said, "I know nothing about the men"

309. Eleven other men were promoted to be first-class constables in the same batch. Were they all promoted according to their seniority?—Yes.

310. When was a man named William J. Rist made a second-class constable?—On the 8th February, 1892.

311. When was he made a first-class constable?—On the 1st February, 1897.

312. Were there other second-class constables who had been second-class constables before Rist was promoted in 1897?—No; he was top of the list.

313. Had he been in the Permanent Artillery?—I do not know.

314. As a matter of fact, was not Constable Flewellen entitled to promotion?—Yes.

315. When was he promoted to be a first-class constable?—Last September.

316. As a matter of fact, was not Flewellen senior to Rist?—No; Rist was reduced.

317. Why did he have preference over a man who had a clean record?—Because he goes to the top of the next list, unless he is reduced so many steps down that particular list. If it is thought that to reduce a man from first to second is not sufficient punishment, he is reduced, say, ten steps down the list; but it would be a terrible punishment to put a man at the bottom of the next list.

318. Do you not think that the rank-and-file of the Force should know why Rist is promoted, when a number of men know they are his seniors in the class?—They know they are not his seniors.

319. There was Constable Michael Hastings: When was he promoted to be a first-class constable?—In February, 1897.

320. When was he promoted to second class?—On the 1st April, 1882.

321. When was Dennis Brosnahan promoted to second class?—On the 1st April, 1882.

322. And Robert McLellan?—On the 1st April, 1882.

323. And Michael Leahy?—On the 1st July, 1882.

324. And John Hazlett?—On the 1st July, 1883.

325. And Eugene Egan?—On the 1st July, 1883.

326. And James Gleeson?—On the 1st July, 1883.

327. And William Folley?—On the 1st July, 1883.

328. And James Franklin?—On the 1st July, 1883.

329. And when were they made first-class constables?—On the 1st February, 1897.

330. I think on the 7th March, 1898, it was publicly notified that Sergeant O'Grady was to be removed from Oamaru to Invercargill. Was there any special reason for the order, other than the efficiency of the Force?—No. I think he had been a long time at Oamaru.

331. It was just to secure the efficiency of the Force?—I think so.

332. Was he removed?—No; he is still at Oamaru.

333. Can you tell me why he was not removed?—The Minister told me not to remove him.

334. Can you tell the Commission what Minister gave that order?—Hon. Mr. Thompson.

335. Did he tell you whether any members of the House had interfered on that man's behalf?—No.

336. He did not mention any names?—No.

337. Did you not have a communication from any member of the House, or from any one else?—No; I do not think so.

338. The Minister interfered with the transfer?—The Minister told me not to carry it out, personally.

339. I suppose that kind of interference happened on more than one occasion?—Oh, yes. It is perfectly impossible for any Minister to resist the pressure brought to bear in regard to these transfers. That is why I say it should be left entirely to the Commissioner of Police. I may state that Justices of the Peace, members, and everybody else, put every opposition in the way of transfers.

340. Do you not think that the result of that is that the men, recognising the Commissioner has practically no power, there is a loss of discipline and character in the Force?—Undoubtedly. If there is any disorganization in the Force, that is where it comes in, and only there.

341. You think that one is justified in supposing that sort of thing must produce disorganization?—Certainly.

342. About the same time Sergeant Macdonell was ordered for transfer from Invercargill to Oamaru?—Yes; that was consequent on the other order.

343. Was there any special consultation about this particular man?—No; the very fact of the Minister telling me to stop O'Grady naturally meant the stoppage of the man at the other end.

344. It was O'Grady who was stopped?—So far as I remember.

345. You were not told by the Minister to interfere in connection with the transfers of both these men?—No.

346. Do you remember about, some time ago, Constable Weathered, police gaoler at Timaru, being ordered to Methven?—Yes.

347. Do you remember the date?—I cannot give the date.

348. Was that order cancelled also?—Yes.

349. Do you know why?—Yes; because the Minister said it was an "Irishman's rise," and also because the constable could not manage horses. It was a mounted man's station. He would have lost about £4 per year, because he was a police gaoler, and he got a different class of pay.

350. Constable Drury, of Ashburton, some time ago was ordered to Timaru?—Yes, but because Weathered was not removed he could not be removed.

351. Which constable interfered?—Weathered.

352. Has Constable Drury since been transferred?—Yes. The reason I wanted him to go to Timaru as gaoler was because he was not qualified, according to his Inspector, for the charge of a station; and he was an old second-class constable, and I thought it rather hard lines that he should

have to do street duty. Then the next return I got in showed that he was fit for a station, and I gave him one.

353. In regard to the question of leave: I think twelve days is the annual allowance which each member can claim?—Yes.

354. What are the regulations in regard to sick-leave?—We treat each case on its merits. I think if a man is laid up through his own fault he loses his pay. Rule 39 says, "When any member of the Force is in hospital the charge for accommodation and treatment will be deducted from his pay. If suffering from the effects of his own misconduct no pay will be allowed. In ordinary cases of sickness, in the country, members of the Force will have to provide themselves with medical attendance and medicines; but in cases where illness has been occasioned by injuries or otherwise in the execution of duty a special report of the circumstances is to be made to the Commissioner. When any member of the Force has been on the sick-list for more than twenty-eight consecutive days, or more than four times during twelve months, a report must be made to the Commissioner."

355. Supposing a man were sick for, say, a month or two, you would have a report from his Inspector?—Every month.

356. Recommending further leave of absence?—It does not follow. The Inspector might report "So-and-so still sick;" and the chances are the papers would go back noted, "Please get medical report when man likely to return to duty."

357. Can you tell us from memory the circumstances connected with the promotion of Constable Mullaney from third-class to second-class? When was he appointed?—He was appointed to the Force about the end of 1884, or the beginning of 1885. He was promoted on the 1st November, 1892.

358. Was he senior in his rank at the time of his promotion?—Oh no. He was either one of those men who had seven years' service with clean defaulter's sheet, or else he was a Clerk of Court. I got an order that all third-class constables who were acting as Clerks of Court were to be promoted to second-class. If he joined in 1885, and was promoted in 1892, I take it he was one of those men with seven years' service and clean sheets.

359. Were all constables who had seven years' service with clean sheets promoted?—I think so. If I remember right I looked through the sheets myself.

360. When was Constable Thomas Mayne, now a detective, appointed to the Force?—He had been dismissed, and he was reappointed to the Force on the 28th June, 1890.

361. I should like to ask who recommended him?—I think he came from the Permanent Artillery. It appears from the papers that Constable Mayne was discharged at Napier on reduction; in consequence of reducing the Force, on the 31st July, 1880.

362. *The Chairman.*] There was no black mark against him?—Apparently not.

363. *Mr. Taylor.*] Defaulter's sheet clean?—No. He rejoined the Police Force on the 17th August, 1880. He was discharged at Dunedin on the 16th November, 1881; and rejoined the Armed Constabulary Force on the 2nd August, 1883. He was discharged on the reduction of the Force at Kawhia on the 13th November, 1884. He joined the Permanent Artillery on the 1st April, 1885, and was transferred to the police on the 28th June, 1890.

364. I want to get at the history of that man right through: he has been one of the most exceptionally treated men in the Force. Perhaps, Colonel Hume, you will tell us what this man's special history has been?—I will give you the man's own history as written by himself. He was at a place called Waikaia when he wrote it. I may preface these remarks by stating that he was a bachelor in charge of a station, which was contrary to rules. There was only one room at Waikaia; and he was there pending a new station being built, when he was brought into town, and a married man put in charge. He was one of that batch of constables acting as Clerks of Court who were promoted. This is the man's own history:—

Application of Third-class Constable Thomas Mayne, No. 579, for Compensation for Wrongful Discharge from the Force, Restoration of Past Services, &c.

THE INSPECTOR OF POLICE, DUNEDIN.

Police Station, Waikaia, 19th December, 1892.

I beg respectfully to bring under your notice that I first joined the Police Force on the 1st December, 1877, and was transferred to Hawke's Bay District in February, 1878, and appointed to the charge of Havelock station in September of that year. Shortly afterwards I returned to Napier, and was transferred to Kopua station in 1879, and promoted to the rank of second-class constable. In July, 1880, owing to retrenchment on the part of the Government, there was a reduction in the numbers of the Force, and I was discharged without reason and without compensation. I was appointed again on the 16th August, 1880, and assured by the then Commissioner (Colonel Reader) that I would soon be promoted to my former rank and get as good a station as the one I had lost, so soon as the disturbances with the Maoris were at an end. I was then engaged with the troubles with the Maoris, and sent with a party in charge of the Maori prisoners to Ripa Island, Lyttelton. After that I was transferred to Dunedin and Port Chalmers, and was again discharged on the 18th November, 1881, through no fault of my own, but simply through a misunderstanding between two sergeants—viz., John Bevin and Mr. J. Geerin, under the following circumstances: On the night of the 1st November, 1881, I was on duty in Princess Street, Dunedin. When passing the Queen's Theatre about 10.30 p.m., I observed a crowd of people rushing from the street into the vestibule. I followed them in, and found Sergeant Bevin holding a man, who he handed over to me, telling me to take him to the station and charge him with conduct calculated to provoke a breach of the peace. This I did, and when returning to my beat I met Sergeant Bevin, who told me it would be necessary to obtain the evidence of a boy named Ouiss, and when proceeding to carry out this order I met Sergeant Geerin and informed him of the occurrence, and also my instructions from Sergeant Bevin, as he (Geerin) was in charge of the night-duty relief. Sergeant Geerin then told me that I was on no account to leave my beat, but to keep a sharp look-out for fire, and that he (Geerin) would see to getting the boy Ouiss to give evidence in the case next day. With this understanding I obeyed Sergeant Geerin's order. I was then reported by Sergeant Bevin for neglecting to obtain the evidence of the witness Ouiss. When the matter came before the Inspector (Mr. Weldon), he informed me that he would recommend that I be discharged from the Force, with the result that three weeks later I was discharged. I then applied for an inquiry, which was granted, the Commissioner stating that there was really no charge preferred against me. At the inquiry which followed, before Mr. E. H. Carew, R.M., it was held that I should have obeyed Sergeant Bevin, he being senior to Sergeant Geerin. However, between them I was discharged through no fault of my own. I got no redress. I knew not what I was discharged for, nor did any person else know; yet I was discharged. I was again appointed in 1883, and sent with a detachment to Kawhia, to keep down disturbances with the Maoris. In November, 1884, there was another reduction

and I was again discharged. I was again appointed in 1885 and sent with a detachment to Lyttelton, which was afterwards turned into an Artillery corps; and I was not again appointed to the Police Force until June, 1890. My grievance is: (1) That I joined the New Zealand Police Force before I was twenty-one years of age; that my conduct and ability was sufficiently good to insure my advancement ere this time to a reasonable position and standing in the Force had I not been discharged both wrongfully and on reduction, through no fault of my own; (2) that even admitting I were guilty of an error of judgment or other slight irregularity, ought that to have been sufficient to discharge a man who during the four previous years had borne a good character? (3) that I now find myself, after a lapse of over fifteen years, in receipt of the same salary as I received when I first joined the Force in 1877; and (4) that I never left the Force to suit my own convenience, but that I was compelled to leave on each and every occasion. In consideration of the treatment which I have been subjected to, extending over a period of several years, I would respectfully ask that I be promoted to the rank of first-class constable, and that my service count from the 1st December, 1877, and that such other compensation and redress be granted me as may be considered just and reasonable. My reason for not forwarding this application previous to this was because I was desirous of giving you an opportunity of judging sufficiently as to my conduct and qualification as a constable.

Trusting that you will be so kind as to forward this for the favourable consideration of the Commissioner, accompanied by such recommendation as you may consider me worthy of while serving in your district.

THOMAS MAYNE, Third-class Constable, No. 579.

I should like now to read the report of Mr. Carew, who held the inquiry referred to. It is as follows:—

SIR,—

Resident Magistrate's Office, Dunedin, 12th December, 1881.

I have the honour to inform you that, in accordance with your memorandum of the 23rd ultimo, I have held an inquiry into the complaint of ex-Constable Mayne, and forward herewith the notes of statements made by him, his witnesses, and those called by the Police Department. There is considerable conflict in the evidence as to whether Constable Mayne was present outside the Queen's Theatre when a disturbance commenced there. Sergeant Bevin is the only person who says that he was there. Constable Mayne denies it, and his three witnesses bear out his statement to some extent. There certainly was a disturbance which extended from a passage to outside the theatre, and Constable Mayne makes an untrue statement on page 2 of his letter where he denies that there was any disturbance outside the theatre. As to the charge of neglect in omitting to secure the attendance of a boy named Ouiss as a witness at the Police Court, Sergeant Bevin says he instructed Mayne to secure Ouiss as a witness, and to ascertain his whereabouts from Goldsmith. Mayne only admits that he was told to inquire for Goldsmith, and says that Sergeant Geerin subsequently told him to proceed no further with his inquiries. Sergeant Geerin states he only told Mayne not to leave his beat to look for Goldsmith; but subsequently, after Mayne came off from his beat, he told Mayne he had looked for but could not find Goldsmith, and that he (Mayne) must get up his case as well as he could. Mayne appears to have taken no further action in the matter. I cannot find any evidence of Mayne having been wanting in courage; but in my opinion he was negligent in not carrying out his instructions to obtain evidence for the Police Court, and he is either very untruthful, or deficient of sufficient intelligence to interpret and understand instructions that are given to him.

I have, &c.,

E. H. CAREW, R.M.

On the 24th February, 1893, I wrote to Inspector Pardy, "Please inform Constable Thomas Mayne that his statement of the 2nd instant has been laid before the Hon. the Defence Minister as requested, who has directed me to state that he (Mr. Seddon) declines to reopen the matter of which the constable complains, after the lapse of time that has taken place since it was investigated.—A. HUME, Commissioner." From these papers it will be seen that Mayne, instead of being exceptionally treated, appears to have a grievance.

365. *The Chairman.*] He was subsequently taken on to the Police Force from the Armed Constabulary?—Yes, and he is still in the Force as a third-class constable.

366. *Colonel Pitt.*] He applied to be made a first-class constable; what was done about that?—He was not promoted. Here is the minute I wrote: "Inspector Pardy,—I regret I cannot re-open this case. Inspector Weldon has long since left the service, and Sergeant-major Bevin is dead. The constable in March, 1890, did not ask for a re-opening of the case, but asked to be re-appointed to the police, which the then Commissioner complied with. The case cannot therefore now be reopened.—A. HUME. 28/1/93."

367. *Mr. Taylor.*] I wish to know whether it is not generally recognised that a man who has been told off to do plain-clothes duty—that is practically detective duty—is being rewarded for intelligence and smartness, and whether men do not look forward to it?—I should think they did, though some of them have a grievance that it is very expensive, and so on.

368. It follows a good record very often?—Yes.

369. I should like to ask now whether this man Mayne does not, as a matter of fact, rank as a fourth-class detective?—No, he simply ranks as a plain-clothes constable without any allowance, pay, or standing as a detective.

370. He is not in the detective branch?—No.

371. Do you not classify him with the detective branch of the service?—No.

372. I would like to ask what special circumstances there were in connection with his being made a plain-clothes constable, because Stipendiary Magistrate Carew said he was lacking in intelligence?—He applied for employment in the detective branch of the Police Force at Dunedin on the 14th March, 1895, and the Inspector sent it up to me on the next day with this minute: "The Commissioner.—I forward you this application of Constable Mayne for transfer to Invercargill as detective, but in justice to the service I cannot recommend it. It is possible after some training he may develop into a detective, but to place him at an important station like Invercargill would be very detrimental to the service and unfair to the public who look to the police for protection.—WILLIAM S. PARDY, Inspector. 15/3/95." He was not sent there, but was put on plain-clothes duty to work up, as Mr. Pardy suggests he might possibly work up to a detective.

373. Had you no other man among the 494 members of the Force who was more qualified than Constable Mayne for that particular duty?—I would not say I had not.

374. Was he not, in fact, subject of special ministerial recommendation?—Yes; in fact, I am sure it was a member of the House who recommended him specially.

375. *Colonel Pitt.*] Was it a Minister who interfered for his promotion?—The Minister told me to order him to do plain-clothes duty.

376. *Mr. Taylor.*] Might I ask whether the Minister saw Inspector Pardy's report?—Yes.

377. *Colonel Pitt.*] Colonel Hume also said that a member of the House urged the Minister to do this?—Quite so.

378. *Mr. Taylor.*] I would like to ask what member of the House interfered?—Mr. Millar. member for Dunedin.

379. I think within the last two years a special order was issued that all constables who were fitted to take charge of country stations should be employed as Court orderlies in rotation: do you remember that order?—Yes. I find it is as follows: "Court Orderlies.—The appointment of Court Orderlies will in future be held for three months only, and Inspectors, in selecting men for the post, will choose those who are likely to be appointed to charge of a station where they may be required to perform the duties of Clerk of Court, as it is considered their service as Court orderlies will give them a certain insight into the duties required of a Clerk of Court, and so be beneficial to the service.—A. HUME, Commissioner of Police.—Wellington, 18th May, 1896." I found that men were fixed permanently as Court orderlies, and I said they should be relieved occasionally.

380. Was Constable Mayne Court orderly at that time?—I do not know; he was at Dunedin at that time.

381. Do you know whether any special correspondence took place about Constable Mayne being a Court orderly?—I do not think so. I may have said, "Make him a Court orderly at Dunedin," for some reason or other.

382. As a matter of fact, was he not ordered to do street duty, and declined, and appealed to headquarters, and a telegram was sent down saying the order was not to apply to Constable Mayne?—I do not remember. I will look up the papers.

383. Is there no record of Constable Mayne having protested against that order and having been exempt?—I do not think so. I cannot find anything. He would protest to his Inspector, and it would not go any further. You can inquire from Inspector Pardy when the Commission is in Dunedin.

384. I should like to ask you, Colonel Hume, whether you know of any cases of officers of any rank who have been retired upon compassionate allowances and subsequently reinstated in the Force?—I do know of a case, but the man is not living now. Inspector Moore was retired as an officer on compensation, and about five months after was appointed as sergeant-major.

385. Did he refund his compensation?—No.

386. Do you remember what he got as compensation?—About £700.

387. *Colonel Pitt.*] When was this?—On the 1st December, 1891.

388. *The Chairman.*] I should like to know how he came to be reappointed sergeant-major: Did he apply?—I did not recommend him; I was simply told to take him on, and send him to Gisborne.

389. *Mr. Taylor.*] I would like particulars in connection with the appointment of Constable Fane Strange Cox?—He was one of those night-watchmen I described yesterday. He was taken on by me for special duty, and I promised them both—there were two appointed—that if they did this duty of looking after the Government Buildings satisfactorily I would do my best to get them appointed to the police through the Permanent Artillery. They were both appointed to the Permanent Artillery, and Cox, after serving one year and three months there, was transferred to the police. He is now acting as detective in Wellington.

390. Did he ever do street duty?—I cannot tell.

391. Were there not some exceptional circumstances in connection with getting him into the Permanent Artillery: Was he not too short?—Yes, I think by a quarter of an inch.

392. That obstacle was overcome?—Yes; because he had done good service as night-watchman.

393. Did you interfere specially for him?—I could not say. I think I said I would recommend, if he did this special duty well, as I was very nervous myself at the time.

394. Do you know if he had any previous training as a policeman before he did this night-watchman's duty?—I am not sure he had not.

395. And yet he was made a plain-clothes constable?—I do not know whether he was appointed plain-clothes constable right away.

396. That is a position usually filled up by men having experience?—No; that matter is entirely and solely in the hands of the Inspector of the district. If an Inspector likes to put his youngest man on detective duty I am not going to interfere. He is responsible, and not I.

397. Was he made a plain-clothes constable on the recommendation of the Inspector?—He was made so by the Inspector.

398. What detectives were sent over to Blenheim in connection with the Satherley case?—Detectives Broberg and Cox.

399. That was an important case was it not?—Very.

400. Involving a question of murder?—It is a matter of opinion; I do not think it was murder myself.

401. That was supposed to be the issue?—Yes.

402. Was Detective Broberg an experienced detective?—He is a very good man.

403. Do you remember how long he has been in the Force?—He was appointed on the 7th January, 1895. However, I think another man went over first. Here, again, you see these are questions which should be put to Mr. Pender. He runs his own district.

404. *The Chairman.*] It is a matter of detail in which you do not interfere?—Yes; the only thing I happen to know of the case is that I saw the report afterwards. I saw Inspector Pender's report, and I saw that Cox was over.

405. *Mr. Taylor.*] Was he not very soon made a plain-clothes constable also?—I think so; very soon afterwards. I think he came from the South first.

406. It will be a matter for the Inspector entirely to choose the men sent over to investigate the Satherley case?—Yes.

407. On general lines, do you think it is a wise thing to select two practically inexperienced men to investigate such a case as the Satherley case?—I would say it is not. Mr. Pender may have thought it was the best material he had to send.

408. Do you know whether Cox has been within the last few months (July of last year) mulcted in damages to the tune of £25 for wrongful exercise of power as a detective?—I think so; but I may also add there were two men in it. He was junior, and he simply did what the other told him.

409. The inference is that he was fined because he had never been trained in his duty. Do you know whether he was the detective officer or plain-clothes constable of whom the Defence Minister said in the House he would like to have fifty more like him?—I do not know to whom the Minister referred.

410. I would like to ask whether Broberg or Cox were appointed on your own motion, without any consultation with the Minister?—Cox came from the Permanent Artillery. I told him I would do my best to put him in; and Broberg, I think, came from the Permanent Artillery too.

411. Have you the papers in connection with the retirement of Constable Black on compensation?—Yes; I will read the papers of the case. The first is: "Police Station, Rakaia, 8th May, 1890.—I beg to report that, whilst out on mounted duty yesterday making inquiries as to further evidence in the case *Regina v. George White, alias Clifford, alias Ross*, at Charles Angus's, where the horse was stolen from, and when returning to the station along the Pound Road, which is unformed, the horse stumbled and fell on his head, and I was thrown with considerable force, and in endeavouring to save myself I wrenched my back severely. I beg to append the doctor's certificate, and would respectfully ask that a constable be sent here for a few days, or until I am able to resume duty, as there is a considerable amount of work on hand here at present.—J. BLACK, Constable 264." This is minuted: "Forwarded to the Inspector. I have sent Constable McGill to Rakaia to take charge during the time Constable Black is laid up.—HENRY W. FELTON, Sergeant." He was in charge of Ashburton. The medical certificate reads: "I certify that Constable Black, who has severely strained the muscles of his back, is unfit for duty, and it will be some days before he is able to resume it.—LOUIS M. CORDNER, L.R.C.P.—Rakaia, 7th May, 1890." The next letter is from Constable Black, as follows: "Police Station, Rakaia, 5th June, 1890.—In consequence of the non-recovery from the injuries I received to my back and loins from a fall from the troop horse on the 7th ultimo, whilst on mounted duty making inquiries at Somerton in the case *Regina v. White* charged with horse-stealing, Dr. Cordner who has been attending informed me that I will probably be laid up for an indefinite period, and from the nature of the injuries I received will probably suffer from chronic weakness in the back. Dr. Cordner's certificate is herewith attached. I would beg to suggest that in consequence of the foregoing, if permitted, and that my officer deems me entitled to compensation for my past service, I will herewith tender my resignation as a member of the Police Force, and as Clerk of the Resident Magistrate's Court here.—JOHN BLACK, Second-class Constable, No. 264." It is minuted, "Forwarded to the Inspector, and I respectfully request the application may be favourably recommended for the Commissioner's consideration.—HENRY W. FELTON, Sergeant.—7th June, 1890." The doctor's certificate reads: "I certify that Constable J. Black, of Rakaia, is still unfit for duty, owing to the severe strain of back suffered by him some time ago, and I consider it will be a considerable time before he will be fit to resume duty.—LOUIS M. CORDNER, L.R.C.P.—Rakaia, 5th June, 1890." It appears that the Defence Minister was unwilling to grant compensation, because he minuted the papers, "Inquire from Dr. Cordner whether he considers Constable Black has sustained a permanent injury, and, if not, when he will be fit for duty.—W.R.R., 13/6/90." This certificate reads: "At the request of the sergeant of police at Ashburton I have this day specially examined Constable Black of Rakaia, who has been suffering from an injury to his back. I find that probably there will be no permanent disablement, but care will be required for complete recovery, and, as rest is essential in all strains, and more particularly where back or spine is involved, I should recommend four to six months freedom from all duty. It is important to bear in mind that in injuries of back or spine symptoms are frequently latent, so that after weeks of apparent health grave complications may arise.—LOUIS M. CORDNER, L.R.C.P.—Rakaia, 18th June, 1890." The Inspector at Christchurch writes on the 21st June, 1890, to the Commissioner of Police: "In compliance with the instructions contained in your memorandum dated the 13th instant, *re* Constable Black's case, I beg to forward a certificate from Dr. Cordner dated the 18th instant, from which you will observe that the doctor, after a further examination of the constable, is of opinion that possibly there will be no permanent disablement, but that care will be required for complete recovery, and he recommends from four to six months' freedom from all duty. From the concluding paragraph of the doctor's certificate, even with care and rest, grave complications may arise. I may state that I was at Rakaia and saw Constable Black about a fortnight after the accident occurred, and he certainly appeared as if he had received a very severe shaking.—P. PENDER, Inspector." It appears this last letter was submitted to the Defence Minister with the following minute: "It seems to me that under the most favourable circumstances this is a case in which it would be better to pay the man off and let him go.—W. E. GUDGEON, 23/6/90." This is further minuted, "Approved.—W.R.R., 24/6/90." And Inspector Pender is advised on the following day, "Discharge Constable Black on 30th. Voucher for compensation prepared here.—W. E. GUDGEON."

412. Now, when was he reappointed?—He never has been reappointed.

413. Is he not in the service now?—No.

414. Do you remember the case of Constable Cullinane: Was he discharged from the Force on compensation?—Yes.

415. Was he reinstated?—Yes; he was discharged before my time, but was taken on after my time.

416. Can you tell the Commissioners the circumstances of his being retired?—Yes. Cullinane, who was then stationed at Martinborough, reports on the 17th April, 1890: "I respectfully beg to state that, on the 31st March, I proceeded to Te Awaite inquiring for Thomas Lamb, required as a witness in Hawke's Bay, and Edward Beach, charged on warrant with wife desertion. The back country lying towards the East Coast in the Martinborough police district is extremely rough, and in places very hilly, and the roads at all times of the year rugged and rough. When proceeding on the date above mentioned to Te Awaite I experienced a great shaking when riding on a narrow and steep track over a gully crossing the Stoney Creek between Waipawa and Te Awaite. My troop-horse cleverly avoided falling with me, but while struggling to recover himself I was thrown forward on to the saddle, and one of my testicles was very much bruised. On my return to the station the following day I suffered great pain and was otherwise in bad health. Since my return, 1st instant, I have been employed on mounted duty, and on each occasion have suffered exceedingly, so much so that I was compelled to request permission to proceed to Masterton on the 16th instant, and then consulted a medical man as to my state of health; and the result of the examination I now respectfully lay before the department. The attached is Doctor Hoskings's certificate. In laying this matter (a very serious circumstance to me) before the authorities I must acknowledge the very kind consideration I have always received at the hands of my superiors, but having suffered so much lately, and having done my best to avoid reporting the matter, I feel I must now in consequence of my ill-health ask the kind consideration of the Commissioner with the view of obtaining sick-leave, as I am unable to discharge the duties of my district.—JOHN CULLINANE, Constable." The doctor's certificate reads: "I certify that Constable John Cullinane has been examined by me this day, and that I find him suffering from fever (nature of which, from short acquaintance with the case, I am unable positively to define, but, judging from previous symptoms, might be mild typhoid), and that from further examination I find him suffering from injury of testicle (varicocele), and have strongly advised him to abstain from horse exercise under all circumstances, but that by use of a proper suspensory bandage he would be perfectly fit for foot duty.—WILLIAM H. HOSKING, M.R.C.S., England.—Masterton, 16/4/90." Well, on that he got fourteen days' leave, and I suppose he came to Wellington, because there is a certificate then from Dr. Fell, for Dr. Collins, as follows: "I have examined Constable John Cullinane this day and find him suffering from a large varicocele, or enlargement of the veins of the testicle. This condition causes him pain, and unfits him for any severe strain or long hours of duty.—W. FELL, M.B.—1st May, 1890." Then, on the 1st May, 1890, the constable reports he is unfit to carry out police duties at all, and asks for compensation on retirement. This is minuted, "I would suggest that he be allowed to retire on compensation.—W. E. GUDGEON, 2/5/90," and "Approved.—W.R.R., 2/5/90."

417. *Colonel Pitt.* What was the amount of compensation?—£139 19s.

418. *Mr. Taylor.* He has been reinstated?—Yes. He applied for reinstatement on the 12th June, 1891. The Hon. the Defence Minister, Mr. Seddon, says, in regard to Cullinane, on the 28th September, 1891, "Take on when vacancy occurs as third-class constable."

419. Have you any record there of who recommended him for reappointment?—He wrote himself. I minuted that application, on the 18th June, 1891, "Place name on the list of applicants." I wrote and told him that his name had been placed on the list, but that, as there were so few vacancies and such a large number of names registered of men now serving in the Permanent Artillery, that I could not hold out much hope of his request being granted.

420. Then, immediately following that, he must have made some other application?—The next letter on his file is a letter to A. W. Hogg, Esq., M.H.R., from the Minister, as follows: "15th September, 1891.—Sir,—I have the honour to acknowledge the receipt of your letter of the 1st and 9th instant, recommending ex-constable John Cullinane to be again employed in the Police Force, and to inform you, in reply, that this man's name has been placed on the list of applicants, but, as there are very few vacancies, and many of the Permanent Militia now waiting have very strong claims for transfer to the police, I do not think there is much chance of this man being appointed." On the 28th September I got orders to take him on when a vacancy occurred.

421. From the Minister who signed the letter on the 15th September, saying that there was no vacancy or likely to be a chance of a vacancy?—Yes.

422. Which meant he was to be appointed out of his turn?—I did not say so.

423. Does it not mean that?—It means when a vacancy occurs.

424. *Colonel Pitt.* When was he taken on?—On the 17th October, 1891.

425. Did he refund his compensation?—I am quite sure he did not refund. A long time had elapsed between his retirement and reappointment.

426. He made that a condition of his reinstatement, but did not carry it out?—They all say that.

427. Have there been many cases of men being reported for charging wrong amounts for forage? Have any officers been punished for that offence? Do you remember the case of Sergeant Wilson, of Akaroa, being reported by Constable Whitty for obtaining money under false pretences?—I do not remember the case; but no doubt the papers are in the office, and we can produce them. There have not been many cases.

428. Do you remember any at all?—Yes, one.

429. In addition to the one I suggest?—Yes, a case at Raglan, through which Constable John Ryan was brought into the station at Auckland.

430. Can you produce the papers?—Yes.

431. I would like to take the case of Constable Patrick McGill: Do you remember the occasion of McGill being dismissed from the Force?—This is another case which, in order to understand it thoroughly, I shall have to start from the commencement.

432. When did McGill join the Force?—On the 28th February, 1865.

433. When was he dismissed?—He was not dismissed at all; apparently he resigned on the 17th November, 1890.

434. Do you remember the special circumstances connected with his resignation—immediately preceding it?—I think, so far as my memory serves me, he was drunk on the racecourse.

435. Did you see him drunk on the racecourse?—I certainly did not see him.

436. Would you read the report in connection with the case?—This is from Sergeant McDonald, who, I think, was in charge next to Inspector Pender at Christchurch: "Police Station, Christchurch, 5th November, 1890.—I beg to report that at 4.20 p.m. on this date Constable Cullen informed me that he had been sent from the racecourse in charge of the constable named marginally (Patrick McGill, first-class constable No. 22) by Sergeant Briggs, who was in charge on the course. I saw the constable, who was under the influence of drink, and unfit for duty. I informed the constable that he was to consider himself suspended, and remain at the station until further orders. Later on I told the constable he could go to his station, and that he was to report himself at this office at 9 a.m., 6th November, 1890.—ALEX. McDONALD, Sergeant-major." This is minuted, "The Sergeant-major.—Please instruct Constable McGill to give any explanation he wishes. The Commissioner will investigate the case at 9 o'clock a.m. to-morrow, when the constable and witnesses must be present here.—P. PENDER, Inspector, 6/11/90." The next paper reads: "Police Station, Christchurch, 5th November, 1890.—*Re* Constable McGill.—I beg to report that on this date, about 3 p.m., I saw the constable above-named under the influence of drink while doing duty at the Riccarton races. He was attending to the outside totalisator on the course, but owing to him being in such a state I deemed it advisable to send him home to Christchurch in charge of Constable Cullen. When I spoke to Constable McGill about the matter, he said that he was suffering from a severe headache, and had only taken a little liquor to relieve his pain. See Police Regulations, section 62.—JOHN BRIGGS, Sergeant, 175." The next reads: "Police Station, Christchurch, 7th November, 1890.—I beg to report that in accordance with the Inspector's instructions last night I sent a mounted constable with an order to Constable McGill to either deny or admit the offence with which he is charged. The constable (Allman) returned after 11 p.m., and informed me that he went to Phillipstown station, and was informed by Mrs. McGill that the constable was not at home. The constable has not as yet complied with the order (8.40 a.m.).—ALEX. McDONALD, Sergeant-Major." Then my minute follows: "Inspector Pender.—As Constable McGill has failed to appear at your office at 9 this morning, and as he was absent from his station last evening when under suspension, he has only aggravated the first offence, which is of itself the most serious; but as he has very long service I will not dismiss him, but his services are dispensed with from date of suspension.—A. HUME, 7th November, 1890." On the same paper there is the second minute as follows: "The constable appeared a few minutes later, and cross-examined the sergeant-major and Sergeant Briggs, but did not shake their evidence.—A. HUME, 7/11/90."

437. *The Chairman.*] Is that man in the service now?—Yes.

438. *Mr. Taylor.*] You dispensed with his services, but you did not dismiss him: you allowed him to resign?—Yes. That appears clearly to indicate that at that time I had power to dismiss. That was the 7th November, 1890.

439. Was that under Captain Russell's administration?—Yes. Captain Russell was in office until the 24th January, 1891. The next paper on the file is a telegram dated the 13th November, 1890, as follows: "Colonel Hume, Wellington.—Regret Constable McGill been discharged through breach of regulations. Have known him several years. Always thought most efficient officer. Pleased if could reinstate.—S. MANNING, Mayor of Christchurch." To which I replied on the 14th November, as follows: "His Worship the Mayor, Christchurch.—Am sorry to say that Constable McGill's offence is so serious that the punishment, which is in accordance with clause 62 of the regulations, cannot be altered. As the offence was so public, his reinstatement would be disastrous to the discipline of the Force.—A. HUME."

440. Do you remember, Colonel Hume, whether you had any conversation with Captain Russell about this case, or whether he was approached in the matter?—I do not think I had.

441. Were there any other requests for his reinstatement?—There is a petition here, dated "Christchurch, 17th November, 1890.—To the Hon. the Minister of Defence, Wellington.—The undersigned ratepayers and householders of the police district lately under the supervision of Constable P. McGill beg respectfully to draw your attention to the following facts: Constable McGill has been a member of the New Zealand Police Force for more than twenty-four years. For the past twelve years he has been in charge of the Phillipstown district. During the whole of the above time (twelve years) Constable McGill has by his courteous manner and polite but strict attention to his duties earned the respect of all who came into contact with him. We have lately been pained and surprised to hear that Constable McGill has misbehaved himself in such a manner as to deservedly earn the displeasure of the Commissioner of Police, who has dismissed the constable from the Force. We acknowledge that breaches of duty on the part of constables require prompt punishment, but taking into consideration the constable's long service (over twenty-four years), we think we are justified in asking you to be kind enough to review his long career in the service and his previous good conduct, and to reconsider the case, if not with a view of re-admission into the Force, at any rate to consider whether a long-service bonus may not be granted to him." The first signature is J. Ollivier, formerly Resident Magistrate for the district, and there follow eighty-four other signatures.

442. What was the result of that?—There is a letter dated the 5th December, 1890, as follows: "*Re* petition dated Christchurch, 17th November, 1890, to the Hon. the Minister of Defence. The same has been submitted to the Hon. the Defence Minister, who has directed me to inform you that Police Regulation No. 62 states that drunkenness on duty will invariably be punished by dismissal or enforced resignation, and in Constable McGill's case it was a bad case of drunkenness on account of its being in a public place—namely, the racecourse—and in the sight of a large concourse of people. The constable was in consequence of his long service allowed to resign instead of being dismissed, but the Hon. the Defence Minister is unable to grant him compensation, and

declines to reinstate him.—I have, &c., A. HUME, Commissioner.—To J. Ollivier, Esq., J.P., and those who signed the petition." When this petition came in, I wrote to the Defence Minister as follows: "This matter has been already before you, and you were pleased to approve my decision. The constable was allowed to resign on account of his long service and was not dismissed. I know of no Act that admits of a man being granted compensation on resignation." This was minuted, "Approved.—H.A.A."

443. Was there further correspondence in regard to his reinstatement?—Yes. The next is a petition as follows: "Christchurch, 30th April, 1891.—To the Hon. R. J. Seddon, Minister of Defence, New Zealand.—The petition of Patrick McGill, late a constable of the Police Force of New Zealand, humbly sheweth as follows: (1.) That your petitioner was discharged from the Police Force on the 5th November, 1890, on account of a charge of his having been intoxicated whilst on duty at Christchurch races. (2.) Your petitioner respectfully begs to state that it was purely an accident his getting under the influence of drink, and the same was caused by meeting some old West Coast friends on the racecourse and having a glass or two with them, very few indeed; but not being in the habit of drinking intoxicating liquor for a considerable time previously to the unfortunate occurrence now referred to, caused a small quantity of liquor to affect his head and to excite him. The petitioner deeply regrets the circumstance, and if the Hon. the Minister pardon him, such an occurrence will never happen again. (3.) Your petitioner has had a long service in the New Zealand Police, having joined in 1865, and served thirteen years on the west coast of Middle Island in the flash times of the diggings and saw there a great deal of rough service, and your petitioner can confidently say that he always did his duty honestly, fearlessly, and to the best of his ability. (4.) In conclusion, your petitioner respectfully urges that you will favourably consider his case, and take into consideration that having been six months out of the Force, that his offence is sufficiently punished, and be pleased to order the petitioner to be reinstated in the service, and for which your petitioner will ever pray.—PATRICK MCGILL."

444. That was from McGill to the new Minister of Defence?—Yes.

445. What was the result?—Mr. Seddon minuted the petition as follows: "I think Inspector Broham knows Constable McGill. Ask his opinion. Also ask Inspector Pender to report—(1) On the charge for which McGill was called upon to resign; (2) generally upon McGill's conduct as a police-officer; (3) whether the offence has been, by the constable being out of the Force now some twelve months, sufficiently punished."

446. What was the date of that minute?—12th May, 1891.

447. When was he dispensed with?—On the 7th November, 1890. The next paper on the file is a copy of a letter from Mr. Broham to the Commissioner, dated 1882, which was sent up *re* Mr. McGill at this time. Mr. Broham says, "With reference to your memorandum of the 25th instant accepting the resignation of Detective John Neill, and approving the appointment of Sergeant Hughes of this station as fourth-class detective in his stead, I have the honour to recommend that Constable Patrick McGill, now in charge of St. Albans Station, be appointed third-class sergeant to replace Sergeant Hughes. Constable McGill has been in the Force about seventeen years, is a well-conducted constable, and has been in charge of various stations in the Westland District as well as this for many years." The next paper is a memorandum from myself to Inspector Pender, carrying out the request of the Minister, and the Inspector replies as follows:—

SIR,—
New Zealand Police Department, Inspector's Office, Christchurch, 20th May, 1891.
In compliance with the instructions contained in your confidential memorandum, attached, dated 18th instant, relative to the application of the late Constable Patrick McGill to be permitted to re-enter the Force, I have the honour to inform you that in the absence of the papers in the case, which were forwarded to your office on the 10th November last, the particulars of the charge are given from my recollection of the circumstances, as follows: (1.) McGill was on duty with several other members of the Force at the Riccarton Racecourse on the 5th November last. Some time after lunch on that date Sergeant Briggs, who was in charge of the men, reported to me that the constable was under the influence of liquor and unfit for duty. I instructed the sergeant to suspend him, and he was sent to Christchurch in a cab. The constable was not disorderly in any way, but was so far under the influence of liquor as to render him unfit for his work in a police point of view. On the 7th November the constable was brought before the Commissioner of Police, who was here at the time, on the charge of being under the influence of drink while on duty at the racecourse; and, having pleaded guilty to the charge, was dealt with by the Commissioner in the manner shown by the defaulter's sheet attached to the papers. (2.) McGill joined the Force on the 28th February, 1865, and was appointed first-class constable 30th April, 1877. He has also received the New Zealand medal for long service and good conduct. He was once fined £1 for being drunk when not on duty, 13th April, 1882, over eight years previous to the time of his discharge. He was for several years in charge of stations in the Westland District and up to the time of his leaving the Force in this district, where he has served under my command for upwards of eight years, and performed his duties with zeal and efficiency. I formed a very high opinion of his character, and was very much surprised when informed of his condition on the racecourse. The district clerk here informs me that Mr. Inspector Broham, my predecessor, also entertained a very high opinion of McGill. I attach a copy of a letter from Mr. Broham to the Commissioner, dated 27th July, 1882, in which he strongly recommended Constable McGill for promotion to the rank of third-class sergeant. (3.) McGill brought up and educated a very large family of children in a highly creditable manner, and he could not possibly have saved anything. I believe at the time he left the Force he was in poor circumstances. This, together with the loss of his position and service, must have caused him great pain of mind and suffering. Taking into consideration McGill's long and faithful service, over twenty-six years, and his general good conduct in the Force, I think I am justified in respectfully recommending his case for favourable consideration.—I have, &c.,

P. PENDER, Inspector in Charge, Canterbury and North Otago Districts.

448. *The Chairman.*] What was the result of this reply from Inspector Pender?—There is a telegram, sent on the 28th May, 1891, to Mr. Patrick McGill, as follows: "Referring to your petition dated the 30th ultimo and addressed to the Hon. the Defence Minister, I am directed to inform you that if you report yourself at the Police Station, Wellington, you will be appointed to the Police Force as a first-class constable from the 5th June next.—JOHN EVANS (for Commissioner)."

449. *Mr. Taylor.*] Was he a first-class constable when he was dismissed?—Yes.

449A. And he was reinstated in his old rank?—Yes.

450. Do not you consider that a very great discouragement to other men in the Force?—I must decline to answer that question. It was not for me to think at all. I did as I was told.

451. I think it is a fair question. Is it not likely to cause well-grounded dissatisfaction, and lead to disorganization?—No, not under the circumstances in which the report was made.

452. I want to ask whether that telegram ordering his reappointment was sent directly under the instructions of the Defence Minister, Mr. Seddon?—Yes. When the report from Inspector Pender came in I wrote as follows: "The Hon. the Defence Minister.—Mr. Broham informed me verbally that McGill was a very good constable when he served under him on the West Coast some years ago; and Inspector Pender now gives him a very high character, and recommends his case for favourable consideration. Taking into consideration that he has now been over six months out of the service—a heavy punishment in itself—and he has been a first-class constable for thirteen years and in the Force some twenty years, with a good character, I recommend he be taken back into the Force from the 5th proximo, and that he be placed at the bottom of the list of first-class constables.—A. HUME. 22/5/91." This is minuted, "Approved.—R. J. SEDDON. 23/5/91."

453. Do you know if Constable McGill was formerly stationed on the West Coast in the Township of Kumara?—Somewhere on the West Coast, but I do not know where.

454. About 1893 or 1894 Constable McGill had a very lengthy sickness, I think?—I will have to get the papers.

455. What was the longest sick-leave which Constable McGill obtained?—Two separate leaves of one month each, in 1895.

456. Did he apply for the second month?—Yes.

457. I think the records are wrong. I think it will be found that McGill had several months' consecutive sick-leave on full pay, and the last month of his leave, I am informed, was telegraphed to him without his making any application?—I will produce the papers referring to it.

458. Where is Constable McGill now?—In Addington.

459. He has been reinstated in his old rank, alongside of his colleagues from whom he was dismissed?—Yes.

460. Do you know what occupation he followed whilst out of the Force?—I have not the slightest idea.

461. You do not know that he was landlord of the Garrick Hotel while he was out of the Force?—I do not know.

462. Was Constable McGill allowed to retain his long-service pay of 1s. a day after he was reinstated?—Yes.

463. Now, take the case of Sergeant Frederick Percy Carlyon: do you remember him being charged with being drunk, using obscene language, and being guilty of an assault in a hotel during prohibited hours, I think at Dargaville?—I remember he was reduced for an irregularity, but what it was I cannot say without seeing the papers. I remember him being accused of being drunk and with using obscene language, and committing an assault, but the latter was not during prohibited hours.

464. Was he punished by being reduced from the rank of sergeant to third-class constable?—Yes.

465. That was in 1893?—Yes.

466. He has been promoted since?—Yes, to the rank of first-class constable.

467. And put in charge of the Featherston Police-station?—Yes; but he was in charge of a station before that.

468. Is he Inspector of licensed houses now at Featherston?—Yes.

469. Will you tell the Commission what were the special circumstances connected with this man's promotion to rank of first-class constable. You do not remember who interfered on his behalf specially?—No, not without the papers.

470. Have you the papers now in connection with the retirement of Constable Hattie on compensation?—Yes. The first paper reads: "Police-station, New Plymouth, 7th January.—Application of Third-class Constable No. 260, Alexander Hattie, for his discharge from the New Zealand Police Force on compensation, owing to ill-health: I respectfully beg to request that the officer in charge of the district will recommend and forward for the approval of the Commissioner this the constable's application for discharge on compensation. For some time past I have been in a delicate state of health, owing to illness contracted while on duty; and I am now informed that if I continue the duty of a constable, when I am necessarily subject to exposure, that I shall be liable to be seized with illness which might terminate fatally. In support of my application, I would beg to state that I have served for a period of thirteen years and a half in the New Zealand Constabulary Force. Medical certificate attached.—ALEXANDER HATTIE, Third-class Constable No. 260." This is forwarded to the Commissioner of Police, Wellington, by the Inspector, with the following report: "I have the honour to inform you that the constable named in the margin (Alexander Hattie, Third-class Constable No. 260), stationed in New Plymouth, has been in delicate health for a long time past, and from the 16th of last month has been unfit for duty, and, so far as I can learn, there is little prospect of his being able to resume duty for a long time, if ever. Under these circumstances, I would recommend his discharge from the Force on the usual compensation. He is a respectable, intelligent man, and during the time he has been in this district, apart from his ill-health, he has performed his duties in a very satisfactory manner—so much so that I am very sorry having to recommend his discharge. I enclose a medical certificate from Dr. Leatham, who is his medical attendant.—I have, &c., W. S. PARDY, Inspector." This certificate reads: "I certify that I have professionally attended Constable Alexander Hattie, of New Plymouth; that he has recently had a severe illness, contracted from exposure whilst on duty; that he is now in a debilitated condition, and is, in my opinion, an unfit subject for the work of a policeman, such occupation being injurious to his constitution, and likely to be attended by serious results if he continues to be exposed to the effects of climatic influences as he has been of late. I have advised him to resign his post on account of the injurious effect the work has had on his health, and also in anticipation

of evils to come should he continue in the same line of occupation.—H. B. LEATHAM, M.R.C.S., L.R.C.P.—New Plymouth, 6th January, 1890.” Then follows: “Inspector Pardy, New Plymouth.—You may discharge Hattie. Voucher for compensation (£138 12s. 8d.) passed on this date.—W. E. GUDGEON, 17th August, 1890.” It appears this man had been in the Force before, and had resigned, and Major Gudgeon submitted this to Captain Russell, who wrote, “Compensation must be reckoned on his last term of service only. As he resigned in 1877, he forfeited all claims by so doing.—W.R.R.—15/1/90.”

470A. When was he reinstated?—He writes on the 27th February, 1891, as follows:—

SIR,—

Chelmsford House, Thorndon Quay, Wellington, 27th February, 1891.
I beg respectfully to apply for reinstatement as a constable in the Police Force. Reference to my papers will disclose that I was discharged at Taranaki on compensation as medically unfit. Having fully recovered my health (please see attached certificate from Hon. Dr. Grace), I now feel thoroughly capable of performing my duties satisfactorily; and if, therefore, you will be good enough to consent to my request, I should feel deeply grateful, and should at once refund the compensation I received on leaving.

The Hon. the Defence Minister, Wellington.

I have, &c.,

ALEXANDER HATTIE.

To this I replied on the 3rd March, 1891, as follows:—

SIR,—

Police Office, Wellington, 3rd March, 1891.
I am directed by the Hon. the Minister of Defence, in reply to your application of the 27th ultimo for reinstatement in the Force, to forward for your information copy of an application from you for retirement on compensation on account of ill-health, dated “7th January, 1890,” together with a copy of a medical certificate which accompanied that application; and to add that the Minister is not satisfied that your health is sufficiently restored to admit of your being taken back into the Force.

I have, &c.,

A. HUME, Commissioner.

Mr. A. Hattie, Chelmsford House, Thorndon Quay, Wellington.

471. *Colonel Pitt.*] Who was the Minister?—Mr. Seddon.

472. *The Chairman.*] When did Mr. Seddon take over office?—On the 24th January, 1891, as Defence Minister; and Mr. Thompson on the 22nd June, 1896, on which date the police were transferred from Defence to Justice.

473. *Mr. Taylor.*] What happened after you had sent that letter?—The next thing is a memorandum of the 1st August, 1891, to Inspector Thomson: “Ex-constable Hattie has been directed to report himself at your office on Monday morning next, the 3rd instant, for duty. Please swear him in accordingly.—A. HUME, Commissioner.”

474. Will you say what passed in the way of correspondence, or interviews, between the letter in which you stated the Minister was not satisfied that Hattie was fit for reinstatement and the sending of that memorandum?—There is nothing to show.

475. You do not know who appealed on behalf of Hattie?—I would not know.

476. Is there a memorandum from Mr. Seddon bearing on the subject?—Yes.

477. What does it say?—“Please give me your views on this matter. The applicant seems a very decent fellow, and is well recommended.—R.J.S., 15/4/91.”

478. What was your reply to that?—“Mr. Seddon.—I do not think this man should be again taken on in the police. He resigned in 1877, and was medically unfit in January, 1890. Major Gudgeon says of him, ‘I have known Hattie for twelve years, and he has always been a weak-chested man.’ He is better now, no doubt, because he has had a rest from police duty; but I do not think he is fit for police work.—A. HUME, 16/4/91.” Mr. Seddon minuted this: “Matter to stand over.”

479. *Colonel Pitt.*] Did he refund his compensation?—I do not think so. I do not think there is any case of a man having refunded his compensation.

480. *The Chairman.*] In reply to the memorandum from the Minister you reported against his being taken on?—Yes. I thought he was too weak-chested.

481. You would scarcely remember, I suppose, if there was any further correspondence between the sending of that note and the date of his appointment?—There is certainly no correspondence, or it would be here on the file.

482. *Mr. Taylor.*] Do you remember any constable within the last few years—say, two years and a half—objecting to go to a station to which he was ordered, protesting on the grounds that he had reported the sergeant in charge of that station for drunkenness, and that it would be impossible for him to get on with him?—I think there was such a case.

483. Do you remember if the man was forced to go?—Probably. I should think so.

484. You do not think that would affect the discipline of the Force?—Oh, no. I would look upon that as an idle excuse.

485. You do not think it would be likely to interfere with the discipline of the man, the fact that he had to work under a sergeant whom he has had occasion to report for drunkenness?—No.

486. Nor that a superior officer is not likely to take any notice of a constable having reported him for drunkenness?—No.

487. What is the custom, so far as sergeants are concerned: are they supposed to be in charge of stations where there are no other constables?—Yes; and I have pointed out the farce of it. There is a man—Sergeant Hannan—in charge of himself, at Stafford.

488. He was transferred to some North Island station in 1892, and was away for about four months?—I believe so.

489. Do you remember anything special about his being returned? Was his return ordered by the Minister?—Undoubtedly.

490. Who was Defence Minister then?—Mr. Seddon.

491. Is Constable Donovan, who took his place, still living?—Yes.

492. Was he a first-, second-, or third-class constable?—He was third-class then; he is second-class now.

493. I would like to ask whether the police-officer named Donovan, who relieved Sergeant Hannan for four months at Stafford, was not, immediately after the return of Sergeant Hannan, promoted to the rank of sergeant?—I will have to look up the papers.

Colonel Hume : I find, in reference to constables being stationed a long time in one place, that first-class Constable Knapp has been at Spring Grove since the 1st July, 1877—I think that is the longest.

494. *Mr. Taylor*.] Have you ever recommended his transfer?—Yes.

495. And the Minister would not approve of it?—No.

Colonel Hume : I find, also, in reference to Constable Mullaney, that he was promoted because he was a Clerk of Court.

496. *Mr. Taylor*.] That means he would probably be promoted over the heads of men of equal rank, but who had not been Clerks of Court?—Yes.

FRIDAY, 18TH FEBRUARY, 1898.

Examination of Colonel HUME on oath continued.

Colonel Hume : I produce, first of all, the papers relating to the reappointment as sergeant-major of the late Mr. Moore, who was previously Inspector. I find from the papers, Sir, on the recommendation of the Petitions Committee of Parliament, the Minister appointed Mr. Moore to be sergeant-major on the distinct understanding that the compensation was to be refunded.

497. *Colonel Pitt*.] Do I understand you to say this was as the result of the report of the Select Committee of the House?—Those are the papers, Sir.

498. *The Chairman*.] Have you got the report of the Committee?—No; it is not on these papers.

499. You say he was reinstated?—He was not reinstated. He was appointed sergeant-major.

500. *Colonel Pitt*.] Was that, do I understand, on the report of the Petitions Committee?—He had petitioned the House, and they had recommended him for favourable consideration.

501. At any rate, it was after the report by the Committee?—Yes.

502. *Mr. Taylor*.] One stipulation was that the £700 compensation was to be refunded?—I will read you the telegram appointing him. Mr. Seddon sent this telegram, dated Dunedin, 19th November, 1891, to S. Moore: "It has been decided that you are to be reinstated in the Police Force with the rank of sergeant-major. On first vacancy Inspectorship you to be promoted to your former rank as Inspector. Compensation paid to you to be refunded. It is my intention for the present to place you in charge of Napier District. You will receive the usual official notification in the course of a few days or so.—R. J. SEDDON." Then, on the 8th February, 1892, I wrote to Inspector Emerson, in charge of the Napier District, Sergeant-major Moore having in the meantime been posted to Gisborne, which is in the Napier District, requesting him to ascertain from Sergeant-major Moore how he proposed to refund the compensation received by him on retirement from the service in the June previously. I shall have to read his reply in full:—

Police Office, Gisborne, 19th February, 1892.

Inspector Emerson, in charge of Waikato and East Coast District, Hamilton.
REPORT of Sergeant-Major Moore, in compliance with the annexed letter, No. 49, of date 8th instant, from the Commissioner of Police, with your minute of date the 11th February, 1892, thereon, asking how he proposes refunding the compensation, £700, received by him on his retirement from the service on the 30th June last. I beg most respectfully to request that the department will not urge on a refund while I hold such an inferior position to my former one, on retirement from which I received the compensation; taking into consideration the pecuniary loss I have already sustained through being so long a period out of the service—namely, from the 30th June, 1891, to the 1st December last, without any fault whatsoever on my part, as the books of the department will show. Having on the 13th October, 1861, at the solicitation of the then Provincial Government of Otago, been transferred from the Victorian Police, where a pension of from £250 to £370 per annum is given on retirement therefrom, to the Otago Police Service, and having held a commissioned rank—that of second and first class Inspector—from the 7th August, 1871, until the 30th June last (over twenty years), I submit that it is hard to be now compelled, through necessity, to accept a non-commissioned grade, and then refund my compensation. It is well-known by the former heads of the department that during the greater portion of my service I have had responsible and arduous duties in charge of gold escorts and districts combined. Owing to the great amount of travelling those duties entailed, I have not had a chance to save money to provide for my family as other Inspectors had who were simply in charge of districts. Again, in March, 1888, I was transferred from Lawrence to take charge of the Southland District, and in January, 1890, from Southland to the charge of the Dunedin district, each transfer causing me a loss of over £50. I was not aware at the time that other Inspectors obtained a refund for similar losses; consequently I did not apply for a refund. Now, having been so long out of the service—namely, from the 30th June, 1891, to December last,—and being in daily expectation of reinstatement, I had necessarily to encroach very heavily upon my compensation, and having re-entered the service in December, with the rank of sergeant-major, at about one-half the salary I was in receipt of in my former position, I submit that I am fairly entitled for my past service to the two years' pay as compensation. For instance, were I in a position to refund the money, which I am not, if again retired with my present rank I would only be entitled to one year's pay, about £191. This, I submit, would be very hard on me and my family. Under the whole circumstances of my case, I most earnestly request that the head of the department may be pleased not to urge on a refund while I hold the present non-commissioned rank. Should the department be pleased to place me in my former position, I would most willingly submit to monthly deduction from my salary, or give the department a guarantee that on my retirement from the service I would not be entitled to any more compensation. I may, in conclusion, state that, owing to my repeated removals (particularly during the last five years), my family have been subjected to many disadvantages in the way of schooling, &c. Feeling sure the Commissioner of Police, Colonel Hume, will clearly see the force and reasonableness of these remarks, I most respectfully ask that he will be good enough to advise the Honourable the Defence Minister to grant my request.

S. MOORE, Sergeant-major, No. 617.

That was submitted to the Hon. the Defence Minister on the 17th March, 1892, and he says: "Sergeant-major Moore accepted the appointment he now holds on the distinct understanding that the moneys received as compensation were to be refunded, and in terms which he agreed to. The moneys must be returned. If terms agreed to require amendment, amend by extending time."

503. *The Chairman*.] What is the extension of time referred to? There must have been some terms agreed to for repayment? I do not see the terms?—You see the Minister was away when this happened. I asked afterwards what he proposed to do, and that is the answer which I have just read.

504. What were the terms you had given him?—I cannot say the terms, Sir.

505. *Colonel Pitt.*] You communicated Mr. Seddon's memorandum to him?—Yes. I wrote to Inspector Emerson on the 19th March, 1892 :—

Referring to your minute 289/92, of the 3rd instant, covering a report from Sergeant-major Moore in reference to the repayment of the compensation (£700) paid to him on his retirement from the service in June last, and requesting that the refund may not be insisted on, I am directed by the Hon. the Defence Minister to request you to inform Sergeant-major Moore that, as he accepted his present position on the distinct understanding that the moneys received by him as compensation were to be refunded, he regrets that his request cannot be complied with, but that if the terms to which the Sergeant-major agreed are unduly oppressive, he has no objection to their being amended by extending the time in which the refund is to be made. I am to add that, in the event of compensation being again payable to Sergeant-Major Moore, the basis of computation will be the same as in the former case.

A. HUME, Commissioner.

Then he appealed again, on the 9th April, 1892 :—

Having had many expensive removals, a considerable amount of sickness in my family, and having incurred much expense in the education of my children, on receipt of my compensation I was obliged to encroach heavily upon it in the liquidation of accounts contracted. On accepting my present position I understood that a refund would not be demanded until I had again reached my former position. If the above proposal cannot be accepted, I beg most respectfully, further, to request that I be allowed to retain the compensation on the distinct understanding that upon my removal from the service I shall have no further claim upon the Government for compensation.

S. MOORE.

That was submitted to the Defence Minister on the 14th May, 1892. The Minister says, "In this matter Sergeant-major Moore has broken faith. He agreed to refund, and at the time he knew his position, and which position is now bettered. Refusal to comply means bar to promotion, and loss of my confidence in this officer." And, further than that, when the vacancy of Inspector did occur he did not get it, on that ground.

506. *Mr. Taylor.*] He was kept sergeant-major?—Yes; and died as sergeant-major.

507. He was drafted as sergeant-major to the West Coast?—To Westport; but that made no difference. Then, there was another appeal from him on the 31st May, 1892. He says there :—

I beg to state I feel very much disappointed that my former reports on this matter have not been deemed satisfactory by the Hon. the Defence Minister, and feel greatly hurt that, owing to my being unable to refund this compensation, it will "mean a bar to promotion and loss of his confidence" in me. I may mention that in all interviews I have had with the Hon. Mr. Seddon I have found him exceedingly courteous and kind to me, and I very much regret that he should now express himself as stated in the above-mentioned memorandum from the Commissioner, to the effect that I have broken faith with him; and I can safely assert that I have never intentionally or wilfully broken faith with any man on any subject whatever, and fail to see how in the face of my previous reports I can be accused of having done so in this instance. I have made no attempt at concealment of my position financially, and my previous reports, above quoted, show it fully; and, as already stated in them, I cannot refund the whole of the money, nor do I think it would be just to ask me to do so, as I was under the impression that a refund would not be asked for until I regained my former position, that of second-class Inspector, and I submit the tenor of the correspondence in this matter generally leads to that impression. In my previous reports it will be seen that I have been to considerable expense prior to and after my retirement, and have necessarily encroached very heavily on the compensation-money. I have house property, but what with clearing it, and the fact that property of this description has so deteriorated in value, to realise on it would now simply mean ruin; and I regret to have to state that recently I had to pay over £400 in calls, &c., in connection with a gold-mining speculation which I entered into in Eaglehawk, Victoria, in the year 1858, but glad to be able to say I am now clear of it and all other liabilities. Out of the compensation received I have still about £200, which sum I am willing to refund should the Government urge on it. This is the only offer I can make, as I have no other means, except as stated, at my disposal. Should I regain my former rank, I would then willingly submit to deduction being made from my salary of £30 a year towards liquidating the balance. Under the circumstances, I most respectfully trust that the Commissioner of Police will be pleased to place this report before the Hon. the Defence Minister, and to advise this course to be adopted.

S. MOORE, Sergeant-major.

Then, in reply to that, I sent the following to the Minister, dated the 28th June, 1892 :—

If Sergeant-major Moore before being taken back promised to refund his compensation, his conduct cannot be too severely commented upon, and has certainly been the reverse of straightforward and honourable. There is, of course, no promise in any official documents. He now states he can only pay back £200 of the £700, which is the only offer he can make, but if he was promoted to his former rank he could pay back £30 a year, which would take upwards of twenty-three years to pay the amount back in full. If he stated before he was taken on as sergeant-major that he was prepared to pay back the compensation money on being taken back, then I consider he should be forced to keep his promise.

A. HUME.

The Minister notes: "I quite concur in this memo. He did promise to refund the moneys by his own admission; since asked to refund he has speculated, and lost £400 of Government moneys." Then he was passed over for promotion, and he is now dead.

508. *Colonel Pitt.*] Why did they not discharge him from the Force or put him back to the position he was in?—I do not know, Sir. I suppose because of the Parliamentary recommendation.

509. *The Chairman.*] When did he die?—On the 28th April last.

510. How long did he remain in the Force after that correspondence?—He got sick, and then he was removed to Westport from Gisborne.

511. What provincial district had he been in as Inspector of Police?—Otago principally.

512. Had he ever been on the West Coast as Inspector?—No, I do not think so.

513. *Mr. Taylor.*] I would like to ask Colonel Hume whether he knows what age Sergeant-major Moore was when he was reappointed?—I could not say straight off, but I think about sixty-three or sixty-five. [Fifty-seven, since ascertained.]

514. Then, with regard to Matthew O'Brien—O'Brien is still in the Force?—Yes, he was when I gave up charge.

515. Was he not sent from Helensville for being of drunken habits?—No.

516. What was he transferred from Helensville for?—For not keeping his books up to date.

517. *The Chairman.*] What is he now?—He is a first-class constable, stationed at Auckland.

518. *Mr. Taylor.*] Was he in charge of the Helensville station?—He was deprived of the charge of a station, and, I think, fined 10s. for not keeping his books properly.

519. Have you any report on him by Mr. Bush, Stipendiary Magistrate?—No.

520. Have you the report dealing with the reason for his removal from Helensville—any correspondence bearing on the cause of his removal?—Yes, I have got it all here. Sergeant Gamble was sent up from Auckland to see what the delay was in not getting answers to documents from Helensville, and his report reads:—

Police Station, Auckland, 17th February, 1895.

REPORT of Sergeant Richard Gamble, *re* proceeding to Helensville on the 15th instant *re* the case of Brennan assaulting Hackett.—I beg to report that on Friday, the 15th instant, I left Auckland at 4 p.m. and arrived at Helensville about 7 p.m. Constable O'Brien was on the railway platform and was sober. I told him I came up to see what was the matter with him, as we could get no answer from him to telegrams sent by the Inspector. He said he could not attend to it, having been called away so often. I asked him if he had served all the witnesses in the Brennan-Hackett case. He said he had not served any of them, that he did not know the date the case would be heard. I told him we sent the subpoenas to him on Tuesday and he should get them on Wednesday morning. He said he did not get them. I told him to inquire at the post-office and at his own house. He came to me afterwards and told me he found them at his own house, having mislaid them. We then interviewed Mr. Smith, publican, and his barman, Olive, and served them with subpoenas. I sent Constable O'Brien next morning to Waingungu to serve a witness named Jago. Another witness named Bell is in Auckland.

R. GAMBLE, Sergeant.

521. *Mr. Taylor.*] Is there no record bearing on the question of the man's sobriety?—It may be on the defaulter's sheet. On the 8th June, 1897, there is an entry of his being in an hotel drinking, in uniform, for which he was fined £1.

522. Where was he then?—In Auckland, after his removal.

523. Had he any sick-leave?—There is nothing before that.

524. He was fined 10s. for dereliction of duty in February, 1895, after Gamble's report?—Yes.

525. And then he was promoted on the 1st February, 1897, to first-class constable?—Yes.

526. And on the 8th June, 1897, he was fined £1 for drinking in an hotel in uniform?—Yes. He had been in the Force since the 16th August, 1877, and he had only two entries against him at the time he was promoted. The first was in February, 1895, for neglecting to furnish particulars of evidence, *Regina v. Brennan*—10s. fine, and to be removed as soon as a suitable place could be found. On the 24th May, 1895, for neglecting to keep his station books posted up—fined 5s. (not 10s., I made a mistake) and deprived of station. That was when he was brought into Auckland. Then he was promoted in February, 1897. He had been a second-class constable since July, 1883. He was promoted in due course on account of seniority—that is to say, he was at the top of the list. I may state there are two entries in his merit-sheet—detecting a breach of the Beer Duty Act; rewarded £1 by the Customs. That was at Helensville in 1892. In 1894, arresting a deserter from H.M.S. "Wallaroo," £8. I think I explained to the Commissioners that he gets £3 from the colony and £5 from the ship.

527. *Mr. Taylor.*] Did he ever form the subject of special consultation with the Minister of Defence?—I do not remember.

[Colonel Hume here handed in a return of the religion of members of the Force on the 1st July, 1890, and the 1st January, 1898.]

528. *Mr. Taylor.*] Can you tell me what were the religions of members of the Force at Oamaru on the 12th July last year. I think you will find there were seven Catholics and one Protestant there on that date?—On the 30th June, 1897, there were five Roman Catholics and three Protestants at Oamaru.

529. Do you know whether the single constables at Oamaru are housed in the barracks?—Yes.

530. Do they not, as a matter of fact, lodge at the hotels?—No.

531. Do you not know that some of them lodge at hotels because there is no cooking apparatus at the barracks?—No, I do not. Instructions have been sent some time ago to the Inspectors to say that wherever there were respectable boarding-houses they were to recommend constables at places where there was no mess to feed there in preference to going to hotels.

531A. *The Chairman.*] There is no mess at Oamaru?—No.

532. *Mr. Taylor.*] Is there a gaoler there?—Yes.

533. Is it not his duty to see that there is a mess for the single men?—No.

534. Do you think that the necessities of a population such as Oamaru has required the presence of eight police-officers of all ranks in that town?—Yes, or they would not be kept there.

535. Do you know what the population of Oamaru is?—No, not straight off. I may point out I do not go by population. You cannot go by population at all. I think Timaru and Oamaru are about the same size.

536. *Mr. Taylor.*] The census of 1896 shows the population of Oamaru as 9,225. Do you know what number of police-officers there are at Sydenham?—Two, I think.

537. With a population of between ten and eleven thousand?—Yes; that exactly bears out my argument, that you cannot go by population. At Sydenham there are about eleven thousand people, but they can telephone to the police-station at Christchurch and get twenty men in a very short time.

538. Will you tell us how many people were in the gaol at Oamaru in one year?—No, but I can this afternoon.

539. Will you tell us whether sometimes for a period of three weeks there has not been a single inmate of that gaol except the gaoler and his wife?—That may or may not be true. I think it is unlikely that Oamaru would be so long as that without a prisoner; but it is no extra cost to the colony at all, because when there are no prisoners the gaoler goes off to police work.

540. *The Chairman.*] Are the duties of these eight men at Oamaru confined to the town?—Oh, no. They have to go over the suburbs, and they have a great deal of escort duty to do—prisoners coming from Christchurch, Dunedin, and so on. Of course, I have only got to go on the opinion of the Inspector. He says he cannot do with less.

541. *Mr. Taylor.*] As a matter of fact there are policemen in each district adjoining Oamaru, Hampden, and those adjacent districts?—Yes, and then there is a big country round there. We have two very busy seasons every year. One is harvesting and the other is shearing.

542. If any one were to say of the police at Oamaru that their principal occupation was in getting out of each other's way, you would think it was saying what was not true?—I should.

543. Do you know the constable at Hampden—Constable Joyce?—Yes.

544. Has he been there many years?—He has been there since the end of 1880.

545. Has he ever been recommended for removal?—I could not answer that. I think it is very difficult to find a station for him, because he has got seven children, and our houses will not run seven children as a rule.

546. On that particular point—constables with large families—can Colonel Hume tell us the circumstances connected with the removal of Constable Darby from Carterton to do street duty in Wellington—a man with a large family, I think ten children? First, what was he? first-, second-, or third-class constable?—First-class constable; he is sergeant now.

547. Who recommended his transfer?—On the 27th January, 1896, I recommended Constable Darby's transfer from Carterton to Wellington, and the reasons I gave were that he had been at Carterton since 1883; and he is now a widower and it is not desirable that he should continue in charge of a station. As I have explained, in the case of a single man or a widower it is not desirable that he should have charge of a station where he has to deal with women.

548. Is that a general rule?—Yes; always so.

549. He had been Clerk of the Court at Carterton?—Yes.

550. He would lose very considerably by the transfer?—Yes; another man down South suffered in exactly the same way.

551. This man had ten children?—I think so.

552. It was necessary he should be in charge of a station. It is only men who are in charge of stations who are Clerks of Court?—Yes.

553. Did he not get a very respectable woman as housekeeper immediately after his wife's death?—I do not know.

554. One of the reasons for his transfer was that his wife having died there was no female searcher at the station?—Quite so. He would have to take charge of females, and that was not desirable.

555. Can you tell us whether Mr. Hogg, the member for Masterton, did not interfere actively in getting this man transferred? Did he not bring the matter under your notice that the man's wife having died it was desirable that he should be transferred?—Oh, no; they have to report the fact.

556. Did he not see you about it, then?—I do not think so.

557. Now, with regard to Constable John Ryan; he was Clerk of the Court at Raglan?—He was, but not now.

558. You said yesterday that you could remember he was charged with, I think, some error in his forage account, but you could not remember his being charged with blackmailing in connection with judgment debtors?—I may say there was an inquiry held by the Inspector there.

559. *The Chairman.*] Will you tell us where he is now?—He is at Taupo, in charge there, and Clerk of the Court there.

560. What is his rank?—He is a first-class constable.

561. *Mr. Taylor.*] What was he at the time he left Raglan?—Second-class. The following is the report of the Inspector:—

Police Office, Auckland, 29th October, 1894.

Memo. No. 516A.—The Commissioner of Police, Wellington.
I FORWARD herewith statements of witnesses made before me at Raglan on the 24th and 25th instant respecting charges preferred against Constable John Ryan, No. 348. First: The first charge made was that he had on 2nd March last attempted to deduct 10s. from a sum of £4 1s. payable to a Maori out of Court trust funds; that the Maori appealed to Mr. Langley, a storekeeper of Kawhia, who caused Constable Ryan to pay the full amount. During the inquiry a number of other charges were preferred against the constable. Second: That he asked for and received by way of commission, on the 24th June, 1893, the sum of 8s. from Mr. James Rendell, storekeeper at Raglan, out of a sum of £7 8s. payable to him out of Court. Third: That he in December last assaulted a man named William Badley who was tipsy at the Royal Hotel at Raglan. Fourth: That he informed a man named Peter Middlemiss that his tender for fencing Courthouse reserve for a sum of £7 was accepted, and after the posts had been ordered he gave the work to Mr. A. Langley, of Raglan, the price being £6 15s. Fifth: That he has on three occasions had the shoes removed on his own horse at the same time that the shoes on the troop horse were removed, and has charged the removes as new shoes to the department. Sixth: That when arresting a man named Patrick Nolan, on the 25th October, 1893, for being drunk and disorderly he knocked him down. Seventh: That he retained 3s. 9d., with costs of Court 5s., out of an account of £6 8s. 9d. adjudged by the Court to be due James Rendell. Eighth: That he received 5s. for an information laid by James Rendell, which sum he retained for his own use. Ninth: That he used the horse-cover purchased for troop-horse on his own horse.

I submit that the first and second charges have been proved. That the third charge has not been proved. It appears he heard a noise in the Royal Hotel about 9 o'clock at night, in December last. On going in to see the cause a man named William Badley, who was tipsy, trod on his toes. Constable Ryan pushed him off and he fell. That the fourth charge has not been proved: indeed, I may say it has been disproved. The fifth charge has been proved. He admits that on three occasions when the troop-horse required his shoes removed he was not fit for work; he got the shoes removed, and at the same time got the shoes removed on his own horse at a cost of 3s. 6d. each, and charged each time for a set of new shoes to the Police Department. The troop-horse being old and not fit to do much work, he has more frequently used his own horse on police duty. From February, 1893, up to date—twenty-one months—accounts for fourteen sets of new shoes have been paid. No account for removes has been received by me. The sixth charge has not been proved. The seventh charge has been disproved. The record-books produced show that he received only £6 from a Native named Mete Karaka, and that amount was paid to Mr. Rendell. The eighth charge has been disproved. The information laid by Mr. Rendell's son was produced with stamps for 5s. affixed to it. The information had been withdrawn. This information has passed audit. The ninth charge has not been proved. I have seen a cover for his own horse much like the one for the troop-horse, and both covers have been used at the same time on both horses. He admits he has received no permission to keep a private horse.

I attach hereto a copy of my entry of inspection. Some delay has occurred from the time the first complaint

was made before the inquiry was held, but it was unavoidable owing to the fact that several of the witnesses are living many miles apart, and during wet weather the tracks were impassable, so that the witnesses could not be brought together.
J. Hickson, Inspector.

I reported on the 2nd November, 1894, that this man was evidently unfit to have charge of a station, and that he should be brought into a centre under an Inspector.

562. *Mr. Taylor.*] What became of him?—He was brought into Auckland. I telegraphed on the 22nd December, 1894, ordering Constable Ryan from Raglan to Auckland at once, and Constable Tapp to proceed from Onehunga to Raglan. On the 11th February, 1897, I recommended him for charge of Taupo Station. He went there, and is there still.

563. Was that recommendation made at the instigation of any Minister or outsider?—No, he was senior man without a station, and he had been three or four years without a station, and I thought that had been punishment enough.

564. It was not made as the result of any application to you?—Not that I can remember.

565. Was there no petition from Ryan for removal from Auckland?—I suppose he asked. I do not see it amongst the papers.

566. I wish to know if there was no man of intelligence and character in the Police Force to whom the appointment at Taupo would have been a suitable reward for services rendered—whether there was no man more worthy of this appointment than this man who had been proved guilty of theft?

567. *The Chairman.*] Put it this way: You, having two years before reported he was unfit to have charge of a station, what induced you of your own motion to place him in charge of a station?—That is very simply answered. I considered that he had been sufficiently punished for what he had done, and that he ought to have another chance; and I am glad to see that my successor agrees with me, as he has since promoted him.

568. *Mr. Taylor.*] When was he promoted to first-class?—On the 15th February, 1898.

569. Is he a Protestant, or a Roman Catholic?—He is a Roman Catholic.

570. And was not this man's case at any time brought under your notice by any member of his Church, or by any Minister of the Crown?—Not that I can recollect.

571. No one interviewed you on his behalf?—I do not think so. If there had been a letter, it would have been on this file.

572. I do not refer to a letter so much as a personal interview?—I cannot remember it. A great many people speak to me about this sort of thing. I thought he had been sufficiently punished.

572A. I would like to ask Colonel Hume this: Was there no man in the Force in New Zealand of sufficient character and intelligence, and length of service?—

573. *The Chairman.*] You can fairly put it this way: In promoting this man, after what had happened about him, do you think you were behaving fairly to the rest of the Force?—Yes, or else I should not have done it.

574. *Mr. Taylor.*] Have you the papers relating to Constable Mayne's exemption in connection with the Court orderly at Dunedin?

Mr. Tunbridge: I cannot find any papers at all on the subject. As a matter of fact, as far as I understand, there is no regular Court orderly at Dunedin.

575. *Mr. Taylor.*] Have you the papers relating to the removal of O'Donovan—that is the case of Hannon-O'Donovan referred to yesterday?—I want to know when Sergeant Hannon was removed from Stafford to Masterton?—I said yesterday I thought my memory was all right. He went to Otaki.

576. When was that?—That was reported as carried out on the 4th February, 1891. The telegram ordering it was dated the 29th December, 1890.

577. At the time of his removal he had been in charge of Stafford for some time?—I could not say how long at all. He was not sergeant in those days.

578. When was he promoted?—On the 1st February, 1892.

579. How long was he away from Stafford at Otaki?—He went from Otaki to Masterton. I do not know how he got to Masterton, but he was at Masterton. He was acting-sergeant.

580. When was he re-transferred to Stafford?—The order was given on the 29th December, 1891.

581. How long was that after his removal from Stafford?—He left Stafford in February, 1891.

582. Is he now in Stafford, in charge of himself as sergeant?—Yes.

583. That is very unusual for a sergeant to be in charge of a station without any man under him?—I do not think there is another case; but Stafford is a very peculiar place. He is Receiver of Goldfields Revenue, and he has two Courts to run.

584. Who was the Minister who ordered his re-transference to Stafford?—Mr. Seddon would be in office then.

585. Have you any Ministerial memorandum bearing on his re-transference—was it on petition of the man himself, or was it a direct order from the Minister?—I cannot tell you. I see my memorandum ordering it, but I cannot tell you what led up to it.

586. It is scarcely the kind of transfer you would have made without instructions?—I cannot tell at all. I cannot remember the case.

587. Are there not first-class constables on the goldfields who are acting as Receivers of Goldfields Revenue in charge of stations?—Yes.

588. So that it does not require a sergeant necessarily?—Oh, no.

589. While he was away from Stafford Constable O'Donovan I think was in charge?—Constable O'Donovan. He went from Stafford to Ross. He is in the same list of transfers.

590. When was Constable O'Donovan made sergeant—was it not immediately after he had relieved Sergeant Hannon?—He was made sergeant on the 15th February, 1892.

591. Now, with reference to Constable Carlyon. Yesterday you could remember he was charged with being drunk, using obscene language and being guilty of disorderly conduct in a hotel, but you did not think it was during prohibited hours. He was reduced to third-class constable?—Yes.

592. And he has since been promoted to first-class?—Yes, on the 1st June, 1896.

593. *The Chairman.*] Have you any record to show how or why or under what circumstances?—I see a recommendation on these papers from Mr. Lawry.

594. *Mr. Taylor.*] Mr. Frank Lawry, M.H.R. for Parnell?—Yes.

595. What is the date of the recommendation?—3rd February, 1894.

596. *Colonel Pitt.*] What was he recommended for?—The following letter was written by Mr. Seddon: "Sir,—In reply to your letter of the 4th December last, *re* consideration of the case of Constable Carlyon, I have the honour to inform you that I have given instructions for this constable to be promoted to the second class, and to be posted to Ponsonby Station, which is now vacant.—I have, &c., R. J. SEDDON. F. Lawry, Esq., M.H.R., Auckland." On the 8th June, 1896, I wrote to the Minister: "You will see the offences for which this man was reduced from second-class constable to third-class constable were about as bad as they could be. You will see also, by letter from Defence Minister to Mr. Lawry, M.H.R., of the 3rd February, 1894, that this man was at that time promoted from third- to second-class constable, and, as he has given entire satisfaction ever since he left Dargaville, and does not now drink, I have much pleasure in recommending he be now promoted to first-class constable. He has had charge of Ponsonby Station (8th February, 1894), and has carried out his duties to the satisfaction of his superiors.—A. HUME." Then: "Approved —T. THOMPSON."

597. *Mr. Taylor.*] Was he the subject of any special conversation between yourself and Mr. Thompson prior to your making the recommendation?—I do not remember. I should not have written this probably if there had been, because I have written it out fully here.

598. Have you the papers now about Constable McGill's sick-leave?—Yes.

599. I would like to know what is the longest period of continuous sick-leave that he has had?—The first paper, dated the 9th February, 1895, is the report of Constable Stanton, as follows: "I have to report, in accordance with Police Regulation No. 39, that First-class Constable Patrick McGill, stationed at Addington, has been sick more than four times during twelve months, as follows: 1894—July 23rd to 31st, nine days, influenza; October 25th to 30th, six days, influenza; December 14th to 25th, twelve days, influenza. 1895—January 24th to 27th, four days, influenza; February 8th (still on sick list), influenza." Then comes the minute: "Forwarded to the Commissioner. Constable McGill is now stationed at Addington.—T. BROHAM, Inspector." Then my minute: "Please report when this constable resumes duty." Then: "McGill has just obtained a month's leave of absence on account of sickness." On the 9th February, 1895, application of Constable McGill for three months' sick-leave of absence on account of sickness on full pay: "I beg most respectfully to apply for three months' sick-leave of absence on full pay, as I have been for some time suffering from a severe attack of influenza, which can be seen by the attached doctor's certificate. In support of this application I would respectfully state that for over twenty-eight years' service I never had a day's sickness up to within the last six months. I trust that my officer, knowing the circumstances of my case, will be good enough to recommend this application for the favourable consideration of the Commissioner." Accompanying this: "9th February, 1895. —I hereby certify I have for a considerable time been attending Constable McGill, who has been suffering from the after effects of influenza. His constitution has been so severely tried that I have strongly recommended him to obtain, if possible, complete rest and thorough change for a period of three months, in order to restore him to his usual state of health.—A. C. DE RENZIE, M.R.C.S., England, 58, Oxford Terrace, Christchurch." The reply to that is a telegram dated 18th February, 1895: "First-class Constable McGill is granted a month's leave of absence on full pay. If not in a position to resume duty at the expiration of that time he must apply for an extension of leave, which will be duly considered.—A. HUME." Then, on the 11th March, 1895: "I hereby certify that Constable McGill is still suffering from severe mental depression following influenza. I am of opinion he will require another month or two of complete rest and change before he will be in a fit state to return to duty.—A. C. DE RENZIE, M.R.C.S., England." On the 11th March he applied for two months' sick-leave of absence on full pay, on which was minuted: "Forwarded to the Commissioner and recommended. Constable McGill has suffered very much from influenza. He has lost three and a half stone in weight, and is physically and mentally very much shattered. With rest and change of air he will soon be well again.—T. BROHAM, Inspector." The answer to that was on the 23rd March: "McGill is granted an extension of one month's leave, at the expiration of which you will be good enough to forward a report on his state of health.—A. HUME." Then, at the expiration of one month, 24th April, 1895, Inspector Broham reported that McGill was still far from well; that the "influenza had left him thin and worn and exhausted of all energy. Another month's leave recommended.—T. BROHAM, Inspector." Then the further minute: "Recommended that this man be granted another month's leave, which will make three months in all.—A. HUME." That was approved.

600. *Mr. Taylor.*] Did he return to duty at the end of that time?—The next certificate is dated the 27th June: "I hereby certify that Constable McGill is still under medical treatment suffering from severe nervous prostration after influenza, and is not, in my opinion, at present fit for duty.—ARTHUR C. DE RENZIE, M.R.C.S." Then, on the 2nd July, I wrote to the Minister: "This constable has now been nearly six months off duty from sickness within the last twelve months, and, as he is not now fit to resume duty, I recommend he be retired on medical grounds, receiving the usual compensation." I presume the Minister was away somewhere. Anyway the case was not dealt with, and I have added to this: "As this man resumed duty on the 11th instant, these papers can be filed." This is where the delay came in, apparently, for there appears this memorandum: "When a

member of the Force has been so long on the sick list as this constable had been, an immediate report of his return to duty should have been sent to this office."

601. Is it a fact that some of the policemen in Christchurch, when they have been bad with influenza, have had the number of days they have been sick deducted from their annual holiday?—I do not know. Inspector Broham can answer that.

602. It is quite exceptional for a man to be sick so long as McGill?—Oh, yes; but I dare say there have been others as long. He was very bad indeed at one time. It was not the influenza that Mr. Taylor seems to infer. I thought it was softening of the brain at one time.

603. Do you remember having conversations with Mr. Reeves and Mr. Seddon about this man's leave?—Oh, probably I did.

604. You do not remember the nature of them?—Mr. Seddon probably asked me whether I thought he would be able to return to duty, and I imagined from the manner in which I acted that he would.

605. With regard to Constable Russell, of Newton: can you tell the Commission the circumstances connected with his retirement from the Force, and his reappointment by the present Minister?—He was found in a publichouse at Newton. I am not quite sure whether it was after closing hours or before. He was either allowed to resign or be dismissed. He was out of the service, and he was brought in again some time afterwards by order of Mr. Thompson. That case has been mentioned in the House, I think. The report I wrote on the case was as follows:—

It seems quite clear Constable Russell was in the "Rising Sun" Hotel on the 5th April last at about 10.50 p.m., and thereby disobeyed Regulation 55 and Circular Memo. 11/95 of the 10th August last, rendering himself liable to immediate dismissal by such conduct. It is also beyond all reasonable doubt that he had, just when the sergeant entered the hotel, there and then consumed a glass of beer, as the freshly-emptied glass was in front of where the constable was standing. It is also clear that the constable tried to get away from the sergeant when the latter went into the hotel. It is also clear that two long and two small glasses of beer were drawn by the licensee while Constable Russell was in the hotel; but the constable did not or would not see this violation of the law, though one of these glasses was drawn for a man residing a few yards from the hotel, and he must have been known to the constable as neither a traveller nor a boarder. Perhaps the more serious aspect of the case is the falsehood told by Constable Russell, when asked by the sergeant if he knew anything of the man McCutcheon, who he was; when the constable replied, "No; he is a stranger to me. I never saw him before." And yet this McCutcheon turns out to be the constable's half-brother, and had slept in the constable's quarters the night previous to this conversation. This alone shows, in my opinion, Constable Russell's unfitness for the Force. Constable Wainhouse says he has seen the constable in publichouses after hours nearly every night that he has been on duty, and Russell has asked Wainhouse to go in with him and have a drink, and see if the places were closed; and he has also asked Wainhouse to go in with him and have a drink after hours more than once. Constable Russell does not cross-examine on these points, and therefore they must be taken as truthful. Again, Constable Flavell says he has seen Russell visiting publichouses after closing-hours, and has also seen him drinking after closing-hours at the "Newton" and "Rising Sun" hotels, but he has never seen him very much the worse for liquor. He has seen him twice slightly the worse, but never so much so that he could not do his duty. He says he knew on one occasion Constable Russell to be in the Caledonian Hotel about five minutes after closing-hour, and about three-quarters of an hour afterwards he went back to the Caledonian at the request of Mrs. Russell, and still found him there. He says also the constable has asked him to go into a publichouse with him after hours to have a drink, and Constable Flavell has done so; and Constable Russell declines to cross-examine on any of the statements. Night-watchman Simpson, of Newton, has also seen the constable in publichouses after hours, and has twice seen him the worse for liquor. I see no reason to doubt any of these statements, especially as the constable pleaded guilty. After giving all due consideration to the fact of this constable having served sixteen years and ten months in the police with a clean defaulter's sheet, I regret that I cannot come to any other conclusion than that he is unfit for further service in the Force.

He was dismissed on the 2nd May, 1896.

606. How long was it between his dismissal and his reinstatement?—He was reinstated on the 20th October, 1896.

607. Can you tell the Commission who interfered to secure the man's reappointment: did Mr. Lawry, of Parnell, recommend it?—I do not know anything about it. I was told by the Minister to reappoint him.

608. Do you not remember the nature of the conversation between the Minister and yourself?—He simply said the man had a large family.

609. Is there no record that Mr. Lawry recommended that man?—No.

610. You simply know that you were instructed by the Defence Minister, Mr. Thompson, to reappoint him?—Yes.

611. *The Chairman.*] Is he in the Force now?—He is stationed at New Plymouth.

611A. What class of constable is he?—Third-class. I may state that a very extensively signed petition was sent in, dated the 22nd April, 1896, from Auckland, in favour of this man Russell. It is addressed to the Minister of Justice, and is as follows:—

We, the undersigned, residents of Newton, in the City of Auckland, have learned with deep regret that senior Constable Russell, of the said Newton Police District, has been suspended by Mr. Inspector Hickson, of the Auckland District, for having been found in a hotel on a "given" Sunday night. We have no desire to take any exception to the action of Mr. Inspector Hickson, but we feel it to be our duty to place before you the following facts: (1.) Constable Russell has been in the Police Force of this colony for a period extending over the past seventeen years, during which time he has discharged his duties well, and to the satisfaction of the people with whom he has had to deal. (2.) A short time ago he received from the Police Department a medal for long service, which is in itself corroborative of the foregoing statement. (3.) He has dependent upon his labours for sustenance a wife and eight children. (4.) Whilst admitting that the said constable was guilty of a technical breach of duty by being found in a hotel on a Sunday night, it is alleged that his purpose in going into the hotel was to obtain lodgings for a relative who had arrived in Newton from the Waikato. (5.) Having fully considered the circumstances of the whole case, we have much pleasure in respectfully asking you to give Constable Russell's case your earnest and immediate attention, and, if you can do so, issue instructions for his reinstatement either in his present position or place him as a police officer in some other part of the colony.

612. Has any member of the House signed that?—No; I do not see the name of any member.

613. *Colonel Pitt.*] When was it dealt with?—It went before Cabinet.

614. *Mr. Taylor.*] Have you the papers relating to Sergeant Edward Wilson?—This is the report of Inspector Pender, who was then in charge of Christchurch:—

Inspector's Office, Christchurch, 6th July, 1891.

I HAVE the honour to inform you that, at the annual licensing meeting held at Akaroa on the 25th ultimo, Sergeant E. Wilson, who is in charge of the station, objected to the renewal of the license held by Robert Bayley on the grounds that he had been three times convicted of breaches of the Licensing Act during the year. Mr. Potts, who appeared as solicitor for Mr. Bayley, called Mounted Constable Whitty, stationed at Akaroa, who stated that the house was well conducted. Sergeant Wilson, in his report of the 26th ultimo, brought the constable's action under my notice, and I instructed the sergeant to obtain an explanation from Constable Whitty, which is attached hereto, together with Sergeant Wilson's report thereon, dated the 2nd instant. Constable Whitty was in charge of stations in this district for several years prior to his removal to Akaroa, which was at his own request for the benefit of his health. I have always entertained a very high opinion of his character, and am much surprised at the tone of his report and the position he assumes towards his superior officer at Akaroa. It is evident that there must be a change, and I beg to recommend the constable's transfer to some other station in this district.—I have, &c., P. PENDER.

I minuted on that: "I think both sergeant and constable should be moved from Akaroa. I have a constable in Christchurch who is waiting to be mounted, who would do for Akaroa. The sergeant might remain till he can be conveniently removed." "Removal approved. Exchange with mounted man.—R. J. S." The sergeant was removed soon afterwards to Christchurch, and he is now in charge of Palmerston North. He is a very good man.

615. *The Chairman.*] What were the charges made against the sergeant?—The constable said the house was well conducted, and the sergeant said the house was badly conducted.

616. *Mr. Taylor.*] But Whitty made some charges?—Constable Whitty reports: "About December last he (Sergeant Wilson) issued a requisition on Mr. Chappell, a resident here, for ten bushels of oats, and forwarded a voucher as having received this quantity from Chappell, whereas he only received one bag, about 180 lb., and made up the remaining weight (220 lb.) out of his own private stock which he had in hand." Then, he makes a charge with regard to the shoeing of the troop-horse, and wrongly charging for horse-hire when he used his own horse. Then, Inspector Pender reports to Sergeant Wilson: "I think it would be well to forward a reply to the charges made by the constable as soon as possible. If there is nothing in them, and that you can prove this, an investigation will be unnecessary."

617. *Mr. Poynton.*] Was the charge made by Whitty against Sergeant Wilson after the report about the license?—Yes; and the result was Inspector Pender recommended both to be removed, and they were removed.

618. *Mr. Taylor.*] What was the result of the charge?—It was not proved. The sergeant says, in forwarding this complaint: "I beg to state I can give a complete answer to every one of them, in writing if necessary, proving I have not had any benefit as the constable suggests; but, as the constable has thought it to be his duty to go round to the inhabitants of this place and get statements in writing, which I would point out are not evidence, and has threatened another who would not make statements to suit him, I respectfully submit only an investigation will settle the matter; and it is my wish the fullest inquiry be made, so that the truth can be established, and I may have an opportunity of proving the falsehood of the reckless statements the constable has made in this and a former report. In the face of this, and what has already transpired, I think the Inspector will see the malice by which the constable is actuated, and that if he had any serious charge he would be only too happy to bring it. I think I may say with regard to these charges that they have been so grossly exaggerated that they appear serious, whereas in truth there is nothing in them."

619. *The Chairman.*] What was the ground for removing the sergeant when the complaint which had been made was not proved?—Well, it was evidently a row between the two. One seemed to be as bad as the other.

620. *Mr. Taylor.*] Was not the charge against Sergeant Wilson dismissed with a caution?—I do not think so—unless I can see his defaulter's sheet. I do not see anything about it here. He says, "I feel I have been censured by being removed."

621. Did not Whitty resign?—I do not know what became of him. There is nothing about his resignation here. At the end the Inspector says, "I respectfully recommend that the sergeant and constable be removed at once. Please see my letter of the 6th July last." His recommendation was carried out.

Colonel Hume: I might here state that the number of prisoners in Oamaru last year was seventy-three.

622. *Mr. Taylor.*] Is that after conviction, or does it include awaiting trial?—Everything, after conviction and waiting trial.

623. Do you know Constable Bennett, of Hokitika?—Yes.

624. Has any serious offence against the Police Regulations been reported to you in connection with him?—Not that I remember. Recently, do you mean?

625. Within recent dates?—He has a clean defaulter's sheet.

625a. I want to know what report, dated the 18th April, 1893, was made in connection with this man by the sergeant in charge of the district?—On the 18th April, 1893, report of Sergeant Fraser, relative to breach of clause 52:—

Police Station, Hokitika, 18th April, 1893.

REPORT of Sergeant Fraser relative to a breach of clause 52 of the Police Regulations by Constable Bennett.—I respectfully beg to report that Constable Bennett of this station has recently been adjudged to be the putative father of an illegitimate child, of which child ——— is the mother. At the hearing of the case the Bench made an order for maintenance—viz., 4s. per week. Application was thereupon made by Constable Bennett to the presiding Magistrate to fix a sum of money to be paid in lieu and in satisfaction of the weekly payment, and the sum of £50 was ordered to be paid. This sum, I understand, has since been paid.—CHAS. FRASER.

The Inspector says: "Submitted for the Commissioner's information. Bennett is an excellent policeman, and I am truly sorry he has got into the trouble herein referred to. With costs of Court he has had to pay some £55, so that with the domestic trouble the matter has caused him, I submit he is sufficiently punished for his misdeeds.—FRANCIS MCGOVERN."

626. Has any other serious charge been made against this man?—No, that is the only thing I can see.

626A. Have not other officers been dismissed for the same offence that Bennett had been guilty of?—I should think so.

627. Do you remember one case or more where men have been dismissed from the Force for the same offence?—I do not know what the circumstances were, do not you see.

628. Is it not an offence that would usually meet with the punishment of dismissal?—I could not say that.

629. I think Colonel Hume says he thinks there have been dismissals for the same offence?—I think so, but I could not say.

630. As a matter of fact, did you not have a conversation with Mr. Seddon about this man's case?—I do not think I had, or else I do not think I would have told you at first that I thought there was no case against him.

631. You do not remember having a conversation about him?—No.

632. No special instructions about him?—No.

633. Is it an oversight that such a thing was not recorded on his defaulter's sheet?—It is a civil conviction. I do not know that his having been dealt with by the Court might not be considered sufficient.

634. In all matters affecting his promotion you would judge of his merit by his defaulter's sheet?—That does not follow; but at the same time I think it ought not to be entered in his defaulter's sheet.

635. There was no entry made in either Whitty's or Wilson's sheets?—Whitty was afterwards discharged on account of ill-health, on the 23rd March, 1892, with a very good character.

636. On his own application?—Ill-health. He had to produce a medical certificate.

637. Is the application there that he sent in?—No.

638. What I wanted to see was the letter that accompanied his resignation?—That would be on a separate record.

639. *Colonel Pitt.*] You say both these had clean defaulters' sheets?—No. Whitty had not a clean one; but that offence was not recorded against either of them.

640. *Mr. Taylor.*] You remember a case of a sergeant in New Plymouth being discussed in the House last session?—Yes, Sergeant Duffin.

641. Did you see him frequently when you had charge of the department?—When I visited New Plymouth I always saw him.

642. You know why he was dismissed?—Yes.

643. Did you know for years before that he was not a sober man?—No, I did not.

644. He was never reported to you?—No. I asked the Inspector several times what sort of man he was, and he had nothing to say against him.

645. *The Chairman.*] No complaint was made to you that he was an intemperate man?—It came out. He got *delirium tremens*, I think, finally. He was dismissed, and then a prohibition order was taken out against him.

646. *Mr. Taylor.*] A remarkable thing, was it not, if he developed that suddenly?—I think I can explain that. It is only my own idea. Of course he always had an officer over him at New Plymouth. The officer suddenly died, and Duffin was left in charge of New Plymouth for two or three months, and it was during that time he got worse and worse. That is the way it was explained to me.

647. Do you remember the case of a youth named Lindegreen being drowned at Wairoa, Hawke's Bay, a few months ago?—Yes, I think I remember something about it.

648. You remember the details of it?—No.

649. Do you know Constable Ramsay, who is in charge of the station?—He is not in charge. He is stationed there.

650. Do you remember that at the inquest it was stated that Ramsay had been drinking with this youth on the night he was drowned up to nearly midnight?—Yes.

651. Was any special notice taken of that?—As soon as I read it in the paper, he was called on for an explanation through his Inspector. The Inspector reports on this: "I beg to forward for your information the attached papers, and to state I consider, from the particulars gathered by the detective, that there are no grounds for entertaining any suspicion of foul play in connection with the death of this man. I think, however, Constable Ramsay should be transferred to Napier, where he would be under the constant supervision of a sergeant. Constable Bennett, of Napier, who is a married man, would be a good constable to replace Ramsay. I also recommend that Constable Coughlan be removed from Wairoa, as I am strongly of opinion he is unfitted, through incompetence, to have charge of an isolated station. After what has taken place, I think both Constables Coughlan and Ramsay should be removed as soon as possible." This is Mr. Tunbridge's minute: "Inspector Emerson,—Detective Chrystal's is a very clear and exhaustive report. Constable Ramsay has become too familiar with a certain class in Wairoa, and he has to be removed." Then, to the Commissioner: "Constable Ramsay arrived at Napier on the 4th instant, transferred from Wairoa."

652. Do you remember any case, Colonel Hume, in which a fine having been imposed on a constable for wrongdoing, and a conviction having been duly entered on his defaulter's sheet, the fine was refunded, and the conviction deleted without reference to the Inspector who imposed the fine—tried the case?—I think I have done so myself.

653. Deleted the conviction on the defaulter's sheet?—Yes.

654. What would be the reason for so doing?—When the papers came up, and I did not think there was a case against him, I should have informed the Inspector and taken it out. I do not know what particular case Mr. Taylor is referring to, but it strikes me I have done it before now.

655. Do you remember in the case of a man named Aitcheson of a fine being imposed and refunded?—I remember something about it. I do not think I did that. I think that was done by the Minister.

656. What was Atcheson ultimately dismissed for?—Something about a woman.
657. Do you know if he has been in the employ of the Rabbit Department since dismissal for that offence?—No I do not. I tried to find out, but I could not trace him at all.
658. What rule is followed in the Defence Department in the preparation of returns ordered by Parliament: For instance, supposing a return is ordered of all correspondence bearing on a certain question, does the Minister indicate exactly what portions of that correspondence shall be supplied?—No.
659. Is it all supplied?—No, we do not supply all. Instructions as to what is to be supplied is laid down in the Civil Service instructions. We lay all except Ministerial minutes and confidential documents.
660. You remember the correspondence with Inspector Emerson over the subject of granting a license to a man named Lawliss?—Yes.
661. A return of the correspondence in that matter was ordered, was it not?—Yes.
662. Was it all supplied?—All supplied, so far as I know.
663. Every letter?—Every letter.
664. Do you remember two letters, read by Mr. George Hutchison during last session of Parliament, which he alleges were omitted from that return?—No; but I can later on, if it is in *Hansard*.
665. You remember writing one letter, suggesting that the police should withdraw their opposition to the granting of a publican's license to this man?—Yes.
666. Who authorised you to write it?—I said I was directed by the Defence Minister.
667. Who was Defence Minister then?—Mr. Seddon.
668. You did not interfere with the police in regard to the issue of a license to this man of your own motion—it was distinctly under instructions?—Yes. I think the correspondence says so too.
669. When a serious charge is made against a police-officer, what method of inquiry is adopted? For instance, supposing a detective were to charge another detective with receiving blackmail from the bookmakers of Wellington, who would inquire into the charge?—The Inspector would, in Wellington.
670. Do you remember a case in which Detective Campbell charged Detective Kirby with receiving blackmail from certain gaming-shops in Wellington?—No.
671. Was that before your time, perhaps?—I do not happen to remember it, but it will be filed. Any way it may never have got to the Commissioner's office at all. The Inspector may have inquired into it, and found nothing in it.
672. Take another case: there were charges made by James Taylor, J.P., of Woodville, against Inspector Emerson, that he had been assaulted by Emerson on the Woodville Racecourse. How was that charge investigated?—The Inspector denied it; and it was decided that Taylor had his remedy in the Police Court—that Taylor could lay charges if he liked.
673. Have you had a charge of gambling-made against Emerson at Napier?—I do not think so.
674. You do not remember that?—No.
675. Do you remember charges being made against Kirby by Hermann?—Yes: that also has been before a Court of law, you know.
676. On an important charge being made against a police-officer, would the inquiry into the charge be confined to getting a report from the officer?—Oh, but Hermann's case is a different thing altogether. I was rather awkwardly situated. I had it on my own hook for a long time, because I could not very well give it to a detective to go and find out about another detective. It was hung up for a long time. That was an exceptional case. You see you could not very well, where one detective was concerned, tell another detective to go and look after it.
677. You said, Colonel Hume, yesterday that it was impossible to enforce the provisions of the Licensing Act so far as Sunday trading and other matters are concerned?—Yes.
678. In your report for 1894, paragraph 9, you say: "The efforts of the police to suppress Sunday trading, liquor-selling after hours, and sly-grog selling, have been extremely successful during the past year"—That is right, as compared with the year before.
679. You proceed: "And many convictions have been obtained, notwithstanding the defects and complications in the liquor laws, and considerable credit is due to all ranks of the Force for their exertions in this direction." Can you reconcile these two statements?—I do not see that there is anything contrary the one to the other. I say that, with the law as it stands, there was very considerable improvement during that year. You know yourself they are improving year by year, but still we have got some difficulty.
680. Do you not think the success of 1894 could be made a bigger success in 1898 if the Force were to exert themselves?—So it is. I say it has improved every year.
681. It is not impossible to enforce the licensing laws?—Oh, yes it is.
682. It does not depend on the exertions of the men really?—No; all the exertions in the world cannot stop Sunday trading as the law is now.
683. Have you ever had any conversation with the Minister of Defence as to the policy that was to be pursued in regard to enforcement of the licensing laws?—What do you mean, Mr. Taylor?
684. I mean, has not the Minister said publicly, and said to yourself as well, that he did not wish for a strict enforcement of the licensing law?—No, he never said anything of the kind to me.
685. He said so publicly?—He may have done, but he never said so to me.
686. *Colonel Pitt.*] What Minister is that?—No Minister has ever said to me, "I do not wish you to carry out the liquor-law or modify it in any way." On the other hand, several of them told me if I did not carry it out considerable changes would be made. I am very positive on that point.

687. *Mr. Taylor.*] As a matter of fact it has not been carried out because of the difficulties in connection with the present law?—Yes.

688. I think you said yesterday that the Force was a very sober Force?—Yes, I consider it so.

689. I suppose you have had considerable difficulty with the men at times on the score of drunkenness?—I think I reported it every year. My reports will state, I think.

690. Your last report says there have been nine dismissals—for drunkenness?—No. I suppose we can take six of them for drunkenness—two-thirds of the number.

691. Do you remember an article appearing in the *Lyttelton Times* on the 18th May, dealing with the sobriety of the Force in Christchurch, stating that a number of the police-constables in Christchurch were little better than the confirmed drunkards they were supposed to control?—Yes, I think there was an article of that sort.

692. *The Chairman.*] Do you accept that statement?—No, certainly I do not. I presume the editor will have a chance of coming and proving it before this Commission now.

693. *Mr. Taylor.*] What followed on that article in the way of removals—how many men were removed?—I do not think the article affected me a bit.

694. As a matter of fact, how many of the Force did you move immediately following the publication of that article?—I could not tell you.

695. You moved some?—Yes, there were some moved about that time. I thought they would benefit by a move; but I do not think the article had anything to do with it. In fact, it was all decided, as far as I remember, before the article came out. As regards drunkenness, of course the defaulters' sheets, which will be before the Commission, will show exactly the drunkenness for each year.

696. You do not think all the offences, so far as drunkenness is concerned, are reported at headquarters, or entered on the defaulters' sheets?—Well, I do not think anything about it. I really do not know. I do not run the Christchurch district, or any other particular district.

697. *Colonel Pitt.*] Have you any reason to suppose the Inspectors would not enter them on the sheets?—I do not think that any Inspector would shield his men, if they were in the habit of getting drunk, if he knew it.

698. Do you remember numerous complaints from New Plymouth to the effect that a man named Butterworth was permitted to regularly play an illegal game called "the bird on the wing," and although the police were frequently applied to to stop him playing this game, they declined?—The first letter that I see here is dated the 12th April, 1892. It is from Mr. E. M. Smith, M.H.R.

DEAR SIR,—

New Plymouth, 12th April, 1892.

I have the honour to address you on the following question—namely, to draw your attention to a case that has arisen in New Plymouth. At the last race meeting, a Mr. James Butterworth bought the right of games. He has for this last twelve years run a game called "the bird on the wing." He runs it in conjunction with the Taranaki Jockey Club—that is, he takes half the proceeds, and the club the other half. He has lent it to religious bodies for their bazaars, and to local bodies for their sports. Mr. A. Standish, a prominent and leading barrister and solicitor, and Crown Prosecutor, says he considers it a simple and harmless game, and one that should not be brought under the Police Offences Act. If this game is stopped, it will be a loss to the Jockey Club, Athletic Sports Club, and others. I write to ask if it could not be allowed to be carried on under the guidance and control of the Jockey Club. It is not a game of chance, so far as the man who runs the game. He has no chance in it. He only finds the darts, guns, &c., and gets a percentage. I hope you will kindly see into this question, and reply at once and oblige me. Waiting your action and reply.

I have, &c.,

E. M. SMITH.

Colonel Hume, Chief Commissioner of the New Zealand Police Force.

Then, on the 26th April, 1892, to E. M. Smith, Esq., M.H.R. :—

I have the honour to acknowledge the receipt of your letter of the 12th instant, *re* the conditions of a game called "bird on the wing," as to whether it is or not a game of chance, and to inform you in reply that the matter has already been decided by a Resident Magistrate, who stated that the game is a game of chance; and therefore the police have no option in the matter, but are bound to stop it at all gatherings under clause 8 of "The Gaming and Lotteries Act, 1881."—I have, &c.,

A. HUME.

699. *Mr Taylor.*] I would ask Colonel Hume whether he remembers writing this letter, dated 17th January, 1893, to Mr. William Nichols and two others, New Plymouth :—

In reply to your letter of the 9th instant, *re* the Police at New Plymouth permitting persons to play a game of chance known as "bird on the wing." I have the honour to inform you that, after making careful inquiries into this matter, I find that an arrangement was made between the Taranaki Jockey Club members and Mr. Butterworth that he was to be allowed to play this special game only, and the police are of opinion that this "bird on the wing," as played by Mr. Butterworth, is not a game of chance, and therefore they were not justified in taking any action against that person.—I have, &c.,

A. HUME.

Can Colonel Hume explain?—In order to explain I must go back to what the Inspector says about it :—

The game referred to is purely a game of chance, and, like all other games of chance, is fair enough if fairly played, but a clear breach of the law. If this game is allowed, then all other games of chance must also be tolerated, and the continual increase of spiliers allowed to go on unchecked by the police. I had Butterworth summoned for playing the game at the races here on the 31st ultimo, when the Resident Magistrate decided it was a game of chance; but on the defendant Butterworth promising to desist using the instrument again he did not inflict a penalty, but expressed his intention to deal severely with any future charge brought before him.—WM. S. FARDY.

700. Were there any other complaints after that?—Oh, yes. A summons was issued against the man, and was withdrawn. The honorary secretary of the New Plymouth Jockey Club wrote to Mr. Smith, who sends on the letter, apparently :—

DEAR SIR,—

12th September, 1892.

Mr. James Butterworth has been for some years the only person who has been allowed to have any games on the course on race-days, and has always given every satisfaction to the club. Our object in giving him the sole right was to get rid of the "spiling" element, and I am glad to say that object has been attained.—Yours faithfully,

E. M. Smith, Esq., M.H.R.

ROBERT BAUCHOP, Honorary Secretary.

701. Was that letter sent by the Jockey Club because an information was laid against Butterworth?—Yes, I think so. On the 13th April, 1893, I wrote this minute to the Defence Minister :—

When in New Plymouth recently I saw this game, and consider it a perfectly fair game as played by Mr. Butterworth, who appears to have had the sole right of running it at the races, bazaars, sports, &c., in the Taranaki and Wanganui districts for the last fourteen years. It has been a source of income to the Jockey Club, Botanical Gardens Board, and numerous religious bodies, and I think it a pity to stop it at the instigation of one man, who has a personal spite against Mr. Butterworth. I therefore recommend the summons to be withdrawn. A. HUME.

Mr. Cadman's minute is: "Withdraw the summons, and have the question looked into before the machine is used again."

702. How came you to see the game?—Butterworth came to me in the street and said, "This is hard lines on me that you will not allow me to run this game," and I went up to his place and saw the thing.

703. Had you seen him before that?—Oh yes, known him for years.

704. Had you any particular discussion about this question with Mr. Seddon?—It was not signed by Mr. Seddon at all. It was signed by Mr. Cadman, who was acting temporarily.

705. After that, did you not have any discussion with Mr. Seddon about Butterworth being allowed to play this game?—I expect I did. I thought it very hard lines. I thought it was hard on these bazaar people.

706. It was the Church you were concerned about?—Not only the Church but bodies generally. I am under the impression we got another legal opinion. That is what I want to try and get at. On the 21st April, 1893, I wrote to the Inspector:—

Will you be good enough to look very fully into the matter of this "bird on the wing." Enclosed you will find a certificate signed by the secretary of the Taranaki Jockey Club and also the president, who is a lawyer and Crown Prosecutor, stating that allowing Mr. Butterworth the sole right of games, including the use of the "bird on the wing" has been the means of getting rid of the "spieling" element; and against this there is only a protest from one man, Nichols. I shall therefore be glad of your opinion on this matter, and also as to information as to the character of William Nichols. I understand that the Taranaki Jockey Club, the Botanical Gardens Board, as well as Church bazaars, have largely benefited by granting Mr. Butterworth the sole right of using "bird on the wing." A. HUME.

707. Was not Mr. Standish connected with the Jockey Club?—Yes.

708. And Crown Prosecutor?—Yes. Then, on the 31st January, 1894:—

For the information of the Commissioner.

I HAVE very considerable difficulty in further reporting on this matter, as I was unable to ascertain or state anything new on the subject or anything that had not already been stated in the attached papers, and the summer race meeting here being over there was no immediate hurry. I thought it the better course to defer further reporting on the subject until I could personally confer with you *re* same, and the papers were temporarily placed aside for that purpose. . . . I certainly consider the game in question, as played by Mr. Butterworth, a fair game, and, as the Taranaki Jockey Club will not grant permission for any other person to play games on the racecourse here, it effectually discourages numbers of the Spielers from coming here. It is further quite true that many of the local institutions have from time to time during the last few years benefited considerably by Mr. Butterworth being allowed to run this game in question. With reference to the informer in this matter, William Nichols, I am not aware that at present there is anything known against his character; but it ought certainly be known that some years ago he played the same game here ("bird on the wing"), and I am informed had also his wife and step-daughters to assist him in attracting customers to same. He is at present principally employed as an acting assistant-bailiff. I understand that a strong effort will be made during the coming session of Parliament by certain members who sympathize with Mr. Butterworth to legalise the use of the equalisator, and that pending such alteration of the existing Act the game will not be played here again. J. B. THOMSON.

Then, on the 27th January, 1894, Mr. Richmond, solicitor, entered a protest:—

I am retained on behalf of the informant in the matter of an information under the Gaming and Lotteries Acts for playing an unlawful game known as "bird on the wing." He instructs me that the police here decline to lay an information for such an offence in this district, on the ground that the game, though admitted to be within the scope of the Acts and thereby prohibited, is fair to all who play it, and is honestly worked by its promoter, Mr. James Butterworth; and upon the further ground that the Jockey Club, the Recreation Grounds Board, and the Agricultural and Pastoral Association there receive large augmentations to their funds by sharing the profits with Mr. Butterworth. These profits are very considerable, amounting to as much as £50 to £60 per day under favourable circumstances, and often to £30 per day, representing, with the first-named figures, an investment by the public of at least £250 per diem. My client and other respectable persons here are at a loss to understand why gambling-houses are so constantly raided upon in every part of the country, sweeps prohibited, and every effort of the police strained to insist upon compliance with the Gaming and Lotteries Acts, with this conspicuous violation of the law being sanctioned in this district. They have no kind of animus against Mr. Butterworth, and are quite prepared to believe that the share of profits, generally one-half, received by these voluntary associations is generally well expended. But it appears to them to be an exceedingly bad precedent, and to inevitably lead to an extension of gambling amongst young men and boys. I should be glad of a prompt answer, as to whether the police here will be instructed to take up and prosecute the present information, and to lay any further informations that may be requisite. A merely nominal fine could be imposed, but the game should be certainly stopped or legalised.

I told Mr. Richmond, in reply to his letter, that the matter was entirely in the hands of Inspector Thomson. My reply is as follows:—

In reply to your letter of the 27th ultimo *re* the police laying an information for playing a game known as "bird on the wing," I have the honour to inform you that Inspector Thompson tells me that he considers the game in question, as played by Mr. Butterworth, a fair game; and therefore I see no necessity for the police to interfere in the direction indicated in your letter.—I have, &c., A. HUME.

709. You wrote that memorandum after having previously said you thought it was a game of chance?—Oh, yes.

710. I will ask Colonel Hume whether the department did not lay an information against Butterworth in February, 1895, on this very ground, that he was playing an illegal game, and secure a conviction, immediately after further complaints were received from Nichols. I propose to read this letter, so as to put it in proper form. It is dated the 31st January, 1895, from New Plymouth:—

I have once more to complain to you about the local police allowing a game of chance to be played on Boxing Day, 26th December, 1894, on the New Plymouth Racecourse, which was the first occasion it has been played since about this time last year, when Mr. Richmond communicated with you on the subject on my behalf. Why the police neglect their duty in this manner I cannot understand, but, sir, if you allow it again I will bring the matter before the next session of Parliament.—Yours respectfully, WILLIAM NICHOLS.

I will ask Colonel Hume whether, within a few days of the receipt of that letter from Nicholl, an

information was not laid against Butterworth, and a conviction recorded of £1?—I see a letter here from Inspector Thomson :—

Referring to the attached correspondence *re* equalisator, or “bird on the wing,” I have the honour to state that the hearing of the information laid by the man Nichols against Butterworth, charging him with playing the game in question at the Agricultural Show held here in December last, was, by consent of both counsel, adjourned to the 26th February (yesterday), when the information was formally withdrawn by the informant’s solicitor. In accordance with the statement made in concluding paragraph of my memorandum of the 31st ultimo, the game was not played at all at the two days’ race-meeting held here last week. Mr. Richmond has not applied to me for any further information on this matter, as suggested in your letter to him of the 9th instant; but I had previously had a conversation on the subject with him in the street.

I sent that letter to Mr. Thomson for a report, and this is what he says :—

This complaint refers to a new game, owned by Mr. James Butterworth, called the “puzzling alphabet,” and all to whom I have spoken on the matter speak of it as an extremely fair game indeed, and cheating at it impossible. However, to test the matter, I have informed Mr. Butterworth that if he plays it at the races on the 20th and 21st I will have him summoned to Court, and he is quite content to abide the issue. The informant in this instance is the bailiff’s assistant, who last year complained of the “bird on the wing” game, although he had played the same game himself for several years. Lengthened absence from home has prevented me from reporting sooner.

Then, there is a telegram dated the 25th February, 1895, from Inspector Thomson :—

J. Butterworth was charged on Saturday with breach of Gaming and Lotteries Act. After hearing the evidence and the arguments of defendant’s counsel, the Bench convicted, and fined defendant twenty shillings and costs.

711. Was not another information laid in February, 1895?—That is February, 1895.

712. Was there not another one?—No. Then, there is a petition as follows :—

The memorial of the undersigned, adult residents in New Plymouth and its vicinity, humbly sheweth : 1. That by the “Gaming and Lotteries Act, 1881,” gaming with an instrument in a public place is declared illegal, and punishable with a fine up to £50, or three months’ imprisonment with hard labour. That this law has been openly and deliberately violated on the New Plymouth Racecourse during the races on Boxing Day, 1894, and those held on the 20th and 21st February, 1895. That prior to the 20th February the attention of Colonel Hume was drawn to the violation of the law on Boxing Day last, but no prosecution resulted. That pressure was brought to bear upon the police to stop the game on the 20th February, but they would not stop it, and, even after the information was laid by them, the playing of the game was continued on the 21st without any interference from the police. 5. That two informations were laid—one for the offence on the 20th, and one for the offence on the 21st February. The defendant was convicted on the first charge, and was fined £1 and 9s. costs. The Inspector then withdrew the second charge, saying the ends of justice were met. 6. That we consider the fine imposed is quite inadequate to the gravity of the offence. 7. We believe that the money made is very considerable, and the terrors of the law minimised when such inadequate fines are imposed. 8. Your petitioners believe that by the necessary interference of the police at the proper time, no breach of the law would have been committed; and, as the first duty of the police is to prevent crime, we respectfully request that you will be pleased to take such measures as will prevent a repetition of the offence.

That petition was addressed to Sir Robert Stout, who forwarded it to the Minister of Justice. It is very extensively signed—about four hundred and fifty-six signatures.

713. *The Chairman.*] Since then the game has been discontinued, as far as you know?—Oh, yes; ever since that conviction was obtained.

MONDAY, 21ST FEBRUARY, 1898.

Examination of Colonel ARTHUR HUME on oath continued.

Colonel Hume : Before commencing, Sir, I should like to point out one matter to the Commissioners. Mr. Taylor, when he was here on Wednesday, prefaced his remarks by saying that he wanted to ask me some questions about the police regulations. Well, Sir, of course I am quite prepared to answer any questions on police regulations straight off; but Mr. Taylor then proceeded to ask all sorts of questions on matters that occurred many years ago, and I had no notice at all that these things were going to be asked. A large file of papers was put into my hands, and I was supposed with the help of my memory and a cursory glance at these files to give full and definite answers. Well, Sir, I say that is impossible; and on looking over my answers I see that they are not near as full as I should like to give them. I have nothing at all to hide; but at the same time I think, gentlemen, with all due respect to you, when papers of this sort are to be called for I should receive twenty-four hours’ notice, so as to be able to look them over and refresh my memory.

The Chairman : This is a serious thing, and I may say, Colonel Hume, that had you asked for this notice you would have got it.

Colonel Hume : As Mr. Taylor said, that was only one list, and he had several more, I merely make these remarks so as to be ready for the next little list. The Commissioners might say that my memory ought to serve me in these matters; but I would point out that in addition to running the Police Department, all the time I had one other department, and most of the time two other departments, under my control. It is therefore impossible to rely on my memory in these matters. I should like to correct or add to some of the answers I gave the other day. I think I perhaps may have misled the Commissioners in regard to the remission of a fine of 2s. 6d. in the case of a constable named Aitcheson. I think I said it was done by order of the Defence Minister. I have refreshed my memory, and I would like to explain to the Commissioners that the system adopted is that at the end of every month each Inspector sends in to the Commissioner’s office a return of all offences against constables during the month. When they are all in, they are filed together and laid before the Defence Minister, and he writes “Seen” on them, and they are filed. The particular return containing the remission of this fine cannot now be found.

714. *The Chairman.*] Would the punishment return record the remission of the fine as well as the imposition of the fine?—No; it goes up and is shown to the Defence Minister as it stands. This particular entry was, “Five minutes late parading for duty, 8.45 p.m.”; and the punishment was, “Fined 2s. 6d.—INSPECTOR PARDY.” My impression is that the Minister said, “I think that is

pretty severe. Is that the usual thing, and is this man often late? Please look into it." I did so, and found he had never been late before, and I therefore remitted the 2s. 6d., and ordered that he should be admonished, and wrote a memorandum to the Inspector to that effect, a copy of which is in the letter-book. Then, as regards the system of recruits from the Permanent Force, I was under the impression, until I read my evidence over, that I gave the Commissioners as one of my reasons that the Commander of the Forces was protesting against his gunners being taken just after they had become efficient, which was clearly pointed out by the Minister in the House in reply to Mr. Taylor. Then, as regards a man named Russell, who was dismissed, and afterwards taken into the Force again: As I had not the necessary papers before me, I think I omitted to inform the Commissioners that he joined the Force on the 12th June, 1879, and was promoted to second-class constable on the 1st July, 1893, and that during the whole of that service he had never had an entry in his defaulter's sheet. The offence for which he was dismissed was the first one ever brought against him. He had done good service in the Force, and had a wife and eight children. I should like to add that after so long police service he was unfitted for any other employment, and with his large family was virtually starving. That is all I have to say.

715. *Colonel Pitt.*] He was reinstated and appointed a third-class constable?—Yes.

Mr. Tumbridge: I should like, first of all, to put in a return called for by Mr. Taylor, asking the number of men outside the Permanent Artillery who were appointed during the period from the 17th October, 1889, to the 24th January, 1891. The return shows that during that period there were nine candidates enrolled into the Police Force outside the Artillery. The appointment of these men were authorised by various Ministers—not all by Captain Russell; and the return shows three were appointed by Captain Russell, one by the Hon. F. Whitaker, one by the Hon. Sir H. A. Atkinson; and in the case of one it says, "Instructions given," but it is not stated by whom; and three were appointed direct by Major Gudgeon. There is nothing on the papers to show that there was any Ministerial authority for their appointment.

716. I wish now, Colonel Hume, to refer to the case of the late Sergeant-major Moore?—Yes.

717. You stated that the late sergeant-major was reinstated in the Force on parliamentary recommendation?—Yes.

718. That recommendation was not by any means a party recommendation, but Parliament generally?—The Petitions Committee.

719. Not representing any shade of political opinion?—No.

720. And no Minister, so far as you are aware, took the slightest personal interest in the reinstatement, but acted simply on the recommendation of the Petitions Committee?—Yes, so far as I know.

721. And you have already said he was only readmitted on the promise to refund the amount that had been paid him on his retirement: that was a condition of his reinstatement?—On that clear condition.

722. Now, at the death of the late sergeant-major, had he not received that compensation, his widow and children would have been entitled to compensation or compassionate allowance?—Well, not virtually entitled, but it is always given.

723. You have never known it refused?—No.

724. In fact, it is given as generally to the widows and orphans as is the compensation given to a constable when retiring on other grounds?—Yes.

725. This compassionate allowance to the widow and family is based on practically the same calculations as is the compensation given to men on retirement: a year's pay is usually given?—Sometimes more, though never less than a year's pay. Generally it is eighteen months' or two years' pay.

726. Therefore had the late sergeant-major not received the amount he did at the time he was retired from the service in 1891 the widow and children would have been entitled to a sum almost equal to that amount?—I cannot say entitled.

727. They might reasonably be expected to have received that?—Yes.

728. Well now, you know, as a matter of fact, that the widow did not receive the allowance she otherwise would have received?—She did not.

729. As a matter of fact she received at the time nothing more than the actual expenses she might have had in the way of expenses allowed her for transfer from Gisborne to Westport, had she gone to Westport when her husband went?—Yes.

730. The amount she received at the time was the amount which she would have been entitled to as travelling-expenses consequent on the transfer of her late husband from Gisborne to Westport?—Yes. She had a sick son at Gisborne, and could not leave when her husband was transferred, and we gave her her expenses afterwards, as though she had then travelled to Westport. The travelling-allowance was £50, and she wanted the doctor's expenses for attendance to her husband, but she did not get them.

731. *The Chairman.*] Do I understand that, at the death of officers and men, practically their widows are given eighteen months' or two years' salary?—Yes.

732. That means natural death under any circumstances?—Yes, so long as the officer is in the service. In regard to transfers, circumstances may arise, owing to domestic reasons, that prevent a woman leaving at the same time as her husband is transferred. In those cases we always pay her expenses afterwards, as she was clearly entitled to them.

733. *Mr. Tumbridge.*] Now, this compassionate allowance was withheld from the widow entirely, in consequence of her late husband having previously received compensation?—Yes.

734. Then, it really resolves itself into this: That the colony has not been a loser of this £700 odd, but merely that the sergeant-major had the use of the amount some years before he was entitled to it?—That is the exact state of the case. The money must have been paid at some time or another.

735. In regard to the question of the two men, Cullinane and Hattie: these two men were taken back into the Force on the promise to refund the compensation they had already received?—Yes.

736. Well, now, the Minister who decided these men were to be readmitted to the Force had these papers before him, in which they promised to refund the compensation?—Yes.

737. Had you anything to lead you to suppose that the Minister did not expect that they would not make that refund?—No.

738. The Minister reappointed them on the understanding that they would refund that amount, so far as you know?—Yes.

739. They have never refunded?—No.

740. Because they have never been asked?—Quite so.

741. You never received any directions from the Minister not to demand a refund?—No. I presume I must take the responsibility of not demanding a refund, but I am under the impression that such cases are provided for in "The Civil Service Act, 1866"; and though the Police are not Civil servants, and therefore do not legally come within the four corners of that Act, I consider it is a distinction without a difference; and I have never known, so far as my recollection serves me, of anybody having had to refund their compensation under those circumstances. If any blame attaches I willingly take the responsibility, as I do not think it fair to ask a man in the position of a constable, or on the pay of a constable, to make any refund.

742. *Colonel Pitt.*] You mean anybody in the Civil Service?—Yes, under similar circumstances.

743. *Mr. Tunbridge.*] These men on their final retirement from the service will not be granted a second compensation?—Certainly not; and that was an additional reason for my not demanding a refund.

744. Now, will their widows, should they die in the service, receive any compassionate allowance?—No.

745. There will be no second payment made to these men?—No.

746. So that the colony is not and will not in future be a loser by the compensation these men have received?—That is so.

747. I should like to ask you a question about the artillerymen coming into the Force: You stated in your cross-examination that the names of the men were selected for transfer to the police. Was that made by the Minister?—Yes. I used to put a list before him, and say these are the artillerymen anxious to come into the police.

748. You did not always make recommendations in writing, did you?—No.

749. You made many verbal recommendations?—Yes, very many, and some of them confidential ones.

750. Were not always the question of education, character, and physique taken into consideration in making these selections for transfer?—Certainly; and whether married or single, and religion.

751. Do you know of your own knowledge, or is there anything to show that these men were ever transferred to the police on political or Ministerial grounds, and not upon the general ground of fitness?—I know they were not. They were transferred on the general ground of fitness.

752. Do you remember any case or cases where the fittest were rejected?—No.

753. Now, as to the scheme submitted for superannuation for the police: I think, *Colonel Hume*, the principal idea of finding funds for carrying out that scheme was that the long-service pay, and so on, should be put into a general fund for superannuation?—Yes; that was the first scheme. It was to take away the men's good-conduct pay and the year's compensation, and they were to get a lump sum of £400, or a little over £1 per week when they were sixty-five years of age. That was the original scheme.

754. It simply meant this: that the men who were receiving long-service pay were to lose that long-service pay, and those not receiving long-service pay would lose nothing?—That is so.

754A. And it was principally on the ground that it did not act equally all round that it fell through?—I believe so.

755. Those who were receiving long-service pay preferred to hold on to the bird in the hand?—That is right.

756. In reference to the case of an assault alleged against *Inspector Emerson*: Now, in this case the complainant was advised to lay an information against *Inspector Emerson* before the Magistrate?—Yes; and he said he would do so.

757. Has the department considered that, in a case where there is a conflict of evidence, it was much better that the evidence should be taken on oath before a Magistrate and dealt with judicially?—Yes; and besides it is in accordance with the regulations.

758. You still maintain that the decision in that case was the correct one to give?—The department took the perfectly right course.

759. In reference to the case of *Lawliss*, whose papers are here now if you would like to look at them: This man *Lawliss*, before he applied for the license to be transferred to him, did he ask you if the fact of his dismissal from the Police Force would act as a bar?—Yes; I should like to read what I wrote to him. He first wrote to me from *Dannevirke* on the 12th February, 1895, as follows:—

SIR,—

With reference to my dismissal from the Police Force on the 30th January last, I would beg to state that I tendered my resignation on the 23rd January, while I was suspended, but no notice appears to have been taken of it. With regard to my pleading guilty to the charge for which I was dismissed, I was advised by *Inspector Emerson*, who even wrote me a copy of my plea of guilty, telling at the time that I would be more leniently dealt with by the Commissioner of Police, and also save the Department the expense of inquiry. I was therefore misled by my *Inspector*, and wrote an admission which appears to have deprived me of the right of resigning, or one penny

compensation, which to say the least seems a more severe punishment than the offence deserved after a service of nearly fifteen years, which was served with only a reprimand. Please inform me if I am entitled to a discharge or any thing that would enable me to join some of the Forces in the Australian Colonies, also whether the Police would raise any objection to me holding a publican's license in this Island.

I replied to that :—

SIR,—

16th February, 1895.

In reply to your letter of the 12th instant, I have to inform you that you are labouring under some delusion as regards compensation, as members of the Police Force who resign are not entitled to compensation. I am, of course, quite in ignorance as to what Inspector Emerson may or may not have said to you, but the evidence forwarded by him here was of so conclusive a kind that it would have been only a farce your pleading anything but guilty. As regards your query *re* a discharge, I have to inform you that, having been dismissed, you are not entitled to a certificate of discharge, and I am not aware that the Police would raise any objection to your holding a publican's license in any part of the colony.

760. That implied that the police would not raise any objection should he apply for a license?—Certainly, and I do not think there were grounds for refusing, or I should not have acted as I did.

761. On the strength of that letter, he entered into agreements considerably involving him in some ways in connection with the transfer of a license to him?—I saw him, and he told me he had taken a "bush pub." somewhere; I think he said in the Hawke's Bay District.

762. Acting on the assurance you had given him?—Quite so.

763. When the question of a transfer came before the Licensing Committee, the local police there, I believe, objected to the transfer?—Yes.

764. This was without your knowledge?—That is so.

765. On the ground of his dismissal from the Police Force?—That is so.

766. This objection was brought to your knowledge after it had been made?—Yes.

767. You then, feeling that there was no valid ground for the objection, endeavoured to communicate with the Inspector of the district, asking him to withdraw the objection?—I sent the following urgent telegram to Mr. Emerson on the 11th May, 1895 :—

Inspector Emerson, Napier.

Ex-Constable Lawliss is applying for a license for a bush house in the Napier district, and I understand the police are opposing it. Why? Is it because he was dismissed from the Force? If so, this looks like persecution. If necessary, let the Committee know why he was dismissed from the Force; but it appears to me that he should not be hounded down. Immediate action should be taken, as the case is to be decided on the 14th. I hope you will be able to see your way to withdraw the objection.

A. HUME, Commissioner.

His clerk replied as follows, on the 12th instant :—

Re LAWLISS.—On the 16th ultimo Mr. Stanford, S.M., applied to Police for a report as to Lawliss's character and fitness to hold a license. Inspector Emerson wrote that he could not express an opinion, and that Lawliss had been discharged from the Force for immoral conduct. In consequence of this report I understand Mr. Stanford has refused to issue a certificate under section 12 subsection (2) of the Alcoholic Liquors Sale Control Act. Inspector Emerson is, I believe, at Galatea, and there are no means of communication with him. Please instruct what you wish me to do. I would suggest your wiring to Mr. Stanford.

S. P. NORWOOD (for Inspector).

768. Was your telegram sent by order of any Minister, or did you send it yourself?—That particular telegram I imagine I sent myself; but I may have spoken to a Minister before I sent it. I am not sure. I am quite willing to take the responsibility.

769. What is stated in the telegram you entirely agree with?—Yes.

770. You did at the time, and still agree with it?—Yes.

771. The Inspector did not get that telegram?—No, in the meantime he had gone to the King-country.

772. Did you then, owing to the Inspector's absence, wire to the Stipendiary Magistrate?—I did, as follows, on the 11th May, 1895 :—

R. L. Stanford, Esq., S.M., Palmerston North.

THE Defence Minister wishes me to invite your attention to the case of ex-constable E. J. Lawliss, who is applying for a publican's license, but I understand it is likely to be refused because he was dismissed from the police. Inspector Emerson is at Galatea, and therefore I cannot communicate with him and do not know what he reported. But it seems Lawliss paid the penalty of his improper conduct by being dismissed, and if the police are going to hound him down and prevent his obtaining a livelihood it looks like persecution, and I trust you will take these matters into favourable consideration before deciding the matter on the 14th.

A. HUME, Commissioner.

I am positive I showed the papers to the Minister before I sent that telegram, because I had no authority to telegraph to a Stipendiary Magistrate without a Minister's consent.

773. Do you say that you recommended that telegram?—Yes.

774. And you take the responsibility for it?—Undoubtedly.

775. *The Chairman.*] Were the instructions given to you by the Minister to do it?—I merely got his permission.

776. *Colonel Pitt.*] You say that the "Minister invites me"?—That was the only way in which I could communicate with the Stipendiary Magistrate to show that I had the Minister's authority to do so.

777. What was Lawliss's offence?—He went away travelling round the country with an unmarried girl while on leave. I may state that he was a constable from the 7th October, 1879, till the 21st January, 1895, the date of his dismissal, and he had only one offence against him during that time,—on the 14th March, 1894,—of allowing a prisoner to escape out of his custody. He was severely reprimanded for that but not otherwise punished; and he has got two entries on his merit-sheet, one for services rendered in connection with a sly-grog selling case in July, 1885, and in June, 1891, he got a reward of £5 for intelligence and sagacity displayed by him in discovering and sheeting home a charge of housebreaking, for which the offender got three years' penal servitude. I may state that I knew the man well, and considered him a very good constable.

778. In sending that telegram, and making that recommendation to the Minister, was there any other idea in your mind than that of doing what you considered right and just towards the man

and towards the public generally?—No; I supposed that the Inspector based his report to the Licensing Committee entirely on this case of dismissal, and I do not believe because a man makes one slip and pays the penalty that he is to be deprived of his livelihood for the rest of his life.

779. So far as you can see, is the file in the Lawliss case complete?—I will have to compare the file and the papers laid on the table of the House to see.

780. Do the papers laid on the table of the House include the telegrams you have now read?—Yes; both telegrams.

781. Throughout the whole matter do you know if the Minister acted without any personal feeling at all in the matter, and entirely on your recommendation?—Yes; entirely on my recommendation.

782. I would like to refer to the case of Constable Bennett. Is there anything on these papers to show, or do you know of anything to prove that the Minister knew anything whatever about the case, or that it was ever brought under his notice at all?—No.

783. You dealt with it entirely as Commissioner of Police, acting on the recommendation of the Inspector of the district?—Yes. Probably we shall examine Inspector McGovern at some period of this inquiry, and he may be able to give some further grounds in regard to this recommendation.

784. There is one more point arising in connection with this case, and that is the absence of any record of this affiliation case on the constable's defaulter's sheet. Now, the fact that there is no such record was not through any Ministerial interference?—No.

784A. The Minister is not responsible for that?—No.

785. It is merely a question as to whether such a charge should go on the defaulter's sheet or not; and in your opinion you thought it should not go on the sheet?—In every service I have been connected with it has always been a debatable point whether civil convictions should be recorded in defaulters' sheets. In this instance of Bennett, the offence was not entered by the Inspector of the district in the return, already alluded to this morning, sent in to my office, and consequently it was not entered in the defaulter's sheet. As I stated the other day, I am of opinion that civil convictions should be entered; but that is only my opinion.

786. *The Chairman.*] Was it by your instructions it was not entered in the monthly return?—No; it was not omitted from the Inspector's return by my instructions.

787. *Mr. Tunbridge.*] In the case of McGill's long leave: were you in that case guided entirely by the medical certificates and the Inspector's report?—Yes, entirely.

788. And the Minister was also?—Yes.

789. *Colonel Pitt.*] Do you know if that is the constable referred to in the House by Mr. Taylor as having been incapacitated from duty through debauchery?—I have no doubt that was the man referred to by Mr. Taylor.

790. Now, in regard to Constable Cox, about whom you were questioned by Mr. Taylor, has Constable Cox done good work since he has been in the Force?—Very good, since he has been a plain-clothes constable.

791. Was one of his cases that of the Browns, convicted for abortion?—Yes; Brown got eighteen years, and his wife about two years.

792. He was connected with the case of attempted murder at Balclutha?—Yes; and he arrested the man here in Wellington.

793. Was he also engaged in the case of illegal trading at the Central Hotel, Christchurch, where the licensee was heavily fined?—Yes. I should like to explain that case. It was rather a special case. I ascertained that there was a good deal of illicit selling going on at this Central Hotel. I spoke to Inspector Broham, and he said, from the situation of that hotel, and the scouts the proprietor had out, it was impossible to catch him, as all the local constables were known to the men. I sent down two men from Wellington, and Cox was one of them, and told them not to interview Inspector Broham or any of the police, or report themselves in any way until such time as they had got sufficient evidence to lay information. They carried out their duties with great sagacity, which resulted in obtaining, I think, two convictions, and the man was heavily fined, and gave up the hotel. I mention this case specially, because Inspector Broham felt hurt at two constables being sent to his district without his being consulted or informed.

794. Why did you do it?—I thought they might be seen about the police-station, and that the licensee would get wind of their being in Christchurch.

795. You did not doubt the loyalty of the local police at all?—No; not at all. I was afraid the men would be seen and become known if they went near the station.

796. *Mr. Tunbridge.*] Cox has been engaged in many other cases?—Yes; one was a notorious pickpocket, whom he got arrested and convicted.

797. And has he shown zeal and intelligence in carrying out his duties?—Yes; and I look upon him as a coming detective.

798. And as regards Nixon, has he also displayed very considerable intelligence and so on in carrying out his duties?—Yes; I have no fault whatever to find with Nixon. I think he also will make a detective in time.

799. Therefore, whatever reasons there were for bringing these men into the Force, they have shown they are very good police-officers?—Yes; and I should also like to add that I brought no pressure to bear upon Inspector Pender to employ them as plain-clothes constables. They were his own selection.

800. You were asked about ex-Sergeant Duffin: Was this officer upwards of thirty years in the Force before he was dismissed?—Yes.

801. And until the reports of drinking that led to his dismissal, had he a perfectly clean sheet?—Perfectly clean.

802. I should like to ask Colonel Hume about transfers: You said in your examination in chief that you thought every officer should be transferred at least once in five years?—That is so.

803. Now, some of these transfers cost from £30 to £50.—Yes.

804. Well, now, if the whole Force was transferred once in five years would mean that upwards of 100 would have to be transferred each year?—That is so; but a great many of the men are bachelors.

805. *The Chairman.*] What is the lowest cost?—The cost ranges from £3 to £40.

806. *Mr. Tunbridge.*] At that rate, then, it would be a charge on the department of something from £1,000 to £2,000 a year, I mean if you strike an average of £15 per man?—Yes; but I think if we got longer notice of the movements of the Government steamer she might be utilised very much and save money in making these transfers.

807. *Mr. Poynton.*] Have you ever used her for that purpose?—I have when I could; but as a rule we do not get twenty-four hours' notice of where she is going to.

808. *Mr. Tunbridge.*] Then, in transferring you would treat all men alike, and would remove them all once in five years?—I am not prepared to say that. That is a big order. I would put it in this way: I think it should be understood in the Force by the men that they are liable to be transferred every five years; and not only the men, but then I think the local Justices of the Peace and influential people would understand that it was in the course of carrying out the efficiency of the service that the transfers were made, and there would be less of this petitioning and less of this pressure brought to bear.

809. *The Chairman.*] Do you think £1,500 would be well spent in removing constables every five years?—I am not prepared to say that £1,500 would not be well spent in removing them.

810. *Mr. Tunbridge.*] You gave one instance where a man had been at a place twenty years, but there are plenty of other instances where men have been at their stations eight, ten, and twelve years?—Yes.

811. Have you found in many instances their long stay at these stations has acted prejudicially to the service?—Not in these particular cases, or else they would have been removed. My experience has been that you cannot lay down a hard-and-fast rule.

812. The principal reasons for transfer, I believe, are that men get too familiar with the people, and get generally lax in the way of carrying out their duties?—Yes; that remark applies more especially to country stations.

813. At many of these country stations, I believe, the men are not visited more than once, or at the most twice a year by the Inspector?—I think the majority are, but some certainly are not. For instance, I doubt if Pembroke is visited once a year.

814. And it is in a great measure owing to this want of supervision that the men do become lax in the conduct of their duties?—Yes, I should say so.

815. *The Chairman.*] Do you think that such visits once or twice a year would do any practical good?—I think so; and I might explain, it is not only the fact of the Inspector going there and seeing the men, but the Inspector interviews the community and finds out in that way how the duties are carried out, and so is in a position to say whether the constable is or is not performing his duty properly.

816. *Mr. Tunbridge.*] You would, I take it, Colonel Hume, recommend greater supervision over the men if it was possible to apply it?—Yes, I have tried to get that by grouping stations into sub-districts under the senior sergeant or constable in such sub-district.

817. And why were you not able to bring that about?—Because the senior officer did not always happen to be stationed in what ought to be the head station of the group. But in some cases it has been successfully done.

818. I should like to ask you about the different offices held by constables. Do you consider that the fact of a constable holding numerous offices other than that of a police constable, and in respect of these offices making reports to the various officials connected with these different departments, outside the Commissioner of Police altogether, is conducive to discipline or otherwise?—I cannot say I found it interfere with the discipline; while I think the holding of these offices brings them into closer touch with the people, and establishes a system of confidence and reliance on each other, with the exception of collecting the dog-tax, for which they used to be paid by the collar. When I pointed out to the Government that I considered it was objectionable they stopped it.

819. *The Chairman.*] Do you think the practice is beneficial, except in the last instance?—Yes.

820. *Mr. Tunbridge.*] Now, Police Regulations, paragraph 11, page 4, says what? "Every member of the Force will be required to devote his whole time and energies to the service, and will be held responsible for obedience to all lawful orders and conformity to all regulations." That means the Police Service?—Yes, I might say that in some country stations I think the constable would die of *ennui* in about a month if he had not some of these outside things to do. At the same time you must have him there.

821. Are these some of the offices which constables hold in addition to their positions as police officers, viz.: Clerks of Magistrates' Courts, bailiffs, Clerks of Wardens' Courts, Inspectors of Factories, agents of Public Trustee, Inspectors of Weights and Measures, Inspectors of Abattoirs and Slaughterhouses, Postmasters, Registrars of Electors, Labour Agents, Receivers of Goldfields Revenue, Probation Officers, Census Enumerators, and, in addition to that, they compile information for the agricultural statistics?—Yes.

822. In connection with each of these offices do the police-officers send in reports, without passing in any way through the Commissioner or any police-officer, to the various heads of these departments?—Yes.

823. You have been connected with the public service in England and in the colony for many years: do you know of any similar state of affairs?—No.

824. Although you see by this Police Act that the Commissioner is the responsible head of the Police Force, and that these men should be under his control: as a matter of fact are they under

his control?—Well, the only reply to that question is that all these duties are subservient to the police duties.

825. *Colonel Pitt.*] Suppose a Court is sitting, and a report comes in that a man requires to be arrested, would the Court be adjourned?—Yes, I think the Court would be adjourned.

826. *Mr. Tunbridge.*] Have you ever found during the time you were Commissioner that constables very often excused themselves for not performing certain police work owing to being engaged in duties in connection with some other office they have held?—Yes, they certainly try to.

827. Is it not very difficult to prove that their statements are incorrect?—It is very difficult; but that does not often happen.

828. But there is always that opportunity to excuse themselves?—Yes. I would like to add that it would add an enormous cost to the country if this work was done by paid men instead of by the police.

828A. *The Chairman.*] Have you had any complaints that the civil work undertaken by constables is neglected in consequence of police duties?—Very seldom. The Under-Secretary for Justice has occasionally come to me and said, "I cannot wake up that man of yours in such-and-such a place."

829. No complaints from outsiders?—No.

830. *Mr. Tunbridge.*] You were good enough to tell the Commissioners the other day that a prison warder started at £125 a year?—Yes.

831. But you did not tell the Commissioners what the maximum was, and the way they got to the maximum?—That is rather a difficult question to answer, because they can rise to the position of gaolers.

832. I mean in their position as warders?—They can rise up to £150, and there is £20 besides as house allowance. They attain their maximum pay by service and by being transferred to a first-class prison.

833. Not by any graduated scale?—No, there is a classification for first- and second-class gaols.

834. About how long would a man be in the prison service before he would get a rise?—The chances are that he would get a rise in twelve months.

835. What would be the amount?—£10; if he was in a first-class prison he would get it in twelve months, and if he was in a second-class prison the chances are he would be transferred to a first-class prison and he would get the rise then.

836. As regards the efficiency of the Police Force: you said the other day that you considered the Police Force of the colony was thoroughly efficient, and in support of your contention you quoted the criminal returns in the Year-book?—Yes.

837. These returns you quoted apply only to the cases before the Courts?—That is so.

838. Or, in other words, detected crime?—Yes. Then, I added also that I did not think there was very much undetected crime.

839. Will you kindly turn to your last report. Now do you find that the increase of reported crimes last year was 663 over that of the preceding year?—Yes.

840. Out of a total of 14,673 offences reported?—Yes.

841. The percentage of increase therefore being as near as possible $4\frac{1}{2}$ per cent. on the year?—Yes.

842. Now, the increase of population in that year is shown in the Year-book as 1.91 per cent.?—Yes.

843. Therefore, you see that the increase of crime during the year very much exceeds the natural increase of population?—According to this table.

844. And has not this increase of crime been going on for the last seven years, although perhaps not in the same ratio as last year?—No; I cannot say that it has. I do not think this return is worth the paper it is written on, because it is not a return of crime. I furnished it, but I would like you to look at what I said in my report. In paragraph 13, I think you will see that offences have decreased, as follows: "Abortion, 5; assaults, 7; assaults and robbery, 18; burglary, 112," &c. That is what I call crime decreasing. I do not call "drunkenness, 369," crime increasing.

845. It means police work, does it not?—Yes, but I do not call it crime. Now, I think that the worst crime we have in New Zealand is forging and uttering, and there was a decrease of eight. Then there is a decrease: "Gaming offences, 13; illegally on premises, 25; malicious injury to property, 35; murder, 10," &c. That is what I call crime. I may be wrong.

846. *The Chairman.*] You mean a decrease in the most serious crimes?—Quite so.

847. *Mr. Tunbridge.*] You say that the more serious crimes are diminishing?—Yes.

848. If you look at your report for the previous year (1896), it is very strange that many of the crimes you say were lesser last year were increased that year?—That is quite probable, and yet the next year we get a bigger population and the crime goes down.

849. But is not last year altogether an exception as regards the decrease in the more serious crimes?—Well, there has been a decrease in the prisoners every year. I am not prepared to say that last year was not an exceptional year.

850. The year before (1895) many of the serious crimes were on the increase?—Yes, there was an increase.

851. In the year 1894 there was also an increase?—Yes; and just to show that these figures are not worth much, there is a decrease of drunkenness in that year of 657.

852. You spoke of bicycles being used by the police as assistance: you have never refused the use of a bicycle?—No; but they are extensively used.

853. The men using the bicycles use their own machines and pay for the wear-and-tear themselves?—Yes.

854. *The Chairman.*] What is the rate of pay in each class of the Force in 1890 and in 1897?—There has been no alteration since 1890, and the grades at present are: First-class Inspectors, £400 each, and £50 a year house-allowance; third-class Inspectors, £300, and also £50 house-allowance; sergeants-major, 10s. 6d. per day; first-class sergeants, 9s. 6d.; second-class sergeants, 9s.; third-class sergeants, 8s. 6d.; first-class constables, 8s.; second-class constables, 7s. 6d.; third-class constables, 7s. Then, all constables enrolled after the 1st April, 1895, get £120 a year; first-class detectives, 13s. 6d.; second-class detectives, 12s.; third-class detectives, 10s. 6d.; and fourth-class detectives, 9s. 6d. Then, we have some Native constables and district constables on different salaries varying from £30 to £60 per year, and we have four matrons at £100 a year. All men who entered the service before the 10th February, 1887, get 6d. per day long-service pay after five years' service, and 1s. per day after ten years' service.

855. You referred to Native and district constables: what is their position in the Force?—They have the same powers as ordinary members.

856. Are they under the same discipline and control?—No, they are not supposed to give their entire time to the Force. There are some places where there is not sufficient work for an ordinary constable, and we get a local man and offer him perhaps £30 or £40 a year, as the case may be, and if he is approved he is sworn in and has all the powers of a constable. But he has no lockup, and no quarters.

857. Do they wear uniforms?—No.

858. Do they make the usual returns that the other officers make?—No; but they report any crime that occurs in the district. I will tell you the sort of places they are at, viz.: Howick, Mangawai, Ohaeawai, Great Barrier, Panmure, Port Albert, Katikati, Waiuku, Tokaanu, Kawhia, Moawhango, Makuri, Cullensville, Richmond, Motueka, Cheviot, Half-moon Bay, Stewart Island, and so on. Then we have Native constables. Their pay differs from £20 to, I think we had one as high as £40. Wherever we have a Native constable we have a European constable there as well, and the Native constable is subordinate to him.

859. Are these Natives regular members of the Force?—They are in the same position as district constables. A great many of them were handed over by the Native Department to the police. They were men who had done service in the war, I think. There are eight of them altogether. They are principally stationed where there are Native settlements.

860. Do they wear uniforms?—Some of them do.

861. *Colonel Pitt.*] They have all the powers of constables?—Yes, but always under a European officer.

862. *The Chairman.*] And they do not act independently?—No.

863. Were the men who were enrolled at the reduced rate in 1895, or subsequently, given to understand they would have an increase of pay for lengthened service?—No; they were merely told they would be enrolled on a pay of £120 a year.

864. Is there any reason why the first- and second-class constables should be limited in number?—There is no reason that I know of, except a financial reason.

865. At present what entitles their promotion from third- to second-class?—There is nothing.

866. Does that apply also from second- to first-class?—Yes.

867. Can you tell us how many men have been recruited from the general population since you ceased to recruit from the Permanent Militia exclusively?—I cannot say at present. In regard to enrolments, the Commissioners will notice that the Act says nothing about a man being enrolled from the Permanent Militia. It is only in the regulations. Now, what I wanted to say was this: that if a Minister had wanted to do any underhand thing as regards these appointments, all he had to do was to take a man into the Permanent Militia to-day and transfer him to the police to-morrow; or he had only to produce a regulation at the next meeting of the Executive Council, and the Governor would have signed it. What I wanted to show is that there is nothing illegal, because there is nothing to prevent it in the Act.

868. My object in asking that question was to know whether the introduction of these men has had any effect upon the Force, and if so, what? Has the number enrolled from the general public been sufficient to affect the Force in the sense of demilitarising it in any way?—I am not aware of this military element in the Force at all. I may say I have asked the Inspectors on all my visits since outsiders have come in, and they have universally, I think, agreed that we were getting more efficient men, or men who promised to be more efficient, as policemen from among outsiders than we had previously got from the Artillery.

869. You say there is nothing entitles a man to promotion: Do you think a system giving the right to promotion or increase of pay after a fixed term of service, say, of five or seven years, with a clean defaulter's sheet, and where there are trivial offences giving the Commissioner power to set the man back for a time or strike out the offence if he considered circumstances justified, would be beneficial to the Force?—Yes. I entirely believe in the system of increase for years of service, and I should like to see the different classes abolished.

870. In your report of 1891 you say you have put a stop to the system, which you say you found existing, of Inspectors making transfers in their districts: Do you think it objectionable that they should have that power?—It certainly was.

871. Transfers, you say, are attended with the very greatest trouble to Ministers: Was not the effect of this alteration to bring the matter of transfers under immediate Ministerial control?—No. I think that the regulation was made before we had telegraph communication. Now, it is only a matter of a few hours' delay. The Inspector telegraphs, and says, "I want to remove So-and-so"; and if he gives a reason it is probably done. In these days of telegraphs I do not see why you should give the Inspectors that power.

872. You tell us that every recruit has now to insure for £200: Is that life insurance?—It is payable at sixty, or at death if sooner.

873. Do you consider superannuation essential to a good Force?—Yes.

874. Do you suggest that it should be provided by the men out of their pay, or by the State?—By the State.

875. Do you find that constables serving civil processes and acting as bailiffs work satisfactorily?—Yes; but at the same time if they did not carry out their duties satisfactorily it would not be reported to me, but to the Justice Department.

876. Do constables so acting furnish any return of the moneys received for such services?—Yes; it is furnished to the Justice Department.

877. You do not know what sum is made by a constable who is a bailiff, in addition to his pay?—I cannot answer that question. I have at times asked the Accountant, and he has given me the answer, but I do not know whether he had to go to the Justice Department first for it.

878. Do you think you ought to know?—I cannot say; it is a fluctuating quantity.

879. *Colonel Pitt.*] Do I understand you to hold that this long-service pay should cease, and that the superannuation scheme should take effect?—I do not know that I would deprive them of it, because they are very old hands.

880. Can you carry out the superannuation scheme without that?—No. I think if you had a superannuation scheme you should put these men out of it. I do not see how you are going to provide for them now because they are so old. This was one of the objections from the first.

881. How many classes would you have, Colonel Hume?—I would have Inspectors, sergeants, senior constables, and constables; and I think I would have all the detectives one class.

882. Would you have Sub-Inspectors?—I do not think, myself, that there is any necessity for them. They were not a success, I understand, when they were appointed before.

883. Now, do you recommend a total cessation of recruiting from the Permanent Militia?—No. I do not see any reason why a man, because he happens to be in the Permanent Artillery, should be debarred from going into the police.

884. I mean on the ground of the efficiency of the Permanent Militia itself, or the Police Force?—No; I think there are good men in the Permanent Militia, and if too many are not taken I do not see that they have any grounds for complaint.

885. You said that this political influence is the principal matter that leads to disorganization in the Police Force?—Yes.

886. How do you recommend that that should be met?—Of course, if you had my classification scheme, or my payment scheme, in force you would do away with all influences of any sort, political or otherwise, to get men promoted. That goes without saying. Then it comes down to transfers and giving men stations. That I would leave entirely in the hands of the Commissioner. I might say I consider he would be strong enough to resist any pressure that might be brought to bear upon him.

887. Do not you think that the Commissioner should be made absolutely independent of Ministerial control. I am not altogether in favour of that. In fact, I said in my report, "I have no desire to lay it down as an axiom that the Force should be controlled entirely by the sole will of one individual." But I say in the matter of transfers he should certainly have sole control.

888. Now, in your opinion, are the police districts, as at present constituted, satisfactory?—Yes. I have not found them too big.

889. If the superannuation scheme was in force, would the compulsory life insurance of the members of the Force be necessary too?—No, I should think not.

890. You stated, in your opinion, the police ought not to have a vote: would that, in your opinion, operate against getting good men as recruits for the Force?—No; I am certain it would not. The men, as a rule, tell me they do not want to vote.

891. When was the franchise given to them?—I cannot say at once. It was before I was in office. [Since ascertained it was in 1886.]

892. So that a great many men joined the Force on the understanding that they would not have the franchise?—Yes; more than half of them, I should say.

893. Now, do I understand from your evidence that you are in favour of the Government providing uniforms for the police?—Yes, I think they ought to. I have never given the matter much attention. The police never complained to me much about it, and I have never thought about it.

894. How are injuries to the uniforms met at the present time?—The department bears the expense of repairing.

895. Will you say how you would deal with the case of petitions against the transfers of constables; I mean with a view to preventing them?—If they knew that the Commissioner had sole control, and that he was a strong-backed man, they would not try it on.

896. As to the reduction to £120 for third-class constables: in your opinion, should that stand if a scheme for increase of pay is not adopted?—Yes, I think it is a very fair pay for a commencement. I may say that since then the pay of a Permanent Militiaman entering the service has also been reduced.

897. Do you consider that the present number of the Force is sufficient in comparison with the population?—No; I intended to have asked for twenty more on the estimates this year. I may say I had an increase last year and the year before.

898. Is the Police Reward Fund often drawn upon?—Yes; but it is not reducing much. The fines for the year and the percentage pretty well cover the expenditure.

899. Can you make any suggestion as to the alteration of that eight-hours night-duty?—No, I cannot. I have thought the question out, and I cannot see how any alteration can be made without a considerable increase in the number of non-commissioned officers and men. I might add that, as men can do it in the English climate, I certainly think they can do it in the New Zealand climate.

TUESDAY, 22ND FEBRUARY, 1898.

Examination of Colonel ARTHUR HUME on oath continued.

910. *Colonel Pitt.*] Colonel Hume, in reference to instruction, are the members of the Police Force supplied with a copy of the Police Guide by (now) Sir Howard Vincent?—Yes.

911. Every man?—Yes.

912. And that contains information upon almost every point that a policeman requires to know in reference to his duty?—Yes, Sir.

913. *The Chairman.*] About the disorganization in the detective branch, referred to in your several reports, what was the disorganization you refer to?—What is the report, Sir.

914. In 1891, and again in 1894?—Well, the principal thing was the extreme anxiety of every detective to get charge of a particular case, especially big cases, and there appeared to be jealousy existing between the members of the Force as to who should get a case in hand and make the arrest. I attribute it a great deal to the chief detective—to the fact of having the rank of chief detective. Naturally, the case was reported to him first, and I found very often he would take charge of the case himself, and perhaps some other detective would find out something about it and arrest the man, and then there was jealousy between them.

915. The disorganization referred to in the detective branch, then, arose from jealousy?—Jealousy, yes.

916. In your report for 1891, you say the Detective Force is in an unsatisfactory state, owing perhaps to men having been selected more from political influence or favouritism than special intelligence and aptitude for their duties?—I have already quoted a case, I think.

917. Does that influence continue?—Well, I quoted the case of Mayne.

918. Were you referring then only to an individual case in that report?—Then another case has happened since. What I mean to say is this: that members of Parliament and Justices of the Peace and other people are incessantly, even up to the present time, making representations. They say, "So-and-so would make a splendid plain-clothes constable. Can you not do something for him?"

919. You said yesterday, if the Commissioner had backbone that would not influence him. Does this backbone not exist, or where is the backbone that this influence affects?—I think it is not fair to the Commissioner trying to bring pressure to bear on the department.

920. In your report for 1896 you state: "I do say, however, that interference with the administration of the Force, without due cause, must result in the breaking of the bonds of discipline." To what interference do you refer?—I refer to local influences generally.

921. But then over whom was this influence brought to bear?—It is brought to bear on the Minister.

922. On the Minister, not on the Commissioner?—Oh no, on the Minister.

923. And what is the effect of this influence being brought to bear on the Minister?—Of course it is hard for him to resist.

924. He yields, in other words?—I would not like to say that altogether. Well, I suppose in some cases he does yield.

925. Does the consequence of his yielding to this influence affect independence of management on the part of the Commissioner?—Yes, I think it does.

926. Does it control the will of the Commissioner?—Well, the will of the Commissioner is subservient to the Minister. I would like to give a case that comes to my memory now. A constable made an arrest for sheep-stealing. Of course, as I have explained to the Commissioners, the Commissioner of Police has a fund at his disposal for giving rewards for anything of the sort that he considers deserving. The Inspector may or may not draw his attention to it. He generally does, and the Commissioner acts on it. Not long ago, five or six Justices of the Peace wrote recommending a man for this reward. I maintain that it is no business of the Justices of the Peace or anybody else. That thing should be entirely in the hands of the Inspector and the Commissioner. The Inspector may recommend, or may not; or the Commissioner may consider the Inspector should have recommended and give a reward. But the local people send in a form of petition—"What a splendid man this is, and what a splendid arrest he has made"—and, if you do not listen to the prayer of their petition, they immediately have a grievance. In the same way you will get a letter from local people to say a man's quarters are not big enough for a man who has seven children, as there are only five rooms in the house. Well, I maintain that the Inspector and the Commissioner who visit these stations are the men to settle these matters. (*Vide* Regulation No. 118.)

927. To whom do you say these communications come?—Sometimes to me, and sometimes to the Minister.

928. If they come to you, do they influence you?—I am afraid they do sometimes.

929. *Mr. Poynton.*] You have no power under the Act or regulations to make any appointments to the Force?—No.

930. That power vests in the Governor, who is represented, of course, by Cabinet or the Minister?—Yes, Sir.

931. And when you submitted a list of eligible candidates for admission to the Force, and the Minister exercised his choice, he was acting strictly and legally within his rights?—Yes.

932. Now, the only constable that you remember as having been enrolled since 1891 is Nixon, in contravention of the regulations?—Oh no. I did not give the Commissioners to understand that.

933. You told us that all the appointments made were in accordance with the regulations up to 1891?—Yes.

934. Since 1891, do you know of any other constable but Nixon who was appointed in contravention of the regulations, up to the date these regulations were cancelled?—Oh yes, there are a

great many. I may add that the system broke down. They could not give us the men. We could not help ourselves.

935. Nixon was appointed after the system had broken down?—No, I think before. I will not be certain.

936. In June you reported it as having broken down, and Nixon was appointed two months before?—Oh yes, it would be in consequence of that.

937. The constables that were enrolled subsequently to March were enrolled in the same way as Nixon?—Yes, Sir.

938. Was the same care exercised in Nixon's case as in those subsequently enrolled?—Exactly the same. Inquiries were made in the same way—as to their former history and conduct.

939. There is nothing in the regulations stating especially that a constable, if he becomes the father of an illegitimate child, will be dismissed?—No, Sir.

940. There is nothing specific in the regulations indicating that a constable, if he becomes the father of an illegitimate child, will be punished by dismissal, or otherwise?—No, Sir.

941. You think it desirable that there should be a regulation to that effect, considering the position of policemen and complaints made against the Force generally?—Yes, I think there ought to be a regulation.

942. I suppose most of these cases come to your knowledge as Commissioner, either by outside complaints, or by marks on the defaulters' sheets?—Quite so.

943. And do you think, having regard to the number of men, and other circumstances, that the proportion of those who have illegitimate children is great, or is it any more than could be expected?—What could be expected; very small, very slight, from what I know.

944. From what you know, you think the proportion of those having illegitimate children is small?—Yes; they are few and far between.

945. *The Chairman.*] Can you give us the number of cases that have been brought to your knowledge during your term of office?—I think the one mentioned before the Commission is the only one I can recollect. I think Mr. Taylor said something in the House about illegitimate children. Of course, I do not know anything about that. I do not remember any other case. One minute! I think there was a man dismissed in Napier—a man named Ryan. I could look it up.

946. Not more than two cases in seven years?—As far as I can remember.

947. That have been brought to your knowledge: There may have been cases, but they have not been brought to your knowledge?—Quite so.

948. *Mr. Poynton.*] As to these retiring-allowances to Inspector Moore, Constable Hattie, and other cases, it would have been repaid to them again on retiring, or to the widow on death?—Yes.

949. Can you say what was the object of compelling a refund of the compensation before they were reinstated?—I suppose that, having received the money and then got an appointment again, the country should not lie out of it for the time being. That is the only way in which I can account for it.

950. It would only amount to the interest on the capital during the time he may be in the Force?—Yes, quite so.

951. *The Chairman.*] There is the element of risk: He may be dismissed, and thus forfeit his claim to compensation?—Of course, there is that; but in those particular cases, where you had old and tried officers, it was not likely it would result in dismissal.

952. *Mr. Poynton.*] Can a constable take an office from a local body without the consent of the Commissioner?—No.

953. I mean Inspector of Nuisances, and so on?—No.

954. So that the constables who have these appointments hold them with the consent and sanction of the Commissioner?—Quite so.

955. Notwithstanding the drawbacks, I understand you to say that the holding of these offices, such as you mentioned yesterday, is desirable by the police?—Yes, I see no objection.

956. It saves the country a lot of money?—Yes; and in some country stations the constable has little or nothing to do; but still he must be there, and he might as well hold these offices in addition to his police work.

957. *The Chairman.*] Are there many or few of those stations?—There are many such stations.

958. *Mr. Poynton.*] Some of these offices involve very little work, and only at certain times of the year?—Yes. I may say I have had an application from a constable to be removed from a station so that he might have something to do.

959. I suppose it has a good effect in training constables to certain work?—I think so, and it brings them in closer touch with the people.

960. *The Chairman.*] You have used that expression, "bring them in closer touch with the people," several times. What do you mean by it? I mean a man goes, for instance, to collect agricultural statistics. He sees the people and their mode of living, and, perhaps, he has never been there before. He knows exactly what their mode of living is, what they are doing on the farm, and so on.

961. Do you not think this bringing them in touch with the people has its disadvantages as well as its advantages?—I never found it so.

962. I thought that was a ground of complaint against men who had been stationed in localities for some time?—Oh, well, that will not occur during five years, or if they are moved periodically.

963. *Mr. Poynton.*] I want to know your system of collecting crime statistics. Is the system of receiving reports as to crimes committed uniform?—Yes.

964. A crime is reported and entered in a particular book—the crime-book?—Yes.

965. Whether the crime is detected or not, immediately the crime is reported to the police?—Yes; and there are, besides that, two warrant-books.

966. How long have these same kind of books been in use—have they been in use for ten years past?—Oh yes, long before I saw the country. They are all headed now “Armed Constabulary.”

967. A list of reported crimes is sent every year to the central office, so that every year you have the number of reported crimes in the colony?—Yes.

968. You have also the number of arrests made in relation to those crimes?—Yes.

969. The number of committals for trial or summary convictions, and also the discharges?—Yes.

970. So that looking back through these reports, say, for ten years, and making an analysis, it would indicate whether or not the police had become efficient during that ten years?—Yes, that is so.

971. The proportion of detected crime to the undetected could be ascertained for each year?—Yes.

972. Some of these reported crimes, I suppose, on inquiry are found to be really invasions of civil rights?—Oh yes, and some are often found to be no crimes at all. For instance, a man says his watch is stolen, and two or three days after he comes and says he has found it.

973. But taking the average for each year, it would be about the same?—Yes.

974. The system that formerly prevailed, of allowing an Inspector the right to transfer men in his own district, you considered a disadvantage?—Yes.

975. It is desirable to have transfers made by a central officer?—Yes.

976. Naturally, the central authority would know the capacity of the men required for a special place better than an Inspector?—I will give you a case in point. For instance, we will say a station in the Dunedin district becomes vacant—the constable at Kaitangata, we will say, dies. The Inspector in Dunedin in the olden days would have had the power—I do not know whether he would have done it or not—to send any constable in his district who had not got charge of a station to fill Kaitangata; whereas in other districts there might be men ten years the senior of that man, and not in charge of a station.

977. *The Chairman.*] The tendency was to make the Force a local instead of a general one?—Yes, and cause discontent by putting juniors over the heads of seniors. For instance, a District Inspector has only got fifty or sixty men in his district to choose from, and a great many of them may be junior or senior to men serving in other districts, but he only knows the particular lot that are in his district.

978. *Colonel Pitt.*] The result clearly was to make the Force a local one instead of a general one?—Quite so.

979. *Mr. Poynton.*] The number of men in the Force receiving long-service pay will, of course, be getting less every year?—Yes. I believe a return has been prepared in connection with that.

980. *The Chairman.*] I wish to understand your use of the word “promotions.” You have used it in referring to change of rank, and change of station, and sometimes to some other change. For instance, these transfers were not promotions?—Oh, no.

981. Did it give juniors something over the heads of seniors?—Well, charge of a station is worth £50 a year more.

982. Then, it is a financial benefit?—Quite so; nothing in rank. It is no promotion in the Force. For instance, a country station to a man who has been serving in Wellington would be worth considerably more than £50, because he would save that very nearly in house-rent. He gets a free house, and he gets his provisions much cheaper, and he gets extra emoluments or perquisites as Clerk of the Court or something of that sort.

[*Mr. Tunbridge* here handed in returns: (1) Of the men receiving long-service pay; (2) the state of the Reward Fund, showing the rewards given for the last two years.]

Colonel Hume: I may say, with regard to the sum of £93 paid as rewards during the year 1897–98, that £25 of that amount was paid for special services rendered by members of the Force in the Boshier murder case. The interest on the Reward Fund amounts to about £60 a year, and that, as I have already said, is paid by the Public Trustee.

983. *The Chairman.*] The other sources of income to the fund is the fines inflicted on men in the Force?—Yes. Of course, that has nothing to do with another fund for rewards for detection of sly-grog selling, which is in the gift of the Minister.

984. *Colonel Pitt.*] Of these 280 men who receive long-service pay, how many get 6d. and how many 1s. a day?—They all get 1s. a day now.

[*Mr. Tunbridge* here handed in a corrected return of the religions of members of the Force.]

985. *Colonel Pitt.*] With reference to the questions put by the Chairman regarding the Detective Force: *Mr. Taylor* referred to the same paragraph as the Chairman drew your attention to in your report of 1891, and you said then to *Mr. Taylor*, “All that is improved now”?—So it is, Sir. The Detective Force is very much improved.

986. I understood you to say this morning that the same state of things exist still?—Oh, no; it is very much improved. I understood, having said that before, the Commissioners were aware of it. I would like to put in here the form of letter that is sent to candidates when they are appointed. [Document handed in, and read].

987. *The Chairman.*] At the present time, if a man reaches the age of sixty, he would be entitled to his eighteen months' or two years' compensation, or whatever it is?—Twelve months.

988. And he would get his £200 for which he is insured?—Yes, up to the date that compensation was done away with. Compensation is done away with now.

989. It is done away with?—Yes; no Civil servant gets compensation now.

990. *Mr. Poynton.*] A retiring-allowance is given?—To all those enrolled after a certain date.

991. What is the date?—From the 1st April, 1895.

992. *Colonel Pitt.*] A man gets no compensation if he retires now?—No. This is to provide for compensation. I may say there has never been a case; but that is what I understand. The Commissioners asked yesterday how many men there were on this £120 a year who had been enrolled since the 1st April, 1895. There are 122. I promised the Commissioners I would look up a case of leave granted. I find that on the 2nd April, 1882, Sergeant McArdle, who was then quartered in Masterton, asked for twelve months' leave of absence to go to England to enable him to take a long sea voyage for the benefit of his failing health. Colonel Reader was then Commissioner, and he minuted to the Defence Minister: "Although Sergeant McArdle is worthy of every consideration, the utmost extent given on pay has been six months, and I cannot recommend more.—14/4/82." The Hon. Mr. Bryce says: "I should not like to authorise more than six months.—JOHN BRYCE. 15/4/82." He had six months' leave on full pay.

993. Are appointments in the Force generally sought—are there more candidates than are required for the Force?—Yes. There was a list when I gave over of about 350, roughly speaking. I know that is well within the mark.

994. *The Chairman.*] All properly recommended?—Oh, yes; I think they are pretty well all eligible men.

995. *Colonel Pitt.*] Can you tell us why a position in the Force is so sought after?—No, Sir; but I understand the Permanent Artillery is equally sought after, and they are on reduced pay. I would like to state here that I yesterday spoke somewhat disparagingly of this Return of Offences in my report. The reason is, if the Commissioners will turn to Regulation No. 44, page 9, they will see I am obliged to furnish it. I did not like the form. I said it did not show what I call crime, and I quoted "Absconding from apprenticeship," which I do not look upon as crime. But this is the form I found when I took office, and it is the form that was in vogue long before I came, and I furnished it in accordance with Regulation No. 44.

996. *Mr. Tunbridge.*] About the men performing work as Clerks of the Court, and that sort of thing. Did you not find it hampered you very much in dealing with men as defaulters, and in transfers, and that sort of thing?—No. I explained to the Commissioners I did not take anything into consideration beyond Clerk of the Court. I dare say men will come to the Commission and say they were agent of the Public Trustee, and something or the other, but I did not take that into consideration at all.

997. You said that in many places constables had very little to do, and unless they had these outside offices they would really die of ennui?—Yes.

998. *The Chairman.*] Did not the fact that some of these stations were more remunerative than others affect you in making your transfers?—No; I could not possibly take that into consideration. It would be endless.

999. *Mr. Tunbridge.*] Did you not find, when applications were made to increase the number of men at certain places, the argument advanced in many cases was that the existing constable's time was occupied a great deal by duties as Clerk of the Court and other outside offices?—Yes, that has been adduced as a reason; but in many instances I have attributed it more to local pressure being brought to bear on the Inspector than anything else.

1000. You admit that the money received by the constables who are fortunate enough to have the stations to which these offices are attached is a cause of complaint on the part of men who are not so fortunate as to get those offices?—Undoubtedly. I was going to suggest that the Commissioners might get a return of the places where constables are Clerks of the Court. I think there are about fifty altogether.

1001. Do you consider it a good policy for constables who are paid a fixed salary to perform their duty as constables to be receiving fees for the fulfilment of other posts?—Oh, yes; I have already explained I see no objection to it.

1002. You say you have no objection to their holding these offices when they have nothing else to do much. Do you think it a good policy that men should be paid for other posts than that of a police-officer, when they are taken on to perform police constable's work and no other? Do you think it a good policy that they should be receiving other moneys?—If you ask them to do the work, certainly; in fact, it is one of my grievances, because I could not get any pay.

1003. *The Chairman.*] You say they should be paid for outside work?—If called upon to perform it.

1004. *Mr. Tunbridge.*] You think that the pay a man receives as constable is not given to him for the whole of his time?—Well, the police duty takes precedence of all other.

1005. Yes, but that is not quite what I mean. I mean a man is paid as a police constable; and that being so, the Police Department have a right to the whole of the man's time. The men who are not holding these outside offices have to devote the whole of their time to the Police Force?—Yes.

1006. And yet you think, in regard to the men who are holding other offices, that the department should forego its claim upon the whole of their services and permit them to hold those offices?—Forego its claim on the whole of their services?

1007. Yes, the Police Department claims to have the whole service of a man when he becomes a police constable?—Yes.

1008. And so long as he does not hold other offices the department has the whole of his services?—Yes.

1009. But immediately they hold other offices the department foregoes its claim to the whole of the services of the men?—Well, I have never found any detriment arise from it. It was in vogue before I took office: it had been in vogue for years and years, and I see no detriment. I think Major Gudgeon also speaks favourably of it.

1010. There is the difficulty about providing a fund for pensions. Do you not think that as the Police Department has the right to the whole of the service of every man in the Force, the

fees or salaries accruing from any other offices they hold by permission of the Police Department should rather go into the Police Fund generally than to the individual officer who performs the work?—No, I do not think so. As you were saying just now, the town man does nothing but police duty, and the other man is doing other work besides this. The town man who is doing no work but police work is deriving a share of the money that this man in the country is working hard for.

1011. *The Chairman.*] You say the town constable gives the whole of his time to police duty: he cannot do more; while the country constable, in order, as you have remarked, to save him from *ennui*, is given some other employment beyond police work?—But, still, he works for it and earns it, and the town constables have part of the proceeds.

1012. *Mr. Tunbridge.*] You advocate that the man who does the work should get the money?—Yes.

1013. If the fees connected with these outside offices were paid into the Police Fund, would it not be very likely it would help a great deal towards founding a police-pension fund?—Undoubtedly. That will be proved, of course, when the return comes up.

1014. And then the whole of the Force would be benefited?—Yes.

1015. In one of your reports, I think, you advocated the abolition of the rank of chief detective?—Yes.

1016. Now, I want to know from you under what officer you would place the detectives of the four principal centres, if you are doing away with the chief detective?—My idea is, he should be under the sergeant-major, or, rather, under the senior non-commissioned officer.

1017. *The Chairman.*] Which do you consider the chief branch of the service—the detective or the street-duty man?—The detectives are more important.

1018. You would place him under the control of the non-commissioned officer?—Quite so; but the Inspector is over both.

1019. *Mr. Tunbridge.*] You would place a detective under a uniform officer, who is supposed to have no special knowledge of criminal matters or of detective work?—He cannot have any special knowledge of detective work, but he certainly has of police matters.

1020. But not any knowledge of detective work?—No.

1021. Of course, you would expect the officer under whose immediate control the detectives would be to be in a position to judge of the work they were performing?—Yes.

1022. And also to be able to judge of the capabilities of the men—what particular branch of crime they are more suited for?—Quite so.

1023. *The Chairman.*] Is the chief detective subordinate to the Inspector?—Oh, yes.

1024. Your suggestion is that, instead of being subordinate to the Inspector, he should be subordinate to the sergeant-major?—As well as the Inspector.

1025. *Mr. Tunbridge.*] For an officer to be able to perform the work you suggest—that is, to be able to supervise the work of the detectives, see that they did their work properly—would it not be necessary he should be very familiar with detective work?—It would be an advantage; but, supposing the Inspector wants a man for plain-clothes work, he does not go to the detective and ask him; he goes to the sergeant-major and asks him whom he considers the most suitable man for plain-clothes duty.

1026. But the man who is put to plain-clothes duty temporarily is not a recognised detective, and he will be put in plain clothes merely as a patrol, and would not be given a difficult inquiry to manage?—That may be so, but still it is the stepping-stone to the Detective Force.

1027. *The Chairman.*] It is recognised as such?—Yes.

1028. *Mr. Tunbridge.*] With regard to police surgeons, do you not think it would be an advantage to the Police Force if there were so-called police surgeons, in the populous centres more particularly?—Yes, I certainly think so.

1029. Paid by the department, and not by the men?—Yes, I think so. I have often talked to the Minister about it.

1030. *The Chairman.*] Who are they paid by now?—The members of the Force pay, themselves.

1031. And you suggest the State should provide for it?—Yes, and have a police surgeon.

1032. *Mr. Tunbridge.*] Some reputable surgeon in practice at the place should be appointed by the Police Department to attend constables in illness, and he should give certificates before the men are withdrawn from duty and go on sick list?—Yes.

1033. This would be a check on malingering?—Yes.

1034. And would practically do away with one of the charges brought against the police at the present time—I mean, men being on sick list ostensibly for one disease whereas it is something else?—Quite so.

1035. You think it is a very necessary appointment?—Very necessary. I have thought so for some time.

1036. Do you not also think there should be some slight stoppage from a man's pay when he is on sick list?—No, I do not know that I would altogether say that.

1037. That is the rule in many Forces, is it not?—That is so.

1038. Many of the men belong to benefit societies, do they not?—Yes. In addition to that last answer, I would like to call the attention of the Commission to Regulation No. 39, page 7, which bears on the case: "When any member of the Force is in hospital, the charge for accommodation and treatment will be deducted from his pay. If suffering from the effects of his own misconduct no pay will be allowed." I think that sufficiently provides for the case Mr. Tunbridge refers to.

1039. The cases that you refer to in Regulation No. 39 are only where men are in hospital, or where they are sick from their own misconduct?—Yes.

1040. The cases I referred to were where men were sick in their own homes?—Legitimate sickness?

1041. Yes, ordinary sickness. Of course, cases in hospital are very few?—Yes.

1042. I think you will admit cases of ordinary sickness are rather heavy?—Yes, that is so. Influenza especially, in Wellington, and a good deal of typhoid fever.

1043. In the populous centres as many as five and six men have been on sick-leave at one time?—Yes, certainly, as many as six have been on the sick-list at one time.

1044. That is, of course, only on occasions?—Yes.

1045. *Colonel Pitt.*] Not an average?—Oh, no.

1046. *Mr. Tunbridge.*] There are many men who belong to benefit societies?—Yes, I do not know whether there are so many since this insurance business has been introduced. There were a good many before that.

1047. For all you know they still keep up their payments?—Yes.

1048. A man who is a member of a friendly society, when he is sick and doing no work, is somewhere about 15s. a week better off than when he is at work?—Quite so.

1049. In other words, if he is an unscrupulous man, there is a premium on malingering?—Yes, but that would be stopped by having a police surgeon. I might add that I will say this for the men: I do not think there is much malingering.

1050. *Colonel Pitt.*] Are these police regulations satisfactory, in your opinion, or do they require amendment?—They require amendment. They are very old. They came out in 1886. There are several amendments required.

1051. *Mr. Poynton.*] Coming back to the outside officers, Colonel, do not the police look to the country stations with the increased emolument for these offices as a promotion and reward for good conduct?—Yes.

1052. And for superior education?—Yes.

1053. And for old men who, I suppose, are unfit for street duty after a certain time?—Quite so.

1054. And would not that incentive be taken away if you abolished the pay?—Yes.

1055. They are all married men in charge of stations?—Yes, they must be married men.

1056. *The Chairman.*] Do you say if this system were altered the incentive to good conduct would be taken away?—Yes, and also it would be an injustice to the older men.

1057. You wish these country stations to be regarded as rewards for length of service, or special service, which is it?—Length of service, I should say.

1058. That is, something in addition to the proposal to increase their pay for length of service?—Yes. I am speaking now as the Force is constituted at the present moment.

Captain JOHN COLEMAN, examined on oath.

1. *The Chairman.*] What is your office?—I am captain in the Permanent Artillery; stationed at Wellington.

2. How long have you been in the service?—Twenty-three years and six months.

3. In the New Zealand Government service?—Yes; I joined October, 1874.

4. For some years it has been the rule to recruit the Police Force of the colony from the Permanent Force?—Yes.

4A. Can you tell us the mode by which the recruiting for the police is carried out?—As far as we knew, they were taken from the list of members of the Permanent Artillery who are candidates for employment in the civil branch of the Force.

5. And by whom selected?—It would be impossible for me to say. The order would come from the Under-Secretary of Defence, at the request, I presume, of the Commissioner of Police.

6. Did any recommendation as to the suitability of the men go from you, or from the officers of your corps?—Only as regards height and physique. Their character would be shown on their defaulters sheet.

7. *Colonel Hume.*] With reference to your last answer, do you see all the documents sent in to the Defence Office by the officer commanding the battery?—No; I may happen to be absent at the time, but there is nothing to prevent me seeing them if I am present.

8. *The Chairman.*] Who is in command of the battery?—Major Messenger. He has been in command for the last twelve years.

9. *Colonel Hume.*] Supposing a third-class gunner—say John Brown—sent in a respectful request to the officer commanding the battery that he would recommend him to be transferred to the police, what would happen then?—The officer commanding the battery might recommend him if he thought him really suitable, or he might simply forward his application for the consideration of the Commissioner—this is the usual course.

10. But just now you said there were no recommendations?—He might forward and recommend it, or simply forward it—this is the usual course adopted.

11. *The Chairman.*] You have known of such cases in which the men have applied to the officer to recommend them?—They always do. That is the invariable rule, and if the man is an exceptionally good man the officer will say "Recommended," or he might say "Strongly recommended." He might, but very seldom.

12. *Colonel Pitt.*] He must give some recommendation?—Only "Forwarded for the consideration of the Commissioner."

13. *Colonel Hume.*] Can you tell the Commissioners whether the fact of taking gunners from the Permanent Artillery for the police has been found detrimental to the Permanent Artillery force?—The Permanent Artillery officer looks at it from two points of view: as regards the advantage of having police constables sufficiently up in their drill to be able to be moved in case of necessity; but continually taking them from the Permanent Artillery he looks upon as a worry—it

makes his battery a mere recruit or training depot. It would be to his advantage for men not to be taken from the Artillery; but I think it would be to the Commissioner's advantage to have men in the police that had undergone a certain amount of training.

14. *The Chairman.*] It is inconvenient to have men taken for the police?—As far as the battery is concerned, yes, very.

15. *Colonel Hume.*] And from a military point of view is it detrimental or otherwise to the battery?—If you are expecting trouble from the outside it would be detrimental to the battery from one point of view; but from another it would give us a certain number of fairly well-trained constables in the colony to call on in case of emergency.

16. *The Chairman.*] Would their training be of much good to them after a certain number of years in the Police Force?—I think so. If a man once knows the use of a rifle he never forgets it. Artillery training is more complicated than infantry, no doubt, but still they would be very much better than the raw material.

17. *Colonel Hume.*] From your intimate relationship with the Police Force you know pretty well, I suppose, where those police are stationed who have been trained as artillerymen?—Yes, I have a fair idea where they are stationed; although, of course, if you shift them about I have no means of knowing. When they are first shifted I know where they go to, but after that I lose sight of them, unless I see them when travelling about the country.

18. From your knowledge of their localities, do you think they could be brought to a centre in sufficient time to be of much use as gunners?—It is a difficult question to answer. If you wanted them immediately I think the greater portion of them are within twenty-four hours' journey of your four centres, and a considerable number of them less.

19. Are not some at Greymouth?—Yes, Sir; but that is a part of the Island that would scarcely be threatened.

20. But if you wanted to get them to a centre?—You could send them across to Christchurch. You could get men to Wellington from Marton, Feilding, Waverley, Wanganui, Palmerston, and up that way.

20A. What about the man at Okarito?—Oh well, he had better remain as he is, to look after the district. What I mean to say is, it is a very great advantage, I think, to have the police with a certain amount of military training, so that you can move them—that they are not a mob. Also, I think it is a very great advantage in case there was trouble with the outside world to have them to use until you could get your Volunteer artillery together. At the same time, I do not think that, from other than from a military point of view, military training is of very much advantage as regards the steadiness and morality of the police. As regards morality, police and soldiers are much the same.

21. *Colonel Pitt.*] You do not think it is?—I do not think so—only as regards discipline and military training. Of course a soldier will be a soldier.

22. *Colonel Hume.*] Have you had any conversation with the late Commandant or the present Commandant on this point?—No, but I have heard them express their opinions on the advantages or disadvantages from their point of view of taking men from the different batteries.

23. And can you tell us what their opinions were?—They were both unfavourable—that it was not an advantage to the efficiency of the battery.

24. Now, you have seen all the police recruits that have been passed through the Permanent Artillery since there was a Permanent Artillery?—Yes, nearly every man. There may have been an exception. I believe there were some taken on that did not pass through the battery.

25. Do you consider the class of recruits you are getting now-a-days are as good or better than they were two or three years ago?—If you extend the period back a little I certainly say I am quite convinced the physique and stamp of men, other than from an educational point of view, is not as good now as it was ten years ago.

26. Have you noticed any difference in their moral and general character?—I think their moral character—I am talking now of the Permanent Artillery—is not as good as it was immediately after the Armed Constabulary was formed into the Permanent Militia. We had a different stamp of men.

27. Are the number of offences dealt with at the depot nowadays greater than they used to be or less?—Very much greater. When I say lately I mean for the last four or five years. They are not the same stamp of men at all.

28. *Colonel Pitt.*] Do you attribute that to stricter discipline, or to deterioration in the class of men?—If you could put the question some other way I think I could give you an answer that would give you a better idea of what I mean.

29. Give your own reason, then?—I think that some years ago we were allowed to go into the open market and get the best possible value for the money. At present we are confined, not solely, but to a large extent, to recruits from Volunteers.

30. *The Chairman.*] From the Volunteer Force?—From men who had either served in the Volunteers or were serving then.

31. *Colonel Hume.*] You were Sub-Inspector in the Armed Constabulary, and used to take on police recruits at the depot at Mount Cook?—Yes.

32. How long did that last; when did it stop?—That was gradually done away with just previous to the death of Colonel Reader. The thin end of the wedge was introduced just before his death, and it was gradually taken out of our hands until it left us altogether. Colonel Reader died, I think, in 1885. I know he stated to me that the change was a very great mistake, and a great pity—taking the selection of the recruits out of the Commissioner's hands and the officer commanding the depot.

33. Who fixed the date as to when the Armed Constabulary men should count their service as constables from: For instance, they were constables in the Armed Constabulary Force. When

they came to the police branch, did you say, "John Smith, you go over to the Police Force," and then, was his appointment as policeman dated from that date?—There were a certain number of applicants or candidates on the list for employment in the police. There were Police Guides or books placed in the library for them to work themselves up and get a rough idea of civil duties. When I got an order from the Commissioner's Office—Colonel Reader was then Commissioner—the order was worded, "Send a foot-man to Hokitika." I took the oldest member on the list of candidates, unless he originally came from that district, and there was an unwritten law that we should not send a man back to his own district.

34. When did his appointment as policeman date from?—I paid him up to and for the date he left the depot; and I presume he came on police pay—I could not say—the next day.

35. Would that in your opinion be the proper way to treat him—to date it from that date?—I think so, because while the man is travelling to his new station he should receive pay.

36. But would it be fair, in your opinion, to date his appointment from the original date of his joining the A.C. Force?—I think not. I think from the date of his joining the civil branch.

37. It was generally known for some time before it was abolished that the A.C. Force was a sinking ship?—Yes.

38. Consequently a great many men, seeing that, got or applied to be transferred to the civil police?—I believe so. I believe that was the reason. That is my candid opinion.

39. Then, those who remained on had rather a good time of it in those days—did they not get extra pay for making roads?—At out-stations I believe they did.

40. I mean on the West Coast?—Yes, I believe they did. I know this: that men were most anxious to get away from Wellington to join the service companies, as they were called.

41. Then, these men were encamped on the West Coast and were living very cheaply?—Yes.

42. And had extra pay for road-making while their comrades were doing street duty?—Yes; and if they had been twenty years in the A.C. Force, from their knowledge they were really recruits the day they joined the police. They had no civil police experience, and they were not as valuable to the head of the civil police as the man who had been two years a civil policeman.

43. What I want to know is this: If those men who have been making roads and living at a cheap mess were brought into the Police Force on the original dates of their A.C. appointment, would it be a proper thing to do?—No; it would be unfair to the men who had been serving years in the civil police.

44. *Mr. Poynton.*] What care is exercised in relation to the character of recruits for the Permanent Artillery at the present time?—You are asking me a question I cannot reply to.

45. *The Chairman.*] Recruiting from the Permanent Artillery to the police does go on at the present time?—Yes; we were ordered to discharge a man yesterday, I think, on his transfer to the civil police—a man named Martin.

Mr. Poynton.] Do you know anything about the care that is exercised in examining the antecedents of the men whom you enrol?—The method is this, at present: A man presents himself at the depot, and hands in a letter, "Please enrol So-and-so in the Permanent Artillery."

47. You have no knowledge of any procedure before that?—No. We have no knowledge whatever of his character.

48. *Mr. Tunbridge.*] The Permanent Artillery, I believe, when they are out of barracks on leave or pass, are at liberty to go just where they choose?—Quite so.

49. That means they may go to public-houses and drink, or they may go to brothels?—Quite so.

50. Without committing any breach of the regulations of your Force?—Yes. It is no offence against the laws of the colony for any man to enter a brothel. When you say a brothel, I think if they were seen in a recognised brothel by one of our non-commissioned officers he would be to a certain extent neglecting his duty if he did not bring the case under the notice of the commanding officer; but, having done so, the commanding officer could not punish the men, because they had committed no military or civil offence.

51. You said the effect of having police constables who had passed through the Permanent Artillery would be of benefit to the colony, as they would have a fair idea of artillery work, and would, in case of a sudden disturbance with the outside world, be an advantage to a certain extent. Can you suggest in what way the vacancies caused in the Police Force at that time by withdrawing all these men would be filled?—Swearing in district constables.

52. Men totally unacquainted with police work?—Well, I do not see what else you could do. Defending the colony would be of more importance than police work for the time being.

53. You, as a military man, have read up the history of wars in different countries. We go back to one of the greatest of European wars, the Franco-Prussian: Do you not find that lawless people, in Paris and other places, availed themselves of the opportunity afforded by the invasion of the German army to sack places, and so on?—Oh, yes.

54. Would not the civil police be required at the time of a threatened outside invasion equally as much, or even more than in ordinary times?—Yes. But I think defending the harbour from attack, if it ever was attacked, would be of more importance for the time being, because you could get your policemen back again. I have thought the matter over a good deal, and, from my point of view, I think it a great advantage to have the police go through a certain amount of military training, as, in case of a civil disturbance, their officers can use them as partially-trained men instead of as a mob.

55. *Colonel Hume.*] Was or was not some order issued not very long ago prohibiting Permanent Artillery-men from going into publichouses in uniform?—I do not think so.

56. Would you know if it had been issued?—No; it might have been issued when I was away, but I should say not. A man is independent so long as he conducts himself properly. There is no breach of discipline in going in and having a glass of ale, or any other form of refreshment.

FRIDAY, 25TH FEBRUARY, 1898.

CHARLES SLIGHT was examined on oath.

1. *The Chairman.*] You are an ex-member of the Police Force, I believe. In your own way, tell us the story you wish to bring before us, will you please?—Yes. I may say that I am a colonial. I first entered the Volunteer service in 1866, and in 1872 I joined the Armed Constabulary. I left the A.C. Force in 1874, and I joined the Volunteers again, and in 1881 I joined the Police Force in Wellington.

2. You were not transferred from the A.C. Force to the police?—No.

3. Will you kindly tell us the circumstances of your joining the Force in 1881?—It was my first intention to join the Gaol Department, but as they were wanting police, I joined that Force, and was sent to the Thames.

4. Did you send in an application to be enrolled in the police?—Just the ordinary application. I produced my testimonials, and my discharge was held in the office. I was sent to the Thames as a third-class constable. During the time I was at the Thames, my wife became ill, and I had doctors' certificates that the climate did not agree with her, and I applied for a transfer South. It did not seem to be entertained, because it hung on for a long time. My wife continued to get worse, and finally I applied for a month's leave, and came to Wellington.

5. In what year was that?—That would be 1883. I resumed my application for transfer, and I got it, to Wellington. After being a short time in Wellington, I was appointed to take charge of the Upper Willis Street sub-district.

6. Was that a separate station—I mean, was there a lockup there?—No. I think I had that for about four or five months, when I was sent to take charge of Manners Street Station; and my wife was appointed female searcher at that station. I held the station for a year and eleven months. During that time there was a good deal of dissension between the Detective Force and the general police, and very burning it was, too. At that time I was one of the unfortunates who were not in favour with Chief Detective Brown, because I arrested a prisoner, and would not give the case up to the detectives, but worked it up myself. The case was that of Samuel Bennett, charged with breaking and entering Collins's store. Mr. Brown tried to hand over the case to a man named McGrath, a third-class constable who was acting as detective, and who was married to Brown's niece.

7. Your rank then was what?—I was a second-class constable. Brown tried his best to get me to give up the case, which would have been about McGrath's first case as a detective; but I objected, and looked after it myself. Mr. Brown took me to task very severely for this, and from that out I was never very friendly with Mr. Brown. However, a combination, consisting of Inspector Brown, Sergeant Ready, and O'Rorke, Hadden, and Hattie, was formed against me—this was in 1884—and they succeeded in putting me out of the station after I had fought them for four months on paper. I was sent back to take charge of Upper Willis Street, with the promise of Mr. Shearman, who was then Inspector, that I would have the first country station that became vacant. Shortly after three stations became vacant, and I was sent to the one at Pahautanui.

8. What year were you sent to Pahautanui?—I think it was in August, 1886. During the time I was at Pahautanui one very singular thing occurred. I was sent to take charge of the ship "Pleione," which was wrecked on the Waikanae beach. I was just six weeks there, away from my station, camped on the beach. Two Permanent Militiamen were sent out to assist me in supervising the transfer of the cargo from the ship to the Waikanae Station, and I was in charge of them. We superintended this work, and there was no claim for lost cargo against the contractors from the time the ship started to unload until she was emptied, owing to the great care and attention we gave to the matter. There was not one complaint from the underwriters or consignees of cargo about lost goods. I destroyed two suits of uniforms through the salt water, tar, and dirt about the ship, and a suit of plain clothes as well. After the work was done I applied to the proper quarters, as I thought, for a reward or some compensation for this duty, as it had been special extra duty. The Commissioner of Police (Mr. Gudgeon), referred me to the Customs Department, and the Customs referred me on to the underwriters, and the underwriters to the contractors; but by the time I got to the underwriters I was full up of it, and I would not apply any further. In consequence I got nothing, and lost two uniforms. Another case, that of James White, wanted for horse-stealing, cropped up, and I arrested White under circumstances referred to in the correspondence. I applied for a reward, and it was not given to me. What I complain of in that case is that Constable Carr, my comrade with me on that occasion, was transferred to Maketu, and I understood that he got a rise in salary. However, I was left with only a record of merit.

9. *Colonel Pitt.*] You resigned?—Yes; I think on the 1st August, 1890, in consequence of this. I saw it was no use my remaining in the Force. Other men were getting promoted over my head. There was Gray, of Dunedin (116), my junior, and Maddern (108), my junior in the service, and both got rewards and promotions for services which I considered were no greater than mine.

10. In your letter to the department you say that if your resignation is not accepted it would cost you £1,000?—Yes; because I had partly entered into an agreement which involved that amount. After leaving the Force for some time I met Constable Hattie in the street, and he told me he had left the Force. He asked me if I had got compensation when I retired, and I said I had not. He told me I ought to have done as he did, go sick for a week and get a doctor's certificate and get compensation. Now, my grievance is that I did not get any compensation, and I consider I ought to, as I left the Force with honour to myself and credit to the country I served. I heard that Constable Cullinane also got his compensation.

11. You resigned out of the Force?—Yes.

12. Do not you know that men who resign out of the Force are not entitled to compensation?—I know that, and I understand it has been the rule.

13. *The Chairman.*] A man who deliberately asks the department to accept his resignation by a certain date because it will cost him £1,000 if the department does not, and when the department meets him in that request he can hardly have any claim for compensation. You never applied for compensation, did you?—There was no one to apply to, as I had been told I would not get it. Then, when I saw an impartial Board had been set up to inquire into police matters, I thought I would come before the Commission to see if I could not get my rights.

14. What is your grievance?—I think I am entitled to some compensation, more especially considering these men got it, and have since gone back to the service. I was quite satisfied to let my case drop until I found that these other men were getting compensation.

15. But they resigned under different circumstances altogether to you. They were ill, and produced doctors' certificates proving that they were incapacitated from duty.

16. *Colonel Pitt.*] You spoke of the dissension between the police and the Detective Force, and you have given us one instance as concerns yourself: Are we to understand from you that you had experience of that generally in the Force?—Yes. I understand you are going to Nelson, and I would ask you as a special favour to call ex-Inspector Goodall on this point.

17. Where was Inspector Goodall stationed then?—At Wellington.

18. Have you any knowledge of that dissension existing now?—I know nothing about the Force at the present time. Any knowledge that I have would be from outside talk. I hear of it from the men, but I cannot say anything of my own knowledge; therefore, it is no use talking about it.

19. *Mr. Poynton.*] Would you suggest any remedy to prevent this dissension?—There is one thing I should like very much to see, and that is this infernal system of political influence done away with. An honest, straightforward man has not a ghost of a show against political influence. The Commissioner should not be tied by the nose to a Minister at all. It is a disgrace to the service. I can speak from personal experience. I know if I had used political influence I could have got promotion over the heads of all these men, but I would not use it. I spurned the thought of it, because I thought if I was not worthy of promotion by my officer on my merits I was not worthy of the service.

20. Can you speak from your knowledge of the men generally?—It is general conversation with them that the man with the most influence can get promotion.

21. That was the opinion?—It is the opinion even to-day.

22. Do you think that the Force would be more satisfied if the head were made independent of political influence?—Yes, I do positively. I consider a good, honest, and impartial Commissioner will give a man worthy of promotion or reward his just dues.

23. And was the political influence when you were in the Force a cause of discontent?—It was very strong then, and I could have had five members of the House to take up my case, but I would not allow it. In fact, it went so far that one member told me he would bring it up in the House. That would be in 1889.

24. You say the feeling in the Force at that time was that political influence was rife and undesirable?—Yes. There was another thing I might mention which was in vogue at that time, although I do not know if it is the custom now. Any reports of crimes coming in were locked up in the detectives' offices until they could do nothing with them, and then they were handed over to the general police to deal with. In the case of White, I never knew anything about the case until I saw the report in the *Evening Post*. I then wired to the Inspector if it was true, and asked for particulars. These papers were locked up for nearly a week in the detective office, and all the time White was between Wellington and my station, where I had seen him. Yet I was not allowed to know anything about it. It was from the *Evening Post* that I found out that White was wanted on a charge of horse-stealing. The general police have not a ghost of a show while the detectives keep things locked up as they do.

25. There is a monopoly, or was?—Yes; but I do not know how it is at present.

26. *The Chairman.*] At the time you left the Force did not the *Police Gazette* contain particulars of all warrants, and descriptions of supposed offenders?—Yes; but they came out once a fortnight. There was a case of a man named Fitzgerald who was in my district, where I saw him, and I did not know he was wanted on a charge of forgery. The *Gazette* came that day, and when I read the notice I was satisfied that the man referred to was the man I had passed on the road. I got a letter or telegram saying he was in my district—saying that the man was supposed to have gone to my district—and telling me to arrest him. I went out and arrested him, and he was convicted. That was another case where the thing was locked up, while the detectives were running about between the Wairarapa and the Upper Hutt; while the man was all the time in my district, and I knew nothing of the charge.

27. *Mr. Poynton.*] What would you suggest?—That whenever a crime is committed knowledge should be sent to every member of the Force in the district.

28. *Colonel Pitt.*] When a man is wanted, as this man White was, is it usual to telegraph to all the constables round, or is it merely put in the *Police Gazette*?—No; it was not telegraphed then, but a Crime Report was sent out by mail to each member of the Force. However, in that case I got no Crime Report at all.

29. *The Chairman.*] You think these cases were exceptional?—They must have been, because no Crime Report reached me.

30. *Colonel Pitt.*] When you say that five members of the House were prepared to take up your case, was that in reference to this matter of White?—Yes, to get me promotion.

31. What is your opinion in regard to the police having the right to vote at elections?—I do not think they ought to have the right.

32. Why not?—Simply because it makes partisans of the police.

33. *The Chairman.*] When you joined the Force there was a rule prohibiting men from taking any part in elections or political canvassing: Was that rule ignored?—Yes, it was taken no notice of.
34. Do you think that the withdrawal of the right of the franchise would in any way affect the character of the men who would join the Force?—No, I do not.
35. Do you think it would act as a deterrent to joining the Force?—No, I think you would get the right class of men.
36. When you joined you gave up your right to the franchise?—Yes.
37. At that time was there any feeling in the Force amongst the men owing to their being disfranchised?—Yes, many of the men did complain, and it was owing to their agitation that they got the right to vote. I never felt myself injured when I had no franchise.
38. *Colonel Pitt.*] As to the rate of pay to the police: Do you think that it is sufficient?—Of course, married men have not the same advantages as single men, but I think the rate of pay is fair. I do not think there is any fault to be found with the rate of pay, if they get uniform, and long service, as of old.
39. *Mr. Tunbridge.*] You joined the service in 1881?—Yes.
40. And you were appointed to the charge of a station at the Thames?—Yes.
41. And afterwards appointed to a station in Willis Street?—Yes.
42. Within three years?—Yes.
43. And you had charge of a station right up to the time of your resignation?—Yes.
44. You were advanced in class how soon, after you joined the Force?—I think I was made second-class in the third year after joining.
45. And your complaint is that you were not made a first-class constable?—I believe Inspector Thomson recommended me for first-class rank and a reward of £10, in connection with the arrest of White, but it was not entertained.
46. It simply amounts to this: You were placed in charge of stations almost immediately after joining the Force, and got your first advance within three years after joining, and you were in charge of a station during nearly the whole of your service?—Yes.
47. And yet you think you were not fairly dealt with?—I certainly think I was not. When I was in charge of Pahautanui during Major Gudgeon's time, fuel and light were taken away, and on three different occasions I had to sit up in my office with a prisoner and burn my own fuel and light, and never got any refund.
48. That was a general order; it did not apply to you only?—That is so; but I wished to show the injustice it inflicted on the whole of the country stations.
49. There is no fuel or light granted now?—No.
50. Are you aware that at the present time constables are going eight and ten years, and in some cases longer, without getting a rise?—I am not aware of the fact, and if such is the case it is time they were dismissed, or justice has not been done to them for want of influence to get promotion, &c.
51. Well, if such is the case, you would consider you were very well dealt with in comparison with the men who are going eight and ten years without getting a rise?—Hardly, because I know of any number of men who have never done anything to get a rise in their lifetime.
52. Are you also aware that there are very few men indeed under six or seven years' service who are in charge of stations?—I am not aware of it.
53. You say the Commissioner should have full power in dealing with the Force. Perhaps you will tell the Commissioners who it was you came down to Wellington to see, when the Commissioner declined to take action in the way of giving you a transfer in consequence of your wife's ill-health?—I applied to no one, but went direct to Captain Coleman. I went and reported myself at the depot, and the result was that I got a transfer to Wellington. I never consulted a member with a view to promotion or transfer.
54. You did not go to any one outside the Force to advocate your transfer?—No; except my wife.
55. *Colonel Hume.*] At the time you entered the service, you say, political influence was rampant?—Yes; there was no difficulty in getting rewards, or promotion, or anything else, if you liked to use influence.
56. You also told the Commissioners you had a good deal of political influence yourself, but never used it?—That is the positive truth.
57. You also gave the Commissioners to understand that anybody without political influence at that time would have very little chance of advancement?—They would trot along for ever and a day. That is my opinion. Of course, if anybody did anything exceptional they might have had a chance.
58. Is it not a fact that you, without the slightest political influence of any sort being exercised, got your first step shortly after joining the Force?—Yes; and I will tell you how I consider I got promoted. A man named Remer, who was my junior, got promoted to second-class, and I applied for my grade, pointing out this man was junior to me and had been promoted. The next thing was that I got my step.
59. However, it comes back to this point—that you got it without the slightest political influence of any sort?—Yes.
60. Then some men at that time, apparently, without political influence, did get on?—I must have done.
61. How do you reconcile that with your statement that no man could get on without political influence?—I did my duty well, and was praised by my officers for it.
62. You quoted the names of two officers who were promoted, you say, through political influence?—I did not say anything of the sort. I suppose you mean the men Maddern and Gray.

These men were both my juniors, and were both promoted over me, and I reckoned the services for which they were promoted were no greater than mine for which I was not promoted.

63. That was duly notified in the *Gazette*?—Yes.

64. Will you tell the Commissioners of some one who was entirely promoted through political influence?—It is impossible for me to tell that. I could not point out a specific case.

65. *The Chairman.*] Have you ever been told by any member of the Force that he had secured his promotion by political influence?—Yes; I have been told by two or three, by different Governments. It was the general talk throughout the station all the time I was in Wellington. You could infer nothing else from their conversation but that it was political influence, and nothing else, that got their advancement.

66. *Colonel Hume.*] Coming down to the last eight years, since you left the Force: you are a licensed victualler, and you keep a house at Paikakariki, and it is the only house there?—Yes; I have been there since I left the Force.

67. You see a great many men there passing backwards and forwards belonging to the Force, and ex-constables?—Yes.

68. And generally have a talk with them about the Force?—Yes.

69. In fact, you and I have had that kind of conversation ourselves?—Yes.

70. Well, now, I want you to tell the Commissioners of anybody you have heard of during the time I have named having been promoted out of his turn through political influence?—I positively refuse to answer that question. It is not fair to the men. I know of nothing of my own knowledge. I have been told up till quite lately that political influence has been used, but I decline to give the names of the men who attributed their and others' promotion to it.

71. Now, you have said that, if there was a good honest and impartial Commissioner, free from Ministerial control, it would give much more satisfaction?—Yes.

72. That, of course, reflects on me, therefore I should like to ask you whether you have any reason to believe that I was not an honest and impartial Commissioner?—Certainly; I do not say that you were not honest, or dishonest.

73. Then, I take it, from what you know and have heard, you have no reason to suppose I was not honest and impartial?—Not a bit.

74. *Mr. Tunbridge.*] You say, notwithstanding the written application you submitted to be allowed to resign, the cause of your resignation was dissatisfaction with your position in the Force?—Yes; and I entered into the outside business transaction through being dissatisfied.

75. That is, because you did not get promotions and rewards that you thought you were entitled to?—Certainly, when I saw other men being promoted.

76. You said just now that Remer was advanced to second-class before you, and that you founded a complaint on that, owing to that constable being junior to yourself?—Yes.

77. Now, admitting that Remer was advanced before you: his date was the 1st June, 1884: would that date coincide with your recollection?—I think it would; I am not sure.

78. Do you know Constable Remer personally?—I knew him in Wellington, but I have not seen him for ten years or so.

79. Do you know that he is a fairly good constable?—Oh, yes, he is a very nice fellow. I have nothing against Remer.

80. If you were dissatisfied with not getting first-class before the 8th August, 1890, you would consider that Constable Remer, who was made first-class only a few days ago, would be more dissatisfied than you were eight years ago?—I thought you got promotion or reward for meritorious services.

81. You will admit that a man is not an impartial judge of his own actions. Do you not think it is for other people to judge of a man's actions, than for that man to judge himself?—Of course; but when a man points out his case and compares it with others, and points out that it is a better case, he ought to get some recognition of it.

82. *The Chairman.*] You think if he waits to put his good qualities forward they will never be taken up?—Undoubtedly.

83. *Colonel Pitt.*] You said you think the police are fairly well paid?—Yes.

84. Do you think it is right they should provide their own uniforms?—No; and I think the system of long-service pay should be continued.

85. *The Chairman.*] Have you heard anything in the Force in respect to superannuation?—No.

86. When you were in the Force was there a system of compulsory insurance?—I do not think so. I was insured, and my premium was deducted.

87. There was no feeling in the Force in consequence of the want of superannuation?—I do not know that I have heard that question raised before.

Colonel Hume: I wish, Sir, to put in two circulars which were asked for, in reference to police attending fires and drill, and instruction to be given by Inspectors. [Exhibit No. 8.]

88. *The Chairman.*] Have the latter instructions been carried out?—So far as I know instruction is given, but there is no system of return reporting that it is done.

89. You have no reason to suppose they have not been carried out?—No.

TUESDAY, 1ST MARCH, 1898.

GEORGE NEALE was examined on oath.

1. *The Chairman.*] You are an ex-constable of the New Zealand Police Force?—Yes.
2. What rank did you hold in 1883?—I was a third-class constable stationed in Christchurch.
3. What is your complaint in respect to Inspector Pender?—On the 28th April, 1883, I received information from a woman that the dead body of a child had been found in the grounds of a brothel

in New Street, Christchurch. It was on the previous Easter Monday, about 9 a.m., that the body was found by a boy named Ford; and Mrs. Boyd, who kept the brothel, was present when the child was found. I presented a report on the 28th April to Inspector Pender, as follows:—

Christchurch Police Station, 28th April, 1883.

CONSTABLE G. Neale, No. 1553, respectfully begs to report in re concealment of a birth of a male child found by four boys in Mrs. Boyd's garden, New Street, Christchurch, on Easter Monday, 26th March, 1883.

Mrs. Neilson states that she had a conversation with a Mrs. Cumming, who resides in Salisbury Street. The conversation took place the day after Easter Monday, and that Mrs. Cumming should say that she saw the body of a dead male child at Mrs. Boyd's, New Street, on Easter Monday, and that the boy Ford had found the child in the corner of Mrs. Boyd's garden on Easter Monday, about 9 a.m., and that when the child was found it was wrapped up in brown paper. The after-birth was laid on the child, and it had its arms close up to its body. The child was small; and that Mrs. Boyd was present, when she saw the child and told the girls to go and bury it.

Mrs. Cumming states that Mrs. Ford sent for her to see her about doing some needlework. When she came to Mrs. Ford's house, Mrs. Ford took her up to Mrs. Boyd's to see a dead male child that had been found by her boys and others in Mrs. Boyd's garden a short time before. This was on Easter Monday; it would be about 9 a.m. The child was lying in the corner of the garden.

Thomas Verner Kennedy states: I was in Mrs. Boyd's garden on Easter Monday with three other boys—the two Fords and Mrs. Boyd's little boy. We found a parcel in the corner of the garden all over blood, and wrapped up in brown paper. We did not touch it. We were frightened.

Ernest Ford states: I was in Mrs. Boyd's garden with my brother and a boy named Kennedy, and Mrs. Boyd's son, on Easter Monday. We found a parcel in the left-hand corner of Mrs. Boyd's front garden. It was wrapped up in brown paper, and had a lot of blood on it.

Mrs. Mason states that she saw Amy Dyson on the Friday night before she died, and she told her she had been beaten by Mrs. Boyd and kicked in the side, some time ago, and that she had not got over it, and said, "I am very bad," and that the "Chestnut Filly" had told me—meaning a girl named Thompson—had seen Amy Dyson, and Amy Dyson had told her that Mrs. Boyd had kicked her in the side, and that she had never got over it, and that she believed that she was going to die, and she had not been right since she had been kicked by Mrs. Boyd.

Mrs. Cummings further states that a man named Hannan had been to Mrs. Boyd's a short time after the child was found, and had got four bottle of beer out of Mrs. Boyd, and had told her that he would inform the police. I also saw Mrs. Boyd that morning, the 28th April, in her own house. Mrs. Boyd was in Wellington. I have not seen Mrs. Boyd since Easter Monday until this morning.

Alice Hulbert states: I know nothing about the child that was found in Mrs. Boyd's garden. I was at Mrs. Boyd's house on Easter Monday. I did not assist to bury the child that was found. I do not know anything about it. Mrs. Boyd went to Wellington some time ago. She came back last Thursday by the "Hawea" steamer. She is staying at Addington. She is not in the house. She does not stop here. I have been to Wellington. I came back on the 3rd April with a girl named Miller that is living with Mrs. Boyd. I am living at Mrs. Boyd's, New Street. The two girls, Alice Willit and "the Crooked Neck," are at Dunedin. I do not know the name of the girl we call "Crooked Neck." They went away a few weeks ago. They were here last Easter Monday. A man named "Cockney Jack" went away with "the Crooked Neck" to Dunedin.

Joseph Hannan states that he heard that a child had been found in Mrs. Boyd's garden some time ago. He heard some women talking about it. A Mrs. Kennedy was one of them. Have spoken about the child being found in Mrs. Boyd's garden at different times in New Street, but have not spoken to Mrs. Boyd about it.

The constable begs to state that the place where the dead child was found has been pointed out by the boy Ford, and that the ground was dug up by Constable Daly and the constable on the 27th April, but the earth appeared to have been recently disturbed. To all appearances the body has been removed from where it was buried. The deceased Amy Dyson was kicked by Mrs. Boyd about the time the child was found; and Alice Hulbert, one of the girls who buried the child after it was found, being instructed to do so by Mrs. Boyd. Mrs. Boyd left for Wellington shortly after, and did not return until last Thursday, after Amy Dyson had died. The constable had made inquiry for the girl Thompson, *alias* the "Chestnut Filly," who stops at Mrs. Weston's. She has gone to Port Lyttelton, and will be back to-night. Also, a woman named Mrs. Jack has stated to some woman in New Street that Mrs. Boyd had kicked Amy Dyson in the stomach, and that killed her. The constable will see Mrs. Jack this evening. The constable called at Mrs. Boyd's this morning, and inquired for Mrs. Boyd, and Alice Hulbert informed the constable that Mrs. Boyd was not there. Mrs. Cummings saw Mrs. Boyd a short time before, in bed, at the house; the constable had inquired for her.

GEORGE NEALE, Constable No. 1553.

The Sergeant in Charge of Police, Christchurch.

On that report I was instructed by Inspector Pender, who was then in charge of Christchurch district, to make inquiry into the circumstances concerning the report of the 28th. I obtained certain evidence, which I forwarded to Inspector Pender, and Mrs. Boyd was subsequently committed for trial on a charge of concealment of birth. My complaint is that, had Inspector Pender made use of the evidence, which was forwarded by me to him in the ordinary course, at the trial in the Resident Magistrate's Court a charge of murder would have been preferred against Mrs. Boyd. Four witnesses in the case were not examined at the Resident Magistrate's Court, although subpoenaed, and their evidence had been taken by me.

4. Who were these witnesses?—They were William Wood, cab-driver, a resident of Christchurch; George Wakefield, labourer, residing at Sydenham, Christchurch; Jessie Thompson; and Mrs. Jack, a resident of Christchurch.

5. You had taken their evidence; they were subpoenaed, but were not called?—No; and I was told by the parties interested that one of them was paid to leave the Resident Magistrate's Court, at the Court, by a constable; and that another was paid in the street to stay away from the Court, and he never appeared in the Court.

6. Were you present when the payment was made?—No.

7. Who were the persons who told you this?—William Wood and George Wakefield, the two parties interested. That is the gist of the case, as to the four witnesses being withheld from the Resident Magistrate's Court.

8. *Colonel Pitt.*] What had Inspector Pender to do with these witnesses not being called?—If they were subpoenaed he knew they were subpoenaed.

9. *The Chairman.*] Who conducted the prosecution?—Inspector Pender, in the lower Court.

10. *Colonel Pitt.*] Did he tell you why he did not call them?—No.

11. Did you consider there had been a miscarriage of justice?—I did, and do to this day.

12. Why did you not, knowing all this evidence, as you say you did, lay an information for murder?—Because I would have been obstructed by the Inspector. I am positive of that.

13. *Mr. Poynton.*] Where is George Wakefield now?—A resident of Sydenham, unless he is dead. I do not know the whereabouts of Wood.

14. When did you first complain about this?—I first petitioned Parliament in 1883.

15. *Colonel Pitt.*] Was this matter about Wood referred to in your petition to Parliament in 1883?—In my petition to the House in 1883 was one item, “suppressing a charge of murder at Christchurch.”

16. *The Chairman.*] Now, have you given us the whole of your allegation with respect to Inspector Pender’s conduct in this matter, so far as it is within your own personal knowledge; that is to say, he conducted the case, he had the list of witnesses, he had particulars of the evidence they were able to give and did not call them?—Yes.

17. You say you have a copy of that evidence?—Yes.

18. But we decline to receive it on the ground that the originals probably are in existence; do you wish the originals produced?—Decidedly I do.

19. *Colonel Pitt.*] Did you take these statements referred to in the evidence from the witnesses themselves?—Yes.

20. *Inspector Pender.*] Where do you come from now?—Napier.

21. What are you doing there?—Keeping a boarding-house.

22. When did you come down?—Last Tuesday evening.

23. For the purpose of making this charge against me?—I presented a petition last session to the House, through Mr. R. D. D. McLean, M.H.R.

24. Will you swear you ever mentioned my name in that petition?—I applied for an inquiry before the Royal Commission if it was appointed. The Petitions Committee granted my application under certain conditions.

25. Was my name mentioned in the petition of 1883?—It was mentioned in 1883. I believe I said Inspector Pender, or the Inspector of Police, or the police, had suppressed evidence.

26. You came down for the purpose of bringing this charge against me?—I came down to have the whole of these matters investigated. I have been debarred by the Commission from doing so, and confined solely to one particular charge.

27. Then, you did not come down for the purpose of preferring a charge against me?—I came down expressly for the purpose of preferring a charge against you and others.

28. What motive have you in making a charge against me after fifteen years?—It is not a question of length of time. I have already made a charge against you in 1883. I think that was a short time after the matter occurred; so I have not kept it in reserve.

29. What motive have you in coming down and making a charge against me after a lapse of fifteen years?—Because I considered it was a public duty in the first instance. I would also like to mention, in connection with that question, that I also had a second consideration—that is, that I wanted justice to myself.

30. Did you consult with other people before you left Napier?—No; I consulted myself.

31. Nobody else?—No.

32. There is no one else prompting you?—None whatever. I never consulted a soul in connection with this matter.

33. Is there no one else prompting you to come down here and spend your time for the purpose of performing a public duty?—No; but I know what you want to know, and I will tell you what I did do. When I saw Mr. Taylor coming forward in the way he did, I wrote to him, because I considered it my duty to do so, and I informed him of the case. Mr. Taylor returned the papers to me.

34. Mr. Taylor would have nothing whatever to do with you?—He returned the papers and left the matter with me.

35. You have been very unfortunate while in the Police Force; I believe you were almost continually having rows and charging your officers and non-commissioned officers with crimes of all sorts; is that a fact?—No; if it was so, it was purely done in doing my duty.

36. You first commenced in Invercargill, and charged the Inspector and sergeant there with some offence?—Rather. We have got all the particulars of this case.

37. And they preferred eight charges of insubordination against you?—Oh, he was always drunk.

38. And you were fined £3 15s.?—By a bogus inquiry I was. The case was never gone into, and that was my reason for petitioning the House in 1882 to have my case investigated.

39. Then you came up to Christchurch and got at loggerheads with the sergeants?—No.

40. Did you not report all the sergeants, and say they were working against you?—No.

41. You charged Moore with all sorts of offences?—Yes; and I have a case against him if I could go into it.

42. You also charged me with withholding evidence?—Yes; and with false representation, and obstructing me in the execution of my duty.

43. And the case was dismissed when it came into the Court?—Yes; and owing to your actions it was dismissed.

44. Will you swear I had anything to do with it?—You did not prosecute in the case of a violent assault committed by Barrett, a hotelkeeper, against another man.

45. Did not the man sue Barrett in the civil Court, where it was investigated and dismissed?—Yes, because ten big Irishmen swore positively that Barrett never committed the assault, although Barrett admitted to me having done so, and other witnesses had seen him do it. The case came before Mr. Beetham, and Mr. Beetham cautioned Barrett in connection with his actions.

46. You swore just now you never made any complaint about the police at Christchurch?—I did not say that.

47. Did you write this: “Constable George Neale, No. 1553, respectfully requests Inspector Pender will forward this the constable’s application to the Commissioner of Constabulary, Wellington, for a police inquiry into the obstruction on the part of the police at Christchurch in the violent

assault committed at the Borough Hotel, Christchurch, by a man named John Barrett, landlord of the Borough Hotel, on the 24th March, 1883. The constable begs to request that he may be exempted from further police duty pending the inquiry into charges brought by the constable against the Queenstown police, forwarded to the Hon. Defence Minister in January, 1883. The constable has been subjected to a course of injustice since he has been stationed at Christchurch, and requests that steps be taken that he may obtain some redress to prevent the constable from resorting to extreme measures?"—Yes.

48. And I minuted your letter: "Sergeant Mason.—Please inform Constable Neale that this is the first time I have heard of any injustice having been done to him. Give the constable a defaulter's sheet form so that he may enter thereon any complaints he may have against any member of the Force, and the fullest inquiry will be made at once into his alleged grievances." Did you put your charges on a defaulter's sheet?—I put them on a sheet.

49. Were you invited to put your charges on a defaulter's sheet?—Yes.

50. Did you not refuse point-blank the orders of the sergeant to put your charges on a defaulter's sheet?—I may have done so.

51. Then, you got into communication with the Minister of Defence without letting me know anything about it?—Yes, I forwarded a document to the Hon. the Minister of Defence in 1883.

52. You were discharged or dismissed in Christchurch?—I walked out of the station.

53. You fell out of the ranks and refused to do duty?—Yes, I refused to remain in the Force after the murder case.

54. And you were suspended for insubordination?—Yes.

55. And you were discharged by the Governor?—I was discharged because I refused further duty. I was paid up till the date I was discharged, although I refused duty a fortnight prior to that.

56. After that you managed to be taken on again?—I came down to Wellington to petition the House; and I was taken on to shut my mouth, in 1885. I suppose that was what was at the bottom of it.

57. And you were again dismissed for insubordination?—I will not answer you, and my reason for not answering is that this case of conspiracy has not been inquired into. If the Commission is not going into the circumstances bearing on the other case I am not justified in answering the question.

58. Were you dismissed for insubordination?—I was dismissed through a conspiracy.

59. Was the charge insubordination to Inspector Bullen?—I never was charged.

60. Were you not brought before Mr. Preece?—Yes, but I never was charged.

61. And you opened a detective office in Christchurch, after you left the Force?—Yes, I had to do something for a living.

62. Why did you not, knowing I had committed these offences, go to the Court and lay an information, and so perform your public duty?—Simply because I thought I would wait my time and petition the House.

63. Why did you not lay an information before the Magistrate?—Because I would have been shot, you were so well liked amongst a certain set in Christchurch.

64. You brought a charge against a man named King for arson?—Yes.

65. And you worked up the case?—Yes.

66. And the man was committed for trial at the Supreme Court?—Yes.

67. And I believe a man named Stinson swore on his oath that you had tried to bribe him to give evidence to get the insurance money?—Yes.

68. And you swore you never spoke to him about such a matter?—Yes, I swear so now.

69. Do you recollect the Judge, in addressing the jury, saying that if they believed you they should convict the prisoner, and that if they believed Stinson they should acquit him?—Yes.

70. And they did acquit him?—Yes.

71. And the next day you arrested Stinson for perjury?—I applied for a warrant and you refused it.

72. I could not give you a warrant; did you go to the Magistrate?—You would not give me a chance.

73. Will you believe me when I tell you I wrote a report saying that I did not believe what Stinson said?—I am very glad to hear that.

74. When you were dismissed, would you believe that I wrote and gave you a good character for duty?—You could not have done anything else. I am very glad to hear it, and must thank you for it.

75. You and your wife were ill for some time?—Yes.

76. Did I not treat you and your wife with the greatest consideration, and give you leave on several occasions when you were not entitled to it?—I do not think so.

77. Look at the papers then and see if I did not, and then do you charge me with being harsh towards you?—I suppose you only gave me the leave other constables got.

78. Was I ever harsh towards you, or did I ever do you a wrong?—I considered your actions in some instances wrong.

79. In what instances?—I thought your actions extraordinary in connection with that case of Barrett's.

80. Leaving aside that case: I mean, had you any reason to think that I had a "down" on you?—By what occurred I considered you had a down on me for reporting officers.

81. When the child was found, I think I relieved you from all duty and sent you in plain clothes to hunt the case up?—Yes.

82. You were employed for a long time in hunting up this case?—Yes, and with another one.

83. Then at that time you did not think I was inclined to shield Mrs. Boyd, when I put you specially on this case?—Evidently the police had received information prior to me.

84. Did I not send you and give you a free hand to get up all the evidence you could about the case?—Yes; and I was obstructed by the police as soon as I got on the track of it.

85. Did you report to me you were obstructed?—Yes; I reported to you personally, and in writing.

86. That was after the case was called and dismissed?—Before the case was on. I reported that the man named William Woods had informed me that my private information that had been submitted to you had been taken to a common brothel for the information of Mrs. Boyd, and also of her solicitor, Mr. McConnell; and also that a constable (I will not mention his name) had taken the evidence there, and that the constable was cloaking this common brothel.

87. That is, the whole sum and substance of the charge depends on what Woods told you?—Yes, and what George Wakefield also told me.

88. Are you sure that the Crown Prosecutor did not appear in that case?—He may have been there.

89. Will you swear that I conducted the case; or did the Crown Prosecutor conduct the case? I cannot remember, but I believe it was the Inspector.

90. Whoever conducted, whether myself or the Crown Prosecutor, the case was committed for trial?—Yes, on the concealment of the birth of a child.

91. What became of the case when it went up for trial?—The bill was thrown out, because the evidence was not taken.

92. Did the bill ever go before the Grand Jury?—I was not before the Grand Jury.

93. Then, the case you spent so much time and energy in getting up went to the winds in the Supreme Court?—Through your fault, in not bringing forward the evidence you should have done.

94. If you knew I had been neglecting my duty, why did you not go to the Crown Prosecutor and say, here are four witnesses who can prove so-and-so? The Crown Prosecutor was in the conspiracy I suppose?—It looked very much like it.

95. Does Woods say one word about me in his statement; does he ever mention my name?—No; he mentions Cullen's name.

96. Where did you get these papers?—I got them when I was in the Police Department.

97. Are these originals?—I really could not say. All I know is that they have been in my possession ever since the case. I put in these marked passages, as the original statements made to me, and which I handed to Mr. Pender, and these are the passages which I say suggested a charge of murder.

Christchurch Police Station, 29th April, 1883.

CONSTABLE G. Neale, No. 1553, begs to report in *re* concealment of a dead male child that was found on Easter Monday in Mrs. Boyd's garden.

Jessie Thompson, going by the nick-name of the "Chestnut Filly," states that, on Friday, two days before Amy Dyson died, she told me that she was going to die through a kick that she had received from Mrs. Boyd some time before, saying that Mrs. Boyd had kicked her in the side and had knocked her about, and that she had been bad ever since she was knocked about. I know that Mrs. Boyd was the cause of her death: she was black and blue through the violence received from Mrs. Boyd. I know more, but I will not say any more now.

Elizabeth Mason further states that, before I went to Dunedin, about five weeks ago, the brother of Ada Willet was sleeping with me one night, and he told me that he was at Mrs. Boyd's the other morning, and that he had picked up a dead child in Mrs. Boyd's place. I was in the Criterion Hotel one night before I went to Dunedin. I was in company with two girls called Miller and Nelly Ross. Nelly Ross said, "I will give that Amy Dyson a damned good hiding for taking my bloke away the other night." Miller said, "For God's sake do not touch the girl, she is in bed through Mother Boyd knocking her about and kicking her. Poor thing, she is very bad; she is black and blue, and she has got two black eyes." Nelly Ross did not go up to Mrs. Boyd's. I was in company with Amy Dyson about two months since, before I went to Dunedin, and she informed me on two or three different occasions that she was in the family way—that she was carrying a child.

The constable begs to submit that a violent assault has been committed by Mrs. Boyd, by kicking the deceased Amy Dyson in the side, and other ill-treatment, while carrying a child; also, the child that was found in Mrs. Boyd's garden was Amy Dyson's child; and that Amy Dyson has been in agony ever since she was kicked by Mrs. Boyd, Amy Dyson being in bed on the morning of the child being found. The constable will be able to furnish further evidence in this case by 9 p.m. on the 30th. Mrs. Boyd went to Wellington shortly after the child was found, and did not return until Thursday last, the 25th April.

GEORGE NEALE, Constable.

98. *Mr. Poynton.*] You think that evidence disclosed a murder case?—I do.

99. And you complain that this evidence was suppressed?—Yes.

100. *Inspector Pender.*] How long have you had these papers?—Ever since the Court case.

101. Then, if you sent them in to me, how comes it that you have them now?—You might have passed them on to me for some purpose or the other.

102. If I passed them out to you, how could I have had them in the Court?—They may have been in the Court case.

103. You think I gave them back to you?—Yes; you might have thought I was sore over the matter, and handed them back to me to look over.

104. You did not steal the papers?—I did not steal them.

105. How did you get them?—There comes the issue. I say I have no more idea, if I have any originals, how they came into my possession than a child unborn.

106. Were they not taken off some file; you see they are torn in the same place?—I unfortunately tore them myself.

107. On the report which you have read there is an original note opposite your remarks about Amy Dyson, as follows: "Doctor Doyle found no marks of violence." is that in my handwriting?—Yes.

108. And you cannot give the Commission any idea as to how you became possessed of these papers?—None whatever.

109. Now, this morning, when you commenced your evidence, you were looking at these papers, and I asked you what they were, and you said they were notes taken at the time: why did you say

that, when they were the original reports and statements you submitted at the time?—Do you say I had the originals?

110. You say so yourself?—One of them.

111. Are you able to say if any of these other documents are the originals?—One of them, I presume.

112. You are quite sure of that. We may take it that the report of the 28th April, 1883, which you have read, is the only original document?—Yes.

113. And these others are copies?—They may or they may not be. I always take a copy of my evidence exactly as submitted to my superior officers.

114. Was it not your duty to return this original document to the office?—Well, it might have got mixed up with the various papers, but not in the way of thieving it.

115. Are not these documents originals; are not these marks I would put in the margin to attract attention? Are these marks yours?—I cannot say. That might be some idea that struck me. I would underline them to make a note of any particular point I thought might be of advantage.

116. You say you kept copies of all these reports; did you keep a copy of this complaint of yours, dated the 25th March, 1883, against Sergeant Moore?—I believe I have a copy.

117. Have you got a copy?—I really cannot say at the present time. It is possible I have a copy somewhere.

118. You have not it at hand?—No.

119. You say you thought I had a "down" on you at the time you were discharged?—Well, I did not stand very friendly with you for reasons which are well known, and which I am in a position to prove.

120. What are they?—I had reported Inspector Hickson; and my action against Inspector Hickson followed me up to Christchurch. I was put there to be slaughtered.

121. You would scarcely believe that I wrote rather favourably of you at the time you refused duty?—It is possible that you did.

121A. I wrote in regard to you as follows: "The ex-constable is a man of very nervous excitable temperament. Since I took charge of the district he has been very often on the sick-list. It appears his wife has also been ailing for some time; and I understand he had a great deal of anxiety and trouble for months prior to his discharge. His long service, and his willingness and zeal at times in the discharge of his duties, covered many of his faults and peculiarities." Does that surprise you now?—No, it does not.

122. You thought I would write that, although I had a "down" on you?—You wrote what was consistent and true; and I wish to thank you for the good opinion that you put at the bottom of that report.

123. Probably had you known I had written that you would never have brought up this charge?—I have not made the charge vindictively.

124. *Colonel Pitt.*] Can you say roughly how many inquiries concerning yourself or concerning charges made by you have been held during the time you were in the Force or out of it?—The first inquiry was held in Queenstown, in 1883, and there was one at Waipawa.

125. Have these inquiries resulted in your favour or against you?—I never heard the result of the inquiry that took place before Inspector Broham in 1881. I was transferred to Christchurch, and got promotion the wrong way—namely, dismantled, and placed on the streets.

126. Who was the Crown Prosecutor in Mrs. Boyd's case?—Mr. Duncan.

127. Well now, I want you to listen to what I say, and answer straight. I am quoting from some papers connected with you, and from a memorandum in Sir George Whitmore's handwriting on the 19th June, 1886: "Lastly, at a trial Judge Johnston told the jury that if they acquitted the prisoner it amounted to stating that Constable Neale had committed wilful and corrupt perjury. They did so acquit the prisoner, and the Judge communicated with the department, and Neale was thereupon dismissed." Is that true?—It is false.

128. Was it true that Judge Johnston told the jury what I read?—It is the first time I heard of it.

129. Is it the first time you have heard the Judge's remarks?—Yes.

130. Do you know that he made this statement in regard to the jury?—I do not know.

131. *Mr. Tunbridge.*] What was the object of withdrawing yourself from further duty in Christchurch?—After running these two cases conjointly, I was dissatisfied at seeing matters so barefacedly put on one side; my important witnesses being withheld, and no inquiry held by the Inspector in regard to Wood's statement. There was also the stigma cast upon me by the man Stinson.

132. Was it in consequence of annoyance you felt, owing to these two cases not going the way you thought they would?—I found I had been entrapped. I found there was no earthly use stopping in the department, and that my capabilities, which I have proved since I left the department, were no use in the New Zealand Police Department, and that the sooner I severed my connection with them the better it would be for myself and the department.

133. Notwithstanding your disgust, and so on, you were very soon afterwards endeavouring to get back into the Police Force again?—In 1883, I petitioned the House, and my petition was shelved. The following year I corresponded with the late Mr. Turnbull, and Mr. W. C. Smith, in reference to presenting my petition the following year. A change of Government had taken place in 1883, and the Liberal Government came into power, and Mr. Turnbull was a great Liberal, and Mr. Smith also. I got a letter, which I have not here, informing me that it would be no earthly use my going any further into these cases; and the following year (1885) I came down for the purpose of presenting a petition again. Mr. W. C. Smith, having presented my petition in the first instance, consulted with me, and told me that he thought I had better get into the department again. I made

application to Major Gudgeon. He submitted my papers to the late Hon. Mr. Ballance, and, after consultation, they came to the conclusion that I had been badly treated, and I was taken on to the Force again, which was a certain amount of satisfaction to me. Major Gudgeon was Commissioner of Police. But Colonel Hume, in 1892, said before the Petitions Committee that I got back because I had a starving wife and family.

134. You came back because you thought that the police would be a sphere of usefulness for your abilities?—It was a certain amount of satisfaction to know that I had been badly treated, and that I had received some consideration.

135. You received consideration to the extent of one year, and at the expiry of that year you left the Force again?—In double-quick time.

136. And, of course, when you left the Force again it was not through any fault of your own; it was the fault of the system?—The fault of doing my duty was the cause of it—stopping a woman from opening police telegrams in the station.

137. In withdrawing yourself from duty in Christchurch you said it was because traps were laid for you; do you think traps were laid for you?—Yes.

138. What were the traps?—There was one trap in 1883, when I was on duty at Hereford Street, between 12 and 1 o'clock in the morning. A constable, at present a member of the Police Force, came to me and said, "Why do you not go down to the Crown Brewery, as they have a good barrel of beer on there—just as you go in the door." I had been on the station about a fortnight then. The constable was so persistent in his recommendation about this barrel of beer that, having been forewarned as to traps, I did not go down to the brewery after leading him to believe that I would. I stopped at Oxford Terrace, about half-way on my beat, between the top of Hereford Street and the Crown Brewery. The constable was so anxious that I should go that I was suspicious of a trap. I remained there sufficiently long to have allowed me to become comfortable in this brewery, when the fire-bell gave about three peals. I ran up my beat and saw this constable and a sergeant and two other men go up a side entry in the rear of a butcher's shop. I followed them into the smoke-house. The constable was illustrating in a very elaborate way about flames going out of the window, but I saw at a glance that no such thing as a fire had occurred there. I opened the smoke-house door and there was no fire. I believe they enticed me to go to the brewery, and then rang the fire-bell in order that I might be at the brewery, and therefore absent from my beat when the fire-bell rang.

139. Was that the only trap?—There were a few more, but I shall hold them in reserve for future publication.

140. *Colonel Pitt.*] In reference to the Boyd case, I see there is a paragraph as follows: "The women were tried and committed for trial, but the Crown Solicitor abandoned the prosecution at the Supreme Court through some legal difficulty, over which neither he nor the police had any control." Can you say that is not true?—I say that if the evidence had been brought forward the case would have taken a different turn altogether.

ARTHUR HUME was examined on oath.

141. *Mr. Neale.*] You were Commissioner of the Police Force of New Zealand in 1892?—Yes.

142. You attended before the Petitions Committee in 1892, and gave evidence when I had a petition before the House?—Yes.

143. During your term as Commissioner of Police I was not under you?—No.

144. In your statement before the Petitions Committee you informed them that I was reappointed to the Police Department in 1885 by Major Gudgeon for having a starving wife and family?—I may or may not have said so. If I did say it, I had very good reasons for saying so.

145. You remember, I suppose, Inspector Pender being brought up in connection with this charge?—I do not remember.

146. You do not remember passing a remark that it was a pity Inspector Pender was absent, and that such an assertion should be made against him?—I do not remember passing the remark.

PETER PENDER was examined on oath.

147. *Mr. Neale.*] On receipt of my report in reference to Mrs. Boyd's case, you instructed me to make further inquiries in this matter?—I cannot say as to what I instructed you. I probably gave instructions to the sergeant-major to let you go in plain clothes and do the best you could.

148. Did you ever receive any information through any member of the Police Force concerning the death of Amy Dyson prior to my supplying information to the department?—I do not recollect the death of Amy Dyson. I recollect the case about the child, but do not recollect anything about the death of the woman.

149. Do you know if there was any inquest in regard to her?—I cannot say. I do not recollect her death at all.

150. Do you remember my bringing the decomposed body of a child to the station?—I do not recollect the circumstances.

151. You do not recollect my bringing the body of a child to the morgue?—I do not. I had a large number of cases and was very busy in Christchurch.

152. Of course you know that I brought the body of a child there?—I cannot say whether you did or not. When I say that, I do not mean for a moment that you did not bring it.

153. Do you know if there was a decomposed body at the morgue during the time I was working up this case?—I do not recollect.

154. If there was a body in the morgue which had been exhumed from private grounds would not an inquest be held?—That is the usual course.

155. Was there an inquest on that child?—No doubt there was.

156. You, as Inspector of Police, and in charge of the station, would naturally be acquainted with all the circumstances connected with a case of that kind?—There was never a case at the station in the way of crime that I was not acquainted with.

157. Still, you do not recollect all the particulars in regard to this case?—No; I had more than dozens of cases.

158. Any dead children?—Any number of them.

159. Any exhumed by a constable?—If I could recollect I would tell you; I have no doubt you are right.

160. And, of course, you stated that if a body had been exhumed out of private grounds, and placed in the police morgue, it would be necessary to hold an inquest?—Yes; that is the usual course.

161. You had a report to the effect that this child was supposed to be the child of Amy Dyson?—Very likely.

162. If no inquest was held, would it not be detrimental to the prosecution of the case? By having an inquest it is possible to obtain a great amount of information?—Yes; it is a very good means of obtaining information.

163. Then, if there was no inquest, it would naturally be detrimental to the case of concealment of birth of a child, if the child was supposed to be the offshoot of a woman who died through the treatment she received?—That would be a matter for the Coroner. The case would be reported to him, and it would be for him to decide whether an inquest was necessary.

164. Dr. Symes, medical practitioner, used to attend members of the Force?—Yes.

165. Had you any conversation with him in reference to this child on the morning I brought it to the morgue?—I really cannot answer you. I had frequent conversations with Dr. Symes.

166. Did he state to you that morning that I had brought in a decomposed rabbit-skin?—I do not remember anything about a rabbit-skin.

167. Dr. Symes informed me that he had inspected this decomposed body of a child, and that he had come to the conclusion that I had unearthed a rabbit-skin?—That is a serious thing for the doctor, but I am not responsible for it.

168. What position did Constable Cullen hold under your jurisdiction?—At that time I think he was Court orderly.

169. Had he anything to do with cleaning out your private office in the morning?—I cannot recollect now.

170. Had he access to your office?—Unless he was cleaning it in the morning he would not have access. Captain Lanauze had charge of the office; but I should not have hesitated to leave any number of documents under the control of Constable Cullen, who was a highly respectable man, and one of the best constables in Christchurch. He had been in charge of the station at Phillipstown for a year, and is a very efficient man.

171. If he had access it would be possible for him to get hold of any document if he wanted it for any particular purpose?—It would all depend what stage an important case had arrived at, whether they would be under lock and key in the office.

WILLIAM THOMAS MASON was examined on oath.

172. *Mr. Neale.*] You are a sergeant-major of police at Wellington?—Yes.

173. You were stationed in Christchurch in 1883?—I was.

174. I was under your jurisdiction?—Yes.

175. Do you remember me being connected with a case—Boyd and others, concealment of the birth of a child?—I do.

176. You remember my exhuming the decomposed body of a child in the grounds of Mrs. Boyd's brothel in New Street?—Yes, I have a general remembrance of it.

177. Was there an inquest held on that decomposed body?—I cannot positively state from memory. I believe there was an inquest. There is only one reason that I can urge for an inquest not being held, and that is the doctor may have declared it was an immature child or a fetus. I believe, however, that an inquest was held, owing to the subsequent proceedings.

178. You cannot swear positively that it was held?—No.

179. Do you remember any witnesses being called, if there was an inquest?—I remember witnesses being called, and you submitting their statements.

180. At the inquest?—I cannot say about that. I remember you submitting statements in reference to the child; but whether there was an inquest or not I cannot say.

181. Virtually you had not much to do with the case right through?—All your reports and papers came through me, so I ought to be a little more acquainted with the details of the case than Inspector Pender.

182. Do you recollect how many witnesses were subpoenaed in this case for the Resident Magistrate's Court examination?—I cannot say.

183. If an inquest had been held on this decomposed body of a child, all witnesses at the inquest would have been subpoenaed for the Resident Magistrate's Court examination?—They would be the same.

184. If there was no inquest on the child there would be no subpoenas?—No. Witnesses would not then be necessary. That would account, then, for my remarking, that if it was a fetus there would be no necessity for an inquest.

185. Were you in the barrack-house when I brought in the decomposed body?—I remember being present when we brought the thing out of the ground. There were several there at the time.

186. Do you know this man, William Wood, I referred to; or George Wakefield?—Wakefield I know, but I do not remember him in connection with the case. Wood I cannot call to mind. I think there was such a man.

187. Do you recollect how many subpoenas were to be served on witnesses on behalf of this case?—I do not.

188. You do not know whether William Wood got a subpoena?—I cannot say. I can only say that every facility was given to you to get your witnesses. Nothing was denied you that you asked for.

189. You cannot state, then, whether William Wood got a subpoena, or whether he was examined?—I cannot remember.

190. Who conducted the prosecution at the Resident Magistrate's Court on that occasion?—I am almost positive it was Inspector Pender. He had a general habit of taking all cases of that kind; but I do not remember this particular case.

191. If he was prosecutor in that case, he would naturally know the names of the witnesses to be called?—He had your brief.

192. You remember me informing you on the steps of the police-station that I was not going to do any further duty?—I have a very strong recollection of that.

193. You remember me coming near the station after that?—You did not, until you were discharged. I sent for you by the Inspector's orders.

194. And I received my pay up to date?—Yes, you would be certain to do that.

195. You remember reading a circular to me from the Commissioner bearing on matters that I had forwarded to the Defence Minister?—I cannot say that I do.

196. You do not remember receiving a circular from the Inspector which you read to me?—I cannot say that I do.

197. You have no recollection of my having asked you for a copy of it?—I have not.

198. You have no recollection of the words that, if there was any more insubordinate conduct on my part they would be compelled to remove me from the Force?—I cannot remember such correspondence.

199. If there was a circular sent to that effect I presume it would be in the office in Christchurch?—No, it would be in the Commissioner's office in Wellington.

200. *Colonel Pitt.*] Have you any recollection of these men—Wood and Wakefield—being requested in any way not to give evidence?—Not the slightest knowledge.

201. You say you do not remember them in connection with the case?—I have some recollection of Wakefield. I have not the slightest doubt he had something to do with the case, but so far as any tampering is concerned that must be a hallucination on the part of Mr. Neale.

202. Were you at the Court during the hearing of the case?—That I cannot recollect. The probabilities are that I was there.

203. Have you ever heard, except what you have heard from Neale's statements, that any witnesses were prevented from giving evidence?—Not the slightest notion. In fact, Neale was given every possible facility to work up his case. It is very rarely that any man is given such facility as Neale was given. The Inspector struck him off duty altogether; quite an unusual thing.

204. *Inspector Pender.*] You recollect the case, and that the Crown Prosecutor discovered some legal point?—Yes.

205. Otherwise the case was a very complete one?—Yes.

206. The necessary witnesses were bound over?—Yes.

207. *The Chairman.*] Did you ever hear anything to lead you to suppose there was a charge of murder in the case of Dyson?—Not the slightest. I remember Dyson being very ill.

208. Do you know if an inquest was held upon her?—That I cannot remember. In fact, I am almost sure there was not. She was ill some time.

Inspector Pender: It sometimes happens that witnesses are brought to the Court, and whoever is conducting the case does not consider them necessary. Frequently constables ask prosecuting officers to get witnesses to give evidence when they really have no evidence to give; and constables who are not up in the points of law feel aggrieved because witnesses have admitted matters in evidence which would not be admitted by the Court. That frequently happens up to the present day.

209. *The Chairman.*] I think you said you did not recollect whether the Crown Prosecutor was at the Resident Magistrate's Court; if there was any legal difficulty he probably would be there?—In some cases—in intricate cases—you ask the Crown Prosecutor to be there.

210. Do you recollect Neale coming to Christchurch from the South?—He was in Christchurch before I was transferred back, to the best of my recollection.

211. During the time that you were there, can you say he was treated fairly?—I gave him every consideration, because he was a man who had seen service in the Maori war. I gave him a great deal of latitude.

212. He made a charge against Sergeant Moore, and he withdrew it himself after hearing the evidence?—That is so.

213. That was a charge in connection with Barrett's case?—Yes; with respect to some assault.

214. During the whole time he was in Christchurch was he not continually making charges against sergeants?—Yes; I am afraid Neale was troublesome in that respect.

215. You made a report on the charges he sent to the Defence Minister?—Yes; I made several reports.

216. *Colonel Pitt.*] In regard to the middle paragraph in that statement, in reference to Mrs. Boyd having struck this Amy Dyson with a poker and jumped on her when she was in the family way; did you ever hear anything of the kind?—That is the first report of the constable, and subsequent inquiries must have been made which resulted in the charge not being proved or borne out.

217. There were no proceedings in regard to the death of Amy Dyson?—No. The only case I remember was the charge against Boyd and others of concealment of birth.

WEDNESDAY, 2ND MARCH, 1898.

PETER PENDER was examined on oath.

1. *The Chairman.*] Do you wish to say anything about the cases referred to by Mr. Neale yesterday?—Yes. Neale swore yesterday that no inquest was held on Amy Dyson, that she had been murdered, and that I had burked an inquiry. I now put in a return (Exhibit No. 14) showing that an inquest was held, and that the jury returned a verdict that death was due to inflammation of the lungs.

2. Then, this will be the case to which your note "Doctor Doyle found no marks of violence" referred?—Yes. I may say I was thirty years in Christchurch, and during the whole of that time I took an active part in the work of the place, and the criminal portion I paid special attention to. I was continually at work day and night for many years. When Neale arrived from Invercargill, of course I heard he had had a row in that direction with his Inspector, and I always made it a point when a man of that sort came to a station in my district to give him every chance to alter his way if he got on the wrong track. I was never at any time harsh with any of the men. Neale was a man of very excitable and nervous temperament, and was always very anxious and ready for a row of any description. I always avoided him, and told the sergeants to give him every consideration. I think he became ill shortly after he arrived at Christchurch; at all events he was ill for some time while there. His wife was also ill, and I granted him leave several times when his wife was not well. The sergeant objected to his being absent, or spoke to me about it, but I said, "As his wife was unwell I would not like to interfere." You have already heard how he got dismissed. He fell out of the ranks; and even then, if you look at my reports and letters about him you will see I never came down hard upon him. It was quite the other way. With regard to the Boyd case I have not very much recollection of it. I knew the woman well, but never was in her house that I recollect. She was a very unfortunate woman, and kept girls in the house. I recollect the circumstances of the child being found in a box in some part of the premises, but I think the point on which the case fell through was that the child was a fœtus, and the Crown Prosecutor could not see his way to prosecute. However, it went into the Police Court, and I forget whether the Crown Prosecutor attended or not. At all events all the evidence that was of any value was brought forward, and it was sufficient to procure a committal. I do not say that Neale did not give me the names of other witnesses whose evidence he had collected; but at the Police Court it was my practice, and it is the practice still, and I believe the practice in all the Courts, and solicitors will bear me out in saying that it is the proper practice, not to call half a dozen witnesses to prove the same thing.

3. It is quite apparent that the evidence you did not call, namely, that of Wood and Wakefield, would have nothing to do whatever with the charge of concealment of birth?—Perhaps that refers to the Amy Dyson case. Well, of course, the registration of death will show that any charge of murder must have fallen through. These reports, with several reports on the same subject, were sent in, and I picked out what I considered sufficient, as any other man would do, and I held the remainder over, and invariably after the committal, I sent all these on to the Crown Prosecutor. I have not the slightest doubt every scrap of evidence sent to me in connection with the concealment of birth was sent on to the Crown Prosecutor. It is my invariable rule to do that, and everything afterwards that comes in for or against the prisoner is also sent on to the Crown Prosecutor. There is no mistake about the thing; it is done as regular as clock-work. I think the Commission will permit me to say that I think it is rather a cruel thing to be dragged here on a charge of this kind, by a man who now fails to appear. This thing goes all over the colony in the newspapers, and here am I, lying under a charge that has an effect with the men in the district under my charge.

ARTHUR HUME, examination on oath continued.

4. *Mr. Taylor.*] After I left the other day, Colonel Hume stated in reply to Commissioner Tunbridge that in dealing with Bennett's case at Hokitika he had acted entirely on the recommendation of the Inspector of the Westport district. I will ask you, Colonel Hume, to read the Inspector's reports bearing on the case?—I have read all to the Commission, and it is fully reported in my previous evidence, but I must here say that I do not think I said it was entirely on the Inspector's recommendation. If I did say so, it comes again to exactly what I said the other day. It is the fault of not giving me notice; because after I came to look into the matter I saw what would probably have affected me very much in the matter. And that is, first of all, the man had been in the service since 1881, with a clean defaulter's sheet, in which there was not the scratch of the pen against him; and, second, when I turned up his merit-sheet, which I probably did do then, I found it is recorded in 1894, "Helping to save three persons from drowning in the surf;" and in 1895, "Jumping into the Hokitika River and assisting to rescue three persons from drowning." Those entries probably influenced me very much. He has also four entries, rewards in connection with illicit stills and sly-grog selling. I also told the Commissioners that I may have had some correspondence with the Inspector on this matter, and I thought of writing to the Inspector to ascertain. I have studiously avoided that course, because I know the Inspector will appear before the Commission at some stage of its proceedings, and I wish him to make his own statements. I thought I might prejudice the case by writing to him, and I intend to call him as a witness. I think it is very likely he wrote me some private letter, as very often the Inspectors did. I have no recollection of it.

5. In regard to the case of Constable Russell: after I left the other day, Colonel Hume, under examination by Commissioner Tunbridge, stated that one fact that weighed with him, or that weighed with the Minister in the reappointment of Constable Russell, who was dismissed from Auckland, and in the same year was appointed to and is now at New Plymouth, was that the constable had a large family, and was unfitted for other work: is it not a fact that in the hearing of the case which

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Police Station, Oamaru, 22nd June, 1896.

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

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

JAMES GANTLEY, Constable No. 479.

24. There is no document referring to his exhibiting pictures?—I will look and see if there are any in the office. I do not think there are any other papers. I may have heard the report and inquired about it, but I am perfectly sure it was not an exhibition of obscene pictures, but the photo. of a criminal.
25. Have you the papers of Constable Florence O'Leary?—Yes.
26. When was he removed to the Wellington district from Ohingaiti?—On the 13th July, 1896.
27. Was there any special circumstances connected with his removal, or a report from Inspector McGovern in connection with his removal?—Yes. I find that for some reason or other I wrote on the 26th June, 1896, to Inspector McGovern, as follows: "I am informed that prohibition orders made by Justices of the Peace at Ohingaiti are not held to be in operation, as they are not ordered by the Stipendiary Magistrate. It is also stated that Constable O'Leary has no books for charges, records, or complaints. Please report on these matters." The Inspector reported as follows: "So far as I can judge, Constable O'Leary is hardly fit to have charge of an isolated station like Ohingaiti. He might do in the suburbs of a town where a sergeant or smart constable would have supervision." On that I removed the constable to the suburbs of Thorndon.
28. Was he given charge of Thorndon?—Yes.
29. Was anybody with him?—No. The station is only a quarter of a mile from headquarters.
30. How long was he kept at Thorndon?—A very short time. I found he was related to a hotelkeeper in Thorndon, so I sent him up to Newtown.
31. He is still at Newtown?—Yes.
32. Were any representations made to you in connection with the man's transfer by Mr. Lawry, M.H.R., of Parnell?—No.
33. You do not remember seeing Mr. Lawry about him?—Which transfer do you mean?
34. I mean the transfer from Thorndon to Newtown?—Mr. Lawry might have told me the constable had relatives in the hotel; but directly I found that out I wanted him removed.
35. Is he in charge at Newtown?—Yes.
36. Do you think, then, that a man who is not fit to take charge of the Ohingaiti Station is fit to take charge of Newtown Station?—Yes; he was not fit to be Clerk of Court at Ohingaiti.
37. He kept no books?—No.
38. Were there any other complaints against him by Inspector McGovern?—Yes. The constable lost some summonses, and I made him pay for them.
39. *Colonel Pitt.*] What was the value of them?—I think it was worth about £11. Here is my minute on the papers; "The constable is solely to blame, and I cannot put the department to expenses incurred through his neglect, and therefore he must pay the expenses." They were witnesses' expenses.
40. How long ago was that?—On the 5th December, 1894.
41. *Mr. Taylor.*] He was a pretty careless man?—I do not think he was; but that incident warmed him up, and he did not lose anything afterwards.
42. *The Chairman.*] Was he Clerk of Court at Ohingaiti?—No. I find there is a memorandum here from Sergeant Cullen, of Wanganui, to Constable O'Leary, as follows: "I herewith forward you four summonses for service upon David Creech for sly-grog selling. If he has not returned to Ohingaiti you will, on receipt of these summonses, start along the road to Karioi or wherever he may be and serve him, and then return to your station and send me a wire stating when and where you served him. I cannot send the summonses to Raetihi for the witnesses till I receive your wire *re* service, and, as steamer goes up river early Tuesday morning, it will be necessary to know by 5 p.m. on Monday evening next if you have served him. Do your utmost to effect service, and send me wire before Monday evening, if you can manage to serve him.—J. CULLEN, Sergeant." Well, the constable did not serve him. Then there is a report from Sergeant Cullen, reporting "Constable O'Leary, of Ohingaiti, for gross carelessness in discharge of his duty, and making false and misleading statements relating thereto."
43. Is not the charge of a station like Newtown regarded as a more responsible position than ordinary street duty?—It is very little different, because it is close to Mount Cook and is worked from there.
44. There is a difference, of course?—He gets a house; that is a pull.
45. This man was fined £11 for negligence, and made false statements in respects to this matter, and subsequently gets this position?—It is the recommendation of the Inspector, who says, "Constable O'Leary is hardly fit to have charge of an isolated station like Ohingaiti. He might do in the suburbs of a town, where a sergeant or smart constable would have supervision." That is the position he was placed in.
46. In placing him in charge of Newtown, can you remember whether you did that entirely on your own motion, or whether it was the subject of discussion with the ministerial head of the department?—No, it was purely on my own motion, because I know a man told me about the constable having a relative in a hotel.
47. When you learned he had relatives at the Railway Hotel you shifted him to Newtown?—Yes.
48. Have you the papers of Detective Henderson?—Yes.
49. Kindly read to the Commission Detective Henderson's defaulter's sheet?—He was made a constable on the 11th February, 1868, and he was made a detective on the 1st June, 1875. He has the following entries on his defaulter's sheets: 12th January, 1869, "Gross impertinence to Sub-Inspector Percy." The punishment was, "to be more careful in future." Signed "BRANIGAN." On the 28th November, 1869, "Using disgraceful language to superior officer. Discharged from the Force." I must look that up, because I do not think he went out of the Force. He was brought back a day or two after that and was made constable, on the 1st December, 1869. It seems he apologised and begged himself on again, and was reinstated. The next is on the 12th

September, 1873, "Absenting himself from barracks without leave from 11 p.m. to 2.40 a.m. Reduced two steps in the list in which his name stands, and if again guilty of such a wilful breach of discipline will be more severely dealt with." On the 4th July, 1874, "Absent from a fire on Mr. Hayes's premises, Princes Street. Constable Henderson's excuse is unsatisfactory." I suppose that means he was reprimanded. On the 24th April, 1875, "Contravening the regulations of the Force by allowing a stranger into barracks and drinking with stranger. Severely reprimanded." On the 30th April, 1875, "Contravening the regulations of the Force, by assembling in Constable Doran's room at midnight and having a bottle of brandy there at the time. Severely reprimanded." On the 22nd November, 1875, "Being under the influence of drink at 8.45 p.m. when required for duty. Severely reprimanded, and but for his previous good conduct would be reduced in rank." On the 17th to the 19th December, 1880, "Committing an error of judgment in carrying out his duties connected with Regina v. J. Connell, charged with larceny from the dwelling of Timothy Hayes, at Kensington. Severely reprimanded." On the 19th January, 1893, "Altering charge of larceny in a dwelling, against Catherine Clifford, to that of simple larceny. Severely reprimanded and cautioned." Then the other and last entry was the one for which he was dismissed. It was on the 5th October, 1897, "Guilty of improper conduct in Provincial Hotel, Christchurch, on the 5th October, 1897. Dismissed." Then there is an entry in his sheet, "Reinstated, second-class detective, with pay as such from the 10th December, 1897." Now, his merit-sheet reads as follows: "30th July, 1870: For arrest of Daniel Mann, charged on warrant with two cases of larceny; reward, £2. 17th December, 1877: Acknowledgment of promptitude and tact displayed by him in the arrest of William Hamilton and William Hayward, convicted of larceny, and recovery of stolen property; reward, £5. 5th June, 1878: Prompt and praiseworthy action shown by him in effecting the arrest of Charles Bilson, sentenced to two years' hard labour, for stealing clothes from Pier Hotel, Dunedin; reward, £2. 4th June, 1879: Recognition of zeal shown in connection with the arrest of William Wallace, sentenced at Supreme Court, Dunedin, to twelve months' hard labour for stealing £128 from the person, and for the recovery of £113 14s. 11d. of the stolen money; reward, £7. 5th November, 1879: For laudable zeal shown by him in connection with arrest and prosecution of William Burnard, sentenced at Supreme Court, Christchurch, to six years' penal servitude for sheep-stealing; reward, £5. 14th July, 1880: For services in recovering Mrs. Louisa DeBeer's jewellery, value £66 10s., which was stolen from her dwellinghouse in Dunedin; reward, £2. 13th December, 1882: In recognition of his services in connection with the prosecution of Robert Provi, James Henry Walters, John Green, and Thomas Burnett, fined £25, £15, and £5 respectively for breach of the Gaming and Lotteries Act; reward, £3. 23rd April, 1884: For arrest of John McDonnell for deserting from the barque "Roman"; reward, £5. 18th March, 1885: In recognition of his services in arrest and prosecution of two Chinese, fined £5 and costs for keeping a common gaming-house, and eighteen other Chinese, fined 1s. each and costs for having been found without lawful excuse in said gaming-house; reward, £5. 1st April, 1885: In recognition of his services in connection with and recovery of gold watch and appendages stolen from Thomas Robert Gardner, and arrest and prosecution of Charles Peterson, sentenced to six months for stealing same; reward, £2 10s. 28th October, 1885: In recognition of his zealous and praiseworthy exertions in connection with the arrest and prosecution of Ah Lee, sentenced to death at the October, 1880, sitting of the Supreme Court, Dunedin, for the murder of Mary Young at Kyeburn; reward, £5. 3rd February, 1886: In recognition of his zeal and ability shown in connection with the arrest and prosecution of Charles Roland and William Wilson, sentenced at Supreme Court, Dunedin, to two years for conspiracy to cheat; reward, £2 10s. 28th April, 1886: For having promptly and effectually arranged for a watch to be kept on property which was supposed would be fraudulently removed and disposed of, belonging to the Colonial Bank; reward, £2 2s. 16th February, 1887: Long service of not less than fourteen years' continuous service, and who has not had any entry in his defaulter's sheet for three years prior to the completion of the above period; long-service medal. 28th September, 1887: In recognition of his services in connection with the prosecution of Margaret Mordin and Ellen Winthrop, fined 10s. and costs each for stealing post-and-rail fencing from Dunedin Town Belt; reward, £5 (from Dunedin Borough Council). 17th August, 1887: In recognition of his very creditable conduct in connection with the detection, arrest, and prosecution of John Atkinson, Daniel Berry, and John Hunter, sentenced on the 7th July, 1887, at Supreme Court, Dunedin—the former to four years' and the latter to three years' penal servitude—for assault and robbery; reward, a record of merit. 29th August, 1888: For arrest of John Davis, Albert Russell, and John Sumpter Land, sentenced to one month's hard labour each for stealing cargo on board barque at Dunedin; reward, £1 13s. 4d. 10th April, 1889: For arrest and prosecution of John Horan, John Cunningham, Andrew Dawson, and James Myall, convicted at Supreme Court, Dunedin, for stealing from person; Horan and Cunningham sentenced to twelve months' hard labour, Dawson to two years', and Myall to three years' penal servitude; reward, £1. 1894: Recovering a quantity of stolen platinum, and conviction of thieves; reward £12 10s. (Kempthorne, Prosser, and Co.)." Those are all the entries.

50. The rewards were given very lavishly?—I cannot say. They were not in my time.

51. You think they were given very lavishly years ago, compared with the way they are given now?—Undoubtedly.

52. I will ask Colonel Hume now to tell the Commission the circumstances connected with an incident that occurred at a hotel in Dunedin, the papers of which are on the file?—There was a sub-leader apparently in the *Tuapeka Times* of Saturday, the 9th May, 1891, as follows:—

It was about the grey dawn of last Sabbath morning in one of our most sumptuous and high-toned hotels. Suddenly the stillness was broken by the sound of feet hurrying through the spacious corridors, and then the voice of mine host was heard in angry altercation demanding admittance into a certain chamber. "Open the door instantly or I'll smash it in." And then the tenants of the adjacent rooms were aroused from their slumbers, and wondering what the unusual tumult could be about, doors were cautiously opened and sleepy-looking heads thrust out. Then more servants came hurrying along the spacious passages to swell the little group that stood round the mysterious

door of No. — room. What could it be all about? Probably a burglar run to earth. But rather queer that he should find his way into the luxurious little dove-cot of the lovely barmaid! Another vigorous attack on the door, threats of police and forcible entry, some hysterical sobbing from within, and then the door was unlocked and—horror of horrors—what a sight. Out marched the tall lithe figure of one of the best known men in town. What a spectacle as he slouched along the passage very airily clad indeed, with head not exactly as high nor as well thrown back as usual, and the spruce bastardised military air entirely missing. Here he was, a married man, father of a family, a prominent Government official, the very man of all others whose duty it should be not only to shun ruffianism and outrage itself but to hunt it down in others;—here he was, trapped under circumstances that should send him to the hulks. In a few minutes he appeared again as a fashionable lady-killer, and was incontinently taken by the neck and thrown down the broad stairs and out into the street, amid a lively chorus of anathemas from the assembled household. It is very questionable indeed whether the proprietor of the establishment in question should not as a matter of duty take measures for exposing this dissolute ruffian, and hunt him out of a position that he has publicly disgraced, and not for the first time either. As for the fair but frail Hebe, her services were quickly dispensed with; but such is the unhealthy state of the moral atmosphere in certain quarters, that the incident, disgraceful and filthy as it is, is not likely to do her very much harm in her profession.

Then, I got an anonymous letter; I do not generally act on them, but I forwarded this letter to Inspector Hickson. It is as follows:—

SIR,—

Dunedin, 12th May, 1891.

It is said that the fact has been reported to you of Police Detective Henderson having recently been caught at night in the ——— Hotel here by Mr. ——— in bed with his servant-girl, and that several cases of robbery were committed in the city about the same time. This is disgraceful; particularly so, Henderson being a married man. The facts are well known, and the people are disgusted.

Colonel Hume, Wellington.

Then the Inspector traced this article as referring to Chief Detective Henderson, and wrote to the latter as follows: “Having heard that the paragraph marked in attached copy of the *Tuapeka Times* of the 9th instant refers to you, I have to request you to report on it.—J. HICKSON, Inspector. 20/5/91.” Detective Henderson replied as follows:—

Detective Office, Dunedin, 30th May, 1891.

I BEG to report that with reference to attached memo., and paragraph in the *Tuapeka Times* of the 9th instant, which ostensibly refer to me, while I was making inquiries on the night of the 25th ultimo, about a watch alleged to have been stolen from a man named ——— (since recovered) while sleeping on a sofa in the bar-room at ——— Hotel in ——— Street. A good deal seems to have been made out of the subsequent proceedings, which are easily explained as follows: At a quarter past 11 o'clock on the night referred to, Mr. ——— reported to me that ——— had his watch stolen. The barmaid had just left the bar, and had gone upstairs to her room. As she was the person from whom I hoped to get the best information on the subject, I immediately went up to see her. On reaching the landing at the top of the stairs I saw the barmaid standing in her room, the door being open. I spoke to her, and hearing footsteps coming up the stairs she asked me to come in and close the door. I was not two minutes in the room when a knock came to the door. On opening it I saw Mrs. ——— on the landing. She appeared to be annoyed at finding me in the room, and reproached the girl with allowing herself to be in such a compromising position, when the girl indignantly denied that she had been guilty of any impropriety, and said if she was suspected she would leave the house. At this moment Mr. ——— came up from the bar, and made no comments whatever. It is well known that it is not at all an uncommon occurrence for a detective while making inquiries to be admitted into a lady's room, even her bedroom; and any person with a malicious turn of mind might have made as much capital out of my presence in the bedroom of Miss ——— of the Young Women's Christian Association, on the 16th instant, when making a similar inquiry about a stolen watch.

ALEXANDER HENDERSON.

The next thing I can read to you is the report from Inspector Hickson, as follows:—

Police Department, Inspector's Office, Dunedin, 21st May, 1891.

Re slanderous report published in the *Tuapeka Times* of the 9th May, 1891, re alleged misconduct of a “Government official.”

Having heard that Chief Detective Henderson was found in the bedroom of the barmaid at ——— Hotel on the night of the 25th ultimo, I called him into my office and told him of the rumour, when he gave what I considered a satisfactory explanation. But having heard that the story in an exaggerated form had got publicity in the *Tuapeka Times*, I sent for a copy of that paper, and on receipt of it, although no name is mentioned in the article, I called on the detective for a written explanation with a view of forwarding it to you. I now forward it. It agrees exactly with his verbal explanation to me. Mr. ——— of ——— Hotel, not the ——— Hotel, has informed me that a little after 11 o'clock on the night of Saturday, the 25th ultimo, he reported to Chief Detective Henderson that a man had his watch stolen from him that evening while he lay asleep on a couch in the hotel. Soon afterwards he (Mr. ———) at about 11.30 p.m., heard Mrs. ——— and the barmaid having high words, when the barmaid used impertinent language to Mrs. ——— for daring to accuse her of any impropriety. Mrs. ——— states that one of the servants, who had been in the hotel only a few days, came to her about 11.30 on the night mentioned above, and said that a man had gone to the barmaid's room. She at once went to the girl's bedroom, and, on knocking at the door, it was opened immediately by the barmaid and Detective Henderson walked out. Mrs. ——— states that she was taken by surprise, and without waiting for an explanation, she upbraided the young woman, who resented what she considered was an insult to her, and indignantly denied that she had been guilty of any impropriety in admitting the detective to her room, and she became impertinent to Mrs. ——— for daring to imply that she had been guilty of any misconduct. For the impertinence to Mrs. ——— she was discharged next day. Mrs. ——— has further stated that some of the servants were listening, and she felt that if she made no remark then on what she thought was imprudent conduct on the part of the barmaid, they (the servants) might consider that she looked too lightly on the affair. Mrs. ——— also states that she had not at this time heard of the loss of the watch, and therefore did not know that Henderson desired to see the barmaid about it, and she felt so annoyed at the time she would listen to no explanation. Mr. and Mrs. ——— say that the barmaid was dressed as fully as when she left the bar about half an hour previously when she opened the door of her room, and that Detective Henderson was dressed in his usual every-day dress. Mr. and Mrs. ——— say that the young woman had been in their service about twelve months, that they entertained a very high opinion of her, and considered her above suspicion, and but for her impertinence to Mrs. ——— she would not have been discharged. Mr. ——— states that he has given the young woman a certificate of good character. He thinks it must be the servants' gossip that has given rise to the exaggerated and slanderous statement, and that he has thought it beneath notice to contradict it in the press. The man who reported that his watch had been stolen found on going home that he had left it at his home. He was sober when he reported the matter; but having had a doze on a couch, and on awaking missing his watch, he thought it had been stolen from him.

J. HICKSON, Inspector.

I then referred the matter to the Defence Minister, as follows: “The matter is, of course, a very serious one, and must either be overlooked or taken very serious notice of; but, as the detective bears a very high character, and nothing of the kind has ever been previously brought against him, I think he should have the benefit of the doubt, and no further action be taken.”

53. Under what circumstances was he transferred from Dunedin to Christchurch, and what date?—The approval is dated the 29th January, 1895. I may state that, previous to that date, I

had a conversation with the Defence Minister about removing detectives, and I said I thought both Chief Detectives O'Connor, in Christchurch, and Henderson, in Dunedin, had been too long in each place; and the Minister said, when making any moves of detectives fix these two up. I think I put a recommendation before him to remove three detectives, and, so far as my memory serves me, he said, "Halloo! you have not got Chief Detectives O'Connor and Henderson here. Why have you not included them?" I said, "I was afraid of bringing a hornet's nest about my ears." He said, "Oh, that is it. I will soon see about that," and he then asked me if I considered the transfers necessary, and I said "Yes; certainly." He then entered the two men in the list of removals in his own handwriting, and said, "Now carry that out." They were carried out.

54. What telegrams passed about these transfers?—There are two on the file in reference to the transfer of Henderson, as follows: "Hon. R. J. Seddon, Premier, Nelson.—Hope Hume will make other arrangements not necessitate removal of Detective Henderson. Not fair to his part take him away, and cruel injustice to man himself by compelling great sacrifice on his and family's part. It means the almost giving away his little freehold home, and actual loss. Surely entitled some consideration.—LARNACH, Dunedin." This was answered as follows: "Hon. W. J. M. Larnach, M.H.R., Dunedin.—I think you will admit that periodical removals tend to promote efficiency in the Force, and it would be manifestly unjust to other members of the Force to move them two or three times whilst other members of the Force, by bringing influence to bear, should remain for years in the one place. Henderson has no reason whatever to complain; and the removals were well considered before being determined upon. To me it is at any time pleasing to meet your wishes, but there are good grounds why the transfers ordered should be adhered to, and though sorry this particular officer's private affairs should be prejudiced, the efficiency of the Force is paramount to all else.—R. J. SEDDON." The next telegram reads: "Hon. R. J. Seddon, Picton.—Re Henderson. Cannot find fault with your reasons. Have nothing further to say.—LARNACH, Dunedin." The next telegram is dated the 2nd February, 1895, as follows: "Hon. R. J. Seddon, Premier, Nelson.—Some friends have requested me to ask you reconsider transfer Detective Henderson. He is not one of my people, but I know him as an obliging and capable officer. His remaining here would give pleasure to many of your friends.—P. LYNCH, Dunedin." The answer was sent on the same day, as follows: "The Rev. Father Lynch, Dunedin.—Henderson is a valuable and efficient officer, but the exigencies of the service demand his going to Christchurch. He has not had a removal for years, and has no good grounds for complaint. To rescind decision would be subversive of discipline and injurious to the Force. The other first-class detectives have been removed several times, whilst Henderson allowed to remain in Dunedin.—R. J. SEDDON."

55. Do telegrams addressed direct to the Defence Minister come to your department, or are they retained by him?—They are all here.

56. I should like to ask Colonel Hume whether Inspector Broham has not reported to him that Detective Henderson is of drunken habits?—Yes, he has.

57. *Mr. Tunbridge.*] Has not Detective Henderson since that date been dismissed from the Force?—Yes.

58. *The Chairman.*] Was he dismissed on account of his drunken habits?—No.

59. *Colonel Pitt.*] Has he also been reinstated in the Force?—He has been reappointed. That is to say, when that report was written he was chief detective. He was afterwards brought back as second-class detective.

60. *The Chairman.*] Have you yourself made an inquiry in respect to that report of Inspector Broham's, to satisfy you as to its justification or otherwise?—No; I only received it just a day or two before I handed it over to Mr. Tunbridge.

61. You have never investigated it yourself?—No. I could never get anybody to say they had seen Henderson drunk. That was my trouble.

62. *Mr. Tunbridge.*] I will ask Colonel Hume to read my memorandum to the Minister, by which Detective Henderson was readmitted to the Force?—It is as follows:—

Memorandum for the Hon. the Minister of Justice. Police Department, 9th February, 1898.

WITH respect to the case of ex-Chief Detective Henderson, Mr. Beetham, S.M., practically acquits Henderson of all charges except that of failing to report to his Inspector the disturbance between Mohr and his wife at the hotel, in the course of which he was assaulted with a hairbrush by Mohr's two daughters. For this offence simply I think dismissal from the Police Force too great a punishment, and if all other charges are to be eliminated, then reduction from the rank of chief detective to that of second-class detective, and transfer to some other district, would, I think, meet the case. I wish it to be understood that in making above suggestion I am acting entirely on the report of the Stipendiary Magistrate who held the inquiry, without in any way saying whether or not I agree with that learned gentleman's findings.

J. B. TUNBRIDGE, Commissioner.

That recommendation was carried out, and he was transferred to Wellington.

63. *Mr. Poynton.*] Of, course, Mr. Taylor's charge is that by outside interference the Force has been demoralised. Has there been outside influence in this matter, or were you induced as Commissioner to keep this man on, or overlook his conduct?—There was nothing for which to get rid of him.

64. But was there any outside influence?—No.

65. *Mr. Taylor.*] During the seventeen years he was at Dunedin was it never proposed to remove him?—I never saw it on the papers.

66. You never proposed to transfer him before he was finally transferred?—I spoke to the Minister a short time before his removal—about a month or so.

THURSDAY, 3RD MARCH, 1898.

ARTHUR HUME: Examination on oath continued.

67. *Mr. Taylor.*] Have you the papers for Constable William McGill, who is acting as district clerk at New Plymouth?—Yes. I have the defaulter's sheet. He entered the service on the 31st May, 1882, with eighteen months' previous service in the A.C. Force.

68. I would like to ask whether his defaulter's sheet does not contain an entry for allowing a prisoner to escape?—Yes; on the 19th September, 1892, "Allowing Carl Moeller, prisoner, to escape from steamship 'Hauroto.'" He was cautioned to be more careful in future. That punishment was awarded by the Hon. the Defence Minister. The escaped prisoner was drowned, and his body was found next day. An inquest was held, and a verdict of "Found drowned" was returned, with a rider to the effect that Constable McGill took every care of the prisoner, and was in no degree to blame. That inquest was held before Mr. H. W. Robinson.

69. Is there a conviction for drunkenness on the defaulter's sheet?—Yes.

70. What was the date?—On the 9th October, 1883, "Drunk whilst on duty at the Hawke's Bay Jockey Club races at Hastings." He was fined £1 by Colonel Reader, Commissioner.

71. Is there any record there for neglect of duty?—Yes; two. The first is on the 1st May, 1886, "Neglect of duty in not searching lunatic prisoner." He was cautioned by Inspector Bullen; and the other one on the 2nd July, 1886, "Neglect of duty in not arresting Louisa Bredon for using obscene and profane language within his hearing." He was reprimanded by Inspector Bullen. These four entries constitute the whole of the charges on his sheet. There is one entry on his merit sheet, on the 14th February, 1888, "In recognition of tact and energy in connection with the prosecution of Thomas Aitken, fined £5 and costs for sly-grog selling. Reward, £3."

72. When was he made a second-class constable?—He was never a second-class constable.

73. What is his rank now?—First-class; he went from third to first.

74. When was he promoted from third to first?—On the 1st March, 1895.

75. Is it customary to promote a constable from third to first class?—It is not.

76. What were the special circumstances connected with that particular promotion?—This man McGill was transferred from Napier to Wellington as a third-class constable, and after some time he was put into the District Inspector's office here as second clerk. Then I was hard up for a man in my office, and I took McGill into my office. He was a very good clerk. Then, some time ago, and while he was in my office, there was a vacancy for a district clerk at New Plymouth, and he was transferred there as district clerk.

77. Was the fact of his being appointed district clerk at New Plymouth the reason for his promotion?—I do not think so, because I think he was promoted before he was transferred.

78. Do you remember the reason for his special promotion?—I know it had something to do with the work in my office.

79. Are there many instances of constables being promoted from third class to first class?—Very few. Apparently McGill did not ask for promotion to first class but to second class, because I find his application to his District Inspector reads as follows:—

Police Office, 12th September, 1894.

I beg to state that I regret the Commissioner cannot see his way to promote me to second-class constable. I cannot help feeling that it is very hard indeed to see junior after junior in the service (and not for any meritorious conduct that I am aware of) promoted over me. I have marks on my sheet, but I respectfully submit that my general conduct in the police will compare very favourably with any of those recently promoted. Many of those promoted, and almost all of those senior on the roll to me, were transferred to the police years after I joined, and if they had served with the same officers and were placed in similar circumstances it is a question if their defaulters' sheets would have been as clean as mine. I, however, trust the Commissioner will see his way to place my name amongst the first promotions he makes.

WM. MCGILL.

That raises the question which I pointed out to the Commission some days ago, and which I said was bound to crop up. This man evidently thinks his police appointment should date from the date he joined the A.C. Force, and that is what he means when he says juniors are going over his head.

80. You think he added his eighteen months of A.C. service to his service of twelve years in the police in his application for promotion?—That is what I imagine; or it might be that some of those Clerks of Court might have gone over his head.

81. Did you make any note on this application?—Yes, as follows: "Inspector Pender.—I regret I can do nothing for the constable. I have recorded my protest against the way promotions have been made, and hope and believe it will not be repeated. As this constable is now 15 on the seniority list, I hope he may not have to wait very much longer for promotion.—A. HUME, Commissioner." That protest referred to the promotion of Clerks of Court. It was made public in my reports.

82. *The Chairman.*] Six months after that he was promoted from third to first class?—Yes.

83. *Colonel Pitt.*] What is the date of that minute in which you protested against the way promotions were made?—The 13th September, 1894.

84. *The Chairman.*] Who made the promotions?—I was ordered to promote all Clerks of Court to second-class rank, and all men with clean sheets and seven years' service.

85. That was in 1895?—It was before this.

85A. *Mr. Taylor.*] Your protest was against indiscriminate promotions?—That is discriminate promotion.

86. Without considering individual merits at all, they were promoted in batches?—Quite so; but is discriminated to the extent that they must have seven years' service with clean sheets. That is discrimination.

87. *The Chairman.*] You say, "I protested against the way promotions were made, and hoped they would not be repeated"?—Because he wanted to go over men's heads.

88. He complains they went over his head?—But they did not, unless as I say it was in this particular batch that I referred to. In my report of 1894 there is the following paragraph:—

Every man who enters the Police Force of the colony should have an incentive to rise and be made to feel that assiduity and efficiency will meet with due recognition and advancement; but, owing to the higher ranks being in excess of the required numbers, there has been little promotion for some years past, and, in order to relieve the stagnation, I was instructed to promote to second-class rank all third-class constables who had served seven years in the Force with clean defaulter's sheets; and shortly afterwards I was directed to promote to second-class

rank all third-class constables who had seven years' service in the Force with only one trivial entry in their defaulter's sheets, and these promotions no doubt caused some dissatisfaction. In a Police Force the fact of a constable having a clean defaulter's sheet should not be the only qualification for promotion, as there are so many different contingencies which should be taken into consideration. For example, two constables join at the same time; one is posted to a city, the other goes to the country. The city man is open to all sorts of temptations, which are wanting in the country station, while he is constantly under the eyes of his superiors, and consequently more liable to have an entry recorded against him in his sheet which would at once debar him from promotion; while his more fortunate comrade in the suburban or country station, though perhaps by no means so efficient a constable, would be far less likely to sufficiently commit himself to cause an entry to be made against him, and would thereby claim advancement before the one who had been less advantageously situated. Again, the public generally, especially in small communities, are apt to think that their local constable is *par excellence* as near perfection as possible, and ought at once to be promoted, quite forgetting that the police is a colonial and not a local Force. The Commissioner's object should be to make the members of the Force smart, capable officers, well versed in all that pertains to the prevention and detection of crime, instead of as nearly automatic as it is possible to make them; but, unless these matters are left to the independent discretion of him who is appointed to administer the Act, injustice will be done, which can only tend to create dissatisfaction and discouragement generally, and destroy an *esprit de corps* which is so necessary to the well-being and efficiency of a Police Force.

89. *Mr. Taylor.*] Does Colonel Hume still say that these promotions were not indiscriminate?—I say they were not indiscriminate; they were discriminate promotions distinctly. There were certain conditions, and all the men who fulfilled these conditions were promoted.

90. I want to establish the right of a number of men to feel discontented, Colonel Hume?—I say here these promotions caused discontent.

91. They were not made on your advice?—No; and I wanted the men to clearly understand that. Then, I think there was another protest about the promotions of Clerks of Court.

92. Can you remember whether McGill's special promotion from third to first class was gazetted, as is the usual custom?—I do not think it would be gazetted in that way.

93. But, being a special promotion, ought it not to have been gazetted?—It was not for meritorious conduct. It was because he was employed in the Commissioner's office. I am quite sure it would not be gazetted in the way you mean, and I am sure his promotion was not for meritorious conduct, else it would be in his record of merit.

93A. Can you remember any public man approaching you on McGill's behalf?—I cannot remember.

94. You do not remember who his friends at court were?—No. [Evidence in reference to Constable McGill continued later in this day's proceedings. (See p. 94).]

95. Have you the papers in connection with Sergeant Paul Shirley; what rank does he hold?—Second-class sergeant.

96. Where is he stationed?—At Dunedin.

97. When was he made second-class sergeant?—On the 1st May, 1884; and he is still a second-class sergeant.

98. He was passed over when the promotions to first-class sergeants were being made?—Yes.

99. What was the reason for his being passed over?—I did not like the way he was performing his duty. I thought him very slack, and there was also a divorce case pending against him.

100. Was that case prosecuted?—I do not know whether it is over. It was put off for some time. I did put him in charge of Mount Cook Station as soon as I had opened it, and as it was an important station where young constables on joining were trained, I did not think he was training them as well as I cared about, so I transferred him down to Dunedin.

101. Was there not some special reason over and above that general one for his transfer?—I do not think so.

102. Of your own knowledge, did you not know he was living a grossly immoral life at Mount Cook Station?—No.

103. Was it not reported to you?—No; I do not think it would be possible.

104. What difficulty in the training of young constables did you refer to?—I wanted to make Mount Cook Station a depot, if possible, and I wanted one of the best sergeants I could get to take charge of it.

105. Could Shirley not attend to his clerical duties?—Yes.

106. Did he know his drill?—He was not training the young constables properly; he was not taking the trouble. He was simply slack, and was not the sort of man to take over the work.

107. What was his reputation so far as his sobriety was concerned?—I do not think there is any charge against him.

108. Do you not regard him as a man of loose habits?—Not so far as liquor is concerned.

109. So far as women are concerned?—I cannot prove anything against him. That is a question you should put to Mr. Pender, because the man was under him.

110. Under what circumstances was he retransferred from Dunedin to Wellington or Christchurch, I am not sure which?—I cannot say till I see the papers. I am referring to when he went from Wellington to Dunedin, and he is in Dunedin still.

111. He is in Dunedin now, but he was away from Dunedin for a year?—He came up to Mount Cook Station from Dunedin, and was then sent back to Dunedin.

112. *The Chairman.*] What date was that?—Roughly speaking, about a year ago.

113. *Mr. Taylor.*] Do you remember what were the circumstances connected with his transfer from Dunedin to Wellington to take charge of the Mount Cook Station?—Because he was a bachelor sergeant when the station was opened.

114. I would like the correspondence that passed between the Dunedin Inspector and the department on the occasion of his transfer back to Dunedin?—I will get it.

115. Have you Sergeant Henry McArdle's papers?—Yes.

116. What communication did the department receive in regard to Sergeant McArdle's connection with a fruit-stealing case; how did the matter come before the department?—There are a lot

of extracts here, from the *Wairarapa Daily Times* and the Masterton correspondent of the *New Zealand Times*. The *Wairarapa Daily Times* of the 2nd September, 1895, has the following: "The Queen Street burglar is a humorist. Last night he selected for his scene of operations premises adjacent to the police-station. He evidently thought that if the police would not keep an eye on him he would keep a watch on them. The new night-duty is somewhat a fiasco. What is wanted is a thorough change in the police staff. The present members of the Force are well known to everybody, their little habits are familiar to all, and the well-informed burglar cannot be surprised by them. The town is not safe; it is simply at the mercy of certain night-prowlers, and the sooner this state of things is brought to an end the better."

117. Did the Inspector of the district send a report to the Commissioner?—No. The Inspector of the district, Mr. Thomson, got an explanation from the sergeant and filed it. The sergeant's reply is dated the 5th September, 1895.

118. Who first brought it under the notice of the Commissioner?—That part of the business never came under my notice.

119. When did the matter come under your notice?—When petitions were sent in to the Minister of Defence. One is dated the 17th September, 1895, as follows: "We, the undersigned residents of Masterton, respectfully approach you *re* the police organization of this district, having reason to believe that a petition is being forwarded to you complaining of their inability. The diminution of crime in this centre of the Wairarapa proves the police staff is efficient and fully alive to their duties. At the same time we are aware they have recently had occasion to prosecute certain persons whom they considered had been guilty of violating the law. We confidently leave this in your hands, knowing that justice will be done." This has 106 signatures. There is another petition in the same direction, which was forwarded by Mr. A. W. Hogg, M.H.R., on the 27th September, 1895, with the following letter: "Dear Sir,—The memorial enclosed from the ladies of Masterton has been forwarded to me, with a request that I should present it to yourself. It is signed by eighty-six residents, and is intended as an expression of confidence in the present police staff." The petition reads: "The Hon. the Minister of Defence, Wellington.—Sir,—We, the undersigned ladies of Masterton, having reason to believe that a petition is being circulated for presentation to the Defence Minister, with a view to reorganizing the Police Force in the township, would point out this injustice, and we would beg to further point out that the morality of our town at the present moment is entirely due to the strict attention that the police have taken to suppress this great vice. We do not consider there are any grounds for such a petition, for we have reason to know that the petition in question is being promoted by a few interested parties. Recognising how manifestly unfair it would be to perform such an act, which would be calculated to shake the confidence of sober, right-minded, and order-loving people, we humbly pray that you will attach no importance to the petition in question." Then, there is another petition in the opposite direction, which is forwarded by a gentleman named J. Payton, who, I think, is editor of the *Wairarapa Daily Times*, and who writes on the 28th September, 1895: "The Commissioner of Police, Wellington.—Sir,—On behalf of a number of Masterton householders, I have the honour to enclose you a petition in favour of reorganizing the local police staff." The petition referred to reads: "To Lieut.-Colonel Hume, Commissioner of Police, Wellington.—The undersigned householders of Masterton respectfully request that the police staff of the town be reorganized, it being inefficient as at present constituted." This has eighty signatures. I minuted on this: "The Hon. the Defence Minister.—These two petitions are forwarded for your information. One is from eighty male residents at Masterton, asking that the police be reorganized in Masterton, it being inefficient as at present constituted—a very bald and general statement, giving no particulars. The other petition is signed by eighty-six female residents of Masterton, asking that the police at Masterton as at present constituted be not interfered with, as they are giving general satisfaction. I recommend that the male petitioners be asked for particulars as to how the Masterton police are inefficient, and that I visit Masterton at an early date and make personal inquiries into these matters." The Minister said, "Accordingly."

120. Did you go to Masterton in connection with these matters?—Yes. Then, on the 3rd March, 1896, Inspector Pender sends up to Sergeant McArdle the following memorandum:—

I FORWARD herewith a newspaper report of a case, *Police v. Urquhart and Fitzsimmons*, fruit-stealing, heard at the Magistrate's Court, Masterton, on the 28th February last, and trust you will be able to give some satisfactory explanation of the very serious imputations made against yourself and the Police Force at Masterton in connection with the case. From the report of the proceedings it would appear as if the police and Mr. Tucker, the hotelkeeper, got up a case against the defendants, who a short time previously gave evidence against Mr. Tucker when charged with a breach of the Licensing Act.

P. PENDER, Inspector.

Sergeant McArdle reports as follows:—

Police-station, Masterton, 4th March, 1896.

I RESPECTFULLY report that this is one of the most extraordinary imputations that has ever been attributed in the hearing of a Court of Justice to any members of the Police Force that any one possibly could conceive. Some complaints of orchard robbery have been made to me of late, but on Sunday, the 23rd instant, I had information given to me that further robberies would likely take place within the next couple of nights. This I determined to counteract and detect if possible, and accordingly myself, Constables May and Lawler, scattered ourselves through the various streets in order to watch and detect such practices as orchard-robbing. Soon before or about 12 o'clock on the night of the 24th ultimo, being calm and mild, we heard a loud sing-out of "Thieves! thieves!" and "Police!" We all made in the direction from whence the cries came, and found them to emanate from the back of Tucker's Prince of Wales Hotel, each of us having come from different streets. After some difficulty in getting over fences, we got in the garden—only myself and Constable Lawler—where we found Fitzsimmons. Constable May, coming running along a back street, saw a man crash over a thorn-fence out of Tucker's orchard, to whom he gave chase, and arrested him. This man turned out to be a young man named Hector Urquhart. They were both locked up and charged separately on two charges—first, under "The Police Offences Act, 1884," section 28, subsection (9); and, secondly, under "The Indictable Offences Summary Jurisdiction Act, 1894," section 44, subsection (1), Part C. I may here add that both prisoners, when at the watchhouse, were asked by myself and Constable May if there was any other person with them in the garden and assisting them in any way to rob the orchard. They declared there was not (see their evidence). When brought before the Court on the 25th the first person called was Urquhart. The charge was

read to him, and he pleaded guilty. However, Mr. Beard, solicitor, interfered, and said he would not allow the plea of guilty, and asked for a remand till the 28th. The Court at once acquiesced, and the remand was granted. It will be observed in the evidence that a person named Harris figures prominently before the Court. This person was boarding with Fitzsimmons (the prisoner) and his father, and immediately the two accused were released on bail Mr. Beard had Harris brought to his office. This was on the 25th ultimo. Immediately after this interview Harris disappeared, and has not since been seen or heard of. This man Harris is only partially known to the police here, and we had no knowledge that such imputation would be made or we should have detained Harris. However, the police here defy the imputation for either Harris or Tucker or Mr. Beard to prove, which I challenged him to prove when the case was before the Court, and which he signally failed to do; and, in the face of my challenge and Mr. Beard's inability to show any proof of his false accusation, yet the Court seemed inclined from the very first to assist the defence, which the general public here can and will prove. Under the circumstances the police here court the fullest inquiry, on the grounds that, if such false accusations can be levelled at myself and the two members at present on this station for independently doing our duty without a shadow of evidence to prove it, then no man is safe. Please see the leading article of the 29th ultimo taken from the *Wairarapa Star*.

HENRY McARDLE.

I may state that that was forwarded to the Commissioner, and he recommended that Sergeant McArdle should be transferred from Masterton.

121. Was he transferred?—Yes.

122. Straight away?—I cannot remember, but it must have been very soon afterwards, any-way. In June, 1896, the Minister writes, "The sergeant has been transferred to Nelson."

123. He is now in Nelson?—Yes, in charge of the sub-district.

124. Was he removed as a result of those petitions?—Yes, as a result of my report after I went up.

125. Why did you think he should be removed?—For the same reason as Mr. Pender. I thought he was too old for Masterton, for one thing.

126. He is not too old for Nelson?—Oh, no; the Nelson people are delighted with him.

127. Was that the only reason why you recommended the man's removal? As a matter of fact, was he not a common frequenter of hotel bars at Masterton?—No, I do not think so. I do not think he is a drinker.

128. *Mr. Taylor.*] I think I will put in a copy of the *Wairarapa Daily Times* dated the 29th February, 1896, containing a full report and the judgment of the Magistrate in connection with the fruit-stealing case. I would like to ask whether anything more was done with regard to the suggestion that Sergeant McArdle had acted improperly. Sergeant McArdle was asked to report on his own conduct, and I would like to know whether any fuller inquiry was made?—No other inquiry was held. Of course, as I pointed out before, Inspector Pender will know more about the matter.

129. Have you the papers of Constable Poland?—Yes.

130. When did he join the Force?—On the 17th April, 1894, from the Permanent Artillery, and he joined the latter Force on the 19th August, 1893. He was promoted to second-class rank on the 1st July, 1897.

131. Was that promotion in order, or was it an irregular promotion?—It was for saving life; it was for meritorious conduct.

132. Was it made by virtue of seniority or for special reasons?—For special reasons.

133. What district does Constable Poland come from?—He comes from Auckland.

134. Why was he promoted?—I sent the following recommendation to the Minister: "I have much pleasure in recommending third-class constable J. H. Poland to be promoted to second-class constable, with effect from the 25th instant, for his bravery in jumping off the wharf between 3 and 4 o'clock a.m. and rescuing Dr. C. W. Martyn from drowning. During the present year the constable has on two occasions stopped runaway horses, and certainly in one of these cases more than probably saved life. He has been in the Force since November, 1894, and previously served one year and eighty-two days in the Permanent Artillery. I intend taking steps to bring his conduct on the 25th instant to the notice of the Royal Humane Society of Australasia, with a view to obtaining a medal for him.—A. HUME, Commissioner.—30th June, 1897." This is minuted, "Approved.—T. THOMPSON.—1st July, 1897." I may say that Mr. Pender recommended his conduct to me for promotion. I wrote to the Royal Humane Society, and a bronze medal was presented to Constable Poland.

135. Was it customary to promote officers who had been the means of saving life?—Yes, when it is clearly proved to me. I must say that all sorts of dodges have been tried on, but when cases have been proved to me the men have been promoted. Some may have been overlooked.

136. Take the case of a man named Ryan: he was given £3 as a reward for saving life?—Yes.

137. Was he promoted?—I cannot say, but I will find out. I know a case where I found a man went down on the stringer and pulled a woman out of the water. I did not think much of that. He saved the woman's life, but he did not risk his own.

138. *Mr. Tunbridge.*] Will you kindly read paragraph 61 of the Police Regulations?—"Where any member of the Force has shown exceptional merit, or performed any specially valuable service, his promotion to a higher rank without regard to seniority, if recommended by the Inspector of the district, may be authorised, but on such occasions a notification will be published in the *Gazette* setting forth the circumstances of the case."

139. Was Constable Poland's promotion irregular?—No.

140. Is it not in accord with the police regulations?—Yes.

141. *Mr. Taylor.*] Was it gazetted?—Yes, I imagine so.

142. As a matter of fact, we had three cases of promotion which were not gazetted?—I explained those cases.

Colonel Hume: I should like to clear up the promotion of Constable McGill, about which I was in some doubt this morning. I find that the Accountant to the Police Department, Mr. Gold-

finch, died in February, 1895. I asked the Chief Clerk, Mr. Evans, the best way he thought of filling up the vacancy in the office, and he wrote me the following letter:—

SIR,—

Police Department, Wellington, 19th March, 1895.

Referring to the recent death of Mr. J. M. Goldfinch, in compliance with your request that I should make a suggestion as to how the work of this office can in my opinion best be carried on, I beg to make the following remarks: (1.) That I should take over the accounts, the duties lately performed by Mr. Goldfinch, receiving the same salary as drawn by him. (2.) That Mr. Tasker, who efficiently edits the *Police Gazette*, continue to do so, receiving the salary attached to the position of second clerk, in addition to which he will assist me with the accounts and general work of the office. (3.) That a member of the Police Force who has had experience in a district office be attached to this office, with an allowance, to take up the record work under my supervision. The length of service of Mr. Tasker and myself, enables me to place these suggestions before you with every confidence.

I have, &c.,

JOHN EVANS.

On receipt of that letter I addressed the Hon. the Defence Minister as follows:—

SIR,—

Police Department, Wellington, 20th March.

With reference to the vacancy for Accountant in this department, through the death of the late Mr. Goldfinch, I have the honour to recommend that Mr. Evans be appointed on a salary of £240 per annum. This officer has served in the departmental office since the 15th September, 1881, and has always given entire satisfaction. He is steady, thoroughly reliable, and painstaking, and feels himself competent to undertake the duties recently performed by Mr. Goldfinch. Mr. Tasker, the junior in the office, is, I consider, well qualified for the position of second clerk, and I recommend he gets Mr. Evans's present salary—viz., £225 per annum. Mr. Tasker has been in the office since the 16th April, 1882, and gives every satisfaction, and the manner in which he compiles the *Police Gazette* is most commendable. As regards filling Mr. Tasker's vacancy, I recommend that third-class constable William McGill, now employed as assistant in Mr. Pender's office, be appointed, and that he be granted first-class constable's pay so long as he is employed in the office. These arrangements to take effect from the first instant.

That is minuted, "Approved.—R.J.S." Now, it was perfectly correct not to gazette Constable McGill's promotion; he is merely first-class so long as he is in the office, and if he was to leave the office to-morrow he would revert, I imagine, to his position in the third or second class, whichever it is. He is now district clerk at New Plymouth.

143. Was he not appointed to the Commissioner's office in Wellington?—Yes; and transferred from there to the New Plymouth office.

144. He is not now in the office to which he was appointed?—No; but he has first-class pay so long as he is in the office.

145. As a matter of fact, he was only recommended for a first-class constable's pay; has he not been gazetted a first-class constable?—No. He gets a first-class constable's pay; he is in the roll of first-class constables.

146. Is that roll the basis of further promotions?—I should say that is a matter for consideration when he goes out of the office.

147. *The Chairman.*] He ranks in the Force as a first-class constable, and gets first-class pay?—Yes; but if he left the office to-morrow I imagine he would revert to his old place.

148. *Mr. Taylor.*] Was he absolutely efficient to be appointed a first-class constable; had he been discharging clerical duties before?—He had been doing this work in Inspector Pender's office before this, and he received extra pay when coming into my office.

149. Why?—He had a great deal more work thrown upon him, and I did not expect him to go into my office and do the work required of him there on the pay of a third-class constable.

150. You mean his salary was insufficient?—I mean, otherwise he would have had no increase in my office.

151. What prospect is there of him reverting to the rank of third-class constable?—I cannot say.

152. Is there any prospect at all?—I should not think so.

153. The idea you threw out that he would revert to a third-class constable does not apply?—He is only a temporary first-class constable.

154. *The Chairman.*] Do the clerks in the offices all rank as constables, or is he the only one?—Several rank as constables, and in one or two offices they are sergeants.

155. They do not draw any pay as clerks in the offices?—No. Their pay is based on their rank as constable.

156. *Mr. Taylor.*] Take the district clerk at Dunedin or Christchurch?—In Dunedin he ranks as sergeant, and in Christchurch as a first-class constable.

157. Was he promoted when he took charge as district clerk?—I think he was a first-class constable before that.

158. Would this promotion from third to first class be gazetted?—McGill's was not; but his probably was gazetted, because he was made a district clerk straight away. This man was not.

159. Do you gazette all ordinary promotions?—Yes.

160. And in any out of order there is a special reason given for it?—Yes.

161. Was McGill gazetted as having been promoted to the rank of first-class constable?—No, because he was not promoted to first-class constable. "I recommend that third-class constable William McGill, now employed as assistant in Mr. Pender's office, be appointed, and that he be granted first-class constable's pay." That is what was done, and thus he goes to the first-class list because he is getting first-class constable's pay. It is certainly not gazetted.

162. You cannot disrate him to rank of third-class constable unless he commits some offence?—That is right.

163. When Constable Staunton was told off to do district clerk's work did he receive any additional pay?—He was made first class.

164. You did not ask that he should have sergeant's pay?—No. The man here does not get sergeant's pay. He was only promoted the other day.

165. *Colonel Pitt.*] Do I understand he was a first-class constable when transferred to Christchurch?—Yes.

166. *Mr. Taylor.*] Well, this whole transaction in connection with McGill was a most unusual one?—I never had occasion to take a constable into my office before. It was unusual in that way. However, there is the whole transaction from start to finish.

167. Of course, he did not cease to be a constable when he went into your office?—Certainly not.

168. *Mr. Tunbridge.*] Does not Sergeant Bell, at Dunedin, get extra pay in addition to his rank as sergeant?—I cannot say. He is an exception altogether. He was a Civil servant, and was taken over from the Provincial Government.

169. *Mr. Taylor.*] Have you Constable Treanor's papers?—Yes.

170. Will you read the correspondence connected with a charge of cattle-stealing against a man named Gower, in which Constable Treanor was concerned?—A gentleman named Leslie M. Monckton wrote to me as follows:—

SIR,—

Woodville, 25th July, 1895.

There are certain circumstances connected with a recent cattle-stealing case in this district which I think it necessary to apprise you of. You are no doubt already in possession of information as to the lifting of about twenty of our cattle from Mr. Gaisford's paddocks at Matahiwi, and their sale in Abraham and Williams's yards in Palmerston, by a man named Gower. We first learned for certain the facts on Sunday last. On the next day, as soon as we learned who the vendor was, we saw the constable here, and laid an information against Gower. I swore an information. A warrant was made out for Gower's arrest, and I, at Treanor's request, went up with him to effect the arrest. Gower was not at home. Treanor asked me to come up with him next morning. When I went up to his (Treanor's) office he said he had since consulted with Mr. Motley, J.P., and that that gentleman thought that issuing a warrant for Gower's arrest was too drastic a measure, and that it would be better to proceed by way of summons. He would therefore do this. I warned him that if he did it was quite certain that Gower would clear out of the district, as he had not the smallest chance of escaping conviction. He (Treanor) insisted that it would be best to proceed by way of summons. I said, "You must take the responsibility in the matter. If you say that that is what must be done, then do it." A fresh information was laid accordingly, and a summons was taken out. Gower subsequently met me in the town, and offered to make full payment for the cattle if proceedings were stayed. He also sent another person to me with a similar offer. Mrs. Gower also came down to our house, and made a similar offer on her husband's behalf. We, of course, refused to listen to any of them. Seeing that Gower was still at large, my brother and I, and my brother-in-law (Mr. Carlile) went up last night to see Treanor, and again warned him that unless he acted with promptitude it was quite certain that Gower would clear out. He said in the presence of us all that it was on Mr. Motley's advice that the warrant had been withdrawn; that he now felt that the case was one in which the man should have been arrested; and that he would have him arrested at once. As you are aware, when he did go to arrest him he found he was not there.

Yours, &c.,

LOUIS M. MONCKTON.

171. What action did the department take in regard to Treanor's conduct?—The Inspector held an inquiry, and his report is as follows:—

Police-station, Napier, 3rd August, 1895.

In accordance with your instructions I proceeded to Woodville, accompanied by Detective Kirby, on the 29th ultimo, and on the following day made full inquiries relative to cattle-stealing case, and, as result of same, I am of opinion there is a clear case of stealing Monckton's cattle against Gower. I took the statements of Messrs. L. M. Monckton, Gothard, and Constable Treanor, which are attached hereto. These papers will show, I think, that Mr. Monckton wished to proceed against Gower by summons. Mr. Monckton also informed me that he told the Magistrate and constable that he would not be responsible in any way for offender's arrest. In my opinion, Constable Treanor should have used every effort to effect arrest from the time he received the warrant, and that it was an error of judgment on his part in holding over execution and countenancing issue of summons. I am rather astonished at his action in this respect, as he is an intelligent, active, and good policeman. He no doubt acted in this case to the best of his ability, and thought what was being done was in the interests of justice. He, with Mr. Motley, J.P., no doubt took into consideration the fact that the accused had resided in the district for twelve years, and had borne a good character, and considered by all as an upright man.

The Commissioner of Police.

JOHN EMERSON, Inspector.

Then I went up to Woodville after that myself. I made some inquiries there, and then I wrote to the Minister of Defence,—

Since writing my minutes of the 9th and 10th instant I have visited Woodville, and from all I could learn there I do not think the constable is much at fault. He certainly did not at once execute the warrant, as he should have done; but, on account of the standing and general character of Gower, I believe had he arrested Gower and taken him to the lockup there would have been a general local outcry that unnecessarily harsh treatment was being used towards Gower. One and all the respectable inhabitants of Woodville, speak in high terms of the manner in which Constable Treanor performs his duty. He has upwards of twenty-one years' service, and has no entry against him in his defaulter's sheet.—A. HUME, Commissioner.

This is minuted, "Seen.—R.J.S." The constable is not now at Woodville, but in Auckland.

172. Do you think that any officer, after twenty-one years' service in the New Zealand Police Force, should be ignorant as to what his duty is in regard to a charge of cattle-stealing when an information has been sworn?—I think constables have always to be guided to a certain extent by what Justices of the Peace say.

173. Do you think all Justices of the Peace are qualified to guide your constables?—In some cases; no, not all.

174. Do you think Mr. Motley was a man qualified to guide a policeman?—I would not say he was or was not. I do not know anything of him.

175. Do constables understand they are to go to the local Justices of the Peace to discuss their duties?—In this case the Justice of the Peace went to the constable.

176. Do you think, after an information had been sworn and a warrant issued for the man's arrest, that the constable has a right to enter into a conversation or discussion with a Justice of the Peace as to what his duty is?—I think exactly as stated in my minute: "I do not think the constable is much at fault. He certainly did not at once execute the warrant, as he should have done."

177. I want to enlarge your expression of opinion, in which you refer to the general standing and character of the man in the community: Would you treat him differently to a poorer man?—No.

178. In this case why should it apply?—If I wanted to arrest you, or some one wanted to arrest me, they would know where to find me in Wellington, and I have no doubt they would know where to get you in Christchurch.

179. Take the case of Gower. Was he arrested?—No, he got away.

180. In that case the discrimination did not work?—No; two heads were not better than one.

181. Was this constable shortly afterwards promoted to the charge of the Waipawa Station?—It was not promotion; it would be the same rank.

182. Has he been promoted since?—He was promoted to the rank of third-class sergeant on the 1st January, 1898.

183. Do you remember whether Mr. Hall, the then member for Waipawa, saw you about Treanor, and interceded on his behalf?—I do not remember any verbal conversation. There is a letter from Mr. Motley to Mr. Hall, who apparently sent it on to the Minister. It is as follows:—

DEAR SIR,—

Woodville, 25th July, 1895.

When writing you to-day there was a certain matter which I should like to have mentioned, but scarcely thought the circumstances warranted my doing so. Since then, however, events have transpired which render it necessary that I should place you in possession of full particulars, which are these. It appears some time ago Monckton Bros. lost some cattle from Oringi, and the other day discovered some of them in possession of J. Harris. Monckton questioned Harris as to how he came by them, and was informed that they were bought at the Monteith Sale-yards. On further inquiry it was discovered these cattle were put in the sale-yard by Mr. A. Gower, of Victoria Block. Monckton fully acquaints Constable Treanor of the particulars, with the result that an information is laid and a warrant issued, both brought to me for signature (and duly signed). But I remarked that to issue a warrant was taking the most extreme measure upon what might probably be slight information. However, the complaint and warrant were handed to Constable Treanor, and I afterwards saw Treanor and expressed myself in similar terms that I had done to Monckton, and he decided not to act until further particulars were obtained. From further information which Monckton got it left no doubt that Gower had stolen the cattle. I subsequently saw Treanor, and during a conversation with him said it was discretionary as to whether he arrested or proceeded by way of summons. (See Johnston's Justice, Vol. I., page 207, No. 677.) That considering Gower was a settler and a man of fair repute, and had his family here, a summons would answer the purpose, as he was not likely to abscond. The result being that a summons was issued and served for him to appear at Court to-day before the S.M. In the meantime Gower has disappeared. And I am informed that Carlile, as well as Mr. Williams, of Williams and Abrahams, Palmerston North, is reporting the matter to the Defence Minister, with a view no doubt of having Treanor punished in some way. Now, the true position is this: A warrant is a mandatory document, and probably Constable Treanor should have executed it upon becoming satisfied that Gower had committed a felony; but at the same time, looking at it from all sides, I believe he was partly influenced by my remarks in delaying the execution of the warrant, and at the same time he concurred in these remarks, and thought a summons would answer the purpose. Had Gower been arrested he no doubt would have applied for bail and got it; there would still have been a possibility of his absconding, although had he have done so the constable would have been relieved of all responsibility. The question now arises that, assuming that the Defence Minister considers Treanor has shown a remissness in his duty, and he deems it necessary to inflict a punishment, I sincerely trust that you will use your best endeavours in placing before the Defence Minister matters which have come under your own observation respecting him, and which may tend to mitigate the punishment, so as not to inflict a hardship greater than necessary. It cannot be denied that Treanor is a good man, and carries out his duties conscientiously, and the fact ought not to be lost sight of that he has been injured in the service, which to a certain extent incapacitates him from starting life afresh. That to think of discharging him for an error of judgment would be inhuman, after eleven years' of faithful service. And if the Defence Minister decides to remove him, I do not think the confidence would be misplaced if he gave him charge of an out station. He feels his position keenly, hence my writing you.

I remain, &c.,
J. MOTLEY.

Mr. C. Hall, M.H.R.

184. Mr. Hall would in all probability see the Defence Minister?—Yes.

185. *Mr. Tunbridge.*] As a matter of fact, the constable did go out that night?—Yes.

186. But did not find Gower?—No, but he should have stopped there.

187. Will you kindly read paragraph 45 of the Police Regulations?—"Officers in charge of districts will, as far as practicable, act in accordance with the wishes of the Benches of Magistrates, for which purpose they will frequently communicate personally with the Magistrates to ascertain whether their lawful orders are duly carried out by the members of the Force, and whether they are active, diligent, and efficient in the prevention of crime or the pursuit of criminals, and orderly, respectful, and steady in their conduct."

188. That means a constable in charge of a sub-district?—Yes.

189. Do you consider that in a measure places constables under the direction of Magistrates?—That was what I was trying to explain to Mr. Taylor.

190. *Mr. Taylor.*] Surely that regulation 45 will not bear any such construction; it was surely never meant that a Magistrate or Justice of the Peace, who may have no legal knowledge whatever—and the majority of them have not a fraction—is to overrule the judgment and plain duty of a constable?—I do not say it is.

191. *Colonel Hume.* In regard to Sergeant Shirley, whose name came up earlier in the day, I find I sent the following memorandum for Inspector Pender on the 14th December, 1893: "As soon as the new police-station at Mount Cook is handed over by the Public Works Department, you will be pleased to take it over and open it. Second-class Sergeant Shirley will be transferred from Dunedin and placed in charge of Mount Cook Station. It would be well to arrange for the grey cob 'Waverley' to be kept at the central station in future as an emergency, and the constable told off to ride him could patrol round the suburbs at uncertain hours after dark.—A. HUME, Commissioner." Sergeant Shirley was accordingly transferred.

192. *Mr. Taylor.*] When did the transfer take place?—On the 19th April, 1894.

193. And when was he retransferred from Mount Cook to Dunedin?—On the 1st February, 1897.

194. Have you any complaints against him on the Inspector's file?—It will be recorded here on his defaulter's sheet if he has been punished. He entered the service on the 24th June, 1872. The first entry is on the 4th January, 1873, "Neglect of duty in not examining the Union Bank, the door having been found open at 5 a.m. Cautioned to be more careful in future." On the 18th September, 1873, "Absenting himself from his post when on reserve duty, and gross insubordination to Sergeant O'Neill when spoken to on the subject. Severely reprimanded." On the 26th October, 1874, "Absenting himself from barracks without leave. Cautioned." On the 3rd November, 1874, "Neglect of duty in not finding out and reporting that the office door of

Captain Hutchinson's, Crawford Street, was left open during the night. Reprimanded, and if it had not been for the constable's previous good conduct he would be reduced in the service." On the 23rd April, 1875, "Contravening the regulations of the Force by allowing a stranger into the barracks and drinking with the stranger. Severely reprimanded." On the 17th June, 1875, "Neglecting to deliver a letter addressed to the Commissioner of Police, handed to him by a messenger of the Resident Magistrate's Court on the 15th June, 1875. Cautioned." On the 20th February, 1881, "Neglect of duty, and insolence to Michael Moriarty. Reprimanded." On the 2nd December, 1881, "Misconduct as a member of the Force, in George Street, Dunedin, by endeavouring to annoy and bring John Dupree into public contempt. Case not proved." He has only got one entry in his merit-sheet—viz., medal for long service and good conduct.

195. Have you any complaints from his Dunedin Inspector as to his habits of sobriety?—No.

196. Had you none when it was proposed to send him down there again from Mount Cook?—No, most certainly not.

197. Have you had no complaints from the Inspector at Dunedin in regard to the man's neglect of duty?—If it was proved it would be on record in the defaulter's sheet.

198. Do all the offences of policemen get on to their defaulters' sheets?—If they are punished they do.

199. Suppose he was generally incapable; would that get on the defaulter's sheet?—No.

200. Has he ever been the subject of special discussion between yourself and his Inspectors?—I really cannot say. I told you he did not give satisfaction at Mount Cook Station, and I probably spoke to Inspector Pender on the subject.

201. Do you recollect having a similar discussion with the Inspector at Dunedin?—I do not remember. He has different duties altogether to perform in Dunedin.

202. *Mr. Tunbridge.*] While you were Commissioner you passed Shirley over for promotion?—Yes.

203. You were not satisfied with his conduct, and you passed him over?—Yes, and explained to the Minister why.

204. As a matter of fact he has been in his present rank since the 1st May, 1884?—Yes, as a second-class sergeant.

205. *Mr. Taylor.*] Have you the papers of Constable O'Rourke, who was promoted, but was not gazetted as he should have been?—Yes. I should like to refer to that gazetting once more. I do not think I have ever yet explained to the Commissioners that I am responsible, and, of course, take the responsibility, for what passed in the office; but there is no doubt the omission referred to by Mr. Taylor happened in this way: A large batch of promotions was made at the time, and there were only two special men amongst them. The clerk naturally did not notice these two special men, and consequently, when he gazetted them, he gazetted them in the batch. That is to say, they were in the *Gazette*, but were not specially mentioned, as they ought to have been, according to this paragraph.

206. I should like to ask when O'Rourke was ordered for removal from Otaki?—He is at Otaki still.

207. When was he ordered for removal from Otaki to Stafford?—It was some time in December, 1890.

208. Who would be Defence Minister then?—Captain Russell.

209. Did he leave Otaki?—Yes.

210. What were his movements?—He went to Stafford. There is a telegram signed by me, I was in Auckland at the time, to the clerk in charge of the office at Wellington, as follows: "Constable O'Rourke should have gone to the West Coast long ago, but if his wife's confinement is so near, he can remain at Otaki for seven days from to-day, and then must at once start for West Coast.—A. HUMB, Auckland." It seems that Acting-sergeant Hannan had arrived at Otaki, and complained that there were no quarters, as the following telegram will show: "Constable O'Rourke, Otaki.—Acting-sergeant Hannan complains by wire that he cannot obtain possession of police quarters, and must keep his family at hotel. If Mrs. O'Rourke is not too ill to remove, try and remove her into another cottage before you leave to-morrow morning. If this cannot be done, assist Hannan to secure a cottage till your wife is able to travel. Should neither course be adopted, department may charge you with his hotel-expenses.—J. BELL THOMSON, Inspector."

211. As a matter of fact, did he vacate the police premises at all?—Mr. Thomson reports, on the 27th January, 1891, in reference to Sergeant Hannan's complaint: "Forwarded for the information of the Commissioner, with the request that I may be instructed as to the best course to pursue in the present difficulty *re* the Otaki police quarters. Constable O'Rourke, on the day of his departure for the West Coast, assured me positively that, on the day before leaving Otaki, he was getting his wife up for the purpose of removing her from the police-station, if possible, when she fainted with pain and fell back on the bed, and he was reluctantly compelled to forego his intention of removing her then. There is at present but one cottage in Otaki that can be rented, and that has only three rooms.—J. BELL THOMSON, Inspector." I minuted that back to Inspector Thomson as follows: "Constable O'Rourke has had ample time to have vacated his quarters long ago, and therefore I think the incoming constable has a fair cause for complaint, and he should be allowed to occupy the station forthwith. Of course, if Mrs. O'Rourke is unfit to move, Constable Hannan will have to remain at an hotel."

212. Did Sergeant Hannan do duty at all in Otaki?—Yes.

213. Did he get possession of the station premises?—I wrote to Mr. Thomson, on the 4th February, 1891, as follows: "The Hon. the Minister of Defence requests you will proceed to Otaki to-morrow and ascertain the condition of Mrs. O'Rourke, and, if she is fit to be removed, will see that she at once moves either into the hotel or the three-roomed cottage, and hand over the station to the acting-sergeant." On the Inspector's report I wrote the following minute to him: "There

now seems to be no other alternative but for the acting-sergeant to take up his quarters at the hotel until Mrs. O'Rourke is fit to move." Of course, Sergeant Hannan was in charge all this time.

214. As a matter of fact, did not Constable O'Rourke refuse to give up possession on some excuse, and Sergeant Hannan never secured possession of the police premises?—Apparently, the unfortunate woman could not be taken out. I will read this report:—

For the information of the Commissioner.

Police Department, District Office, Wellington, 7th February, 1891.

In accordance with the instructions contained in the attached memorandum, I have the honour to state that I proceeded to Otaki on the 5th instant, and saw Mrs. O'Rourke on the subject of her removal from the police quarters there. As her sister-in-law informed me that Mrs. O'Rourke was in bed, and unable to see me in another room, the interview had to take place in her bedroom, where I found her apparently ill and in a nervous excited state, owing to the anxiety caused by her approaching confinement and the illness of one of her children, whose leg was some short time since seriously injured, and the doctors decided to amputate it. They however eventually saved the leg, but it had now broken out again. She declared to me she would be quite unable to move out of the quarters until her confinement was over, owing to her illness and helpless state. I subsequently called upon the nurse who is to attend her, and she warned me most emphatically that any attempt to move Mrs. O'Rourke and her furniture now would probably bring on premature labour, and with the attendant worry and anxiety, increased of course by her husband's unavoidable absence, might possibly cause her death. The nurse is of opinion that the confinement is close at hand. Under these circumstances I am glad to be able to state that I have secured for the temporary use of Acting-sergeant Hannan and his family, at a rental of 9s. per week, a six-roomed cottage, which has just been put into thorough repair, and which is only a moderate distance from the police-station and Courthouse.

J. BELL THOMSON, Inspector.

On that I wrote, in reference to the cottage at 9s. per week, "Approved."

215. Did Constable O'Rourke make application to be sent down to Otaki again?—The next thing on the file appears to be the usual sort of document which we get on the occasion of transfers, and is as follows:—

SIR,—

Otaki, March, 1891.

We the undersigned, Justices of the Peace of Otaki district, have the honour to direct your attention to the fact that the removal of Constable O'Rourke is in our opinion an ill-advised proceeding, and for the following reasons we respectfully ask you to keep him at Otaki, and allow his successor Sergeant Hannan to return to Stafford: 1. This is a large district, with a scattered population about half Native and half European; the means of communication to the various settlements and most of the settlers' homesteads is almost entirely by horse-tracks difficult to find, and at times dangerous on account of the rivers which have to be forded. Constable O'Rourke has during the short time he has been stationed here made himself acquainted with the district, and is now able to go to all parts of it without the assistance of a guide. This, of course, his successor will be unable to do for some time. 2. The district being a newly-settled one, bounded on the north and south by much older settlements, and situated on the main line of communication between Wellington, Wanganui, and Napier, a great number of criminals come here, and are, unfortunately, encouraged to remain, as they find it easy to make a living amongst the Natives. Constable O'Rourke, from his four years' service as a watch-house keeper in Wellington, has had a good opportunity of becoming acquainted with the class of criminals who are usually sent in from the country districts, and therefore specially qualified to be stationed in this district, and we are therefore without hesitation unitedly of the opinion that the ends of justice would be materially furthered by your granting the request herein made.

We have, &c.,

JOHN KEBBELL.

ALEXANDER SMALL.

MORGAN CARKEEK.

ARTHUR DRAKE.

W. H. SIMCOX.

Hon. R. J. Seddon, Minister of Defence, Wellington.

216. As a matter of fact, had he been at Otaki many years prior to his removal?—No; he was shifted to Otaki as soon as I was Commissioner. I minuted that letter to the Defence Minister as follows: "I would respectfully point out that Mr. Simcox and four residents at Otaki not only ask permission to select their own constable for Otaki, but they also provide for Stafford, where they have probably never been or do not even know where it is. Comment is needless." On that Mr. Reeves writes "Seen."

217. In May, 1891, Constable O'Rourke was removed to Otaki. What were the circumstances?—I see there is a departmental memorandum from me dated the 13th April, 1891: "The following transfers are made, with effect from this date: Acting Third-class Sergeant Hannan, Otaki to Masterton; Third-class Constable O'Rourke to Otaki, *vice* Hannan." O'Rourke was apparently in Wellington again at that time. Then, there is the following memorandum: "The Under-Secretary, Justice Department.—Constable Timothy O'Rourke has been placed in charge at Otaki, *vice* Acting-sergeant Hannan transferred."

218. Then, he was away from Otaki altogether under six months?—Yes.

219. *The Chairman.*] Did he go to Stafford during that time?—Yes; he went there and came back on leave, on account of his wife's illness.

220. *Mr. Taylor.*] He returned, then, to Wellington?—Yes; apparently he got to Wellington. It is not shown very clearly here. There is a memorandum, "Noted and returned to Commissioner. Constable O'Rourke passed through here a few days since on leave of absence.—J. BELL THOMSON. 24/2/91." I find here that I telegraphed down to Inspector Goodall on the 3rd February, 1891, "Leave granted to Constable O'Rourke."

221. With regard to Constable O'Rourke, did he as a matter of fact vacate the police premises at Otaki at all; did he not carry on intrigue after intrigue to retain the use of the station premises until ultimately he got back to Otaki?—I cannot say there was any intrigue about the boy's leg being taken off, and his wife's confinement.

222. Have you the papers I mentioned this morning in respect to the awards?—Yes. One man Mr. Taylor complained had not been promoted was Sergeant Mackay, now in the South. This man belonged to what was known in Auckland as the Water Police. It was the only place where there were Water Police, and it was run as a separate branch, and they had a boat of their own. There are two cases of life-saving I see, in his merit-sheet. One is in 1891, "Saving a woman from drowning; reward, £3." The other in 1892, "Saving a boy, Joseph Barber, from drowning; reward, £5." In the first case Constable Mackay reported the matter to Inspector Broham, who sent the report to me with the following memorandum: "Forwarded to the Commissioner, with a recommendation that a gratuity be given to Constable Mackay for his intrepid conduct

in jumping into the harbour to save the life of this woman." On that I noted: "Constable E. Mackay is granted a reward of £3 in recognition of his bravery and presence of mind in jumping into the water to save a drowning woman." In the case of the boy named Barber the statement of Constable Mackay was sent to me by Inspector Broham, with the following minute: "Forwarded to the Commissioner, with a recommendation that a substantial reward be granted to Constable Mackay for his intrepidity in jumping into the harbour and saving the life of the boy Joseph Barber. On the 19th October last Constable Mackay also jumped into the harbour and saved the life of a woman who was drowning, for which he received a gratuity of £3. He likewise saved the life of another person in a similar manner some years ago. This is, therefore, the third time he has saved life in the Auckland Harbour." The Inspector did not recommend him for promotion, but for a substantial reward, and he got £5. Then, Mr. W. Kelly recommended him for promotion, and I wrote the following minute to the Defence Minister: "Constable Mackay belongs to the Water Police in Auckland, and was specially selected for that particular branch on account of his powerful physique and his being a good swimmer. He saved a boy's life by jumping into the water at about 2.30 o'clock in the afternoon, and was helped by the third officer of the s.s. 'Mamari.' The boy was only nine years old. I rewarded Constable Mackay by giving him £5 and a special mention in his merit-sheet; but he thinks he should be promoted, and quotes three other cases in support of his request, but they were all entirely different. Sergeant Stagpoole received promotion for swimming out and saving life when a boat was upset in Tolaga Bay; Sergeant Kelly jumped off the ferry-boat and saved a man's life; while Constable Grey jumped off the wharf at 3 o'clock in the morning, when it was dark, and where there was a strong tide running, and saved a boy fourteen years old. None of these men belonged to the Water Police, but happened to be on the spot when their services were required. Constable Mackay has been exceptionally lucky, having risen from third-class to first-class constable in six years. He had also had the chances of making a considerable number of rewards by being in the Water Police, as his reward-sheets show. I cannot recommend him for promotion, as I think the pecuniary reward sufficient.—A. HUME. 20/5/92." That was submitted to Mr. Seddon, and he said, "Accordingly," on the 25th May, 1892, and Mr. Broham was written to to that effect on the 26th May, 1892. That was the reason Mackay was not promoted. The next man referred to was Constable Johnston, of Wellington. A row occurred on the wharf here between sailors belonging to two American ships, and the mate of the "Doris Eckhoff," one of the ships, shot the other man. The mate then retired armed on board his ship, and Constable Johnston went and arrested him, and for that he was promoted to second-class rank.

223. Has he no record for saving life from drowning?—No.

224. Have you got Constable Oliphant's sheet there?—Yes. There are two entries on it: "1896—Plucky conduct in rescuing a woman from drowning; £5 reward." "1897—Stopping runaway horses; £3 reward." The former was apparently a case of attempted suicide, and the following report was forwarded to me from the Auckland *Herald*:—

Shortly before 10 o'clock last night a young woman named Margaret Parnell made an attempt to drown herself in the harbour. She went down Queen Street Wharf with a male companion, with whom she was heard disputing, and suddenly left him and jumped over the wharf into the water. Constable Oliphant noticed the woman go over, and at once took off his coat and waistcoat and sprang in after her. The tide was strong ebb at the time, and before Oliphant could reach her she was carried almost to the ferry-steamer jetty, and had gone under the water more than once. Oliphant, however, managed to grasp her, and after a somewhat hard struggle brought her to the steps, where he was assisted by several of the bystanders, and taken up on to the wharf. The woman was quite unconscious, and it took some time to bring her round. She was taken to the police-station, and then on to the hospital for treatment. Constable Oliphant deserves great praise for the plucky manner in which he rescued the woman.

The constable applied for compensation, for damage to his uniform. The application was forwarded to me with the following minute by the Inspector: "Recommended for favourable consideration. I also recommend for special consideration the gallant conduct of this constable in rescuing the woman by jumping into the harbour at night and saving her. I have deferred forwarding this until the charge against her of attempted suicide would be disposed of, but she is still on remand." I returned the papers with this minute: "Constable Oliphant is granted a reward of £5 for his plucky conduct in rescuing this girl, and £3 to replace his clothing."

225. Was he promoted?—No, and he was not recommended for promotion. In the case of Constable Douthett the following entry appears in his merit-sheet: "1897—Meritorious conduct, jumping into harbour and rescuing woman from drowning; £5 reward." The constable forwarded his report, as follows:—

I respectfully report that while on duty on Saturday, the 5th instant, on the Auckland Wharf, at about 6.15 p.m., a woman named Mrs. Clements, wife of a gumdigger at Riverhead, fell overboard from the western Devonport Jetty. I did not see or hear her fall, but I heard some one singing out, "Man overboard." I went over and could not see any one, it being so dark. I threw off my shako and mackintosh, and I no sooner had them off than I heard her voice saying something about being an Irishwoman. I then dived in the direction of the sound, about a dozen yards out, and caught her by the hair. She was lying face downwards, so I first turned her on her back to keep her face above water, and then made for the shore. Somebody then threw a lifebuoy with a long rope attached. I made the buoy fast to her, and sung out to the men on the wharf to pull in on the rope, which they did. They pulled in the rope until she was straight under the wharf, and held us there until a boat picked us up. After getting her on the wharf I took her straight to the lock-up, and charged her with drunkenness, as she was in an intoxicated state. I got my trousers slightly damaged with shells and mud, but the rest of my uniform was very little the worse for its wetting. Mr. McKewan, baker, in Queen Street; Mr. Watts, night-watchman; and Mr. Baker, of the Devonport Ferry Company, can corroborate the above statement. How she got over the wharf I do not know, unless in her drunken state she walked straight over; but she would have been drowned had she been in the water many seconds longer. She was vomiting water all the way to the station in the cab. She had to be taken to the hospital during the night.

Inspector Hickson forwarded this to me, and minuted it, "I recommend Constable Douthett's conduct to favourable consideration."

226. Was he promoted?—No. I minuted the papers, "Please report this paper to the Town Clerk, with a view to Constable Douthett's conduct being brought before the Royal Humane Society of Australasia. Constable Douthett is granted a reward of £5."

227. I want to contrast Constable Poland's promotion. When was he transferred to Waitotara?—On the 23rd October, 1897.

228. So that he took charge of the station; is not that rapid promotion?—Yes.

229. He joined in 1894, and got charge of a station in 1897; is not that very rapid promotion?—Yes, but he was promoted for saving life.

230. Are there not any second-class constables doing street duty?—No; second-class constables who are qualified to have charge of a station are not on street duty. Single men, however, do street duty. Poland went over any number of constables on account of saving life, but I think I can swear he did not go over one in getting charge of a station.

231. As a matter of fact, was he not fined £50 for a wrongful arrest?—He was fined, but I do not remember the amount.

232. Have you Sergeant O'Grady's papers?—Yes.

233. Can you tell the Commission how long he has been at Oamaru?—Since the 9th February, 1887.

234. Has he been reported for drunkenness whilst there?—No.

235. What is the nature of his defaulter's sheet?—He came into the service in 1891, and the entries are: 1897, "Gross neglect of duty in allowing offender, Edgar Bastings, charged with forgery, to leave for Wellington per s.s. "Wakatipu" without arresting him. Cautioned to be more careful in future." On various dates between the 1st and 21st April, 1887, "Neglect of duty in not parading the 9 a.m. day-duty reliefs, and falsely certifying that he had paraded the foregoing reliefs. Severely reprimanded." About April, 1884, "Circulating false reports regarding the Greymouth Irish National Land League, and general mendacity as officer in charge of police at Greymouth, and making certain false statements regarding one Samuel Gilmer and one Felix Campbell in his explanation of the above." (Remarks: Major Keddell, R.M., at Greymouth, was appointed Royal Commissioner to investigate these charges, and a large number of witnesses were examined. The report was duly forwarded to the Government, but the decision is not made known yet.—JNO. EMERSON, Inspector A.C., 21/9/85.)" 6th September, 1886, "Being untruthful, unreliable, negligent, and careless of his duties. Reduced to the rank of second-class sergeant." I may say that the Inspector who reported him on the latter charge was a very extraordinary man, and afterwards died in an lunatic asylum. Then we get to Oamaru: Between 20th March and 20th April, 1890, "Neglect of duty in withholding a knowledge of crime reports from the constables under his charge. Reprimanded." 13th January, 1891, "Absenting himself from the night-duty relief parade without permission. Cautioned, and warned against a repetition of the offence. (Sergeant O'Grady appealed against this decision, but his appeal was dismissed.)" 28th February, 1891, "Not reporting Constable Bell for being under the influence of liquor. Severely reprimanded." The merit-sheet of the sergeant shows: "5th December, 1888: In recognition of his services in connection with the prosecution of Daniel Brown, fined £2 for selling trout without a license, and of Edward Pickett, fined £1 for offering trout for sale; reward £2. 1890: In recognition of his services in connection with the prosecution of W. D. Esther, fined £2 and costs for the illegal sale of liquor; reward, £1. Conviction of Mary Cunningham for sly-grog selling; reward, £1. Convictions under the Beer Duty Act; reward, 10s. Conviction of Florence Garvie for sly-grog selling; reward, £2. Conviction of Margaret Andrews for sly-grog selling; reward, £2. Conviction of J. Newland, poaching trout; reward, £5. Conviction, Mary Gallagher, for sly-grog selling; reward, 10s."

236. When was Constable Donovan transferred from Coromandel to Tolaga Bay?—On the 15th February, 1897.

237. When was the general election, do you remember?—In December, 1896. If I remember aright I had been up there, and he asked me to shift him out of that as his house was very bad indeed. In fact, I think they have since built a new one. He also said the work was too hard for him, and that the Warden's Court was giving him a great amount of work.

238. You removed him for that reason?—I think so. It was a verbal arrangement.

239. Was it an ordinary visit of inspection that took you to Coromandel?—Yes.

FRIDAY, 4TH MARCH, 1898.

ARTHUR HUME, examination on oath continued.

240. *Mr. Taylor.*] Have you Sergeant O'Grady's papers in connection with certain reports from his Inspector?—There are no distinct reports from the Inspector, but there are the Inspector's minutes on Jackson's report.

241. I would like that report read?—It is as follows:—

Police Station, Ashburton, 23rd November, 1895.

REPORT of Constable David Jackson, relative to going to Oamaru re sly-grog selling at the Oamaru Cattle Show.

I beg to report that I proceeded to Oamaru on the 20th, and saw Sergeant O'Grady that night. He informed me that the booth at the Cattle Show had been bought by a man named Richard Orr, and that an attempt would most likely be made to sell liquor, and instructed me to go out to the grounds and try to purchase some liquor next day, the 21st, which I did, arriving about 11 a.m. After a time I visited the booth, which is a long building with part of the shutters up, so that any person could go in and be supplied without being seen by the outside public. I asked for a drink of whiskey. The man behind the counter said that all he had was ginger-ale, ginger-pop, and lemonade, so I had a glass of ginger-ale. At the same time, I could see a large number of bottles on the shelves, but was unable to say what they contained. Soon afterwards, from what I could hear on the ground, there was liquor in the booth. Orr used to stand outside the booth, and when two or three of what I took to be his friends would come along he would take them into the booth. I watched him for some time, then got another man, and we went and had a drink

of ginger-ale to see if I could detect any liquor exposed. I then noticed what I took to be a bottle of whiskey on one of the shelves. From what I could further hear, he intended to get hold on the following day. I then went into the luncheon-booth, which is attached to the booth just referred to by a trap-door in the wall, which was open. The table was laid for lunch, and on it was five bottles of what I took to be beer, in bottles marked "pale ale." All the corks appeared as if they had been put in the bottles. I purchased a sausage, at the same time asked for a drink out of the bottle. The woman in charge said that she could not sell it, as it was for the stewards, so I took a cup of tea. I made no further attempt that day in case of arousing suspicion. At 9.15 p.m. I went to the police-station, and saw Sergeant O'Grady, and verbally informed him of what I had done, and said I did not think I would be able to prove a sale, but that I was sure we could get him for exposing liquor. At the same time, I referred to a case in Ashburton where a conviction was obtained under similar circumstances. I said, if he liked, I would lay information for the exposure, and get a warrant. Sergeant O'Grady then instructed me to go to the grounds next morning, the 22nd, and, if I could not be able to prove a sale of liquor, to try and see if I could be able to see the same exposed. He would have the warrant, and we would seize it. I proceeded to the grounds as instructed at about 11 a.m. After being there a little time, I visited the booth and asked for a drink, and was supplied with ginger-ale. I then noticed three bottles standing on the counter, one a whiskey bottle about three parts full, one square gin nearly full, and a black bottle full, but could not say what it contained; four glasses, and towel. Behind the counter was a ten-gallon keg of beer on tap with the stamp defaced. At the time four men came in. They passed me, and went up to where the bottles were standing on the counter; at the same time I got behind a case that was on the counter and lit a cigarette, and tried to see if any money was passed, but could see none. Then I went out, in case I should arouse suspicion, and the liquor was removed before Sergeant O'Grady arrived with the warrant. He arrived about 2 p.m. I at once informed him of what I had seen, and that I was sure persons were being supplied. He told me to get the constables for him, which I did, thinking he was going to make a seizure. Later on he told me he had put the men to the door, to see that he did not sell any. Shortly afterwards Orr put up the shutters and left.

DAVID JACKSON, Third-class Constable 622.

That was sent up by the sergeant at Ashburton to the Inspector, and then Mr. Broham evidently asked about this Ashburton case that had been quoted, as follows: "Sergeant Moeller.—What was the defendant at Ashburton fined for? Was it for selling or for exposing for sale, or did you prefer both charges. If the latter, which charge was he fined upon?" The sergeant replied, "The defendant was fined for exposing for sale and also with selling. I withdrew the latter charge, and he was fined for exposing for sale. The facts were admitted—viz., that two 10-gallon kegs of beer were on the top of the stand, one on tap and glasses alongside. Defendant had bought the right of admission to this stand, and charged 1s. to each person who went there, and the persons thus admitted could help themselves to the beer or leave it alone. I saw several persons pay and afterwards help themselves to the beer. It was argued for defendant that no sale took place. I contended that there was a transaction in the nature of a sale, because if the person did not pay the 1s. he could not get the beer; and the Stipendiary Magistrate upheld my contention and fined defendant £5 1s. Notice of appeal was given but not carried out." The papers were then sent on to Sergeant O'Grady for a report, and he replied as follows: "Police Office, Oamaru, 29th November, 1895.—Report from Sergeant O'Grady relative to the Inspector's memorandum on attached correspondence.—I beg to state that Richard Orr, the person who supplied the luncheon, made arrangements or entered into an agreement with the stewards of the North Otago Agricultural Association to supply dinner for 2s. 6d., a glass of beer or a cup of tea to be provided for that sum. This Orr agreed to do, and did not think he was doing wrong. The persons partaking of the dinner did not pay individually. The amount was paid to Orr by the association in one sum. I am quite satisfied that Orr acted in good faith and did not think he was doing wrong. If summoned I have no doubt he will at once say what he did." Here is another memorandum from the Inspector to Sergeant O'Grady, dated the 2nd December, 1895: "Please state the facts with regard to payment for the meals. Who did the persons pay who had the meals and beer? Did they pay at the time or have they paid since? Who paid Orr? Please mention the names of the persons through whose hands the money passed until it reached Orr. Also the position of those persons in the association." On the 6th December, 1895, the sergeant writes: "Mr. Orr agreed with Mr. John Church, Secretary to the North Otago Agricultural Association, some days previous to the show, to provide ninety-five luncheons, to include a cup of tea, lemonade, or beer, for the sum of 2s. 6d. This amount will be handed to Mr. Orr by Mr. Church in a few days, or as soon as the accounts are passed. Mr. Church will let me know when this money is paid to Orr, and I will inform the Inspector." Then there is another memorandum from the sergeant to the Inspector on the 13th December, 1895, as follows: "I had no evidence of the sale of liquor, or a transaction in the nature of a sale. The latter phrase, I think, would refer more to licensed persons than to sly-grog sellers, and I feel sure that such evidence as was given in the Ashburton case would not obtain a conviction for me at Oamaru." Inspector Broham replies: "Sergeant O'Grady.—If you ever have such evidence in any case as was given in the Ashburton case, your course is to bring the case into Court. If such a case were dismissed, steps would be taken to appeal. Stronger evidence could not be given." It was at this stage that Inspector Broham apparently inquired for the particulars of the Ashburton case, for there is this last minute in regard to Sergeant Moeller's statement: "Sergeant O'Grady.—The Court must have convicted of exposing liquor for sale upon such evidence as above. I presume you had no evidence of the kind in this case? So far as I can see you could not have sustained a charge of exposing for sale.—T. BROHAM, Inspector.—10th December, 1895."

242. What was the outcome of it, Colonel Hume?—That is what I am trying to ascertain, but I cannot see the finish of it here. However, as it is a case where Sergeant O'Grady appears to have neglected his duty, he should be here when it is investigated, and, as you will presently be calling Mr. Broham, he will be able to tell you more about it.

243. Have you Constable Potter's papers?—Yes. This case is altogether subsequent to my handing over charge of the Police Department. Mr. Tunbridge has handed over the papers, and I can, no doubt, answer any questions where they are shown on the papers.

244. He has been dismissed for being under the influence of drink recently?—Yes, on the 26th February, 1898.

245. Have you the papers of Constable Henry Patrick Kennedy, of Auckland?—Yes.
246. When was he appointed?—He was transferred from the Permanent Artillery on the 26th October, 1895.
247. What is his position in the Force now?—He is a third-class constable.
248. Is he doing plain-clothes duty?—I would suggest that that, again, is a question for the Inspector in whose district he is stationed.
249. As a matter of fact, cannot you tell whether he was taken on as a plain-clothes constable immediately on joining the Force?—No, I cannot.
250. Is that a matter for the Inspector to say?—Yes.
251. What Inspector did he serve under—at Wellington, or Auckland?—At Auckland.
252. Have you got his application form there?—Yes.
253. Who does he refer to for character?—James Allen, M.H.R., and Mr. A. Morrison, M.H.R. He is a coachbuilder by trade.
254. Have you the papers of Constable Hollis?—Yes.
255. When did he join the Force?—On the 22nd June, 1896.
256. Who does he refer to for character?—Mr. E. M. Smith, M.H.R.; Mr. Poole, Normanby Street, Wellington; and Mr. Warwick, Normanby Street, Wellington. He was in the Permanent Artillery.
257. Can you tell me if he has done street duty?—No; the Inspector can tell you.
258. Is he at Auckland?—Yes, I think so.
259. Have you the papers of Detective Herbert?—Yes.
260. What were the circumstances attending his removal from Invercargill?—The Inspector told me that they did not want a detective there; that the place was too small for him, and that Herbert was a very intelligent man, and would do better in a big place.
261. Was there no public petition asking for his removal?—No.
262. No request from any citizens?—No.
263. No documents on that file asking for Herbert's removal?—No.
264. Have you ever had any complaints about the man's moral character?—No.
265. You have not received any correspondence at all affecting the man's character?—No.
266. Is Constable Michael Green still in the Force?—Yes.
- 266A. Have you got a conviction against him for striking a superior officer?—Yes. The Inspector reported as follows:—

The Commissioner of Police, Wellington.

Police Office, Dunedin, 3rd March, 1890.

Re Acting-Sergeant Michael Green, No. 178, charged with absenting himself without leave from Maclaggan Street Police-barracks from 10 p.m., 28th February, 1890, until 2.20 a.m., 1st March, 1890, and with being under the influence of drink at 2.15 a.m., 1st March, 1890, in Rattray Street, Dunedin; also with having assaulted Second-class Sergeant M. J. Geerin, No. 110, at 2.15 a.m., 1st March, 1890, while performing night-duty in Rattray Street, Dunedin, by striking Geerin in the breast with his clenched hand, and biting the small finger of his left hand (*vide* defaulter's sheet and correspondence attached).

SIR,—

Having very carefully investigated the above offences, I have the honour to submit for your information the whole of the correspondence as per margin relating thereto, and to state that I find that Acting-sergeant Michael Green, No. 178, is guilty of absenting himself without leave, being under the influence of drink, and of having committed a most unprovoked and cowardly assault on Sergeant Geerin in the public street while in the execution of his duty, and most strongly recommend Acting-sergeant Green's dismissal from the Force to the end that discipline may be maintained. He is under suspension since 9.30 a.m., 1st instant. I most respectfully ask that you may be pleased to send as soon as practicable a sergeant here to replace Acting-sergeant Green, who will discharge his duties fearlessly, which is very much needed.—I have, &c.,

S. MOORE, Inspector of Police.

At first, Major Gudgeon minuted the papers, "Sergeant Green to be dismissed the Police Force.—6/3/90"; but he evidently changed his mind, for on the following day he took the papers to the Defence Minister with the following minute: "Hon. Defence Minister.—Am not quite satisfied that this man ought to be dismissed." Then, there is the following minute: "As the last record against Acting-sergeant Green dates so far back as 1879; and as the offence committed was not when on duty, and not in uniform, I think reduction to third-class constable and removal to another district will be sufficient punishment.—W.R.R." Constable Green sends in a very long report, dated the 21st January, 1891, in regard to his case, and asking for a rehearing. This was forwarded to me with the following minute: "Forwarded to the Commissioner of Police. Constable Green has been stationed at Invercargill ten months, during which time his conduct has been satisfactory.—J. HICKSON, Inspector. 22/1/91." I replied, "Inspector Hickson.—Please inform Constable Green that his case was very fully gone into and considered by my predecessor, and therefore I decline to reopen it.—A. HUME. 27/1/91." This was indorsed, "Noted and returned to the Commissioner." Then, there is a letter to the Defence Minister from Mr. J. W. Kelly, M.H.R., as follows:—

SIR,—

Wellington, 29th June, 1891.

I have the honour to bring under your notice the case of Constable Green, who was reduced some time ago from that of an acting-sergeant to third-class constable. I have perused all the evidence in your office relating to his case, and I think no impartial person can come to any other conclusion than that the reduction was unjustifiable. The then Commissioner, Major Gudgeon, as well as Captain Russell, seem to have swallowed the advice of ex-Inspector Moore, and so disgraced the constable. I beg of you to review the case, and I am certain that after you have done so your conclusions thereon will be the same as my own.

I have, &c.,

Hon. Minister of Defence.

J. W. KELLY.

I then wrote to the Honourable the Defence Minister: "I have read these papers very carefully and am not satisfied that there was a clear case against Acting-sergeant Green. Many of the late Inspector Moore's decisions were to my mind unsatisfactory, and this is one." This was submitted to the Minister, who wrote: "Reinstate as first-class constable from 1st July, 1891.—R.J.S. 18/7/91." This was done.

267. When you wrote in reply to Green's application for reinstatement you said then the case had been fully gone into. Did you not study the case up then?—I probably read these papers. I had a long conversation with the man, and he put a very different complexion on things; and then I think I saw Sergeant Geerin afterwards, and had a talk with him about it. I cannot remember how I got my information, but I got it.

268. Did the fact that Mr. Kelly wrote to you about it have an influence on the matter?—Undoubtedly. He had been all through the papers, and it naturally made me go through the case again.

269. When was he reinstated?—On the 1st July, 1891.

270. Who was Defence Minister?—Mr. Seddon.

271. He was reduced by Captain Russell and reinstated by Mr. Seddon?—Yes. But it is clear to me that Captain Russell had some doubt, because he would not even carry out the Commissioner's recommendation.

272. Was Green's promotion gazetted?—I should think so.

273. Can you tell me?—I cannot tell you right off. I will let you know.

274. Have you Constable Ramsay's papers?—Yes.

275. Was he convicted for drunkenness in Christchurch?—Yes, on the 9th April, 1894; "drunk in barracks." I should like, in justice to this man, as this case of drunkenness has come up, to explain his case. On the 9th April, 1894, Sergeant-major Mason reports: "I beg to report that I found second-class Constable William Ramsay, No. 488, drunk in barracks at 2.20 p.m. this day. This constable is on night duty, and had been attending Court this morning as evidence against a female prisoner for using obscene language." The Inspector minuted this: "Let the constable be suspended from duty." The constable reported: "I plead guilty to being drunk owing to ill-health. I produce a doctor's certificate to prove it. I attended Court that morning and gave evidence. I brought a prisoner named Hutton to Madras Street South. I got his fine. I went from there to Dr. Prins. I was suffering from a severe attack of diarrhoea, and told the doctor so. Dr. Prins ordered me to get a couple of glasses of brandy and go home. I went into the Zetland Arms Hotel and got two glasses of brandy, and came straight home, and was in barracks at 1.15 p.m. On account of being on night duty and having no breakfast that morning, and weak from diarrhoea, and not being used to drink, the brandy took effect on me." This was forwarded to me by the Inspector, and I minuted the papers: "The constable is fined 10s., and cautioned not to take too much liquor in future, even if ill.—A. HUME, 16/4/94."

276. Was he removed for that?—I do not think so.

277. Is he still in the Force?—Yes.

278. I should like to ask, Colonel Hume, what has been your general policy during your term of office in regard to the "tote-shops" in the principal centres?—Try and catch them if you can.

279. Do you think the men have been fairly successful in coping with the evil?—I think so, as the law stands.

280. What is the law?—They stand in Christchurch in front of the Empire Hotel, and in Wellington in front of the Empire Hotel, and you can go there and make your bets; and if a constable comes along you have only to step off into the street, and you cannot possibly touch them.

281. I do not refer to the "walking totes," as they are called. I refer to the tote-shops, such as tobacconists, &c. Do you know there are such places existing?—Yes. We have raided them on several occasions, but we cannot get at them. They keep no books.

282. Did you not get some in Dunedin while the session was on?—We raided two men, but we could not get at them.

283. That is to say, they are superior in acumen to the Detective Force?—I did not say that.

284. You cannot get at them?—Not as the law stands.

285. The law says "any place or building used for the purpose of carrying on betting"?—The places are not used for the purpose of carrying on betting; they are used as hairdressers' shops, and so forth.

286. Were you in office, Colonel Hume, when a man named Scott, a tobacconist in Christchurch, was charged with keeping a gambling-shop within the last four months?—I rather fancy I was in office.

287. Do you remember whether Scott was ostensibly a tobacconist?—I think he was.

288. You have never taken any special steps, as Commissioner, with a view to collecting evidence necessary to convict the proprietors of these shops?—I have spoken to every Inspector, and asked them to make a raid. I said to them to make a raid on a day when the telegraph office was closed, so that warnings might not be sent to different places. We tried it, but we could not catch them. We got convictions here and there, but every difficulty was put in the way. I think we have tried to put down the evil as well as it can be put down.

289. Practically, the police are powerless?—I do not say that; I think they have got a fair number of convictions.

290. Do you think an occasional conviction is dealing with the evil effectively?—I think so long as people have money they will get drink and gamble.

291. That is a very dangerous principle for the Commissioner of Police to hold?—I am not Commissioner of Police.

292. Generally speaking, you think it is almost impossible to effectively administer the gaming laws?—You can put it down that way if you like.

293. As a resident in Wellington, do you think there are more of the spieling fraternity in Wellington than any other town in the colony?—I do not know. I think, for the size of it, Hastings comes first, and next to that Christchurch, and next to that Dunedin. That is only my idea; I have really nothing to go on.

294. Do you think, Colonel Hume, in regard to the spieling classes, that it is the duty of your officers to prosecute them if they are known to be spielers?—It all depends on what evidence you have against them.

295. Suppose they are known to be nothing but walking totes, do not you think it is the duty of policemen to know them thoroughly, and to prosecute them?—If they have sufficient evidence to go on, but not if they are going to lose the case. It does more harm to lose a case than to win ten cases.

296. There were no special instructions to the Force to deal with this evil?—No.

297. They know their duty?—Yes. Police Regulation 46 says: "Every person whom he shall find playing or betting in any street, road, highway, or other open and public place, at or with any table or instrument of gaming or pretended game of chance."

298. Do not you think, taking that regulation and the legal power in the hands of the Detective Force in this colony into consideration, that they ought to be able to deal with the walking totes?—I do not say they are not; but I say this, that so long as I was Commissioner I used every exertion to get them to deal with the evil.

299. *The Chairman.*] In the face of this, you still repeat that statement, that as the law now stands it is practically impossible to put it down?—Yes, I should be inclined to say that.

300. *Colonel Pitt.*] Can you make any recommendation as to the alteration of the law on that point?—I would rather answer that question later on. I think I have some suggestions to make.

301. *Mr. Taylor.*] Have you the papers of Constable Edwin Murray?—Yes.

302. When did he join the Force?—On the 8th February, 1897.

303. Who recommended him?—Mr. H. J. McKenzie, Wellington. He was one year in the Permanent Artillery.

304. *Colonel Pitt.*] Was any inquiry made into that case of Sergeant McArdle, which was before us yesterday, in reference to the Magistrate's remarks in his judgment?—No, I think not.

305. Never done anything at all?—No; I do not think there was any official inquiry.

306. Do you think that was fair to McArdle?—Well, he was moved from there shortly afterwards.

307. I know; but no inquiry was held as to whether he was guilty or innocent of what the Magistrate alleged, or the counsel alleged, against him?—If we inquired into everything that was caused by remarks made by the Bench we should be incessantly inquiring.

308. When an Inspector is moved from one district to another has it been the custom for the sergeant-major of his former district to be moved to the new district with him?—No.

309. It is in some cases, I suppose?—No; I do not think it has ever been done. I think in one or two instances they have been allowed to take their district clerks with them, but that is all.

310. Are you sure you are correct about Inspector Moore's age? You told us he was sixty-three or sixty-five when he retired?—I explained to the Commission that was an error, and I have corrected my evidence. He was fifty-seven.

311. *The Chairman.*] With regard to promotions in the Force: Your reports referred to the stagnation of promotion, and I asked if there was no limit to the classes?—There is a limit, a financial limit.

312. Perhaps you will be able to explain how it is that sixty men were promoted within a year from the time you resigned office. What was done to remove the stagnation?—For one thing, I would not promote first-class constables in charge of stations to be third-class sergeants, because I believe a man loses £60 or £80 a year by it. I wanted third-class sergeants wiped out all the time, and I would not fill vacancies.

313. *Mr. Tunbridge.*] The fact that you were not making first-class constables to be sergeants caused stagnation in the ranks of first-class constables?—That is right.

314. *The Chairman.*] That accounts for the first class, but what about promotions from third to second, and from second to first class?—When I handed over the Police the authorised establishment of sergeants-major was 2, and we had 2; of first-class sergeants, 22, and we had 19; of second-class sergeants, 22, and we had 12; of third-class sergeants, 12, and we had 8; of first-class constables, 122, and we had 120; of second-class constables, 116, and we had 113; of third-class constables, 216, and we had 221.

315. Practically you had your complete strength of first- and second-class constables, but not third-class sergeants?—Yes. I was in hopes that the third and second ranks of sergeants would be done away with, and that the scheme I had in view would be carried out. Of course, every man I promoted made my scheme the more difficult to carry out. I may also state that, of course, I knew my successor was coming out, and naturally I did not make any appointments just before he came.

ARTHUR HOBBS WRIGHT was examined on oath.

316. *Mr. Taylor.*] How long have you been in the Force?—Sixteen years next August.

317. What districts have you served in?—Invercargill, Dunedin, and Wellington.

318. You have never served under Inspector Emerson?—No.

319. What is the practice, supposing a complaint is made against a constable, is it immediately recorded in writing in some book?—Not necessarily in a book. It would be taken down if a person came to the station and reported a constable for any offence.

320. Is that a permanent record?—Yes.

321. What becomes of it?—If a trivial matter, it would probably be sent to the constable for an explanation.

322. Then what becomes of the document?—It would probably go to the Commissioner, or be filed, according to the gravity of the offence or the result of the inquiry.

323. Have you files of documents in the Inspectors' offices that have never been to the Commissioner?—Yes.

324. Do you remember the case of Constable Gantley: was that in your time?—He was doing plain-clothes duty since I was here.

325. Do you remember correspondence in which a charge was made against him, just prior to his removal to Oamaru?—In connection with what?

326. Do you remember any charge made against him? What was the cause of his going to Oamaru?—I cannot tell you what was the cause of his going to Oamaru.

327. Do you remember if there was a charge made against him for an offence of some kind?—No, there was no proper charge made.

328. What do you call a proper charge?—No one charged him. I believe there was some inquiry made in regard to his showing photographs in the bar of some hotel. I think he was called upon for some explanation by Colonel Hume.

329. Would a matter of that kind be conducted verbally?—It ought not to be, but I cannot find any documents. I was looking yesterday, but I cannot find any record. My recollection is that Colonel Hume wrote a memorandum asking why Constable Gantley was showing a photograph in a public bar; and the constable explained that it was the photograph of a criminal, and the matter dropped.

330. Was it not that he was showing French cards in the bars in Wellington?—I am positive it was not that.

331. Was he not showing obscene pictures?—I do not remember such a thing.

332. Do you remember that he was shifted very suddenly—on the very day that the complaint was made?—I do not think so for a moment. It was some time after that. At any rate, no reason was given for his transfer; we simply got a memorandum that he was to be transferred, and he went.

333. Do you remember Sergeant Shirley being removed from Mount Cook to Dunedin?—Yes.

334. Do you remember whether any complaint was made against him in connection with his conduct?—I do not recollect anything.

335. If there was a complaint, would not that record be in your office?—It might be, or it might be in the Commissioner's office. If a complaint was proved against any member of the Force it would certainly go to the Commissioner's office for permanent record. If there was nothing in the complaint, the Inspector would mark it "File," and it would be filed in the district office.

336. Do you remember Constable McCormack?—Yes; he was here in Wellington.

337. Was there an order in connection with an affiliation case passed through your hands in connection with that man?—I do not think there was while he was in Wellington.

338. Do you remember it being sent to Dunedin after him?—I believe there was an order made in the Court.

339. Was it an order for imprisonment for the non-payment of the maintenance of an illegitimate child of his?—I believe there was a warrant of commitment sent down, and he paid the money. In fact, I think he paid the money before the warrant reached Dunedin.

340. What is your rank now?—Third-class sergeant.

341. When you were appointed to do clerical work were you promoted?—I was eight years third-class constable doing clerical work without getting any promotion.

342. Do you remember Constable McGill? Was he not promoted to be a first-class constable on being made district clerk?—He was promoted to the rank of first-class constable because he was taken into the Commissioner's office to replace a man who was getting £240 a year.

343. Do you consider that a fair promotion, from your standpoint?—I do. I think he was worth more. I was very sorry to lose him; he was an excellent man.

344. Do you know that the district clerk at Christchurch has not received any promotion?—I know he received promotion to the extent of £44 a year. He was promoted from third-class to first-class constable, and got 10s. a week house-allowance.

345. Do you know what happened to the Dunedin man when he was appointed?—Sergeant Bell has been there over thirty years.

346. Do you know if he gets any special pay?—Oh, yes; I think so. Sergeant Bell's salary is about £246 a year.

347. Referring to the documents about Gantley: you expected to find the document, or you would not have looked for it yesterday?—I expected to find a record in our minute-book.

348. I suppose the Commissioner's office sometimes sends to your office for records?—Yes.

349. Do you keep a record of what goes from your office to them?—Yes.

350. So if any document went from your office to them, you would have a record of it?—Yes.

351. *Mr. Tunbridge.*] In regard to Constable McCormack: Can you say whether this was a case of bastardy that occurred before the constable joined the service, or otherwise?—I cannot say.

352. Is McCormack a young man?—Yes.

353. Probably it was a case of bastardy before he joined the service?—It might have been.

354. *Colonel Hume.*] What position did you hold when you were made district clerk?—I was a third-class constable.

355. Where?—At Invercargill.

356. And you were specially brought to Wellington to be district clerk?—Yes; from Dunedin.

357. Were you told before you came what pay was to be given?—My telegram said that I was appointed district clerk, with rank of first-class constable.

358. Did you get any allowance at all on coming here?—I got an allowance of 1s. a day that I had been drawing for years in Invercargill and Dunedin struck off me. In fact, I had 17s. per week knocked off me when I came here.

359. When were you made a first-class constable?—On my transfer from Dunedin to Wellington.

360. Then, you were first-class when you were appointed district clerk?—Yes.

361. Then, you did get a rise on coming here?—It was an Irishman's rise, because you gave me 6d. per day and took away 1s. per day.

362. I made you a first-class constable?—Yes.

363. And promotion is what most men seek after?—I like the cash best.

364. You have the pay now?—I have just got the pay now I had when I came from Dunedin.

365. Do you get any special allowance at all here?—I get the same allowance here as they all get—10s. per week house-allowance.

366. *Colonel Pitt.*] What was the 17s. per week that you lost?—When I came up here I drew the ordinary allowance of district clerks in the four centres—namely, 10s. per week house-allowance, and 1s. per day clerical allowance. After a short time it was accidentally brought under the notice of Colonel Hume, and he said I was not entitled to any allowance at all, and struck off both allowances.

367. *Mr. Taylor.*] Is it customary, Mr. Wright, for citizens to send presents to members of the Force at Christmas time?—I have never known of such a thing.

368. Have you never known of such a present as grog being sent to the Wellington barracks at Christmas time?—I have never known of such a thing here or anywhere else.

369. *Mr. Poynton.*] What is the procedure of making a complaint against a constable; is the custom uniform?—I think so.

370. Suppose a constable is charged with being under the influence of liquor, or some other offence, is a record of the offence kept?—Yes, in all cases. Nothing is destroyed.

371. Is the evidence written by the Inspector, or the clerk?—By the Inspector as a rule.

372. Of course complaints that are dismissed do not appear on the defaulter's sheet?—They have been put on in some districts. It is not the rule, and they should not be there.

373. The defaulters' sheets in many cases do not contain all charges which have been dismissed, and generally nothing goes on the defaulters' sheets unless there is a conviction, so that the defaulters' sheets will show all convictions?—Yes.

374. *Mr. Tunbridge.*] Following up Mr. Poynton's questions, I should like to go a little deeper into the system of inquiry into complaints: Is it a rule that all witnesses who testify for or against a constable are examined in the presence of the constable?—Certainly. The same procedure is carried out as in any Court, except that witnesses are not put on oath.

375. And the constable is given an opportunity to cross-examine each witness?—Yes.

376. Are the questions and answers taken down?—Yes.

377. *Mr. Poynton.*] Under what circumstances may a constable demand the right to have his case heard before a Magistrate?—It is a matter for the Inspector.

378. Do you know if there is any dissatisfaction amongst the Force as to the procedure about complaints?—I do not know that I have ever heard of any. I have heard it said sometimes that the regulations seem to be rather one-sided.

JAMES ARMISHAW was examined on oath.

379. *Mr. Taylor.*] Are you working in Wellington as a labourer now?—I am a brick-kiln man in Tonks's brickyard.

380. When were you working in Christchurch?—I left last June, in 1897.

381. Whilst you were in Christchurch were you working at the Al Hotel?—Yes.

382. Who was landlord then?—Mr. George Collier.

383. What was your position then?—I was assistant barman, and I did anything else there was to do.

384. What was the custom at that house so far as Sunday trading was concerned; were any of the employes on duty on Sunday, watching, so that the house should not be surprised?—I used to get 5s. every Sunday when on the watch.

385. *The Chairman.*] What was your weekly wage?—£1.

386. *Mr. Taylor.*] Was that as a safeguard against the police?—Yes; the police were getting too smart, so Mr. Collier thought of getting electric bells put on, and they were put on outside the door and on the gates.

387. Was the provision made by way of electric bells about the building to enable you to alarm the landlord?—Yes; they had a bell under the window-ledge on the street, at the corner of Cashel Street and Colombo Street, connecting with the house, and if a sergeant or constable came along on Sunday, I touched the button to warn the people inside.

388. Did the instruction apply to all the policemen; did you take the same notice of any police officers, or did you know any of them?—I knew all of them.

389. Did you give the alarm for all policemen?—For any new policeman I gave the alarm, or if I had doubts about a policeman I gave the alarm; but in the case of those we knew properly we knew it was all right.

390. What do you mean by those you "knew properly"? Did any of the men frequent the house?—Oh, yes, a lot of them.

391. What for?—They used to come in at 6 o'clock, and have beer and whiskey, or whatever they liked. I was always told to give the constables what they wanted, but not in excess, and never to charge them for it.

392. Was this during the day-time?—Yes; I was not on in the night-time.

393. Was that at 6 o'clock in the evening?—No, in the morning, when they came on relief, after I opened the doors.

394. What was the period when this was going on?—I cannot remember the exact dates, but this was in September, 1896, and until I left there in June, 1897.
395. Do I understand that the visits of these police for the purpose of getting liquor were particularly about 6 o'clock in the morning?—Yes, when they came on relief.
396. On an average, how many police constables used to frequent the house?—Sometimes two and three in the morning, and sometimes one.
397. I mean the average during the whole time you were there; would there be a dozen different coming for refreshment?—I cannot say exactly.
398. You know the names of some of them?—Yes.
399. Do you say there were six different men during the whole time you were there?—There were six.
400. You are certain there may have been six; but may there not have been more than six?—There might have been.
401. Can you remember six names, if you were called upon to do so?—Yes.
402. Why was that electric-bell installation made?—To give notice inside when the police were coming.
403. At whose request?—The landlord; and he asked me where I thought it would be best to put it, and I told him.
404. The window you mention commands two streets?—Yes; it is at the corner.
405. Which way did the men come in as a rule, by the front door or by the back door?—They used to come in by the back door, and by the right-of-way.
406. Did they come up a right-of-way from Lichfield Street?—Sometimes they did on Sundays.
407. You must have done a good deal of trading on Sundays to necessitate all these precautions?—We did a pretty good trade sometimes.
408. Do you remember if at any time when the police constables visited the premises there were ordinary citizens in buying liquor?—No, because they used to ring the bell so that the customers might clear out when the policeman went in for a drink, so that the police should not see them, and the police should not be seen by them.
409. *The Chairman.*] How did you know the police had drink?—Because I used to follow them in and see them drink.
410. *Mr. Taylor.*] Have you had any experience in connection with hotel work except in Christchurch?—I was in Timaru as second waiter in the "Grosvenor."
411. Was anything similar carried on in the "Grosvenor"?—No, it was shut up on Sunday.
412. *The Chairman.*] When those men went in, you say you followed them in?—Yes.
413. And what then?—And give them what they wanted. This was on Sundays.
414. Then this ringing of the bell did not apply on ordinary mornings?—No, because the doors were open. I have seen one constable sit down in the small tap-room in his uniform.
415. *Mr Taylor.*] It was on Sunday you rang the bell, before they went in?—Yes; for Sunday work only.
416. *Colonel Pitt.*] And you say constables went in on Sundays and had something to drink?—Yes, if they wanted it.
417. If a constable would do that, what was the object in ringing the bell to give notice to the people inside?—Because you cannot trust a policeman any more than anybody else.
418. You trusted him; what did you give him drink for?—To keep his mouth shut.
419. Suppose he went and lodged an information against you?—That was the landlord's lookout. I should like to say that I do not think it is the fault of the police altogether. Whenever a policeman comes on a beat the first thing a publican does is to try and get friendly with him. I have seen a lot of people in the bar, but not lodgers. They had boarders in busy times, but depended on the bar-trade, unless it was holiday time.
420. *The Chairman.*] Since you left this hotel have you been employed in any other hotel?—No.
421. Have you changed your habits in life, or your opinions on these matters?—I was in the hotel because I could not get work, and I had to take what came along.
422. You were assistant waiter at the "Grosvenor"?—Yes.
423. What was the interval between that and taking work at the A1 Hotel?—Seven years.
424. And was the A1 Hotel the only house in which you were employed as barman?—Yes.
425. What is your age now?—I am twenty-eight.
426. *Colonel Pitt.*] When did you first speak to any one of this practice being carried on at this hotel?—I cannot say.
427. Is it long ago?—Everybody knew of it in Christchurch. They always used to flock down there on Sundays. They knew they could get drink there.
428. *Mr. Poynton.*] How did you leave the hotel; did you leave of your own accord?—It was through a watch being stolen there from a man, and the publican thought I knew too much about it, and said he did not want any damned private detectives in the house. There were a man and woman who had been in the house, and who had no money in the day-time, but they had money at night, and I accused one of these of stealing the watch. That was what led to the landlord saying he did not want any private detectives in the house, and he told me I could go. Then I left, and came to Wellington.
429. *Mr. Tunbridge.*] Were there any barmen in the house besides yourself?—Yes, one.
430. Give me his name, please.—A barman named Stewart, an old gentleman. He is there now, I believe.
431. Was he there the whole time you were there?—Yes.
432. Any other barmen?—No; there were two barmaids.
433. What were their names?—Miss McCrae and Miss Stevens.

434. Would any one be serving in the bar at 6 o'clock in the morning besides yourself?—Yes, Mr. Stewart would be there.
435. Were no proceedings taken against this house while you were barman?—They had one indorsement, and were fined £10.
436. Was that for Sunday trading?—Yes.
437. Were you a witness in that case?—No.
438. You were not called?—No.
439. Who was watching on the outside on that day?—I was at the gate watching.
440. Did the police get inside then while the private persons were inside?—No; there were no police in at all. The conviction came about through a £5 note having been stolen in a brothel and cashed in the bar on Sunday night. This came out in a Court case.
441. Of course you knew you were a party to breaking the law on the Sunday?—Well, I did not know that, although I thought I was.
442. Did you know that serving drink during Sunday was a breach of the Licensing Act?—I did not serve on Sunday.
443. *The Chairman.*] What did you go in on Sunday for?—I went in after them and locked the door, and let them out again when they had their drinks. Mr. and Mrs. Collier served them.
444. *Mr. Tunbridge.*] You say you did not know it was an offence for people who were not *bond fide* lodgers to go in and get drink on Sunday?—I knew that was.
445. Were you not then assisting the landlord in breaking the law by acquainting him immediately the police came in sight?—Yes, I was helping to break the law right enough.
446. On the Sunday you were not watching, what were you doing?—I was either out, or in bed asleep.
447. Did you never serve in the bar yourself on Sundays?—No.
448. Then you will admit your action at that time certainly was very questionable?—Yes, but I was paid for it. If I did not do that it meant the sack for me.
449. You also gave the landlord the benefit of your experience, and told him where to fit the electric bell?—Yes.
450. You gave him that experience honestly?—Yes.
451. And you thought the place where you recommended the bell to be fitted to be the best place?—Yes.
452. When did you first make any statement in reference to this?—I do not remember.
453. Can you tell us about the time?—Everybody knew of it.
454. You did, more than everybody; you knew where the electric bells were. When did you first make any statement with reference to what was going on, more particularly about the bells; when did you tell Mr. Taylor?—I told Mr. Taylor when he came to Wellington.
455. When was that?—Last session.
456. Then the first time you made any statement to Mr. Taylor, or as far as you know to any other person who might have told Mr. Taylor, was some time during last session?—Yes.
457. Can you say the early part of the session, or sooner than that?—No.
458. I suppose you were not very kindly disposed towards the Colliers after the way you left?—They treated me right enough, except in regard to that watch affair. I did not like that. I always got on well with them.
459. Were you in any way put out at being compelled to leave at a moment's notice? I was going to leave, because the work and me did not agree.
460. Are you a teetotaller?—Yes; and have been nearly all my life. But you could not call me a teetotaller when I worked in a hotel.
461. You did not drink yourself, although engaged in dispensing drink?—No.
462. Was it not a fact that you were induced first to make these statements to Mr. Taylor in consequence of his speech made in the House?—I thought I would like to help him. He was battling all by himself, and I thought I would like to give him a hand.
463. Then your statement to Mr. Taylor was the outcome of Mr. Taylor's statement in the House?—Yes.
464. You say the house was visited by a good many private people on Sunday?—Yes.
465. From what time in the morning would that be?—Commencing about 9 o'clock.
466. And continuing till when?—Up till 10 o'clock on Sunday night.
467. You said that when police were about to enter the house private persons were always got out of the way?—Yes.
468. Then the police on entering would not see any evidence of Sunday trading?—No.
469. The police who visited the house would invariably, I believe, consist of a sergeant and constable?—Yes; that is, when they came round visiting. We generally used to find out beforehand when they would come round.
470. By use of the telephone?—Sometimes, and sometimes we used to get it from the constable himself.
471. How did you get it by telephone?—One hotelkeeper would telephone to another.
472. What constable do you mean: the man who was coming round with the sergeant?—No, the constable on the beat. We just used to try and find out when the sergeant was coming. Some sergeants are stricter than others.
473. You found out from the constable on the beat when the sergeant was going to visit?—Yes.
474. Do you suggest that the sergeant and constable who came visiting to this house would be treated with drink?—No.
475. You did not mean your statement to apply to all police entering the house?—No, not to sergeants. If the constables acted the same as the sergeants there would be no trouble at all.

476. You say you knew most of the policemen in Christchurch?—Yes.
477. Speaking roughly, how many policemen are there in Christchurch?—About fifty.
478. And you say that out of that fifty you can remember six who were in the habit of going to this house and getting drink?—Yes.
479. You do not wish the Commission to understand that the whole of the police in Christchurch were in the habit of being bribed with drink?—I would not like to say that.
480. Then, the policemen who were served with drink would be men on the beat?—Yes.
481. Or might they not be men off duty?—They might.
482. *The Chairman.*] In uniform?—Yes, they might have been relieving police, or police coming off night duty.
483. *Mr. Tunbridge.*] I mean, used the men to come in on Sundays and during prohibited hours?—Yes.
484. That would be the man on the beat, or it might be the man off duty?—Yes, they all used to sit down and go out again.
485. Did they pay for drink?—No, we were told to take no money.
486. Now the men who came to the house at 6 o'clock in the morning might have been men off duty?—Yes.
487. *Mr. Taylor.*] When you say they might have been off duty, you do not mean to say they were all off duty; you know some of them were on duty?—I cannot swear whether they were on or not.
488. But were they in uniform?—Yes.
489. *Mr. Tunbridge.*] You say you were paid £1 per week; were you paid weekly?—Sometimes I had to wait a month for it.
490. You told us you were told to leave at a moment's notice; can you say the day of the week?—I think it was a Sunday night.
491. Did you consider Sunday to be the end of your week?—I did not care so long as I got my money.
492. Were you paid a week's wages in lieu of notice?—Yes.
493. This was to get rid of you, for the reason you have stated?—Yes.
494. *Colonel Hume.*] Were you in the hotel at the time this man was fined £10 and had his license indorsed?—Yes.
495. Was that the only conviction recorded against him?—I cannot say. He only had the one while I was there.
496. You do not know whether he had one since?—Yes; he has been put out since.
497. You say this conviction was not brought about by the police?—It was brought about by the police in a roundabout way.
498. The police laid the information?—No; two young fellows from Napier lost a £5 note, and it was cashed for drink on Sunday at the hotel, and it was through this that the charge was laid.
499. Is it not a fact that this £10 fine and the indorsement on the license arose from the steps the police took?—Yes.
500. Then you cannot tell us about the next conviction?—No.
- 500A. But you know the police were the means of the landlord being fined £10, and having his license indorsed?—Yes.
501. And he is now out of the hotel altogether?—I believe so.
502. *Mr. Poynton.*] You say the police were told this £5 note was cashed, where?—In the hotel, and it was traced to the parties.
503. *The Chairman.*] You do not say that these men who went in the early morning went in to get liquor?—No; they had tea or drink, whichever they wanted.
504. *Mr. Taylor.*] Which did they take most frequently, liquor or tea?—A lot of them used to drink more tea than liquor; a lot of them preferred tea to liquor because it warmed them better.
505. *The Chairman.*] Used the police in uniform to go in on Sundays?—Yes.
506. For the purpose of visiting the house and for the purpose of liquoring?—For both. The sergeant and constable used to come in to visit, and the constable on the beat used to come in for liquor, or sometimes he would come in before the sergeant and constable.
507. Did you leave the street and follow him in?—Yes.
508. What hours did you stand outside for your 5s.?—From nine in the morning until ten at night.
509. With the exception of meal-times you were outside the house at these hours?—Yes.
510. *Mr. Poynton.*] Were you paid by cash or by cheque?—By cheque.

SATURDAY, 5TH MARCH, 1898.

ARTHUR HUME: Examination on oath continued.

Colonel Hume: I wish, sir, to correct some of my previous evidence. I would like to point out that you asked me the other day when the police were given the franchise, and I find I made a mistake in my answer. I was under the impression that Mr. Guinness brought a Bill forward for this purpose; but it was the Permanent Artillery I was thinking of, and not the police. If you turn to the Armed Constabulary Act of 1867, clause 26, you will find that members of the Police Force are prohibited from voting. Then, if you turn to "The Police Force Act, 1886," you will see that the Armed Constabulary Act of 1867, No. 37, is repealed. Consequently there was no further restriction to vote, and the police have voted since then. To show that that is correct, the police regulations which were issued in January, 1887, mention that, "Every member of the Force will studiously observe neutrality in political matters, and will rigidly abstain from the

manifestation, other than voting themselves at elections." So that clearly shows they had the right to vote at that time, and that is how they got it—by repealing the Act of 1867. Then, a member of the Commission asked me how it was this Armed Constabulary pay counted for the long-service medal, and I was under the impression it was by a circular; but you will find that it is provided for under Regulation 65: "Long-service medals are awarded to members of the Force of not less than fourteen years' continuous service in the Police or late Armed Constabulary Force, provided that for the last three years they have not been entered in the defaulters' book"; and I will now put in the circular doing away with the long-service pay. [Exhibit 17.] This, of course, will affect another answer I gave you. I was asked, "Then, more than half of the Force came in knowing they had the franchise?" and I said "Yes." But of course there will be a great deal more than that, since the Act was passed in 1886. I suppose I may correct my evidence in these particulars.

MONDAY, 7TH MARCH, 1893.

PETER PENDER examined on oath.

1. *Mr. Taylor.*] You said it was the exception for men enrolled from the Permanent Artillery to make good police-officers?—That is my experience.
2. When they are once enrolled in the Force do they usually remain there—I mean those men who are such indifferent policemen. I suppose it is very difficult to get rid of them?—If they misconduct themselves, of course they have to go.
3. The men to whom you referred, Inspector Pender, I suppose, with a few exceptions, are still in the Force somewhere?—I really cannot say. I could not point out any particular man. I am speaking generally in regard to the artillerymen. As a rule they do not make as good police-officers, in my opinion, as outsiders.
4. Well, now, take the case of a man named Gantley, do you remember him?—Yes.
5. Was he taken from the Permanent Artillery?—Well, I could not tell you exactly. He was here in the Force when I came from Christchurch. I think he did come from the Permanent Artillery.
6. Do you remember the exact circumstances connected with his removal from Wellington?—Yes, pretty well; I think I recollect.
7. What are they?—Well, he was employed as a plain-clothes constable, and he was not giving satisfaction.
8. What was the particular offence that was charged against him that was the immediate cause of his removal?—None that I recollect.
9. None within your recollection?—No particular charge.
10. You do not remember whether he was charged with exhibiting indecent pictures in a public-house in Wellington?—He was not.
11. No particular charge of that kind made against him?—Colonel Hume wrote a confidential memorandum to me, or spoke to me. I think he spoke to me. I had inquiries made by Detective Campbell, and I think it was found to be altogether a groundless report—no foundation whatever for it—and no charge was made against the man.
12. Are there no records of the incident?—That would be the only record—the confidential memorandum from the Commissioner to me—that is, if Colonel Hume wrote a confidential memorandum to me.
13. Have you got it?—No; I would send it back. I am not sure, although he did speak to me as well.
14. Was it immediately after that matter was dealt with that he was removed?—I think he was moved about the time.
15. Was he not moved within twenty-four hours of the matter being investigated?—Oh, no. That had nothing whatever to do with his removal.
16. Well, now, do you know what Colonel Hume said about the man—that he was dissatisfied with the way the man was doing his duty—was that the reason for removing him?—Yes; I think I was dissatisfied as well.
17. What was he guilty of—what were his faults?—You may be dissatisfied with a man, but still you are not able to bring a charge against him. A man doing plain-clothes duty may be lazy, or he may be inefficient—not working as you would like. We at the time considered that Gantley was not doing his work as he should have done it—doing his work properly, making himself efficient; and I am not sure whether I spoke to Colonel Hume about it—very likely I did—and he ordered his removal; but the report about the pictures had nothing to do with his removal, as far as I know.
18. There was no charge made against him to the effect that he was exhibiting these pictures?—We found there were no grounds for the charge; and there was no charge made. I mean there were no grounds for the report.
19. Would not Detective Campbell report?—He may have done so; but he would see me personally, probably.
20. Not make a written report?—Well, if I saw him he would not.
21. Do you take verbal reports on a matter of that kind?—Frequently, in a thing of that sort. I heard about it, and asked him to make inquiries and see if there was anything in it.
22. You receive a constable's complaint, and instruct a detective to make inquiry, and you take a verbal report?—Well, not as a rule. I sometimes do.
23. It is the exception to do so?—Well, I do not know that it is the exception. I often do it. If I hear anything in the town, for instance, I have inquiry made, and hear the report about it. I tell Detective Campbell to make inquiries and see if there is anything in it. If there was anything in it he would report, and then we would deal with it.

24. Did you recommend Gantley's removal from Wellington?—I think I did. I think I told Colonel Hume he was not doing his work properly.

25. What do you do with the men who are detected in drunkenness, or who are lazy—what do you generally do with them?—Well, if a man commits himself—gets drunk, or is under the influence of liquor, he is brought before me. I seldom deal with cases of drunkenness. Latterly I have not done so at all here; I send it on to the Commissioner. But a man may still be conducting himself apparently all right, but not doing his work efficiently.

26. Is it not the practice, as a punishment, to shift them to some other station—almost the invariable rule?—No, I cannot say that. I do not know that is the rule.

27. Well, is it the rule to dismiss them?—For a first offence, no.

28. But for inefficiency?—Well, as to inefficiency, if you are in a position to prove it; and it is very difficult to prove. You must prove your case clearly. It will not do to suspect. You must prove your charge against him.

29. Take Gantley's case; there was nothing proved against him, and yet he was removed to Oamaru. Why?—Of course he was in plain clothes here in Wellington, and Colonel Hume thought perhaps it was doing him an injustice to put him in uniform, having been some time in plain clothes, and he sent him off to Oamaru.

30. Take the case of Sergeant Shirley; do you remember him?—Yes.

31. Was he a very efficient officer?—Not very efficient.

32. As a matter of fact, was he not very inefficient?—I would not say that. Shirley was not what I would call an inefficient man.

33. Was he a sober man?—I think so. I never saw a sign of liquor on him.

34. If he was not very efficient, and not inefficient, what was he?—He did very well for some time, but the place was getting large and more important, and I found that Shirley was not quite up to the work. I do not think he was a good Police Court man, to begin with, which is very important; and I do not think he thoroughly understood the getting up of cases.

35. How long had he been in the Force—do you know when he joined?—No, I do not.

36. The register shows he had been a second-class sergeant since 1884?—I do not know.

37. Do you not think that between 1884 and 1895 a sufficient time had elapsed for him to become efficient as an ordinary police-officer?—Yes, I should say so; but there is a good deal to be said about Sergeant Shirley. I believe he was not in charge of stations during the most of that time. I think he was second at one of the head stations in Dunedin, and in that capacity they do not learn much—that is the sort of work I have been speaking of, having practice in the Courts.

38. Now, as to the question of tote-shops in Wellington: are there any tote-shops in Wellington?—It is not long since I wrote to Chief Detective Campbell on the same subject, and he assured me there was not a single tote-shop here to his knowledge.

39. *The Chairman.*] Not a tote-shop?—Not a tote-shop; not a gambling-place.

40. *Mr. Taylor.*] How long ago is that?—Probably a couple of months ago. It may be, I am not quite sure.

41. Within the last six months?—Oh, yes.

42. And Detective Campbell declares there is not a single tote-shop in Wellington?—He wrote to me that he did not know of one.

43. Did you believe that report?—I had no reason to believe otherwise. I do not know one myself.

44. Do you know Shotlander's place in Willis Street?—No.

45. *Mr. Poynton.*: Near where the Empire Hotel is situated.

46. *Mr. Taylor.*] Right opposite where the *Evening Post* used to be?—Yes, I know that place.

47. Did you know Shotlander when he was in Christchurch?—No, I do not recollect him.

48. You do not remember his being there in the book-making class?—I do not think I recollect him.

49. And you definitely say you do not think there is a tote-shop in Wellington?—I do not know of one—what I would call a shop. They come out on the streets. I do not think they do anything in shops. They come out on the streets and meet people, and make bets there.

50. Did you do anything to suppress that evil?—We had the principal man up not long since for loitering on the footpath, and he was fined £2; and I have had a man out in a sort of disguise trying to catch them.

51. And so far you have failed?—Well, in getting what I would call a case.

52. Do you think Wellington is practically free from the gambling evil so far as tote-shops are concerned?—So far as betting in shops is concerned. They go back and forward from the shops into the streets, but I do not think there is any established shop.

53. *Colonel Pitt.*] You think they are still betting in the streets?—Yes; we cannot stop them. They have a way of evading the law by betting "straight out," as they call it. A man has a book, and you go up and say you want to put 5s. on a horse. He puts down your name; but, instead of putting it down as a tote-bet, he puts it down as a "straight-out" bet, as they call it. It is understood, of course, amongst these people that as soon as the race is over, and you have won, you may go and draw your money according to the totalisator odds.

54. That is all done on the street, as far as you know?—I do not mean to say there is a crowd on the street, but they are doing it.

55. *Mr. Taylor.*] Colonel Hume said he thought gambling was worse in this order—Hastings, Christchurch, Wellington: do you confirm that?—I have never been in Hastings. It is not in my district, and I know nothing about it. Christchurch I know of, five years ago, and I do not think that at that time tote-betting was as rife in Christchurch as it is here.

56. *The Chairman.*] In 1892?—In the beginning of 1893. But there is no concealing the fact there is betting going on, and we try all we can to put it down.

57. Do you think the law is defective?—Yes.
58. On what points would you suggest amendments?—I think the Commissioner would give you more information than I could.
59. You really approve of anything the Commissioner says in that respect?—Yes. I may say the difficulty is in establishing a “place” in regard to this question.
60. *Colonel Pitt.*] It has been decided at Home that betting on a racecourse was not betting on a place?—Yes, it has been decided again and again. A man can move about in the street and you cannot do anything at all to him.
61. *Mr. Taylor.*] You have Detective Broberg in Wellington?—Yes.
62. And Nixon and Cox?—Yes.
63. And do you say they are not equal to the detection of any gambling shops that may be run in Wellington?—Well, of course, there is Detective Campbell as well.
64. Detective Campbell cannot do anything, because he says there are none here. Are not those three detectives equal to the detection of any gambling shops?—First of all, the moment they go into a shop they are known.
65. But do they not sometimes get their evidence from other people?—We have been trying to do that.
66. But have failed so far?—We had a raid on a betting-house a year or so ago, and a number of men were arrested and brought to the station, and they were all fined.
67. Do you think since you made that raid the thing has been absolutely suppressed?—No, I do not think so. We have been trying the whole time.
68. Trying the whole time and failed to get a conviction?—I forget whether there was a conviction within the year or not. Mr. Tunbridge has spoken to me two or three times about it.
69. Do you find it difficult to enforce the licensing law?—Yes, rather difficult.
70. Very difficult?—Yes.
71. Do you think Sunday trading is carried on to any great extent in Wellington?—Not to a very great extent. There has been a check on it for some time past.
72. Have you been more active during the past six months than usual?—Yes, I think so. We have had more cases. We have one on this morning, of Sunday trading.
73. What is the explanation of the increased activity—have you had discussions with the Minister of your department, or the Commissioner, about Sunday trading?—I never have any communications whatever with Ministers.
74. Have you had any communication with the Commissioner on the subject?—Yes.
75. And what was his instruction?—I do not think I ought to say that. There is nothing to conceal—but on principle.
76. Before a Royal Commission there is nothing to conceal?—I have always understood that anything that passed between myself and the head of my department is privileged.
77. What was the nature of the communication between the Commissioner and yourself in regard to the enforcement of the Sunday-trading clauses of the Licensing Act?—I need not give the exact conversation, but generally the conversation was as to how we could manage to detect it—put a stop to it.
78. And have you taken special steps since the conversation?—I do not think that we have taken special steps. For some considerable time—a couple of years, at all events—we have sent out men every Sunday, and they make reports.
79. I simply want to know whether, as a matter of fact, the enforcement of the licensing law has not been the subject of special communication between the Commissioner and the Inspector?—I do not know that it has been special. The Commissioner has spoken to me about other matters as well from time to time.
80. *The Chairman.*] Have you received any further instructions within the last three months as to the enforcement of the liquor law?—The Commissioner is anxious that the law should be enforced.
- 80A. *Mr. Taylor.*] If there had been no laxity prior to Mr. Tunbridge arriving, was there any necessity for the Commissioner’s interference on that point?—Laxity on my part?
81. No; not on your part, but on the part of the department generally in regard to that particular law. If there had been no laxity, why was there need for special communications on the matter?—I do not know that there was anything very special. The Commissioner arrived here new from Home, and he inquired from me how things were going on from time to time.
82. What did you tell him about the licensing laws?—I told him we had great difficulty in enforcing them.
83. And he wished?—He wished me to do all I could.
- 83A. *Mr. Tunbridge.*] Briefly, did I not say to you it was my intention, as Commissioner of Police, and being held responsible for carrying out the laws of this colony, that the law should be carried out as far as it was possible, whether it be against publican or prohibitionist?—Yes.
84. Is that not the stand I have taken?—Yes.
85. It was a matter of indifference to me whether it was publican or prohibitionist who broke the law; if the law was broken, by whoever it might be, proceedings should be taken against them?—Yes; you told me that—that we should enforce the law independent of every one—do our best as the law stood.
86. *Mr. Taylor.*] Did you make strenuous efforts to enforce the licensing law?—We have made efforts. Men visit the houses every Sunday.
87. And what have their reports been—that there has been no trading on Sunday?—No. There have been several convictions.
88. How many do you think in the year?—I really could not tell you.

89. Have there been a dozen in this district during the year?—More than that in the district, I think. Of course, my district extends to Palmerston.

90. *The Chairman.* You could state how many prosecutions you have brought?—I could not from memory. There would be no difficulty in getting the number.

91. *Mr. Tunbridge.* You can say that within the last two months you have had seven prosecutions, can you not?—Yes. There is one this morning also.

92. *Mr. Taylor.* Is not that rather larger than the average—seven in two months in Wellington?—Yes.

93. What is the custom in connection with these hotels on Sundays—are you aware that they make special provision for watching the police?—Yes; it has been reported to me so. I have no doubt it is the case. In one case we discovered a bell at the door which we traced to a bell in the bar. That is probably two years ago.

94. What hotel was that?—The Metropolitan. I went and examined it myself.

95. Was that the only hotel where a similar arrangement existed?—I have heard there are similar means used at other hotels, but that one I saw myself.

96. In conducting licensing prosecutions, what is your experience of the evidence on the other side—the witnesses for the defence?—In a great many cases it is not satisfactory. I do not speak in a general way at all, but a great many of the witnesses are opposed very much to what we believe to be correct.

97. To put it very plainly, do you not think that perjury is frequently indulged in by witnesses for the defence?—I am afraid there are cases where perjury has been committed. On more than one occasion I have pretty well said so; but that is the exception, not the general rule.

98. You do not find the evidence of the police is supported in the Courts by the witnesses for the defence?—No; but a man may be giving his own version of the thing, and stating what he believes to be correct, and not agree with the police version. In some cases I think they go too far in the opposite direction.

99. In that class of prosecutions do you think they are as careful in their statements as persons connected with other cases before the Courts?—Well, some people are careful always when they are on their oath.

100. Yes, but I am speaking of that particular class?—Well, generally—

101. Do you remember a remark made by Mr. Beetham, Stipendiary Magistrate of Christchurch, to the effect that there were two classes of people who perjured themselves without any hesitation before him, and they were men mixed up in gambling cases and hotel cases?—I think I have some recollection of it.

102. Generally speaking, do you think that censure was deserved?—I do not know that I could say generally—now and again we find a man giving evidence in a licensing case or a gambling case that appears to be false.

103. Take those two classes, and your experience goes to confirm the opinion expressed by Mr. Beetham, under whom you were in Christchurch?—To a great extent.

104. Do you know whether tradespeople are in the habit of sending presents at Christmas time to any of the men at the barracks?—Not that I know of.

105. It has not come under your notice?—No.

106. In regard to the constables doing plain-clothes duty; do you always make the selection of plain-clothes constables yourself?—I have always done so here, and I think in Christchurch too.

107. You always make the selection?—Yes.

108. Take the case of Nixon, did you of your own motion put him on plain-clothes duty?—I did.

109. Did you consult with any one about that?—No one, not even the Commissioner.

110. The same with Cox?—The same with Cox.

111. The same with Broberg?—No, Broberg came to me on transfer from some place—I do not know where.

112. You select the men for plain-clothes duty on you own motion?—All my own men.

113. You know nothing whatever about political interference in connection with police-officers?—I have nothing whatever to do with politics, and no one has interfered with me in connection with the Government in regard to my duty since I came here—never in the slightest degree.

114. As far as you know there is no political interference in the Police Force in regard to transfers, promotions, and so forth?—I have heard of such things in the street, but I do not know of any particular case. The men are transferred to me and sent away, and I know nothing more about it.

115. Do you decide on the men who are to be sent away?—No. The men have frequently been transferred without consultation with me.

116. You are not consulted as to transfers?—Mr. Tunbridge has consulted me.

117. But prior to Mr. Tunbridge coming you were not consulted about transfers?—I think I was, in some cases. I have nothing to do with Ministers or members, and I never go near them. I think Colonel Hume consulted me about some cases. He would probably ask me if such a man was suitable for a station; but as a rule transfers were made without my being consulted.

118. *Colonel Pitt.* What are the duties of the mounted constables?—Mounted constables in Wellington are employed in serving summonses. There are a large number of summonses to serve. They also patrol the suburbs at night, and do other duty. For instance, if a man reported a case out at Karori, a mounted constable would be sent. In the country, of course, the mounted men have to do various duties—acting bailiffs, Clerks of Court, and so forth. I think one man holds ten appointments.

119. Rapidity of locomotion is their chief use—getting about quickly from one part to another?—Yes.

120. *The Chairman.*] You have not used bicycles for the Force at all yet?—No. Men have bicycles of their own.

121. *Colonel Hume.*] I would like to ask Mr. Pender if he recollects Constable William McGill being transferred into my office?—Yes.

122. Do you remember if I consulted you before I took him in?—I have some recollection of it. I think you did; I am not sure.

123. Do you recollect me saying to you one day, “I want a good man for the office; can you give me one”?—There was something of the kind. I could not recollect what it was, but it is more than likely that is what would be said. On taking a man into the office you would be almost sure to consult me. I have some recollection of it, but I am not certain.

124. You have no reason to suppose that he was not a good man?—No; he was a very good man—a very good constable and a good clerk.

125. Then, of course, you cannot tell whether there was any political influence about it or not?—No; I know nothing about it.

126. Do you recollect a circular being issued about non-commissioned officers lecturing the men, and the Inspector lecturing the men?—Yes.

127. Has that been carried out in Wellington?—Yes, as far as it is possible. I have paraded the men every month, and lectured them, and sometimes at night. I always speak to them about their duties, giving evidence, and other things; and when they are going out at night I speak to them very often.

128. *The Chairman.*] Do you consider this system of training sufficient for the purpose of training them as constables?—No, I do not.

129. *Colonel Hume.*] Do you think there is a single constable in your district who has abstained from interfering at any point where he ought to have interfered, from want of knowledge of his duty?—I think we have had some small things—small matters, nothing that came before the public. There were some small things, but very few.

130. Nothing of any great importance, you think?—I do not recollect anything.

131. In choosing these plain-clothes constables I suppose you would not consider for a moment whether a man was junior or senior if you thought he was the best man for that duty?—Sometimes it is on account of his being a junior man—a man recently taken on, a stranger—that he is selected for plain-clothes duty. For instance, there was a sheep-stealing case about the time that Cox was sent to me, and, he being a stranger, I thought he would be a good man to send up country. Of course, I instructed him before he left.

132. And if you had a big case on, I suppose, if you considered the junior detective or the junior plain-clothes constable would deal with the case better than the chief detective, you would send the junior plain-clothes constable?—Yes. You must use discretion in all these things. In connection with the police, as in everything, discretion is a great thing.

133. Do you remember the Satherley case, at Blenheim?—Yes.

134. Whom did you send over for that?—I first sent Cox. Then Cox became known, and I thought I would try Broberg, who was a stranger up here; and then I went myself.

135. Was it not a fact that the Blenheim papers wrote, after Cox had been over there for a week or so making inquiries, finding fault with the department for not sending a detective over?—The papers were abusing the department for not sending a detective over, while Cox was there all the time. Cox was living there at a boarding-house. Then the papers stated that they had been misrepresenting the matter; that they had discovered that Cox was there.

136. That would tend to make you think he was making his inquiries in a satisfactory manner by proving that he was not known over there?—He is a very energetic good man is Cox. He is not well up in evidence, but he is getting to learn it now, and he is an honest, straightforward man, in my opinion.

137. Have you any reason to regret having picked out Nixon and Cox for plain-clothes duty since they have been at work?—No, I have not. Nixon is a good man; he is turning out very well. You must get steady men for plain-clothes duty—sober, steady men, that is the great thing.

138. Do you know in your district anywhere of any constables occupying subordinate positions who have served with ability and distinction, while others with nothing to recommend them but political influence are placed in positions which they are utterly incapable of fulfilling?—No, I do not know of any case.

139. Do you know of any disorganization in the Force in your district?—No. I am quite certain there is no disorganization.

140. I suppose you have got men with grievances, have you not?—We always have them. They are in every Police Force. There are “black sheep” too, in spite of all you can do. The same remark applies to every Force in my experience in the world.

141. You were recently in England?—Yes.

142. I suppose you saw a good deal of the London Police, and discipline of that Force?—Yes, and of the Irish Constabulary.

143. Do you know if there are any men in those Forces who have got grievances?—Oh, men always have in every Force.

144. *Colonel Pitt.*] Do you know of your own knowledge?—Not during my Home trip, but I was in the Irish Constabulary myself at one time.

145. *The Chairman.*] You did not hear any complaints from them while you were in England?—No, I do not think so. I would not be in the way of that sort of thing.

146. *Mr. Poynton.*] When you were serving yourself in the Irish Constabulary there were any amount of grievances?—Oh, yes; and in Victoria too. This sort of thing is always occurring amongst police, soldiers, and everybody else.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

184. Do you expect ever to put down gambling?—I am afraid not. It seems to be getting worse.

185. *Mr. Tunbridge.*] As regards incompetent men: You were asked whether incompetent men were not kept in the Force. Is it a fact that in cases where men commit a neglect of duty, and such offences as that, that they are overlooked?—Certainly not by me.

186. You report those men whose cases have to be reported?—I watch them sometimes.

187. If you think men are neglecting their duty you take special precautions to see that they do not neglect them?—If I find they are doing so I have them taken into the office, and there deal with them.

188. Do you find it the rule that where men were neglecting their duty they are simply transferred, and not in any other way punished?—No. Those in the country are generally brought into Wellington for neglect of duty.

189. Where they are under more supervision?—Yes; I have had several brought in for better supervision.

190. For punishment a fine is inflicted?—Sometimes.

191. You spoke about the Metropolitan Hotel having an electric bell?—Yes.

192. Was not the late licensee before the Court?—He was.

193. And fined?—He was fined £7 or £10; I am not sure which.

194. Within six weeks?—Within two months.

195. And has now left the hotel?—He has left the hotel; but he was not the man who had the bell.

196. I am only speaking of the late licensee?—Oh, yes.

197. With regard to mounted constables: when the Governor is here they are engaged considerably on escort duty?—Yes; they escort the Governor to different places.

198. With reference to young men being appointed to plain-clothes duty: when you appointed Constables Nixon and Cox to plain-clothes duty had you any other object in view than for the benefit of the service?—No, Sir, I had no other earthly object.

199. And you had no previous knowledge of these men?—Not a bit.

200. They came to you as other recruits come—entire strangers?—I did not know anything about them.

201. You appointed them to plain-clothes duty because they were new men—unknown men?—Yes.

202. And then you discovered they possessed what you considered detective ability?—Yes.

203. And you kept them as plain-clothes constables?—Yes.

204. And you had no other reason?—No other reason.

205. Have these men received one penny extra remuneration for the work they have been doing during that period?—Only ordinary travelling-expenses.

206. The same as any other constable in uniform. They have been in no way benefited in the way of pay by being appointed to plain-clothes duty?—Not as regards pay. I think they got some slight rewards.

207. But, I mean, have the men been benefited in the way of receiving additional pay?—No.

208. *The Chairman.*] How do they rank, then, these men, Cox and Nixon?—They are both third-class constables yet.

209. *Mr. Tunbridge.*] Do you not know, as a matter of fact, these men are very considerably out of pocket through being on plain-clothes duty?—Very often.

210. Money they have spent, and cannot get back?—Oh, frequently.

211. *The Chairman.*] As to this plain-clothes branch: it is considered the best branch of the service—a sort of probationary rank for the Detective Force?—Yes; it is a stepping-stone to the detective branch.

211A. *Mr. Poynton.*] There seems to be a lot of jealousy about it?—I do not think so. I am not aware of it.

212. Do you not think that betting should be made illegal if it is desired to stop this street-betting that you speak of?—Well,——

213. If it is becoming such an evil as you say it is?—I dare say it would be better in the end for the community. The worst of it is, the young people, I am afraid, are taking to it.

ARTHUR HOBBS WRIGHT examined on oath.

214. *The Chairman.*] What is your position in the Force?—Sergeant, and district clerk at Wellington. I was appointed district clerk at Invercargill in November, 1882. In 1888 I applied for the usual allowances—10s. a week house-allowance and 1s. a day clerical allowance. I had heard that these allowances were granted at the four centres, and I applied for them at Invercargill, and was refused. I was told then it was only granted at the four centres. I may mention, then, that at the four centres the district clerks were first-class sergeants, in addition to these allowances. In January, 1889, the Commissioner, who at that time was Major Gudgeon, granted me the 1s. a day clerical allowance. In 1890 I was promoted to second-class constable at Invercargill, for passing the examination at the head of the list. I drew this 1s. a day allowance at Invercargill till 1891, when I was transferred to Dunedin as second clerk, the Invercargill district being merged into the Dunedin district. I drew the allowance, 1s. a day, all the time I was in Dunedin, and in 1893 I was transferred to Wellington, to replace Sergeant Bulford. On arriving at Wellington I went on drawing my 1s. a day clerical allowance, and I also drew 10s. a week house-allowance on the original authority.

215. *The Chairman.*] Did you get that 10s. a week whilst you were at Dunedin?—No, Sir. That 10s. was only granted at each of the four centres to the chief clerk. In Dunedin I was only second. I came here as chief clerk. In May, 1893, it was accidentally brought under Colonel

Hume's notice, and he cancelled both allowances. I had drawn the allowance for a month before it was accidentally brought under Colonel Hume's notice, and he cancelled them both.

216. *Colonel Pitt.*] What do you mean by being brought accidentally under his notice?—It was accidental. It was not brought under his notice by me. It was another constable who had been acting district clerk for a short time between the retrenchment of Sergeant Bulford and my arrival. He applied for compensation for doing the work during that time, and he pointed out that if Sergeant Bulford was worth 13s. 6d. a day, and I was worth 10s. 6d. a day, surely he was worth 7s. a day. Colonel Hume noticed this, and wanted to know why I was getting these allowances, and stopped them both. In June, 1893, Colonel Hume granted house-allowance of 10s. a week to all the district clerks in the colony, including Greymouth, Napier, and New Plymouth.

217. *The Chairman.*] You drew it in April; it was stopped in May, and you drew it again in June?—Yes. At that time, on the 18th May, when Colonel Hume stopped these allowances, I first of all saw him in the office, and represented to him the hardship it was to bring me up here as chief clerk, with additional responsibilities and work, and deduct my pay at the same time; and he promised then I should not be a loser in the matter—that he would try and make it up. I indorsed the correspondence at the time, that, in view of his promise, I was quite content to leave the matter in his hands. I saw him several times after that, and he always promised to see what he could do for me up till 1895. In 1895 he told me he could not do any more—that I was getting as much as he could give me, so I let the matter drop. What I could never see, and what I cannot see still, is why I should be picked out from the others.

218. *Mr. Poynton.*] Are the others getting 1s. a day?—Sergeant Bell is drawing 1s. a day. Sergeant Ellison drew it up till he left, last year; and why I should have been picked out I cannot understand.

219. *The Chairman.*] As to Christchurch?—Stanton was a new appointment, and he never had an allowance. After drawing it at Invercargill and Dunedin, and then being brought up here as a chief, I could never see the fairness of it. Up to date I make it that I am £88 out of pocket through the allowance being cancelled.

220. That is, through the loss of the 1s. a day?—Yes. The only reason given to me for cancelling it was that mine was a new appointment. Of course, I pointed out that if it was cancelled all through the Force I should have had no more grievance than the others, but that mine was especially cancelled. Then, it was pointed out to me that mine was a new appointment, but I could not see the force of that.

221. What was the new appointment?—I was transferred from second to first here; and I could never see that that was a new appointment which should result in the docking of my screw. Of course, I do not wish it to be understood my pay was not increased by coming to Wellington, because I did not get 10s. a week house-allowance at Dunedin. In Dunedin my pay was £173 7s. 6d. a year; and in Wellington, after getting the 10s. a week back, it was £190 5s., an increase of £16 odd. Sergeant Bulford, whom I replaced, got £235 7s. 6d. Stanton, the man who was appointed to Christchurch at the same time that I was appointed here, got a rise of £43 5s. a year. I got £16 17s. 6d.

222. Was that his first appointment as clerk?—He had been clerk at some small places in the North, but he never had any allowance at all.

223. And what is he getting now?—He is getting the same as I am. That is all I have to say about that.

224. *Colonel Hume.*] In your experience of the service generally, when an order comes out for doing away with an allowance, or anything of that sort, have you generally found they cut it off from everybody, or only cut it off from the new appointments?—I do not know exactly how to answer that. Of course, if an allowance is stopped in the service everybody is made aware of it by circular: but in my case I never got any intimation at all to that effect when I was transferred to Wellington. Your telegram to Inspector Pardy did not say a word about the pay being stopped.

225. Did it say you were to get the allowances?—No.

226. What did it say, then?—There is a copy in the office.

227. Did not it say this: that you were transferred to Wellington as district clerk, with the rank and pay of first-class constable?—No, sir, it did not. There was not a word in it about pay.

228. And nothing about first-class constable?—The telegram said, "Constable A. H. Wright is appointed district clerk at Wellington, with rank of first-class constable."

229. I thought the pay was mentioned in the telegram?—No. In any case, if it was, it would not make me think you were going to cancel the allowances.

230. You said the other day you got "an Irishman's rise" coming here?—Yes.

231. And you consider going from £173 to £190 an Irishman's rise?—You forget you cancelled 17s. a week, which brought my pay down to £160.

232. *The Chairman.*] The £173 you got in Dunedin was the full thing?—Yes, the full thing; and when I came to Wellington Colonel Hume gave me 6d. a day, bringing it up to £182; and then he deducted £18.

233. What about the 10s. a week house-allowance?—You gave that afterwards.

234. You got it the first month, lost it for about half a month, and then got it afterwards?—You cancelled the two.

235. Quite so, for about half a month, and then you got it back?—Yes.

236. You say that is an Irishman's rise, going from £173 to £190?—You gave me 6d. a day rise, and took away 1s. a day, and you afterwards gave me 10s. a week. That is the long and short of it. You did not give me the 10s. a week as soon as I came.

237. But you were only out of it for about half a month?—That is so. I got the same as the others got. You granted it to all the district clerks in the colony, but you never gave me back the 1s. a day.

238. Do you think the district clerks in one place should get house-allowance and the men in another place should not, or should all get alike?—It was the rule of the service.

239. I ask you, do you think it a fair way to treat men—to give the district clerk in one place house-moneys and not give it to a district clerk in another place?—Decidedly I do. It depends on the place. For instance, I do not think it would be fair to give the men in Napier and New Plymouth the same pay as a man in Wellington.

240. You would have a sliding-scale?—As far as the granting of house-allowance is concerned I agree with you. What I mean is you should not put a man in a small place on the same footing as the man in a large place.

241. I am talking about house-allowances?—I maintain that the man who has to pay 16s. or 17s. a week is entitled to more than the man at New Plymouth, who only has to pay 10s. a week.

242. Did I not offer you a house to live in when you were shifted here?—You offered me a shanty where no decent man would live.

243. Did no one live in it after that?—No one lived in it after that.

244. Did a man live in it up to that time?—Yes; and one of his children died of typhoid. You know the place was not fit for any one to live in. I say you promised continually to do what you could, and you kept on promising till 1895, when you informed me you could not do any more. I do not say you did not do what you could. All I say is, I am my 1s. a day out ever since.

245. One of the men whom you remarked had the 1s. a day was transferred to the Civil Service from the Police Force? He was. He was transferred to the Civil Service at a salary of £275, as district clerk.

246. He was specially transferred on a special rate of pay?—Yes.

247. And he has been on that rate of pay ever since?—No. He was transferred, first of all, to the Civil Service from the police, at a salary of £275, in 1887, I think it was. He was retrenched from the Force as district clerk, and he was then reappointed as first-class sergeant, and these allowances were given, and they were given to the four centres at the same time.

248. You say he was not on the same pay?—He was not, because the allowances and all only make him up to the £240.

249. Any way, he was an exceptional man, because he was brought from the Civil Service?—He was; but Sergeant Ellison was not.

250. *The Chairman.*] What was the name of this man?—That was Sergeant Bell.

251. *Colonel Hume.*] You know Sergeant Bell could not do police work now?—I do not know that he could not.

252. He has been rather rusty?—I do not see how a man can possibly be rusty in the District Police Office.

253. Does he ever go into Court?—Court work is not the only work.

254. Is it not very important for a sergeant to be able to conduct cases in Court?—If he has the knowledge he will very soon pick up Court work.

255. The other man you name was Ellison, and he has been a very long time in the District Office has he not?—I forget how many years, not much more than myself.

256. How did he get this rank of sergeant?—They were all sergeants. There was never such a thing heard of as a constable in a District Office until I was transferred to Wellington.

257. He was transferred into the District Office as a sergeant?—I could not say that. I do not know when he was transferred. He may have been made sergeant after he got into the District Office.

258. Then he was afterwards sent to his duty was he not?—Last year he went out, transferred to Wanganui.

259. Your grievance is that he was not deprived of this 1s. a day?—It is not my grievance. I do not begrudge Sergeant Ellison getting it. My grievance is that I was deprived of it.

260. Ellison was the "last of the Mohicans," there was nobody else?—Well, Sergeant Bell.

261. There was nobody else but these two?—That is so. The others died.

262. *The Chairman.*] What about these suggestions you refer to in your letter to the Commission?—The first I would like to refer to is the pension scheme.

263. *Colonel Pitt.*] Have you got a pension scheme formulated?—I think the scheme formulated by Mr. Hutchison in 1893 is an excellent scheme. It was freely canvassed at the time amongst the men, and they all seemed to be pretty well pleased with it.

264. *The Chairman.*] And you think it necessary to have some such pension scheme?—I think so. I think they have a pension system in pretty well every Police Force in the world. The scheme promoted by Mr. Hutchison is practically self-supporting after the first grant.

265. You say that has been canvassed amongst the the men. Do you mean any particular body of men, or right through the Force?—I think all through the Force. I can speak for the men in the Christchurch and Dunedin districts, and I think also in Auckland. I think Mr. Hutchison went round to the four centres at the time. I am not sure about Wellington. There was some difference, I believe, here. There was another scheme on foot at the time, and there seemed to be a division of opinion.

266. Have you anything to say yourself in support of this scheme—any argument you can use other than those put forward by Mr. Hutchison?—I do not think so, Sir. I think Mr. Hutchison has pretty well thrashed it out. As to the figures, they were carefully worked out at the time as far as we could work them out; and at the end of the tenth year, after paying about one hundred pensions, the pension-fund would have increased to something like £80,000. The interest on the £80,000 and the annual contributions from the men would have paid pretty well all the pensions that would be likely to be chargeable.

267. You do not suggest at present any further argument in support of it than we find here in Mr. Hutchison's pamphlet?—I do not think so. There is one thing in connection with that scheme

which is cleared up in that correspondence. It is a matter of some importance to the police—that is, the question of long-service pay. There seems to have been an idea, which ought not to have been allowed to gain ground, that the long-service pay was granted in lieu of pensions, and therefore drawers of long-service pay should be debarred from coming into the pension-fund until they gave up the long-service pay. You will see from that correspondence that the Hon. Mr. Bryce makes it quite clear that it was granted merely for long service and nothing else.

268. Do you think a pension scheme would be more satisfactory to the police than increase of pay?—I think so. There is no question it would have a better effect.

269. *Colonel Pitt.*] What would you do with the life-insurance policies now on foot with the men?—That would be a difficulty that would have to be faced.

270. Of course they could be surrendered?—Well, the surrender value is very little. I think that might be got over by the managers of the pension fund taking over the policies. I think it could be worked in that way. Of course it is a good investment, and the fund could lose nothing by it.

271. I do not know whether the men would be able to afford a contribution to the pension fund and also to their life insurance?—It is very doubtful if they would.

272. *The Chairman.*] Do you know anything of the rates of pay of the men in the other colonies?—In South Australia the pay is about the same as ours, but they have a uniform allowance there. The mounted men get £12 a year and foot men £9.

273. Is there any pension scheme there?—I think so.

274. What is the extent of their contributions to it?—About 2 per cent. in all the Australian Colonies. In that scheme we propose 5 per cent. After fifteen years their pension is 50 per cent. of their pay, and our pension after twenty years is 30 per cent., and after thirty years 50 per cent. Here you would contribute double what they do over there, and you would have to serve twice as long before you got the same pension.

275. Taking the present rate of pay, do you think 5 per cent. is the highest rate they could bear as a contribution to the superannuation fund?—Yes. Under the contribution of 5 per cent., a man getting £10 a month has got to pay 10s. for pension, and when it is considered that he has his wife and family to keep and house-rent to pay he has not much to spare.

277. You think 5 per cent. is as much as they could bear?—I think so. I think it would be enough too, with a little assistance from the Government. The Government could hardly expect to get a scheme for nothing.

278. Taking the rate of pay as it stands now: you think the Force could bear 5 per cent. and no more?—No more. I think they could bear 5 per cent., because that is practically what they are paying now. Most of the young men when they join have to contribute 8s. 6d. to 9s. per month for insurance. That nearly amounts to 5 per cent., and the pension would be far better for them.

279. A pension system that cost 5 per cent. on the pay would be better than the insurance system?—Yes; I do not think insurance is much good.

280. *Colonel Pitt.*] How about the compensation to men who are under the limit of age, of those who are barred from entering into Mr. Hutchison's scheme?—It was suggested they should be dealt with by the Government as at present. We proposed under that scheme to take in men under fifty years of age.

281. Fifty-five, was it not?—That is, they would be fifty-five in 1898.

282. What occurred to me was, there may be some of the men who were not fifty-five years of age, but who would be very nearly entitled to compensation: how would they be dealt with under this scheme?—They would be dealt with by the Government as at present. They could not come under the scheme at all. It was proposed to hang the fund up for five years, without operating upon it. Then it was proposed to retire every man at sixty. Of course, it would be impossible to take in any man over fifty-five, because if he retired at sixty, he would want his pension before the fund was to be operated upon. It was a very liberal scheme for the older hands; but then at the same time it was all the better for the younger ones, because they were pensioning off the older ones, and promotion would be more rapid, and they would be able to better spare the money.

283. *The Chairman.*] Have you reason to believe the scheme would be acceptable to the Force now, as you say it was at the time it was proposed?—I think so. Every one I spoke to was delighted with it. Of course, that scheme was entirely got up by the men themselves, though Mr. Hutchison took it in charge. He went round to the centres, and got suggestions from one and another, and carefully put them together into one scheme, so that practically it is the men's own scheme.

284. That is, of a certain section of the Force?—Well, he used to have big meetings. At Dunedin, for instance, there were fully thirty men present.

285. It was originated at Dunedin?—Yes.

286. With regard to uniforms: is it only in South Australia they receive uniforms in addition to their pay?—That is the only one I have noticed. I do not know what they do in other places. There is another small matter I wish to refer to—that is, a section of the Police Force Act, I think, should be amended. It is section 16, having reference to actions brought against constables.

287. *Colonel Pitt.*] How do you suggest it should be amended?—Well, just now it is simply useless, because there was a case a short time ago up in Patea where an action was brought against two of our men something like twelve months after the cause of action arose.

288. According to the section that could not be?—But it was done, and this section was ruled to be inoperative. It was held, under an English case decided recently, that it is only when you are acting legally in the execution of that Act that you are protected by the Act. Well, that is absurd,

because if you are acting legally in the execution of that Act you do not want any protection. It is only when you happen to have made a mistake that you want protection. These men went to a man's house whom they suspected of stealing. They had not got a search-warrant. They asked the wife if she had any objection to their looking through the house. She invited them in. They did not find anything, and twelve months afterwards the man brought an action and recovered damages against both of them. I would suggest that the section be amended so as to cover constables against all actions in connection with anything done in pursuance of their calling. Instead of the words "pursuance of this Act," put "pursuance of their calling."

289. It was held in the case you mentioned he was not doing his duty?—That is, he had not got a search-warrant. Sometimes, in the back districts, there is no opportunity of getting a warrant without much delay. Another suggestion I have to make is about travelling-allowances. I think the present travelling-allowance is inadequate in some cases. For instance, a man going on relieving duties to an out-station, if he is a single man he is only allowed 1s. 6d. a day; if he is a married man he gets 3s. a day. Naturally he has to stop at a hotel, and it is not sufficient to cover the cost. I think it is a great temptation to a man to try and come to some arrangement with the hotelkeeper, instead of being in an independent position and paying his way.

290. He need not necessarily stop at a hotel?—Well, at most of these small country places there is nowhere else to stop.

291. *Mr. Poynton.*] He would have to pay something for his keep in the town if he did not go out?—Oh, yes. That is why the distinction is made between married and single men, but still I do not think it is enough in any case. It is only an inducement to a man to get his keep for nothing at the hotel.

292. *The Chairman.*] What do you suggest?—I suggest that they should get the ordinary allowance—that is, 6s. a day for the first week, and 5s. a day afterwards. That was the old circular, and I think it was a very fair one.

293. How long has that been altered?—It has been altered two or three years now. I also suggest that the Force should be supplied with up-to-date handcuffs and batons. The ones we have got are very old fashioned and clumsy, and they are not suitable. The handcuffs are either too small or too big, and there is no way of adjusting them. They have splendid handcuffs in America that will fit anybody, and the American batons are a wonderful improvement on the wooden ones. The wooden ones are too clumsy, and they are dangerous to use, whereas the American ones are made of compressed leather, and you need not be afraid to use them, while they are quite sufficient for the purpose. You would kill anybody with some of these big heavy boxwood batons. A great number of our men have purchased their own handcuffs from America, and they would sooner use them than the regulation ones. If you get a man with a large wrist and you have a small handcuff—that is, a regulation handcuff—you cannot handcuff him. Another suggestion is that the Inspector's office should be provided with some standard legal works. You have to fight against all the solicitors in the town, and have nothing to fight them with except what you borrow.

294. *Mr. Tunbridge.*] Which do you suggest?—"Archibold's Criminal Pleadings," and "Taylor's Medical Jurisprudence." Then, with regard to leave, I think leave of absence should be allowed to run on instead of compelling a man to take it every year.

295. *The Chairman.*] You think it should be cumulative?—It was always so until recent years. It was only some few years ago that the circular countermanding it was issued. It may not suit a man to take leave every year; but if he has got twenty or thirty years' service he should be allowed two or three months' leave, and it would be no greater inconvenience to the department.

296. *Mr. Tunbridge.*] You suggest they should be allowed the full extent of their accumulated leave?—I do not think so. They should be allowed reasonable leave. For instance, if a man wants a couple of months off, to go to Australia or anywhere else, after serving a number of years.

297. Is not that leave allowed now: do you know of any special case where a man has asked and it has not been allowed?—Since you have taken charge it has. It was not allowed before. There is a man here now on twenty-one days' leave.

298. *Colonel Hume.*] Do you know any service where it is cumulative?—I do not know anything about any other service except this. It is cumulative in other departments.

299. What departments?—Well, I often hear of a man getting a month's leave and going away for months.

300. *The Chairman.*] What about the quarters, and the accommodation for the men? Do you know anything about them?—They are very bad in Wellington.

301. *Colonel Pitt.*] You mean at Lambton Quay?—Yes, very bad. Then, with regard to medical certificates, sometimes a married man has perhaps a bad cold, or he does not feel well enough to come down for duty. He has to provide a medical certificate at his own expense. Perhaps there is nothing much wrong with him; he does not want a doctor, but still he has to pay for one.

302. *The Chairman.*] For temporary absence from duty?—Temporary absence from duty on account of sickness. He has to pay a doctor 7s. 6d. for that, whereas he does not want one at all. He knows perhaps that a day's rest will put him right. I suggest if the department wants a certificate it should pay for it, in the way of appointing a police-surgeon, and deducting so much from the pay of the man to go towards paying for the surgeon.

303. It is paid for by the man himself on all occasions?—Yes; unless he can clearly prove it is from injury sustained while on duty. In a case of ordinary sickness, when a man wants to lay up for a day on account of a bad cold, he has to pay 7s. 6d. or 10s., as the case may be, for a doctor's certificate. I think in the Artillery they deduct 1s. 6d. a day from the man while he is sick.

304. You suggest it should be paid for by the department, or that there should be a medical officer appointed?—I think that would be better. No doubt we could work other things in with it, and make it more economical to the department. For instance, there is a police surgeon here that does all our police-work, Dr. Cahill, and no doubt the department could come to some arrangement with him.

305. Has he an annual salary?—No, he just charges for what he does, but he does all the police-work here. Another suggestion I have to make is in regard to examinations. It would be a good idea to have examinations annually.

306. What benefit do you say would be derived from them?—You would learn then what the men knew.

307. *Colonel Pitt.*] You mean compulsory examination for everybody?—Well, if they wanted promotion they should be able to pass the examination. I think it is almost universal in every Force. I cannot speak of my own knowledge, but from what I have heard.

308. *The Chairman.*] Would you have a separate examination for each step in the Force?—I do not think so. They would want an examination, at any rate, before they were promoted to the rank of sergeant.

309. Do you not think there should be an examination before they were put on duty?—They would not know much then.

310. Do you not think they should be put in a depot and trained?—It would be a very good idea to have some slight examination if there was a training depot.

311. It has been suggested that it would give an enormous advantage to men holding positions in country stations, where they have little police-work to do, and could sit in their offices all day reading up?—That was not proved by the result of former examinations. It was proved the town men were quite able to take care of themselves in that respect. The town men in every case headed the list. I would not suggest that the examinations should be on the lines of the last examinations. I would suggest that one paper should be provided by a solicitor on criminal law, and another provided by a police officer as to actual practical police-work, so that the men could be able to show what they would do under certain circumstances, and how they would handle a case.

312. And you would make these examinations a condition of promotion to the rank of sergeant?—Yes; I think it would be fair. A sergeant has to give instructions to others, and unless he has a knowledge of law he cannot do it properly. Not only that, but it would be an incentive to the men to read up and acquaint themselves with the law. Then, with regard to presentations to the police, either by the public or by their comrades: It used to be allowed up to a few years ago. Then it was absolutely stopped by circular, and no presentations were allowed. I would suggest it is not fair, and that they should be allowed the same as in every other department.

313. Presentations for what?—Well, on a man leaving the district, for instance. Perhaps his comrades wish to give him some small present on leaving, and the regulations prevent them from doing so. It is a privilege that is allowed, I think, to every other department in the State. The way it is now is only a temptation to members of the Force to get round the difficulty by their wives or daughters receiving the presents, so that they get them just the same in nine cases out of ten. They have to do it in an underhand manner, whereas if the presentation were allowed to be made openly the men would have more respect for themselves.

314. *Mr. Tunbridge.*] Do I understand you to mean all kinds of presentations, whether from the public or the police?—All presentations—just treat the police the same as any one else.

315. Do you wish your suggestion to apply to both the cases—the public and the police?—Yes; but I do not mean a presentation to an officer.

316. Have you any experience of presentations made by private persons to the police?—I have seen a few of them got up.

317. Have not the publicans responded very liberally?—It is suggested that they do.

318. As regards police officers making other police officers presentations, would you suggest that when a man is leaving a district on promotion he should receive a testimonial?—I do not see any reason why he should not.

319. From men who were likely afterwards to be serving under him?—I think so. I do not think it would have any bad effect that way. It is not so much that that I wanted to bring out, but that these presentations are made, although they are not made to the officer himself. The wife or the daughter or some member of the family gets the present, and so the regulations are evaded. I have heard that in the Irish Constabulary, which is considered to be a very strict body, a presentation is actually entered on a man's merit-sheet as a record of merit. It is considered to be a meritorious occurrence. There is one other matter, that is about house-allowance. A sergeant is granted 10s. a week, irrespective of where he is stationed. I would suggest that some fairer means be adopted of ascertaining what the men are out of pocket. For instance, in Christchurch you could get a good house for 10s. a week, while for a similar house in Wellington you would have to pay 16s. or 17s., consequently the men in Christchurch are so much better off than the men in Wellington. It is impossible to get any sort of a decent house in Wellington under 17s. or 18s. a week, and the allowance is only 10s.

320. *Colonel Pitt.*] Speaking generally, can you say how a proposal to do away with the right of members of the Police Force to vote at political elections would be received by the Force?—I could not say about any one else, but I do not think they would feel the loss very much. Speaking personally, I would just as soon be without the vote as with it.

321. You have had considerable experience as a district clerk. I want you to inform me, if you can, how alleged offences against members of the Police Force are dealt with. Have they been promptly dealt with by the Inspector, or by the Commissioner?—Yes; they have always been promptly dealt with. I have never seen any complaint made against any member of the Force that has not been promptly dealt with.

322. In your opinion, have they generally been fairly dealt with?—Yes, decidedly.

323. Have they been punished reasonably, or have, in your opinion, the punishments been unduly severe, or too lenient?—I think they are generally pretty fair. I cannot recollect any instance of unfair treatment.

324. In your opinion have the punishments been reasonable?—Yes.

325. *Colonel Hume.*] I understood you to say you did not approve of paying by service—getting their increases by service?—No, I do not.

326. Why?—Well, because I think merit and ability come first, beyond all service. There are some men who should certainly be promoted in a short time, while others are never fit for promotion.

327. I was talking about giving men increase of pay by service. I understood you to say you preferred the pension scheme to anything of that sort?—I do not quite understand you.

328. For instance, you enter the service at £150 a year; in three years you get £160, in nine years £200, and so on?—At that rate you are putting every man on the same level. You are putting the good and the bad together. If you have a scale of pay arranged on that basis you would have the biggest loafer in the Force getting just as much as the smartest and most meritorious man. In two years you get so much, and in four years so much, and all you have to do is to keep off the defaulter's sheet.

329. You say political interference has not tended to promote men unjustly?—I have never known an instance where a man has got promotion by political influence. I suppose I have been promoted as quickly as any man in the Force, and I am quite convinced I have never had any political influence.

330. Then, do I understand you to tell the Commissioners the men were willing to forego their long-service pay and compensation to get this pension?—Oh, no.

331. But that is part of the scheme?—Oh, no; only to forego compensation, not long-service pay. They were to get long-service pay. Long-service pay has not been granted since 1887.

332. Government were to pay up £20,000?—Yes.

333. I think it says any man over fifty was not to be taken into consideration?—Over fifty-five. There were only a few over fifty-five at that time. I think there were about thirty.

334. Did it ever strike you what it would cost the Government if they paid £20,000, and continued the long-service pay and compensation?—I worked it all out at the time.

335. You do not think it was an unreasonable sum to ask?—I do not think it was enough. I think the Government were making a lot of money by it. £20,000 would only cost them £600 a year at 3 per cent.

336. You could not get money at 3 per cent. at that time?—Well, 4 per cent., and then it would be only £800 a year, and you were paying at the rate of £1,600 a year for compensation.

337. But then compensation did not cease?—It only went on for five years. At the end of five years it ceased altogether.

338. As regards the uniform system: do you consider the Government should supply the uniform, or give a fixed sum?—I think it would be better to give a fixed sum.

339. Why do you think that?—Well, some men are more careful of their uniforms than others.

340. And you do not wear a uniform?—There may be something in that.

341. Generally the majority of the men belong to friendly societies—the married men?—I do not think so. I do not think there are many in Wellington who belong to them.

342. Those who belong to friendly societies do not have to pay this 10s., or whatever it is, for a doctor's certificate?—They have to pay it indirectly. They pay their contributions to the lodges, and it practically comes out of their own pockets.

343. You say you do not know an instance of a man being unjustly punished in the Force. Do you consider a fine of 2s. 6d. for being five minutes late for duty, and no entry against the man for being late before, an excessive punishment, we will say, during a term of three years' service?—It all depends. Sometimes a man is brought in and cautioned, and there is no entry in his sheet at all.

344. But supposing he had never been late before, do you think that would be excessive?—I think it would. If the man had a good character, and had never been before the Inspector before for anything at all, I should say a caution would be sufficient.

345. *Mr. Tunbridge.*] With regard to the question of increment *versus* classes. You are aware there have been selections of men who have got advancement. For instance, there are men with as little service as three years who are Clerks of Court, and men with not more than three years' service who were Clerks of Court were advanced to second class. Do you hold with that?—No, I do not. I thought it was wrong at the time. I recollect at the time there was a batch of them made.

346. Then, again, there was another selection made of men with not less than seven years' service who had no serious reports on their defaulters' sheets: do you remember that selection being made?—I think the first was men with seven years' service and a clean sheet.

347. And then a further selection of men who had only slight reports against them. Did you believe in the first selection?—The first one, certainly not. As to the second one, there was something in that. I did not believe in the first lot, because I hold it is no criterion at all of a man's ability or worthiness for promotion that he has got a clean sheet. My experience is that some of the best men in the Force have got the dirtiest sheets.

348. These selections did not give satisfaction in the Force generally?—No, sir; very great dissatisfaction.

349. Do you not think that dissatisfaction would be likely to arise from any course of selection?—Well, there is always a certain amount of dissatisfaction, but there would be general satisfaction if the selections were made with good judgment.

350. You do not agree with the selections that have been made, but you appear to advocate a system of selection, and I want to know how you are going to arrive at a system of selection that is likely to give satisfaction to the whole Force?—I would suggest the first thing to look at in promotions is seniority, coupled with ability—nothing else. Take the list of third-class constables, and go down them. If one man has got sufficient on his sheet, and you know him sufficiently well to know that he is no good, pass him over, and so on. To simply pick out a man who has got a clean sheet for seven years is unreasonable.

351. You are opposed to the increment system because it would give every man an equal chance, whether he be good or bad?—Just so.

352. The system of the classes you also do not agree with, because the selections have not met with the approval of the men generally?—Of course, that is the fault of the selections. If the men had the impression that only good men were promoted I do not think there would be so much dissatisfaction; but it is taking the thing haphazard that causes so much dissatisfaction—that is, promoting every man that has a clean defaulter's sheet for seven years, because it is a well known fact amongst the police themselves that a clean sheet is not always a good recommendation.

353. Your principal argument against the increment system is that, whether a man is good or bad, so long as the bad man does not get anything on his defaulter's sheet, both attain the same position at the same time?—Just so. It would take all the life out of the Force if you promoted a man just because he happened to be a certain time in the Force—mere length of service.

354. *Colonel Hume.*] Do you know it is in force in the Irish Constabulary?—I do not know.

355. *Mr. Tunbridge.*] You do not happen to know it is in force in the Metropolitan Force in London?—I do not know.

356. If a man neglects his duty it is the duty of the sergeant to report him?—Ycs, but there are ways of doing things.

357. If he persistently neglects his duty?—If he is very bad that way, of course he is brought up.

358. And if he has good officers over him he will soon be weeded out?—I should think so. There are two classes of men in every Force—the man who throws his whole heart into his work and does it properly, and the other man who does as little as he can.

359. *The Chairman.*] You say a clean sheet means but little?—It is nothing to go by.

360. In places where there is only one constable there is nobody to put him on the defaulter's sheet?—Not unless he behaves himself very badly indeed, and some of the public complain, or the Inspector happens to drop on him for doing something wrong. He could be there for years, and nobody be any the wiser as to his conduct. You very often find a man with the worst defaulter's sheet has got the best record on his merit-sheet.

361. *Mr. Taylor.*] Do you consider the training of men before they are put on street duty sufficient?—No, I think there ought to be a proper training depot.

362. Do you not think lack of thorough instruction is likely to make a man nervous about attempting to enforce the law?—Undoubtedly; but, as a rule, the recruits are sent out with an old hand.

363. I do not mean that altogether; but is the training sufficient—systematic teaching?—Not as much as if there was a proper training school.

364. As a matter of fact, you would not know much about political influence being brought to bear on removals and appointments of men?—I would not know anything about that unless by hearsay.

365. *The Chairman.*] You would hear it from the men?—Well, if they were soft enough to say anything about it.

366. *Mr. Taylor.*] You are voicing the opinion of more men than yourself when you refer to these promotions. There is a feeling that there have been indiscriminate promotions at times?—I am referring to those particular lots. I know there was dissatisfaction, from what I heard the men say.

367. Do you know whether there are any tote-shops in Wellington?—I do not think there is one.

368. Not now?—There has not been for the last two or three years. I think the last time we raided them we broke them up. I do not think there is one at all now.

369. Do you think, although the tote-shop is suppressed, gambling is on the increase in Wellington?—I could not say it is. I do not think it is any worse than it has been. It might be.

370. Do you know whether there is a considerable number of the spieling fraternity in town?—What do you mean by "spielers"—book-makers, or thieves?

371. I mean thieves; I do not discriminate between the two classes?—There is a good deal of difference. We look upon spielers as half thieves and half book-makers. They attend race meetings, and fill in the time by a little bit of burglary. A book-maker is a book-maker pure and simple, who follows the races and bets on them.

372. And in the interval?—He does nothing else. There are races going on every day in the year almost in some part of the colony.

373. Do you not think that with a superannuation scheme a better class of men would be attracted to the Force?—I should say so.

374. You would have a larger number of men to select from?—I should say so. You would keep the best men in the Force. A man with a few years' service would not want to leave it; but now, of course, they would leave at a moment's notice if they saw anything sticking out better.

375. Do you remember whether Mr. Hutchison's scheme was generally approved of by the men?—It was in Canterbury and Otago, and I believe Auckland, but I cannot say about Wellington. I think there was some difference of opinion in Wellington. They were mostly young hands, and they thought the 5 per cent. reduction was severe.

376. You think it a good scheme?—Yes.

377. Are you a friendly society man?—I used to be.

378. You have a pretty good knowledge of friendly society finance that would enable you to judge of the scheme pretty well?—I think the scheme is a pretty good one. We worked it out all right, and at the end of the tenth year, after paying a hundred pensions, we had over £80,000 to our credit. I worked it out in this way: in 1892, there were six men in the force aged fifty-four. Well, their pension would become due in 1898. These six pensions would be paid out of the fund the first year it opened. In 1899 there would be thirteen pensions, and so on.

379. *Mr. Poynton.*] Do you allow for mortality?—We allowed that at the end of ten years out of 103 there would be twelve deaths, so that at the end of ten years we would be paying ninety-one pensions, and we would have a balance of £81,000.

380. *The Chairman.*] What was to become of this £80,000?—That would have been sufficient then. The interest on the £80,000 and the contributions from the men would have been sufficient to pay ninety-one pensions without touching the capital at all.

381. You did not propose to refund the £20,000?—No. Of course, it is no use talking about a pension fund without a lump sum to start with.

382. *Mr. Taylor.*] You want a lump sum to make up for those men who have only paid into the fund for a short time and would have to retire on account of age?—That is so. Men that have only paid in for five years would get a pension.

383. *Colonel Pitt.*] The £20,000 was to be invested?—Yes; the whole fund would be invested to the best advantage.

384. *The Chairman.*] You have said nothing about rewards. Have you any remarks to make about the existing system of rewards for merit?—I think the reward system is all right. Men get rewards when they do anything out of the way.

385. You think it works satisfactorily?—I think so.

385A. *Mr. Taylor.*] Do you not think if a superannuation scheme were established it would be a good thing to abolish rewards and put the whole of the money into the fund?—I do not think it would make much difference. It was suggested that the reward fund should form part of the pension fund; but I do not think it would matter much one way or the other.

386. The distribution of rewards creates a great deal of dissatisfaction amongst the men?—I do not know; I have not heard any growling about it.

387. *The Chairman.*] Would you suggest the abolition of rewards for special services?—No; I think they are very necessary.

388. You think the rewards have been liberal enough to encourage special efforts—I mean rewards for criminal discovery?—I do not think they have erred on the side of liberality, but they have been fairly distributed.

389. *Mr. Poynton.*] You think they have a good effect?—Yes.

JOHN TIMOTHY FOLEY, examined on oath.

390. *The Chairman.*] What is your position in the Force?—Third-class constable, stationed at Manners Street, Wellington. I joined the Permanent Militia on the 29th July, 1890, on the understanding that I would get transferred to the police in my turn when a vacancy occurred in the police.

391. And when were you transferred?—I did not get my turn, and was not transferred until the 27th December, 1892, although men who had joined about eighteen months after me were transferred before me. I was transferred to the police, and started in this city.

392. *Colonel Pitt.*] Have you got your discharge from the Permanent Militia?—Yes; here it is.

393. It shows conduct “very good”?—Yes. I started in this city, and was placed in charge of Manners Street Station in July, 1894, having done street duty in Wellington up to that time. The station at the time was unfit for occupation, and I had to pay my own house-rent. I did the duties at the station alone until June, 1896, when another constable was sent to assist me. We did the duties between us, relieving one another until the station was rebuilt at the end of 1897. Neither of us was in charge of the other. We both directed our own correspondence to the Central Station. Neither of us was subordinate to the other. When the station was rebuilt my comrade got it.

394. *The Chairman.*] When was he put in charge?—At the end of 1897.

394A. What is your comrade's name?—Constable Cairns. He was then placed in charge, and I was to act under him. I then applied to be relieved of my duties in the following communication: “I beg to state that, as Constable Cairns has taken charge of the Manners Street Station, I am anxious to be relieved of my duties there, as I am anxious to be attached to the Central or any other station.” I was told verbally that the application could not be entertained.

395. You remained there?—I am still there. I have reason to think that it is through the animosity of the present Inspector of Police and the late Commissioner that I am treated in this manner.

396. *Mr. Poynton.*] Have you any evidence in support of that?—I have evidence. I made a complaint to my Inspector some time previously, and himself and the Commissioner combined against me, and made all sorts of charges against me.

397. *The Chairman.*] You were there first?—Yes.

398. And Cairns was placed on equal terms with you?—Yes.

399. And when it became necessary to select one, Cairns was selected?—Yes.

400. And it was due, you say, to the animosity of the present Inspector and the late Commissioner?—Yes.

401. Will you proceed to state what reason you have to feel aggrieved at this?—Here is a copy of the complaint I made on the 28th January, 1896. There were convictions recorded against me,

and they had to be taken off. I took the course of going outside to have the inquiry held to get the convictions recorded against me taken off my defaulter's sheet. I took a course which rendered me liable to dismissal. I was absolutely refused a hearing before the Commissioner, either to prove my charge or to refute the charges made against me.

401A. Did he give reasons for refusing a hearing?—It is all here in this correspondence :—

I BEG to report that I feel aggrieved at the way in which Inspector Pender spoke to me in Court yesterday morning, when Grace Harper, who I had charged with being drunk and disorderly, was fined £1, or four days' imprisonment, and the Justices who were on the bench spoke so low when passing sentence that neither the prisoner nor myself heard them. Then the prisoner asked me twice what she was fined. The first time she spoke to me the Inspector shook his head, as I understood, for me to cease speaking to her; and the second time she spoke to me, asking the same question, the Inspector stood up in Court, in presence of a good number of people, and said to me in a most insulting manner, "You must not speak to that woman, or be making appointments with her." Now, I respectfully request an explanation, and if not given, that my report be forwarded to the Commissioner. I may add that the above-named woman is a low prostitute.

Sergeant-major Ramsay, in charge of station, Wellington.

JOHN FOLEY,

Third-class Constable 640.

Forwarded to the Inspector.—D. RAMSAY, Sergeant-major. 28/1/96.

The Sergeant-major,—I understand it was by your instruction Constable Foley forwarded this report. Please say if such is the case. Please also return to this office the previous correspondence relative to the case of Grace Harper.—P. PENDER, Inspector. 31/1/96.

Mr. PENDER,—As I informed you verbally, when Constable Foley came to the police-station and told me that he felt annoyed at the remarks the Inspector used towards him in the Courthouse with regard to Grace Harper he asked me to take him in before the Inspector, so that he could have it out. I replied, "No; if you wish to see the Inspector on such a matter you must put your request in writing to him." Previous correspondence herewith.—D. RAMSAY, Sergeant-major. 31/1/96.

The Sergeant-major.—It should be clearly understood that any member of the Force who wishes to see me can do so at any time in the presence of the Sergeant-major.—P. PENDER, Inspector. 31/1/96.

Noted and returned.—D. RAMSAY, Sergeant-major. 31/1/96.

THE COMMISSIONER,—

District Police Office, Wellington, N.Z., 7th February, 1896.

With reference to the attached complaint of Constable J. F. Foley. I beg to state that on the morning of the 27th ultimo Grace Harper was brought before the Court here and fined £1 on a charge of having been drunk and disorderly on the public street. After her case had been disposed of, she stood a little on one side of the Court while the other cases were being heard. While she stood there and the business proceeding I noticed Constable Foley, who was in uniform, advance towards her in view of the Justices and the public, and enter into conversation with her. I looked towards him and shook my head; the constable evidently understood my meaning and drew back from her, but very soon after he was in familiar conversation with the woman, disregarding my instruction that he was not to do so. I at once stood up from the table and told the constable he was not to speak to the woman, and that is all that passed.

The constable's statement to the effect that I said that he was not to make an appointment with the woman is quite untrue, and I am afraid has been introduced into his report for the purpose of giving his report some foundation. It is also untrue to say that my manner was in any way insulting.

This woman is one of the most notorious prostitutes and brothel-keepers, perhaps, in the colony; and apart from the fact that the constable should not converse with persons in the Court at all and interrupt the business, it was very unseemly to see him in uniform talking familiarly with a woman of Grace Harper's well-known reputation. In my opinion, members of the Force who freely converse with such persons commit a serious offence; and, as I am held responsible for their conduct, I submit I should be wanting in my duty if I did not promptly interfere when anything of the kind came under my notice.

I may say, however, that I did not for a moment suspect Constable Foley was speaking to this woman for any immoral purpose. The constable is a respectable well-conducted man, but knows very little of police discipline, and I am afraid in making this report he has allowed himself to be made the tool of others.

I forward the whole of papers connected with the case.

P. PENDER, Inspector.

From Inspector Pender, Wellington.

Received 7th February, 1896.

SUBJECT: Complaint by Constable J. T. Foley of his treatment by the Inspector, &c., reports, &c.

MEMORANDA.

INSPECTOR PENDER,—You will be good enough to reprimand Constable Foley for talking to Grace Harper in the Court and not desisting when you made signs to him to stop, and an entry will be made in his defaulter's sheet. The constable committed a grave error of judgment in not charging this notorious woman with assaulting him, if his report of the 25th ultimo is correct, and I have no reason to suppose it is incorrect. Constable Foley has been very ill advised in making this complaint, as he should have been only too glad to be put right by his Inspector when he was wrong, as he certainly was in this case, and it should be a lesson to the constable not to further talk to persons in Court.

8th February, 1896.

A. HUME, Commissioner.

This correspondence and the convictions were entered against me without my knowing anything about them until they came back to me ten days after my written complaint. There was no charge made against me. The whole thing passed between the Inspector and the Commissioner, and I knew nothing about it till the convictions came back to me. There is further correspondence :—

Police Station, Manners Street, 12th February, 1896.

APPLICATION of Constable J. T. Foley for a hearing of this case before the Commissioner.

I BEG to apply for a hearing of this case before the Commissioner before an entry of reprimand is made in my defaulter's sheet, as I can bring a respectable and independent witness to prove that my complaint of the 28th ultimo is correct: that I neither conversed or even had time to answer the woman Harper's questions when Inspector Pender stopped me. The first time she asked me the question I went away from where she was altogether as soon as the Inspector shook his head, and the second time, as I was going out the door, she asked me the same question, to find out for her what she was fined, when, as I have stated, the Inspector stood up and abused me in a most insulting manner. With regard to my having charged this woman with being drunk and disorderly, and not charging her with assaulting me, I may say that the woman did not hurt me in any way, and as I had also reported her for keeping a brothel, it would look to the public as if I was trumping up charges against her had I charged her with assault; besides, I put in a report stating the facts of the case as soon as she was locked up on Saturday night, and if the Inspector or Sergeant-major thought it wise to have her charged with assault it could have been done between that

and Monday, nor is it too late yet to charge her with that offence. The Commissioner can well understand Mr. Pender's remarks as to my character and police discipline when I have occasion to report him for attacking my character in open Court; but my defaulter's sheet for five and a half years' service, besides my discharge from the Volunteers, which is in the Commissioner's Office, will show what my discipline and conduct generally has been during that time.

I respectfully request that Mr. Townsend's letter, thanking me for my energy *re* the Harper case, be attached to this correspondence.

JOHN T. FOLEY,
Third-class Constable 640.

Forwarded to Mr. Pender.—D. RAMSAY, Sergeant-Major. 12/2/96.

Forwarded to the Commissioner; Mr. Townsend's letter attached.—P. PENDER, Inspector. 12/2/96.

INSPECTOR PENDER.—As the constable admits in this application that the offence was committed, I cannot grant a hearing. It was very unfortunate for him that this woman should have twice addressed herself to him. But as she did so he must bear the consequence.—A. HUME, Commissioner. 12/2/96.

SIR,—

No. 40, Dixon Street, Wellington, 26th January, 1896.

On behalf of my neighbours and myself and family we have to thank Constable Foley for his kind services and long hours at night in this street during the past fortnight, and particularly for last night.

I am, &c.,

Inspector Pender.

W. R. TOWNSEND.

For the Sergeant-major, who will please inform Constable Foley.—P. PENDER, Inspector. 26/1/96.

Seen.—JOHN FOLEY, Constable. 27/1/96.

Returned to the Inspector.—D. RAMSAY, Sergeant-Major. 27/1/96.

Police-station, Wellington, 16th February, 1896.

Re attached correspondence, I beg to report that I do not understand what the Commissioner means by saying that I admit in attached application that I committed an offence; as I do not admit having committed an offence during the whole proceedings. I consider I am unfairly treated in this case. I am not allowed to proceed civilly for slander. I am not allowed to have my case published; I am refused a hearing to have my complaint proved; and, to finish, I am reprimanded for saying a word about it. However, having copied the whole correspondence I respectfully return.

JOHN FOLEY, Third-class Constable 640.

Sergeant-major Ramsay, in charge of station, Wellington.

P.S.—I made a mistake in writing the above underneath the Commissioner's memorandum of the 12th instant, it being my own application. I did not know at the time it was wrong to do so.—J. FOLEY.

Forwarded to the Commissioner.—P. PENDER, Inspector. 22/2/96.

INSPECTOR PENDER.—What I mean is that the constable admits he allowed the woman to speak to him twice in the Court.—A. HUME, Commissioner. 22/2/96.

Police Station, Manners Street, 26th February, 1896.

Report of Constable John T. Foley relative to the Commissioner's Memorandum of the 22nd instant.

I BEG to report that I did not reply to the woman Harper's questions on either occasion when she spoke to me in Court, as I have already stated in previous report; and on these grounds I fail to see that I have committed any offence.

I respectfully ask that the Commissioner may be good enough to reconsider his decision, and cancel the reprimand on my defaulter's sheet.

JOHN T. FOLEY, Third-class Constable 640.

Sergeant-major Ramsay, in charge of station, Wellington.

Forwarded to the Commissioner. Papers forwarded to your office on the 26th instant.—P. PENDER, Inspector. —27/2/96.

Mr. PENDER.—Seen. No order.—A. HUME, Commissioner. 27/2/96.

Police Station, Manners Street, 23rd April, 1896.

REFERRING to the Commissioner's memorandum 96/160, 8/2/96, instructing Inspector Pender to make an entry of reprimand in my defaulter's sheet.

As I objected at the time, on the grounds that I felt, and still feel, that I committed no offence to be reprimanded for, I would respectfully request to know if that entry has been made in my defaulter's sheet.

JOHN T. FOLEY, Third-class Constable 640.

Sergeant-major Ramsay, in charge of station, Wellington.

Forwarded to Mr. Pender.—D. RAMSAY, Sergeant-major. 23/4/96.

The Sergeant-Major.—An entry has been made, in accordance with the Commissioner's instructions, in the constable's defaulter's sheet.—P. PENDER, Inspector. 24/4/96.

For Constable Foley.—D. RAMSAY, Sergeant-major. 25/4/96.

Seen.—J. FOLEY, Constable. 25/4/96.

402. *The Chairman.*] Did you, in that, ask to call witnesses?—Yes, Sir.

403. Did you name the witnesses?—I did not name the witnesses.

404. Tell us how it was struck out of your defaulter's sheet?—I had to take a course that rendered me liable to dismissal, and rather than face that it was struck out.

405. *Colonel Pitt.*] You say the convictions have been struck out of your defaulter's sheet?—I was so informed by the Inspector. A letter was read to me by the Inspector that they were struck out.

406. *The Chairman.*] Were the reasons given for its being struck out: Do you know what led up to it?—I do, but I do not like to mention it.

407. You say it was entered, and you were informed it was entered, and subsequently it was struck out; but is that any indication of ill-feeling?—I wished to have the system of tyranism, if I may so call it, exposed.

408. Have you any reason for believing there was animosity against you except the fact that this was struck out?—That is all.

409. Except you took a course to get this struck out?—That is all.

410. Can you say there was any cause for animosity?—Well, I was in charge of the station, and now I am not. That is the cause.

411. *Mr. Poynton.*] In this subsequent correspondence was there any bias on the part of the Inspector against you, or is it merely because Constable Cairns took charge you supposed there was? Have you got any evidence, or any admission by the Inspector that he did pay you out?—As I say, I was in charge of the station. Then they sent another man to assist me, and then they did me out of the station.

412. How long were you there before he came there?—One year and eleven months.

413. *The Chairman.*] I am taking this note: it was subsequently struck out in consequence of a course which you took, but which you do not wish to disclose?—Just so.

413A. *Mr. Tunbridge.*] Is the constable in charge of Manners Street now senior or junior to you?—He is junior in the two services.

414. But is he senior or junior to you in the police?—He is senior in the police by about a couple of months. There is another point I would like to draw attention to in regard to promotions. On the 2nd August, 1895, I was called on to disarm a man named Gustave Alexander, who had taken a rifle and ammunition into Mrs. Dempsey's boarding-house. When I reached there the man had locked himself in a room and would not open the door. As there was reason to believe he meant to commit some foul deed I burst the door open, and while I was doing so he blew his own brains out. I submit that I endangered my life more than certain men who have been promoted recently.

415. You say you endangered your life; but you do not know that was so?—The boarding-house keeper said he should be disarmed, and that she would not have a man in her house with arms; and I had to act.

416. You consider that an act of bravery, for which you should have been rewarded?—Yes considering what others have been rewarded for.

417. Is there any record of this on your merit-sheet?—No, sir; not as far as I know.

418. Have you any means of knowing what is on your sheet?—No, sir; none whatever. I was never told there was anything on for it.

419. It is not entered on your merit-sheet?—No; it is not entered.

420. *Mr. Taylor.*] Did you arrest this woman Harper yourself?—Yes.

421. And yet Inspector Pender suggests you were too familiar with her?—Well, he suggested so, although I had to do my duty to remain in charge of her in Court.

422. You say a charge was made, and a conviction recorded on your defaulter's sheet, and you were given no chance of making a reply to the charge?—Not a word did I hear of it.

423. Until you were informed it was actually a conviction?—Yes; a conviction.

424. Well now, what steps did you take to get that conviction removed from your defaulter's sheet?—I took a course which I do not like to mention.

425. What did you find it necessary to do to get that conviction removed from your defaulter's sheet?—Of course, I made certain charges, and if those who made them against me like to produce them they can do so. I do not choose to go any further.

426. *Mr. Poynton.*] Having heard Mr. Tunbridge's assertion that he made this appointment to Manners Street solely on his own motion, do you still think you have a grievance?—Well,——

427. *The Chairman.*] What is it you are afraid of speaking of?—Well, I will tell it now. I made an appeal to a member to have the case heard. I applied to Mr. Thomas Duncan, M.H.R. for Oamaru, to have the case heard. I have a copy of the letter here.

428. *Colonel Hume.*] What is the date?—18th June, 1896.

429. *Mr. Taylor.*] What was the result of the application?—That the convictions were withdrawn.

430. Did Mr. Duncan reply to that letter?—No. Inspector Pender read a letter to me from Colonel Hume to say that the convictions were erased from my defaulter's sheet.

431. Did he call you into the office to read that letter?—Yes.

432. Have you got a copy of it?—No, sir; he read it to me.

433. Did you do anything besides writing to Mr. Duncan? Did you see any of the Ministers about this matter?—No.

434. All you did was to write to Mr. Duncan?—Yes.

435. And the result was the conviction was erased from your defaulter's sheet?—Yes.

435A. Without any further inquiry?—Just so. Not a word of inquiry—not a word.

436. Do you think that there is any dissatisfaction existing in the Force as far as promotions are concerned?—Well, I have stated my own case. I do not wish to speak about others.

437. Have you heard the men complaining?—I have not heard.

438. Do you think the best men get their dues?—Certainly, I think they have, in order to get justice.

439. Do you think there is sufficient training given to the men as to their duties and their legal powers before they are put on street work?—I went straight to work without any training at all.

440. What do you know about examination or instruction classes that are held? Are they held regularly in the barracks here?—They have been held. I never attended myself, because I was away.

441. Are not constables in charge of suburban stations called in for instruction?—I was never called in for instruction. I suppose it would apply to me if I was off; but one of us always relieved the other, and, of course, it would be inconvenient for us to get away.

442. *The Chairman.*] Have you never got instruction?—As we went along, the sergeant in charge would always tell us what he knew while on duty.

443. For instance, as to powers of arrest, did anybody instruct you in the powers of arrest—what you could arrest for?—Oh, no; I had to ask.

444. *Mr. Taylor.*] Have you got Howard Vincent's book?—Yes.

445. That is the sum total of your instructions?—There is another book—the Police Regulations.

446. Do you not think if there were instruction classes, or a central depot for training constables, it would be very much to the advantage of the men?—Oh, yes.

447. What is your experience so far as the enforcement of the licensing law is concerned: do you find it very difficult to detect breaches of the law?—Oh, yes; in fact, I have had some cases that I thought were very clear, and it turned out that they were upset.

448. Have you laid charges against hotelkeepers since you have been in the Force?—Oh, yes.

449. What is the practice so far as Sunday trading is concerned: do any of the hotelkeepers take special precautions to guard against the police?—Some of them do.

450. What is the kind of precaution they take?—Of course, I could not say whether drink is taken when men go in and out.

451. Do they put a watch on the constables?—That has been the practice at one house I know of myself.

452. What is the rule in this town? Can a constable enter an hotel on his own motion, or must he be in company with a sergeant?—He can enter on his own motion if he has good grounds for doing so.

453. There is no regulation that a constable must be accompanied by a sergeant when entering hotels?—No.

454. Is it not a fact that a sergeant and constable are together when visiting hotels?—There is a reason for that.

455. It is the practice?—It is the practice because it is necessary to have a witness.

456. There is a good deal of dissatisfaction amongst the men at having to pay for their uniform?—Oh, yes. They have to pay for uniform, and when they pay their house-rent they have not much to live upon.

457. As a matter of fact, do not constables complain that they are not allowed house-rent while sergeants are allowed house-rent?—I think it is very unfair that one class has got it and the other has not.

458. You have no doubt heard a superannuation scheme referred to: do you not think a superannuation scheme would be of immense benefit to the Force?—It would.

459. It would make men more energetic and more satisfied if they knew there was a superannuation scheme?—Yes.

460. *The Chairman.*] You say there is training given at headquarters?—Yes.

461. You were there over eighteen months: did you not get trained in your duties?—There were no lectures then.

462. *Colonel Pitt.*] Do you think there would be any objection on the part of the members of the Force to have their right to vote at political elections taken away from them?—Well, they have as much right to a vote as other people.

463. *The Chairman.*] Do you think their having the right to vote puts them in an unpleasant position at all in politics—do they get mixed up with the parties?—I cannot say that. I do not think it makes any difference whatever. For myself I have not asked a member in this town for anything.

464. The candidates ask you for your votes?—No; not personally.

465. We have two in the field now. Have either applied to you for a vote?—Not personally,

466. *Mr. Taylor.*] You are quite clear you did not see any one but Mr. Duncan?—I wrote to Mr. Duncan.

467. Yes; but you did not see any Minister about this matter?—Quite positive.

468. *Inspector Pender.*] You say I brought this charge against you. Did not you bring a charge against me first?—So I said.

469. And it was referred back to the Commissioner and the whole of it explained, and that was the Commissioner's decision; and what do you blame me for?—The charges you preferred against me. I never knew anything about them until I got the convictions.

470. Why do you say I brought the charge against you?—Why not have the case defended in a legal manner—have the case heard in the usual way.

471. It was referred to the Commissioner, that is the proper way?—It was by correspondence I knew nothing about.

472. Will you swear you were not told the Commissioner's decision?—Only that I was convicted, and informed to that effect.

473. You were told the Commissioner's decision then?—The convictions informed me.

474. You do not charge me with putting the case unfairly?—Certainly I do.

475. Why?—This report of yours imputes serious charges against me, and I never got a chance of refuting them.

476. What are they?—Well, you made a blank denial of the charge I made. You say, "The constable's statement to the effect that I said that he was not to make an appointment with the woman is quite untrue, and I am afraid has been introduced into his report for the purpose of giving his report some foundation. It is also untrue to say that my manner was in any way insulting."

477. Will you swear on your oath that I mentioned a word about that woman making an appointment with you?—Yes, certainly I do.
478. On your oath, you swear that?—Yes.
479. In the presence of whom was it said?—A great number of people in the Court.
480. When I made use of those words that you were making an appointment with her?—Yes.
481. Was the word “appointment” mentioned?—Yes.
482. On your oath it was?—Yes.
483. Do you think there was anything wrong in me, as Inspector, telling you to keep quiet in the Court, and not speak to this woman?—Certainly not, if that was all that passed.
484. Did you think for a moment I would suspect you of making an appointment with the woman?—I do not know whether you would suspect me, but you made use of the word.
485. You spoke about tyranny; does it refer to this case alone?—Of course it is one.
486. What is the other. Let us have all the tyranny you know of since I came here?—This only refers to myself.
487. What is the tyranny?—Making charges against me, without giving me any chance of refuting them.
488. Do you know any man who would come here and say he was tyrannized over in Wellington?—I only speak for myself in Wellington. These are the charges made against me. I think they are very serious charges, and I got no chance of refuting them.
489. Has not the whole of this thing sprung up in your mind because you did not get charge of Manners Street Station?—No, it has not. This has been going backward and forward between you and the Commissioner and myself for seven months.
490. Between me and the Commissioner?—Yes.
491. What did I do?—This correspondence went back and forwards between you and the Commissioner.
492. *The Chairman.*] Are you going to call witnesses to prove the use of those words by the Inspector?—Not now, sir.
493. You have no desire to make any other charges?—No.
494. You have no other charges to make?—No.
495. *Colonel Hume.*] Did you ever do any acting police-duty when you were in the Permanent Artillery?—Yes.
496. A good deal?—I do not know how many weeks I was here after the strike.
497. But some time?—Yes.
498. And how do you come to tell the Commissioners you were put on the street without any experience at all?—Of course, I was taught by the sergeant.
499. But had you not been doing a lot of temporary police duty in the Permanent Artillery?—I was down here a few weeks doing street duty.
500. Then, you went on the streets with a considerable knowledge of police duty—you had some weeks’ experience?—Yes.
501. And why did you tell the Commissioners you went on here without any experience at all?—In the first instance I did.
502. But you were speaking of after you went into the Police Force?—Even then I was never instructed. I had to do the best I could as an artilleryman.
503. And what are you paid for?—To do my duty, I suppose.
504. You admitted in your explanation you spoke to this woman in the Court?—Yes.
- 504A. She asked you a question and you answered her?—I never answered her.
505. She spoke a second time; did you answer then?—No.
506. You did not answer her at all?—No, I did not.
507. You went to this outside gentleman for the purpose of getting this system of tyranny, as you call it, stopped?—Yes.
508. The system of tyranny was your being accused of having spoken to a woman in the Court when she asked you a question, and you did not answer her, and you were charged with answering her?—There were all sorts of charges made against me in that report.
509. Is that a system of tyranny—that this woman was seen speaking to you but you did not answer her, and she was seen speaking to you again and you did not answer her again—is that a system of tyranny?—No.
510. The difference between you and the Inspector is: you say he said, “Do not make an appointment,” and he says the word “appointment” was never mentioned; and the system of tyranny altogether hinges on the word “appointment”?—No.
511. What is this system, then?—The system of tyranny is making serious charges against a constable, and giving him no chance whatever of refuting them until after he is convicted for them.
512. Did not you get a chance of refuting them?—No.
513. Is your explanation in the correspondence?—My explanation is, I wanted the case heard.
514. Did you say you were guilty or not guilty?—I said I was not guilty.
515. You put down your explanation?—I applied for a hearing, and I was not heard at all.
516. The system of tyranny is your applying for a hearing and not getting it?—Yes.
517. That is the only system of tyranny you know of?—That is one.
518. Let us have the other ones?—I have nothing else ready at present.
519. That is the whole system of tyranny—you were called upon to make an explanation, and you made it, and I decided on it without further inquiry into the case?—I was not called upon for an explanation. You decided without giving me an opportunity of refuting the charge or calling any witnesses in support of my case.

520. That is the system of tyranny?—Yes.
521. You got charge of a station pretty soon?—Yes, too soon to my liking.
522. You were only a short time in the service?—Yes.
523. Though you have studied up all your work so well, and though you have studied up the opinions of all the men—do you mean to tell me if you went to Mr. Wright, the district clerk, and asked to see your defaulter's sheet and merit-sheet, you would not have been allowed to see them?—Well, I never asked him.
524. Why did you not ask him?—I was quite satisfied. I knew what was in it.
525. Did not you tell the Commissioners you did not know anything about it?—I said in my evidence I did not get any knowledge of the conviction until after I was convicted.
526. This entry was made in your defaulter's sheet before you had sent in that written explanation?—The conviction was entered in my defaulter's sheet some time after I had made the first complaint.
527. Was this conviction recorded against you before you had written that explanation, that the woman had asked you some questions?—It was after I had made the first complaint. The whole thing is there.
528. You admitted, did you not, that the woman was speaking to you in the Court?—Yes.
529. You were called on to explain that, were you not?—I was not called on to explain. I first complained myself about it.
530. The first time you put your grievance forward was on the 28th January, 1896?—Yes.
531. And you asked then to have the report forwarded to me?—I asked for an explanation, and if not given, that my report be forwarded to the Commissioner.
532. In that do you say a single word about any witnesses?—No. I never dreamt for a moment the case would be dealt with without going through the usual form.
533. Your grievance is that the case was dealt with without your getting a hearing?—Just so.
534. And that is what you meant when you said you wanted the system of tyranny stopped?—Yes.
535. That is a system of tyranny?—Yes, I think so.
536. You have given the Commissioners to understand you considered I had a down on you, and the Inspector had a down on you?—Yes.
537. Will you try and explain to the Commissioners how Cairns getting charge of the Manners Street Station can in any way possible be traced to any down that I can have on you?—Well, I was, I may say, two years in charge of that station, and, after I had broken up this system, Cairns was sent there to assist me, and eventually I was done out of the station.
538. Cairns was sent there to assist you: had I anything to do with that?—I do not know.
539. He was sent there because I had a down on you?—I presume he was not sent there without your knowledge.
540. In June, 1896, Cairns was sent to work with you at Manners Street Station?—Yes.
541. Was the new station begun at that time?—No, not at that time.
542. *The Chairman.*] Do you think Cairns was sent there in June, 1896, with the view of ousting you from the station when the station was built?—Yes, I think so.
543. *Colonel Hume.*] You say there is a good deal of dissatisfaction amongst constables, especially about married people not getting house-rent?—I only speak for myself.
544. And yet you said to Mr. Taylor there was a great deal of dissatisfaction in the Force?—I simply say—
545. You do not simply say. You said there was a great deal of dissatisfaction amongst members of the Force on this point. Is it the general opinion of the Force or is it your own idea?—Well, of course, the men know what they are getting, and they must abide by it.
546. You do not know there is general dissatisfaction?—I think there is; I would not be quite sure.
547. *Mr. Tunbridge.*] What are you paying for rent?—15s. a week.
548. Are the other married men in Wellington paying pretty nearly the same—those who are not in charge of stations?—Some are paying less, I believe. I was paying less myself some time ago.
549. What is the number of your family?—Only two.
- 549A. You cannot get a decent house for your wife and family under 15s. a week?—No.
550. Where are you living?—In Cuba Street. I have to live at a house near to the station.
551. I suppose there are many constables, married men, who have to pay nearly as much as you are paying?—Pretty nearly so.
552. What do you consider your uniform costs you a year?—I suppose it would cost over £5.
553. Do you remember what it cost you when you had your first outfit?—£3 10s. for the jumper and trousers, shako 11s. 6d., and boots.
- 553A. Can you tell the Commissioners, roughly, what a pair of boots, two pairs of trousers, jumper, and shako, would cost altogether?—I think £6 would cover the lot.
554. What did you pay for your overcoat?—£1 14s. 6d.
555. That would last you two years?—Not quite, for day duty.
556. For an ordinary constable doing day and night duty would an overcoat be required every two years to keep him decent?—I think it would be less than that.
557. Then, as to the macintosh, what was the price of that?—I think it would be about the same as the overcoat—about £2 2s. It was the macintosh I was speaking about before. I got that from the Artillery.
558. Well, your uniform would cost you at least £8 a year?—I think it would.
559. *Colonel Pitt.*] One tunic would last more than a year?—One tunic will last more than a year, but there are two pairs of trousers.

560. *Mr. Tunbridge.*] And more than one pair of boots?—Two pairs of boots.
561. Fifteen shillings a week for lodgings, and £8 which it costs you for your uniform: does that come out of your pay?—Yes.
562. *The Chairman.*] Then, as to the compulsory payment of insurance?—It is not compulsory in my case. I joined just before the regulation came into force.
563. *Colonel Pitt.*] What is your pay?—7s. a day.
564. *Mr. Tunbridge.*] You are still third-class. What is your opinion about classes as against increments? Would you rather go on in your present way advancing by class, or would you prefer, say, to begin at a lower salary and increase your pay every year until you attained your maximum?—I think that men starting afresh would not be worth as much as men with experience.
565. But as to the present class system, is that satisfactory to the Force generally?—It is unsatisfactory in this way, that a man will remain at the same stage for a lifetime pretty well.
566. Do you not think it would be more satisfactory if the men knew exactly where they were going to be at the end of, say, five years. We will assume that a man joins at 5s. 6d. a day and goes on by stages until he gets 8s. a day, do you not think that would be preferable to the present system of classes?—It would be preferable, and it would be an inducement to the men to do their best in the service.
567. You do think the increment system would be preferable to the class system?—Yes; that is, providing the first pay would not be too low. In my time it was necessary for a man to remain a number of years in the Artillery at 5s. 6d. a day to get into the Police Force.
568. You think a rise in pay after a stated period of service would be more satisfactory than class promotion?—Yes.
569. You understand now, do you not, that your failing to get Manners Street Station was not attributable to Inspector Pender?—I understand it now, sir.
570. *Colonel Hume.*] Are you equally satisfied that I had nothing to do with your not getting the Manners Street Station?—I do not know, sir.
571. Then you are not satisfied?—I will say nothing about it.
572. *The Chairman.*] You still think Cairns was sent there with a view to ousting you?—Well, I have been ousted any way, and I cannot say who did it. I had two years there on no extra remuneration, and then I was done out of it. Of course, I do not think for a moment that the facts have been placed before Mr. Tunbridge in a proper light, or he might have acted differently.

TUESDAY, 8TH MARCH, 1898.

ARTHUR HUME was examined on oath.

Colonel Hume: I have the papers now in Constable Foley's case. I find Inspector Pender reported to me on the 7th February in connection with Constable Foley's complaint which you saw yesterday, and he says, "I noticed Constable Foley advance towards her in view of the Justices, and enter into conversation with her." On that I reprimanded him, and I had the following entry made in the defaulter's sheet: "Talking to prisoner in Court, and not desisting when instructed to do so. Reprimanded." On the 7th July, 1896, I sent this memorandum to Inspector Pender: "The Minister of Justice has decided that the offence recorded against Constable J. T. Foley on the 27th January, 1896, shall be expunged from his defaulter's sheet. Please have this done.—A. HUME, Commissioner." The Inspector reports, "This has been done, and the constable informed." I also took it out of the defaulter's sheet which we kept in our office, and here is the entry, "Cancelled by the Minister of Justice.—A. HUME, 7/7/96."

1. *The Chairman.*] Was there any reason given. Was it recommended by you?—No; and there is nothing to show how it came about.

2. *Colonel Pitt.*] Did you refer Inspector Pender's report to Constable Foley for any explanation?—No; I had his explanation before me in the form of a complaint that the Inspector had reprimanded him in open Court for something he alleged he had not done.

3. *The Chairman.*] Is there any admission of anything in his report to you of having conversed with the woman?—No; he says the woman asked him the question.

4. *Colonel Pitt.*] But there is nothing to show that he answered her; he had never heard of the Inspector's report to you before he was informed that he was reprimanded?—No, I do not think so. I have another paper here referring to Constable Foley which he thinks is another proof of my not having a very high opinion of him apparently. He says he was not promoted because he tried to arrest a man when he had a loaded rifle in his possession.

5. He seemed to have a grievance because he received no recognition of it?—And that was a sign that he was not thought very favourably of by me. Well, it may tend to prove to Constable Foley that he made a mistake when he hears that the first time I saw the papers was this morning. The Inspector did not think it was serious enough to send on to me; and that was not Inspector Pender; it was poor Mr. Thomson.

6. *Constable Foley.*] I would like to ask if you have the report in reference to the shooting case here?—Yes.

7. I should like it to be produced to show whether I deserved promotion?—There were two reports about the shooting case: one written before I gave over to Commissioner Tunbridge, and one written since. The first report is as follows:—

Police Station, Manners Street, 2nd August, 1895.

REPORT of Constable Foley re a man named Gustave Lenard Alexander, a coloured man, having attempted suicide by shooting himself:—

I beg to report that at 8 p.m. a man named Charles Downie reported to me that a man in Dempsey's boarding-house, Taranaki Street, was locked in his room with a gun and he feared he would commit suicide. I proceeded at once to the place, went upstairs, and found his door locked from inside. Downie knocked at the door and said, "Open the

door; I want to speak to you." He replied, "I am busy, I cannot let you in just now." Another boarder named Robert Frame also asked him to open the door he said "No; you won't see me alive." The servant, Nellie Goss, also asked him to open the door, and he said, "No." I and Downie were then in the act of bursting open the door when a shot went off. On entering the room I saw Alexander on his back lying across the bed, and a rifle between his legs. He was bleeding profusely from the left side of his face, part of which was blown away, and blood and matter sticking to the ceiling. I sent for Dr. Teare—the nearest—who came immediately and dressed his wounds. The doctor ordered his removal to the hospital, where Constables Cameron and Cassin and the doctor accompanied him. It appears that soon after 7 p.m. he was seen coming in with a rifle under his coat, and went upstairs with it. He came down soon after and asked for pen, ink, and paper, which were given him by the servant. It was this that attracted attention, as there was something strange in his manner, and then they sent for the police. I made an examination of the place, and was unable to find the bullet, which I think lodged in the ceiling. I found two cartridges on his dressing-table, and took possession of the rifle. I also made a search with Sergeant O'Malley amongst his effects, and found no money. In fact, I do not think he had any, as Mrs. Dempsey states she lent him £2 recently. At present I am unable to ascertain any particulars as to the cause of the act. He is employed by the Union Company as a lumper, and is said to be a sober man. He is about thirty-five years of age, and a native of the West Indies.

JOHN FOLEY, Third-class Constable 640.

8. *The Chairman.*] The gun went off before he entered the room?—The gun exploded, as set out in the report. There is a second report as follows:—

Police Station, Manners Street, 6th December, 1897.

APPLICATION of Third-class Constable J. T. Foley, No. 640, for promotion:—

I respectfully apply for promotion on the following grounds: (1) That I have longer service and a better record than either Constable Poland, who has recently been promoted to the rank of second-class constable and immediately afterwards appointed to a country station, or Constable Ryan, who has also been promoted over me to the rank of second-class constable; (2) that I have had more important duties to do in the service than either of those two constables; and (3) that I did an act of bravery which merited promotion more than either of them. I am now about five years in the service, having joined in December, 1892, and I have been placed in charge of Manners Street Lockup and subdivision in July, 1894, and I did the necessarily important duties of that station alone until June, 1896, when Constable Cairns was told off to assist me, and we have done the duties between us ever since. And, although it being the most important sub-station of the city, I was obliged to pay my own house-rent during the whole time that I am connected with it, the station being unfit for occupation until now that it is rebuilt. On the 2nd August, 1895, I was called on to disarm a man named Gustave Lenard Alexander, who had taken a rifle and some ammunition to Mrs. Dempsey's boarding-house, of Taranaki Place, and it was feared he meant to do some foul deed with it. When I reached the house this man had locked himself in a room and would not open the door, and, as the occupants of the house were terrified, I thought it would be cowardly for me to go away without doing anything, so I burst open the door, assisted by a young man named Charles Downey, who was boarding there at the time; but on account of some boxes having been placed inside the door, which caused some delay in opening it, the man had shot himself in the head before I was able to reach him, and he died a few hours later at the hospital, where an inquest was held next day, but the cause of his rash act was not disclosed. It leaked out soon afterwards, however, that jealousy was the cause, and that he meant to kill two others—the servant-girl and a man who was keeping company with her and boarding in the house at the time—if it was not for him being interrupted when I burst open the door. Inspector Pender, I believe, was in England at the time, and the matter passed over without my being recommended for any reward for the steps I had taken in the matter. Then, there was the sensational discovery and rescue I made of four young girls from Chinese dens in this city in 1896, and I was commended by Mr. Martin, S.M., for bringing them before the Court. The two eldest of those girls, both aged sixteen years, were sent to gaol, and afterwards to an industrial school; another was sent to some friends up country, and the fourth was allowed to return to her parents. I have never applied for promotion or for any other concession while I have been in the service, and I hope that this application will be favourably considered.

J. T. FOLEY.

To this application Commissioner Tunbridge replied as follows:—

Inspector Pender,—

CONSTABLE Foley must allow others to be more impartial judges of his acts than he is himself, and I consider it extremely bad taste on his part to say he "did an act of bravery which merited promotion more than either Constables Poland or Ryan." Since I have been Commissioner I have not seen anything in the conduct of this constable to call for special acknowledgment, and I certainly do not see my way clear to review the action of my predecessor in a matter of this kind.

J. B. TUNBRIDGE.

14th December, 1897.

9. *Constable Foley.*] I would like to ask you if it is usual to have a conviction put on a constable's defaulter's sheet, as in my case, without giving him an opportunity to defend himself?—Yes; in every service that I have served in, a report from an Inspector like that would certainly bring down a reprimand on a man without giving him an opportunity to reply to the charge. It was not a question of answering the woman at all; the Inspector says they were in conversation.

10. *The Chairman.*] He denied it?—But in that case I would take the word of the superior officer. I considered the evidence quite strong enough for a reprimand.

11. And I take it from you that the word of the superior officer was sufficient?—Yes.

12. *Colonel Pitt.*] Disregarding the fact that the other person had evidence to bring forward?—I do not see, in a case of that sort, how there could be other evidence.

13. Suppose the Inspector said he had committed murder?—He would be tried in the civil Court, and I should not deal with it. But you must remember this, that any constable can go and pick up witnesses in the Court afterwards.

14. *Constable Foley.*] Do you think it would be in the interest of a constable to make such charges against his Inspector without some foundation for them?—I think, from what I have seen of you, it is your nature. I think I have proved that you thought I had a down on you, when I knew nothing about your case.

15. *Mr. Taylor.*] Did you have any conversation with the Minister of Justice in regard to the removal of this reprimand from the defaulter's sheet?—I probably did, but I really cannot remember it.

16. You said a constable could get any number of witnesses in a case like this: do you mean your opinion of the rank and file is that they would perjure themselves in a matter of this kind, or suborn witnesses: is that the interpretation of the remark?—I do not think so at all; they could afterwards find sympathizers.

17. You suggest that the witnesses this man would have brought would not tell the truth?—I said nothing of the kind. Anybody can infer what they like.

18. *The Chairman.*] Who was the Minister at the time this was done?—Mr. Thompson.

JOHN TIMOTHY FOLEY : Examination on oath continued.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39. What sergeant?—Sergeant O'Malley.

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

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

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

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

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

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

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

47. What regulation?—No. 69.

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

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

PETER PENDER was examined on oath.

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

prisoners were brought in to the foot of the table near the door. This woman, Harper, was brought up for being drunk and disorderly, I think, and, after her case had been disposed of, she stood back a little from the end of the table towards the corner. Constable Foley was standing at the opposite side of the table close to the door, and a short distance away from her. There was some talking in the Court—I do not know whether by their voices or otherwise—and I looked round, and I saw the constable conversing with this woman. I looked towards him, and nodded my head, and he ceased speaking, and went back to where he had been standing. Soon after, a few minutes probably, there was another interruption of some sort, and I looked round, and again saw the constable speaking to this woman. I stood up in my chair and said, not in a loud voice nor in anything like an insulting tone, because the Justices were sitting at the time, "Do not speak to that woman." He drew back again, and went to where he had been standing before. That was all that took place. I thought no more about it, and the Court was concluded in the usual way. The next day I believe I got the constable's complaint, as the report will show. I believe Sergeant-major Ramsay was present and saw and heard all that took place, and several others whose names I do not recollect—constables and others. When I got the constable's report about my speaking to him in the Court in the way I have described, I immediately wrote a report on it to the Commissioner, sending on the constable's report. It came back from the Commissioner I think the next day or the day after, reprimanding the constable. I went away to Pahiatua or up-country somewhere, and returned on the night of the 10th, and on the morning of the 11th I sent the Commissioner's decision with all the papers out to the sergeant-major to inform the constable. On the 12th another report came from the constable objecting to the decision in some way, and asking for a further inquiry. That I sent on immediately to the Commissioner again, and the Commissioner returned it to me with no delay I think, and the constable was informed that he did not feel disposed to alter his decision. That was all I had to do with it, and I think it will clearly show I did not delay the correspondence. I did not see Colonel Hume about his decision; I do not think I ever spoke to him about it. As to the procedure, to my knowledge it has been done frequently by the Commissioner in all services.

51. We are not inquiring as to what took place in the Court, but as to whether he should be put in charge of the station?—I had nothing whatever to do with the appointment to the Manners Street Station. It was entirely done by Commissioner Tunbridge.

52. Was Foley in charge of the Manners Street Station alone when this took place?—Cairns and he were working together, waiting for the station to be built, and the thing was altogether a temporary arrangement. I received some complaints about a man not being on the spot at Manners Street, and I sent these two men to live up there so that they would be about the locality. Foley had no charge, but he had been there I think before Cairns, but he had no more responsibility than Cairns had.

53. Had you anything to do with Cairns's appointment to Manners Street?—Nothing whatever. I had no animosity whatever against Foley and never had. He is a very good constable, and a sober, steady, respectable man, and I had not the least idea that he thought I had any feeling against him. The Court incident passed away and I thought no more about it. It was nothing to me that the reprimand was struck off his sheet. As for Colonel Hume having any animosity, so far as I know in any conversation with Colonel Hume, nothing of the kind took place.

54. *Constable Foley.*] Do you know how long I had been in charge of the station before Cairns came?—You were there on duty. There was a lockup but no station. You did not live in the quarters. The sergeant on night duty visited there a couple of times every night.

55. *The Chairman.*] Who was in charge of the lockup?—Well, the lockup was just temporary until the place was built. The lockup was partly in charge of the sergeant.

56. When Foley was there he had charge of the lockup?—Yes.

57. Did he keep the books there?—Yes; the watch-house book. He locked up the place and went on duty during certain hours of the day in the street.

58. What is the difference in his position there and the position of the man who is there now, except that the one is living in the house and the other was not?—Nothing at all. They were equally in charge of the station.

59. Then Foley was in charge of the station?—Yes.

60. *Constable Foley.*] You said, Inspector, that I had entered into conversation with the woman, and desisted when you made signs to me?—Yes.

61. Do you know, sir, whether as a matter of fact she asked another constable to ascertain for her the question she asked me?—No; I do not.

62. And the other constable did so ascertain for her?—I did not know that. You were the only one I saw speaking to her.

63. Is it not the custom for Inspectors to recommend men for stations to the Commissioner?—Latterly, the Commissioner has spoken to me.

64. *Colonel Pitt.*] Since when?—Since Mr. Tunbridge arrived.

65. *Constable Foley.*] Were you consulted in this case as to who should be put in charge in Manners Street?—I did not recommend Cairns. My recommendation was that a single sergeant should be sent there. There was no single sergeant available, and Mr. Tunbridge fell back on the senior man. That is how it came about.

66. Did you ask any other man in the station to apply, and you would recommend him?—Constable Foster was senior on the list, and senior to Constable Cairns, and I think I told him if he was anxious to get a station to make an application, and I would forward it. He was the senior man, and was a competent man.

67. Did you ask any other constable?—No.

68. Did you ask Constable Abbott?—No. I am not sure, I think it was about some other place that I spoke to Abbott.

69. Did you ever clearly show the Commissioner that I had been for a number of years in charge of that station, having such long hours to do?—The Commissioner knew as well as I did that you were there. You were there on duty, and had a much easier time than the men on ordinary beat duty.

70. How do you make out that I had an easier time than the men on ordinary beat?—You had not to patrol the streets for eight hours at night. You took a turn about at night, but did not stay out very long unless for something particular. But you were always ready to do your work, but your duty did not require eight hours on beat at night.

71. Is it not the custom for men in such a position to have house-rent or some remuneration for it?—I do not know that you were any more entitled to consideration in that respect than any other married man. Some of the men lived further off than you, and it was much harder on them than you to come to the Central Station. Your billet was much easier than the ordinary constable's.

72. *The Chairman.*] Is there any other case where a man who has charge of a station does not occupy the quarters, provided the quarters are fit for occupation?—No, I do not think so.

73. *Constable Foley.*] When Cairns was appointed to have charge of this station, I suppose you remember an application went to you for my removal from there?—Some time after. Yes, you applied for removal to the Central Station.

74. How is it that you would not recommend me for that even?—You possessed a good deal of knowledge of that locality, and would be far more useful in every possible way there than at the Central Station. It would probably be detrimental to the working of the Force if I had removed you, for some time at all events, because of your knowledge of that locality. And why should you get your way and be removed where you liked.

75. Why did not you forward my application to the Commissioner?—You did not ask me to.

76. Did a reply ever come out to me?—It will show, I think, whether it did or not.

77. Do not you think I was long enough in that locality?—If I thought so I would recommend your removal. I would not consider you at all personally. I have to consider the service and the working of the criminal business in the city.

78. Then, if I am appointed to a certain place should I not get the privileges of other men?—I tell you I had nothing to do with the appointing of Cairns.

79. *Colonel Pitt.*] In your lengthened police experience, Inspector Pender, have many cases come to your knowledge of complaints by constables against Inspectors which have been forwarded to the Commissioner of Police?—I do not know that I recollect one.

80. *Mr. Tunbridge.*] Now, Constable Foley was sent to perform duty at Manners Street when he had little more than two years' service?—About that.

81. If there had been a house there to be occupied by a married man, and a station to the charge of which a constable could have been promoted, would Constable Foley have stood the remotest chance of going there?—Oh, no; there would be a cause of complaint for the other men.

82. If you had done so you would have put him over the heads of hundreds of men in the service?—I believe so.

83. Would you ever have dreamed of putting a constable of two years' service in charge of a station where there were married quarters to be occupied, unless for special promotion?—No.

84. So that the duties of the constable in charge of the station in this case were simply to keep the lockup-book during the time he was there?—That is all.

85. And during the whole time he was there the matter was looked upon as a temporary arrangement pending the erection of a new station?—Nothing else.

86. *Colonel Hume.*] Was it possible for you to make a mistake about Constable Foley talking to this woman?—If I had any doubt about it I would not come here and give evidence now.

87. Do you remember me ever asking you that question before?—I am not sure about it; but it is quite likely. I have no recollection of it however.

88. Do you remember me coming into the station one night when some big case was on, and we talked about it, and do you remember me mentioning this man Foley then?—I cannot recollect it. I may say that before Commissioner Tunbridge appointed Cairns I was called upon to furnish samples of reports by the men, to show the men's literary qualifications. I recollect that.

89. *The Chairman.*] Who were they?—They were Cairns, Foster, and someone else.

90. *Mr. Tunbridge.*] They were senior men, I believe, all entitled to stations?—Yes.

91. You did not send in any report relating to Foley?—I am not sure whether we did not get one from Foley too.

92. Was that prior to the appointment of Cairns?—Yes.

93. *Constable Foley.*] Were these writings applications for a station?—I do not think they were applications. They were on some subjects which were selected.

FLORENCE O'LEARY was examined on oath.

94. *The Chairman.*] What position do you hold in the Force?—I am a first-class constable. I have been sixteen years in the Police Force, and I was four years in the Armed Constabulary before I joined the police.

95. I understand you wish to explain about the loss of the summonses?—I received a memorandum from Sergeant Cullen, of Wanganui, to serve summonses on a man named David Creech, who was charged with sly-grog selling in Raetihi, some seventy miles from Ohingaiti, where I was stationed. When I went to Raetihi I learned that Creech had left two days prior to my arrival. I returned to Karioi, which is eighteen miles by a mud-track from Raetihi. On the last day on which I could serve the summonses I learned that David Creech was in a Maori pa somewhere about seven miles by a road I had never previously travelled. I went to the place. I had to inquire in the Maori pas to find him, and in jumping over fences I dropped these summonses which

I had to serve. It was dark at night, and I could not pick them up. Sergeant Cullen had meanwhile sent men from Wanganui, *via* Pipiriki, to Raetihi to serve the witnesses, and the witnesses had gone down to Wanganui, and expected me to have served Creech with the summons. I reported that I had accidentally lost the summonses, and that I was willing to pay the witnesses' expenses, which amounted to £11 odd. I received no pay for meals and horses' feed, which cost me £3. I should not be charged on the defaulter's sheet, because the loss was merely accidental. Had I taken the matter easy, and not gone through this bush-track at night, I would not have dropped my summonses.

96. You had to pay £11 to these witnesses?—I volunteered to pay them, and the Commissioner said he was satisfied. That was twelve months before I was shifted. I then arrested Creech on a warrant, and had to remain in the bush all night to effect the arrest.

97. Have you anything else to mention?—I had about twenty convictions during the time I was in the district for sly-grog selling, and got only a few rewards, and I saw other men got rewards.

98. There is one statement I read to you which said you made a false statement about the loss of the summonses; did you do so?—Not to my knowledge.

99. Did you make any false statement in reference to the loss of the summons, as to how it occurred?—Not to my knowledge.

100. *Mr. Taylor.*] Did you cross the Moawhango River on that trip?—The district is seventy odd miles from Ohingaiti by a mud track, and I crossed a river during the night in trying to find Creech. I thought it was the Moawhango, but I found out afterwards it was not.

101. *The Chairman.*] Is there any further statement you wish to make?—No.

102. *Mr. Taylor.*] Where were you resident before you joined the Armed Constabulary?—I was working in the Mungaroa Tunnel, in the Hutt district.

103. After you were removed from Ohingaiti, what did you do?—I went on street duty.

104. About how long after that was it when you got charge of the Thorndon Station?—I never had charge of the Thorndon Station; I was only waiting to go to the Porirua Station. I was sleeping and living in the Thorndon Station.

105. Who told you you were going to Porirua?—Inspector Pender told me.

106. Did you make any application to go to Porirua?—No; I went up to look for a house there.

107. Why did you go to look for a house?—Well, I think it was suggested by Inspector Pender or myself. I was waiting so long that I wished to know what would be done.

108. In the meantime were you living in the Thorndon Station?—Not in charge.

109. Who was in charge of Thorndon?—Constable Black.

110. Why did you not go to Porirua?—I do not know that.

111. Did you get further orders?—I got orders to go to Newtown.

112. Had you anything to do with the change?—No.

113. Did you see anybody about the change?—No.

114. Did you see Mr. Lawry?—No.

115. Do you know if there has ever been a constable stationed at Porirua?—No, not since.

116. Did you make any application for the Newtown Station?—No.

117. You got it without applying?—Yes.

118. You saw nobody about it?—No.

119. Did you speak to your brother-in-law about it at the Railway Hotel?—No, I said nothing about it.

120. Did you not discuss your removal from street duty with your brother-in-law Dealy?—I cannot remember. It is two years ago. We might have said a few words.

121. Is Dealy, of the Railway Hotel, your brother-in-law?—Yes.

122. Did you not discuss the question of your removal from street duty with him?—I was not doing street duty.

123. But, before you got a station, you did street duty after you came in from Ohingaiti?—Yes.

124. Did you discuss the question of getting a station with your brother-in-law?—I cannot remember.

125. Did he not tell you he had chatted over the matter with Mr. Lawry?—No; I do not remember.

126. Did he say he had chatted over the matter with any other politician?—I do not remember.

127. And you do not know who the charge of the Newtown Station came from?—No.

128. Is it as important a station as Ohingaiti so far as clerical work is concerned?—Just the same. I think, although I do not write a very good hand, I write pretty quickly, and I have done the work for all these years, and there have never been any complaints.

129. Do you write all your reports?—No; my daughter writes them sometimes. I do write reports with my left hand.

130. As a matter of fact, how often has your daughter written your reports to the department?—I cannot say.

131. Does she not do so very often?—Yes; I get her to write them for a matter of convenience. But I write all reports of secrecy and consequence.

132. What interest has Mrs. O'Leary in the Railway Hotel? Is it a family interest?—I do not know what she would have.

133. Did a former brother of the present licensee die some years ago intestate?—Yes.

134. Is not the present licensee running the hotel in the interests of the brothers and sisters?—He is running it under letters of administration.

135. How often are the accounts settled between the brothers and sisters and the present licensee—quarterly or what?—My wife has got nothing as yet.
136. Have any of them got anything?—Steve Dealy got £1,000.
137. Has your wife got anything?—She expects to.
138. As a matter of fact, has not your wife a monetary interest in that hotel property?—She expects to get something. I do not know whether he will deny her claim.
139. Is she not a participant under the will?—But there are three of the family at home.
140. *The Chairman.*] Who does the publichouse belong to?—Dan Dealy; and he died intestate.
141. What relation was he to your wife?—Brother.
142. *Mr. Taylor.*] You say Mrs. O'Leary never received any moneys from that hotel?—She has received nothing yet.
143. Who does Dealy pay the rent to?—He pays it to the Maoris.
144. Who own the land?—Yes. The house was owned by the brother who died; but it stood on Maori leasehold.
145. Does he pay any rent over and above ground-rent?—He pays rent to a man named Egan for helping him to obtain a renewal of the lease of the land from the Maoris.
146. When was that renewal?—About four years ago.
147. For how long?—Twenty-one years.
148. Does Dealy not pay anything for the rent of the building to the Dealys who are interested in that property?—No.
149. Then, the only rent he has to pay for the Railway Hotel is the ground-rent to the Maoris?—Yes.
150. When is he going to settle up with your wife and his brothers and sisters?—She is in no hurry.
151. Is the sum you mentioned was paid to Steve Dealy about a fair indication of what is going to be paid to the others?—I do not know. They are working there, and they should receive more than those who do nothing.
152. Then, Mrs. O'Leary will get £1,000 or more?—No, she will not get half.
153. You think she will get £500?—I do not know.
154. Will she get anything?—I do not know. She may not.
155. What is the value of her right in the property?—I cannot tell that. It would be for a Judge to decide that.
156. As a matter of fact, have you not told plenty of people that she has over £1,000 interest in that hotel?—I reckon if it was fairly dealt out, she would. The place could be sold for £4,000.
157. If your wife got it, you would be benefited?—Yes.
158. Do you know subsection (3) or section 28 of the Licensing Act?—It says a constable's wife shall have no interest in a hotel. I did not put that claim in my wife's name.
159. *Colonel Pitt.*] When were you married?—I am sixteen years married.
160. *Mr. Taylor.*] Were you in the Police Force or Constabulary Force when you married?—In the Police.
161. You got married immediately after you joined?—I was married two months before I joined.
162. Were you in the Armed Constabulary when you were married?—No, after I was transferred from the Armed Constabulary I was working for twelve months at the tunnel works.
163. Who recommended you for the police?—Major Gudgeon.
164. Can you remember who else?—I cannot remember. I think nobody else but Major Gudgeon.
165. Then, you were married in the interval between leaving the Armed Constabulary and joining the police?—Yes.
166. How long ago is it since Dealy died?—Something over five years.
167. Are you not aware of the fact that your brother-in-law is very familiar with Mr. Frank Lawry?—I do not know that.
168. Do not you know that Mr. Dealy and Mr. Lawry are close friends?—I cannot say that.
169. Do you know that they know each other?—I never saw them together.
170. In your conversation with Dealy has not Mr. Lawry's name come up? You are on oath and you ought to answer the question without hesitation?—I cannot say that. I have never heard that.
171. Did you never hear your brother-in-law mention Mr. Lawry's name when discussing the question of the Newtown Station with you?—No. All I mentioned was that I was a long time in town.
172. Why did you mention that: because he had some political influence?—He may have.
173. Was not the whole object of your visit to your brother-in-law that he should get you off street duty and into a station?—I was supposed to be going to Porirua.
174. Was not Porirua a subject of discussion with your brother-in-law? who told you that?—Inspector Pender.
175. How long after you came into Wellington did he tell you that?—Immediately; the first day after I reported myself.
176. Then you were practically ordered from Ohingaiti to Porirua?—So far as I know.
177. *Colonel Pitt.*] Does your wife want the cash, or does she wish the money to remain invested in the hotel?—The man who is running the business now after paying one brother £1,000 will not likely be able to pay another for some time.
178. Is she anxious to get the cash?—She would rather wait. The man cannot pay her now.

179. *Mr. Taylor.*] Is the estate in the Public Trustee's hands?—No; the family, by signing letters of administration for the brother to manage it, kept it out of the Public Trustee's hands.

180. Do the letters set out the method by which the property is to be realised ultimately?—I cannot say.

181. Any deed signed?—I cannot tell you that.

ROBERT DENTON was examined on oath.

182. *The Chairman.*] What is your occupation?—I am a mechanical engineer.

183. Where do you reside?—At 35, Ghuznee Street, Wellington.

184. *Mr. Taylor.*] Do you remember, in 1893, the proprietors of the *Prohibitionist* asking the Wellington Prohibition League to collect information that would go to show whether the Sunday-trading clause of the Licensing Act was being observed in Wellington?—Yes.

185. Do you remember that it was distinctly stated at the time the request was made that the information would not be used for the purpose of instituting prosecutions?—Yes.

186. But that it was from a public standpoint, to ascertain whether the law was being enforced or ignored?—It was being continually stated in the papers that there was no sly-grog selling on Sunday, and we wished to prove that there was.

187. There had been a controversy on for a long time as to whether or not the law was being obeyed?—Yes.

188. On that question a number of the members of the league undertook to collect what information they possibly could?—Yes.

189. Did you act as secretary for those who were working?—I was appointed secretary.

190. And you received information from the different members of the league as to their observations?—Yes.

191. And you tabulated it?—Yes.

192. I propose to ask Mr. Denton to read to the Commission the result of his investigation, and then to call witnesses in support of the different details in it. What is the first hotel on that list in 1893?—The Albert Hotel, Willis Street.

193. Are the witnesses present who collected that evidence?—I collected it myself.

194. As a matter of fact, similar observations were made in 1894?—Yes.

195. In 1893 you ascertained by your own observation how many people entered the Albert Hotel in Willis Street. What was the result of your observations?—201.

196. What date was it?—Sunday, 7th May, 1893.

197. Between what hours?—The hours of 7.30 a.m. and 7.30 p.m.—twelve hours.

198. Of course you do not know for what purpose the people went in?—No; except by observing what took place outside.

199. Tell the Commission what took place outside that you think would indicate what the purpose of their visit had been?—This was a memorandum made by me at the time: "A man who had been seen in the neighbourhood of this hotel during some previous months sometimes acting as watcher on Sunday, and who had come out of the hotel about 8 a.m., and had not left the premises all day, was violently thrown out of the door."

199A. What time was that?—He re-entered about 3 o'clock to get refreshment of some sort, and had been in about three-quarters of an hour, when he was thrown violently out of the door on his head. He lay there for some minutes, and a crowd gathered round, and then he went to the doctor's. He came back later on with his head plastered up, and two policemen appeared, and one went inside; but nothing came of it—not even a paragraph appeared in the local papers.

200. Did you watch for a prosecution?—Yes; to see if anything came of the incident. He was there next Sunday on duty, so far as I could see.

201. Do you know his name?—No.

202. You say one policeman went into the house?—Yes.

203. How long after the man was thrown out?—Half an hour, so far as I could say.

204. Was he in uniform?—Yes; of course I would not know him if he were not.

205. No other incidents?—At 12.30 two lads about seventeen years old went in; they came out shortly afterwards, when one was so drunk that he could hardly stand. I know a respectable business-man in town who saw them go in, and tried to stare the owner of the hotel out of countenance. I saw this myself, and the man was rather disgusted at the age of the boys.

206. *The Chairman.*] Do you know the names of these lads or their ages?—No. I should reckon them to be somewhere near seventeen. I also saw one of five men come out drunk.

207. You do not know how long they had been in?—No.

208. Were these young lads?—No; men.

209. *Mr. Taylor.*] Do you know how long that group had been in?—No.

210. Are these all the observations you made in connection with that hotel?—Five came out unmistakably drunk. This number included the man and boy I have already referred to.

211. Did you see the police about the premises during the day with the exception of that one instance?—I cannot say; if they were on beat they could not help passing up and down there.

212. *The Chairman.*] Did you say the policeman saw this man whose head was injured?—The man applied to the policeman himself, so far as I could see.

213. *Mr. Taylor.*] What made you think the man applied to the police?—I think I saw him speaking to the policeman. He came back to the hotel with a friend, and the policeman passed shortly afterwards, and he spoke to him. The policeman sent them off, went off himself, and came back with another policeman, and one of them went inside.

214. Have you any more?—Yes, in regard to the Star and Garter Hotel, Cuba Street.

215. Did you take these observations yourself?—I did. Before asking any one else I had a quiet look round myself on Sunday, the 12th March, 1893, from 10.30 a.m. to 12.45 p.m. The

result was forty-seven men, one woman, one little boy, and one little girl, two drunken men around for one hour, but did not go in.

216. Would the children go in with any receptacle?—I cannot say.

217. Was any one with you on that date?—No.

218. Were these the only houses where you were along; if there were any other houses you were examining you can tell us now?—The Te Aro Hotel on Sunday, 23rd February, 1893, from 11 a.m. till 12.30 p.m. (one hour and a half), and at 9.5 p.m. to 9.30 p.m. (twenty-five minutes). There were twenty-seven men in the morning, and one woman and eleven men in the twenty-five minutes in the evening.

219. Is there any other house you were watching yourself?—One Sunday in March, in 1893—I have not the date—from 11 a.m. till 12 noon I watched the Princess Family Hotel, Molesworth Street. There were nineteen men, three girls with jugs, one drunken man, one man with bag who lived in the neighbourhood. I saw him going into a house in the neighbourhood, and took it to be his home. At the Masonic Hotel, Cuba Street, on Sunday the 5th February, 1893, I had a companion with me, but he is the one I cannot remember. We watched between the hours of 10.45 a.m. and 12.15 p.m. There were thirty-eight men. There was nothing special except that some of them lived close by. I saw them go into houses close by. In addition there was one man with a bottle, two men with Maori kits, one woman with bottle, one woman with jug, one girl with bottle under a shawl, one girl about twelve years old with bag, and two boys; total, forty-seven in one hour and a half. At the Victoria Hotel, Abel Smith Street, on Sunday, 5th March, 1893, from 10.45 a.m. till 12.30 p.m., there were seventeen men, chiefly living in the neighbourhood, if coming in their shirt-sleeves could be taken as evidence. At the Royal Tiger Hotel, at the corner of Abel Smith Street and Taranaki Street, on Sunday, 26th March, 1893, from 10.5 a.m. till 12.35 p.m. (two hours and a half), there were forty-two men, mostly well known and living in the neighbourhood.

220. *The Chairman.*] Known to you?—To the friend I was with on that occasion.

221. *Mr. Taylor.*] Who was with you on that occasion?—Mr. J. A. Chisholm. In addition there were five men with bottles, kits, or parcels, and one of the five was drunk; five women, nineteen boys, all with either bottles, bags, or cans, and mostly barefooted; five girls with bottles, bags, or cans; and two women of bad character: total, 78. I estimate there was one in every two minutes, or forty in the hotel at any time between 11 and 12.30.

222. Is not that hotel situated in about the most thickly populated part of Wellington?—Yes.

223. And about the poorest neighbourhood?—Yes. That is all I know of my own knowledge in 1893.

224. Have you any information of your own for the year 1894?—Yes.

225. Were you in company with some other witnesses in 1894?—In some cases I was, and in some instances not.

226. Will you tell the Commissioners all you know of your own knowledge in 1894?—The Metropolitan Hotel, on Sunday, 4th March, 1894: I find I have a note here to the effect, "Publicans on their best behaviour," because local option took place shortly afterwards. Between the hours of 7 a.m. to 7 p.m. (12 hours) there were sixty men, three women, three boys, and one girl; total, sixty-seven. The number of bags and bottles, &c., carried by these people was twenty-one. That is all I have that I can swear to in 1894. There is a note here that this was an interesting exhibit, as I was in a position where I could see right into the bar of the hotel. Every time a visitor went in by the side-door a man or woman was seen handling a bottle or glass in the bar a few seconds afterwards. They forgot to pull the blind down.

227. Is that the only house you saw that time?—Yes, that I took notes of.

228. Taking that list you had for the year 1893, and going through it in that order, which is the first house you have any evidence corroborative of these figures?—In regard to the Albert Hotel, you can have the evidence if you want it very badly; but the man thinks he will probably lose his billet.

229. That is your companion?—Yes, but I have many others where I have two witnesses.

230. We will pass that one and take the next house?—I was by myself.

231. Take two and three?—I was by myself.

232. The Princess Family Hotel?—I was by myself.

233. Take the Victoria Hotel. Is Rasmussen present?—(Mr. Taylor: He was subpoenaed, but I could not find him to-day.)—At the Royal Tiger Hotel Mr. Chisholm was with me.

234. None of that information was used for the purpose of instituting prosecutions?—Certainly not.

235. That was the understanding with the proprietors of the *Prohibitionist*?—Yes, we were reporters for the *Prohibitionist*. It was continually said there would be more sly-grog selling under prohibition than there was now, and the object of the investigation was to deal with that point.

236. *Colonel Pitt.*] In reference to the Albert Hotel, can you say whether any of these people were lodgers in the hotel going backwards and forwards?—Of course, I cannot swear; but in every case where I was watching myself, I took no notice of any person who looked like a lodger. I passed them by, and did not count them.

237. *The Chairman.*] What was the characteristic of the lodgers?—The respectable-looking men. I was there for twelve hours, and I thought I had a very good idea of who were lodgers and who were not.

238. *Colonel Pitt.*] Did these people all enter the one door?—Yes.

239. Which door was that?—I cannot tell you the position of the door now from memory. It was on the Willis Street side, and there were three steps to go up. I think it was the centre door.

240. Were many of these people lodgers going out to go to church, or going back to their meals?—No.

241. *Mr. Poynton.*] Did you notice whether the same people came out again shortly afterwards?—Yes.
242. *The Chairman.*] Did you see the same people going in regularly?—I started early in the morning, before people in the house came out, and I am reasonably certain I took no count of lodgers.
243. Where did you stand all this time?—That I cannot divulge. I may want to stand there again.
244. Were you under cover?—Yes.
245. *Mr. Taylor.*] How far distant?—Within seeing distance.
246. Within 40 yards—twice the width of the street?—No.
247. Were you within 50 yards of the place?—Yes.
248. *Colonel Pitt.*] Were you under cover when you saw through the window of the Metropolitan Hotel?—Yes.
249. How far away from it?—Within 50 yards.
250. *Mr. Tunbridge.*] Will you kindly look at your notes about the Te Aro Hotel: What was the date you were there?—23rd February.
251. Does your note say so?—Yes.
252. When did you make your note?—Within a week of when I was there.
253. You have no doubt about your notes being right?—Not the least.
254. How does it happen, if the 23rd of February is a Sunday, that the 5th February is a Sunday too?—I might have made a mistake in the dates.
255. I think you said you made no mistakes?—It was a Sunday I watched the Te Aro Hotel.
256. Which Sunday?—My note says Sunday, the 23rd February, 1893.
257. When was that note made?—On the Sunday I watched the hotel. I may have been wrong in the dates, because I did not use dates once in a month then.
258. Then, this is your explanation: You think you have made a mistake?—I was not using dates in the week in those days, and I might easily make a mistake in the date. I will swear it was a Sunday.
259. Was anybody at the doors of the hotel when you were there?—Generally there was somebody on guard.
260. Did you see any communication pass between those watching at the doors and the people going in?—They passed the time of day, and some walked straight in.
261. Some did speak?—They passed the time of day.
262. You are not able to say if each one was asked whether he was a *bonâ fide* traveller?—No.
263. What was your explanation of the men who went in with kits?—The kits generally went in rolled up and came out full.
264. You suggest the kit was usually carried to conceal something? Yes.
- 264A. Not to give the man the air of a traveller?—No, to conceal something.
265. At any rate, you are not able to say these people were not asked if they were *bonâ fide* travellers?—I will swear the greater number were not asked, outside the premises.
266. Did they all pass close by the man on the door?—Not necessarily.
267. Where did the man stand watching?—Before the front of the hotel.
268. Were the hotel doors wide open?—Yes, one door, as a rule.
269. And the people walked in and out as they wished?—Yes.
270. Have you continued your watching down to recent times?—Yes.
271. Are you going to give evidence on that?—No.
272. Were you watching last Sunday, for instance?—Last Sunday I saw six men go into one hotel in less than ten minutes.
273. Which hotel was that?—The Star and Garter at the top of Cuba Street.
274. What time?—Between 9 and 10 p.m. I saw six different men go in or leave the hotel premises in that time.
275. Do you know if they were lodgers at the Star and Garter?—I do not know.
276. You are not able to say that these men are lodgers?—No.
277. Any one watching the door?—Not that I saw at that time.
278. Was the door of the hotel open?—I made a mistake in saying the door. It was the side-gate. I was not watching, but just happened to be passing.
279. You think they may have gone to use the urinal?—Yes.
280. Do you know if there is a urinal there?—I think there is, but I do not know.
281. You cannot say they went inside the building?—No.
282. And you saw none of the doors of the hotel open, and no one watching?—No.
283. Were the men out of your view for any length of time?—I only saw them pass the gate, and being different men I did not take the trouble to wait until they came out.
284. You are not able to fix any man as being there any particular period?—No.
285. Are there any other hotels you have watched recently that you can give us any information about?—I cannot swear as to the exact date, except that it was a Sunday, and from two to four weeks after the new Commissioner arrived, I counted eleven going into one hotel while I walked the length of a short street.
286. What hotel?—The Albion, at the bottom of Tory Place and Courtenay Place.
287. The length of what short street?—A portion of Courtenay Place. The Terminus Hotel was closed that morning, and there were men there wanting to get in.
288. By what door did these people enter the Albion?—By the door in Courtenay Place.
289. Was that open?—Yes, wide open.
290. Any one watching?—No, not that I noticed.

291. Any other recently?—No. I will swear to nothing more on that day.

291A. You never watched between the middle of November and last Sunday—between these two periods?—No, I had other things to do.

292. *Mr. Taylor.*] Has there been any systematic observations since 1894?—Yes, before the last election in 1896, but I have no records whatever except a recollection of what I did myself.

293. Do you think things have improved since 1894 to any extent, so far as Sunday trading is concerned?—No.

294. So far as that date, the 23rd February, is concerned it was a Thursday; but you are absolutely certain that the observations you made were made on a Sunday?—Yes, and in February.

295. *The Chairman.*] If you have no records of the systematic observations since 1894, has anybody?—They were sent by post to the *Prohibitionist*, and I never heard anything more of them, and I destroyed the originals, so far as I know.

296. *Mr. Taylor.*] Do you remember roughly the result of one observation you made in 1896?—I think it was the same hotel as in 1894, but I could not see into the bar this time, and the number of visitors was rather less. It was forty odd, and the other was sixty in the twelve hours. There were no lodgers amongst the forty, so far as I knew.

297. In 1894 did you only watch one house yourself?—Yes.

298. And the other witnesses are here?—Many of them.

299. *Colonel Pitt.*] You said in answer to me just now that you were under cover within seeing distance; you must have been also within hearing distance?—It does not follow.

300. You said that you could swear that the bulk of them were not asked if they were *bond fide* travellers?—The time they took in passing the door would be my reason for saying that.

301. You cannot swear that they were not asked?—I was not within speaking distance.

302. *Inspector Pender.*] You do not know how many travellers arrived in Wellington on any of these Sundays?—No.

303. Do you know how many boats arrive from the South or North?—No.

304. There are a large number of boats come in every Sunday morning?—Possibly.

305. Do not you know that?—I know nothing about shipping. I cannot swear.

306. There are a large number of people come in from the country and suburbs?—Yes; but they do not bring jugs with them.

307. How did you distinguish the travellers from the others?—I had no necessity, from what I saw of the style of the visitors, to distinguish travellers from others. I do not know what the visits to the hotels were for. I have not the list I had.

308. You never went inside to see what they were doing?—No.

309. Why did you not go in?—Because I had not the courage.

310. Why did you not communicate with the police?—That was not my reason for watching the hotel.

311. Is it not your business as a citizen to see that the law is carried out; why did you not, when you saw breaches of the law going on, take steps to have the parties detected?—I was distinctly asked not to do so.

312. You were asked to look on at the law being broken and to take no notice of it, and to bring it up here in 1898?—No.

313. Your first place in 1895 was the Albert Hotel?—Yes.

314. Did you ever communicate with the police at all, or intimate that Sunday trading was being carried on?—The man who was thrown out communicated with the police when he was thrown out.

315. Why did you not go to the Inspector, and tell him you were watching the house, and that you saw so many people going in and out?—If the Inspector did not see the same as I, he should have. I am not paid to do police duty. I am a private citizen, and had nothing to do with the police. I was asked to do this, and I did it; and from my previous knowledge I did not think the police would assist us, so I never bothered my head about them.

316. But you never gave them a chance?—It was published in the *Evening Post*, before the local option election, as an advertisement.

317. But in no one instance are you in a position to swear on your oath that the law was contravened?—No, not as I read evidence in the papers. If a policeman cannot bowl them out, how can I?

318. You were there acting as a policeman?—An amateur policeman cannot bowl them out as well as a regular policeman.

319. You have been watching lately: do you not know that the whole of the hotels, or nearly the whole of them, are visited?—I saw a policeman, within six months, stand at a corner yarning to a man, and while he was yarning three men came up the street past him and went into the hotel. He went in the opposite direction, and I met him and asked him what he meant by it. I stopped and spoke to him, and he smelt very strong of drink.

320. Are you out every Sunday?—No; I have a little girl I take out for a walk sometimes, when I use my eyes.

321. But when you went into a house and concealed yourself?—But that was only on two occasions.

322. But you said you saw through the window of the Metropolitan Hotel, within 50 yards; will you swear that you saw drinking going on through the window?—I will swear I saw visitors go in through the side door, and then within a minute of their entry some one—a man or woman—during different parts of the day handled bottles or glasses. I saw that through the window.

323. Was the blind up?—Yes.

324. No blind at all in the morning?—They forgot that morning. They did not have it up the next time, any way.

325. You cannot give the Commissioners any idea at all of the number of travellers who come into Wellington?—I can give no idea.

326. You did not inform these people at all, or go and tell them what you had seen, or caution them to desist?—No.

327. Do you not think that would be the right thing to do?—I thought the whole forty-five were doing the same thing, so why caution a dozen or so?

328. I suppose you do not mean to say that the whole of the people who went into the Albert Hotel, for instance, on the Sunday you mention, went in for drink?—I mean to say they all went in, and some came out drunk.

329. That is not altogether an answer to the question; you cannot say they all went in for the purpose of drinking?—No.

330. A number of them were boarders?—If so, then a bigger number than the list I gave went in, because I left out boarders.

331. You did not inquire how many visitors were in the house?—No.

332. Did you know any of the parties?—It is five years ago nearly, and I would not trust my memory now.

333. Well, more recently then, within the last few Sundays do you know the names of any people who entered the hotel on the Sunday?—No.

334. Or whether they were travellers or boarders?—No.

335. *Colonel Hume.*] You said you did not think things have improved much from 1894 till now?—No. I have not taken particular notice, but that is my private opinion.

336. Then, you quote figures to show that the visitors were less in this particular hotel you were watching lately; does that indicate any improvement, in your opinion?—A different man was running the hotel, and it was also close to election time, and he might have been taking more care. I do not take that to prove anything.

337. What do you form your opinion on?—Well, in going past hotels on Sundays, on the way to church, you cannot help seeing what is going on if you use your eyes; and in going past I noticed there was a certain amount of slyness about the business. I noticed after the new Commissioner came, that some of them threw the door open for a week or two.

338. Then, do you consider up to the time, we will say last October, before the new Commissioner came, that things had improved in 1894–95–96?—Well, if you ask an ordinary citizen about Sunday trading he will probably state his opinion as being that twenty or thirty is a tremendous number of visitors to a hotel; but if he went and watched for a certain time he would see five hundred, and so on, in 1893, and the same thing would have probably happened in 1896.

339. In your private opinion there is as much sly-grog selling going on now in the City of Wellington as there was in 1890?—I have not the least idea about 1890; I was in Christchurch.

340. Well, do you think as much in 1898 as in 1893?—I think there is. I have no particular reason for thinking so except as I say.

341. *Mr. Tunbridge.*] Did you go to church last Sunday?—No; not in morning.

342. Were you out walking?—No; not in morning.

343. Did you leave your house at all?—Yes.

344. When?—Three o'clock in the afternoon.

345. Up till what time after that?—I was out for an hour, and then after dark.

346. During the time you were out last Sunday did you see one hotel with its doors open?—I saw for a wonder that the Panama Hotel had its doors closed.

347. How many hotels did you pass?—Three—the Panama, Royal Tiger, and the Grosvenor.

348. Had either of these hotels their doors open when you passed?—No.

349. What do you mean by saying that all these hotels had their doors open when you passed?—I beg to differ. I did not say so. On Sunday night I was out with Mr. Taylor, and we saw people pop out of the gate of the Royal Tiger.

350. Did you see them enter the house?—No.

351. What am I to understand from your answer in connection with the Albion?—When I was walking past this hotel I saw eleven men of the working-classes going in. That was after the new Commissioner came.

352. Can you say nothing more definite than that, because I have been here five months?—It was within the first two months.

353. You said right right down to the present time you noticed what you thought was getting worse, and you gave as a reason for coming to that conclusion that you saw the hotels with their doors wide open. Now, we will take since Christmas; can you give me any Sunday when you passed and found any hotel with its doors wide open except in the case of the Royal Oak Hotel, where they have forty or fifty boarders, and find it necessary to keep their doors open?—I think so far as my memory serves me, this instance of the Albion Hotel was since Christmas. I have not bothered to remember the matter particularly, and may get mixed up within five months very easily.

354. Can you give any other instance when you were walking by to church?—I think not.

355. Does that quite agree with your previous statement that you watched a house here with its doors wide open and people walked in, as many as forty, in an hour or two?—I did not make this statement. It was my private opinion, and I have not reasons to bring forward for it.

356. *Mr. Taylor.*] Have you systematically watched any houses during the last five months?—No.

357. Now, about your movements last Sunday; did I meet you last Sunday morning by appointment?—Yes.

358. Where?—At my own house.

359. Did I stay to dinner?—No.

360. Where did I leave you?—At the corner of Ingestre Street and Marion Street, near the Rink.

361. I would not stay to dinner?—No.

362. What time would that be?—About 1 o'clock.

363. When did I meet you again by appointment?—At 6 o'clock.

364. Where?—At the bottom of Taranaki Street.

365. Where did you go to?—Into a private house.

366. Where was that?—At the bottom of Taranaki Street.

367. Whose house?—George Petherick's.

368. What time was that?—When people were going to church, about quarter past 6.

369. After that where did we go to?—We went home to get notes.

370. Then what did you do?—We went to No. 75, Taranaki Street, to opposite the Royal Tiger.

371. Did you go into a house?—Yes.

372. What did I do?—Stood in the street.

373. How many minutes?—About five.

374. And where did you go to?—I went round to the Baptist Church.

375. Who did you see there?—Arthur Nichol.

376. Only?—Yes; and to the Army Barracks; next to the Forward Movement.

377. And after that?—To the Wesleyan Church for half an hour.

378. And came out of the Wesleyan Church about what time?—7.45.

379. Your reference to the Royal Tiger would be the four or five minutes I was waiting for you?—Yes.

JOHN ARTHUR DANIEL CHISHOLM was examined on oath.

380. *The Chairman.*] What is your occupation?—A watchmaker.

381. *Mr. Taylor.*] Were you with Mr. Denton in the year 1893?—Yes.

382. Obtaining certain information about the number of visitors to certain hotels on Sundays?—Yes.

383. Which hotel?—The Royal Tiger.

384. Can you tell the Commissioners how many people went into the hotel within a given time?—I did not count the number, but I should say between forty and fifty.

385. What was the date?—It was on the 26th March, 1893.

386. Did you make these notes at the time?—Yes.

387. What was the hour?—About 10 o'clock to a little before 1 p.m.

388. How many went in, according to your notes, in the two hours and a half?—Between forty and fifty.

389. What is the total?—I did not count them up. I went through half of them, and I found I had about twenty-five. I remember distinctly there were about forty or fifty.

390. You never summarised them?—I have just counted through them, and I make it eighty.

391. Did any of the visitors carry bags or bottles or anything with them?—Yes.

392. Do you know how many?—I cannot say.

393. It was distinctly understood at the time you undertook to assist in getting this information that it would not be used for the prosecution of publicans?—Yes.

394. And you were not collecting the information for the police?—Not at all.

395. As a matter of fact, did not the proprietors of the *Prohibitionist* ask that information should be gathered, with a view to ascertaining whether the Sunday-trading clause of the Licensing Act was being observed?—Yes.

396. You do not know whether these people got drink or anything else?—No.

397. The supposition that we worked upon here was that if such information was available to the public they would draw whatever inference they pleased from it?—Yes.

398. You have no absolute knowledge as to what happened in the hotel?—No. There was one thing made me suspicious. A little girl came along, and she was sent away, and then the doors and gate were shut. The companion who was watching with me said, "There is something coming; keep your eyes open," and almost immediately a constable came along, and he talked to the man watching at the corner of the hotel, and then passed on again. After that the doors were opened, and the little girl was let in with a can.

399. Where were you watching from?—In a building not far away. I suppose a matter of about 23 yards.

400. *Mr. Tunbridge.*] Do you still take an interest in this movement in connection with prohibition matters?—Yes.

401. I mean, you take an interest in seeing whether the hotels are still serving, and that sort of thing?—I take this much interest that it seems to be just as free as ever.

402. Can you give me any instance now of any particular hotel where you have recently noticed people going in and out?—I see things as I go about. I cannot say exactly which particular one, but I notice the same thing going on in the hotels I pass on Sunday.

403. You know every hotel in the city?—Fairly well.

404. I would like something a little more definite; can you give us any particular hotel, or any particular Sunday?—I cannot give you any particular Sunday or day, but as a general observer I have noticed that people go in and out of the different hotels when I have been out for a walk on Sunday afternoons.

405. Were you out last Sunday?—Yes.

406. Were you passing any hotels then?—No. I simply went up Thompson Street to the Nairn Street Reserve.

407. Were you out on the previous Sunday?—Yes.

408. Did you pass any hotels then?—Yes.
409. Which?—I went *via* Taranaki Street to Oriental Bay, but I was not paying much attention. I did not go out to look, and I did not pay much attention.
410. You express the opinion that Sunday trading is just as bad, and you say you were walking last Sunday and passed several hotels; did you see any people passing in or out?—All I can truthfully say is this, that I never looked for it.
411. On the previous Sunday to that?—I cannot tell you.
412. Then, why did you make a general statement just now that Sunday trading seems equally as bad as in 1893?—Because I have noticed it at different times between 1893 and 1898.
413. When was the latest date?—I cannot give a date.
414. How long ago?—During the last six months perhaps.
415. Can you say within the last three months?—I cannot definitely say.
416. Then you would like to correct your previous answer to the effect that it seems just as bad right down to the present as it used to be?—My remarks were not to a day.
417. Well, to three or six months: do you wish to say, not a general statement like that, but something more definite; up to what period?—I will tell you why I was prompted to say that. When I was doing that work of which I have just given evidence, of course, I would naturally look for these things, and I have done so up to within, we will say, the last three months.
418. And you have not taken any notice of it since?—No; in fact, I have been ill since the beginning of December.
419. *The Chairman.*] You express the general opinion that things are just as bad as ever; and when pressed you show how little your observation is worth?—I can assure you that my observations up to about three months ago are true, but I have not been about since.
420. *Mr. Taylor.*] As a matter of fact, there have been no systematic observations made since 1894?—No.
421. And that was systematic observation?—Yes.
422. And were you not surprised at the number of people going into that hotel?—Yes.
423. Suppose anybody had told you that that number of people went in in that time, you would have been dubious about it?—Yes.
424. Have you noticed, on Monday morning, in Wellington, during the past six months, there have been quite a considerable number of cases of drunkenness dealt with in the Magistrate's Court?—I have noted that.
425. *Colonel Pitt.*] Were these observations of yours made just previous to the local-option poll?—It was in connection with the prohibition question.
426. Do you remember if it was in connection with the local-option poll?—I cannot definitely say it was made for that purpose. What I understood was that it was generally believed there was not a large amount of trade on Sundays, and the prohibitionists wanted information on the subject.
427. *Inspector Pender.*] Did you communicate at all with the police as to what you had seen?—Not to the police at headquarters.
428. Did you inform any policeman?—Yes, I mentioned it to one.
429. Who was he?—Constable Gray.
430. What case did you mention to him?—I mentioned the incident that occurred at the Royal Tiger when he was coming along.
431. Did you tell him what you had seen?—Yes.
432. Where was he stationed at that time?—I do not know what particular station he was sent from.
433. And did he take no steps, or do nothing?—He just remarked that it was very hard to catch them.
434. He did not go into the house?—No; of course he did not know until a week or two afterwards.
435. That is the only one you spoke to about it?—Yes.
436. Do you not think it would have been right to have reported the matter to the police, and told them?—I was not there for that purpose.
437. What does your information, or what you saw, tend to prove, supposing you were called upon to go into Court. What would you be able to establish in connection with a breach of the licensing law?—Simply this: that the class of people who went in were not lodgers.
438. You do not know how many boarders were in the house?—Not in the least.
439. Do you know any of the people who went in?—Yes; most of those I knew are down on my notes.
440. When did you see this thing?—In 1893.
- 440A. Do you think it is quite right to bring up these things now, when the people have no means of checking or meeting the cases. Do you think it is English?—I know when I was subpoenaed I sorted my notes, and there they are.
441. There are no means for me to show that such a thing never occurred?—No.
442. Do you think a man gets a fair chance?—I am satisfied that is correct.
443. *Colonel Hume.*] You say there have been no systematic observations since 1894?—Not so far as I know.
444. Well then, you are of opinion that if you were to go from 10 a.m. to 1 p.m. to the Royal Tiger Hotel next Sunday you would see about eighty people going in?—I would not mind trying; I do not think I would be very far out.
445. Then, you are of opinion you would find about the same number?—Yes.
446. You say you have not been observing much?—No.

447. Will you say why you express that opinion?—Up till three months ago I was still of that opinion. I have made observations just in a casual way, and people went in and out of the hotel up till three months ago.

448. *Inspector Pender.*] Are not the drinking habits of the people very much on the decrease?—I cannot make any statements as to that.

449. Prohibition has been advancing?—I hope so.

450. Are not the young people growing up more temperate in their habits?—I cannot say.

451. The number of hotels are not increasing?—No.

452. And the population is rapidly increasing?—Yes.

453. *Mr. Taylor.*] What day were you at the Cricketers' Arms Hotel?—On Sunday, 7th May, 1893.

454. Was the information collected by a similar arrangement for the *Prohibitionist*?—Yes.

455. Where is the Cricketers' Arms Hotel?—At the corner of Ingestre Street and Tory Street.

456. What was the result of your observation there?—There were 211 visitors from 7 am., until 5.30 p.m.

457. *The Chairman.*] Was that your own observation?—Yes.

458. *Mr. Taylor.*] Did a number of the visitors carry bottles and kits, and so on?—Yes.

459. Any of them under the influence of liquor during the day?—Yes.

460. Did your experience there vary much from that at the Royal Tiger?—No.

461. There were more "returners" who came back several times?—One man was there five times with a kit.

462. Any children go there that day?—Yes.

463. Did they carry kits?—Yes. That particular man who went in so often was working for a brothel not far away.

464. *Colonel Pitt.*] How did you know that?—I knew that for a certainty.

465. *Mr. Taylor.*] You know the locality well?—Yes.

466. I suppose as a citizen you can pretty well tell a prostitute from her costume as a policeman from his uniform; she advertises her trade?—Yes.

467. *Mr. Tunbridge.*] Will you kindly give me the address of the brothel you speak of?—Cuba Street.

468. *Mr. Taylor.*] Is it still used for that purpose?—They have left there.

469. *Mr. Tunbridge.*] Do you know where the people are now?—No; the man is still here, because I saw him to-day.

470. *The Chairman.*] Do you remember the women by name?—I do not know his name even, but I know one of the women was his daughter.

471. *Mr. Tunbridge.*] You were not with Mr. Denton watching the Albert Hotel?—No.

472. *Inspector Pender.*] You were concealed when you watched?—Yes.

473. From 7 in the morning?—Yes.

473A. And were you all the time in this house?—Yes; we took our lunch with us.

474. And you were looking out through a window?—Yes.

474A. Had you a full view of the house?—Of the main door.

475. Not of the bar door?—No; of the side entrance.

476. And 211 went in?—Yes.

477. And did they all come out again?—Yes.

478. Did any of them go back in?—Some.

479. Did you count in the total number each man every time he went in?—Yes.

480. This one man went in five times?—Yes.

481. You do not know whether they were strangers or boarders or what they were?—I knew several of them not to be boarders and not to be strangers.

482. You do not know whether they got any drink?—Well, in one instance a child went in with a kit, and when she came out she put the kit over her arm, and it contained something very much like a bottle; and then she began to count her change.

483. Where was this brothel?—Near Evans's, Cuba Street, painters' shop.

484. How many women were there?—I cannot say.

485. Who were the owners of the house?—I cannot say.

ERNEST FRASER JONES was examined on oath.

486. *The Chairman.*] What is your occupation?—A general printer.

487. *Mr. Taylor.*] Where do you live?—Donald McLean Street, Newtown.

488. Were you engaged in 1893 in collecting evidence to show whether the Sunday-trading clause of the Licensing Act was being observed?—Yes.

489. How many houses did you assist in getting information about, and the date?—I cannot tell you exactly; it was in conjunction with Mr. Chisholm.

490. Were you at the Cricketers' Arms that Sunday?—I think that was the name of the hotel at the corner of Tory and Ingestre Streets.

491. Have you a note there as to the total number of visitors to that house?—Mr. Chisholm had the notes.

492. Did you see these notes being made?—I assisted in making them.

493. What is the total number of visitors as shown in the report that you and Mr. Chisholm made out?—I did not count the total, because I left it to Mr. Chisholm.

494. Can you remember within a few how many there were?—It was somewhere about two hundred.

495. It was distinctly understood at the time that this information would not be used for the purpose of establishing prosecutions?—It was just understood to be a desire to get a general estimate of what was done on Sundays.

496. Did you see them carry bags and bottles?—In many instances they had implements or some conveniences.

497. You did not tell the police?—I was not told to do so.

498. Do you remember whether any of the visitors, either before going in or after coming out, appeared to be under the influence of liquor?—Yes, decidedly. Sometimes I was sorry to see women. They were none the steadier for their refreshment.

499. You did not consider, under the circumstances, you were called upon to communicate with the police; they could get the information as you got it yourself?—Just so. It was not with the intention of hiding information from the police, but we understood it was being collected for a specific purpose—namely, for a general estimate.

500. Have you made any systematic effort to collect information from that date?—Not since 1894.

501. What hotel did you watch in 1894?—I believe it was the New Zealander Hotel in Manners Street.

502. Do you remember the date?—I cannot.

503. Was it a Sunday?—Yes.

504. Who was with you?—Mr. Weston.

505. You were collecting information for a similar purpose?—Yes. I made notes myself on that day.

506. What was the result of your observations on that date?—I started about 7.30 o'clock in the morning and finished about 7 at night, and I saw about 124 people go into the hotel. Of course, the totals here do not coincide with the numbers we saw, because in the totals afterwards, where we found that the descriptions were not very accurate, they were marked off so as not to err on the side of exaggeration.

507. So you think you saw more go in than you have recorded?—Yes.

508. Why, because there is a pretty theory to the effect that prohibitionists do exaggerate sometimes?—I had not that idea at all. I thought the thing was deplorable, and I was very careful not to make an over-estimate.

509. Have you any idea where Mr. Weston is now?—He is in Wellington.

510. Is he alive?—I believe so.

511. *The Chairman.*] What month in 1894 was this?—I cannot remember. It is some time ago now, and the object sought was gained when we obtained the information.

512. *Mr. Tunbridge.*] Which door in the New Zealander were they going in and out of?—Well, I cannot state exactly. I do not think it was the front door of the public bar. In fact, I am pretty certain that was closed. They went in at the side door, where there is a bit of a brick embankment, down a right-of-way. That I took to be the family or private entrance. But, then, I am not sure as to the distance. There was another door which, I think, led into the family part.

513. Which door were the people going in and out using?—There were three ways by which the people disappeared from my view.

514. *The Chairman.*] Were you in the lane or in Manners Street?—I was fairly opposite the hotel in Manners Street.

515. Could you see down the lane?—Yes, because from the place from which I viewed this locality, I could see both sides.

516. *Mr. Tunbridge.*] In making your calculation, did you include all the people who disappeared from your view in either of these places?—Yes. When I was watching, if I was not certain whether any of the people I saw passed into the hotel, or passed out of view across the road, then I did not put them down. All I saw going into these doors I put down.

517. That includes all doors in the street, and the right-of-way to the back premises?—Yes.

518. Do you know if there is a public urinal in there?—I think there is. And, for all you know, the people who went through might have gone to the urinal only, and come out again?—I do not know, of course. Sometimes there are instances in which you cannot positively form an opinion, but your own observations will give you a very clear idea of what is going on.

519. Would there be a pretty good proportion of the 124 going that way?—Probably it was near church-times when they went there.

520. Did you know any of the people who went in?—Yes, I knew several of them.

521. Do you know them by name?—Yes.

522. Can you give their names?—I could, but for their sakes I would rather not give their names. Of course, I do not wish to hide any information, because I am not afraid of what I have done. If folks break the law, they must take the consequences.

523. Briefly, are you able to say that there was a person admitted to that hotel that day who did not express to the people in charge that he was not a *bonâ fide* traveller or lodger?—I am not able to answer that question, beyond the fact that I saw them go in; because, whatever my impressions were as to their intentions in entering the place, that is my business, I cannot prove that they obtained what I think they went in for.

524. Are you able to say whether they described themselves as *bonâ fide* travellers?—They must have travelled a jolly long distance, through some barbed-wire fences, to judge by their appearance. They were ragged in deportment and apparel.

525. Did any of the people going into the hotel carry kits?—They were carrying all kinds of parcels, and some of them were not at all backward in showing that they were carrying bottles. They did not seem to mind the fact that they were carrying kits, or bottles, or jugs, or anything of a carrying capacity, and were not at all backward in showing what the contents were.

526. What is your opinion about Sunday trading in the city at the present time?—Perhaps that is rather vague.

527. What have you observed recently?—Well, from the casual observations I have been able to take—from the same sort of observation I took on these Sundays—I do not things have improved. I thought at the time I took that watch that the trade was being carried on, and from the same feelings I have come to the conclusion, best as I can, that things have not improved except in the way that drinking has increased. If I had taken a watch lately probably I would have found my total greater.

528. You are in the city on Sunday?—Yes.

529. Going about the streets?—Backwards and forwards from church.

530. You notice people going in and out of hotels?—Yes; in the back ways. In some of the instances, if they did go in to use the urinal then the urinal must be placed inside the building.

531. Will you kindly tell us if you went to church last Sunday?—No.

532. Did you observe any last Sunday?—The Sunday before I did. There were two places which I passed, and I passed them at night-time. I have a very good view of one hotel. I believe if I had watched the total would have been just as big, if not bigger, than the others which I have taken.

533. What is the name of that hotel?—The Park Hotel. The number of people who called at that place on various objects was very large. Of course, I cannot say what the objects were.

534. That is within vision of your own place?—Yes; and if I was blind I could not help hearing the demonstrations that go on at times.

535. You observed that right down to the present time?—Yes; and on one Sunday night I had to ask the folks to get off my shop door. They come down from that hotel to recruit their strength and steady their shattered nerves.

536. *The Chairman.*] You say late in the evening?—It is some weeks ago since the Sunday night incident took place.

537. *Mr. Tunbridge.*] It is a question of people going into hotels in crowds right down to the present time?—I did not observe last Sunday. If I had I should very likely have been able to tell the reason of people entering there. Last Sunday morning between 6 and 9 o'clock, I saw folks entering the back way between this hotel and another house, which appears to be the only back entrance into this hotel. They walked into this right-of-way, and I saw no more of them.

538. You cannot say whether they went into the hotel or not?—No. On several occasions when they have come out they have been so ill at ease that they were not able to walk as well as they did when they went in. This was last Sunday.

539. I do not quite follow you about "ill at ease"; what do you mean?—Well, to put it plainly, they were drunk.

540. *Mr. Taylor.*] Did you get any information about any other hotel?—Just these two.

541. *Inspector Pender.*] Did you communicate with the police?—No.

542. Why not?—I thought of that at the time; but what we were told was that the information would be used to the best advantage.

543. That was in 1893 and 1894; but last Sunday, for instance, why did you not go to the constable who lives close by?—To tell you the truth, I was too busy with my own affairs.

544. Do you know the men who were drunk?—No. I did not take any notice of them.

545. Is there any one who can corroborate your statements that the house is rowdy, and that loud talking goes on?—Probably if the inhabitants about the district were communicated with they would bear out what I say.

546. Do you know of any inhabitant in the district?—I could not help noticing it. I went away because I had an appointment, and I was a bit late, and whether anybody was cognisant of what I saw I cannot say. But when you ask me to name inhabitants, I can give you several; but whether they were awake at the time I cannot say. It was between 6 and 9.30 o'clock in the morning.

547. Cannot you give us any more definite time?—No; I had some preparations to make for my appointment, and they occupied all my attention. I had to open the shop-door occasionally, and one of the times I was at the shop-door I noticed this. I only happened to see it because they were in front of my own eyes.

548. *Mr. Taylor.*] You did not notice the time?—No.

549. *The Chairman.*] They came out of the hotel?—Yes.

550. *Mr. Tunbridge.*] I think you said the house was also rowdy and noisy?—No. I was referring to the cases in 1893 and 1894.

551. You did not think it was your duty to go down and tell the constable?—I never thought of that aspect of the case at all. In fact, I think if I had, it would be a most thankless job.

552. Why?—It was not my duty; I was not paid for it, and I am not so public spirited as to do public work for nothing.

553. You do not think it is your duty to assist the police in carrying out the law?—It was too far out of my way to assist the public.

554. *Mr. Poynton.*] What was the distance between your shop and the hotel?—About 500 ft., I suppose.

WEDNESDAY, 9TH MARCH, 1898.

ARTHUR WAKEFORD NICOL examined on oath.

1. *The Chairman.*] What are you, and where do you live?—Plumber, Victoria Avenue, Wellington.

2. *Mr. Taylor.*] Did you assist in 1894 in collecting information at the request of the *Prohibitionist* as to the number of visitors to the various hotels in Wellington on Sunday?—Yes.

3. Did you take notes in connection with the Post Office Hotel?—I did not personally; I helped to take the notes.

4. *The Chairman.*] Whom were you assisting?—Mr. Beaglehole and Mr. Crawford.
5. *Mr. Taylor.*] It was distinctly understood, as far as you were concerned, the information you collected was for the *Prohibitionist* newspaper and not for police purposes?—Yes; I would have had nothing to do with it if it had been otherwise.
6. What hours were you about?—From 7 in the morning till 8 at night.
7. What date was it?—It was on a Sunday in March, as far as I can remember.
8. Was it not a few weeks before the licensing poll was taken in 1894?—I think it was; I am not sure.
9. What was the result of the observations? Do you remember the number of people who went into the Post Office Hotel?—Four hundred and four: that is, not including those whom we thought were lodgers.
10. How did you distinguish a lodger, for instance: what kind of judgment did you bring to bear on the question?—Well, several went in with portmanteaux.
11. And you thought they were *bonâ fide* lodgers?—Yes, travellers coming off the steamers.
12. Any one whom you thought was travelling you tried to distinguish, and did not take note of them?—Yes.
13. Does that hotel do a large luncheon business—a pretty considerable travellers' business?—I think it does.
14. Have you got a note of the numbers who entered, say, between a quarter to 12 a.m. and 2 p.m.; have you the number separate on your list?—No, but I have calculated it out, and I think it comes to about 116.
15. *The Chairman.*] How did you calculate it out?—I have the hours down on a list here.
16. Which was taken at the time you saw the people entering?—As we saw them go in we put the time down.
17. *Colonel Pitt.*] That is, you made those identical notes?—Yes.
18. *Mr. Taylor.*] Was the object in making that separate calculation to give an idea as to how many might have gone in legitimately for lunch?—Yes.
19. Have you made any systematic attempt to collect information in regard to that hotel since that date?—No.
20. So far as you know there has been no systematic attempt to collect information of this kind since?—No.
21. Were you not surprised at the number who entered the hotel?—Yes, I was.
22. Supposing anybody had suggested that three hundred would go into the hotel would you not have thought it unlikely?—Yes.
23. You have made no systematic observation since then? You would not like to express an opinion as to whether things were better or worse now?—No.
24. Did you make observations in regard to any other hotels that day?—I more particularly watched Rylands's.
25. From your standpoint, how many hotels could you see?—Three hotels.
26. Could you see both sides of the corner hotel, or only one face?—One face.
27. And you could see the fronts of two others?—Two others.
28. How many did you see go into Rylands's Hotel?—From 7 in the morning till 10 in the morning I think forty-one went in, and about 1 o'clock—I do not know the exact time—the door was closed, and from that time right through the day nobody could get in. There were twenty-seven persons tried to get in, but they passed on to the next hotel.
29. And was that subsequently closed altogether?—Yes.
30. Was there any other hotel—what was the other hotel you were able to see?—The Pier.
31. What was the result of your observation there?—About eighty people.
32. In the same time?—That was all day.
33. Did any of the people at any of the three hotels show any signs of drunkenness on leaving the houses, do you remember?—No. There was a little disturbance by some of the people coming out of Rylands's Hotel, but it was over money matters I think.
34. You could not hear anything from where you were?—No.
35. Did there seem to be a watch kept on any house from the outside?—Yes.
36. Which house?—The Pier.
37. What was the nature of it?—As far as I noticed there was one person walking up and down all day long, and at intervals he went inside.
38. He did beat duty really, all day?—Yes.
39. Do you ever see any drunkenness on the streets of Wellington on Sundays now?—Occasionally, sometimes more than others.
40. But you have made no particular observations bearing on this question since that date?—No.
41. *The Chairman.*] Did you see any policemen about during that day?—There was one went into the Post Office Hotel, and I think I have got it on my notes, stating that he went in on inspection. It appeared to us he went in to see if everything was all right. I have got the notes here: "A policeman, after investigating, came out."
42. Do you know what he did when he went inside?—Oh, no.
43. How long was he in?—Oh, just a short while.
44. What time was that?—Fifty-two minutes past 10.
45. *The Chairman.*] How long was he in the house?—Oh, just a short while; about five minutes.
46. Was he in uniform?—Yes.
47. *Mr. Taylor.*] Do you remember whether there would be any customers there at that time?—I could not say, but there must have been from the number of people who went in.

48. *The Chairman.*] How many people had entered the house prior to this?—I could calculate it, but I could not tell you now.

49. *Colonel Pitt.*] But you say there must have been people in?—Yes.

50. *Mr. Tunbridge.*] Do you know the name of the constable or his number?—No.

51. Do you know the constable by sight?—No.

52. He was not accompanied by a sergeant?—No.

53. You have your notes: cannot you give us the date?—I cannot give the exact date. It is some Sunday in March.

54. Did you see a sergeant and constable visit this house at all during that day?—No.

55. If they had you would have seen them?—Yes.

56. And that applies to all three hotels?—Of course, at one hotel we could not see all the doors.

57. You are quite sure neither of these three hotels were visited by a sergeant and constable on that particular Sunday?—Yes. I think the date was the 4th March, but I am not sure it was.

58. *Mr. Taylor.*] If Mr. Denton says it was the 4th March you will accept his statement as being correct?—Yes.

59. *Mr. Tunbridge.*] Is this the only list that was kept?—Of that date, yes.

60. Then you gave your notes next week to Mr. Denton?—Yes.

61. You say between 12 and 1.30 you saw 116 people go in?—About that number.

62. Does this hotel provide dinners in the evening and breakfast in the morning?—I am not sure.

63. You do not know it does not?—I do not know it does not.

64. It would not surprise you if you were told it did?—No.

65. Is it not a fact that any one can get a feed at any time during the day if they go in?—I am not aware of it.

66. You say you kept a note on your list of the number of persons who entered carrying portmanteaux?—We made a note on that list, but they were not calculated in the 404.

67. Do you know anything about the lodging accommodation at this particular hotel?—No.

68. You do not know whether there are twenty or thirty lodgers at one time in the house, do you?—No.

69. You kept from your numbers those you saw entering with portmanteaux, but you had no means of identifying all those people in the event of their coming out and re-entering?—No; in some instances we might note where they went in the second time, and some a third time.

70. But you counted each one of those as a separate person: if one person entered three times you would count that as three persons entering?—Yes.

71. What I mean is this: If a person went in with a portmanteau you assumed he was going there to lodge, and that person may have come out half a dozen times and re-entered, and you would have counted him each time as a distinct person?—Yes.

72. You had no means of knowing whether these persons were asked if they were *bonâ fide* travellers?—No.

73. You are not able to say they were not asked?—No.

74. Or if they were lodgers?—No.

75. For all you know every one of these four hundred may have represented himself as a *bonâ fide* traveller, or that he was known to be a lodger, for all you know?—Yes.

76. *Colonel Hume.*] Will you swear there was any violation of the law in one single instance?—No.

JOSEPH BEAGLEHOLE, examined on oath.

77. *The Chairman.*] What are you, and where do you live?—Carpenter, residing in Hopper Street, Wellington.

78. *Mr. Taylor.*] Were you associated with Mr. Nicol in 1894 in collecting information as to the number of visitors to certain hotels on a Sunday in Wellington?—Yes.

79. What hotels can you see from the point where you were fixed that day?—Rylands's Hotel, Post Office Hotel, and the Pier Hotel.

80. Did you assist in making the notes as to the number of visitors?—Yes.

81. You are satisfied the list made out was pretty accurate?—Yes.

82. Were you there about twelve hours?—We started about 7.30, and we finished about 7.30 in the evening.

83. And you remember the number of visitors to the Post Office Hotel?—Well, I have got here over four hundred.

84. Did you purposely omit taking a note on that list of any one you thought was a *bonâ fide* traveller so far as your judgment allowed you?—Yes.

85. You could not tell, of course?—No.

86. If you saw people with portmanteaux you omitted them?—Yes.

87. So far as you could judge, the numbers given represented the general run of visitors?—Yes.

88. You distinctly understood you were not collecting information that was going to be used for prosecutions?—Yes.

89. It was in connection with the controversy as to whether Sunday trading was rife?—Yes.

90. And do you think those figures would bear on the question?—Yes.

91. Have you made any systematic observations since 1894?—No.

92. Did you see any police-officers go there on that Sunday—into the Post Office Hotel?—In the afternoon; about 2.30, I think it was.

93. Have you got it on your notes?—No, I have not got it here. All the same, I saw a policeman go in there about 2.30.

94. *The Chairman.*] Are any of those notes in your writing?—No.

95. *Colonel Pitt.*] Was there any one with the policeman?—I could not say.
96. *Mr. Taylor.*] You cannot say whether there was one or two?—No.
97. Were there half a dozen policemen, or only one?—Only one, I think.
98. *Colonel Pitt.*] In uniform?—Yes.
99. *Mr. Taylor.*] How long did he stop in?—I think he stopped in about five minutes.
100. What other hotel besides the Post Office did you see that day?—The Pier, and Rylands's.
101. Do you remember the number of visitors to Rylands's Hotel?—Yes, there were forty-one.
102. Did any policeman go in there?—No.
103. Now, the Pier Hotel: do you remember the number there?—Yes, eighty-one.
104. *The Chairman.*] You said forty went into Rylands's. Within what time was that; how long did you watch Rylands's?—From 7.30 to 10.30.
105. *Mr. Taylor.*] What happened at 10.30?—It shut up at 10.30 and opened again at 5 in the evening.
106. People commenced to go in at 5 o'clock; is that what you mean?—No, it opened again at 6.30 in the evening.
107. Do you mean to say that people commenced to visit again?—Yes.
108. They could not get in during the previous part of the day?—No.
109. The proprietor was away, apparently?—Yes.
110. You have made no systematic observations since as to the visitors on a Sunday?—No. Here is a note here about a policeman, saying that he entered.
111. Did you take observations in 1893 also?—Yes.
112. Did you see the same hotels in 1893?—Yes.
113. *The Chairman.*] What month?—I do not know the month, but it was on a Sunday. In the Post Office Hotel we had 292.
114. Same hours?—Yes, from 7 in the morning till 7 in the evening. At Rylands's Hotel, 131. That is all, I think.
115. You have no note of the Pier Hotel?—No.
116. *Mr. Taylor.*] In connection with the Post Office Hotel, will you be sure it was not the Post Office Hotel in 1893 you saw a policeman go in after dinner. You seemed in some doubt about that?—It was in 1893.
117. *The Chairman.*] It was not in 1894?—No; in 1893.
118. *Mr. Taylor.*] It is on your notes for 1893?—Yes; it is here.
119. What time was it, about?—3.30 in the afternoon.
120. *The Chairman.*] With whom were you observing at these hotels in 1893?—John Nicol in 1893; Arthur Nicol in 1894.
121. *Mr. Taylor.*] What is the note you have there?—"A policeman entered, and the man on the watch touched the electric bell."
122. *The Chairman.*] Can you say that was done?—Yes; I saw it done.
123. *Mr. Taylor.*] Was that before the policeman entered, or after?—Just when the policeman came round the corner.
124. *The Chairman.*] Was there only one?—Yes, only one.
125. *Mr. Taylor.*] Did the policeman go into the hotel?—Yes.
126. How did he get in. Did he knock at the door?—No; the door was open.
127. It would not be the bar-door; it would be the other door?—Yes; and eight men came out after the policeman went in.
128. That hotel does a pretty fair luncheon business?—In the week it does.
129. You do not know whether it does the same amount of business on Sundays?—I do not know.
130. What hours were you watching Rylands's?—The same hours.
131. Did a member of the Wellington Licensing Bench go into Rylands's on that Sunday in 1893?—No.
132. You do not see a note there?—No.
133. Did any of the visitors to either of these two hotels show signs of having taken liquor when they came out?—Yes.
134. Did that happen in many cases?—No.
135. In some cases?—Yes.
136. *The Chairman.*] What signs did they show?—For instance, at 8.30 two men came out, and they were half-drunk, and they commenced to fight each other.
137. Was that in 1894 or 1893?—1893.
138. Which house did they come from?—Rylands's Hotel.
139. *Colonel Pitt.*] Had you seen those same men go in that morning?—I could not say.
140. *Mr. Tunbridge.*] You saw a constable go into the Post Office Hotel in 1893?—Yes.
141. That was about 3.30 in the afternoon. Have you ever seen constables going into other hotels during your watching?—No.
142. Are you clear on that point?—Well, I mean I did not see them going in on that Sunday.
143. But, I mean any other day you were watching, did you see constables going into the hotels?—I have, at the Star and Garter Hotel.
144. But with reference to the hotels you have given evidence on here?—No.
145. You are clear on that point—you never saw a constable enter other houses?—Yes.
146. You would have seen if he had entered?—Yes.
147. If Mr. Nicol says he saw a constable go into the Post Office Hotel, in 1894, about 10.30 in the morning, that would be incorrect?—No, I do not think so.
148. I thought you said you were clear on that point?—Well, half the time he called out, and I put it down here.

149. I suppose you are very clear about this constable going in in 1893?—Yes, absolutely certain.

150. It is the sort of thing you would take more notice of than an ordinary individual going in?—Yes.

151. What you suggest is that Mr. Nicol may have seen a constable go in in 1894 and you might not?—Whose hotel?

152. In 1894 what hotel were you watching?—All three in 1894.

153. Did you see a constable go in any hotel that day?—No.

154. If one had gone in you would have seen him?—Yes.

155. If Nicol says one did go in, a little before 11 o'clock in the morning, Nicol would be incorrect?—Well, I would not like to say.

156. You say that Rylands's Hotel was open from 7.30 till 10.30 in the morning in 1894?—Yes.

157. And again from 6.30 in the evening?—Yes.

158. You are clear on that point?—Yes, absolutely certain.

159. Then, if Nicol says the hotel was never opened again after 10.30 o'clock all day, he is not right?—He is wrong, yes.

160. You have given the number as entering Rylands's Hotel as forty-one up to 10.30: can you say how many entered after 6.30 in the evening?—No.

161. Then, forty-one is not the sum total for Rylands's that day?—No, it is up to 6.30.

162. How many entered that hotel from 6.30 till 7.30 in the evening?—I could not say; I did not take any notes at all.

163. Are you sure the hotel was open?—Yes.

164. And people were going in?—Yes.

165. And why did you not take notes?—It was too dark to take notes.

166. *Mr. Taylor.*] Are you sure your statement in regard to the house opening after 6.30 does not apply to 1893 and not to 1894? Will you look at your notes for 1893 as far as Rylands's Hotel is concerned, and tell me what time you took your first note?—8 o'clock.

167. And what is the time for the last?—1 o'clock.

168. Are you sure it was not in 1893 when the house was reopened at 6.30? Have you no note after 1 o'clock?—No.

169. This one does not appear to have done any business after 1 o'clock?—No.

170. *Mr. Tunbridge.*] Do you understand from my cross-examination that Mr. Nicol and yourself do not agree?—Yes.

171. If you are making a mistake on a point of that description it is very possible you are making a mistake on other points, is it not? Will you swear you are not making mistakes in other particulars than the particulars I pointed out to you?—Yes, I will.

172. Only that I drew your attention to those discrepancies in the evidence of Mr. Nicol and your evidence, I suppose you would have been equally confident you could not have been making a mistake in respect to those?—No.

173. Did you not believe when you gave your evidence in chief you were stating that which was quite correct?—Yes.

174. And you were quite prepared to swear it was quite correct at the time you gave it?—Yes.

175. But, now Mr. Nicol and yourself do not agree, you say you are not quite prepared to say you are right and he is wrong?—No.

176. *The Chairman.*] Are the entries in 1893 in your own handwriting?—Yes.

177. And is the entry about the policeman in your handwriting?—Yes.

178. The note is, "Two policemen entered, and the man on watch touched the bell and eight men immediately came out, laughing." You mean there were two policemen went in together; not one, now?—Yes.

179. Are these minutes entered accurately at the time?—Yes.

180. *Mr. Tunbridge.*] Is there anything on those notes showing that a member of a Licensing Committee entered Rylands's Hotel on that day in 1893?—No.

181. *Mr. Taylor.*] You have no note there?—No.

182. *The Chairman.*] Did you keep a note of the three hotels?—No.

183. Which did you keep?—I kept Rylands's Hotel and the Post Office Hotel.

184. On the same sheet or different sheets?—On different sheets.

185. *Colonel Hume.*] You say in 1894 Rylands's Hotel was closed at 10.30?—Yes.

186. Because the proprietor was away?—I do not know whether he was away or not; I could not say.

187. Was there any violation of the law in those cases that you have told us of?—I think so.

188. There was?—Yes.

189. Will you state what it was?—The law says that no drink is to be sold on Sunday at all.

190. Yes; but did you see any sold?—Well, I saw persons go into the hotel and come out half drunk, and again I saw people go in with jugs in their kits and come out again.

191. *Mr. Taylor.*] You saw evidences of trading?—Yes.

192. You simply draw inferences?—Yes.

193. *Colonel Hume.*] If Mr. Nicol were to say he did not see any people come out under the influence of liquor at all, would he be right or wrong in your opinion?—Wrong.

194. Wrong, and you would be right?—Yes.

195. *Mr. Taylor.*] Have you got notes there of people coming out under the influence of liquor?—Yes. It says, "One drunken man and two or three men fighting on the road."

196. Did Nicol see the same people that you saw?—I should think so. He ought to have.

197. In fact, the list could not have been compiled in any other way, could it?—Oh, yes. Well, I had the list—

198. Quite so, but these totals have been seen by you and Nicol?—Yes.

199. They were the same people. Nicol could not have seen forty-one people and you forty-one other people—they were the same people?—Yes.

200. Are you clear that yourself and Mr. Nicol saw the same people going into the house?—You did not see forty-one, and he forty-one other people?—No.

201. You saw the same people?—Yes.

202. If you saw a drunken man he ought to have been able to see him too?—Yes.

JAMES ROBERT CRAWFORD examined on oath.

203. *The Chairman.*] What are you, and where do you live?—Blacksmith, Ingestre Street, Wellington.

204. *Mr. Taylor.*] Did you assist in getting information as to the number of visitors to certain hotels on Sundays in Wellington?—Yes.

205. On one or two occasions—one or two years?—Two years, in 1893 and 1894.

206. What were the hotels?—The Pier, the Post Office, and Rylands's. There were three or four of us, and we were taking turn and turn about. Most of the time I was watching the Post Office Hotel.

207. Where you watching the Post Office Hotel most of the time both years?—Yes, I think so.

208. *The Chairman.*] Are those the notes you made at the time?—Yes; the most of them are mine.

209. *Mr. Taylor.*] What were the figures for the Post Office Hotel in 1893?—Two hundred and ninety-two.

210. The Pier?—Thirty-eight.

211. For Rylands's?—There does not appear to be any total made up for Rylands's.

212. *The Chairman.*] What were the hours?—From 7.30 to 7.30.

213. *Mr. Taylor.*] Did you assist in making any observations since then?—No.

214. Only those two years?—Yes, that is all.

215. What were the figures for 1894?—Four hundred and nine for the Post Office and eighty-one for the Pier.

216. Do you remember whether Rylands's Hotel, in 1893, was closed all day?—It was closed in the afternoon and opened again at 6 p.m.

217. Did there appear to be any custom after they opened again at night?—Yes, at the rate of one for every minute and a half for two hours. I had a note of it yesterday, but I mislaid it.

218. The house appeared to be closed part of the day?—From 1 o'clock to 6 o'clock, and then it was open from 6 till 8.

219. *Colonel Pitt.*] You say people went in at the rate of one every minute and a half after 6 o'clock at Rylands's. Is it not strange that Beaglehole and Nicol, who were watching with you, have no note of watching those people?—That is another Nicol who gave evidence here today.

220. But how is it Beaglehole cannot give us the numbers?—I cannot say. I had the note of it, but I cannot find it now. I am almost sure I saw the note of it yesterday here.

221. *The Chairman.*] You did not watch Rylands's?—No. I might have watched for about five minutes.

222. *The Chairman.*] Was any one on watch apparently at any of the houses?—Yes, at the Post Office Hotel there was one on watch all the time.

223. Did you see any policemen?—There were two entered the first year.

224. *Mr. Tunbridge.*] Did you count them in the number?—Yes.

225. Did you see any other policeman go into the hotel besides those two?—There was no one in uniform.

226. Were there any in plain clothes?—I could not say.

227. These two policemen went in in 1893?—Yes.

228. Did you see any go in in 1894?—There was one, I believe.

229. He was in uniform?—Yes.

230. Was there a man watching in 1894 as in 1893?—Yes.

231. Did you observe the man do anything when the police were approaching?—Yes, he put his hand just inside the door as though in the act of ringing an electric bell.

232. Is there any electric bell there?—Yes, I believe so. I cannot be certain, but I may say I am almost certain we heard a bell ring.

233. Did the people who were inside come out?—Yes, just after the police got in the doorway.

234. Do you know what number?—In 1893 there were between eight and twelve came out when the two police-officers went in.

235. In 1894, did you see people coming out when the police constable went in?—That I am not sure about.

236. *Mr. Taylor.*] Are you sure absolutely of the other year?—Yes. You see, the Post Office one year I was on all the time; I was hardly ever away from it.

IRENE DIANNA JONES examined on oath.

237. *The Chairman.*] Where do you live?—No. 1, Ferguson Street, Newtown.

238. *Mr. Taylor.*] Did you assist in getting information in 1894 as to the number of people who visited certain hotels on a Sunday?—I did.

239. What hotel did you get information about?—The Star and Garter, at the corner of Cuba and Webb Streets.

239A. Have you a memorandum of the total number of visitors on that day?—I have.

240. *The Chairman.*] What month was it?—The 4th March, 1894.

241. *Mr. Taylor.*] What were the total number of visitors to the hotel that day?—One hundred and sixty-five.
242. What hours were you watching?—From 7.30 in the morning to 6.47 in the evening.
243. Were you by yourself?—No; Mrs. J. Westfield was with me.
244. She is dead since?—Yes.
245. Did she sign those notes?—Yes; here is her signature and my own.
246. Do the notes give any particulars as to the class of people who frequented the hotel that day?—Yes.
247. Were there any people carrying kits or baskets, or bearing any evidence that they were going to carry liquor away?—Several of that class. Some had slippers on, others were in their shirt-sleeves, and others carrying kits and bottles.
248. Were there any people showing signs of being intoxicated that day?—There is nothing mentioned in the report about that.
249. You knew the information was to be used for the purposes of the *Prohibitionist*, and was not to be used for prosecutions?—Yes.
250. Have you ever made any systematic observation since?—No.
251. Were you not somewhat surprised after finishing this Sunday observation to find such a number of people going to the hotel?—No, I have thought it was always so; in fact, at the hotel near our own house at Newtown, I often see people going in on Sunday.
252. Is that the Park Hotel?—Well, it was called the Waverley Hotel.
253. *Colonel Pitt.*] About refreshments during this day, were you stationed there from 7.30 a.m. till 6.47 p.m. without anything to eat?—I brought my own refreshments.
254. *The Chairman.*] Where were you stationed?—I was in the vicinity of the hotel.
255. You were hidden from public gaze?—I was under cover. I do not know about being hidden from public gaze.
256. *Mr. Tunbridge.*] You have seen people going into the Park Hotel? Yes.
- 256A. Did you know any of the people who were going in there?—I have not taken particular notice of them going in. I do not know their names particularly, but I know they are people who live in the neighbourhood.
257. Can you say where they live?—I did not take that particular notice to say who they were, but I know they are inhabitants of Newtown.
258. Was there any one watching to see if the police were coming?—I did not notice, but while I was watching the Star and Garter there was a man stationed outside the hotel the whole day watching.
259. Did you notice any similar arrangement in respect to the Park Hotel?—I did not take notice.
260. How long ago is it since you have noticed people going into the Park Hotel?—Every Sunday.
261. What time?—When I am coming home from church between 12 and 1.
262. What door did they go in?—The door I saw them go in by was up a right-of-way between the hotel and a private house.
263. You did not know they were going to the hotel beyond going down the right-of-way?—I suppose they were going to the hotel. I do not suppose they were going to the private house.

WILLIAM HURRELL examined on oath.

264. *Mr. Taylor.*] What is your occupation and address?—Carriage maker, Crawford Street, Wellington.
265. Did you assist in collecting information as to the number of visitors to certain hotels in Wellington in one or two years?—In one year.
266. What year was it?—1893.
267. Have you got the date there?—Yes, Sunday, 7th May.
268. What hotel was it?—The New-Zealander in Manners Street.
269. *The Chairman.*] Who was watching with you?—Stanley Chisholm.
270. What hours were you there?—From 8 a.m. till 8.20 p.m.
271. *Mr. Taylor.*] What was the total number of visitors?—Seventy-nine.
272. Any women?—Yes, there were eight.
273. What class of customers were they—did they seem to be travellers, or residents in the neighbourhood?—As far as I could judge I should think there would be one or two travellers, the others I do not think were.
274. You thought the majority of them lived in the neighbourhood?—Yes.
275. Did some carry kits or bottles?—Some carried kits and some carried bottles, and others just came out with all the appearance of having a drink.
276. What do you call appearance?—Coming out and spitting and wiping their mouths.
277. You drew the inference they had just been having liquor?—Yes.
278. Have you made any systematic observation since that date?—None whatever.
279. That was the only hotel you made a systematic observation of that day?—Yes.
280. And you knew you were collecting information for the *Prohibitionist*?—Yes.
281. You have no positive evidence these people got liquor inside?—None whatever.
282. Were you in the vicinity of the hotel when you were making your observations?—Yes.
283. You heard nothing—you were too far away to hear anything, but you could clearly see people who were going in or out?—Yes.
284. *Mr. Tunbridge.*] Did these people go into the building itself?—Yes.
285. Not into the gateway leading to the back premises?—No, into the doorway from the side street.

286. There are two doorways in the side street, which one was it?—The one they went into was the top door, nearer to the street.

287. And only those going in that door you counted, not those going into the gateway below?—Only those going in by that door. We did not see any going in the gateway.

288. Was there anybody watching at the corner of the hotel to see if the police were coming?—Yes.

289. A man?—Yes. He left about 2 o'clock in the afternoon, and returned about 5; but he was there all the morning, and there on watch at night.

290. Did people going into the hotel seem to know he was there?—Yes.

291. And speak to him going by?—Yes.

292. Generally?—Not generally; a good many did.

293. Did you see the police visit the hotel during the day?—Not visit the hotel; there was one went by.

294. Did you see the police speaking to this man?—No.

295. Was there anything to lead you to suppose that the police were in league with the people at the hotel?—No.

296. Did this man, when he saw a policeman coming, do anything to indicate the policeman was coming: did he signal to the people inside?—When we saw the policeman coming he was coming round by the Bank Hotel, and the man went inside and came out again before the policeman had passed by.

297. Was there an exodus of people from the hotel when the policeman hove in sight?—No, sir.

298. Were there any inside at that time, do you know?—No, I could not swear there were.

299. You do not know if those people going there who might not have been lodgers were asked if they were *bonâ fide* travellers or not?—No, sir.

300. For all you know they might have been asked?—For all I know they might have been asked.

301. *Colonel Pitt.*] Can you say positively that no policeman visited the hotel during the Sunday you were watching there?—I can say no policeman visited the hotel from 8 a.m. to 8.20 p.m.

302. *The Chairman.*] You only saw a policeman go by?—There was only one policeman went by in uniform.

303. Was there any man on beat going up and down occasionally?—We only saw one go by on the side of the street the hotel was on. We were not in a position to see the other side of the street.

304. You could only see one side of the street?—Yes.

305. Were you in such a position that you could see with clearness and distinctly people going in and out of the door?—Yes.

PERCY DENTON examined on oath.

305A. *The Chairman.*] What are you, and where do you live?—Watchmaker; residing in Woolcombe Street, Wellington.

306. *Mr. Taylor.*] Did you assist in collecting information as to the amount of Sunday trading that was carried on?—Yes.

307. When was it?—In 1893; but I do not remember the date. It was on a Sunday.

308. *The Chairman.*] Whom were you assisting?—A young fellow named Robb.

309. *Mr. Taylor.*] Is he in Wellington now?—No; he is down South somewhere.

310. What hotel were you collecting information about?—The Panama, at the corner of Taranaki and Vivian Streets.

311. You knew that the information was being collected for the *Prohibitionist*, and not for police purposes?—That is so.

312. What was the total number of visitors at the hotel?—One hundred and thirty-three.

313. How long were you there?—I got there at a quarter to 8 in the morning, and I left at six minutes to 8 in the evening.

314. Did any of them have any bags or kits, or anything with them to indicate that they had been fetching liquor away?—Yes.

315. Did any of them show signs of intoxication?—A few; yes.

316. Were there any women amongst the visitors?—Yes.

317. Did they look like travellers?—No; they did not look very much like travellers.

318. Were they low-class women?—Yes; I think so.

319. *The Chairman.*] How many women were there?—Five.

320. *Mr. Taylor.*] Were there any boys?—Yes; eight boys, and three girls.

321. *The Chairman.*] Included in the 133?—Yes.

322. *Mr. Taylor.*] Have you made any systematic observations since?—No.

323. You have taken no particular notes of the Sunday trading since?—No.

324. Have you occasionally seen evidences of drunkenness on the streets since?—Oh yes, occasionally.

325. You are not in a position to say that any actual sales were made in the house that day?—No, I could not say.

326. But you were quite able enough to see clearly the number of people who entered and left?—Yes.

327. *Mr. Tunbridge.*] Any one watching outside?—Not all day. There was in the early morning, just as the church people were going by. After that there was no one at all.

328. Did you see any police during the day?—No.

329. Did you see any in the street at all?—No.

330. You said you had not been watching with reference to Sunday trading particularly since then?—No, I have not.

331. Do I understand you have taken no actual notice of it?—No actual notice more than any one can see in walking the streets.

332. Is that recently?—Quite lately.

333. Can you mention any particular day or any particular house or any particular person?—No; I have not taken that much notice, but I have seen drunkenness in the streets.

334. For all you know they might have had a bottle of whiskey in their pocket?—Yes.

335. Have you seen Sunday trading at publichouses?—No; I have not looked for it.

FEATHERSTONE HERRON examined on oath.

336. *The Chairman.*] What are you, and where do you reside?—Labourer; and I live at 35, Cuba Street.

337. *Mr. Taylor.*] Do you remember helping to get information as to the number of visitors at certain hotels in Wellington?—Yes.

338. What was the date?—Sunday, the 4th March, 1894.

339. You were told by those who approached you that it was for the *Prohibitionist* newspaper, and not for the police?—That was the understanding. Had I known it was for the police I should not have gone.

340. What hotel was it?—The Army and Navy.

341. *The Chairman.*] Were you alone?—No; I had a mate with me, Mr. A. Tonks.

342. Has the Army and Navy changed its name since?—Yes, I believe it is called the "Terminus" now.

343. What time were you taking notes?—From 7 a.m. to 6 p.m.

344. How many people visited the hotel during that time?—I think about 107.

345. Any women?—There were two middle-aged women and one young woman with an apron on, but she would be the servant-girl.

346. The servant-girl?—We thought it would be the servant-girl. At first we took her to be an outsider, but afterwards we came to the conclusion she must be the servant-girl.

347. Do you remember how you formed that conclusion?—I think she came out again and went in.

348. Were there any boys?—There was one boy; a boy with a kit.

349. Did many of them carry anything of the kind—kit or bag, or jug, or anything?—Not many; there may have been one or two.

350. What do the notes say in that respect?—I have only one note. I have a boy down with a kit. That is the only case.

351. Are those your own notes?—Yes, I wrote this myself.

352. *Mr. Taylor.*] Did you notice any signs of liquor on any of the people as they came out?—I could not swear to it.

353. They all seemed to be passing in and out?—Passing in and out.

354. Did the majority of them stay there any length of time?—I do not remember. We have got no note of them coming out, but I do not remember. I remember one or two coming out and going in again.

355. Not many?—Not many. There are one or two I can remember.

356. So far as your memory will take you, did they stay there long on the average?—I did not take any particular notice.

357. Have you taken any systematic notice as to the Sunday trading since then?—No.

358. Did you see any police on that day?—There was a policeman came on at dinner-time for about three-quarters of an hour.

359. On beat?—Yes, at the corner.

360. Was there any one on watch at the hotel?—On one or two occasions the landlord came outside and walked up and down the footpath for a while.

361. There was no regular watch kept?—No regular watch kept.

362. How long was the constable there?—About three-quarters of an hour. There were no entries during that time.

363. *Colonel Pitt.*] Did you see any member of the Police Force going into the hotel during the time you were watching?—No.

364. *Mr. Taylor.*] Have you had any experience of Sunday trading of any kind since then?—One or two things have brought themselves before me.

365. What was the nature of them?—Well, in one case, about four weeks ago, I met a work-mate of mine—a mate who was working on the drainage with me—I met him on Lambton Quay, and he asked me to go and have a drink.

366. Was that on Sunday?—On Sunday.

367. What time would that be?—Between 2 and 3, as near as I can remember. We were walking down the Quay at the time, and we were about opposite the Ranfurly Hotel when he asked me to go and have a drink. Of course, he was a friend of mine, and I did not want to hurt his feelings. I simply refused. Because he asked me to have a drink I did not report against him.

368. *The Chairman.*] Did you go in?—I refused.

369. *Mr. Taylor.*] Had he had liquor at that time?—I think he had had a little.

370. Did he go into the Ranfurly Hotel?—He walked into the main entrance. He came back to me and said he had had a drink.

371. Where did you go to then?—We walked down the street till we got near the Royal Hotel. He asked me to have a drink again. He went in and said that he had had another drink.

372. He went into a second hotel and came out again?—Yes.

373. Did he join you again?—He joined me again shortly.
374. And you continued your walk?—We continued our walk down towards the Esplanade.
375. Where did he next go to?—He went and had another drink as he passed Dealey's Railway Hotel. In this particular case he went in by a side door.
376. Did you wait for him?—Yes, I waited till he came out.
377. What was the next stopping-place?—We proceeded down to the Esplanade and had a sit down.
378. Did he show any signs of liquor on him at that time?—Yes.
379. Was he different in his manner at that time to what he was when you started to walk with him?—Yes.
380. What did you argue from that?—When he said he had had some drink I believed it from his rather excited manner.
381. What time would elapse between his joining you and your getting down to the Esplanade?—A little over half an hour. He only stayed a short time in each hotel.
382. Were you simply strolling about that afternoon?—We were just walking down the Quay.
383. Has any other fact come under your notice since you collected this information in 1894 to show that Sunday trading was carried on?—No other fact.
384. You have really made no regular observation since 1894?—No.
385. *Mr. Tunbridge.*] Can you say what the date was when you were with this man?—I could not say what the date was; I should say it was about four Sundays ago.
386. Will you give me the name of the man please?—I would not like to commit the man.
387. I want you to give me his name, that is all. The man has probably committed no offence?—The man's name is George Myers.
388. Where does he live?—He lives somewhere off Tinakori Road.
389. Where is he working?—He was working the last time I saw him for some plumber in town, putting in connections in a small street that runs down off Molesworth Street.
390. During the time you were with him he had three drinks?—Yes.
- 390A. Did he say how he got into the hotels—did he represent himself as a *bond fide* traveller, or what?—He did not say anything. I watched him walk in.
391. At the Ranfurly, did he not pass someone when he was going in at the door?—If I remember rightly there were two or three people standing round the door.
392. Was the landlord of the Ranfurly at the door?—No, I did not see him on the door.
393. Did you see anybody who belonged to the house about the door?—Nobody that I knew.
394. *The Chairman.*] Did he speak to the people at the door as he passed in?—No, he passed them.
395. *Mr. Tunbridge.*] As to the Royal, did he speak to any one there?—There was nobody at the door there.
396. He walked straight in?—Yes.
397. The same at the Railway?—At the Railway Hotel he went round to a side door.
398. Are you an abstainer?—Not a strict abstainer.
399. Have you ever visited these hotels yourself on a Sunday?—No, I have never been in any hotel on a Sunday.
400. He never made any statement to you as to how it was he got inside the hotels, whether he made any representations as to who he was or anything of that kind?—He merely said he had been in and had a drink.
401. Did you stay with him any time on the Esplanade?—We were together about an hour on the Esplanade.
402. Where did you go after that?—We walked down towards the town again.
403. Any more drinks?—He had another drink at the Railway Hotel by the side door.
404. He gave you to understand he was going in for another drink?—I understood he had another drink.
405. Where did you go after that?—We walked up the Quay just past Bowen Street, where we parted. He wanted to go further up the street with me, and I tried to persuade him to go home.
406. Was he sober when you first met him?—He was just sociable. I would not say he was drunk. I was under the impression he had had a drink.
407. He did not tell you where he had been before?—No.
408. *Colonel Pitt.*] Did you see any police about any of these hotels?—I do not remember seeing any police about.

ALBERT TONKS examined on oath.

409. *The Chairman.*] What are you, and where do you live?—Saddler, Thompson Street.
410. *Mr. Taylor.*] Do you remember helping Mr. Herron to collect information as to the number of visitors at the Army and Navy Hotel in 1894?—Yes.
411. Do you remember what hours you were there?—From 8 a.m. to about 5-30.
412. What was the total number of visitors to the hotel during that time?—About 107.
413. You worked together that day, taking notes and observations?—Yes.
414. Were some of the people carrying kits or bottles into the hotel?—About one, that I remember.
415. There was more than one, I suppose?—I only remember one.
416. What class of people did they appear to be—did they just appear to be passing in and out of the hotel?—Yes.
417. Did they stay very long?—Not as a rule.
418. You understood at the time the information was not being collected for police purposes?—Yes.

419. Have you made any systematic observations since then?—No.
 420. Did you see any police about the house that day?—No, not while I was there.
 421. None went in?—No.
 422. Do you know what Sunday it was in March?—It was about the 4th March.
 423. Did you see any policeman pass on beat?—No.
 424. You do not remember?—No.
 425. If Mr. Herron says a policeman stayed for three-quarters of an hour outside the hotel would you contradict him?—No, that was my dinner-hour then.
 426. You were off for a while?—Yes.
 427. Do you remember what time that was?—Between 1 and 2 o'clock.
 428. What is stated on the notes with regard to the policeman?—"Policeman hovering round for three-quarters of an hour." That is marked between 12.30 and 2.30.
 429. *Mr. Tunbridge.*] Do I understand you to say you left your watching altogether for that hour?—Yes. I was watching continuously all but that hour.
 430. When did Mr. Herron leave?—He left between 12 and 1.
 431. From 12 to 3 there was only one watching?—Yes.
 432. *The Chairman.*] Who made that entry then, "12.30"?—Mr. Herron.
 433. He was not there?—Well, this has been made out since then.
 434. *Mr. Taylor.*] Where are the original notes?—We put it down roughly, and then copied it out afterwards.
 435. How soon afterwards?—The same night. It was made out from rough notes on the same night.
 436. *The Chairman.*] Then, at some time or other between 12.30 and 2.30, the policeman was there?—Yes. The constable was there between 1 and 2.

AUGUSTUS THOMPSON examined on oath.

437. *The Chairman.*] What are you, and where do you live?—Carpenter, Daniel Street.
 438. *Mr. Taylor.*] Do you remember being with Mr. Petherick in 1894, collecting information as to Sunday trading?—Yes.
 439. Do you remember the date?—It was Sunday, 4th March, I think.
 440. What hotel were you taking notes as to the number of visitors to?—The Newtown Hotel.
 441. Do you remember what time you were there?—From 7.30 to about 5 or 6. I could not tell you the exact time I came away.
 442. Did you take refreshments with you?—No; I went home to get them. I went home between 12 and 1, and Mr. Petherick went afterwards.
 443. What was the total that day?—About 180. There were 154 men, ten women, eight boys, and eight girls.
 444. Were any of them carrying bags or bottles, or jugs, or anything of the kind?—Some of them had a kit, others had something under their coats and cloaks. Of course, we could not see what they were carrying.
 445. Did they look like travellers, or were they people in the neighbourhood?—I think they looked like people in the neighbourhood. I could not say, because I was not living in the neighbourhood at the time.
 446. But they looked like residents?—Yes.
 447. Did any of them show signs of intoxication at all?—Not that I know of.
 448. What impression did you form, that they were just going in and out for drinks?—I could not swear what they were going in for.
 449. Did you see any police about that day?—I saw a constable that was stationed at Newtown go by.
 450. Was there anybody watching in front of the house?—I did not see any one watching.
 451. Have you made any systematic observations since that date?—No.
 452. *The Chairman.*] Have you any experience in the use of stimulants?—No.
 453. You do not know how much it would take to make an ordinary person show he was the worse for it?—No.
 454. *Mr. Taylor.*] Are you a teetotaler?—I am.
 455. *The Chairman.*] You do not know whether one glass would upset a person, or two or three, or more?—No.
 456. You do not know how long these people were in there?—No.

GEORGE PETHERICK examined on oath.

457. *The Chairman.*] What are you, and where do you live?—Bootmaker, Taranaki Street.
 458. *Mr. Taylor.*] Do you remember helping Mr. Thompson to collect information bearing on the question as to how many people visited the Newtown Hotel?—Yes.
 459. Do you remember the date?—Yes, the 4th of March, 1894, on a Sunday.
 460. What time were you taking notes?—From 7 o'clock till about dusk.
 461. Do you remember the total number of visitors?—One hundred and eighty.
 462. Any of them carrying kits or bottles, or anything to show that they were likely to fetch liquor away?—The first entry was of that description. The first entry was a girl, about 7.15. She had a kit. She was let in by the man that was watching the surroundings of the hotel.
 463. Did a number of them carry kits or bottles or vessels of any kind during the day?—Two or three of them. I could not say how many. There were ten women, eight boys, and eight girls.

464. Did they seem to be casual callers?—Yes; perhaps two or three of them stayed in some time.
465. Did you notice any signs of intoxication on any of them when they came out?—Yes, I did; but those that I saw intoxicated coming out were more or less that way when they entered.
466. There were none of them drunk?—Well, it is ———.
467. Definition wanted again?—Yes.
468. Were any police visible during that day?—I saw Constable Carroll four times during the day—twice in the morning and twice in the afternoon.
469. Just pass the hotel?—Yes.
470. Was he in uniform?—In the morning he was; in the afternoon he was in plain clothes.
471. Did any one seem to be on watch during that day belonging to the hotel?—No one seemed to be particularly on watch. There was never a great number in at a time?—just ones and twos.
472. Have you made any systematic observation since that date?—No, I have not.
473. You could give no facts as to whether the state of things to-day is similar to what it was then?—I could not say. I took this to post myself up, so that I could know personally how things were going.
474. *Colonel Hume.*] When you were with Mr. Thompson, did you say to each other, when you saw a man go in, “Well, now, that is a traveller; that is a resident; that is somebody else”—did you consult together, as it were?—Some persons, two or three, went in that I knew personally.
475. You said, “That is So-and-so,” because you knew him. Well, if a doubtful man came along, what did you do then?—I could not say.
476. Did you say to Mr. Thompson, “I do not think that is a resident; that fellow is going to have a drink”?—Not that I am aware of.
477. You did not consult together?—No. At the same time, I would like to say this: although I saw Constable Carroll four times during that day, under the circumstances, it would perhaps be difficult for him to secure a conviction, though there were so many people visited the hotel.
478. When this man came out shaky, or looked as if he had had liquor, you probably said to Mr. Thompson, “That is So-and-so; he is pretty full up,” or something of that sort, “but he was full when he went in”?—Quite likely.
479. Would you be surprised to hear that Mr. Thompson says he never saw anybody come out the worse for liquor that day?—His opinions may differ from mine.
480. But how could your opinions differ if you consulted together?—I do not know that we consulted together.
481. I asked you, and you said “Yes”?—I said, “We may have.” I would not swear so.
482. You are perfectly certain you saw two or three persons come out the worse for liquor, and that they had had liquor before they went in?—Yes.
483. You did not consult with each other about every man that went in and out?—I do not suppose we did consult about every man.
484. How did you arrive at your conclusions that So-and-so was not a traveller, or that So-and-so was a resident of the place, if you did not consult together?—I speak only of those I knew. There were two or three people whom I knew lived in the neighbourhood; others I did not know.
485. Those that came along that you did not know anything about, what did you say about them?—I put them down simply as men. There were four I knew personally.
486. You did not have a systematic consultation together as each one came out and went in?—No.

THURSDAY, 10TH MARCH, 1898.

CHARLES HERBERT TREADWELL was examined on oath.

Mr. Treadwell: I have been solicitor for James Dealy and Stephen Dealy (James Dealy being licensee of the Railway Hotel) for many years. In 1892 Mrs. O'Leary, wife of Constable O'Leary, executed an instrument assigning any interest she might have as next of kin to Daniel Dealy, deceased, to James Dealy and Stephen Dealy.

1. *Colonel Pitt.*] An absolute assignment?—Yes.

2. What is the consideration?—The consideration was this: James Dealy was administrator of Daniel Dealy's estate, and this lady was one of Daniel Dealy's sisters. Well, the estate at the time of Daniel Dealy's death was, as I have often been informed and believe was the case, very largely in debt—there were a great deal more debts than assets—and the next of kin agreed to make over any possible interest they might have to the administrator, James Dealy, who has since been carrying on the hotel for the benefit of himself with his brother Stephen.

3. Who did these two make it over to?—To James and Stephen Dealy.

4. Then, there is no consideration?—It is a release of any interest she might have. The deed is dated in 1892, although I might point out the month and day have never been filled in in ink. That is on account of flaws in the lease, which have taken years to remedy. The deed is as follows:—

THIS DEED, made the nineteenth day of October, one thousand eight hundred and ninety-two, between Hanora Dealy, of the City of Wellington, in New Zealand, spinster, and Catherine O'Leary, wife of Florence O'Leary, of the said City of Wellington, police constable, of the one part, and James Dealy and Stephen Dealy, of the said city, hotelkeepers, of the other part: Whereas Daniel Dealy, late of the said City of Wellington, hotelkeeper, died on or about the twentieth day of August last, intestate, and administration of his estate was on the second day of September last granted out of the Supreme Court of New Zealand, Wellington District, to the said James Dealy: And whereas the lands and premises comprised in the hereinafter in part recited deeds of lease, with the hotel and buildings thereon known as the “Railway Hotel,” were at the date of the death of the said Daniel Dealy vested in him for all the residue then to come and unexpired of a term of twenty-one years from the sixth day of May, one thousand eight hundred and seventy-five: And whereas the said Daniel Dealy died a bachelor, and leaving his

mother and five brothers and three sisters him surviving, and the said Hanora Dealy and Catherine O'Leary are sisters, and the said James Dealy and Stephen Dealy are brothers of the said Daniel Dealy, and the mother and the other brothers and sisters of the said Daniel Dealy reside in Ireland: And whereas by deed of lease dated the thirteenth day of September last, made between Pero te One of the one part, and Daniel Egan of the other part, the said Pero te One did demise and lease unto the said Daniel Egan all that piece or parcel of land containing by admeasurement four perches, more or less, being the lot numbered fourteen by a subdivision of the Pipitea Pa Reserve of the said city, as shown in the plan drawn hereon, coloured in outline red, with the appurtenances thereto, for the term of twenty-one years, to be computed from the sixth day of May, one thousand eight hundred and ninety-six, at the yearly rental of sixty pounds, and subject to the covenants and conditions in the now reciting deed contained or implied: And whereas by deed of lease, bearing date the thirteenth day of September last, made between Teo Tipene, Hone Ngaukaka, Rota te Paki, and Heni Tipene of the one part, and the said Daniel Egan of the other part, the said Teo Tipene, Hone Ngaukaka, Rota te Paki, and Heni Tipene did demise and lease unto the said Daniel Egan all that piece or parcel of land containing by admeasurement twenty-two perches, more or less, being the Lot Number Fifteen by a subdivision of the said Pipitea Pa Reserve as shown in the plan thereof drawn hereon coloured in outline red, with the appurtenances, for the term of twenty-one years from the sixth day of May, one thousand eight hundred and ninety-six, at the yearly rental of one hundred and forty pounds, and subject to the covenants and conditions in the now reciting deed contained or implied: And whereas the said leases, though taken in the name of the said Daniel Egan, were obtained by him for and on behalf of the said James Dealy and Stephen Dealy, and the said Daniel Egan hath agreed to assign and transfer the same to the said James Dealy and Stephen Dealy as tenants in common in equal shares: And whereas a question has arisen as to whether the estate of the said Daniel Dealy is not entitled to or to an interest in the said in part recited leases of the thirteenth day of September last, but the said James Dealy and Stephen Dealy do not admit any such title or interest, and the said Hanora Dealy and Catherine O'Leary do not desire as sisters of the said Daniel Dealy as aforesaid to claim any interest in the said lease, and have agreed to execute these presents for the purpose of releasing such interest, if any: Now this deed witnesseth that in pursuance of the said agreement, and in consideration of the premises, they the said Hanora Dealy and Catherine O'Leary do and each of them doth hereby assign, release, transfer, and assure unto the said James Dealy and Stephen Dealy all those the undivided share and interests (if any) of them the said Hanora Dealy and Catherine O'Leary respectively of and in the said in part recited leases, and of and in the lands and premises expressed to be thereby respectively demised and leased, to hold unto the said James Dealy and Stephen Dealy, their executors, administrators, and assigns, as tenants in common in equal shares for all the respective residues now to come and unexpired of the term of years granted by the said deeds of lease respectively: And this deed further witnesseth that in further pursuance of the said agreement, and in consideration of the premises, they the said Hanora Dealy and Catherine O'Leary do and each of them doth hereby acquit, release, and discharge the said James Dealy and Stephen Dealy and each of them, their and each of their executors, administrators, and assigns, and their respective estates and effects from the respective interests, claims, and demands (if any) of them the said Hanora Dealy and Catherine O'Leary in to or upon the said leases and the lands and premises comprised therein respectively, and of and from all actions, suits, proceedings, accounts, claims, and demands for or in respect of such interests, or for or in respect of any act or thing in anywise relating to the premises.

In witness whereof these presents have been executed by the parties hereto the day and year first above written.

Signed, sealed, and delivered by the said Hanora Dealy, in the presence of—

P. LEVI, Solicitor, Wellington.

HANORA DEALY. (L.S.)

Signed, sealed, and delivered by the said Catherine O'Leary, in the presence of—

P. LEVI, Solicitor, Wellington.

CATHERINE O'LEARY. (L.S.)

5. It is a sort of family arrangement by which these two ladies surrender or release any interest they might have in the estate?—That is the position exactly. The reason I am asked to come here and make this statement is that my client thought the report in last night's *Post* will do him harm, and he wants the matter properly set forth.

6. *The Chairman.*] It has gone forth to the world that his wife is interested in the property, which estate is absolutely James Dealy's own?—That is the position.

7. *Mr. Taylor.*] Did you take instructions from Mrs. O'Leary for the preparation of that deed?—This document is signed by Mrs. O'Leary, and the instructions were given to Mr. Stafford or Mr. Field. I am unable to ascertain which.

8. You do not know now of any conversation that took place between your partner and Mrs. O'Leary at the time the deed was drafted?—No; I cannot say anything of the conversation, that took place some years ago.

9. When was it drafted?—In 1892.

10. Do you know if there is any other deed of any description relating to this property in existence, as between the present licensee and the sisters who signed this document?—I am quite sure there is not.

11. No consideration is to be paid by Dealy to his sister for her share?—I have already explained that James Dealy was administrator of Daniel Dealy's estate. When Daniel Dealy died the debts belonging to the estate were largely in excess of the assets.

12. Do you know if he has paid one brother £1,000?—I know he has not.

13. Supposing Mr. O'Leary said he had done so, he would be wrong?—Certainly.

14. And O'Leary said his wife's interest was worth £1,000?—I do not know the value of the property, but it is an exceedingly sanguine estimate.

15. Instead of Mrs. O'Leary's interest being valued at £1,000 she has no interest at all in it?—She parted with the whole of her interest for nothing, whether it was worth something or nothing.

16. Absolutely without present or future consideration?—Yes, so far as I know. I should say that it was an excellent consideration that the estate was relieved of its liabilities by Dealy.

17. What did you say the others received for their share?—I say Stephen Dealy did not receive £1,000. I believe he received £300. Stephen Dealy was a partner in the concern, and had been working in the hotel since 1892 without receiving any wages.

18. When did he receive payment?—Some time within the last six months.

19. Any deed in connection with the settlement?—Yes; I believe my partner, Mr. Field, prepared a deed.

20. Which of your partners prepared that document?—The release? either Mr. Stafford or Mr. Field; I cannot say which.

21. Has that been registered yet?—It does not require registration.

22. There is really no date on it?—It is dated 1892, and the 19th October is filled in in pencil in the handwriting of, I think, Mr. Field. Mr. Levi was solicitor for Mrs. O'Leary. He was advising her.

23. Has Mrs. O'Leary in that deed actually parted with her interest in that property?—Certainly.

24. When did she part with it?—When she signed the document.

25. What date?—1892.

26. Is it legal to fill in the date with pencil?—Certainly. A document without any date at all is perfectly valid. The date can be otherwise proved. It was not completed because the title was vested in a man named Egan, who was a trustee, but it has since been cleared up. Egan is an uncle of the Dealys.

JOHN JACKSON JOHNSTON was examined on oath.

27. *The Chairman.*] You are a member of the Police Force?—Yes.

28. What rank?—Second-class constable.

29. Where?—Stationed in Wellington.

30. We shall be glad to hear anything you desire to say?—I desire, on behalf of a number of constables in the Wellington Police District, to lay before you what has been for several years past a grievance with the men, and that is, the discontinuance of the long-service pay. Now, you are aware that in 1887 the long-service pay was stopped, and since then there has been nothing but dissatisfaction amongst the men who have joined, and especially amongst those men who have been transferred from the Permanent Artillery. These men now find that constables in the Force who were fortunate enough to be transferred previous to the year I have mentioned are in receipt of 1s. per day extra, long-service pay.

31. All who were transferred prior to that date get 1s. long-service pay?—Yes.

32. And none after?—No. That is the date when the discontent commenced in the Force.

33. Do you mean discontent on the part of those who were in the Force prior to the 10th February, 1887, the date of the circular, or since?—Those in the Force since; and they are the large majority of the men. They have no hope of ever getting on an equal footing with the others, and consequently they are dissatisfied. They have nothing to look forward to, and no encouragement for good conduct, because there is no reward held out for them. This long-service pay was granted purely for long service and good conduct. There has never been much promotion in the Force at the best of times. The men have nothing to gain by expecting anything in that line. It is out of the question. To convince you of the unfairness of the system as it now stands it will be necessary for me to adduce a particular case as an instance—to put my own, as briefly as possible.

34. When did you join?—I joined the Armed Constabulary in 1886.

35. When did you join the Police Force?—In 1889. I served seven months in the Armed Constabulary, and I was transferred to the Auckland forts as third-class gunner, and remained in the Force for over two years. I was transferred in 1889 to the Police Force under Major Gudgeon. I have been doing police duty since. Of course, if I have been unfortunate to lose my long-service pay I have always been extremely lucky in having good officers to serve under, and that has gone a long way.

36. Where has your service in the Police Force been?—In this district. Here is my discharge, and you will see I only got credit for seven days in the Armed Constabulary. At that time they were building fortifications, and they no doubt found my services as a navvy more valuable than as a gunner, and I lost a shilling a day through that for seven months.

37. Why did you lose 1s. per day?—Well, the Permanent Artillery got 6s. per day and the Armed Constabulary got 5s. per day.

38. You joined the Armed Constabulary, and then joined the Permanent Artillery?—Yes, after serving there over seven months.

39. What were you doing?—Building fortifications.

40. Had you any reason at all to expect, when you joined the Police Force in 1889, that you were going to receive an allowance which had been abolished in 1887?—That sort of thing has occurred in the Force before. They reduced the pay 10 per cent. one time, and then made it up again afterwards.

41. Is your object in saying what you have said a desire to express a grievance, in not having received long-service pay, or to show to us the advantage and importance of re-establishing the long-service pay?—It is to have the long-service pay established if possible, because the men will not be satisfied without it. They will be far more satisfied with the long-service pay than with any pension scheme. We do not want to have anything to do with what we have lost by it, but to see the thing established. Mr. William Hutchison was in Wellington some years ago and explained a pension scheme to us; and every man on the station opposed that, because the long-service pay was abolished and we would not be on the same footing as the other men. We were discontented with that.

42. You disagreed with Mr. Hutchison's scheme?—Yes, every man on the station.

43. Do you think that the men would be more satisfied with more pay per day than with a pension scheme?—Yes, the men would be inclined to work out a pension scheme of their own if they got decent pay. Of course, I have completed now twelve years in the New Zealand Forces—namely, nine years in the Police Force and three years in the Permanent Force—twelve years, with good conduct, and it is not worth a penny-piece to me.

44. And you think a system of increased pay at stated periods, say, every five years or so, would be acceptable and satisfactory?—Undoubtedly so. There has been nothing but dissatisfaction ever since that pay was stopped.

45. *Colonel Pitt.*] Have the police formulated any scheme amongst themselves for a pension scheme; you said they would work out a scheme of their own if they got decent pay?—No. They think that any attempt to have a pension scheme would be attended by nothing but failure.

46. They have attempted no scheme of their own yet?—No, not that I am aware of.

47. Do you think they would successfully formulate a scheme without having a lump sum of money to start with?—No, they have no hope whatever. There is the Bank of New Zealand pension fund, that was endowed with £25,000 by the bank at its foundation, and now it is a burden on the whole staff. In the face of this sort of thing the men do not see that a pension scheme would work at all, or give satisfaction.

48. I am speaking of the scheme you say the police would start for themselves?—That is to say, if a man had decent pay he would be able to save something and make ready for a time when he would probably want it.

49. It would be individual saving, but no general scheme?—Yes.

50. *The Chairman.*] You say you yourself have no personal grievance of any kind. Can you tell us of any dissatisfaction existing in the Force as to any other matters in connection with position? The ordinary pay, you say, is not sufficient to enable you to provide for a pension scheme?—I do not consider the pay sufficient.

51. What is the present pay?—My present pay is 7s. 6d. per day. I work on an average between nine and ten hours a day, taking all the year round.

52. Is that the pay of a second-class constable all round?—Yes; but with long-service pay it would mean perhaps 8s. or 8s. 6d. per day. There are men junior to me in the service who are drawing more pay than I am.

53. You mean junior in the service of the colony?—They might not be junior to me in the service of the colony, but junior to me in rank. Perhaps their promotion is of later date than mine, and they are junior to me in rank although not in service, and they draw 1s. per day more than I do, through the long-service arrangement.

55. You want something more in the way of daily pay, to provide for a pension fund?—Yes.

56. You think 7s. 6d. is not sufficient for the class of work you have to do?—Certainly not.

57. Do you live in barracks?—Yes.

58. What are the barrack charges?—From 1s. 6d. to 1s. 9d. for food alone. Then we have to provide for clothing, and one summer on the wharf will destroy a suit of uniform.

59. What do you estimate uniform costs you a year?—I reckon with care one suit a year would do.

60. What does it cost you to keep yourself in uniform?—Taking into consideration boots, from £5 to £6.

61. One witness told us, I think, that it came to about £8, taking into consideration overcoat, two pairs of trousers, and boots?—I have not taken waterproof coat into consideration.

62. Taking these into consideration, does £8 a year cover the expenses of uniform, &c.?—From £8 to £10.

63. Then, uniform and living costs you about £50 a year, out of your present pay of 7s. 6d. a day?—Yes.

64. Tell me why you think the pay is below what it should be?—An ordinary labourer gets 1s. an hour, and overtime at the rate of 1s. 6d. If they are permanently employed by the Harbour Board the Board will permit them to insure their lives for a sum up to £400, and will pay half the premiums.

65. Taking that as a basis for the wharf labourer, you think a constable's pay of 7s. 6d. a day is low?—It is low, considering the unpleasant nature of the work he has to do; and any man with a strong constitution can make a labourer in seven days. It has taken me nine years, with good luck, to make a second-class constable. I do not think I am well paid by any means compared with the other Forces.

66. Can you call our attention to the pay of any Force that is better paid?—Yes; the pay of the Sydney police is 7s. a day to start with, and after twelve months' service you get 1s. a day rise, and you have your uniform found.

67. Anything else found them?—I cannot say.

68. Now, do you know any other colony where the pay is better?—I believe in all the Australian Colonies the men are paid better than they are in the New Zealand Police Force. I may state the New South Wales police get a shilling a day house-allowance for married men.

69. Do married men get house-allowance here?—None whatever, except sergeants and non-commissioned officers.

70. It has been mentioned to us that the handcuffs and batons you use in the Force are not satisfactory; have you anything to say about them?—The baton is satisfactory, but that style of handcuff has been obsolete for years. I find this particularly in the duty I have to do on the wharf. You get a violent prisoner with big wrists and you cannot get the handcuffs on. Then there is the other way about: if you get a man with small wrists they are too large for him, and easily slip.

71. Have you seen better?—Yes; the American style of handcuff is a long way superior to ours. You can make them fit the wrist of any man, no matter how small or large it is.

72. It is suggested that the batons are too heavy, and that you are afraid to use them?—Some of them are.

73. Have you seen any other?—No.

74. With regard to batons, you do not say much?—No.

75. Now, I want you to remember that we are hearing this from you as the voice of the Force, and you express so far as you can your sentiment, and distinguish it if you think you differ from the feeling of the Force generally. Now, I am going to ask you something about the franchise. For some years the members of the Force have been allowed to vote, and I want to know your opinion

upon that. Is it desirable, in your opinion, that the men should have the right to vote, or do you think having the right to vote interferes with their independence, or subjects them to suspicion, or is in any way detrimental to the Force?—My experience of the matter is that it is not detrimental to the Force, in this way: that it is not from the mere fact of a man having a vote at an election that gives him any influence at all. The influence simply comes from his friends, and I think that as the franchise has been extended to the police, they can use their own judgment the same as other men in voting. They can select their candidate, and vote for that candidate without having recourse to anybody to advise them. I speak for myself. I have been here during three or four elections, and I have never yet been asked for my vote by one side or the other, nor has any suggestion been made from outside the Force. We might talk about the matter in the barracks amongst ourselves, but I have never been approached by any outsider.

76. You do not think yourself that it exposes you to any influences, or that you are likely to be made use of in any way for political purposes?—Not the slightest. It is not through having the franchise that the harm comes, when you talk about influence. I know nothing about influence; but it is the people who have a lot of friends who cause the mischief, and they use these friends to get advancement in the Force and for other purposes.

77. It has been suggested that men in your position having the right to vote would feel bound to vote for the party in power?—Oh, not at all. You can go to the ballot-box, and there is nothing to compel you to vote for any one. You can vote for whom you please.

78. You think there is no fear?—Not at all. I would not care if you could turn up my voting-paper to-morrow.

79. You feel no embarrassment in that way?—Not the slightest.

80. Can you tell me, then, that the feeling of the Force is that they are free from any pressure?—Yes. The men do not care. They have no fear in a matter of that sort. They are never influenced in any way to vote except in the way they choose themselves.

81. Have you ever heard any hints from your officers as to how the men are expected to vote?—Never. I have never heard the Inspector here speak of anything of the kind.

82. *Colonel Pitt.*] In Wellington, what instruction do the Police Force get in their duties?—The Sergeant-major (Mason) holds classes once a week, every Thursday afternoon from 2.30 to 3.30. That is, for every one who can possibly attend. Of course, if he does not attend, the senior sergeant is supposed to take over the class.

83. What is the instruction given?—Generally a lecture from the sergeant-major on discipline, and various other things. The men may ask him a lot of questions.

84. Are you instructed what you ought to do or ought not to do in stated cases?—Oh, yes.

85. *The Chairman.*] Do you get another instruction monthly?—If anything has occurred that is worth mentioning the Inspector generally gives instruction as to whether it was well done, or whether it was not done to his satisfaction, and then he points out what should have been done.

86. You get instruction from the Inspector illustrating cases?—Yes.

87. *Colonel Pitt.*] How many men on an average attend these classes weekly?—I suppose there would be about twenty—all the men who are off duty and can attend, both married and single.

88. We were told that all the men in the Force now have to insure their lives?—Yes.

89. Supposing the Government paid the premium of the life insurance, would that meet the grievance you say you have in reference to the long-service pay?—Of course, it would be a relief in one way, no doubt. I think it would hardly be adequate.

90. *Mr. Poynton.*] Is there any discontent about the uncertainty of getting a retiring-allowance?—Yes. Of course, the men would be satisfied if there was a permanent retiring-allowance of one month's pay for each year of service, after four or five years of service.

91. To get it as a right?—Yes.

92. *Colonel Hume.*] You lost 1s. a day, did you not, by being transferred from the Permanent Artillery to the Armed Constabulary Force before coming into the police?—Yes, when I was transferred.

93. Now, had any officer connected with the police anything to do with that loss at all?—No.

94. When you came into the police you knew exactly what pay you were going to get, and knew you were not to get the long-service pay?—Yes.

95. You came in with your eyes wide open?—Yes.

96. Everybody else came in on the same terms?—Of course, we could not all join at the same time.

97. You knew when you joined the Force that you would not get any long-service pay?—I did not know I was not going to get it; I knew it was not then in force.

98. You knew an order had done away with it?—Yes.

99. Did you ever see a scheme that I made out?—I have heard about it.

100. How would that suit the men: that is, increment for service?—That would have been satisfactory to the men no doubt, had it been tried, in the absence of anything else.

101. It would be better than the way it is now?—Certainly.

102. A man would get his increase in the ordinary course of things?—It almost amounted to the long-service pay system.

103. Now, where did you see Mr. Hutchison's scheme?—In the barracks.

104. Were you not paraded before Mr. Hutchison?—Yes; he came into the barrack-room one afternoon and explained the system to us.

105. Do you happen to know whether District Clerk Wright was present on that occasion?—He was not in Wellington then.

106. You say there are men junior to you drawing long-service pay?—Junior in rank, yes.

107. You might have told the Commissioners why that is: did you not get special promotion for gallant conduct?—Yes; I was promoted in 1892 for the arrest of a man named Findlay.

108. If it had not been that you were specially promoted for gallant conduct there would not be any juniors in the service drawing long-service pay?—No; but there might be juniors in the Forces altogether, but not in the Police Force.

109. You said something about your uniform being destroyed: do you not always get compensation when you ask for it?—If it is destroyed in the execution of your duty; but for the ordinary wear and tear you do not get anything.

110. But whenever it has been destroyed in making an arrest you have been compensated?—Yes.

111. Then you said something just now about the American handcuffs being superior to ours; have you examined them carefully?—Yes.

112. Did it strike you that there was anything at all dangerous about them?—No. I know the detective service here use them, and they have no fault to find with them.

113. You said you could make them as small as you liked; what happens to the end when you slide it all the way?—The end protrudes about $\frac{1}{4}$ in.

114. And you could jamb it into a man's head, or he could strike it into yours?—It strikes me as very improbable, because when a man is handcuffed I do not think he could do that.

115. When there is a general election it is necessary to shift men all over the place?—I do not know; it may be so.

116. You must know that they are withdrawn from the country to more important places?—Yes.

117. Therefore these men are disfranchised, are they not. Take Levin, for instance: the chances are the man would be transferred down here, and he would therefore be disfranchised, would he not?—Yes.

118. Then, if it was found out, or if some candidate thought he was any particular colour, would they not have a grievance with the department for having taken this man away because he was of the right or wrong colour; is that possible?—They might have reasons, but I would not care to say that was the reason.

119. Might it not be put forth as a reason?—The man might be very useful in the electorate; it would not be from the fact of his having one single vote that a candidate would have a grievance.

120. Then, I understand you to say that the discontent you speak of in the Force is purely a matter of pay, and retiring-allowance?—Yes.

121. *Colonel Pitt.*] You spoke of the men in the Force having friends. Is there any feeling in the Force that men are advanced or promoted through outside influence?—There may be feeling to that effect, but it is only ordinary barrack-room talk, and there is nothing in it.

122. You think there is nothing in it?—No.

123. *Mr. Tunbridge.*] You said there was a good deal of dissatisfaction owing to there being no encouragement to the men for good conduct?—Yes, undoubtedly.

124. What you meant by that, I presume, is that well-conducted men are not encouraged as they might be to continue well-conducted, and perform their duties satisfactorily?—Yes.

125. And that there has been stagnation in promotion?—Undoubtedly; little or no promotion.

126. What has caused a good deal of that stagnation of promotion in the Force?—No doubt it is due to the absence of any superannuation scheme, when men would retire at a certain age, and of course leave a way clear for their places to be filled up from the ranks.

127. Then, this stagnation is in a great measure to be removed could a superannuation scheme be adopted?—Yes, or compulsory retirement at a certain age.

128. In reference to compulsory retirement at a certain age: do you think the colony generally would like to see a man who has passed thirty or forty years in the service of the colony sent out of the Force on to the world with one year's pay?—I say one month's pay for each year of service.

129. I know; but the present conditions are that they get one year's pay only?—It is most unfair.

130. You do not think the people of the colony generally would like to see that done?—No.

131. Then, there is no alternative but to have some pension fund, or to pay them one month's pay for each year of service?—Yes.

132. Do not you think a pension fund would be preferable to a gratuity?—I do not think so, inasmuch as it is thought the men would be called upon to pay out of their own pockets to keep this pension fund going. It would be like giving them 1s. per day promotion, and taking 6d. or 9d. a day to keep the fund going.

133. Do you know anything of the pension system of other Forces?—No.

134. Do not you know that in most of them the men contribute towards their own pensions?—I believe they do.

135. You would not expect this Force to get pensions on better conditions than others?—No. The only thing is, you cannot start a pension scheme under better conditions than the Bank of New Zealand pension fund started, and now they are trying their utmost to get rid of it.

136. Would you object to a pension scheme where the men had to contribute under any circumstances?—Of course, it is a very argumentative subject, and I have not considered it sufficiently to give an answer.

137. May I put it this way: Do you not think that a pension scheme would be very beneficial to the Force?—I think so, looking at it from the standpoint of the Force at the present time.

138. *The Chairman.*] That is, a pension scheme as against a retiring-allowance?—A retiring-allowance is preferable to a pension scheme under those circumstances.

139. *Mr. Tunbridge.*] That is, assuming you get one month's pay for each year of service?—Yes.

140. Then, you think that a pension system where the men had to contribute would not meet with the approval of the Force generally?—Not as well as a retiring-allowance of one month's pay for each year of service.

141. You think a retiring-allowance as you suggest would be preferable to the men in the Force?—Yes; that is my opinion.

142. You have come here to voice the opinion of many others?—Yes; the feeling of the men.

143. And you think that is the feeling of the men generally?—Yes.

144. That would place you on a similar footing to the Prison Department?—Yes.

145. What do you consider would be a fair remuneration for the Force?—1s. an hour is a fair pay—that is 8s. per day.

146. Do you mean that to apply to a man when he begins police service?—No, because I would say a man beginning is not worth the same amount of pay as a man with two or three years' service.

147. When would you consider a man fit to receive 8s. per day?—After one year's service.

148. Would you give beyond 8s. per day, or would you consider that 8s. was sufficient pay to a man for the work he does?—Certainly not. He is a very poor man who, after five years, is not a better man to the department. The experience alone is worth some consideration.

149. What do you suggest it should rise to; what would you consider the maximum pay of a constable?—Nine shillings per day. Say, after five years' service he should have a rise of 6d., and after ten years another rise of 6d. That would give him 9s. a day.

150. And you think 9s. would be a fair remuneration to a constable after eleven years of service?—Yes.

152. Well, in addition to that, would you suggest that a constable should get his clothing free, or an allowance?—An allowance would be preferable to the men and cheaper to the department.

153. You think they should get that in addition to the scale of pay which you mention?—Yes.

154. Do you also think married men should get house-allowance?—They undoubtedly should. It is only a struggle for existence as it is now.

155. Do you know of any other Force in the Australian Colonies who are paid as liberally as you mention?—I am only going on the lines of the New South Wales Force.

156. Does a constable rise to 9s. per day there?—There are different grades there.

157. Does a senior constable receive as much as 9s. per day?—I dare say. I am not sure of that. The lowest grade of constable there is 8s. per day after one year's service. They call them probationary constables up to twelve months' service.

158. You are speaking of no encouragement for good conduct: as a matter of fact you did get encouragement for good conduct?—Undoubtedly, I have always been treated fair.

159. Until a man does attain the rank of first-class constable he does get encouragement for any act of merit?—Yes; but the chances are very remote.

160. But you do not wish it to go forth that there is no encouragement for good conduct in the Force as it exists?—These opportunities do not often occur, and a man might be in the Force for ten years, with good conduct, and be a good man and it is nothing to him, simply because he is not lucky.

161. *Inspector Pender.*] Do the married men of the Force prefer retiring-allowances to pensions?—I believe they do; the majority of them that we have spoken to prefer them.

162. Have you spoken to some of the married men?—Yes.

163. And they agreed with you?—Yes, they are of the same opinion.

164. *Mr. Tunbridge.*] The feeling among the men with reference to the long-service pay is this: that you, for instance, may be working side by side with a man who is receiving long-service pay, and doing the same duty?—Yes.

165. And gets 1s. a day more than you?—Yes.

166. Although doing exactly the same work?—Yes.

167. That, you say, is a cause of discontent?—Yes.

168. *Mr. Taylor.*] How many men do you represent on this deputation?—I really cannot say the number; the majority of us in the station.

169. How many have you been in consultation with, for instance?—We have discussed it amongst ourselves—all hands in the barrack-room.

170. Do you know anything about the details of the Bank of New Zealand Provident Fund?—Nothing but what I read in the papers, and what one of the officers told me.

171. You have not read what the Private Benefit Societies Commission reported on it?—No. I read the evidence as published in the daily papers.

172. What are the weak points in that scheme? The weak points, from what I can hear from the staff, is that they are paying in so much money to this fund, and it is going to support pensioners who are drawing at the rate of £500 a year from it.

173. You know the amount of their contribution?—I do not know.

174. Do you know whether it is a percentage of salary, or so much per week per man?—I know nothing about the details.

175. There are some men drawing an unfair amount?—Yes.

176. That is really all you know about the scheme?—I know it is not giving satisfaction to the men. The last vote gave a seven-eighth majority against continuing the fund.

177. Who supplies the detectives with the handcuffs?—They buy them.

178. Sooner than buy the obsolete ones in the service?—I think so.

179. As a matter of fact, are there not some constables who buy handcuffs for themselves?—Yes.

180. Do you remember what you pay for your shako?—11s. 6d.

181. Do you know what it costs the department?—I do not know.
182. *Colonel Pitt.*] Does that include the number?—That is issued by the department.
183. *Mr. Taylor.*] Do you know if the department makes any profit on the clothing, or on the hats?—I cannot say.
184. You referred to the instruction classes, and said about twenty on an average attend every Thursday; when did you attend last?—Either last Thursday or the Thursday before.
185. What was the subject of instruction?—On discipline and various other things. The men were asked different questions: assuming such and such a thing to have occurred, what would you do under the circumstances? And, for instance, to give a definition of what a burglary was, and breaking and entering, and whether it was an offence for a man to break into a tent, and so on—general instruction.
186. How many classes have you attended altogether?—I cannot say.
187. Have you been pretty regular?—Yes.
188. Do you go off duty for it?—No, only men off duty.
189. Does the sergeant-major always spend some time every Thursday in lecturing on discipline?—Not every Thursday. He generally starts with discipline and goes right through, taking various subjects from that on. He might give a lecture on the bad effects of drinking while on duty.
190. Well, now, you have attended these lectures some years?—Well, since Sergeant-major Mason has been here. That is not long.
191. Were not the lectures given before?—They have only recently been started.
192. Do you know that an instruction was issued for them to be held?—I cannot say the date.
193. Do you remember an order issuing about the 13th May, 1896, to this effect:—

Drill and Instruction.

(Circular No. 13/96.)

THOSE recruits who may in future join the Force without having been previously drilled will be placed under some qualified constable or non-commissioned officer for the purpose of being drilled in marching, turning, saluting, use of revolvers, handcuffs, and batons, at some convenient hour daily, till passed as efficient by the Inspector. At head-quarter stations all constables available will in future be assembled once a week for the purpose of being instructed and catechized by the non-commissioned officers in the various subjects appertaining to police duties; and once in every month the Inspectors will themselves give a lecture to and catechize the whole of their subordinates that may be available in the various duties they have to carry out as constables.

Wellington, 30th April, 1896.

A. HUME,
Commissioner of Police.

(Published in *N.Z. Police Gazette*, 13th May, 1896.)

Do you remember that order?—I cannot say I remember the order, but I remember recruits starting drilling, and, no doubt, that would be about the time that order was issued.

194. You say distinctly these weekly instruction classes started with the advent of Sergeant-major Mason?—I do not remember any such classes being in existence before he came here.

195. But you would have attended them had they been held?—Yes.

196. It was in June, 1897, that Sergeant-major Mason came here: is that about your recollection?—Yes.

197. And you did not attend any of these weekly instruction classes before the arrival of Sergeant-major Mason?—No.

198. Had you not your monthly instruction classes regularly before that?—As the men came in the recruits were instructed, no doubt.

199. By the Inspector?—Yes; nearly every parade he gives a lecture—of course, as he finds out that the men want instruction. If he has confidence in the men, and knows they know their duty, he does not go into any details like that.

200. How can you suggest the Inspector knows they know their duty if he does not examine them?—If a man brings a case into Court, and shows they are efficient and know their duty, and make no mistakes, of course, the Inspector has evidence then that the men are up in their duty.

201. Do recruits bring cases up in Court?—Every man brings up his own case.

202. Does he conduct the examination?—No; the Inspector or sergeant-major always conducts the cases. He works up his case and brings forward his witnesses, and by the way he manages his case the Inspector can see whether he is up in his duty.

203. How often will the average constable take a case into Court?—He may have four or five in the one day, or he may only have one in the week.

204. Will the average constable take one case into Court in the week?—Oh yes.

205. Will he take two cases into Court in the week?—I cannot answer that question definitely because I do not know.

206. As a rule, the cases that the constable takes into Court are the general run of minor offences?—They are the majority.

207. Well, now, will experience in that class of case give any constable, recruit or otherwise, the information he wants about his multitudinous duties?—What I think a constable wants is a little common-sense, and that will carry him a long way.

208. Without any knowledge of his power to arrest?—It may go a long way to give him an idea of his duties.

209. Suppose he has no common-sense?—He is not supposed to be in the service.

210. Have all the men in the service got it?—I think they have.

211. You all have copies of Howard Vincent's Guide-book?—Yes.

212. Have you copies of the Police Regulations?—Yes.

213. I suppose you have a pretty good knowledge of them after twelve years' service?—I have a general knowledge of my duties.

214. Now, can you tell us what the regulation is, so far as the constable's right to break open a door in making an arrest is concerned?—He is to be guided by circumstances, of course. If he thinks a crime of a very serious nature is being committed inside, or hears people sing out for assistance, of course it is then his duty to break open the door without demanding entrance. Under those circumstances I would do it. I would not stop to ask for permission to open the door.

215. Does the regulation say you must or must not do that?—I believe the law gives you that privilege, and would protect you in a case like that.

216. Suppose the regulation says he must first state who he is, and his business, would you still act contrary to that—would your common-sense override the regulation?—If I wanted to get into the house, and I thought it was necessary for me to be careful over it, I would say I was a constable, and would tell them I was on duty, and demand an entrance; but if I thought a serious crime was being committed inside the house, I would not wait to do so.

217. What is the regulation with regard to absconding felons?—I might explain, Mr. Taylor, that my particular sphere of duty is amongst the wharves and shipping. I have never had any experience whatever as regards absconding criminals. I only go by practical experience; I do not go by theory at all.

218. You do not know the theory; I want to test the efficacy of these instruction classes?—The instruction has not reached that stage yet. We are on minor subjects. Ordinary constables have nothing to do with absconding criminals. Of course it is a different matter if you are after a criminal who has to be captured. I suppose you mean an absconding criminal is a man in another country who is wanted, and I am not likely to be called upon to bring him back. It is a different question altogether.

219. In regard to a warrant for a man's arrest: supposing you handed that to another constable to execute?—If the warrant is addressed to me I must execute it.

220. No other constable can execute it?—Except it is open to all constables to execute it.

221. Suppose you have a warrant in your name to arrest a man, and you are with Constable Murphy, can either of you execute it?—I am the man who can execute it.

222. Not if you are in his presence?—I think not.

222A. The regulation says: "The constable is bound to follow the directions contained in a warrant, and to execute it with secrecy and dispatch. The power given to him for the purpose of arresting has been already shown. If the warrant cannot be executed immediately it should be executed as soon as possible afterwards. If the prisoner apprehended on a warrant escape, the constable may take him again and again until the object of the warrant is effected. A warrant specially addressed to one constable cannot be legally executed by another." Does that bear on the question?—Of course there are different kinds of warrants. It would be made out and directed to me.

223. The next regulation says, "The constable must execute the warrant himself, or, when he calls in assistance, must be actually present"?—Well, to call in assistance he would have to be present.

224. If you call in assistance, cannot the constable you call in execute it?—No; it must be executed by the constable to whom it is addressed.

225. Not if he was in the same room?—No.

226. Can you remember any subject in which you were instructed at the last classes outside the general term of "discipline"?—Yes; the sergeant-major instructed us in different subjects.

227. I mean any one subject treated upon?—I will give you an instance of what occurred. There was a case in reference to breaking and entering, and what constituted breaking and entering and what constituted burglary; and I think the sergeant-major asked us what would be a dwelling-house, and one of the men raised the question that a tent was a dwelling-place, and there was a great argument on the matter. It was found out afterwards that this man was perfectly right, although a lot of the others would say he was in error.

228. *Colonel Pitt.*] You have been examined on the Criminal Code itself?—Yes.

229. *Mr. Taylor.*] Are any of the constables in suburban stations called into these instruction classes? I mean, take Newtown: would Constable O'Leary come into the instruction classes?—No, I have never seen him there.

230. Supposing a constable, after being six months in a central station, gets charge of a suburban station like Newtown, or of a country station, he would get no more theoretical instruction in his duties, but would simply have to ascertain them for himself as he went along?—Yes, and he has got every facility for doing so.

231. How?—Because a man on a country station gets more experience in the way of theory and of his general duties than a man about town, because he has so many other duties to attend to, and sees and learns a great deal more by theory than a man in the town does.

232. Do not you think that a depot, in which there was a systematic training for every man joining the Force, would be a good thing for the Force?—I do not know; I think common-sense is a great factor in it.

233. If that is your judgment, do you think that our barristers and solicitors would be well fitted to do Court work by common-sense, without any general examination at all?—There is no comparison between the work.

234. As a matter of fact, does a barrister ever arrest a person?—I have not heard of such a case.

235. Is not the arrest of a person a very serious duty?—Yes.

236. And are not many of the relations you occupy with regard to the protection of property important duties?—Yes.

237. Does a barrister occupy any of those relations?—No.

238. If a barrister must have a good knowledge of law before he is qualified for his work, do you not think it is equally important that a constable should have a good knowledge of law before he is

qualified?—I know men who have spent years and years at it, and then have not a good general knowledge.

238A. Do you know of any constable having been removed into Wellington on the general election day? Can you remember any country constable being called into Wellington to do duty on these days?—I cannot distinctly bring to my memory whether they have been. They may have been.

239. Do I understand you to say there is no dissatisfaction with regard to unfair promotions?—Nothing really worth consideration.

239A. To put a theoretical case: Supposing a constable is dismissed for drunkenness—a very glaring case, where the offence is committed in a public place—and, after a few months, is reinstated in his old position in the service, forfeiting neither long-service pay, nor rank, nor station, would you consider that likely to encourage other members of the Force who are decently behaved?—No; it has a very bad effect.

240. Take a case where a constable has been convicted by his department of illegally retaining public moneys for his own profit, and has been disgraced for a few months and then given charge of a country station again, do you not think that has a disheartening effect on a man in the Force who has behaved himself?—Yes.

241. You are not quite sure that there have been many such occurrences throughout the colony?—I do not know.

242. Do you know of any such cases?—No, I have not heard of them.

243. Have you anything to do with enforcing the licensing law?—Yes, I was selected some time ago to visit hotels on Sundays. We reported several of the hotels, and I think all were convicted and fined £5 each, with an indorsement on their licenses; and on another occasion I reported the Pier Hotel for permitting drunkenness on the premises, and on that ground the police opposed the granting of a license to the proprietor. Yes, I have had some experience of the licensing laws.

244. You have been on duty almost exclusively on the wharves during the last few years?—Yes.

245. You think the law is now generally observed so far as Sunday trading is concerned?—Yes.

246. You think it is strictly observed?—Yes.

247. Very strictly? You think it highly improbable that a police officer would get liquor in any of the hotels on Sunday, I mean for his own private consumption?—I can only speak for myself in a matter like that. I never go near a hotel except when I am compelled to do so as a matter of duty. I do not drink myself, and cannot speak for other men.

248. Do not you think you ought to know something about them on duty?—Except what comes under my knowledge. I have not latterly had much to do with them. There are only two hotels on the wharf, the Post Office and the Pier Hotel.

249. You see a good many of the arrivals by the shipping here?—Yes.

250. Do you know whether there are many spielerers in Wellington just now? How do you define a spieler?—I should say a man who frequents racecourses, and who lives by games of chance, and runs gambling games on the racecourse. They are generally of the spieler classes.

251. They are a class you can very easily arrest, on the ground that they have no visible means of support?—It is an easy matter to arrest, but very difficult to prove.

252. Do you think there are many in Wellington just now?—Of course, we are never without some spielerers here. There are some, but so far as my knowledge goes there are very few.

253. You do not know any of them personally?—Yes.

254. Some of them who are now in Wellington?—Yes.

255. What are the names of any of them?—I know a spieler named McLaughlan.

256. Is he here now?—Yes.

257. Any others?—A man named Reardon. These people very seldom come under my notice. We leave them to the Detective Branch. My particular duties are amongst the shipping classes.

258. Do you know any more?—I cannot think of any just now.

259. But you have a pretty fair general knowledge of the town?—Yes.

260. You know the principal thoroughfares well?—Yes.

261. Do you know of any totalisator-shop in Wellington?—No.

262. Do you know if there have been any?—Yes; there is a conviction on record, and I was here at the time they were prosecuted for having tote-shops in Willis Street.

263. You think there are none in Wellington now?—Not that I am aware of. I know there are "bookies."

264. Where are the bookies?—They follow the occupation of bookies, I suppose. For instance, Patterson has been a well-known bookie in Wellington for years, so far as I know.

265. Do you know if any book-makers keep shops in Wellington?—No.

266. Not keeping shops of any kind?—No.

267. Do you know a man named Shotlander; what is he?—He keeps a shop of general clothing.

268. What does he do besides?—I do not know.

269. You do not know if he is a book-maker?—No. I have not had any transactions. I am not a betting-man.

270. You do not bet?—I had a wager once, and I lost my money.

271. How long is that?—Some time ago.

272. How long ago?—When I was in the Artillery.

273. As long ago as that?—Yes.

274. Never had a bet since?—No.

275. Has no one ever complained to you about your betting on the wharf in Wellington?—No. I never had a wager. I might say "I would bet a shilling," for fun.
276. Never had a bet of a shilling?—No.
277. All your bets have been for fun?—Yes.
278. You have bet with no one on the wharf?—No.
279. Do you know any of the billiard-rooms in Wellington?—No, I know there are billiard-rooms.
280. Never in one?—No.
281. You do not know whether any of the spielers have their headquarters in billiard-rooms in Wellington?—No.
282. You never knew of any political influence being invoked in connection with the Police Force?—No.
283. *Mr. Poynton.*] Do you know anything about a supposed jealousy between the Police Force and the Detective Force. There is no jealousy, so far as I know. I can only speak for myself. The detectives have always assisted me, and I make it a point to assist them.
284. It has been said that there is jealousy on account of the best cases being given to the detectives, and that the other men feel aggrieved: apart from yourself, do you know of any other policeman who had a grievance against them for that reason?—No.
285. *The Chairman.*] Is there any feeling in the Force between the uniform men and the detectives arising from a feeling of jealousy?—There has been the very best feeling between the two Forces ever since I have been here.
286. I want you to tell me if what I am about to read to you expresses the true view of the feeling existing in the Force: "I may state there is no love lost between the uniform men and the Detective Branch. They look down on us; and we, knowing what frauds they are, look down on them." Is that prevalent?—No.
287. Again, "When a detective comes to a country station on a case he takes full charge, and we, the uniform men, are subordinate to his orders. He is supposed to possess extra brain-power, and, as a rule, assumes an air of mystery and pooh-poohs any suggestion made by the local police, and thinks Vidocq and Sherlock Holmes mere novices compared to him." You are not aware of any such feeling existing between the uniform men and the Detective Branch?—No, certainly not.
288. *Mr. Tunbridge.*] In regard to the supposititious case put to you by Mr. Taylor about a constable after being six months in the service being sent out to take charge of a country station: do you know of any such case?—No.
289. Is it not a fact that, before a constable is sent out to a country station, he has to be many years in the service?—Many years.
290. Do you not know that the constables stationed at the Upper Hutt, Lower Hutt, and Johnsonville came into town yesterday for duty at the election?—Yes.
291. These men were called into town yesterday from their own districts?—Yes.
292. If there had been a general election yesterday these men would have been disfranchised?—Yes.
293. Now, as regards spielers: do you know if any of these spielers in Wellington have committed offences in Wellington for which they could be arrested?—No.
294. Are spielers as a rule in possession of money in pretty considerable amounts?—You might arrest them and not find a penny-piece on them.
295. As a police-officer, do you not know that if a man has money in his possession that is considered as a visible means of support by the Magistrate, and you cannot sustain a charge?—Yes, undoubtedly.
296. And is it not a rule that spielers are generally supplied with money?—They have a great deal of money.
297. Well, now, as regards the men Reardon and McLaughlan, you say they are book-makers?—They are what I call spielers. I do not always call a book-maker a spieler.
298. Do these men, as far as you know, commit any offence against the law?—No.
299. And unless they do, can the police interfere with them?—No, they have no legal right to.
300. Do you know if Patterson has committed any offence against the law?—No.
301. Does Shotlander commit any offence against the law?—He is a shopkeeper. That is not an offence against the law.
302. *Mr. Taylor.*] As a rule, when a spieler is arrested you do not find a shilling on him?—A spieler of the class I refer to is McLaughlan. He is not a bookie.
303. I think you said a spieler's occupation was to follow race meetings, and play games of chance and what else?—If he has got a show, to use "cronk" dice in gambling.
304. Is it not within your experience in all the large centres of population that the spieling classes are arrested on a charge of having no visible means of support and forced to leave the town?—Yes.
305. And you call Reardon and McLaughlan spielers of that class?—McLaughlan has been convicted as a vagrant.
306. And is he in Wellington now?—I have not seen him for about a week or ten days.
307. Have you never known them to be ordered out of the colony by the Magistrate?—I know of a case where a man has applied for an opportunity to leave the colony, and that has been accorded to him. Under those circumstances the warrant was held back to give him an opportunity to leave, but he was not ordered to leave.
308. And it is about ten days since you saw McLaughlan?—I think so.
309. How long is it since you saw Reardon?—About the same time.
310. Where were they?—Near the old *Evening Post* Office, at the corner of Willis Street,

311. Near Shotlander's shop?—About twenty-five yards away from Shotlander's shop.
312. You name these men as the class of spiellers who follow race-meetings, and play games of chance, and use "cronk" dice?—Yes.
313. And you saw them in Wellington about ten days ago?—Yes.
314. *Inspector Pender.*] Has McLaughlan been arrested since?—Yes.
315. Charged with vagrancy?—Yes.
316. And the case was dismissed?—Yes; it was ascertained he had been working a little.
317. You know Reardon has been convicted on several occasions, and has been in gaol for robberies?—Yes.
318. With regard to Sergeant-major Ramsay: you do not recollect his lecturing the men; but is it not a rule or practice for the Sergeant-major at every parade to give the men instruction and tell them about any particular matter that is required?—Yes.
319. That has always been the practice?—Yes; ever since I have been here.
320. And at night, do I not come occasionally and instruct the men before they go out?—Yes; if there was any occasion to do so you have come on parade and told the men.
321. Do you not know as a fact that the spiellers are very sharply looked after by the detectives?—Yes; that is so. That is how I came to notice McLaughlan and the other man.
322. Several times you found the solicitors employed by these men complain of the fact that the detectives were always hounding them down?—That is so.
323. In Wellington, I mean?—Yes.

MICHAEL MURPHY was examined on oath.

324. *The Chairman.*] You are a member of the New Zealand Police Force?—Yes.
325. What rank do you hold?—Third-class constable.
326. Where stationed?—Wellington.
327. When did you join the Force?—I joined the Armed Constabulary in 1879, and the police in 1890. I was five years in the Armed Constabulary, five years in the Permanent Artillery, and eight years in the police. I am one of the men Constable Johnston referred to as having lost the long-service pay, because I joined after 1887.
328. Did you ever have it?—No.
329. How did you lose it?—I was not allowed to join before. When the Permanent Artillery first started there were sixty of us drafted, and they wanted thirty-five out of the sixty, and I was one of those picked for the Artillery. Those not picked were told they could either join the police or resign on compensation. I said I wanted to join the police, but I was told I was picked for the Permanent Artillery, and could not join.
330. What pay were you getting in the Artillery?—6s. a day, as second-class gunner. I was in charge of a battery before I left.
331. Was that the formation of the Permanent Artillery you refer to?—Yes; about 1885. Men who were in the Armed Constabulary with me are now getting 2s. a day more than I do in the police here.
332. That is because they were allowed to join the police?—Yes. They were not suited for the Permanent Artillery.
333. And because they have been promoted in rank?—Yes. They were advanced to a certain class after being in the police ten years. I was right through the West Coast in connection with the trouble with the Maoris.
334. Is there anything you are specially delegated to tell us on behalf of the men in the Force?—Constable Johnston has told you.
335. *Mr. Poynton.*] You have heard his evidence and concur with what he says?—Yes.
336. Do you wish to add anything to it?—No.
337. *Colonel Hume.*] Who picked the men for the Permanent Artillery?—Captain Capel.
338. The fact was you were a finely-built man, and they did not want to part with you?—I do not know, but it lost me 1s. a day.
339. *Mr. Tunbridge.*] You heard the evidence of Constable Johnston on pensions. Do you agree with him when he said that compensation of one month's pay for each year of service would be preferable to a pension?—Yes.
340. *Mr. Taylor.*] I would like to ask whether you have considered the question with the particular men Constable Johnston and you represent?—Yes.
341. The question of pension *versus* retiring-allowance?—Yes.
342. You do not know much about the details of the Bank of New Zealand provident scheme?—No.
343. When did you attend the instruction classes last?—I have been away in the Nelson district some time.
344. You do not get instruction unless at headquarters?—No.
345. How long have you been away?—I was away a fortnight at Nelson.
346. Have you been away from Wellington for a month?—No.
347. Did you attend the classes before that?—Yes.
348. Every Thursday?—Yes, when not on duty.
349. How long have you been in Wellington?—Eight years.
350. Do you corroborate Constable Johnston's statement that these classes were only held since the arrival of Sergeant-major Mason?—There were classes for recruits.
351. For recruits, but not for the ordinary constables?—Not for all hands.
352. You do not know what instruction recruits got?—No, I really do not know.
353. Are you on wharf duty?—Yes.
354. Do you know the town?—Pretty well.

355. Do you know of any totalisator shops in Wellington?—Not at present.
356. Not one?—No.
357. Do you know of any other spielerers in addition to those Constable Johnston named?—No.
358. When did you see these two men last?—About three weeks ago or so.
359. Do you know the billiard-rooms of Wellington well?—No, I have not been in a billiard-room in Wellington.
360. You do not wager at all?—No.
361. You think the licensing law is very strictly enforced in Wellington?—It has been lately.
362. Very strictly?—Yes, and especially since the new Commissioner arrived.
363. Does that mean closing at the legal hour at night, and on Sunday?—Yes.
364. How do you know it is strictly enforced?—I can judge when walking about town; you do not see so many men under the influence of drink.
365. On Sunday?—I have not seen any one under the influence of drink on Sunday.
366. Well, then, before the new Commissioner arrived the administration of the licensing law must have been lax?—It might be a little.
367. *Mr. Tunbridge.*] When you saw these two spielerers you spoke of, were they committing any offence for which you could have arrested them?—No.
368. *Inspector Pender.*] It is not more than three weeks since McLaughlan was up before the Court?—No.
369. Do you know if there is any discontent in the Police Force in Wellington?—No; unless about the long-service pay.
370. Nor between the detectives, nor amongst the men generally?—Not the slightest.
371. Do the men generally agree with each other and work together?—They are the greatest of friends.
372. The most of them are young men?—Yes.
373. Are they steady, sober men?—Yes.
374. You have a very good knowledge of discipline, having been in the Artillery, and so on. Do you notice that these men observe the rules of the service very strictly in barracks and other places?—Yes.
375. No disorganization of any kind existing?—No.
376. *Mr. Taylor.*] I would like to know whether the regulations are that the men in the police public office are allowed to smoke?—No.
377. If I found three men in uniform smoking last week it was an unusual occurrence?—Perhaps it was in the waiting-room.
378. *The Chairman.*] I suppose smoking is allowed in the lower mess-room and in the library upstairs?—Yes.
379. Have the men anything to say or to suggest with regard to their quarters?—There are some men coming before the Commission. I would like to put in a certificate for first aid to the injured gained by me and dated the 30th July, 1891.
380. *Colonel Pitt.*] Have you ambulance classes in the Police Force?—No.
381. There is an ambulance litter at the police-station?—Yes, and one at each fire brigade station, and one at the wharf.
382. How long is it since you have had any ambulance instruction?—About six years.
383. Was that a police class solely?—Yes.
384. *The Chairman.*] How long is it since any instruction has been given to the members of the Force as a body in first aid to the injured?—About six years, I think.
385. There has been none since that you are aware of?—No.
386. Are there many men here who gained these certificates with you?—Not many of them. Five or six men stationed at Wellington hold the same certificate.

JOHN JACKSON JOHNSTON was re-examined on oath.

387. *The Chairman.*] What is it you wish to add to your evidence?—I wish to add that the men would consider it a great advantage if their annual leave was allowed to accumulate.
388. To what extent?—Of course we are allowed twelve days annual leave of absence now. We would like it to accumulate to about three weeks or a month, to give a man an opportunity if he wanted it to visit the other colony, to learn anything or to transact private business, which would take more than twelve days.
389. Then, you would like it to accumulate for two or three years?—Yes.
390. Is there anything else?—No.
391. *Colonel Pitt.*] Have you an ambulance certificate?—Yes, I passed a most satisfactory examination, but I could not find my certificate this afternoon.
392. But you have one?—Yes.

JOHN CREWES was examined on oath.

393. *The Chairman.*] You are an ordained minister of religion?—I am an ex-minister of religion.
394. Are you ordained by any Church?—I am qualified for the Christian ministry, but I am not in charge of any church. I am an ex-minister of a Methodist Church. I received ordination in the sense in which it is accepted by Nonconformist ministers in England.
395. Will you kindly tell us what you wish to bring under our notice?—I have looked at this commission of yours and I want to offer a few remarks that I think will come under the words "made more efficient," and, again, I want to speak a few words as to the "general conduct, sobriety, and morality of the members of the Police Force," and in regard to the question of enforcing the laws of the colony. I may say that during most of my lifetime I have been

connected with persons and with societies for dealing with the poor and criminal classes. I had a relative in the London City Mission when I was born, and that caused me in my youth to take an interest in the poor and the criminals, and when I entered the ministry I was placed in close touch with the London City Missions again, in dealing with the poor and criminal classes taken from the streets of London, who were brought down and distributed in the circuit where I was working; since then, at times, I have had a great deal to do with refuge work and that kind of thing. Soon after I arrived in this colony, many years ago, I was brought again into touch with that kind of work, and, taking an interest in it, and dealing as I do with the social and political questions as touching these classes more especially, I have had a good deal of this evidence which has been submitted to the Commission brought to me at different times; and in the course of my work an ex-detective or policeman came to me with some very serious charges against Inspector Pender and the police of Christchurch, and in the interests of the people for whom I was working I watched very closely Inspector Pender, and the Police Court, and the police, so I had my eye on them, watching, as I thought, in the interests of the poor and criminal classes. Some years afterwards my health broke down in the ministry, and my superintendent came to me and said there was a secretary wanted for a Mission doing a kind of work he thought I took a great interest in—the Prison-gate Mission in Christchurch—and he would apply for the position of secretary for me. I was then permitted to visit the Lyttelton Gaol, interview each prisoner coming out, offer the prisoner a home for a fortnight, and do all I could to find them employment. Now, I want to say that, from my point of view, while I have noticed sometimes in the conduct of the police some things of which I have disapproved, my opinion from close observation is this: that, taken as a class of men in the colony, their conduct will compare very favourably with the conduct of any other classes of men that you could find. If you were to have a commission to inquire into the conduct of the medical profession I could say a great deal of the conduct of some of them; or of ministers of religion; or of advocates of temperance. There have been "black sheep" amongst them all; but, taking the police as a class, my opinion is that their conduct compares very favourably with the conduct of most other classes of people in the community. What I want to show more especially is this: that if the Police Force of this colony is to be rendered more efficient, some of the laws of the colony must be altered; and, more than that, there must be encouraged in each city where there is a large gaol a prison-gate mission with which the police shall be encouraged to co-operate.

396. You suggest that has something to do with the efficiency of the police?—Yes.

397. As a body?—Yes. Have you noticed in a recent trial here for murder that the chief gaoler stated here that a man came out from gaol with 1s. 6d. or so in his pocket. Now, if you started as I have often started to find employment for a man just out of gaol with a conviction or two against him, and only 1s. 6d. in his pocket, you would find it a very difficult matter to obtain employment for that man. It is bad enough to be started in this colony with 1s. 6d. and a chance of finding employment before you have spent that money, without having a gaol conviction at the back of it; and my opinion is that it is as much the duty of a policeman to prevent crime, as it is to apprehend a man who has committed a crime and throw him into gaol for it.

398. That is the ground you have for saying it would tend to the efficiency of the police?—Yes.

399. It would tend to prevent crime?—Yes. I hold that a considerable number of persons with whom the police have to deal here, and men who have spent a great deal of time in gaol, are not at heart of what we would call the criminal classes. The men are turned out of gaol, some of them penniless, and the man who becomes a murderer afterwards, it is said, had only 1s. 6d. in his pocket. There is no prison-gate mission in this city, there is no prisoners' aid society, and perhaps the man has not a friend in the colony. Now, what can he do? He must go and steal, or starve; and he is apprehended by the police and thrown back into gaol as a thief or a vagrant. If what we want the police for is to diminish crime in the colony and to keep the citizens in order, then it seems to me that the police should be required to work with some city mission of some kind, a prisoners' aid society, or call it what you like; and if we had such a society, and could get from the police such information as they could give, and they were required to give it, a great deal could be done by these means to render the Police Force very much more efficient than it is at present.

400. Do I understand that you do not suggest that the police should have a prison-gate mission attached to their Force?—I presume from this copy that the Commission is to report to His Excellency, and through this Commission I, as a subject, am now submitting to His Excellency certain recommendations which I think would be likely to increase the efficiency of the Police Force in the colony. And I ask you to ask His Excellency to recommend to his advisers the need of subsidising missions, with which the police shall co-operate, and by which the police shall be rendered more efficient by giving information to this society. If you keep a man outside gaol under the control of the police he is marked, he is branded; but if you put him in the hands of a mission composed of representative people of all churches, and not of the churches, as the case may be, they can deal with him; but the Police Force should co-operate with them and give them what information may be necessary. Then a great deal will be done. In fact, in Christchurch, of all the men who came into the mission of which I was secretary during the nine months not one of them went back into gaol while I was in Christchurch. Inspector Pender was in Christchurch when I was there, and will bear me out; and I am satisfied that can be done here. Then, as to bringing into operation the laws of the colony, I say that important parts of some of them are dead-letters at present. We will take the question of enforcing the licensing laws of the colony, or the laws relating to alcoholic liquors. I have, of course, held since I began to take an interest in this question that the laws touching the liquor question cannot be enforced. It is impossible to enforce some parts of the laws that we have at present to any appreciable extent, and, when they are enforced, the object aimed at is generally never accomplished, for this reason: that, instead of inflicting a punishment upon the worst men engaged in the liquor trade, the punishment is generally inflicted on the best men in the trade.

401. *Colonel Pitt.*] How do you make that out?—Because a man who is so unscrupulous that he will swear to anything has around him a number of persons who are like their master, and it is very well known to persons—or it is very well known to me, from what I have noticed in the Police Court—that when you have a man who is very unscrupulous no conviction can be got against him, because he will swear to anything, and his employés will swear to anything, and that the evidence is such that no Magistrate can convict him. Then, sometimes the police catch a man, who, knowing that it is the general custom to evade the law to a certain extent, has done so, and when he is brought into Court his conscience will not allow him to commit perjury, and so that man is fined. I venture to say if you look up the records of this colony as to the men who have been accused, and the men who have been convicted, you will find that the men who have been convicted are the better men, while the worst kind of hotelkeepers have been allowed to go scot-free. While you have a law that permits drink to be supplied to *bonâ fide* travellers on Sundays, or you permit drink to be supplied to lodgers and their friends, it will be impossible to convict the worst class of hotelkeeper. You may now and again secure a conviction against a man who will not perjure himself, but against the worse men you never will, hardly ever, obtain anything like convictions.

402. *The Chairman.*] You have spoken of the sale of liquor on Sundays: do you refer to the sale on Sundays as the most serious form of the breaches of the licensing law?—I do not say anything about the worst class. I do not deal as to the major sin, or crime, or whatever it may be. I am dealing with certain Acts of Parliament, which must be amended in the direction I have indicated if they are to be enforced at all. I would like, if I am permitted, to refer you to the fact that, while this Commission states that lately allegations and statements have been made, I think I am prepared to show that such statements and allegations have been made time after time during the whole time I have been in the colony. I have a report here of a meeting which appointed a deputation to wait on the Minister of Justice, when Sir Robert Stout was Premier of the colony, to deal with this very question. On the 1st March, 1886, there was a conference held in Wellington under the auspices of the New Zealand Alliance, and at that conference there were statements made quite as strong as against the police and the Magistrates touching the administration of the Licensing Act, especially in regard to Sunday trading, as anything you have had before you here. You will notice that sometimes an attempt is made to show that just recently things have been worse than they were some time ago. Now, my observation has convinced me that such is not the case. Such cases against the police as you had brought before you here were charged against the police by Mr. Harding, Sir William Fox, and other people. This was the deputation appointed to wait, in 1886, on the then Minister of Justice, and this is what Mr. Harding said on that occasion: “He (Mr. Harding) knew a place where sly-grog selling was carried on in his district. He had asked a policeman once whether the police could stop Sunday trading, and the policeman replied they virtually had instructions not to interfere.” I am simply stating this to show that what is stated to have taken place lately has been charged against the police and the Magistrates ever since we have had this kind of Licensing Act that allowed liquor to be supplied to *bonâ fide* travellers, and to hotel employés, lodgers, and their friends on Sunday; and it is to support what I said, that while you have that in the Licensing Act it will be impossible for the police to satisfactorily enforce the provisions of it. To show that things are no worse than they were before, and that no political capital, at any rate, should be made out of what is going on at present, I will quote what is said to have been said by the late Sir William Fox himself on the occasion referred to: “Sir William Fox related the story of a case in which two men had been made helplessly drunk; that was sworn to by the chief detective, and yet the hotelkeeper had not been prosecuted. It was proved that the men were made drunk, and the excuse for the one man who robbed the other was that he was so drunk that he did not know what he was doing”; so you will see that these charges have been going on, at any rate, ever since the time when that meeting was held in the City of Wellington, on the 1st March, 1886, and can have no reference to influence that has been brought to bear recently as to the conduct of the police. I am endeavouring to show that while you have conditions in the Licensing Act such as I have drawn attention to it will be impossible to enforce that Act satisfactorily, and all my testimony is to that point. Then there is another, and that touches on the efficiency of the police in dealing with crime. There are no poor men in this colony more grossly misrepresented than some of the men are who are unable to maintain or who refuse to contribute to the maintainance of their wives and families, and it seems to me that if you had this mission of which I have been speaking, and the police could be allowed to work with this mission, a great deal could be done to diminish that class of evil. Now I speak from this standpoint, because I have had to take the place of men coming out of gaol, and I have had to go and find them employment. As I understand it, when a man who has been put in gaol for failing to support his wife and family comes out he is quite as much in the same position as when he was thrown in, and he is handicapped with a gaol record against him. Sometimes after he has been out for a considerable time we can only find employment for a man, especially in the winter, where he can just support himself, and where he can provide just a few shillings.

403. Does that affect in any way the efficiency or the administration of the Police Force?—I am dealing with a matter of fact, and with the case of a man with whom the Police Force of the colony had to deal, and who wrote to me explaining his position, and fearing what was coming, while at the same time he was ready if possible to obey the law. Well, I want to show that to render the Police Force more efficient in dealing with that class of crime it is necessary for them to work with such a mission as I have explained, so that a man may have a chance to pay towards the maintenance of his wife and family.

404. That is making the police more useful, not more efficient?—If the object of the police is not only to bring a man to judgment, but to get him to maintain his wife and family, which I presume it is, and not simply to cause him so much pain or to inflict punishment on any man, I think it would be greatly increasing the efficiency of the Police Force if I could show you how

to enable the men to do it; not simply how they could be used to inflict punishment. There is another question which has been a cause of complaint, that there is a great deal of crime undetected in the colony. I want from my observation, and from what I know, to show that there are a great many criminals who are not convicted, while at the same time their crime is detected; and I think it would be well to show that, at any rate, you may put down as crime not detected every crime committed by a man who is not convicted; but my observation goes to show that the police detect crime, but they cannot owing to the nature of things secure convictions because of the state of the law under which they have to work. Now, for instance, I hold that when you come to deal with the question of capital punishment, or taking the crime of murder, I have known the police to detect crime all right, and sheet it home to the murderers, and yet the man has walked out of Court snapping his fingers at the police, and the law, and everything else. Well, it would be wrong to say that that crime was not detected.

405. Is there anything further you wish to say from your own observations?—I have observed what I have said; and I want you to recommend to his Excellency to render the police more efficient to prevent murder, and secure the punishment of criminals, and alteration of certain laws. I want the law as to capital punishment to be altered.

406. *Inspector Pender.*] You are in the habit of attending the Courts very often?—Yes.

407. What is your opinion with regard to the efficiency or otherwise of the police in prosecuting crime and bringing it before the Court?—My opinion is that the police of this city at any rate, and I can say the same of Christchurch when I was there, as are thoroughly efficient as in any other part where I have been.

408. During the time you were employed in connection with the mission, did the police render you any assistance they could in the discharge of your duties?—Very great assistance, and that is why I am here, to try and get that amount of assistance for a mission here. I am satisfied that the police rendered me very great assistance.

409. *Mr. Taylor.*] I would like to ask Mr. Crewes whether he of his own knowledge knows anything about the extent to which the licensing law is enforced in Wellington?—I know by frequently attending the Police Courts, and watching what goes on in the city.

410. How often do you go the Police Court in Wellington?—Whenever an important case is on, or whenever a poor person to whom I think I can be of service is being tried.

411. How often—once a week or once a fortnight?—Sometimes, perhaps, half a dozen times a week; and sometimes, perhaps, not once a fortnight. As often as I find I can be of assistance at all.

412. Do you know whether the licensing law is being observed in Wellington on Sunday?—I have just said it is not observed in Wellington or anywhere else.

413. What do you know about it? Can you tell us an instance during the last year where it has not been observed? I do not want to know what you think. Do you know of your own knowledge that the law is not observed?—I suspect; that is all I can say. I see persons who are the worse for liquor on Sundays, and if I see more than one—several—I presume there has been a breach of the law; but I cannot say whether the men got the liquor on Sunday or on Saturday. I see persons go in and out of hotels, but I cannot swear if they get liquor.

414. You say that punishment is generally inflicted on the best men, when a case comes before the Court. Can you name one?—I have never taken note of a name, but I am prepared to swear to the fact, or what I have observed since I came to the colony. There was a case recently in this city in which it was stated by the Magistrate himself that he was sorry, or something to that effect, that the man had to be punished.

415. Who was it?—I do not know the party's name, but I know it is a pretty general thing.

416. You know of no facts in connection with the matter of your own knowledge?—Yes; I say it is a fact that while you have this Act in existence it cannot be enforced.

417. That is an opinion?—That is what I have seen in the Police Court.

418. You said there were "black sheep" in the Police Force, and amongst public men, and amongst those who advocate temperance. Is that only a general statement, or will you give us details?—It is not general. For all the statements I have made I have facts. If I were to give you the names of temperance workers whose moral character would not bear light I would be giving names for half an hour.

419. Could you go on for half an hour with names of the other classes you mention?—I would not say that. I would not know until I had finished, but I presume I could.

420. I want to know whether you can give us a single instance to support your general statement in reference to your use of the term "black sheep" in any of the classes you have mentioned?—I am not prepared here to drag in the names of medical men or ministers of religion, and, more than that, I say that the very last thing the reformer who wishes to reform men would do would be to drag their names into the light before the public and publish them to the world. You know that as well as I do.

421. Do you know any details in connection with the deputation you referred to in 1886?—I have taken the official report of the New Zealand Alliance.

422. But of your own knowledge; you have no knowledge at all as to the accuracy of the statements made in 1886 which you have quoted?—I have the official report of the Alliance as to what was said by Sir William Fox, and as to what took place at the meeting.

423. Can you of your own knowledge prove what Sir William Fox said?—I take it on the Alliance report.

424. *The Chairman.*] You have no personal knowledge as to what took place at that deputation?—No.

425. *Mr. Tunbridge.*] Do you attribute the illicit drinking and selling that is going on to the inactivity of the police, or to the unsatisfactory state of the law?—There are other things to be taken into consideration; but I say more to the unsatisfactory state of the law than to the negligence of the police.

WILLIAM CAMPBELL examined on oath.

426. *The Chairman.*] You hold the rank of chief detective in the Police Force?—Yes.
427. *Mr. Taylor.*] When did you join the Force?—In 1879.
428. What districts have you served in since?—In the Wellington District ever since.
429. Have you been in Wellington City all that time?—I was stationed in the Botanical Gardens for a short period after joining.
430. With the exception of a short time in the Botanical Gardens you have been in Wellington all the time?—Yes.
431. Were you ever ordered for removal?—Yes.
432. Where to—to Christchurch?—Yes.
433. Why did you not go?—The order was countermanded. Major Gudgeon was Commissioner of Police at that time.
434. Do you know why?—Yes. There was an inquiry held in reference to Detective Kirby. A report was furnished about me by Detective Kirby, of which I had no knowledge, and subsequently, when Commissioner Hume took over the Force, the matter was investigated by Colonel Hume. The order was then countermanded, and instead of me being removed, Detective Kirby was transferred.
435. Where was he removed to?—Auckland.
436. What was the nature of the report?—I arrested a man for a certain offence, and he was committed for trial. A friend of the prisoner gave me some information, and, in the Supreme Court, Mr. Jellicoe, who appeared for the accused, asked me if it was not a fact that a friend of the prisoner had given me some information about the case. I said that was so. Detective Kirby reported me for divulging the name of a person in the Court who had supplied me with information of a confidential nature. I was not aware that he had made this report until Colonel Hume took over the Police Force, when I learned about it.
437. Was the matter recorded in your defaulter's sheet?—No; it was simply an order to be removed.
438. Then, you were to be removed because of a reported offence that you were not tried for?—That is so.
439. You were tried in Colonel Hume's time?—The matter was investigated then.
440. What report did you make against Kirby?—I did not make any report, but I told him in the presence of Colonel Hume and Inspector Thompson that it was common talk that he was in league with the keeper of a gambling-house in Wellington.
441. Was that place situated in Willis Street?—It was a tobacconist's shop, almost opposite the Oriental Hotel.
442. Was that charge investigated?—Not that I am aware of. Of course, I did not make a direct charge. I simply told him it was common talk that he was in league with the keeper of this gambling saloon in Willis Street.
443. Was it not investigated so far as you know?—No.
444. If the charge had been investigated you would have been called?—Yes.
445. Do you not think that a statement of that kind was of sufficient importance to have been investigated?—I cannot say exactly.
446. In the light of subsequent events, do you not think it ought to have been investigated?—It would have been better. Probably the Commissioner made some investigation without calling me, but I have no knowledge that an investigation was made.
447. *The Chairman.*] Was it at the inquiry you made that statement?—Yes.
448. Held by whom?—Commissioner Hume.
449. *Mr. Taylor.*] Is that the only time you have reported Detective Kirby for being mixed up with gambling?—Yes; he left the district.
450. Did you never report him for taking hush-money from the same institution?—No, I never made any official report.
451. Do you regard it as not a part of a detective's business to take cognisance of breaches of the licensing law?—It has not hitherto been the rule.
452. What do you mean—up to what date?—Up to the present. In my experience I have never known a detective to enforce the licensing law, because detectives usually get valuable information about criminals from hotelkeepers, and, if a hotelkeeper got it into his head that detectives were just watching him for breaches of the licensing law, they would not get very much more information from that quarter.
453. You are about the hotels pretty often?—Yes.
454. You see a great many breaches of the law during the course of the year?—I have seen some.
455. Knowing that you are not to report them, you do not bother about them?—No.
456. Have you ever reported a breach of the Licensing Act?—No, not since 1879.
457. Of course you would not exempt any other kind of offence; burglary and so on you regard as your duty to report on?—Yes.
458. And acts of arson?—Yes.
459. And all the criminal offences?—Yes.
460. In 1891, Colonel Hume in his report states that the Detective Force is in an unsatisfactory state. Do you remember that report?—I think I remember something about it.
461. He goes on to say, "Owing, perhaps, to the fact that men have been selected for this branch more from the number of arrests made by them when constables, or the number and verbosity of reports furnished, or worse than all, perhaps, from political influence or favouritism, instead of from special intelligence, or natural gifts and extraordinary powers." Were you aware of that dissatisfaction?—No.

462. The Detective Force, as far as you are aware, were always satisfied?—We have always worked well, not only with the Detective Branch, but with the general Police Force. That is, in the Wellington District.

463. What practice do you follow here : do you make written reports to your Inspector on all matters you are instructed to inquire into?—Yes.

464. Do you make reports about your whereabouts during the day?—We have a day-book in which we enter our daily movements.

465. Briefly or extensively?—Briefly. We cannot say every place we have been. Each officer has to enter the particular work he has been doing.

466. Do you think the licensing law is observed in Wellington on Sunday, from your observations?—Well, I have no doubt there are breaches of the law, but I do not think that is increasing.

467. How can you tell whether it has not been increasing if you have never taken definite observations?—I am judging from what I have seen in the streets.

468. What evidence would you take—the number of drunken persons on Sunday in the streets?—Yes ; and the number of persons going in and out of hotels.

469. Have you seen some numbers go in and out of hotels on Sunday?—Not so many.

470. Since when?—Within the last few months.

471. Since the new Commissioner arrived?—Yes ; the hotelkeepers appear to be more careful.

472. Have there been more prosecutions since the new Commissioner came than during the same period before he arrived?—Yes.

473. Would you take that as an indication that the publicans are becoming more careful, or the police more vigilant?—I think it is both.

474. How will that work out ; if the publicans are becoming more careful, how is it that there have been more convictions since Commissioner Tunbridge arrived?—I mean since the convictions have taken place.

475. When was the last case—was it not last week?—Yes.

476. Then, it is during the last fortnight that the publicans have become more careful?—More than that. Since the new Commissioner arrived there has been a tendency to be more careful.

477. The Commissioner has been here since October last—not five months—and you say there have been more prosecutions for Sunday trading during those months than during the preceding five months?—Yes.

478. You think that argues there is less Sunday-trading carried on, or more?—Less.

479. And the police are doing their duty more vigilantly in regard to the licensing law?—They have special instructions from the new Commissioner to give special attention to breaches of the licensing law.

480. Do you know that of your own knowledge?—From the men.

481. Have you been told that instructions have been issued to the men?—Yes.

482. What man told you that?—I cannot give any particular name ; but I heard that the new Commissioner issued special instructions to look after breaches of the Licensing Act.

483. You do not know it for a fact?—Simply from hearsay.

484. Do you know whether it is the custom for certain hotelkeepers to put a watch by the door on Sundays, as a guard against surprise by the police?—I have heard it is so.

485. And you cannot say from your own knowledge, although you have been in Wellington since 1879?—Not from my own knowledge.

486. And you do not know that it is the custom of publicans to keep a watch on their houses?—I cannot say definitely. I have seen men standing outside, but I cannot say for certain they were put there by the hotelkeeper to watch.

487. Do you know of any special precautions taken to guard against surprises?—I have heard about electric bells ; but the hotelkeepers say they are for the convenience of boarders.

488. Where are they situated?—Outside, by the door.

489. Have you ever known them in Wellington to be placed under the window-sill?—No. I have never known of any instance.

490. Have you noticed that many of these men outside public-houses on Sunday seem to be doing beat duty?—I have seen one or two of them.

491. Do you know of the existence of any tote-shops in Wellington?—As I have reported some time ago, there are one or two offices kept by book-makers, but I would not call them tote-shops, for the simple reason that they do not do any betting inside. They do their betting on the streets. They keep their office simply for correspondence.

492. Have you a copy of your report?—Not here.

493. What is the date of your last report?—About two months ago.

494. You say you have had several convictions here?—Yes.

495. Of what kind?—Tote-shops.

496. Will you give us the definition of a tote-shop?—A tobacconist's shop used for tote-betting, the tobacconist's business being used as a cover for the betting business. We have had several convictions. The way we used to manage was : We generally got a stranger and sent him in to the parties to back on certain races, and they kept books with the names of the races and the names of the persons who had invested, with the amounts. We had a warrant all ready to raid the shop, and, as soon as the person went in and invested, we took possession, and not only had the witness who invested the money but the books as well.

497. When was that class of prosecution last made?—A good number of years ago.

498. Five years ago?—It must be more than that.

499. Seven years?—I cannot say, but I know several raids were made some years ago.

500. And the outcome was that one prosecution you spoke of?—More than that. We made it a rule to raid all the shops on the same day, and different men went to the different places. Since

then there have been hardly any tote-shops; in fact, there are none. I do not say that betting has lessened at all, but it is done in a different way.

501. How is it done now?—It is done in the street, by what is called “straight-out” wagering.

502. How do they work that?—Well, they lay 5 to 2, or 7 to 2. That is what they call “straight-out” wagering.

503. Not the name of the horses?—They do it in a way they understand themselves. I do not say it is tote-odds, but they know it is.

504. Do they enter the names of the horses?—No. They know themselves.

505. Have they a cipher?—They must have.

506. You have never seen one of these books in which they make their entries?—I have made it my business to make inquiries of people who have seen them.

507. And they do not put down the names of the horses?—No.

508. Simply a record of the wager?—Yes.

509. And the name of the person?—No.

510. They used to put in both?—Yes, but then they also used to put down the name of the particular race and horse.

511. That would help you to get witnesses?—Yes.

512. You think in Wellington they have ceased entering the names of people doing business with them?—There is no doubt about that.

513. You cannot speak of any other centre?—No.

514. You say, since that time—five years or more—there have been no tote-shops?—Not what I would call tote-shops. I do not say betting has not gone on just the same.

515. Supposing Mr. Pirani said there was a tote-shop in Featherston Street?—They are not there to my knowledge.

516. You do not know of them?—No.

517. Do you know of one in Grey Street?—I have already referred to that in my report as an office kept by a book-maker.

518. Is it kept by a book-maker?—I see him using it there, and standing outside.

519. Does he stand outside all day?—Yes, I have seen him whenever I have passed along.

520. Does he sit down?—On the window-sill, sometimes he does.

521. Is there one in a lane off Willis Street?—Not to my knowledge.

522. Do you know Anderson’s place, in Willis Street?—Yes.

523. Do you know a billiard-saloon just this side?—Yes.

524. Have you ever been inside?—Yes.

525. Who is it occupied by?—Mr. Wise.

526. Have you been inside often?—Yes, pretty frequently.

527. Can you recognise that plan of it?—Yes.

528. Are there two billiard-tables—one in the large room and then another further on?—I have been in there, but I am not certain.

529. Have you been in the small room alongside the billiard-room?—No, I have not been in the private part of the saloon.

530. Have you ever been in the compartment marked “private room”?—No.

531. Have you ever seen it open?—No.

532. Is there any sign on the door?—Not that I remember.

533. Is it not marked “private”?—It may be. I have never heard it suggested that there is anything wrong there.

534. Would you arrest any one for gambling? Is card-playing for money, gambling? Supposing a number of youths gathered in that room for the purpose of gambling—would that be gambling?—Yes, that would be termed a gambling-house.

535. How often have you been in that billiard saloon?—I cannot say, but my attention has never been drawn to that place as a gambling saloon. Of all the matters I have heard I have never heard any person suggesting gambling going on there.

536. Is there any tote-shop or betting-office in Lambton Quay?—No.

537. Any in Manners Street?—No. I have heard it suggested that there is one there at a tobacconist’s shop in Manners Street, but I never saw anything going on there in the nature of betting.

538. Is there a tobacconist in Manners Street named Whittaker?—No, a second-hand dealer of that name.

539. Have you ever been inside there?—I have. I should not think there is any means of exit except by coming out through the front door. There are only two rooms.

540. I would like to ask whether that is not a betting office?—I have only heard it suggested. I know nothing of my own knowledge.

541. Is that one you reported on?—No.

542. Did you follow it up when you heard about it?—Yes; but I could not get anything definite.

543. You referred to a betting office in Grey Street; where is the second one you reported on?—It was also in Grey Street.

544. Pretty expensive sites there?—Yes.

545. Not the poorest part of the town?—No.

546. How do they run these offices?—From what I can see of them, they use the office for correspondence and receiving telegrams.

547. Have you been inside any one of them?—Yes.

548. What for?—To see what was going on.

549. What did you see?—A few papers lying about, but no books of any kind.

550. You did not examine any of the papers?—No; I had no warrant. I went round to see for myself what was going on.

551. How do you know, then, that they use the office for the receipt of telegrams, and so on; do you suggest they keep no record of them?—They may do so in their private homes, but not in their offices.

552. It is just merely a registered office?—Yes.

553. Do you know if betting goes on between these men and infants under twenty-one?—I have known instances.

554. Have you never heard of young fellows under twenty-one who bet?—No complaints of that kind have ever come under my notice.

555. There have been no prosecutions for this class of offence since the time you refer to?—Prosecutions for offences on the racecourse.

556. But not in the towns?—No.

557. Do you think during the past five years there have been no offences?—I can only speak of what I know. I am of opinion that betting goes on in Wellington, but the recognised tote-shops that we frequently hear about are not here now.

558. *The Chairman.*] Have not a number of people in the streets been charged with loitering on the streets?—Yes.

559. *Mr. Taylor.*] Do you think the gambling evil is on the increase in Wellington?—I do not think so.

560. Then, if Inspector Pender expressed the opinion that it was so, you would think he was wrong?—It is a matter of opinion. I know there are not so many tote-shops in Wellington as there were, and there is not the same facility for young people to go and gamble. I do not know one tote-shop now.

561. Are there none at all?—Not one. There are offices kept by book-makers, but I cannot class them as tote-shops.

562. You think the ingenuity of the Detective Force is not equal to the task of catching these men?—As the law now stands it is impossible.

563. You do not think that any minors are betting in Wellington, so far as you know?—Not to my knowledge.

564. Where was Detective Kirby stationed prior to his dismissal from the Force?—In Napier.

565. How long is it since he was here?—He has not been here since 1890.

566. Did you know anything about his habits when he was here?—Only what I have said.

567. Was he not pretty familiar with the book-making fraternity?—He was.

568. Very familiar?—He had the name of it.

569. Have you not seen him frequently in familiar conversation with book-makers?—I have.

570. And with spielers?—I have seen him talking with spielers.

571. Pretty familiarly?—I have seen him talking to them.

572. Do you know the Empire Hotel?—I do.

573. Is that quite a commercial hotel?—It has always been recognised as a commercial hotel.

574. Much frequented by the racing class?—Yes.

575. More so than any other hotel in Wellington?—I think so.

576. Have you been round in the racing season; I mean, for instance, at night-time, when the racing days are on?—Yes.

577. You go pretty often round the Empire?—Yes.

578. Do you think any betting takes place inside the Empire?—It is quite possible. I never saw any.

579. You are a very observant man I should think?—Yes, I generally see what is going on around me, when I am walking about.

580. Have you ever seen any prominent Government officials about the Empire?—I cannot say that I have.

581. Can you say that you have not?—Of course, I have seen most respectable men in the Empire Hotel.

582. All respectable men?—I do not say all.

583. On race-nights have you ever seen any spielers about the precincts of that hotel?—Yes, book-makers and spielers, but the majority of them are book-makers.

584. I suppose where they are you make your appearance pretty often?—Yes, I am generally about.

585. You do not remember seeing any prominent officials connected with your own department consorting with book-makers?—No.

586. Never?—No.

587. Then, at the present time you say that the betting evil is on the decrease in Wellington?—Well, I do not think it is on the increase.

588. Is it stationary?—I do not think it is on the increase, but betting is going on. There is no doubt about that.

589. You do not think it is worse?—No. A number of men who were recognised as betting-men or book-makers have knocked off, because they get the worst of it. They have lost money on it.

590. And there is no betting with minors?—There has never been a case come under my notice, and there has never been any complaint about it.

591. Would you also wait to take action in a matter like that until you received a complaint? Not if I saw the offence myself.

592. You have never taken any special steps to try and get proof of an offence of that kind?—Decidedly so.

593. Of what kind?—The other detectives have been sent out to try and obtain convictions.
594. What age are the detectives?—From about twenty-five up to thirty.
595. They could bet legally?—I do not know that it would be legal if sent out on special duty.
596. And you never succeeded?—No.
597. Not during the past five years?—No. It is a difficult matter to get any one outside to give evidence in a case like that, because they commit an offence themselves when they make a wager with a book-maker.
598. Do you know Shotlander's shop?—Yes.
599. What business does he carry on?—He is a furrier and clothier.
600. Do you think he carries on any other business?—He attends races at the Hutt course.
601. Would you class him as a book-maker?—I think he combines book-making with his business as furrier and clothier.
602. Do you know if he keeps men outside?—There are a number of book-makers hanging about the Empire Hotel, and he is amongst them.
603. Does he keep any one to attend to the shop inside?—No.
604. Who attends to the shop?—Only himself.
605. Do you regard the shop as a *bona fide* business, or simply as an accessory of his betting business?—I think it is a very good business.
606. And yet he is principally on the street?—He is generally there. I think he does a very good business.
607. You say the spielers congregate about his shop?—Generally there is a number of book-makers about the Empire Hotel, and his shop is close by.
608. Do you ever see any spielers about?—I term a "spieler" a man who goes to the race-course and plays confidence tricks, and I think book-making is not quite so bad as that.
609. Do you know any spielers at all?—Yes, a number.
610. In Wellington?—There were a few here recently, but I think they are not generally present. Very few are at large about Wellington at the present time.
611. Can you name any that are at large?—I cannot say there are any about just now. They all go under the heading of book-makers.
612. Do you know a man named McLaughlan?—Yes.
613. Is he a spierer?—He has a shop now in Manners Street, and is working at his trade as bootmaker.
614. You think he is a *bona fide* tradesman now?—Yes, I think he is trying to get an honest living now at his trade.
615. Do you know a man named Reardon?—Yes.
616. Is he in Wellington?—Yes.
617. When did you see him last?—A few days ago. He has been working in the Union Steam Ship Company's yard for the past six months as a labourer.
618. You do not know of any *bona fide* spielers at the present time?—There is not one that I know.
619. The town is quite swept of them?—Yes. Yes, I have never known the town more free of spielers than at the present time.
620. There are a good many book-makers?—Yes.
621. How many do you suppose there are in Wellington at the present time?—Eight or nine recognised book-makers.
622. And you think they are all keeping within the bounds of the law?—I cannot catch them.
623. And you have tried your very best?—Yes, and I am satisfied that as the law stands at present you cannot catch them.
624. What is your principal difficulty; how should the law be altered?—To make all sorts of betting illegal—straight-out wagering, for instance. It is not an offence at present, unless they confine themselves to one particular place.
625. *Mr. Tumbidge.*] With reference to detective officers not reporting breaches of the licensing law when they come under their observation: do you know my opinion on that?—I saw your opinion the other day.
626. And what was that?—That in any case where a detective failed to report a breach of the licensing law it would be treated as a neglect of duty.
627. Was that on some papers I minuted with reference to one of the detective officers?—Yes.
628. Where he contended he had never been expected to report such cases?—Yes.
629. I did not hold it was a detective's primary duty to look after publichouses, but what I hold is that where any breaches of the licensing law come under his notice, and where they are not reported, I would treat that as a neglect of duty?—That is so.
630. *Inspector Pender.*] Do you recollect Patterson being fined £25?—Yes.
631. That was within the last three years?—I cannot speak from memory, but he has been fined two or three times.
632. Do you not also recollect making a raid on a gambling-house up in Willis Street?—Yes.
633. That is not five years ago?—No, it is less than three years and a half ago.
634. How many were arrested?—Fourteen were arrested, but that was for keeping a gambling-house. The frequenters were all fined, and the occupier was sentenced to three months' imprisonment.
635. The police had to break in the doors and climb over fences?—Yes.
636. In Patterson's case the police had to enter by force—by warrants, at all events?—Yes.
637. Do you recollect that after these convictions a number of book-makers who were living in town gave up their business?—Yes.
638. Do you not know that very recently we tried a blind—to back with some of them in the streets?—We have continually tried, all along.

639. We got a strange man, and he failed?—Yes.

640. They suspected what he was about?—They will not bet with strangers. It is impossible to get a case against them at the present time as the law stands.

641. *Colonel Hume.*] You charged the late Detective Kirby with being mixed up with gambling?—I did not charge him.

642. You stated he was?—Yes, I said so in cross-examination.

643. You and Kirby never got on well together?—That was the first complaint he ever made against me.

644. I mean to say you were never friends?—I did not care about the man from what I had heard. I never showed any feeling towards him in the office. I did my duty; but from what I heard I did not care to be with him in the office.

645. If the Inspector was making any inquiry into the business it is not likely he would have employed either you or Kirby?—I should think not.

646. He would probably get some other detective?—Yes.

647. Were you here with Detective Herbert?—I was.

648. How did you and he get on together?—We never had any disagreements.

649. You did not pull together very well; you were not very friendly with him and did not work very amicably with him?—We may have had some words amongst ourselves, but no complaint was ever made on either side.

650. I suppose you have to talk to these spielers a good deal?—Yes.

651. You get some valuable information from them?—Yes, I have to talk with all classes of people.

652. Then, you would not be the least surprised to see a detective standing in a hotel talking with a spieler?—No, I would not.

653. When a crime is reported, is it optional with you who you send out, or does the Inspector consult with you?—It depends who takes the report, and the particular time. The person to whom the complaint is made usually investigates the case, and all crime that is reported is entered in the crime-book kept for that purpose in the watch-house, and the general police have access to it, and take the description of the offenders as well as the detectives.

654. That is the case with all reported crime?—Yes.

655. It is not true that the chief detective takes the pick of the cases and passes on the refuse to the others?—That is not so.

CHARLES ROBERT BROBERG was examined on oath.

656. *The Chairman.*] What is your present rank?—Third-class constable.

657. Doing plain-clothes duty?—Yes.

658. *Mr. Taylor.*] When did you join the Force?—In January, 1895.

659. You were in the Permanent Artillery?—Yes.

660. You have been doing duty here ever since?—No; I was in Dunedin until July last year.

661. Did you do duty in Dunedin?—Yes.

662. On the streets?—For a short time.

663. Plain-clothes duty?—Yes.

664. In Dunedin did you know of the existence of any tote-shops?—There was one shop suspected for a time, and there has since been a conviction obtained in that case.

665. What kind of a shop?—It was a commission agent's office, in the Arcade.

666. What kind of office was it in appearance?—I was never inside of it. I have only seen it from the outside.

667. Did you know the proprietors by sight?—Yes, I knew one proprietor.

668. Did you ever see him near his office?—No, always on the street.

669. I mean not in the office, but near the office?—I cannot say that I have or that I have not.

670. When you say "street," what do you mean?—Princes Street.

671. That is all you know in Dunedin?—Yes.

672. Do you know of any in Wellington?—No.

673. Do you not know of the existence of an office of that kind in Grey Street?—No.

674. Would you be surprised to hear that two offices of that description and bearing that reputation and kept by book-makers are in Grey Street?—I know of one man in Grey Street who I believe has an office there. He is a man who is connected with horse-racing. That is all I know.

675. Do you know of a second place of that description in Grey Street—of an office kept by a man who is mixed up with horse-racing?—No.

676. You know of the existence of no tote-shops in Wellington?—No.

677. Any spielers, to your knowledge, in Wellington?—I do not think that I could fix upon any just now. There were some race meetings in the country yesterday, and that class of people generally frequent those places.

678. Do you think there were any here before yesterday?—I have known spielers to be in town.

679. Within the last month?—You see there have been a series of race-meetings at Hawera, Wanganui, Woodville, and Palmerston, and they have been all round there, so I cannot say when they were in town.

680. Were they in town within the last two months?—I should say so.

681. How many of them?—I knew about three.

682. Is that all?—Yes, who live here. Of course, plenty pass through the place, but they do not stop long.

683. Are these men you know still following that life?—To the best of my knowledge they are at the races now.

684. You do not call them book-makers ; they are spielers?—They are men who frequent race-courses and take people down if they get a chance.
685. Are their headquarters in Wellington?—Yes, they live here.
686. What is the name?—McLaughlan.
687. Is he in business in Wellington?—Yes, he is now.
688. How long since?—About a month or six weeks.
689. Is he away at the races?—I think so.
690. You say he is still a spieler, and belonging to that class?—I would not like to say so. I think he tried to turn over a new leaf. He started bootmaking, and carried on his business for a month or six weeks.
691. Do you know where his shop is?—Yes.
692. Is it closed?—No, it is open.
693. Who is in it?—Some other man is carrying on the business.
694. And the other men are simply casual visitors?—Yes.
695. You know Shotlander's shop?—I do.
696. It is not a tote-shop?—I never knew it to be such.
697. Ever been inside it?—Yes.
698. Pretty often?—Only once.
699. Just to chat with the proprietor?—I was passing the other day, and in consequence of what you said he invited me in.
700. Did you discuss the matter with him?—I did not.
701. What conversation passed?—He asked me to come in and see if his place looked like a "tote-shop," or words to that effect. I went inside, and he showed me some rugs and other garments that he had been selling and dealing with.
702. Do you know whether any tote-shops in the colony are carried on under the guise of business shops?—I do not.
703. Have you ever been in Auckland?—Yes.
704. Are there any tobacconist shops there which are practically tote-shops?—I have not been there for two or three years.
705. When you were there?—No.
706. Are you aware that tote-shops in any part of the colony are being carried on under the guise of tobacconist shops?—No.
707. Are you doing plain-clothes duty in the Detective Force?—Yes, in Wellington.
708. Do you know a billiard saloon near Anderson's shop in Willis Street?—Yes.
709. Ever been inside?—Yes, I think I was there one day.
710. You do not know much about the class of people who frequent it?—No, I do not.
711. In regard to licensing laws, do you regard it as part of your duty to report breaches of the Licensing Act?—If a case came under my notice I should regard it as my duty to report it.
712. Did a case ever come under your notice?—I do not think so.
713. You never saw a breach of the Licensing Act since you entered the Force?—No.
714. Are you an observant man, and keen in making observations?—Not particularly. I do not go looking for breaches of the Licensing Act.
715. You never see them now?—No.
716. Do you regard it as your duty to make a report, supposing you saw one?—Yes.
717. Do you ever see any signs of drunkenness on the streets of Wellington on Sunday?—No.
718. Never?—I think I saw a man one day under the influence of liquor.
719. Are you much on the streets on Sunday?—Yes, a good deal, but not so much as other days.
720. You think the licensing law is pretty well observed in Wellington by the licensees?—I do not think it is very bad. I think it is pretty well observed.
721. How long ago is it since you saw that one person?—Between four and five months.
722. Do you think there is no betting with minors in Wellington?—I have never seen a case of it.
723. Never seen any book-makers betting with boys and young men?—Not with persons I would take to be under twenty-one.
724. You would be a good judge as to whether a person was under twenty-one years of age?—I suppose I would be.
725. Do you think there is any going on?—I say I have not seen a case, and of course I do not know.
726. What are the habits of the "tote" men—I do not mean book-makers—how do they carry on their business?—What is the difference?
727. Do you recognise any difference between the tote-man and the book-maker?—No. I think if you asked a man in the habit of laying "tote" odds he would call himself a book-maker.
728. How long did you do ordinary street duty in uniform in Dunedin?—About four months and a half.
729. Then you went on plain-clothes duty?—Yes.
730. Did you make application to be put on plain-clothes duty?—I did not.
731. You were put on by Inspector Pardy?—Yes.
732. Do you know how book-makers usually record their bets—the men who lay "tote" odds?—Yes; they will record their bets in a book so that only they can understand it.
733. How do they do it?—For instance, a man invests 5s. on a certain horse. Alongside of the amount they put down a straight-out legal price in their book. Well, if any other person got hold of that book and examined it, it would be apparently a straight-out wager and a legal wager.
734. Supposing I invested 5s. on a horse, what would they enter in the book?—He would put down your name or initial, or, if he knew you, some other initials altogether. He would put down

the name of the horse and the amount invested, and would carry it on and put down another amount. For instance, he might put down a £1, and that would represent the price laid; and you could not tell from that book but that it is a fair *bona fide* wager.

735. Do not you get a totalisator dividend paid to you instead of the amount in the book?—A proportion of the dividend, in proportion to the amount you invest.

736. Supposing there is a dividend of £10 on a £1 ticket, and you invested 5s. with a book-maker, what would you get?—£2 10s.

737. Have you seen them making these entries?—I have not.

738. How do you know of cases?—I have had a case and prosecuted it.

739. Where was that?—In Dunedin, on the racecourse.

740. Did you get their books?—I examined their books there.

741. Is it illegal to lay "tote" odds in the streets?—Yes.

742. Would you prosecute a man for laying "tote" odds in Willis Street?—Yes.

743. If you could get information?—Yes.

744. Do you know the Empire Hotel pretty well?—Yes.

745. Is the vicinity of the Empire Hotel more frequented by that class of men than other hotels?—It is generally below the Empire Hotel.

746. Near whose place?—Outside the "Red Bird" byke shop.

747. Do you think gambling is increasing in Wellington?—I do not know.

748. Do you think it is decreasing?—I can hardly say. I have not been here long enough.

749. You do not think any gambling with minors is taking place?—No complaint has ever been made to me, and I have never seen a case.

750. *Inspector Pender.*] Were you employed some time ago in trying to catch some of these men?—Yes.

751. And you had a stranger with you?—Yes.

752. I believe they were too knowing for you?—Yes. He only got a wager on with one man, and that man nullified it the next minute, and said it was a straight bet. He "tumbled" to it.

753. So far as you know, since you came here, every effort has been made to enforce the law as it stands in regard to tote-betting?—Yes, there is only one way it can be coped with, and I have endeavoured to get material to cope with it in that way, and it is very hard to do so. There is only one method, and if I gave publicity to it it would be detrimental.

754. We tried several plans?—Yes.

755. You have been in the Force in Dunedin some time?—Yes.

756. Have you seen any disagreement, or any confusion of any sort amongst the Detective Force there and the men, or do they work together?—No, I have never seen any of that. I have always found one body willing to help the other, particularly in Wellington.

757. You know a good deal of discipline and order, having been in the Artillery. Is there any appearance of disorder or disorganization in the Force here?—No.

FRIDAY, 11TH MARCH, 1898.

ARTHUR HUME, examination on oath continued.

1. *Mr. Taylor.*] With regard to Matthew O'Brien, who was referred to on 18th February last, have you any report from Mr. Bush, Stipendiary Magistrate, in regard to that constable?—No.

2. Have you any reports from his Inspector at all, bearing on his conduct at any time, apart from his convictions and defaulter's sheet?—On the 8th June, 1897, Inspector Hickson reports: "While speaking to a gentleman in High Street, at 9 o'clock this morning, I saw First-class Constable Matthew O'Brien, No. 221, come out of the Central Hotel. He was in uniform at the time, and required for duty at the Supreme Court. This constable is a tippler, and his appearance is that of a sot. I have cautioned him several times: Please see correspondence forwarded on 1st May, 1897, No. 812." That was sent to me, and my minute is: "Before dealing with this case I would like to know what the constable means by the concluding paragraph of his report. If it is correct, what was your object in exempting him from duty from 5 o'clock on Friday till 9 o'clock on Monday?" On 16th June, 1897, the Inspector reports: "I attach Constable O'Brien's explanation. I exempted him from duty because I was of opinion that his appearance was, if not wholly, at least partly, due to excessive drinking; and, as he was a witness in two cases of assault for hearing at the Supreme Court, I desired that he should present a respectable appearance—and this I told him at the time." Then, on the 24th June, I forwarded the following to Inspector Hickson: "First-class Constable O'Brien is fined £1 for being in the Central Hotel in uniform at the time he was required as a witness at the Supreme Court, and an entry will be made in his defaulter's sheet. Had you suspended this constable on the Friday previous to the Supreme Court sitting, as you should have done, instead of exempting him from duty, I should probably have recommended his being got rid of. Please severely caution him, and say that if he does not at once give up his drinking habits I shall not hesitate to recommend his dismissal." Then, Inspector Hickson reports on the 30th June: "Referring to your minute of the 24th instant, I have cautioned Constable O'Brien as directed. I did not suspend him on the 28th May as there was then no charge against him, and I did not consider him unfit for duty, neither did the two sergeants whose attention I directed to the constable consider that he was then unfit for duty, although the constable's appearance resembled that of a man who had been tippling. He was not then under the influence of liquor, but looked as if suffering from the after effects of drink. Constable O'Brien complained that he was unwell and had been so for some time. I am of opinion his illness and peculiar appearance resulted at least partly if not wholly from drink; but, as such could not be proved, I considered it best to send him home, so that by getting a rest he would have an opportunity to recover before the Supreme

Court opened." I may point out that, though a man appears to be drinking, there is no charge against him, and what can you do? He was removed from Helensville to be under the Inspector's eye. That is all we could do.

3. *The Chairman.*] This you do not regard as a charge against him?—No, Sir.

4. *Mr. Poynton.*] But there was a charge against him, and you fined him £1?—I fined him £1 on the 24th June.

5. *Mr. Taylor.*] I ask you whether there are no reports there, having reference to the neglect to keep his books posted up while at Helensville, indicating that that was attributable to drunkenness?—No. It has just struck me that Mr. Bush may have reported to the Justice Department. He would report to that department, and not to the Police Department, as to work in connection with the Clerk of the Court.

6. *Colonel Pitt.*] Do you know that there was a report?—No, I do not; but it has just struck me that is how a report may have been made by Mr. Bush.

7. *Mr. Taylor.*] Is there no reference there to his habits at all?—No, not a word.

8. *Colonel Pitt.*] If the Stipendiary Magistrate reported to the Justice Department as to the conduct of a constable, would not the Justice Department send that to the Commissioner of Police?—Yes, but it would be returned to the Justice Department.

9. Have you any report besides that?—Here is one by myself, dated 29th May, 1895: "Constable O'Brien is fined 5s. for neglecting to keep his books posted up to date, and he is further deprived of the charge of a station." He was removed to Auckland a short time afterwards.

10. You have got no reports from Auckland since?—Only the one I read to you. There is a complaint about want of tact on the part of O'Brien. It is in reference to an assault on one Thomas McCluskey, and Inspector Hickson reports: "Constable O'Brien states the injured man could not say who had assaulted him, and he made many rambling and contradictory statements; and yet he took him to the Magistrate's Court to lay information. I wish to see Constable O'Brien in my office to-day.—1/4/97." Then, further, the Inspector says, "If Constable O'Brien had got the blood washed off the man's face it would have been seen that the cut was so slight that it would not be necessary to take him to a doctor. The man was very much muddled; but because he asked the constable to take him to the Court, so that he could lay information for a warrant or summons, the constable complied with his request, and left him there. I have already told the constable that he should not have taken the man in such condition as he was in to the Court, that he should have obtained from the man full particulars as to who had assaulted him. Has a warrant or summons been issued in the case? When Constable O'Brien was before me, he stated that the watchhouse-keeper and several constables were in the watchhouse when he found the man there, and none of them appeared to notice him. I require the names of the constables who were in the watchhouse, and the watchhouse-keeper's explanation." Then, there are reports from the constables. Then the Inspector sends this: "I have inquired into this with the view of pointing out to the constables who were in the watchhouse when Thomas McCluskey came in to make complaint, that one of them should have attended to him, and not have waited until the watchhouse-keeper would be disengaged. The watchhouse-keeper, Constable Crean, was taking a charge preferred against a prisoner named Small I desire to draw your attention to the want of tact displayed by Constable O'Brien." Before that was decided, I suppose his drinking in the hotel comes up, when he was fined £1.

11. *Mr. Taylor.*] Was he removed?—I cannot tell you when he was removed, but he has been removed to Napier.

12. Have you got the date of his removal?—No, I believe it was in August, 1897.

13. Do you regard Inspector Hickson as a pretty strict disciplinarian?—Yes.

14. Do you regard Inspector Emerson as likely to keep a strict eye on a man of these habits?—It is not so much a question of the Inspector as the sergeant.

15. Who is sergeant at Napier?—Sergeant Mitchell, I think.

16. Do you regard Inspector Emerson as being a man likely to be strict in these matters?—I have no reason to find fault with his doing.

17. Do you say he is as strict as Inspector Hickson?—No, I do not think he is.

18. In the light of the evidence we have had this morning, do you think O'Brien's promotion to the position of first-class constable in February, 1897, was calculated to add to the efficiency of the Force?—Well, there is nothing proved against him. If you boil this report down: "I am of opinion his illness was, if not wholly, at least partly due to drink." What is the use of that?

19. Do you think the responsible duties a policeman has to perform to the public are not sufficient to warrant the department in having only steady men in the Force?—In this particular case the man had twenty years' service, and in view of that service, and when you find he has only three reports against him, I think he is fit for promotion from the second class.

20. Irrespective of his habits as far as sobriety is concerned?—I cannot take general charges. I will not judge a man on general charges.

21. Does not the department attempt to make itself familiar with the actual character of police officers?—Yes.

22. If you hear general charges, is it not the duty of the department to specially investigate?—You cannot investigate general charges, that is a moral impossibility.

23. But when the charges bear on a specific individual?—Not unless you can give specific instances.

24. I mean a charge of insobriety?—How can you inquire into that? I do not see how general charges can be inquired into.

25. *Mr. Tunbridge.*] As to the department inquiring into the general conduct of the officers: if the Inspectors were allowed to send confidential reports to the Commissioner, that were not accessible to the various constables, would not that very materially assist the Commissioner in

weeding out those men who have questionable general characters?—Most certainly it would; but that system was done away with.

26. That system of Inspectors submitting confidential reports to the Commissioner was done away with by the issue of a circular that has been quoted here?—Yes.

27. Do you personally agree with that?—No, I do not.

28. You think Inspectors should be allowed to send confidential reports to the Commissioner as to a man's general character, which should not be seen by the officers to whom they refer?—Yes.

29. Do you think if that were allowed there would be greater opportunity of weeding out those men of questionable general character?—Yes.

30. At the present moment the Inspector can only bring under the notice of the Commissioner direct charges?—Direct and specific charges.

30A. *Mr. Taylor.*] Was that circular issued on your suggestion?—I cannot tell you. As far as my memory serves me, it was issued from something that was said in the House.

31. *The Chairman.*] You cannot say whether it was on your recommendation or not?—I cannot say whether the Minister instructed me, or whether I did it; but I have a distinct recollection that something sprung up in the House.

32. *Mr. Taylor.*] Was O'Brien off duty on sick leave in December, 1896?—I have the return of the Auckland sick-list for the month of December, 1896. It states that No. 221, Second-class Constable Matthew O'Brien, was sick from the 1st December, 1896, to the 23rd December, 1896—twenty-three days—from severe debility. If you wish to know anything more about that, you must ask the Inspector at Auckland.

33. Have you Constable Treanor's papers?—Yes.

34. What steps were taken for the arrest of Gower, after his escape from Woodville?—The usual crime-reports were sent all over the country, and I think I may swear that telegrams were sent by Inspector Emerson all over his district, and to all the principal ports. The last thing was that I thought I heard of him in Western Australia, and I telegraphed over or sent a crime-report. This is the telegram: "*Vide our Gazette, 1895, page 140. Alfred Gower said to be driving a team in Perth. Arrest desirable.*"

35. Did you get a reply to that?—No; I never do from Western Australia. It is a most extraordinary thing. The date of the telegram is the 23rd February, 1897. Detective Campbell gave the information I think. His report is as follows: "I beg to report that I have been informed by a man just returned from Western Australia that Alfred Gower is in Perth, and is employed driving a team of horses. I understand a man named Cavill, a butcher in the employ of Mrs. Ross, of Woodville, has a photo. of Gower." Inspector Emerson instructs Constable Williams, of Woodville, on the 16th February, 1897: "Please endeavour to obtain Gower's photograph, and ascertain from Monckton Brothers if they would be prepared to guarantee expenses of bringing offender back to New Zealand if the police in Western Australia effect offender's arrest." They would not guarantee; but, notwithstanding that, I thought it was such an important case that I sent that telegram.

36. Was there no further correspondence after the telegram?—No, not a word.

37. Is there no limit of time for which a man can be punished for a crime?—Oh, no. The only chance is, as in this case—let the matter alone and wait for some one to tell us. Of course, we sent our *Gazette* to all the Australasian Colonies.

38. This was a charge of cattle-stealing—is that a very serious offence?—Yes; and hard to discover.

39. I think the documents that you quoted went to show that the evidence was pretty clear?—Oh yes, in this case.

40. Do you think, in the interests of justice, sufficient energy has been shown in the attempt to get this man?—I think so, most certainly. I do not know what more could have been done.

41. Did you get his photograph?—I do not know. That will be in the Inspector's office in Napier.

42. *Mr. Tunbridge.*] Did you take it for granted that if the Western Australian police had secured any information they would have communicated with you?—Oh, yes. I said, "Arrest desirable." That means they are to use every exertion. If the two words, "arrest desirable," were not added they probably would not exert themselves very much. When they put in a telegram to us, or we to them, "arrest desirable," that means that extra exertions are to be made.

43. *Colonel Pitt.*] I understood you to say that Western Australia never does answer?—If they arrest a man they let us know at once.

44. *Mr. Tunbridge.*] What you wish to say is, they do not acknowledge receipt, or say what has been done, unless there is some result?—That is so.

45. *Mr. Taylor.*] Can they arrest a man without documents from this colony?—Oh, yes.

46. Now, with regard to Constable Roche, when did he join the service?—About 1881.

47. When was he transferred from Eketahuna to Amberley?—The order was dated the 13th March, 1893. Telegram to Inspector Pender: "Please transfer Constable Roche from Eketahuna to Amberley. He will be replaced by Constable Nestor from the latter station."

48. Where was he stationed when he joined the Force?—I cannot tell.

49. Since Constable Roche has been at Amberley, have you received a number of communications from Father Tracey about him?—I think I received one letter from Father Tracey, and I think I received one letter from Miss Harding.

50. Who is Miss Harding?—She is Father Tracey's housekeeper. They were marked "private"—at least the one from Father Tracey was—and I think I destroyed them.

51. Did they ask for his removal?—Yes, and an inquiry too, I think. However, I told them to go to Inspector Broham and report it to him.

52. You refused to interfere?—That is so. I think, now, I sent the first letter I received to Inspector Broham, and I think I got an explanation from Constable Roche on it. After my reply, I think, he wrote back to me and said, under the circumstances, he would do no more.

53. I would now like Roche's defaulter's sheet read?—He was appointed third-class constable on the 27th September, 1881. He has a clean defaulter's sheet.

54. What is his merit-sheet?—"October, 1884: Prosecution of Ann Moles for sly-grog selling; fined £5 and costs; reward of £1, at Paikakariki. June, 1885: Seizure of cask of beer unlawfully stamped; £1 reward by Customs. July, 1885: Prosecution of Thatcher; fined £20 and costs for sly-grog selling; £3 reward. March, 1886: John Thomas Pepperill, fined for sly-grog selling; £1 10s. reward. April, 1886: Prosecution of T. Poff (fined £5 and costs) for sly-grog selling; £2 reward. May, 1886: Prosecution of T. Poff (fined £50 and costs) for sly-grog selling; £3 reward. October, 1886: Seizure under the Beer Duty Act; £1 from Customs. October, 1889: For information which led to the arrest of Charles Edward Beckman, a fraudulent bankrupt, and the recovery of £283 5s. 10d. belonging to his creditors; £20 reward by the Official Assignee at Masterton. 1893: Beer Duty Act conviction; 10s. by Customs. 1894: Beer Duty Act conviction; 10s. by Customs. 1894: Conviction of D. Scott for sly-grog selling at Cheviot; £3. 1895: Beer Duty Act conviction; £1 by Customs. 1897: Arrest of Sheehan for murder; £5, and promoted to first-class constable.

55. In the district where Roche was stationed—Eketahuna and that district—sly-grog selling was pretty common?—I do not know whether sly-grog selling was common. We were after a still there for some time.

56. What was the first request you had for his removal from Eketahuna?—The first request was a petition signed by thirty-three residents, praying for his removal from Eketahuna to some other district, and assigning reasons for their request, the chief of which was that he had shown partiality in the discharge of his duties. A lengthy reply was made by the constable, and then the late Inspector Thompson reported as follows:—

During the whole time Constable Roche has been stationed at Eketahuna, he has discharged his police duties in a very painstaking and satisfactory manner, and, as the two local Justices testify, with strict impartiality. It would certainly have a very discouraging and disheartening effect on the Police Force generally if a well-conducted constable could under such circumstances be removed from his station by a few persistent local personal enemies raising a groundless and unreasoning clamour against him.

Also, in February, 1891, Mr. Alexander, J.P., wrote as follows to the Minister:—

Being a Justice of the Peace for this district, I have many opportunities of knowing whether or not Constable Roche, of Eketahuna, is impartial in his conduct. I have much pleasure in stating that, as far as my knowledge goes, and no one in this district has a better opportunity of knowing, he is fair in his dealings with all the people, diligent in his duties as constable, and just the kind of man we require here.

Then, I wrote this to the petitioners on the 24th February, 1891:—

With reference to a petition you were the bearer of, addressed to the Hon. the Defence Minister from some of the residents of Eketahuna and the surrounding district, for the removal of Constable Roche from Eketahuna to some other district, I am directed by the Hon. the Defence Minister to inform you and those signing the petition above referred to that the complaints made against this official by yourself and others have been very fully inquired into, together with the constable's explanations, with the result that the Hon. Mr. Seddon can see no sufficient grounds to justify him in complying with the prayer of the petition.

That is addressed to Mr. Maurice Kelliher, of Eketahuna.

57. Was there a petition against his removal?—Yes; there were several, containing about 218 signatures altogether. Then, there is a covering letter from Mr. Hogg with regard to one or more—I am not sure how many—of these petitions Mr. Hogg forwarded: "I have been requested to forward the petition which I enclose in reference to the constable at Eketahuna. Should you wish to communicate with the petitioners, a letter addressed to Mr. Dowsett will receive attention." Then there is the minute of Mr. Seddon, the Minister: "Inform Mr. Hogg petitions to hand, also that there has been a request to have the constable in question removed; that it is unfortunate to have any police-officer the shuttlecock between contending parties. Inquiries will be made." That is dated the 4th October, 1891.

58. *Mr. Taylor.*] What happened then?—That paper was sent to me by instruction.

59. *Colonel Pitt.*] The result there is, Mr. Hogg was informed—what?—Well, I do not know, I am sure. It did not go through my office.

60. *Mr. Taylor.*: I propose to hand in some letters bearing on the case.

61. Do you recognise this signature?—Yes, it is the Premier's.

62. Whose handwriting is it in?—I think it is in the handwriting of the private secretary to the Premier, Mr. Hamer.

63. What is the date of it?—24th February, 1891.

64. Do you also recognise the signature of another letter addressed to Mr. Hogg as that of the Premier?—Yes.

65. Do you recognise the signature to four letters addressed to Mr. A. Anderson, Mr. George, Mr. Morris, and Mr. J. Smith, as that of Mr. Hogg?—Yes; there is no doubt that is Mr. Hogg's handwriting.

DEAR SIR,—

Minister's Office, Wellington, 24th February, 1891.

I am in receipt of your letter of the 12th instant with reference to the reported removal of Constable Roche from Eketahuna. In reply I have to state that there is no intention of interfering with existing arrangements at present.

Mr. George, Alfredton.

Yours faithfully,

R. J. SEDDON.

DEAR MR. ANDERSON,

11th August, 1891.

As I told you, I brought Constable Roche's claims before the Hon. Mr. Seddon. I enclose a portion of a letter I have just received from him which relates to my application on his behalf. I am sorry the reply is not more encouraging.

Alexander Anderson, Esq.

Yours, &c.,

A. W. HOGG.

. . . As regards Constable Roche, I find on inquiry that there are twenty-eight before him on the list of third-class constables, many of whom, like him, have had charge of important stations, and have several entries in their merit-sheets; and as there are more first- and second-class constables than are required, I cannot at present see my way to carry out your recommendation for his promotion.

A. W. Hogg, Esq., M.H.R., Wellington.

I have, &c.,

R. J. SEDDON.

DEAR MR. MORRIS,—

Masterton, 12th October, 1891.

Quite a number of the residents of Eketahuna have written me in reference to the removal of Constable Roche. I would be most sorry to see him wronged in the slightest degree; and knowing that petitions, &c., were being sent to Wellington with the view of getting him transferred, I have urged the head of his department to do nothing in any way that would injure him. If I am allowed the opportunity I shall be only too glad to represent the good opinion expressed in your letter concerning him.

Yours, &c.

A. W. Hogg.

DEAR MR. GEORGE,—

Masterton, 12th October, 1891.

The good opinion you have of Constable Roche I reciprocate. I have regarded him always as a straightforward, honest, and efficient officer, and personally I would like to see him rewarded and promoted. Unfortunately, like not a few good officers in his line, he has made a lot of bad friends, and although I have intervened repeatedly I am doubtful of the upshot. Some of Mr. Roche's most sincere friends suggest that he should be transferred, and at one time I was under the impression that for his own peace and prospects a change would be an advantage, but he seems to think otherwise. I am sorry that Mr. Seddon did not call on you when he was in this district the other day, so that you could have had some conversation with him on the subject. There is no doubt it is a great misfortune for poor Roche that he has made such a lot of bitter foes. I hope before long to pay a visit to Alfredton and see you. Wishing you and family all the compliments of the season, and with best regards.

Yours, &c.,

A. W. Hogg.

DEAR SIR,—

Masterton, 12th October, 1891.

The statements you refer to in your letter are untrue and unfounded. I bear Constable Roche no grudge, and, esteeming him as a capable officer, I would far sooner do him a friendly turn than an injury.

I am, &c.,

A. W. Hogg.

Mr. J. Smith, Parkville.

66. *Mr. Taylor.*] With regard to McArdle: Was anything done in regard to the strictures passed by the Magistrate with reference to McArdle's conduct in a fruit-stealing case?—No.

67. Did Mr. Hutchison, S.M., at any time send you a complaint about McArdle's conduct?—There is a report here. It is directed to Mr. Pender, dated the 25th March, 1896:—

It was stated by counsel for the defendant, on the hearing of the case, *McArdle v. Searl*, that he had it from Sergeant McArdle that the prosecution was at the direction of the Magistrate. It is true that afterwards counsel admitted that he had not it direct from the sergeant, but he gave it to be understood that the latter was the original source of his information. If this be as I think, Sergeant McArdle should be called upon to explain his conduct. I am led to believe there may be something in this allegation, because I know that the sergeant quite erroneously formed that idea, though I contradicted it as soon as I became aware of it. I understand, too, that in a local paper the same statement was made, and afterwards contradicted without any communication with me. It would seem that the sergeant makes statements to newspaper touts as to communications with the Magistrate. If this is so, I shall decline in future all verbal communications with him. I think it is intolerable if communications with the Magistrate are distorted and communicated to the Press. You, of course, know that I did not direct, and had not the power to direct, a prosecution, although I think the prosecution was a legitimate and proper one.

That was sent for the Sergeant's explanation, which was as follows:—

I respectfully report that on the opening of the case here on the 21st instant, *Police v. Searl*, Mr. Pownall, counsel for the defence, raised innumerable objections to the Magistrate sitting to hear the case. Amongst his many objections, counsel said the Magistrate had directed the prosecution, and that Sergeant McArdle had told him so. The Magistrate, apparently, became annoyed, and was not giving me any right to defend myself against this untruth. I asked permission to defend myself, and then asked Mr. Pownall if I had ever said so to him or any one else who could now come forward. Mr. Pownall was frank enough in open Court to say I did not. Further explanation would have been given, but the Magistrate would not listen. I challenge any one to say that I had quite erroneously formed any idea, or that the sergeant is guilty of making such statements to newspaper touts as to communications to him verbally by the Magistrate, as all newspaper men are kept at a civil distance. I do trust that the Magistrate will at all times place on paper any instructions he may deem necessary for the police here, as that rule would be preferable to verbal instructions; as why should I have written to my Inspector on the 14th February last as being directed by the Magistrate to proceed against Mr. Searl if I had not been so directed, and which is denied by the Magistrate, and forwarded to District Office on the 25th February last? Therefore, instruction in writing would seem the more suitable system.

Then, the Inspector sends it on to the Commissioner with this note:—

The charges made by the Stipendiary Magistrate against the sergeant are so serious that I have thought it advisable to submit the matter for your information and instructions. It was published in the newspapers here, as telegraphed from Masterton, that the Stipendiary Magistrate directed the police to prosecute Searl. Sergeant McArdle, however, denies that he had supplied the correspondent with the information, or that he had anything to do with circulating the report. Things are not working smoothly for some time past at Masterton, and I would again request your consideration of the sergeant's application for a transfer to some other station, forwarded to you on the 5th instant.

Then, my memorandum to the Minister: "This is another complaint against the sergeant in charge of the police at Masterton." Then, on the 16th May, 1896: "No reply necessary.—T. THOMPSON." I think in the meantime McArdle had left. He was under orders for transfer, and he was transferred on the 28th May, 1896.

68. *The Chairman.*] What was the date of his application for transfer?—Oh, long before that. He applied on the 4th March, 1896. He was under orders for transfer, and I suppose that was why no reply was necessary.

69. *Mr. Taylor.*] Have you Constable Cooper's papers there?—Yes.

70. *Colonel Pitt.*] What is he?—He is second-class constable, stationed at Opunake, I think. His name is Charles Cooper.

71. *Mr. Taylor.*] When did he join the Force?—He joined the Force on the 29th May, 1873. I think he was reappointed, but I cannot find any record as to his going out of the Force. He was reduced to third-class constable on transfer from police on 23rd October, 1885. He went back to the Armed Constabulary Force; but I cannot tell you when he left the police.

72. Have you any complaints from Pahiatua against him?—Yes, a number; which one do you want?

73. Have you any correspondence there from Mr. Hogg?—No.

74. Will you read the report of night-watchman Dryden to the Minister of Justice?—Yes, it is as follows:—

SIR,—

Pahiatua, 4th May, 1896.

I hereby beg to respectfully call your attention to the conduct of Constable Cooper, of this town, towards myself on the evening of the 28th April, 1896, and Wednesday, the 29th April, 1896, with a view to your department having judicious inquiries made with regard to the same. The true facts of the case are these: As far as I can remember on the evening referred to I met a man called Constable, about 10 p.m., and he asked me to have a drink in the Club Hotel, kept by a man named Seymour. When we went into the bar, Seymour followed us and said to the barmaid quite loud, "Don't dish up any drinks to those two cadgers until you see the money." I naturally resented this remark, and called Seymour to account, and after a few heated words between he and I, Seymour took off his coat to fight me, when my friend Constable, thinking there was going to be a row, went to leave the hotel. Seymour followed Constable, and assaulted him behind a door. I then left by another entrance, and went round to the side entrance, where I found Seymour illtreating Constable, and Mrs. Seymour trying to take her husband away; also Constable Cooper, who had been sitting in one of the side rooms previous to the assault, standing looking on. I endeavoured to stop Seymour, and being unable, caught him by the collar and pulled him out of the door on to the street. Constable Cooper then caught hold of me, and called Constable Watty to assist him to arrest me. I said, "You need not be afraid, I will go with you quietly; but, firstly, I wish to know on what charge you arrest me." I also appealed to the public who were standing around us, to take notice whether I was drunk or not. Constable Cooper then replied, "I am arresting you for making a row in Seymour's." I then went to go to the lockup, but found my brother on the road, and I asked him to come and bail me out. He then said to Constable Cooper, "He is not drunk, Cooper: what are you arresting him for?" Cooper replied, "For making a row in Seymour's." My brother then said, "All right, Adam, come on to the station, and I will see that you get out." After putting me in the cell and searching me, the two constables left, my brother going to look for a Justice to sign my release; but it then being after 11 p.m. they were all in bed, and I had consequently to remain in the cell until 9.45 a.m. the following morning, when Constable Cooper placed an order in my hand commanding me to appear at the Court at 10 a.m. the same morning, leaving me just fifteen minutes to go home, wash myself, retain a solicitor, and collect witnesses on my own behalf. I just managed to get a solicitor by a bit of good fortune, and appear at Court at the time stated. I then asked for an adjournment, to allow me time to get witnesses to appear for me; but Constable Cooper strongly objected to the same, with a view, I have no doubt, of gagging fair evidence being brought forward; but my solicitor demanded an adjournment, which was granted by the Bench till 2 p.m. that same afternoon, when I appeared with my witnesses. Constable Cooper then charged me with three offences—viz., being drunk and disorderly, assaulting Mr. Seymour, and using obscene language in a public place. None of these charges were sustained by Mr. Justice Reese and Mr. Justice Dawson, who were on the bench hearing this case; in fact, Constable Cooper's witnesses' evidence went in my favour. One witness (Constable Watty) called by Constable Cooper, told the Bench that I should not have been arrested at all; but he simply obeyed his superior to show that he was subordinate. The Bench hinted to Constable Cooper that my arrest was illegal, and I have no doubt if you refer to those two gentlemen they will give you a pretty good idea of the case on its merits. I think you will find that Constable Cooper's evidence in the case, as a constable, was anything but what it should have been, as he showed bias very strongly. The reason for this arises from the following facts, which I can prove to your satisfaction. I have for some time past commented on his conduct as a policeman, in frequenting three hotels in this town in uniform, and drinking till all hours of the night and morning, night after night, which is a fact he cannot disprove. The reason for my comment was that I always thought a constable's first duty was to show a good example to the general public. If the department sees fit to communicate with me I will give them a great many more facts, which would take me too long to write, and which will show you that Constable Cooper should be dealt with by the department. I have sustained the following hardships through my illegal arrest: I am nightwatchman for the Borough of Pahiatua, also librarian to the public library, and, when arrested, I had the keys of several rooms, with lights burning in them all that night. Constable Cooper kept those keys at the police-station instead of sending them to some responsible person and informing them of my position. This has imperilled my livelihood to a great extent. Constable Cooper also used very low and abusive language towards me while I was in the cell in the morning, in the presence of my brother and Constable Watty, because I would not sweep out the cell for him: to wit, "You are a bloody low blackguard." My solicitor informs me that my arrest was altogether illegal—that I should sue for compensation; but, as I am not in a financial position to do so, I pray that you will give me all the redress in your power. I had a conversation with a respectable citizen a couple of days ago about this matter, and I told him that I intended to place this before you, and he remarked, "It's no good, Dryden, Cooper has got too much political backing for you to buck against, as the people here have already learned." Nevertheless, I hope that such is not the case, and have every confidence that my case will receive just and impartial notice at your hands.—I have, &c.,

The Hon. the Minister of Justice, Wellington.

ADAM DRYDEN.

On the 7th May, 1896, I sent it to Inspector Pender for full inquiry and report. On the 15th June, 1896, Inspector Pender reports:—

With reference to the charges made by Mr. Adam Dryden, nightwatchman at Pahiatua, against Constables Cooper and Watty, for: (1) wrongful arrest (see defaulter's sheet marked "A"); and (2) frequenting publichouses when on duty (see defaulter's sheets marked "B" and "C" attached): I beg to forward herewith the statements of the complainant and his witnesses, also the explanations of the constables in answer to the charges. With respect to the charge of wrongful arrest, I submit that as the matter has been investigated and disposed of by a bench of Magistrates, Mr. Dryden should be informed that if he wishes to pursue the matter further, his proper course is by civil action. As regards the charges of frequenting publichouses when on duty: in my opinion the statements of the complainant and his witnesses are not sufficiently conclusive, in the face of the constables' explanations, to justify me in bringing the constables before the Court. I therefore recommend that Mr. Dryden be informed that if he wishes he can himself lay informations against the constables in the usual way, and have the charges investigated on oath by the Bench. I am afraid Mr. Dryden, in making these charges, was actuated by motives of revenge; at the same time I regret to see that Constable Cooper in his reports has made use of language respecting Dryden and some of his witnesses that I submit is very reprehensible on the part of a member of the Force in charge of a station.

75. Colonel Pitt.] What does he mean by "take him before the Court for frequenting publichouses"?—That is what Dryden must have asked for, I suppose.

76. What became of that report of Inspector Pender; did you report on it yourself?—Yes.

77. What is the nature of it?—I reported on the 13th July, 1896:—

Be good enough to inform Constable Cooper, with reference to the numerous complaints that have been brought against him as to the manner in which he performs his duty at Pahiatua, that the Minister, to whom the matter has been referred, finds that the constable was in the Club Hotel about 9 p.m. on the 28th April last, when a row occurred, and, though the landlady heard the row from upstairs and had time to go down below to the bar, the constable did not turn out of the private room in which he was for some time afterwards, which is most reprehensible and improper. Again, this constable did not let Dryden out on bail on night of 28th April last, though his brother undertook to get a J.F., because, the constable says, it would only have given him the trouble of arresting him again that night; and though the constable states this man was very drunk, yet next day the charge of drunkenness

was dismissed, and the other charges were withdrawn by the constable. This is considered most unsatisfactory. The constable then goes on to say that Dryden is the most brutal and unprincipled man he has ever come across, a fearful drunkard, and he has been allowed to carry on to such a length that he began to think he was not to be interfered with. Now, the constable shows gross neglect in allowing this man to carry on in the way he did, and then lock him up when he was not drunk. Again, the Minister is much surprised at the improper and vindictively worded reports sent in by the constable, and considers he has proved himself unfit to have charge of a station. He is therefore transferred to Masterton, and it will depend on his future conduct whether he gets charge of a station hereafter or not. He will in his defaulter's sheet be charged with neglect of duty and sending in improperly worded reports when in charge of a station, and shown as severely reprimanded and deprived of the charge of a station. As regards Constable Watty, he was removed from Palmerston North for borrowing money from persons in the district; and as he has been, by his own showing, again borrowing money in the district (*vide* Police Regulation 26), the Minister therefore directs that his services be dispensed with, and he will therefore be paid up to and for to-day.

78. *The Chairman.*] Did Watty get compensation?—I think he did, later on. He did not get any then.

79. *Mr. Taylor.*] Did he not receive £50 or £60 compensation later on?—It is not on these papers.

80. *Colonel Pitt.*] Do you know if he got any compensation at all?—He got something; I cannot say how much.

81. You do not remember whether it was £60?—I think it was.

82. *Mr. Taylor.*] Have you a complaint there from a Mr. Crewe, J.P., that Cooper was indebted to publicans and tradespeople in Pahiatua?—There is a letter from a Mr. Crewe in respect to the action of the police in the case of the disputed ownership of a heifer.

83. Is there not another complaint from Mr. Crewe?—Inspector Pender in his report says:—

In compliance with request contained in the two letters attached, dated the 13th instant, received from Mr. D. Crewe, auctioneer, Pahiatua, and Constable Cooper, in charge of police at Pahiatua, I proceeded to Pahiatua on the 18th instant, and investigated the complaints referred to therein, and shown in the defaulters' sheets attached, marked "A," "B," and "C." I interviewed Mr. Crewe, whose statements I attach, which were submitted to Constables Cooper and Watty, whose explanations are also forwarded herewith. I also forward the statements of Mr. Knight, the butcher, and Mr. Moore, the stationer. I was unable to see Mr. McArdle. With reference to the charge against Constable Cooper for improperly laying an information against Mr. Gower for stealing a cow (see defaulter's sheet "A"), in my opinion, the constable simply did his duty. It appears the cow was stolen from a Mrs. Harvey, and was soon after traced to the possession of Mr. Gower, who refused to tell Constable Cooper how he became possessed of it until he was brought to Court. With respect to the charge of incurring debts, &c., made against Constable Cooper (see defaulter's sheet "B"), the constable's liabilities, so far as I could ascertain, are not very much. The charge against Constable Watty (defaulter's sheet "C") appears to be more serious. It seems the constable has been in financial troubles for some time past, and was sued in the Courts at Palmerston and Pahiatua. Both constables are sober, steady men. There can be no doubt but Mr. Crewe brought these charges against the two constables on account of the action taken by them against Mr. Gower for stealing the cow. The case against Gower was dismissed, but will likely come on again in another form.

28th June, 1896.

P. PENDER.

83A. That report of Inspector Pender was a week after the Minister had ordered Cooper's removal from Pahiatua to Masterton?—Yes; he was removed before the report came in. There was nothing done. There was nothing entered in his sheet. It was not proved.

84. What was your comment on it?—This is a minute of mine, dated the 4th July, 1896:—

The whole of the papers show a very unsatisfactory state of affairs as regards police matters at Pahiatua, and, from the very improper wording of the replies forwarded by Constable Cooper, and also from the fact that he recently reported adversely on an hotel at Mangatainoka without sufficient grounds for so doing, and at the same time made a most offensive allusion to a member of the Waipawa Licensing Committee, I think he should be deprived of the charge of a station and placed under a sergeant. I agree with Inspector Pender when he says that Mr. Dryden has his remedy in the Court if he considers he was wrongly arrested by Constable Cooper. I do not think there is any proof that the constable owes money in Pahiatua. As regards Constable Watty, he had to be moved from Palmerston to Pahiatua for borrowing money from brothel-keepers. I believe he is hopelessly involved, and for that reason I consider him unfit for the Force; but, as he says he will be clear of debt in six months, perhaps would be inclined to give him that time to clear himself.

Following that, I wrote on the 13th July, 1896, the memorandum to Inspector Pender, which I have already read.

85. I will ask now for a report from Mr. Tosswill, solicitor, Pahiatua?—I have not got any such report. It would very likely have been sent to Inspector Pender. It may not have come to me at all.

86. He was moved to Masterton when?—On the 13th July, 1896.

87. He was unfit then, in your opinion, to have charge of a country station?—Yes.

88. When was he given charge of Opunake?—Just as I gave over—October, 1897.

89. Do I understand clearly you have no correspondence from Mr. Hogg on that file?—Yes, clearly, no correspondence.

90. Did you make that appointment to Opunake entirely on your own motion?—Yes; entirely on my own motion. I do not think a soul spoke to me about it. I was up at Masterton, and saw a stout man walking about. I made inquiries as to how he did his duties, and heard a very good account of him. He had given satisfaction at Masterton, and I thought he ought to have another chance by getting a station.

FRANK WALDEGRAVE examined on oath.

91. *The Chairman.*] You are Under-Secretary for Justice, Mr. Waldegrave?—Yes.

92. *Mr. Taylor.*] I wanted to ask you in reference to the appointment of Constable Roche as Clerk of the Court at Eketahuna. When was he appointed Clerk of the Court?—On the 1st April, 1893. He was bailiff before he was appointed Clerk of the Court.

93. Was he at Eketahuna in 1893?—Yes; his appointment dated from the 1st April, 1893.

94. Not for Eketahuna, surely?—Yes.

95. *Colonel Pitt.*] It has been stated to us that he was transferred to Amberley on 13th March, 1893?—Well, there is the official record. The appointment was made in March, but it dated from the 1st April, 1893. It was signed by the Governor on the 3rd March.

96. *Colonel Hume.*] Did he ever take it up?—I think he did, but I would not like to say from memory.

97. *Mr. Taylor.*] What I really want to get at is this: Whether in 1891 an order appointing him Clerk of the Court at Eketahuna was not made, and held back by the Justice Department at the request of the Defence Department?—Speaking from memory, I should say not; but I would not like to answer definitely without looking up the records. I will look up the records and let you know later.

[Mr. Waldegrave left the room, and returned later in the day, continuing his evidence as follows:—]

Witness: Mr. Taylor wanted to know about an appointment which he thought had been made of Constable Roche to the Clerkship of the Court at Eketahuna, in 1891. I have looked up the matter since, and I find that Constable Roche was not appointed Clerk of the Court at Eketahuna in 1891. It is quite true it was intended to appoint him Clerk of the Court. The position was this: up to the end of 1891 the Clerk of the Court at Masterton had been in the habit of visiting the outlying Courts from Masterton. He visited Carterton, Greytown, Featherston, and Eketahuna, as Mr. Wardell will recollect very well. In 1891 it was thought it would be an economical arrangement to appoint the constables at these places to be Clerks of the Court. By that means the travelling-expenses of the clerk would be saved, and also he would be able to do without his assistant-clerk at Masterton. In pursuance of that arrangement the constables at Featherston, Greytown, and Carterton were appointed to be clerks at those places; and I am rather inclined to think, although it does not appear on the papers, that there was no constable stationed at Eketahuna at that time, but that one was going there. I say at once, it was the intention to appoint the constable whether he was there or whether he was going there. That being the position at that time, on the 8th October, 1891—just at the time these changes were being made—the Clerk of the Court at Pahiatua, Mr. Reeve, wrote, saying: “I understand that Mr. Freeth, Clerk of the Court at Masterton, will no longer visit the Court at Eketahuna, and that some change in present arrangements in connection with that Court is contemplated. Such being the case, I beg to make application for the appointment of Clerk of the Eketahuna Court. I can easily do the business in conjunction with the Pahiatua Court, as it is not much more than sixteen miles from here, and I have still a little time on my hands.” Perhaps Mr. Taylor would like me to explain Mr. Reeve’s position. Mr. Reeve was Clerk of the Court and Clerk to the County Council at a place called Waiau, in Canterbury. He was retired from the position of Clerk of the Court on the ground of retrenchment, and he finally found his way to Pahiatua, where he started in business as a commission agent. When it was decided to appoint a clerk at Pahiatua the appointment of Clerk was given to Mr. Reeve on account of his former service, because it was thought he was entitled to some consideration, and he was perfectly familiar with the duties. He got some small salary—I forget how much it was, £10 or £12 a year—for the work. He applied to have this position as Clerk of the Court at Eketahuna conferred on him in addition to the clerkship at Pahiatua. The letter was forwarded through the Magistrate, with the note: “Forwarded for favourable consideration.” The reply sent back to the Magistrate was: “I beg to acknowledge the receipt of your memorandum forwarding Mr. Reeve’s application for appointment as Clerk of the Resident Magistrate’s Court at Eketahuna. Will you be good enough to inform Mr. Reeve that it is proposed to appoint a constable who will shortly be stationed at Eketahuna to be Clerk of the Court there, and so save travelling expenses.” That was returned by Colonel Roberts, who was then Magistrate, with a memorandum to the effect that Mr. Reeve was willing to take the appointment. Then the Under-Secretary wrote back to the Magistrate, and said that if Mr. Reeve “is willing to visit Eketahuna as often as may be necessary and do the clerk’s work there for £10 a year, and if he will be content with that, and you concur, I shall be glad to recommend his appointment.” The £10 a year, I may mention, is the amount allowed to constables for acting as Clerks of the Court. Of course, from a departmental point of view, it mattered very little whether we gave it to the constable or another person as long as the cost was no greater. Mr. Reeve replied: “I am willing to do the work at the Eketahuna Court as per Mr. Haselden’s memorandum of the 16th October, 1891—that is to say, I am prepared to visit Eketahuna twice a month, as Mr. Freeth has been doing in the past, for £10 per annum, though, of course, £1 per month would be nearer the mark.” Thereupon he was appointed on the 1st November, 1891, and that continued till 1893, when in response to local representations that it was inconvenient to have only a visiting Clerk of the Court, Constable Roche was appointed clerk at Eketahuna; but before he took up the duties I find he was exchanged with Constable Nestor, who was stationed at Amberley, and Nestor was appointed at Eketahuna, and the local constable, whoever he may happen to be, has been Clerk of the Court since.

98. *Mr. Taylor.*] Was not an appointment actually prepared for Roche in 1891?—No, nor was he notified he would be appointed. It was purely a matter done within our own department.

99. Did any one support Mr. Reeve’s application?—It was supported by both the Magistrate and the Under-Secretary.

100. No outside references?—Absolutely none.

101. Have you got a report by Mr. Bush, S.M., on Matthew O’Brien, as to O’Brien’s conduct at Helensville?—Yes. What do you wish to know?

102. The nature of the report?—It was a report forwarding a copy of a memorandum which had been sent by the Magistrate to Constable O’Brien, who was Clerk of the Court at Helensville, telling him that he was not to employ outside aid in doing the work of his office. It had been discovered that he had been employing a local resident to assist him in the work of the Resident Magistrate’s Court. The constable stated that he had employed this outside aid in consequence of over-pressure of police duty. The correspondence was forwarded to the department. The constable did not stay there long after that. He was replaced by another constable. Mr. Bush also complained that O’Brien had omitted to serve a summons on a witness.

103. Do you know where Mr. Bush is now?—He is stationed at the Thames.

104. *The Chairman.*] There is no reference in those papers to the man's character?—Absolutely nothing. There is a letter on the file from the Justices residing at Helensville asking that a civilian Clerk of the Court be appointed.

105. *Mr. Taylor.*] Was a clerk appointed?—No. The constable is still doing the duties.

106. Doing them satisfactorily?—Yes. I do not know what his name is now. I think it is Kelly. Kelly succeeded O'Brien.

107. At any rate, as far as you know, he is doing the work satisfactorily?—Yes; we have no complaints.

108. A petition was received for the appointment of a civilian clerk, on the ground that the duties of Clerk of the Court interfered with his police duties?—Well, on the ground that he had so many appointments. The constable who succeeded O'Brien was in the ordinary course appointed Clerk of the Court.

109. And he has had all the same offices?—I suppose so, but I cannot say.

110. *Colonel Hume.*] I would like to ask Mr. Waldegrave whether O'Brien was sent to Helensville as Clerk of the Court, or whether some vacancy happening, and he being stationed at Helensville, was made Clerk of the Court?—I am speaking from memory now. There was a civilian—I do not know what his other occupation was, but I think he was connected with local government—who was Clerk of the Court. He committed suicide. The constable who was stationed at Helensville, and whose name was Forman, was at once appointed Clerk of the Court. When Forman left, his successor—I do not recollect his name, I think it was O'Connell—was appointed Clerk of the Court in succession to Forman; and when he left, his successor, O'Brien, was appointed Clerk of the Court. O'Brien simply took up the duties of his predecessor.

111. Can you give the date that O'Brien was appointed Clerk of the Court at Helensville?—No, I have not got it here, but if you have got the date of his transfer to Helensville, that would be the date on which he was appointed Clerk of the Court. There has to be a fresh appointment for every man, signed by the Governor.

112. *Mr. Tunbridge.*] Do you consider the fact that Constable O'Brien omitted to serve that private summons, and employed outside aid to assist him as Clerk of the Court, would in any way reflect on his ability to discharge the ordinary duties of a police-constable?—Well, of course, I do not pretend to be a judge of police duty. If you ask me whether I think it demanded severe punishment as Clerk of the Court, I will tell you at once, No.

113. Is it not possible O'Brien may be a very efficient police-officer but an inefficient Clerk of the Court?—Of course, that is a very common thing.

114. Do you consider, because he failed in carrying out his duties as Clerk of the Court successfully, that it naturally follows he will not be able to carry out his duties as police-constable successfully?—Certainly not.

115. *The Chairman.*] Was he held to be performing his duties inefficiently?—Well, we considered that it was not the proper thing for him to employ an outsider in his office, and he stated that he had not the time for the Court work. If you look at his handwriting you will see he is not a man cut out for clerical work.

116. *Mr. Taylor.*] I would like to ask whether your department has much trouble with constables who are Clerks of the Court, so far as performance of their duties is concerned?—No, certainly not. I think, on the whole, they do remarkably well. Considering they very often go to the Courts without any training, I think they do remarkably well, on the whole.

117. *Mr. Poynton.*] It is a very great saving?—A very great saving. It would be absolutely impossible to maintain Courts in the outside districts unless the constables were utilised. Of course, I know very well the Magistrates do not care about it, simply because they like to have a Clerk of the Court who is purely devoted to Court duties, and who can act as their clerk properly, and assist them in taking notes and many other things they have to do.

118. In many of these outside districts there are only thirty or forty complaints in the year, and it would be absurd to appoint a Clerk of the Court to do that work solely?—Yes.

119. *The Chairman.*] Besides Clerks of the Court they are bailiffs?—Yes, nearly all of them.

120. You have not had many complaints about performing their duties as Clerks of the Court?—No.

121. Have you had many complaints about their duties as bailiffs?—I should not say many complaints. We have complaints from time to time, but, considering the number of the constables, I should say the proportion is very small.

122. Are they complaints of a personal character or complaints of a general character—I mean of a character which affects the whole system?—They are complaints more of delays.

123. Any complaints against the system?—Oh, no; and not complaints against the characters of the men.

124. There was a question raised about the system of constables having other duties to perform. The complaints which you have received with regard to the performance of their duties as bailiffs have been personal?—If you put it that way, it might be taken as complaints against individual constables. I would rather you said they were complaints as to delays, and not complaints of misconduct.

125. *Mr. Poynton.*] How many constables are employed as Clerks of the Court?—Between eighty and ninety.

SATURDAY, 12TH MARCH, 1898.

ARTHUR HUME: examination on oath continued.

Colonel Hume: In continuation of my evidence yesterday, I wish to inform Mr. Taylor that I can find no complaint made by Mr. Tosswill, solicitor, against Constable Cooper. I produce a copy from the letter-book of a letter from the Defence Minister to Mr. A. W. Hogg, M.H.R., dated the 7th August, 1891, as follows:—

SIR,—

7th August, 1891.

I have the honour to acknowledge the receipt of your letter of the 4th instant, and to inform you in reply that F. W. Bezar some time ago when tested for the Permanent Artillery was found to be under the required chest measurement, and I have, however, issued instructions for him to be again measured, and if found up to the required standard, he will be appointed when a vacancy occurs. As regards Constable Roche, I find on inquiry that there are twenty-eight before him on the list of third-class constables, many of whom like him have had charge of important stations, and have several entries in their merit-sheets, and, as there are more first- and second-class constables than are required, I cannot at present see my way to carry out your recommendation for his promotion.

I have, &c.,

R. J. SEDDON.

A. W. Hogg, Esq., M.H.R., Wellington.

I should like to explain to the Commissioners the reason this letter is not on the file. It was looked for yesterday, but was not there. Instead, there is a pencil-note in the letter-book on the top of the letter, "No inward letter.—J.E." That means that the inward letter was marked "private," and when a letter is marked private the Defence Minister very often turns down the corner, and says, "Reply to this accordingly," or whatever it is, and then the letter is destroyed. It is not put on the file because it is marked "private." Not only members' letters, but letters from any one which are marked "private," are not put on the file. You asked also for a letter to Mr. Hogg, dated the 1st November, 1893. I have no such letter in my letter-book; therefore, it will probably be from the Private Secretary to the Minister.

1. *Mr. Taylor.*] I propose just now to run through this return, and fill in certain particulars. What is the first name, Colonel Hume?—William Patrick Patton.

2. Who was he recommended by?—It does not say; it is on the old form, but there is a memorandum here from Mr. Thompson, Inspector: "Health and physique apparently good. Looks about the age stated."

3. Had he been previously in the Force?—Yes.

4. Does it say why he left?—No.

5. What is the next one?—John Bell, recommended by Inspector Weldon and Rev. Dr. Stuart, and had been previously in the Force; then, John Cullinane, who is not recommended by anybody. He applied in 1891, and was enrolled in 1891, and had previously served. Next, Charles Edgar Harrington Trevelyan, whose application is on the old form. He was enrolled in 1889, and had formerly served nine months in the Armed Constabulary Force in New Zealand, and two years and three months in the Queensland Police. Next, John Bennett Dales, recommended by Inspector Moore. He was in the Prisons Department, and was transferred from there to the police on the 18th November, 1889. Next, Walter Phillips, who was enrolled on the 1st May, 1890. He was late Superintendent of Police, Tasmania, and was recommended by J. Heywood, Esq., of the Treasury. Next, Michael Foley, and there is no application form. On his papers is this minute by Commissioner Gudgeon to the Defence Minister: "This man was taken on as a district or rather probationary constable about two years since, at a time when it was intended to take men on occasionally at small pay until they showed their fitness for the work. Foley is, however, the only man of the sort we have, and as he has turned out exceedingly well, I would suggest placing him on the same footing as all other constables. He now receives £100 per annum"; and this is further minuted, "Approved.—W.R.R., 14/12/89." The next is Valentine Hooper, and Major Gudgeon writes to the Defence Minister, and asks permission to enrol Hooper, whom he describes as "late of the Life Guards, a young man, educated, 6 ft. 3 in. in height, and suitable in every respect," and according to the minute this recommendation was verbally approved. The next is Owen Cummins, who was recommended by Major Gudgeon. The next, James Allman, who was recommended by his brother, Captain Allman, who is now Marine Adviser, Colonel Bailey, of the Cape Mounted Rifles, and Colonel Dartnell, of the Natal Mounted Police; and he was enrolled on the 7th June, 1890. The next, James Black, who was recommended by Colonel Goring. He had been three years and three months in the Permanent Artillery, and was enrolled on the 16th April, 1892. The next, E. Bretherton, who was enrolled on the 20th June, 1890. I do not know how this man got in, he has always been a mystery. Apparently, from a telegram on his file, he was recommended by Bishop Luck, of Auckland. He is out of the Force now. The next, Patrick Dennis O'Connell, who was enrolled on the 18th September, 1890, and was transferred from the Prisons Department. He was recommended by B. McClendon, Esq., Poverty Bay, Captain Baker, commanding the Field Force, Ohinemutu, and Dr. Lewes, Ohinemutu. The next, Arthur Baker. There is no history about him, but there is a memorandum from me on the 2nd December, 1890, to the Hon. the Defence Minister, as follows: "The undersigned has the honour to request permission to enroll as third-class constable Arthur Baker, late Warwickshire Constabulary, who the undersigned believes will make a good constable.—A. HUMÉ, Commissioner. Approved.—H.A.A." The next, Thomas Frederick Donovan, who was transferred from the Prisons Department to the police on the 1st April, 1891. He was recommended by the Gaoler at Lyttelton, and the reason I took him into the Prisons Department was that he was an officer in the prison at Dartmoor with me at Home. The next, James O'Reilly, who was transferred from the Prisons Department on the 1st April, 1891, and was recommended by A. R. Guinness, M.H.R., and E. A. Burke, Greymouth. The next, George Winduss, who was recommended by R. H. J. Reeves, M.H.R., Captain Gleadow, Mr. Guinness, M.H.R., and Judge Kenny, on the 1st April, 1891. The next, Alexander Hattie, appointed on the 3rd August, 1891, and recommended by F. McGuire, M.H.R., and E. M. Smith, M.H.R. He had former service in the Royal Irish Constabulary, and New Zealand Armed Constabulary, and in Wellington Gaol. The next, Gavin Wilson, appointed on the 13th August, 1891, and recommended by Captain Loveday, commanding Heretaunga Mounted Rifles. The applicant says, "I can only refer to my discharge certificate," which was from the Royal Horse Guards Blue. I may state this is a man I think I took on on my own responsibility. The next, John Forster, appointed on the 12th January, 1892, and recommended by G. A. Preece, S.M. at Napier, and Mr. Sidey, ironmonger, Napier, and by the Hon. R. J. Seddon. He had been before in the police, from the 22nd November, 1878, to the 22nd June, 1887. The next, Walter Smith,

appointed on the 22nd May, 1894, and recommended by Sir Edwin Gurnett, ex-mayor, and A. W. Scarr, ex-mayor of Leeds, York. He had been in the Leeds Police as sergeant, and came out to better his position. The next, George Pearce, appointed on the 8th April, 1896, and recommended by J. Dickey, J.P., Mangere, Auckland, and William Woodward, M.A. That, I think, was one of my appointments. The man was in the Union Steamship Company's service, and I wanted a seaman at that time for boat-work. The next, Thomas Cullinane, enrolled on the 8th April, 1896, and recommended by Dr. Cahill. He was an attendant in the Wellington Asylum. The next, John Cummins, enrolled on the 8th April, 1896, and recommended by Allan McGuire and Captain Falconer, Wellington. The next, Patrick Cotter, enrolled on the 8th April, 1896, and recommended by Dr. Thomas, of Timaru, and Dr. Cahill, Wellington. The next, John Lardner, enrolled on the 11th April, 1896, and recommended by Thomas Thompson, M.H.R., Father Gillam, and Mr. Thomas O'Brien. The next, Thomas Edward De Norville, enrolled on the 17th April, 1896, and recommended by J. Roulston, J.P., Belmont, Mr. J. D. Goodwin, Pukekohe. The next, George Holbrook Nixon, enrolled on the 14th April, 1896, and recommended by Seymour Thorne George, Mr. Duthie, manager of the National Bank of New Zealand, and Mr. F. Lawry, M.H.R., all of Auckland. The next, Thomas Ryan, enrolled on the 17th April, 1896, and recommended by Captain Anderson, s.s. "Manapouri." The next, William Baker, enrolled on the 20th April, 1896. The next, John Thomas Cowan, enrolled on the 20th April, 1896, and recommended by F. Lawry, M.H.R., John Knox, J.P., and E. T. Davy, Hamilton. The next, William Arthur Matthews, enrolled on the 20th April, 1896, and recommended by Major Harris, South Franklyn Mounted Rifles, R. F. Webster, Pukekohe, J. H. Wright, J.P., Pukekohe, and Mr. Trenwith, Councillor, Auckland. Next, William David Lawrence Thomson, enrolled on the 22nd April, 1896, and recommended by Mr. Thomas Dwan, J.P., Wellington, and Hatch and Company, Charleston. Next, Owen Cummins, enrolled on the 22nd April, 1896, and recommended by Mr. Thomas Thompson and Mr. A. McGuire, Auckland, Sergeant Gamble, Major Harris, M.H.R., and F. Lawry, M.H.R. Next, John McConnell, enrolled on the 29th April, 1896, and recommended by Mr. Thomas Thompson, J.P., Messrs. Morpeth Brothers, and Captains Miller and Parker, two Volunteer captains in Auckland. Next, John Matthew Jackson, enrolled on the 1st May, 1896, and recommended by Captain Sullivan, s.s. "Paeroa," and J. B. Brittain, Auckland. Next, Daniel Connolly, enrolled on the 14th May, 1896, and recommended by the Rev. Father Devoy and Dr. Martin, Wellington. Next, James Henry, enrolled on the 18th May, 1896, and recommended by G. J. Mason, Chairman Temuka Town Board, Francis Archer, Clerk Temuka Town Board, and Sir William Blundell, Temuka. Next, Joseph Swindale Williams, enrolled on the 20th May, 1896, and recommended by Major Steward, M.H.R., and Mr. Thomas Duncan, M.H.R. Next, Robert Brownlee, enrolled on the 23rd May, 1896, and recommended by Major Harris, Rev. Mr. Macfarlane, and Mr. J. King. He was in the Pukekohe Volunteers. Next, Douglas Morton Mackenzie, enrolled on the 19th June, 1896, and recommended by Edward Waddell, Temuka, and James Scott, Winchester. Next, William Driver Potter, enrolled on the 22nd June, 1896, and recommended by William McGill, Wellington. He was in the Timaru Rifles. Next, Charles Dalton, enrolled on the 2nd July, 1896, and recommended by Major Harris, M.H.R. Next, Francis William O'Connell, enrolled on the 3rd July, 1896, and recommended by Mr. Anderson, City Engineer, Auckland, and James Marriott and Andrew Brannigan. He was an attendant in the Avondale Asylum. Next, John Walter Hollis, enrolled on the 22nd June, 1896, and recommended by E. M. Smith, M.H.R., and C. Pool and W. Warwick. He had been a private for four years in the Queen's Westminster Royal Volunteers. Next, Arthur Sidney Bird, enrolled on the 4th July, 1896, and recommended by A. Morrison, M.H.R., and William Milne, M.A., Caversham. He had been a warder in the Asylum. Next, Andrew Phelan, enrolled on the 4th July, 1896, and recommended by William Reid and Hugh Gourley, Dunedin. He had been in the Royal Irish Constabulary. Next, Alfred Hastings Jones, enrolled on the 21st July, 1896, and recommended by Mr. McNab, M.H.R., and W. R. Fraser, J.P., manager of the Bank of New Zealand, Wyndham. He had been a member of the Gore Rifles for two years. Next, George Thomas Russell, enrolled on the 22nd October, 1896, and recommended by F. Lawry, M.H.R., Mr. Kidd, manager, Auckland Tramways, and Mr. Samuel Williams, commission agent, Exchange Buildings, Auckland. He had been previously seventeen years in the New Zealand Armed Constabulary Force and Police Force. Next, Donald McKenzie, enrolled on the 8th February, 1897, and recommended by T. L. Buick, M.H.R., and J. Redwood, J.P. Next, Patrick Stackpoole, enrolled on the 9th February, 1897, and recommended by Rev. Father Grogan and Mr. Cornford, solicitor, Napier. Next, John McLeod, enrolled on the 9th February, 1897, and recommended by John Newlands, merchant, Mahino, and John Gillan, Oamaru. Next, Duncan McQuarrie, enrolled on the 11th February, 1897, and recommended by Hon. J. G. Ward, Captain Hawkins, Hon. Mr. Feldwick, and Mr. Bain. Next, Thomas Keenan, enrolled on the 11th February, 1897, and recommended by J. Stevens, M.H.R., and John McEldowney, Marton. Next, Archie Hooker, enrolled on the 11th February, 1897, and recommended by E. Nelson and Mr. Okey, New Plymouth, and John McKenzie. Next, James Cahill, enrolled on the 11th February, 1897, and recommended by Samuel Carnell, M.H.R., M. T. Miller, Napier, and Mr. Michael Foley. Next, Ernest Bingham, enrolled on the 13th February, 1897, and recommended by James Gilmour and William Russell, Southland. Next, Joseph Henry Boreham, enrolled on the 15th February, 1897, and recommended by Hon. George Jones, M.L.C., and Thomas Duncan, M.H.R. Next, Andrew McDonnell, enrolled on the 15th February, 1897, and recommended by C. H. Mills, M.H.R., F. R. Robinson, manager, New Zealand Loan and Mercantile Agency Company, Blenheim, and Redwood Brothers, Spring Creek. Next, Thomas James Wilton, enrolled on the 17th February, 1897, and recommended by Bagnall Brothers, sawmill proprietors, Thames, and John Osborne, storekeeper, Thames. Next, Thomas Cain, enrolled on the 18th February, 1897, and recommended by Mr. White, J.P., and Thomas Bain and James Mack, Auckland. Next, Donald Charles Fraser, enrolled on the 18th February, 1897, and recommended by Rev. Father Lynch, Dunedin, and

Sergeant Dwyer, Police Force. Next, Joseph Henry Harrison, enrolled on the 18th February, 1897, and recommended by W. Hall-Jones. Next, Edward Michael Johnson, enrolled on the 18th February, 1897, and recommended by Mr. Maslin, M.H.R., and William Corbett, schoolmaster. Next, John McNamara, enrolled on the 18th February, 1897, and recommended by W. S. Smith, J.P., Amberley, Rev. Father Tracey, Amberley, and R. B. Holdsworth, Balcairn. Next, James Stewart, enrolled on the 22nd February, 1897, and recommended by James Hazlett and Hugh Gourley, Dunedin. He had been eleven years in the Otago Hussars. Next, John Skinner, enrolled on the 26th February, 1897, and recommended by John Lough and James Smith & Son, Greenfields Station, Lawrence. Charles Parker was enrolled on the 23rd May, 1888, and transferred from the Prisons Department. I desire now to put in a return with regard to the allowance to the men on leave [Exhibit 20].

DUNEDIN.

THURSDAY, 17TH MARCH, 1898.

WILLIAM STONE PARDY, examined on oath.

1. *The Chairman.*] You are Inspector of Police, stationed at Dunedin?—Yes.
2. How long have you been in the service?—I have been twenty-eight years under the General Government.
3. And was that when you first joined the New Zealand Police?—Oh, no. I joined the Armed Constabulary in 1870, but prior to that I served in the Victorian Police and in the Southland Police and the Canterbury Police.
4. What is your age?—Sixty-two.
5. We would like to hear from you a general account of the numbers, condition, and efficiency of the Force under your command?—As far as the working of the police is concerned in this district, everything is going on very smoothly and the duties are properly carried out, and, perhaps, with an exception or so I have a sober lot of men. I have had some very bad cases in the police since I have been here, but they have been got rid of.
6. What are the numbers of the men under your command in this district?—112 is the full strength, including sergeants and constables, but it is very seldom we are up to that.
7. But how many men have you of different ranks under you?—I have 111 at the present time.
8. What ranks are they?—Well, I could not exactly say now, as there have been promotions recently, but I can get a return for you.
9. As a class you have got rid of the bad characters, and now they are a satisfactory body of men?—I have got rid of the bad characters, and now they are a very satisfactory body of men. The great drawback was recruiting the men solely from the Permanent Artillery. We got a very inferior class of men from the Artillery. An odd man now and again was very fair, but as a rule they were very inferior men and very unsteady men, and I am sorry to say many of them were very untruthful. I could not believe what they said. As far as I myself am concerned, I have no complaints to make, but there are a few things I would like to suggest for the good of the Force. First with regard to promotions, I say that from my long experience there should be a general fitness of a man for promotion, and not seniority; but if fitness and seniority went together, then certainly seniority should have a say: in fact, it should be imperative. But to promote men on seniority would simply destroy the efficiency of the Force entirely, as there would be no emulation. There would be nothing to induce men to exert themselves, and a good man and an intelligent man would do no more than the loafer and the indolent. They would naturally say, "Why should we work and kill ourselves, and these loafers, in front of us will get promotion before us." Of course I am sorry to say we do get some very useless men in the police at times, and they are generally the men who make the most complaint. I know the history, of course, of the whole thing from beginning to end, and when the Forces were amalgamated, the provincial Forces in the south were a long way over-officered, both in commissioned and non-commissioned officers, the result being that for years past promotion has been almost nil.
- 9A. What do you attribute that to?—I attribute that to the Forces being over-officered when the amalgamation of the provinces took place twenty-one years ago.
10. You attribute slow promotion mainly to that?—Well, there has been very little promotion—scarcely any. It has been rather the other way. I would point out there were six officers in Otago; I could not give you the number of sergeants. There were five officers in Canterbury, and an overwhelming number of sergeants. There were two or three officers in Westland, and any number of sergeants; in fact, there were more officers than constables; the same in Nelson and Marlborough. Of course, in the North Island that did not exist; there was rather a deficiency there. The great fault, rendering so much discontent in the Force, and to a great extent destroying its efficiency, is the continuous political interference of members of Parliament. If they would leave the Force alone, and leave it to the officers to conduct it, I think there would be very little cause for complaint. And it is not the good men that get political influence. The good men stand on their own merits, and then, of course, when they see men through political influence who do not deserve it get the plums they naturally feel aggrieved. This is not a thing of to-day or yesterday; it has been going on for years; in fact, ever since the amalgamation. In the provincial days there was no political interference with the police, and consequently they were an efficient Force right

through the colony, but as long as this political influence goes on we never shall have an efficient Force. I say that every constable, or an officer—I do not care who it is—if he goes and tries to use political influence should be dismissed from the Force, and if that was once done we should hear very little more of it. Directly a transfer is ordered a petition is got up. I am well aware it is at the instigation of the constable or sergeant, whoever it may be, for the people do not act spontaneously in these things. The people are indifferent whether a man is transferred or not, but, of course, generally out of good nature they sign these petitions. I say that once a man is ordered for transfer it should be carried out, unless it is detrimental to the service. Before a transfer is ordered some inquiry should be made as to how it affects the service—whether it would be detrimental to it to shift a man from a certain position. Some men are fitted for one thing and some for another. Some stations are much more important than others, and men should be sent to these stations according to the calibre of their minds. Neither seniority or anything else should be considered in connection with that—that is, if the efficiency of the Force is to be the first consideration.

11. You would set aside seniority—you would not take that into consideration in this case?—Not as regards all out-stations. For instance, what I say is: one man may be fitted to take charge of an important station and another man would not be. Then, if a man is fitted to take charge of an important station, even though he is junior to the other, then I say seniority should be put aside for the time being.

12. I understand you to say that in all cases you would put qualifications before seniority?—Before seniority.

13. But where the qualifications are equal you would give seniority the preference?—Oh, by all means, certainly. I may point out the real work of the police is done by a few energetic men, the balance simply fill up the ranks, simply do ordinary street duty—running in street drunks, walking beats, and so on; but the real mental work is confined to the few. To do that work efficiently it is often necessary—as I have again and again myself—to follow up crime night and day through all weathers, and stop at nothing in the way of fatigue. If you do you will probably lose a chance of bringing the criminal to justice. To get men to do this there must be some reward—not a paltry reward of a pound or two, but some advancement in the Force—and if they cannot see that before them they cannot be expected to throw out their energies, their industry, and their ability. It is contrary to human nature. I do not wish to say anything further on that point. What I have said is simple truth and simple fact, so that I cannot improve upon it by saying anything further. Now, I come to the reference to the men doing duty. Men newly joined receive £120 a year. I certainly consider that inadequate. A policeman's life is a very hard one, to make the best of it. He is exposed to all weathers. Night and day he must turn out if duty require him, and as a general rule their health breaks down long before that of men in other employments. Directly they put on their uniform and are sent on the streets they are open to temptations, or, rather, I should say, subject to temptations that no other class of officials are. Therefore, I think their pay should be something better than that of the ordinary labourer if you wish to keep those men honest and honourable, which they should be. I think I can bring a person before your mind's eye showing the inadequacy of the pay, in this way: The pay is £120 a year—that is, 6s. 3d. per diem; you take 4d. off that. In the case of a young man first joining, his deductions for insurance will be 4d.; of course, with an older man it would be more. It is 4d. within a fraction. At the very lowest there is 6d. a day for uniform. I am putting it at the very lowest at that. I am speaking more particularly of married men now than single. The married man is obliged to live for the convenience of the service as near to the centre of the city as possible, where the rents are at their highest. Then deduct 1s. 6d. per diem for rent, and you cannot get a decent house for a constable under 10s. a week, or within a fraction of 1s. 6d. per diem.

14. That is the average rental for cottages of that class?—Ordinary cottages; unless they live in some of those dirty slums, and that of course would be a discredit to the Force, and you could not expect men to do it. After making these deductions you see there is a mere pittance for a man to keep himself and his wife and family on. He is at a disadvantage with other employes—other occupations in life—in this way: he cannot supplement it in any way. He has the bare pay, and that is all he has got. How can a man on that pay live decently, and make provision for old age or sickness. Now, as regards superannuation allowance, I look on that as almost imperative if we wish to keep up the efficiency of the Force. Young men who may be anxious to get an increase of pay now are not in a fit position to judge. It is only a man like myself who has served long years in the police, and has seen the results, that can speak with any confidence on the matter, and therefore I speak most earnestly on this point. I have seen so much misery resulting from policemen no longer fit for service leaving their employment and being entirely unfitted from the nature of their former employment for either tillage or trade, and any few pounds they may have saved up through economy and carefulness have slipped through their fingers before they knew where it was, and then they are left in their old age in penury and poverty through no fault of their own. Now, as regards superannuation, it is simply useless to talk about their getting it when they are sixty years of age. Not one-half of the men at the present time in the Force will remain in till they are sixty. Their health will break down before that. I myself have scarcely any contemporary now. The men in the police with me in my young days are all dead and gone, or broken down in health long before they arrived at my age. It should be calculated on a basis of the years of service. For instance, I would suggest fifteen years, twenty years, twenty-five years, and thirty years. I think when a man has done thirty years he certainly should be entitled to superannuation.

15. What period would you start with?—There would be different amounts of pension according to those periods. I say fifteen years should be the lowest. If a man cannot serve fifteen years he could not be healthy when he joined the Force—that is, if he does not meet with any injury.

16. *Colonel Pitt.*] You say there should be different scales of pensions?—An increased scale for different periods.

17. But you said “superannuation allowance”?—I do not mean an allowance; I mean pension. The other is a compassionate allowance.

18. You are not speaking of superannuation allowance at all?—Oh, no; pension.

19. You would make it compulsory to retire at what age?—After thirty years—that is, if their health has failed. A man should certainly remain if he is fitted to do the duties; but you will find very few strong men that will last longer. As a rule, you will not find many beyond thirty years fit for duty. Of course, it should be imperative that there should be a medical examination. The men should go before a medical Board to show they are no longer fitted for the Force. It should be a very strict examination, not a mere perfunctory one, otherwise the thing may be abused. A man might perhaps go into a publichouse or some other business, and try to do what we would call, in vulgar terms, the “pension dodge.” There should be a very strict examination before they are retired. Of course, you cannot compute this on the life insurance business—it is so different; and what I would suggest is this: In Australia each of the Forces has a pension fund something on the principle I have been indicating. Of course I cannot give you details. I would suggest that the Commissioners of Police in Sydney and Melbourne be written to and asked to forward rules and regulations, and copies of their statutes, on the business. I may say New Zealand’s is the only Police Force I have known in the British Empire where there is no pension. Of course in forming a pension fund a certain deduction should be made from the men’s pay. That is, I believe, done in Australia; in fact, I am certain of it myself, because I looked over the regulations many years ago, in the hope of getting a pension fund started. I, however, forget the details now.

20. *The Chairman.*] Would that deduction, in your suggestion, take the place of life insurance or would it be an addition?—The necessity for that would no longer exist.

21. You would do away with that?—Yes. I must say a few words about this life insurance system to show the hardship of it. You see, they are insured to receive the amount at sixty years of age. Well, now, speaking a long way within the lines—that is, judging by my past experience—more than half of those men will be out of the Force before they are fifty, simply through breakdown of health, if from no other cause. Well, in view of the calculation I have stated, to show how impossible it is to make provision for old age, how are they to keep this payment of insurance up after they have left the Force? They cannot do it, and they simply have to accept what they call the surrender value. Now as regards uniform, strange to say the police are the only department in the Government service that have to find their own uniform. There is the Gaol, Post Office, Telegraph, and Railways, from the highest official down, uniforms are found for them: yet the police have to pay for theirs.

22. *The Chairman.*] Even the Volunteers get an allowance for their uniform?—Even they get an allowance. Of course, that is voluntary service, and I will not refer to that. A man may meet with some misfortune, and may be discharged from the Force when he has been on three months. There is his uniform, and he has no longer any use for it unless his wife is a handy woman and can cut it up and make use of it. As regards long-service pay, of course they are getting long-service pay in one sense now, because there are three ranks, if within reasonable time they advance from one rank to another. That is really long-service pay; but, instead of getting long-service pay as senior members of the Force, it would be better if Government would vote a sum annually towards the pension fund. It would not be much that would be required, and that would relieve the Government of any contributions in the way of compassionate allowance or any other allowance.

23. Would you suggest the present holders of long-service pay be deprived of it?—No, I would not, because they are old men; but I would not give it to the new men.

24. But it is not being given to the new men?—No, it is not; but I have seen an agitation amongst some of the younger men to get long-service pay, and not trouble about a pension. Of course, they look to the present. They do not look to the time when they will be old men. Instead of giving long-service pay to the whole of the men it would be far better for Government to pay something annually towards assisting the pension fund. Of course, the present long-service men are old men. They did good service in their time (most of them), and in a few years they will go out, and the present long-service pay will become extinct—in fact, they are disappearing very fast now. I do not know that there is anything else I wish to say, except you wish to question me on anything. Of course, I may have missed some things.

25. About the pay, you say that these deductions leave so little that there is not much opportunity of saving anything?—It is a mere pittance.

26. Well, subject to the deductions you have mentioned, they have 3s. 11d. a day to pay for their provisions and so on. Now, compared with the ordinary rate of labour, and intelligent labour, do you think the rate of pay is sufficient in this colony; do you think it is reasonable and proper pay for men performing the duties of constables in the country?—No. For instance, I do not consider £120 a year, the junior rate of pay, is sufficient to keep a man honest, which is the great desideratum in the Police Force. They are surrounded by temptations; and here is a man, say, with a sick wife and children, what is he to do? How can you blame him for giving way to temptation?

27. The low rate of pay, taken together with the special disadvantages that married men suffer under, tends to discourage marriage amongst these men, and lead them to other modes of life?—Certainly.

28. You look on that as one of the causes—discouraging marriage amongst the young men of the police?—Yes. A man who marries is marrying into poverty, and not only bringing misery on himself but on the unfortunate woman and their progeny. I say the police should be paid better

than the ordinary run of pay, for this reason: they are placed under such disadvantages; they can in no way supplement their incomes; and on duty they must go, no matter what the time, the weather, or anything else.

29. With regard to the medical examination you referred to, from your experience in the Force, do you think there is need for any alteration in the present system of medical examinations and the giving of medical certificates?—Yes; I feel very strongly on that point—very strong indeed. In the former provincial days we had police surgeons, but since the amalgamation we have not.

30. Do you think it is desirable to have them?—I regard it as one of the greatest reforms that could be made—to appoint thoroughly reliable police surgeons, men of the first standing in their profession. I will give you an instance of this kind of thing; it is a simple one. I will not mention names. A man is put on his beat, and he gets rolling drunk. He has sense enough to make for the police-station, and he staggers down past the Presbyterian Church just at the time the ministers are holding their annual conference. He went rolling by in uniform, and got down to the police-station, and crept in and got to his bed. The sergeant was walking up and down his beat, and could not find him. At last, when he was sober, he turns up and eats some onions to destroy the smell of his breath, and goes straight away to a doctor, and gets this doctor's certificate that he was sober, in spite of the fact that prior to going to the doctor the sergeants had seen him and declared him to be under the influence of liquor. In spite of that, he gets a doctor's certificate to say he was sober. That is only one instance out of a great number. A short time ago a man who had been drinking left his beat suddenly, slipped away home, and declared himself sick. Next morning in comes a certificate to say he was suffering from sciatica. Of course, no medical man can tell whether you are suffering from sciatica or not. It is one of those diseases or complaints you cannot diagnose; but still, there is the certificate, and you are powerless, although, in my opinion, the man was drunk. In another instance, a man was taken off his beat drunk. Here, I may say, I am not quick to judge my men. I show a great amount of charity towards them, but at the same time I am not blind. He got a doctor's certificate to say he was suffering from colic. Of course, I was powerless. I could not go against the doctor's certificate.

31. There is another matter, with regard to the exercise of the franchise by the members of the Force, does your experience enable you to say whether the exercise of that franchise has been injurious to the condition or organization of the Force?—I do not think it has, because before they had the franchise some men attained their own objects by making themselves officious in electioneering matters. If a constable has the franchise he simply has a vote, and a single vote does not go for much nowadays; and it would be rather incongruous for a man not to have a vote while his wife has. Of course he could work the oracle through his wife and daughters, or sons, and I do not see why the police should be singled out to be struck off the franchise more than others. The Railway Department, which is far more numerous, and the Post Office Department, and many others, all have the privilege. But, what I would say, from my long experience of human nature, and as an outsider in politics, is, strike off the whole of the Government officials from the electoral roll. Those drawing public pay should expect disfranchisement. Of course it is purely optional with a man whether he exercises it or not; but to single out the police alone I think would be throwing suspicion on a large body of men that, as a rule, are very honest. As regards myself, I never bother about it. No one has ever asked me for my vote, and I do not trouble to vote. Of course some constables' wives are very active in politics. I heard of two up north who hired a buggy and went off and spent the day in canvassing for their favourite candidate. While wives can do that I do not see that there is much use in taking the franchise from their husbands. Of course that is hearsay.

32. What is the average of men's lives in the Force? Do you say that, from your experience in the Force, they do not remain in the Force much after fifty?—Well, very few even up to that. You see their health breaks down from the nature of their employment. When men are out all night long, night after night, in all weathers, it must tell on their constitutions, especially if the men turn out weak-chested, or there is any natural defect in their constitution. Of course, that being the weak point, it gets attacked, although otherwise they may be strong healthy men.

33. Do you think night-duty has anything to do with that: I understand night-duty is eight hours without change?—Well, I cannot see how it can be avoided unless there was a large increase in the number of men. In the summer months, perhaps, a less number of men would be required on after daylight, but during the winter time I do not know how it could be avoided unless there was a large increase in the Force. Of course, it is a long dreary night; there is no doubt about it. I have done it myself, and I know what it is.

34. Can men go through it as a rule without refreshment, or do they carry refreshments with them?—They go through it as a rule without refreshments.

35. Are they forbidden to take refreshments with them?—No, they are allowed to take refreshments. If a coffee-stall were on their beat, there would be no objection to their taking a cup of coffee—anything but intoxicating liquors. In fact, hot coffee during the night would make the night a mere bagatelle as far as the dreariness of the thing was concerned. With regard to licensing, I would like to say a few words, because the public at large are very ignorant of the powers of the police, and the result is the police are continually abused for not enforcing a law which does not in reality exist. Take the first point—gambling. It is no offence against the licensing law for any number of people, local or otherwise, to play cards to any amount in stakes all day long, all night long, and all day Sunday. It is no offence to have a house full of local residents, to keep their houses open, lit up all night, and all day on Sunday. And, as to serving anybody with liquor, if they have a lodger with a conveniently elastic conscience, to come forward and swear he paid for it, they cannot be punished. It is no offence to supply liquor to a drunken man. It must be sold. Again and again have the police in Dunedin visited houses on Sundays, and late at night, or rather early in the morning

during prohibited hours, and found a large number of people there who were not either boarders or travellers, and yet, as they saw no drinking going on—it was no doubt cleared away before they got in—they were powerless. All they can do is, like the King of France, go in and go out again; and the people remain there, and as soon as their backs are turned, they go on drinking again.

36. *The Chairman.*] Do you know the English law on this subject?—If we had the law of England the police would be able to regulate the trade, but we have not. When they passed the Act of 1881, which I consider a disgrace to the statute-book through its imperfections, I believe the English Act was taken as a model, but the English Act was so emasculated as to render our Act as it was passed unworkable. Now, in statutes of far less importance to the community than the Licensing Act, it is made compulsory for persons suspected of contravening the law to give their names and addresses, and if they give the police false names and addresses there is a severe penalty attached to it, but in the Licensing Act there is no such provision. A constable and a sergeant go into a hotel, and find a number of people there who they are strongly convinced are neither lodgers nor travellers. They ask for their names, with a view to calling them as witnesses: “My name is Tom Brown.” “Where do you belong to?” “Taranaki,” or “Wellington,” as the reply may come. They are powerless to do anything. If a man said, “Go to hell and mind your own business”: there you are—you can do nothing; and that has been often said to myself. There ought to be a clause in the Licensing Act to compel all persons found on licensed premises during prohibited hours to give their correct names and addresses. Again, it states here that “selling liquor” must be proved. Well, the police cannot actually prove that a sale took place. In the English Act, I believe—Mr. Tunbridge will correct me if I am wrong—but I know in the provincial Acts, which were well drafted Acts, it was stated that “no licensed person shall sell, supply, or suffer the same to be drunk.” Any alcoholic liquor, or any liquor, supplied before the hour of 12 could not be drunk after. If our Act said that, we should have no difficulty in enforcing the Act, because the police could go in, and if they found persons drinking they could compel them to give their names, so as to produce them in Court as witnesses. There is the fact that liquor was supplied, and all we would want was to prove that it was alcoholic liquor, and that it was supplied to these men. If they said, “We got it before 12,” we could say, “You are drinking it after closing-time.” But where the difficulty comes in is the selling. It is a very difficult thing to prove selling. It is a thing that should not arise at all—supplying should be sufficient. They had no difficulty in the olden days in enforcing the laws, because they were modelled on common-sense. Further than that, there should be a penalty for any strangers, except boarders or travellers or relatives of the licensee, being on the premises after closing-hours. What do people want on premises drinking after 11 o’clock? If the law is to be carried out, and the trade regulated, the law must be made to enable those in authority to enforce it properly.

37. With such a state of the law as you are now sketching, do you feel, after your experience, there would be no difficulty in regulating the trade so as to keep it strictly within the terms of the law?—Yes; but what is wanted is a law that is workable. The majority of hotelkeepers are very anxious to observe the law; but then you see when it cannot be enforced they are placed at a disadvantage. If they conduct their business strictly within the letter of the law, then, of course, the men who do not undermine their trade or business. I know myself there is great anxiety on the part of respectable business-men to keep their business within the limits of the law.

38. Speaking generally, are the houses in this city fairly observant of the law in regard to the hours of closing?—Yes; I can say this conscientiously: as a rule, the houses in Dunedin are remarkably well conducted. If you went into them you would scarcely know them from a private house during prohibited hours. On Sundays especially I have often gone round and looked into them. They were perfectly quiet—bars locked up. But unfortunately there are some in the trade that will not let a shilling pass, and these are the men we have to contend with. It is to deal with this class of men that I would like to see the law made workable.

39. With regard to drunkenness, is there much of that form of offence in this city?—Well, no. Considering the large population and the migratory nature of many I cannot say there is; in fact, there is a decrease of drunkenness.

40. Within what period do you think there has been a decrease?—Well, I should say these last two or three years.

41. Now, I asked yesterday for a return of the number of arrests for drunkenness on Sunday. Have you prepared it?—Yes; I have handed it in. It is Exhibit No. 21. I may say, with regard to drunkenness: of course drunkenness varies according to the prosperity of the times. In prosperous times not only drunkenness but other crimes are more prevalent than they are in depressed times. I have lived through a good many periods of depression and prosperity, and I have noticed that, as a general rule, the more prosperous times are, the more drunkenness; in fact there is an increase also in other crimes.

42. You think, then, the last three years have not been very prosperous in Dunedin?—Oh, yes. Dunedin has improved these last two years. I will not be positive on the point as to the decrease in drunkenness in those years. I ought to go to statistics for things like that. I will look the matter up and give you positive information on that point. I may be in error. Oh, yes, I am happy to say Dunedin has been very prosperous this last two years, and is still prosperous: in fact, the whole of Otago. I do not know whether it is understood that I would strongly suggest that the men be found in uniforms, and that married men be allowed house-rent—not to be made a fixed amount for all married men, because you would get some who would have an advantage. For instance, in some parts of the country rent is much lower than it is in others.

43. You would suggest that the amount be regulated by local circumstances?—Yes. Perhaps, what you pay 10s. or 12s. a week for in one place, you would get for 6s. or 7s. in another. It would be hardly fair for those men to have the advantage; but in allowing house-rent it is easy for the

Commissioner to ascertain the ruling rate of rents in that locality. As regards pay, I say this: young men joining the Force should not jump into the full rate of pay; they should have a certain term of probation at a lower rate of pay, but within a reasonable period they should get an increase.

44. Taking into consideration the circumstances you have referred to, as to the rate of pay for other occupations, what do you think a reasonable rate of pay to start men in the service on?—I think 7s. a day is quite low enough to start a man on.

45. And you would increase his pay according to his years of service?—I would not bind it strictly to the rule, because it would destroy emulation, as I said before, but if a man shows himself worthy of it he should step over seniority.

46. You would make increase of pay dependent on promotion from class to class, and not years of service?—No, from class to class; but the period of service should not be as in the past. It should be within a reasonable limit that these advances are made, so that all men could look forward to obtaining a rank within a certain number of years; but that should not compel a man who has shown great ability to have to wait his turn to attain that rank.

47. You would give certain promotion with time, but give to the Commissioner power to make special promotion for service?—Yes. If he considers a man shows extraordinary ability in any portion of his duty—it should be something outside the ordinary—that man should step over seniority. My reason for saying that is to keep up a spirit of energy and zeal in the Force, and not allow men to sink down to a dead-level. You should not cause that feeling which would give itself expression in these words: “That fellow is before me. He never does a single thing; but he will get promotion before me; so what is the use of working hard.” That is the reasoning they would come to, and quite right too, for it is only natural. Then, as regards promotion to the rank of sergeant, it should be the best fitted man and the most intelligent man—not only intelligent in being able to pass an examination in cram, but a man who has a good knowledge of his duty. At the time we had examinations here they were not on the lines they should have been. They were examinations a man could easily cram up to; but the examinations should be on a man’s general knowledge of his duty. It should not be simply reading up certain Acts and regulations, but it should be questions put to a man so as to show his knowledge of his duty. For instance, “What would you do under certain circumstances?” and also find out his fitness to keep necessary books, and other official duties they may have to do. The main thing should be: Is a man fitted to hold a position over others who are superior to himself? Nothing is more destructive to efficiency and discipline than to have an ignoramus over intelligent men; which you would have if you went on seniority. The questions should be of this character: “Supposing a murder took place in your sub-district; report fully what steps you would take to bring the criminal to justice.” Those are the kind of questions. “Supposing a rape had taken place, or any other serious crime; report fully what you would do under the circumstances.” There it tests a man’s knowledge of his duty and knowledge of the law as well, because if he does not know law he does not know his duty; but to go through a cram examination is a farce, because it gives a certain class of men an advantage over others. Men who are in charge of stations, and Clerks of Court, and have easy billets, have plenty of time to cram, whereas the toiler has not the time nor the opportunity.

48. What is your idea of the instruction that should be given to recruits, and the manner in which it should be given?—I consider that recruits should be put through a course of instruction, and should be compelled to get a knowledge of the laws that would come in their way—the Police Offences Act, the by-laws of the city where they are going to be stationed, the Criminal Code, and the Summary Indictments Act. That is what principally concerns the police, especially the powers of arrest.

49. What is your opinion of the book now supplied—Vincent’s?—You see that is more applicable to the Metropolitan London Police than it is here. The laws are different; they are not altogether the same. No doubt it is very useful if a man has sufficient intelligence to discriminate between what applies to New Zealand and what to London.

50. It may be taken as a basis?—Yes. I have read it myself, and I think a great deal of it.

51. You say they should be put through instruction in these matters; but where, and how, and by whom?—I think it should be done in Wellington, a central place.

52. You think it should be done at a central depot?—Yes; and as is done in the Australian Colonies, the men put through a certain amount of drill. We have not the time to do it here. We try to do it, but we have not the time to do it—to give these men lectures. They should be put through a certain amount of drill. It is absolutely necessary for the purpose of acting together should the necessity arise, or even walking through the town when going anywhere it looks nice to see the men able to keep step and form fours, and do a few other simple motions. And, again, these men should be seen by the Commissioner before they are taken on. At the present time all the Commissioner knows about them is their papers, and their recommendations on the papers, and they are directed to report themselves when there is a vacancy. We have no means and have not the time to put these men to instruction at the central stations unless our staff is increased, but if we had a depot in Wellington it could be done very well then. I do not know whether they have a depot in London, but I know in many places the men are taught simple exercises in drill, and are also instructed in the duties they have to perform and the laws they have to carry out. Recruits should be taken on subject to the personal approval of the Commissioner. There are two or three things more I would like to address the Commission upon. In regard to leave: at the present time constables are allowed twelve days in the year. I might point out that that many of the men, who are natives of Auckland and other parts of the North Island, are stationed in Otago, and other parts of the South Island. I know in Otago there are a good many of them. Well, twelve days is useless to them if they want to go and

see their friends, as it would take them all that time to travel up and down; but if they were allowed cumulative leave up to a month they would be able to go and see their relatives. That is to say, if they went three years without leave they would then get a month. I do not think it would be wise to go beyond a month, no matter how much the leave may have accumulated. For instance, I know I have got one in this district who is a native of Tasmania, and I believe there are some who are natives of Australia. When they join the Force they are deprived of being able to go and see their father and mother. They must leave the Force, or they cannot go and see their relatives or parents. That is a hardship. In the Armed Constabulary days they could get leave. Another thing, I know from experience it would be better for the service to give a man once in three years a month's leave than to be continually bothering with their annual leave. Short leave upsets the routine greatly, and I know it bears very hardly on the men. Then, there is another point as regards districts. The districts at the present time are large, in my opinion, and for the benefit of the service they should be large. We have to thank Colonel Hume for sweeping away those small districts which existed at one time, which was the cause of a great deal of petty jealousy between two small districts. There was petty jealousy, and what we call in the Force men "sharping" one another, and men could not be utilised in a little place as they can in large districts. There were no less than four districts in what is now one district.

53. Do you suggest the present districts are too large or too small?—No, I think they are large enough, in this Island at any rate, but not too large. As time goes on, Mr. Tunbridge, in his wide experience, may be able to enlarge them in the North Island. I know in this Island for instance, in the two murder cases which I had recently, had we been as formerly several small districts, it would have been impossible to work up the evidence, as it extended right up here nearly to Dunedin, right away to Lumsden and Invercargill, Clinton, and so on. The evidence had to be collected from these places, and then as far as Balfour. Had they been small districts the police would have been running one against the other, but being a large district the thing was worked up without the slightest hitch, and, therefore, judging from my experience I strongly uphold the districts being large; but we have not sufficient supervision. At one time there was far too much supervision—before the amalgamation—but since then we have run to the opposite extreme—not enough. I strongly suggest that in each of the four centres there be a subordinate officer—a Sub-Inspector or Inspector, or whatever you like to call him. This is a thing which in my opinion is absolutely necessary for the efficiency of the Force.

54. Do you suggest he should be something above the rank of sergeant-major?—He should be a commissioned officer, and one in a position to discuss and talk over things with the Inspector. He should take charge of the city, and look after the minor offences, have a general supervision over the men—visit them at night and see they do their duty. It is impossible for the Inspector to be about day and night. Although I myself am working sixteen hours out of the twenty-four it is too much. That would leave the Inspector free to look after the country stations. He has to act as legal adviser to the whole of the men. If any serious crime is reported in any part of his district he should be on the spot as quickly as possible with the best detective talent he has got. As regards detectives in hotels, I wish to express my opinion on that. I have been a detective myself. I have gone through every grade of the police, and I exactly understand every grade. I say it is a detective's duty if he sees any disturbance or wrong-doing going on in a hotel to report it to his officer. I do not say he should make it his special business unless it comes under his observation.

55. Has it not been so regarded?—Well, an inquiry took place in Christchurch a short time ago, and it was stated there it was not a detective's duty to do it, some paltry excuse being made about detectives having to chum in with the publicans, which is utter nonsense. The less detectives are in publichouses the better for their duty and themselves too. I have found any respectable publican always ready and willing to give any information in his power; and for detectives to screen publicans for the sake of getting criminals is simply a disgrace and ought not to be tolerated. The police have no right to form nurseries for crime for the sake of detecting criminals, for that is really what it amounts to. If a publican can give any information he will see it is to his interests to do so, not out of favour but out of fear. Again, in regard to art-unions, there ought to be some amended legislation stating imperatively that the articles to be drawn for should be submitted—that is, a description of them—to the Colonial Secretary before he gives his consent or permit, and that no articles should be given away or added in any shape or form to the prize list. That is a great difficulty we have to deal with in connection with these art-unions. It is being regularly abused.

56. You refer to such things as a prize with a picture?—Yes; with a picture you get a bicycle added to it.

57. It is a sort of nursery for gambling?—That is what it is. If there is anything the present generation has got to guard against it is against gambling, because it seems to me to have taken a complete hold of the youth.

58. Is there much gambling in this district?—Yes, there is a great deal—that is, betting, you know.

59. Any other form?—Of course, there are sports, and different things.

60. You do not know of any tote-shops?—There was one, but we summoned the proprietor and his assistants, and they were fined, and since then it has been stopped. I do not think there is anything else I wish to mention.

61. *Colonel Pitt.*] Do you say that the Police Force in your district now is in a satisfactory state?—Yes. Of course, I have a few "black sheep."

62. Now?—Now—two or three, but they are very few. Of course, it is almost impossible to be entirely free of them. I am not satisfied with them. I believe they are getting too much to hang about publichouses; but they are so cunning that they will not let us catch them at it.

63. In reference to the medical certificates, do I understand you to mean that in your opinion some of the medical certificates you have spoken of are not *bona fide* ones—not honestly given by the medical men?—I would not say that; but I say the men impose on the medical men, and misrepresent things to them. There are instances which have come under my notice where they have wilfully given false certificates.

64. In any case where you have had reason to believe that a false medical certificate has been given, or that members of the Force have imposed on the medical men, have you recommended the dismissal of those men?—No, sir, because I could not prove it. I had no doubt in my own mind about it, but I could not prove it. The doctor's evidence would be taken before mine. I will give you an instance which occurred some years ago. A drunken sergeant was transferred from Invercargill to Auckland on the plea of ill-health. He had not been in Auckland any time before he was on the sick-list. He was laid up for several weeks, and then he came back to duty again, and after another week on duty he went back sick again. At last I got suspicious, and I went one Sunday to his house with a sergeant, and there I found him in the last stages of drunkenness. I went to the medical man, and said "What do you mean by giving a medical certificate like this? He has been drunk all along; yet you have given a certificate that he has been suffering from ill-health." He began an excuse, and I said, "Look here, I will never take another certificate from you; you are not to be trusted."

65. What did you do in that case?—The sergeant was dismissed. I at once reported it.

66. Do you not think that in cases where you have reason to believe that a doctor has either been imposed upon or is not giving a correct certificate, although you cannot prove it by strictly legal evidence, you ought to recommend the dismissal of the man?—Well, I do not know what grounds I have to go upon. I have only my own observations.

67. But with regard to my question?—I should certainly bring it under the notice of the Commissioner, and report the facts to him.

68. In your district, in your opinion, have you sufficient officers and men for the work of the district?—I have sufficient men, but I would like a subordinate officer to take some of the work off myself, and to assist me in supervising the city work and suburbs.

69. Have you sufficient non-commissioned officers?—Yes, at the present time. We have had several promotions lately.

70. In reference to recruiting the Force, how do you think that can best be done?—The system now is—and I think it is right up to a certain point—they make application to the Commissioner, forwarding a printed form, which is filled in with any testimonials. I say that these men should be seen by the Commissioner before they are appointed, for him to approve of them, and I think it would be better if they were little better physiqued. We are getting some very small men in the Force now. Many of them are far too small. That is the only fault I have to find.

71. You spoke of political influence being used to obtain the promotion of men. Have you any instance of that of your own knowledge in your district?—Well, only from observation. You see, I judge when a certain thing takes place there must be a cause. Another thing: I have had men throw it in my face that they can overrule me and the Commissioner too.

72. *The Chairman.*] Men have told you that?—They have, Sir.

73. *Colonel Pitt.*] Do you think it exists to any large extent?—It is different recently. I have not seen so much of it, but it has existed to a very large extent; not only under one Commissioner, but it has been going on and growing ever since the amalgamation. I could go back to every Government, and every Commissioner, and see the evil results of it.

74. *The Chairman.*] You say this was thrown in your face: is that recently?—It is some time ago—about three years ago. The man has been dismissed since that, but it was not for that.

75. *Colonel Pitt.*] Did you report him for it?—No, sir, I did not. I gave him a severe caution myself.

76. What instruction is given to the men generally in your district: are there any lectures?—Yes, I lecture them myself.

77. How often?—Once a month if possible. Of course, there have been months in which I have not done so, through pressure of business. For instance, this month there was the Supreme Court sitting, and I have visited different districts, and I was not able to do it this time.

78. Does anybody else give instruction beside you?—Yes, the sergeant in charge.

79. And on an average how many men attend those lectures?—Well, I will take the young hands, I should say ten or fifteen—sometimes more.

80. In your opinion, have proper steps been taken to prevent illicit sales of liquor in this district?—Yes. Personal effort has been made by myself to put it down, and we have succeeded to a great extent, but under the present law to put it down completely is impossible. We have had a large number of convictions.

81. *Mr. Poynton.*] You recommend that the English law should be enforced here—punishing people who frequent premises after hours. Do you not think that should also be applied to sly-grog selling?—Yes.

82. Do you not think that would assist you in the Clutha district, and also in other places, to put down sly-grog selling?—I think it would be an assistance. I have often wondered why we had not the power.

83. *The Chairman.*] Do you mean to the extent of making all persons found in the house liable to a penalty at the time of the illicit sale?—At the time the sale is going on. Of course there should be exceptions, as at hotels—*bona fide* lodgers. I mean people who are local residents.

84. *Mr. Poynton.*] Do you know of any jealousy between different branches of the service—the detective and the uniformed?—I do not think so.

85. It has been said that there is jealousy?—Not in this district. All of them here are working amicably together, and doing their very best—that is, with this exception, there are always a few

“black sheep.” You cannot get rid of them until you find them out and prove a charge against them. I should say that in this district I have not above three that I am in any way suspicious of, and they are in the city and suburbs.

86. *Colonel Pitt.*] Are they in the detective or the uniform branch?—In the uniform branch.

87. *The Chairman.*] Are you aware of any jealousy between the uniformed men and the plain-clothes men?—Not in this district. If there is jealousy the fault is with the detectives. That has been my long experience.

88. You consider this political influence has diminished of late?—Yes, I feel quite a change. I can feel it by the action of my men. I am a keen observer, and I can see and read between the lines. I have found a great falling-off in that connection lately. I have found the men more amenable to instructions.

89. When you say lately, what period?—I should say the last few months.

90. *Mr. Poynton.*] What do you think about the confidential reports that used to exist from the Inspector to the Commissioner about the characters of the men?—I think that was a mistake. I did not approve of it at the time, but, of course, I had to obey orders.

91. *The Chairman.*] You consider confidential reports are a mistake?—As regards the men, I think everything should be clear and above-board. Of course, there are instances where it is necessary for the Inspector, in special cases, to report confidentially. For instance, if I considered a man was leading an improper life. I would have no doubt in my own mind—I would be positive as to what was going on, and people would tell me what was going on, but they will not come forward and give evidence. Then, I think for the benefit of the Force I should report to the Commissioner from my own observations, and say what I had heard from others, and recommend that the man be moved to some other district.

92. Why should not the man be put in possession of that communication?—Simply because I am not in a position to prove it. He at once would demand an inquiry.

93. Would not that bring the matter to an issue at once?—No; he would defy me to prove it. It would do more harm than good. It would be better for him to let him go on and say nothing.

94. It seems to me to be a very strange thing if you could not prove it?—The people will not come forward and give evidence. They do not like it. They come to the Inspector and say, “So-and-so is going on. We have seen it; we know it.” But they object to coming forward and giving evidence. Then, I must make inquiries as far as I can, and no doubt I satisfy myself beyond all doubt that it is correct; but I am not in a position to make a charge and prove it. Then I think it would be an advantage to the Force if that man were shifted away from there and sent somewhere else.

95. How do you suggest that would be a benefit to the service if the man was of a calibre unsuited to his position?—A man is very often subject to his surroundings. He may, perhaps, have got mixed up with undesirable characters, and it would be well for him to be sent away to another place, and so give him another start in life, and let him have another chance.

96. *Mr. Poynton.*] Do you think there should be a time-limit within which if no fresh offences were committed by a constable his defaulter’s sheet should be discharged?—Yes, I think so.

97. *The Chairman.*] You say because a man’s character may be impeached, therefore he should be removed, that being the result of the impeachment?—Yes, certainly. I followed it up by saying that I make inquiries to satisfy myself.

98. Whether they have satisfied you or the Commissioner, why should that not be submitted to the man?—As I say, the people will not come forward and give the evidence. They will not do it, and in many instances they are afraid to do it. You have no idea the terror some people have of the police. They are afraid the police will do them some injury.

99. *Colonel Pitt.*] But you say the man never hears of the charge, and has no chance of defending himself?—You understand it is not put against the man.

100. No; but you recommend his removal?—Yes; but that is not punishment to him. For ten years, at any rate, I will say I only had one instance, and then it was absolutely necessary.

101. *Mr. Tunbridge.*] You were saying you thought your district was strong enough in men: Do you not find a great deal of inconvenience owing to men being absent on leave, sickness, or escort duty, or relieving duty?—Oh yes; I am always short through that. There is a large amount of escort duty to do here.

102. As a matter of fact, immediately a man is away from duty at the place where he is appointed, his beat is vacant, and you have not a man to put on to recover that beat?—No; I have no spare men.

103. What you meant, then, was this: Assuming you have no men sick, no men on leave, no men on escort duty, no men on relieving duty, your number of men is sufficient?—Then I have enough; but sometimes, you know, I am six men short.

104. Have you ever got into that happy state of not having a man away from duty throughout the whole of your district?—Oh, we always have men absent. There is scarcely a day but we have men absent.

105. Can you give the Commissioners any idea of the percentage—I mean, striking an average—of men who are absent from their beats for the various reasons I have mentioned?—Well, I could not give it to you just from memory, but I can give it to you this far: that sometimes I am five or six men short here in Dunedin.

106. Five or six, out of between thirty and forty?—Yes.

107. What would you suggest to remedy that?—Well, the only remedy I can think of would be to give me more men.

108. *The Chairman.*] You want more men really to do your work efficiently?—Yes. You see there are prisoners and lunatics coming from Cromwell way, from Queenstown way, and Invercargill way, and I have to send men out in those directions to meet them, and take them over at half-way,

so as to prevent the men being away all night from their stations. Very often there are constables in the country sick, and I have to send men out to relieve them; and those men in the towns who are sick, I have to get their places filled up.

109. By doing that, of course, you are robbing Dunedin?—Oh, yes. For instance, some time ago I could scarcely man the streets. I was in a great state of anxiety about it.

110. Do you not think you should be strengthened here, so that you might have what you may term a reserve?—Well, there ought to be a reserve at any rate of three men. You see, I do not like to go beyond the exact number that I, by a great deal of contriving, could manage with, but if the police were in a proper state there should be a sergeant on duty every night at the station. At the present time, I have to leave an inexperienced constable in charge of the station at night. There is nobody to guide him, more than the sergeant on night-duty calling in occasionally. If anything serious happened at night, of course there would be a noise.

111. Briefly, it is this then: you do think you ought to have an augmentation of men here?—I think so, and I think there ought to be a sergeant especially—on that point I am very strong—in charge of the station at night, to remain at the station.

112. And a few additional men to fill the places of men who are sick, and on other duties?—Yes.

113. *Colonel Pitt.*] How did you come to tell me that you had got enough men?—I meant for strictly ordinary duty.

114. *Mr. Tunbridge.*] What you meant before was, if every man was available for duty you could get on?—Yes?

115. As regards enrolment, you are aware of the present age-limit?—Yes; from twenty-three to thirty-four, I think.

116. No; forty years?—That is too old.

117. What do you think should be the maximum age?—Well, in the Armed Constabulary it was thirty-four, and I think that is long enough. When a man reaches forty he is too old to be instructed or to learn, and besides that he will be a broken-down man in a short time.

118. You said inquiry should be made with regard to transfers. Have I not made inquiry with regard to transfers?—Yes.

119. You have not anything more to say about that?—No.

120. What I mean is, no transfers have been made unless I have inquired from you, and have asked you to express your opinion on them?—That is so.

121. You have expressed yourself very fully about these surgeons. You were asked why you could not report the men if you suspected them of deceiving the surgeon, or if you could not take some action if you thought the surgeon was deceiving you?—Yes.

122. Are there many occasions when you know and are morally certain that you have either been deceived by the men or by the surgeon, where you are not able to prove it?—I am quite satisfied; but I could not prove it, because the doctor's word would be taken before mine.

123. He is supposed to possess a knowledge as to a man's condition which you do not possess?—That is true.

124. The medical officers called upon by the constables to give a certificate are usually the medical officers who attend to the constable and his wife and family?—Oh, yes; they go to any one they like.

125. We will assume a man is suffering from the effects of drink. The doctor knows perfectly well if he gave a certificate to that effect it would bring about the dismissal of the man, and he would lose a patient, and many other persons, perhaps?—Yes.

126. And what you mean to say is, a doctor is like everybody else—he is human?—Of course he is. You could not expect anything else. He likes to get his fee, I expect.

127. In regard to pensions: you advocate a pension in preference to life insurance, do you not?—Certainly.

128. Having gone into the details, you think a man on doing fifteen years' service should receive a pension?—Yes; that is, if he is reported medically unfit. It should be a strict medical Board to decide that; not leave it to any two doctors that may be called upon.

129. You do not think that a man on attaining thirty years' service should be allowed to retire?—It should not be compulsory if he is fit for further service.

130. And a man should have the option of retiring after thirty years' service?—I think he should have the option, but it should not be compulsory.

130A. Would you have any limit of age—that is, compulsory retiring age, for men?—Well, it is difficult to answer that. You see men are so different. Some men are better at sixty or sixty-five than others at fifty.

131. But, from your experience, can you point to a man at sixty years of age who is capable of performing the ordinary duties of a police constable—I am not speaking of an officer like yourself: I am speaking of a man who is at any time liable to arrest a drunken rough: do you know of any instance of a man being equal to that at sixty years of age?—Yes, I am an instance myself. I could go out and do any duty you like to send me to.

132. You would not advocate a compulsory retiring age?—I would not; but I do not think you would find many men stopping in the Force after sixty. I think they would be only too glad to throw up the weary post.

133. You said you would advance the pension according to service. Do I understand you to mean that a man, we will say, with fifteen years' service—you gave periods of five years—should receive as much as a man with nineteen years' service?—Oh, no.

134. Then you would increase the pension annually?—I would, after fifteen years.

135. You said you would not advocate retaining the classes, because you thought that an annual increment, or something of the kind, or receiving pay by increment, would have a bad effect on men who might be disposed to be more energetic, and so on?—Yes.

136. I presume you see the necessity of restricting each class to a certain number, do you not?
—Oh, yes, that must be done.

137. You must, first of all, have so many men in each class. The men are to attain advancement in class at certain periods; at the same time the Commissioner is to have power to advance men who may perform a meritorious act; and there is to be no compulsory retiring age. Well, I want to know how it would be possible to keep an even balance of classes if you carry that out?—Excuse me, I did not say that. I said, comparatively limited periods—I did not confine it to any particular time—as vacancies occurred. I was comparing it with the past. In the past there has been no promotion. The time was unlimited. The men had no idea whether they would get advancement even if vacancies occurred. Of course, the over-officering of the Force had a great deal to do with it. It was a kind of upside down thing—more first-class than second, more second than third-class. Well, I should say there should be a comparatively limited time, say, at the end of five years a man would get advancement. But we have had men who have served fifteen years as third-class constables. I am not speaking positively about compulsory retirement. It may be necessary. You may find, in carrying out the reforms, that it is absolutely necessary to have a compulsory retiring age.

138. You see the difficulty of maintaining a balance of classes if your suggestions were adopted. You suggested that men should get advancement from class to class at fixed periods: that the Commissioner should have power to advance men specially because of meritorious conduct; there is no retiring age, and yet you are to keep a balance of classes. You quite see it would be impossible, do you not?—Well, you see, in regard to compulsory retirement it is an arbitrary thing. You see there are a good many men who have reached advanced years, and who are on the point of going out of the Force, and if I suggested those men should be retired I may be doing a cruel act. If there was a pension, then I should certainly say, by all means do it. I must say some of our old men are our best men, and I would not like to see these men thrown out in the cold. If there was a pension, then I should certainly say, by all means let them be retired. As regards the law affecting street betting, there is no law to prevent it. There is no law to prevent betting in the street. You can only interfere with people if they cause an obstruction, and then we can only ask them to move on, and if they do we can go no further.

139. You have no power to arrest people?—We have no power to arrest, and if they refuse names we can do nothing.

140. You can summons them, can you not; but you cannot demand their names?—No, we cannot demand their names.

141. As a matter of fact, it is impossible to stop street betting under the present law?—Entirely impossible—no power whatever to interfere with them. We can only say, "Move on;" and if they do move on we can do no more. We cannot even summons them.

142. Have you any suggestion to put before the Commission as to amending or strengthening the laws in this respect?—It is a very simple thing to make betting illegal. For instance, make a street a "place." It must be a certain place—standing on a box or a platform as a fixture. That is a place; but so long as they are on the street the police have no power to interfere. In fact, if a policeman went up and interfered with a man, that man would have just cause for complaint legally.

143. Street betting is not illegal, and therefore the police cannot interfere?—That is so.

144. *Mr. Taylor.*] Where were you first stationed after joining the Force in New Zealand?—In Invercargill.

145. And after that?—In Christchurch.

146. And after that?—I was a short time in Wellington. I joined the Armed Constabulary under St. John Branigan. I did not do any police duty in Wellington.

147. And after that?—After that I went to Auckland, and then to Taranaki, and then to Dunedin.

148. Have you ever been ordered to remove, and have that order cancelled?—No. I never exercised that authority all the time; the Inspectors had authority to remove men.

149. No, I mean yourself?—Oh; I was ordered to Dunedin in January, 1890, and the order was countermanded. I was packed up and ready to go, and the order was countermanded.

150. Who was Defence Minister then?—Captain Russell.

151. *The Chairman.*] Was it Captain Russell who made the order, or countermanded it?—I got the order from the Commissioner, Major Gudgeon. I do not know who instructed him.

152. *Mr. Taylor.*] When was it countermanded?—Well, it was in the month of January, 1890, I know, and I was all packed up and ready to go. I think it was in the beginning of February I got the order.

153. Was the order that you should not proceed to Dunedin in writing, and was the order for removal in writing?—I had a letter from Major Gudgeon, directing me to proceed to Dunedin as soon as I could settle up the Maori troubles in Taranaki. We had only just got over the Maori troubles then, and in the letter it was stated that I was to go to Dunedin to enforce the Licensing Act.

154. There will be a copy of that letter in Wellington?—I think I left it in the office at Taranaki, but I suppose it was filed. [File produced.] On the file there appears this letter, dated the 15th January, 1890, from the Commissioner, Major Gudgeon, to myself: "The Hon. the Defence Minister directs that you will, as soon as possible after the 1st February, proceed to Dunedin and relieve Inspector Moore, who will take charge of the Taranaki Police District. You will wind up the affairs of your district and hand over to Sergeant Duffin, pending Mr. Moore's arrival. On your arrival in Dunedin you will assume command and pay special attention to the suppression of the liquor trade within prohibited hours, which has hitherto been supposed to exist unchecked by the police. Your district will comprise the counties noted in the margin—Taieri,

Peninsula, Clutha, Tuapeka, Waikouaiti, Waihemo." Then, on the 4th March, 1890, the Commissioner telegraphed to me as follows: "Hon. Defence Minister has decided that you remain in charge Taranaki District; Moore at Dunedin. Your pay as First-class Inspector will be placed in this year's estimates. It is therefore certain."

155. Did you hear anything at all from the Commissioner between the date of the order for your transfer and its cancellation, as to why you were not to be sent to Dunedin?—No; I never got any intimation why I was not transferred. I have not the slightest idea why I was not transferred. I was packed up all ready to go. It has always been my rule ever since I have been in the service to obey orders, no matter how much I may be inconvenienced, and on this occasion I did so.

156. Do you know if there is any correspondence on that file protesting against your removal to Dunedin from any one?—I do not know. No; there is nothing here that I can see.

157. Do you know whether there was any petition sent from Dunedin to headquarters protesting against your transfer?—No, I do not.

158. Of your own knowledge you do not?—Not of my own knowledge.

159. Have you any reason to believe that those interested in the liquor trade here moved to prevent your removal from Taranaki?—Well, I know nothing of my own knowledge whatever. Of course, I heard rumours that an agitation was got up here against Inspector Moore's removal from Dunedin.

160. As a matter of fact, do you remember whether the matter of your removal was not pretty fully referred to in the newspapers at the time, and commented on?—Oh, yes, there was a lot of comment on it.

161. And was it not alleged by the newspapers, or in the newspapers, that your removal was stopped by the liquor interests in Dunedin?—That is what appeared in the newspapers; but then you know I cannot vouch for anything of the kind.

162. You referred to political influence, and you said political influence had been dying out recently?—Yes.

163. When did it reach its climax?—I can hardly say, because it has been going on so long—for the last twenty years.

164. Did it get a great deal worse?—Yes, I think it did. It seemed like everything else—that is, it grew as it went along—and all I can say is this: it has been the same under every Commissioner, the same under every Government, for the last twenty years. Certainly, under Captain Russell, there was very little of it.

165. It must have got worse since his retirement?—Well, it has been worse since he retired, there is no question about that.

166. But during the past six months you think it has been dying out?—Well, I have not felt so much of it. An order has been given, and it has been obeyed.

167. Do you think there was much disorganization of the Force as a result of this political interference?—It naturally caused men to be insubordinate. They do not have that respect for their superiors that they should have when they know there is a power behind the throne. If men know they can go to a member of Parliament and upset anything an Inspector or Commissioner directs, it is only natural they will do it repeatedly, and I cannot help seeing it.

168. You have made a statement to this effect: men have told me they would over-rule me?—In one instance I said that occurred.

168A. What was the man's name?—Aitcheson. He has been dismissed since.

169. He was at Invercargill?—Yes; he was transferred there. There was another name—that was Henderson, the detective. He defied me in my office.

170. *Mr. Poynton*.—The man now in the Force?—Yes; the same man.

171. *Mr. Taylor*.—What were the circumstances in connection with Henderson defying your authority?—I was finding fault with him about something in regard to which he had neglected his duty, but I could not recall the exact circumstances now—in fact, I had little or no control over the man while he was here.

172. What did he threaten?—He intimated to me that he had greater power than I had.

173. Did he mean political power?—Of course; what else could he refer to? I was in this position: if I reported him he would have denied it, and there would have been simply his word against mine, and no balance of evidence either way. So I had simply to put up with it.

174. Did you consider him a very efficient officer?—No, I did not.

174A. Had you ever occasion to report him for neglect of duty in any way?—Yes, not exactly for neglect of duty—you could not call it that, but I have had to report him for a matter which occurred during my absence. A warrant arrived from Greymouth to arrest a woman for larceny from a dwelling of a valuable diamond ring and a sum of money. That was an indictable offence, and at any rate she should have been sent to Greymouth to have been dealt with. His simple duty was to apply for a remand to Greymouth; but instead of that he withdrew the information laid in Greymouth, and made it a simple case of petty larceny, and the woman was discharged.

175. How did she come to be discharged; was there no case against her?—Oh, yes, she pleaded guilty; but the law then was different to what it is now. In a case of ordinary larceny, even if the amount were £1,000, the Magistrate had power to adjudicate; but, owing to this very case, it was so glaring that the law on the meeting of the House was amended.

176. *Colonel Pitt*.] You say she pleaded guilty, and was discharged?—She was discharged.

177. There was no punishment?—No punishment at all. Henderson had no right to tamper with an information that had been laid in another Court. He withdrew that information, however, and laid another as ordinary theft, and the result was that the woman was discharged.

178. Do you know whether there was or was not any suggestion that the charge should be withdrawn?—The suggestion came from the accused's counsel, with the consent of Detective Henderson. That is what appeared in the Press. I am not sure myself, because I was not there.

179. *Mr. Poynton.*] Do you know what age the woman was?—I did not see her, but I think she was a woman about thirty, as far as I could gather. She was a married woman.

180. *Mr. Taylor.*] Was that the only occasion you had to report him?—Yes, I think that is the only instance in which I reported him.

181. Was he ever reported to you for being unsteady in his habits, by any of his colleagues?—No.

182. Did you know his habits pretty well?—Well, I saw a good deal of him. He had to report himself during the morning, and perhaps during the day I would see him. It would depend on business.

183. Did you recommend his removal from Dunedin?—No.

184. What were the circumstances?—I got an order from Wellington to send him to Christchurch. I spoke to Colonel Hume in the ordinary way of business when he was visiting, and suggested he should be removed.

185. Have citizens of Dunedin complained to you about Henderson's conduct whilst he was here?—No, not to me—not an official complaint.

186. Not in writing?—No, not in writing.

187. *The Chairman.*] Did they complain to you as Inspector?—Oh yes, complaints were made to me.

188. But they were not substantiated?—They were not substantiated. They were not made officially. A person would make a charge—come to my office and complain to me. I would say, "Are you prepared to come forward and prove this?" They would say, "No, I only wanted you to know it."

189. What were these complaints in connection with?—In connection with his duty.

190. *Mr. Taylor.*] Did not these complaints have reference to his habits?—Oh, yes, they referred to his habits; but I was single-handed. I had nobody to support me. Henderson was, I may say, next in rank to myself. The sergeant would not care to give evidence against his superior, and I was single-handed. My word in the Court would be taken for little more than Henderson's would; and when there is the evidence of two directly clashing, there must be some other evidence one way or the other. That is the difficulty Inspectors have to contend with. We are single-handed.

191. *Colonel Pitt.*] Did you ever mention these complaints made to you to Henderson?—Oh, no, for they would not come forward to substantiate them, and so I let them go. I disabused my mind entirely of them. I did not let that act against him. Unless people come forward and substantiate a complaint I put it aside, except it is something serious, and then I might go into it and find out something more about it.

192. *Mr. Taylor.*] Do you remember Mayne being in Dunedin?—Oh, yes; he was here for some years after I came.

193. Do you recollect an order dated 8th March, 1896, having reference to the Court orderlies?—Yes.

194. Do you remember the purport of the order—that the appointment of Court orderly was in future to be held for only three months?—Well, Mayne was Court orderly at the time the order was given, and the Commissioner issued an order that in future the appointment was to be held only for three months.

195. Did Mayne conform to that order?—When his time expired I sent him to street duty and put on another man in accordance with instructions, and shortly afterwards I got, I think it was, a telegram to say that this order did not refer to Mayne and others who were then holding the appointment of Court orderly.

196. You have not got the telegram here?—No, it was noted and returned to the Commissioner's office.

197. How did you understand that order—did you understand that in future there were to be Court orderlies in rotation to Mayne?—The way I took it was this: as soon as the present holder had done his three months, I was to replace him by another man, and so run through all those who were fitted to go out and take charge of stations, and who were fitted to do Court work.

198. Did Mayne hold it for more than three months?—He held it up to the time he was transferred to Christchurch—about July of last year.

199. Was not the effect of Mayne being exempted to prevent other men getting experience as Court orderlies?—Of course it was.

200. Was Mayne amenable to discipline whilst under your control?—Sergeant O'Neill was bringing him in with a grievance continually. No matter what he was told to do he was always grumbling and growling.

201. Did he ever boast to you that his political influence would carry him through?—No, I never heard him mention a word about it.

202. Has it ever been reported to you that he made that boast frequently at the mess-table?—No, I do not recollect it. You see I will not listen to tales.

203. *The Chairman.*] Did you hear it?—I have no recollection that I ever did.

204. *Mr. Taylor.*] When men are placed in charge of stations, that increases the responsibility of their position, does it not?—Oh yes.

205. Are you consulted, or had you previously to the last few months been consulted, as to the best men to send to that position?—No, not for years. I should say this last ten or fifteen years.

206. It has all been done from headquarters, without consultation with the officer in charge?—Yes.

207. Is Sergeant Shirley in Dunedin now?—Yes.

208. When was he moved from Dunedin North?—It is some years ago now. It is about four years ago, to the best of my recollection.

209. Was he away very long?—I think he has been back about twelve months, if not more.

210. Did you protest against his being sent back to Dunedin?—No, I did not, because it was not my place; but I wish he had not been sent back, because he got mixed up in some very unpleasant things here in connection with his wife, and it would have been better if he had never been sent back. Another thing: he had been here a good many years, and it is very detrimental to the men in the service if they get mixed up in things and form connections through a very long stay in a place. It would have been better if Shirley had not been sent back.

211. Has it come to your knowledge since you have had charge of Dunedin that men have been in the habit of frequenting certain breweries while on night duty?—When I first came here I had no idea of such a thing, but after I had been here some time I found out such was the case. I found they were in the habit of going to breweries at night and drinking beer. Since then I have done my utmost to stop the practice, and I think it is stopped. There may be one or two who will do it, but I do not think there are any more than one or two.

212. As a matter of fact, have you had occasion to reprimand men for that practice within the last year?—No; I have no recollection of it.

213. Not in connection with the Northern Brewery?—No; I have no recollection of it.

214. You have not reprimanded any one?—No.

215. Did you ascertain at the time you refer to whether they brought liquor from the brewery to the barracks?—I was informed during the course of my inquiries that it used to be brought and put on the mess table from the brewery. I know it took me by surprise when I heard it, because I had never been accustomed to such a thing in the North.

216. Did you have a report as to a fight in Speight's brewery between constables, some time in the middle of 1896—June, 1896?—No, I never heard of it.

217. You would be surprised to learn there was a fight?—I should indeed. I know if I had heard of it I would have gone to the bottom of it. I never got the slightest hint of it.

218. *The Chairman.*] Is there any beer supplied to the mess-table now?—No, not for a long time.

219. *Mr. Taylor.*] In connection with the Clutha, it is commonly reported that the plans of the police leaked out in dealing with sly-grog selling. Have you had any experience of that?—I have. I have repeatedly found all my plans have been upset.

220. How do you explain it—whom do you blame for it?—Well, that often puzzles me. When I took the greatest precautions I found my plans leaked out.

221. *The Chairman.*] Especially in that district?—Yes. You see, my exertions in that direction have been more in that district than in any other. I have had cases of that kind in the North and other places, but in the Clutha I had to specially exert myself. My plans have leaked out, but beyond bare suspicion I could not tell how.

222. *Mr. Taylor.*] Could any one except the men under your own control have known of your plans?—Oh, no; it must have been the men under my control.

223. You say the leakage must have been due to some disloyalty on the part of your men?—Of course it was. I had fellows at that time that should never have been inside a police-station.

224. Did you ever attempt to ascertain who the culprits were in regard to this matter?—Yes, but I could get no information.

225. Has it been reported from any town in Clutha that your plans for attacking sly-grog shops were public property before your men arrived on the spot?—It was on one occasion when we were going to search for liquor, and the same at Tapanui.

226. In connection with the Clutha, have you received all the assistance you expected from the department?—Oh yes, I got every assistance. I was given a free hand. Whatever I asked for from the Commissioner I got. All through I have nothing to complain of as far as my superiors are concerned. I got every latitude to do my utmost. I was not bound in anything, as regards expense or anything else, but owing to imperfections of the law it was nothing but an uphill fight.

227. You say the difficulty has been not with the authorities but with your own men?—Well, it was only on the two occasions I refer to. I was careful afterwards about my plans that they did not leak out. Of course, after that I trusted nobody. At the very moment I was going I selected my men—men that I knew I could trust—and gave my instructions at the last minute, and they disappeared and nobody knew where they were going until they turned up at the place. I could not trust the railway authorities if they saw the police going up on secret duty—that is, some of the railway men.

228. Can you specify a case where any railway official has interfered?—It is this way: I send a man out on special duty, and not a living soul knows what he is on but he and myself. We used to travel on railway passes: we do now on ordinary duty, but I found out that immediately after a constable arrived at a place on secret duty it was whispered all round what he was doing and who was the constable. I put this and that together, and it was impossible for any one to know except the railway guard who examined the tickets: in fact, I heard of one railway-guard who boasted about how he put the police away.

229. In your efforts to stamp out sly-grog selling, what has been the attitude of the Magistrate?—Except in one case, where he wrongfully accused a constable of telling falsehoods, I cannot complain against him.

230. With regard to tote-shops, are there any tote-shops in Dunedin?—Not to my knowledge. If there were I would be after them.

231. Have you had any reports from any of your own men in regard to the existence of tote-shops?—No.

232. Have they never reported to you?—No.

233. *The Chairman.*] I thought you said there was one, and the proprietors had been convicted?—I found that out myself.

234. *Mr. Taylor.*] Who are your detectives here?—Detective O'Brien (chief detective), Detective McGrath (who has been here for some years), and plain-clothes Constables Cooney and Boddam.

235. Who selects constables for plain-clothes duty?—In this district I have done it myself. I have selected them all myself, but of course if a man were taken from this district and sent on plain-clothes duty to Christchurch I would have nothing to do with that.

236. Have you selected men for that duty who are recruits?—Well, if I saw that they had the capabilities, after a while I would select them.

237. What do you consider a fair probation?—Well, you see, if I think a man has tact and intelligence for a detective I send him out on little jobs occasionally, to see how he shapes; and if he shapes satisfactorily, and there is a vacancy for a plain-clothes constable, I put him on on trial. I generally send them out on little jobs in the country first, to try them. For instance, I sent Broberg to the Clutha district in connection with the sale of liquor; and I was so pleased with his conduct, and the able way in which he carried out his duties, that I sent him on other little things; and finding he had the ability I put him on plain-clothes duty. He was the youngest recruit that I had employed. Cooney had been on for some years, and so had Boddam. These are the only men I have selected.

238. Were the previous appointments made outside of you?—There had been none before. When I came here I found there was far too much for two detectives, and then I thought it would be a good plan to select smart intelligent men, who had shown they possessed good brains, and put them on to assist the detectives. When I came here the place was swarming with brothels, and one thing and another, and people were complaining, and I found there was far too much for the detectives to do, and look after crime as well. I then selected these two men—Cooney and Boddam.

239. You say none of your detectives or plain-clothes men have ever given you a written report in connection with tote-shops?—No; they have given reports in this way: I got information that there were two tote-shops, and then I called on the detectives to report.

240. Did you tell them where the shops were?—I told them right away.

241. Do you not think that they should have discovered them themselves?—Of course they ought to have reported it to me. I was very much annoyed when I found out such things were in existence and I had not been informed.

242. Had you any difficulty in getting a conviction?—Oh, no.

243. What was the method employed in this tote-shop; what kind of shop was it?—An office; a place where transactions in connection with racing were done. People went in and said, "We want you to enter a certain bet for us." Any lads or young men could go in and put their 5s. on a horse, and the names would be entered in a book. Of course, if they won, they would get a return according to the dividend paid by the totalisator.

244. You say you had not much difficulty in getting a conviction?—Oh, in that case they pleaded guilty. They had no chance of getting out of it. We arrested the proprietor and two assistants. The evidence was there right before us. We dropped on them unawares. We got the books and everything else.

245. What was the nature of the entries in the books—were the names of the investors given?—Oh yes; of those who had taken "tote" odds on horses.

246. Were the books confiscated?—Oh, no; we could not. The law did not allow it. In fact, the law did not allow us to seize them.

247. How would entries be made in the books?—Well, there were the names of the horses and the names of the persons who took the chances.

248. The names of the horses and the people would be down, and nothing else?—That was all that was entered. When the totalisator odds came out on the horse that had won, the money would be divided amongst them. That is what you call totalisator odds betting. That, of course, was illegal; but I assure you the Gaming Act wants to be greatly changed.

249. In connection with that particular raid were any of your men mixed up with it?—There were names very similar to those of some of my men, but they all denied they were their names.

250. How many of them?—I think there were three or four.

251. The surname?—Just the surname. For instance, there were two names—Dale and Twomey—and I had a Dale and a Twomey amongst my men. Of course, you can find any number of Twomeys in Dunedin. I called the men up, and they positively denied they had anything to do with it.

252. Did you have occasion to think any of your men were addicted to patronising these shops as a justification for calling these men up?—No I did not. I warned them if I found any of them out I would at once report them to the Commissioner, and recommend their dismissal.

253. Do you remember last Christmas Day any particular street incident that attracted your attention in Dunedin?—Oh, yes, a constable named McDonald was drunk on Princes Street, just by the Grand Hotel.

254. Who was with you at the time?—I had just returned from my office, and Sergeant Conn came to my private house and reported it to me. He told me that Constable McDonald was rolling drunk on his beat, that he had seen him rolling drunk, and that he had gone into the Grand Hotel. Sergeant Conn informed me that he had asked Constable Hannifin, on the adjoining beat, whether he considered McDonald drunk. Hannifin replied, "No, he is not drunk." Sergeant Conn said, "I am not safe amongst these men. Will you come down and see to it." I said, "Yes, I will go at once," and did so. When I got within view of the Grand Hotel I saw McDonald staggering along the footpath.

255. What time was this?—That would be a little after 1 o'clock. I said to the sergeant, "We will not make a scene: you go and get a cab." I walked over to McDonald, and said to him,

"I want you, McDonald." I walked over in the direction of the cab-stand, and he followed me. I put him into a cab, and sent him with the sergeant to the station. I had the lockup-keeper and two sergeants to see him. They all pronounced him drunk.

256. *Colonel Pitt.*] Is he in the Force now?—No, he is not.

257. *Mr. Taylor.*] What was the result of that?—I had Hannifin brought into my office to know what he meant. Of course, when a constable swears another constable is sober when he is drunk, there is an end of all discipline. At first he would not admit the man was drunk. I said, "Go and look at him now, sitting in the guard-room." He went in to see him, and in a short time he returned, and he admitted he was under the influence of liquor. I said, "Go and put that in writing," and he did so. I reported the whole circumstance to the Commissioner, but in doing so I recommended he should not be dismissed as he was an important witness in a murder case then coming on, and he might disappear. To this the Commissioner, Mr. Tunbridge, objected. He objected to his being retained in the Force; but I again pointed out that it would be a misfortune if the man did not appear to give his evidence at the Supreme Court in such a serious case as murder, and then Mr. Tunbridge consented to allow him to be retained on these conditions, but at the same time fining him £1, and placing him at the foot of his class, and to be transferred; also cautioned that if again reported he would be dismissed.

258. Did he continue to do street duty?—I kept him in the station until such time as I got the Commissioner's decision, as I did not want to see him connected with any other case until I saw whether the Commissioner would act on my recommendation or not, but after I saw the Commissioner's decision I sent him on street duty again.

259. Was he reported again?—Oh, yes; he was a most unfortunate man. He never should have been in the Force. He was not reported for drunkenness again. He disappeared off his beat, and could not be found.

260. *The Chairman.*] He was subsequently reported for an offence for which he was discharged?—He was called on to tender his resignation, and did so.

261. *Mr. Taylor.*] Did McDonald have sick leave during the time he was in the Force?—No, but he was sick for two or three weeks.

262. How was he sick without getting sick leave?—When a member of the Force is sick, and it is reported that he is unfit for duty, he is reported sick; but if he is getting convalescent, and the doctor thinks that a change of air or a change of scenery would do him good, then he applies for sick leave; but ordinary sickness is not counted as leave at all.

263. Was he sick during the time he was under you?—The doctor said so, and of course I could not gainsay that.

264. *The Chairman.*] Did he say from what?—Sciatica on the first occasion. The sick-list shows that he was sick from the 1st to the 11th November, 1897. He was also sick from the 7th to the 17th October, 1897. That was down as influenza. Those were the only occasions he was sick.

265. *Mr. Taylor.*] You did not inquire personally into the man's condition while he was away sick?—No, but I sent two sergeants to see him, and his wife would not let them in.

266. *The Chairman.*] Was that in October, or November?—That was in October.

267. *Mr. Taylor.*] Does influenza figure largely as a cause of sickness?—A short time ago there was a number of men down with it, but all, except this man, I believe to have been cases of genuine sickness. There is no reason whatever to doubt it.

268. You think this man's case was not genuine sickness?—I had my suspicions. That is the reason I sent the sergeants to see him.

269. Would you be surprised to hear he was frequently sick in Christchurch?—I do not know anything about him while he was there. I sent Sergeant O'Neill early the next morning to get a doctor to go and see him. He told the doctor it was sciatica in the leg. The doctor said it might or might not be; it was impossible for him to tell whether it was or not. Then another doctor sent in a certificate to say that he had got sciatica.

270. *Mr. Taylor.*] How long has Sergeant O'Neill been in Dunedin?—He has been in the Otago District ever since he joined the Force—nearly thirty years ago. He has been about to different places. He has been in Dunedin ever since I came here.

271. Do you know if he has ever been ordered for removal?—No, not since I have been here; and I should not wish to see him removed. He is a very sober, obedient man; he does whatever he is told to do, and carefully attends to his duties.

272. Have you Constable Ward under you now?—He is under me, but he is at Lawrence.

273. When did you have occasion to deal with him for his conduct last?—Only on one occasion. Somewhere about six months ago he was charged with drunkenness and insubordination.

274. Was he convicted?—Yes. I reported it to Commissioner Hume; but, owing to the man's previous good conduct, I asked that he be not dismissed, it being the first charge against him, and Colonel Hume dealt with him accordingly. He did not dismiss the man, but he punished him severely.

275. Where was he stationed at the time?—In Dunedin.

276. What was his rank?—Third-class constable.

277. You say he was severely punished—how?—He was fined £1 and reduced three steps, I think it was. He was put down below three others, as that would put back his advancement to second-class for several years.

278. Is he in charge at Lawrence?—Oh, no.

279. Under a sergeant?—Yes; he would not be competent to take charge of a place like Lawrence.

280. What has been your practice in regard to the suppression of brothels in Dunedin?—Well, we extinguished them—that is, those places you would call brothels—a house kept by an "Old

“Meg,” or kept by some other person for the purposes of gain by keeping women on the premises and taking portions of their hire as prostitutes. That is a legal brothel; but, of course, there are a number of women on the town in Dunedin living by ones and twos, simply prostituting their own bodies, but not deriving benefit from the prostitution of other women, and they are kept in as strict order as the law at the present time allows.

281. *The Chairman.*] You do not know of any brothels?—No, what you would legally term brothels—cases in which we can say to the owner, “That is a brothel, and if you do not clear out, we will bring you up under the Criminal Code.” There are houses occupied by ones and twos, but not what we would call a legal brothel.

282. *Mr. Taylor.*] Have you had complaints about a brothel—I use the word subject to your definition—off Filleul Street?—No, there are none there.

283. You say that of your own knowledge?—Well, I ascertain all who live there. I found people living there very decent, and some of easy virtue, not exactly public characters, but perhaps in their husbands’ absence they may quietly take in another man.

284. Do you not know a house in that neighbourhood where young girls are kept of sixteen or seventeen?—No, there is not such a place. There have been several rows there. A young woman come from South Dunedin to a woman’s house. The mother followed and kicked up a noise there.

285. Have you ever had complaints from Mr. McGill in regard to this particular place?—Yes, once, and I had it attended to immediately.

286. What happened then?—I brought up a party for using bad language. That is all I could do. They did not come under the Police Offences Act as what you would call disorderly houses. Mr. Thompson has also complained to me, and the Commissioner. The police have done all they could under the circumstances. I assure you, Mr. Taylor, there is not a complaint made here that is not immediately attended to no matter what it is, and I see it is attended to.

287. With regard to promotions, has discontent been caused amongst the men by the batches of promotions that have been made—for instance, promotions of those who had seven years’ service with clean defaulters’ sheets?—Well, there were some who probably had a grievance; and then there was another batch, with slight charges against them.

288. *Colonel Pitt.*] You spoke of disloyalty in the Force. Have you reason to think there is any disloyalty in the Force in your district now?—No, I have not.

FRIDAY, 18TH MARCH, 1898.

WILLIAM STONE PARDY: Examination on oath continued.

1. *Mr. Taylor.*] Have you a constable named Brennen in this district?—Yes.
2. You had occasion to reprimand him recently?—No.
3. Had you occasion to fine him?—No.
4. You said in giving evidence that your men were remarkably well conducted, but not always so; when did the improvement commence to take place?—Well, I had to weed out a lot of bad men who were sent to me from the Artillery.
5. *The Chairman.*] When were they sent to you?—It has been going on for the last two years. I do not think I have great cause for complaint.
6. *Mr. Taylor.*] What was the process; what became of the men when you got rid of them?—They were dismissed, and sent about their business.
7. Any of them removed?—Some of them were. Aitcheson was transferred to Invercargill. The others were dismissed; and Aitcheson was subsequently dismissed at Invercargill.
8. In connection with licensing matters, do you know whether there is any systematic watch kept by proprietors of hotels in Dunedin?—Yes, it is done by a few houses, but very few.
9. What is the system?—The system is to have a man walking up and down outside, and he has some means of signalling with the people inside when the police are seen coming.
10. You have had a great deal of experience in connection with licensing cases and prosecutions?—Yes.
11. What has been your general experience in regard to the veracity of witnesses for the defence?—Well, of course, it is very hard swearing on the part of witnesses for the defence in licensing cases.
12. In comparison with other classes of offenders, do you think they have a greater disregard for the truth than others?—Well, there is not the amount of perjury committed in cases of ordinary crime as there is where breaches of the Licensing Act are being prosecuted, nor anything like it.
13. Take Clutha as an illustration. In ordinary prosecutions, in a licensing district, have you not the same difficulty to contend with as to the veracity of witnesses, as you have in regard to the Clutha?—Just the same.
14. Has the constable at Balclutha at any time suggested plans to you that he thought would enable him to detect sly-grog selling?—Yes.
15. Have they been approved of?—To a certain extent—to what I considered right, and prudent, and useful I adopted his suggestions, and they proved very successful. But there was a point which I could not conscientiously approve of.
16. Has the same kind of recommendation come from the other town in the Clutha?—Yes, from Tapanui.
17. From Clinton?—I may say Balclutha and Tapanui are the real centres of the district.
18. Have similar recommendations come from Tapanui?—Yes.
19. Have they been adopted?—Yes, and I am still waiting an opportunity to carry out the suggestion.
20. As a result of your observation, do you think there is the same quantity of liquor being sold in the Clutha as there was before the hotel licenses were abolished?—Of course not. It is

ridiculous to say so. You do not see a drunken man in the Clutha, or very rarely indeed; and in that case he did not get it, perhaps, in a sly-grog selling place. Of course, there is a licensed house in the Clutha, and there is a wholesale license; and wholesale licensing is a great stumbling-block to the police, because they say, "Oh, we have a case of whiskey and two gallons of beer," and when asked, "Where did you get that liquor?" they reply, "We got it at the hotel, or at the wholesale licensed house."

21. Do I understand you correctly to say the wholesale licenses are a great difficulty to the police in the detection of sly-grog selling?—I say that it is.

22. How many known sly-grog selling centres do you estimate there are in the Clutha?—Well, only three: Balclutha, Tapanui, and Kelso (about three miles from Tapanui).

23. Is Kelso still in the Clutha?—Yes. Formerly Heriot was a portion of the Clutha district, but at the last adjustment of districts Heriot was passed over to Tuapeka, and Pukerau (with a hotel) was transferred from Mataura to Clutha.

24. In these three places you name, how many people do you suppose are engaged in the sly-grog selling?—At the present time, since the last successful prosecutions in Balclutha, I think there are only two places where liquor is now sold.

25. In Balclutha?—Yes. Before the last successful prosecution there were more.

26. How many in Tapanui?—There are two.

27. In Kelso?—Two.

28. That is, six all told?—Yes.

29. Do you remember how many licenses there were?—In Kelso two.

30. How many licenses were abolished in 1894 in the whole of the Clutha electorate?—There were four in Balclutha, two at Catlin's, two at Clinton, one at Waipahi, three at Tapanui, two at Kelso, and one at Heriot. Of course, since Heriot was passed over to Tuapeka that house has got its license back.

31. Was there none at Warepa?—I cannot say that there was one. I am not quite certain on that point.

32. Do you think there may have been more than sixteen?—There were more in earlier times, but from time to time an odd one has been closed. There had been one closed at Balclutha, but that was before my time.

33. What kind of business do these people carry on; do they do a large trade in these centres you speak of?—A fairly good business.

34. Are the sly-grog sellers, I mean, doing a large volume of trade?—Oh, no. I have just been round there, and I never saw the sign of a drunken man.

35. I will ask you whether any Justices of the Peace, as witnesses for the defence in sly-grog cases, have admitted that they have incited others to commit breaches of the Licensing Act?—I cannot say that. I know I cross-examined three Justices of the Peace who appeared as witnesses for the defence in a case. It was a long time ago, and there is evidence on record in the Balclutha Court. I would not like to answer that question, because I do not feel competent to do so from memory. Of course, their evidence is on record, and if necessary you can have it.

36. In regard to policemen frequenting breweries on night duty: As a matter of fact, I asked you yesterday whether you had occasion to reprimand Constable Worthington; I will ask you now whether you have had occasion to speak to the men generally on parade on that very habit?—Yes; what I had heard led me to warn the men of the consequence, if ever I proved or even found them to be in a brewery.

37. Have you two constables here named McCormack and Twomey?—Yes.

38. In connection with the question of gambling, have you not had very frequent complaints about the assembling of walking-totes at the corner of Maclaggan Street and Princes Street?—No, I have not had complaints in that way. Complaints have been made to me—not recently, but when I first came down here—about how that portion of the footpath was blocked up, so as to interfere with the business in the shops in that locality, especially on racing days, when these spielers and betting-men are hanging round. The result was that I placed a constable in that portion of Princes Street to do nothing else but keep that portion of the street from the corner of High Street to the corner of Rattray Street clear, and the man is there from 9 o'clock in the morning until 11 at night. But, as I said before, you cannot get at that evil with the present state of the law.

39. Have you no power to summons them for loitering?—Not if they move on when the constable warns them.

40. Have you heard of a recent decision of the Appeal Court in England in which it has been decided that a man occupies a place if he frequents any particular neighbourhood day after day?—Yes, but that decision has been upset by a higher Court.

41. When did you last receive complaints about the assembling of these betting-men?—I have not had a complaint for a long time now.

42. Did you receive no complaint yesterday?—A man did send me one, but he had no justification for sending it.

43. You say nothing can be done with this public nuisance unless the law is altered?—Yes. In fact, the law is a farce so far as gambling and betting is concerned.

44. What is the practice in connection with the supervision of licensed houses in Dunedin; has a constable power to enter a house on his own motion?—Yes, a constable can enter at any time, day or night.

45. Is he not bound to be in the company of a sergeant?—No.

46. Have you found that there is any system of warning each other existing amongst the publicans in Dunedin when the police are making a visit of inspection?—I do not know of any system of my own knowledge. I have heard, of course, that when the police are going round, after visiting one house the landlord will naturally send on word that the police have been to his place.

47. Have you ever had occasion to believe that your own men have disclosed notice of your intention to visit hotels?—I do not know; I do not think it. It is possible, and I have had men capable of betraying secrets.

48. If Inspector Pender had said that he never knew of any political interference with police matters during his long term of service you think he has had a very unique experience?—He has had no political interference with him so far as the performance of his duty is concerned. That is how I read his evidence.

49. If the Inspector knew of no case in which it has been exercised, leaving himself out of the question altogether, do you think he has had a very unique experience?—So far as I am individually concerned, and I have had as long service in New Zealand as Inspector Pender, never but in one instance was I ever interfered with by my superiors in the performance of my duties. There was one occasion; but that was so many years ago, and the actors dead and gone, that I do not think I should care to mention the circumstances.

50. *The Chairman.*] Is it since the amalgamation of the provinces?—No, it was prior. I was in the Auckland police, and we were part of the Armed Constabulary.

51. *Mr. Taylor.*] Returning to Constable Mayne. Do you remember his being ordered to take a certain station, and declining?—I do not know about his declining. I had orders from Wellington to send him to Paeroa, in the Auckland District, but that order was countermanded a few days afterwards; but I do know that Mayne made no application in an official way to be sent there, or to get the transfer cancelled.

52. When in charge of New Plymouth, who was your sergeant?—Sergeant Duffin.

53. Did you ever have occasion to reprimand him for his habits while there?—I did once. That was soon after I went there.

54. What year would that be?—About 1884, I think.

55. Supposing the Minister of Justice said that this man's drinking habits only developed a few months before he was dismissed in 1896, would you think that was correct?—I will tell you all I know of Sergeant Duffin. With the exception of the occasion I referred to, all the time I was there he was a remarkably sober man. That was a little over ten years ago, and then, I believe, it was through domestic worry.

56. *Mr. Poynton.*] The reprimand in 1884 did not appear on his defaulter's sheet?—No, I called him into my office and privately talked to him. I spoke as a friend and officer. He was a man who had served his country in the Crimea and Indian Mutiny and New Zealand War, and I thought he deserved a little consideration, and I gave him what you would call a friendly caution.

57. Do you think a superannuation fund would tend to raise the status of the men in the Force?—Yes, I do certainly, because the men would have something to look forward to. They would have a feeling of independence.

58. *Mr. Tunbridge.*] With reference to ex-Constable McDonald. At first did I not refuse to accede to your request that he should be retained in the Force?—Yes, I stated that in my evidence yesterday.

59. *Colonel Hume.*] In selecting constables for plain-clothes duty, you stated yesterday you did not take into consideration their service at all?—No, not their length of service.

60. Now, is it not a fact, that when you have got a sly-grog selling case, you often have to take a very juvenile man?—Yes, I always employ the latest joined.

61. If that constable carried out his duties satisfactorily it is very possible you might put him on plain-clothes duty on that account?—Yes, when a vacancy occurred I would give him a trial. You see detectives are born, not made. If you went on making detectives by seniority, I think you just might as well give them a pension and dispense with them.

62. If you had a young constable that you considered one of these born detectives, you would just put him on a big case as well as a small case, I suppose?—Well, I would not give him charge of a case, but he might be very useful on it. Of course, if it was a big case, I should go myself and take the best detective talent I had.

63. You would take the best, irrespective of seniority?—I would take a man who joined yesterday if I thought he would serve my purpose in getting information. I have been a detective myself, and have served in every branch of the service, and I have devoted my life to it.

64. When in charge of the Taranaki District you would not have a detective?—No.

65. Now, will you state why you would not have a detective?—Well, they were such a queer lot, that I would not care to be bothered with them.

66. Where was your experience of this queer lot?—Oh, I knew the district pretty well. For instance, there was Detective Kirby for one. There were several.

67. *The Chairman.*] Was that your opinion of him at that remote time?—I had my opinion of him.

68. *Colonel Hume.*] You were sergeant-major in Auckland?—Yes.

69. Well, now, is it not a fact that the detectives quarrelled between themselves?—No, not while I was there. They were under my control. I carried on the whole of the city duty, and the result was there was no collision between the two bodies.

70. Then, the chief detective was under you as sergeant-major?—Yes. We had no chief detective in those days. That is a modern institution, and was started in Major Gudgeon's time. I do not approve of it, from my experience. I thought it was a farce. They hold their rank as first-class detectives, and that is quite sufficient. There is a man here to-day. He is a second-class detective, and is in charge, and he is chief detective. Perhaps it may be found necessary to appoint another detective who is senior to him, and then the latter is chief detective and the former would have to take a step down. You might just as well call one sergeant chief sergeant.

71. Then, during your experience, have you or have you not found jealousy amongst the

detectives as to who should get a case and who should not?—I never had it under me, because I would not have it. I worked the whole thing in my own hands; but I have seen it very badly in other places, and especially one, and that was the worst of any of the places. I will give you an instance: When I was in Taranaki District, there was a large robbery of jewellery and watches from Palmerston North. Of course, crime-reports were sent as speedily as possible to Wellington and other places, and stop-notice were sent to the different dealers and pawnbrokers. Well, the thief went into a certain dealer's shop in Wellington, and offered a watch for sale. The shopman detected it as one of the stolen watches; but he had instructions from the detective who left the stop-notice that he was only to give information to himself, and to no other member of the Force; the result being that the thief escaped. There was a constable passing at the time, but he was not called in to take the man into custody. If that had been done, nearly the whole of the property, amounting to some £100, would have been recovered.

72. *The Chairman.*] You are illustrating jealousy as between the detectives and the uniform men?—Between both the detectives themselves, and the detectives and the uniform Force. That is why I spoke so strongly yesterday about having a second officer in the city, or in authority during my absence, to be over detectives and sergeants, and a man they must look up to and respect.

73. *Colonel Hume.*] While on that matter, there were Sub-Inspectors at one time?—Yes.

74. Were they a success?—Yes. Where the fault was, there were too many officers stuck about in petty places. For instance, in Clyde, and in a "tinpot" place like Lawrence, there were officers, and another at Invercargill, and another at Oamaru. The thing was ridiculous.

75. Your experience is that in the four large centres the Sub-Inspectors worked well?—Yes. I should like to see them very carefully selected.

76. Now, Mr. Pardy, what system do you adopt for training young hands when they first join?—Well, the first thing I do is to have them into my office, and impress on his mind, as strongly as I can, the great necessity to be truthful above all things, to be strictly sober, and never to accept liquor or other gratuity from any one, to be subordinate and respectful to those placed over him, as some day he may be in the same position himself if his conduct is good. I then hand him over to the senior sergeant, to be instructed generally in his duties. He would then be placed on night-duty and on a light beat, where there is not much doing; and the sergeant would be instructed to give him particular attention, and to look after him and educate him and give him any information that is necessary. Of course, I also insist on them reading up the by-laws and the Police Offences Act.

77. Do you think that any constable has abstained from interfering at many points from a want of knowledge of his duties in your district?—No, I do not think it. I cannot give you an instance.

78. In fact, if any one told you so you would be surprised?—Yes. Of course, they are instructed if they are in the slightest doubt to refer to the sergeant at once.

79. Now, carry your memory back to 1890. Do you remember then whether a good many junior constables were in charge of out-stations while their seniors were in towns?—Yes, and prior to that; I thought it very wrong.

80. Is that so now?—No; if the men are fitted they are sent out now according to seniority, and, of course, only married men. It would not be proper to send single men, no matter what their service was.

81. Now, you stated yesterday you were not consulted, prior to Mr. Tunbridge taking charge, about transfers?—Yes.

82. Now, is it not a fact that I called for a return showing whether men were qualified to take charge of stations, and whether qualified to be Clerks of Resident Magistrates' and Wardens' Courts, and whether fitted for mounted or other duties?—Yes, I think some two years ago you did call for a return of those fitted, and I sent you a return of those in my opinion I thought were fitted.

83. How do these two answers coincide: is that not consulting you?—No, I think if you had asked me whether a man was fitted for a particular station. Some men have been sent to stations they were totally unfitted for, and I have had a great deal of trouble to educate them.

84. Not fitted to be Clerk of Court, or for police duties?—The responsibilities of either position.

85. Not fit to have charge of a station?—Not in their state of mind, and in their state of police education at the time. Of course, I have worked them up since, and they are very good men now.

86. Now, will you name any constable who has been given charge of a station that you reported in that return as unfit for the charge of a station?—I did not report on them. The men were sent there, and I had to do the best I could with them.

87. Were any men sent to take charge of a station whom you reported in that return as unfit for charge of a station?—No man of my own district; but men have come from other districts whom I knew nothing about, and they were not capable of taking charge of a station. I do not know who reported on them.

88. Now, do you know of any constables occupying subordinate positions who have served with ability and distinction, while others with nothing to recommend them but political influence were placed in positions they were utterly incapable of filling properly—in your district, of course?—Well, I know plenty of things done through political influence. For instance, transfers were again and again countermanded which could have been by no other cause but political influence. It is difficult for me to answer that question from memory. For instance, look at Constable Mayne. The exceptional way in which he was treated caused no end of dissatisfaction; he seemed to be able to do just as he liked. He was sent to me to be made a detective; and there was no man from the south of New Zealand to the North Cape less fitted for detective work than Constable Mayne, and I reported he was not fit for it.

89. That does not quite answer the question: so far as that goes Constable Mayne got nothing?—Yes; he got in the way of promotion. They get promotion much quicker as detectives than in ordinary uniform.

90. Do you know of any constable in your district occupying a subordinate position who has served with ability and distinction, while others with nothing to recommend them but political influence have been placed in positions they were utterly incapable of filling properly?—Well, if you want me to look up the records on that, I think I could answer your question. I will have to look over all the transfers, both here and in other districts.

91. You cannot call a case to your mind from memory?—I should want to look at my records here, and also in Taranaki. I cannot speak from memory. You must understand I know nothing of political influence. I only judge from the cause and effects. A member of the Force is ordered for transfer, and that order is countermanded, and no application is made through me. I know nothing about it, and, therefore, only presume that that member of the Force used influence he ought not to have used. Constable Lemm was put over Constable Johnston's head. He was stationed there a long time, and I thought he should have the option of the station.

92. Is that Johnston at Gore, or Johnson at Naseby?—At Naseby. You have rather stretched my answer. What I think I said was that "they got the plums."

93. I will repeat the question again. Do you know of any constable in your district occupying a subordinate position who has served with ability and distinction, while others with nothing to recommend them but political influence have been placed in positions they were utterly incapable of filling?—I do not know of a single instance; and when I said that Constable Lemm was transferred over the head of Constable Johnston, I did not know whether Johnston was senior to Lemm or not; but Johnston had been there, and I thought he should have the preference.

94. *The Chairman.*] Do you attribute the fact that Lemm was put there to outside influence?—No.

95. *Colonel Hume.*] There were some special promotions made some years ago. Now, that caused some discontent in the Force, I suppose?—Yes; those who were passed over and who were senior men were very dissatisfied, and, instead of appealing to the Commissioner through the Inspector, they rushed away to work up political capital about it. I think I know that for a fact. Members and others spoke to me about it. Of course, had they submitted their complaints in the proper manner through me to you they would have received the greatest consideration. In fact, there was quite a *furor* here in Dunedin about it.

96. Then, after these promotions were made, you had a certain number of malcontents in your district?—Oh, yes; all those passed over in regard to seniority were discontented, but they were passed over on account of the state of their defaulters-sheet.

97. Will you be very much surprised to hear that this man Johnston is years junior to Lemm in the service?—I dare say I had doubts as to whether Lemm was not the senior, but now I come to think it over, he is senior.

98. Then, owing to the fact of having these malcontents over these promotions, did you consider then that the Force here was disorganized?—I would not exactly call it disorganization, but dissatisfaction.

99. Would you call that disorganization?—Of course, when the men have grievances they go about nursing them and making them into mountains. I know I had a lot of trouble and bother with the men, and when they came to me I pointed out to them it was their own fault.

100. Do you consider that at the present moment you have any discontented men in your district at all?—That would be contrary to human nature. There are bound to be discontented; but generally those men who are so discontented are the men who really are not entitled to promotion.

101. You told the Commissioners yesterday there was no disorganization, and yet you seem to have these discontented?—I am speaking generally. There are always a number of discontented and malcontents. You cannot satisfy some men even by acting strictly with justice; there are sure to be some men who think you are not acting right.

102. Now, in reference to carrying out of the liquor laws: have you ever been instructed in any way, either by writing, verbally, or by hints or anything else from any of your superior officers, that you are not to carry out the liquor laws?—Certainly not. I stated that yesterday.

103. You said you had every assistance?—Yes. I had a free hand both in expenditure or anything else that I thought was necessary to be done, and, as you know, I had sly-grog selling cases and convictions all over the district—at Stewart Island, Maitaia, and Invercargill, and almost every place I could name. To give you an idea, since I have been in charge of the district, I have had fines inflicted amounting to something like £1,100, and I think more than that, because there have been several convictions since I made up that return. Just the other day a woman was fined at Preservation Inlet, and even in that out-of-the-way place we have had repeated convictions. No, I tell you again, since I have been a member of the Police Force, while in charge I have never but on one occasion, and that is back in the early seventies, been interfered with either by my superior officer or by the Government in any shape or form in the performance of my duties; and I dare say other Inspectors are in the same position.

104. Then, I take it, you believe that the Government desire to have the liquor law strictly enforced?—I always understood that.

105. And you understand that now?—Certainly. I cannot come to any other conclusion, seeing I was given a free hand to do my utmost.

106. And as regards walking-totes, have you any power to summon those men who are on the pavement, even supposing they do not move on?—Only under the by-laws, as an obstruction.

107. Suppose there were only two on a wide pavement, you could not say they were obstructing?—No, unless they are preventing people from passing along.

108. Then, unless they are obstructionists you cannot interfere?—Not unless they are actually blocking the pavement.

109. Will you define for the Commissioners' information what a "spieler" is?—That is a very general term, and I do not know that there is any direct definition, but I would look on him as a

loafing fellow who follows up race-meetings, with always the intention to do a cheat in some shape or form; who associates with thieves, and puts them up as to how to do business, and who acts generally as a "chucker-out" and bully for prostitutes, and that kind of work. That is what I understand by "a spieler."

110. I take it, from your action in Constable Ward's case, that you believe in giving a man a second chance?—Oh, yes.

111. Are you prepared to say that, in your opinion, a man who has been dismissed or allowed to resign the Force should never be brought back again?—Well, it depends entirely on the circumstances of the particular case. I have seen instances where I thought a man was too severely dealt with by dismissal; and in a case like that I think he should receive every consideration, and, if it was found he had been too harshly dealt with, he should be reinstated. There have been instances of that. Of course, if the dismissal had been for a long line of drunkenness or disgraceful conduct in the Force it is quite proper he should stay out.

112. Have you known cases where men brought back like that have rendered really good service afterwards?—I cannot think of any individual case just now.

113. Now, as regards that circular about Court orderlies, is there anything in that circular to show that it was to affect holders of the office at that time?—It does not specially mention anything.

114. Does it not say "in future"?—Yes. Of course, I read it that all future as well as all present Court orderlies were to retire at the expiration of three months, and others that were to be appointed, but you told me afterwards that I had misread it.

115. Why was Constable Mayne made Court orderly?—Well, I thought the man was rather delicate, and not strong enough for street duty, and that was the reason I gave him the appointment. Prior to that there had been no Court orderly in Dunedin, and I found it upset the whole duty, because men were taken off the street and off their duties, and sent to serve summonses. I said it was very unsatisfactory and irregular, and that it would be best to have a Court orderly, and I appointed Mayne for the reasons stated, more out of kindness than anything else.

116. Now, I suppose, Mr. Pardy, that in your experience complaints against the detectives and against the police generally are not very uncommon. I get complaints continually, especially anonymous letters. I send them to the constable for his information and any remarks he likes to make, and I file them. Of course, I regard it as a very cowardly way of attacking a man, and therefore I think they should be treated with contempt.

117. Now, you said yesterday you thought Sergeant Shirley should not have been sent back to Dunedin?—Yes.

118. Do you recollect your asking me to send a single sergeant to Dunedin, so that he might live in the station, as you considered it was important you should have a single sergeant?—Yes, but I never thought you would send him there, or I should never have made the request. I do not wish to say anything against him as a sergeant, but I thought for his own sake alone it was better for him to leave this place.

119. Do you happen to know how many single sergeants I had at my disposal?—No.

120. Would you be surprised to hear that there were only two, and that Sergeant Shirley was one?—I do not know how many single sergeants there were; but certainly I should not have asked you for a single sergeant if I thought you were going to send him to me.

121. Do you think it possible that a fight should have taken place in a brewery in Dunedin between constables, without your having got wind of it in some way or another?—It is extraordinary; I cannot understand it.

122. Do you think it is possible?—Oh, yes; but I was greatly surprised to hear it, because if such a thing did happen, they would be very very careful to keep it from me.

123. Was yesterday the first time you heard of it?—Yes; but now I have heard of it, you may depend I shall try to go further into it.

124. You stated yesterday that you had been betrayed, you thought, by some of your own men and by some in the Railway Department, in dealing with sly-grog selling: now, is it not a fact that you were given away by a prohibitionist in Balclutha on one occasion?—No; I will explain that to you. There was an attempt to do it, but it was not done. I was too quick for them. It was this way: There were three houses in Balclutha, and I got a warrant to search them simultaneously, because I knew it was no use to go to one and not to the others at the same time. The men made a descent simultaneously on the three houses—two men to each house—and while the two were searching one particular house the prohibitionist bolted off to the other houses to warn them that the police were searching So-and-so's house, and were coming round to their houses.

125. But he found two other men already there?—Yes, but he did not know that. He thought the men were going to do it in detail.

126. Now, in the matter of promotions since 1890, you stated yesterday there had been very few?—Yes, and long before that.

127. With the exception of the cases already mentioned—namely, Clerks of Courts who were third-class constables, and third-class constables of seven years' service with clean defaulters' sheets, and men of seven years' service with only one trifling report against them having been promoted—do you know of any other cases where juniors have gone over the heads of seniors, or any other improper promotions?—No. So far as this district is concerned, they have been promoted strictly according to seniority, I mean up to the rank of first- or second-class constables, but not in regard to sergeants. I do not think there were even one or two promotions, for years, because there were so many sergeants.

128. I understand you to say that you thought a sergeant should be watchhouse-keeper?—No, at night, simply to be there to take any important case that comes in.

129. That was your object in asking me to send a single sergeant to be in the station always?—To serve a double purpose, to have a single sergeant who would be there sleeping on the premises

during the night duty. Supposing a sergeant finds a man under the influence of liquor. Well, constables do not like to give evidence against another constable, and if there is a sergeant on the premises he can be referred to, and asked whether he considers So-and-so is under the influence of liquor. He is an independent witness. Mind, I do not say that constables are untruthful; they will tell the truth, but very very unwillingly in a case of that kind. I should do it myself, because I should not like to be called upon to give evidence against a man in my own position, and I think constables should not be placed in that position. There should be a sergeant to supervise and be referred to.

130. You are in the habit of recording offences against constables in their defaulters' sheets without informing them of having done so?—Never in one instance have I done it. I have always told them I shall enter this on your defaulter's sheet, or that I shall not enter it. In fact, it is very rare for me to make an entry on the defaulters' sheets. It must be for more than one offence, but never for a first offence, or unless it is something serious which I have referred to you.

131. You stated just now that a good many complaints were made against detectives and constables. I suppose these complaints generally consist of general charges?—Yes, and in many instances there are no grounds for complaint. If I think there are any grounds I call upon the member for an explanation, and it is generally satisfactory.

132. Then, you do not act on general charges?—Oh no; it would never do.

133. Have you ever heard, in your experience, of any Force that does?—It would never do. It would destroy any Force if you had that. It would break the men's hearts; the men would be afraid to move or turn.

134. Supposing you had an idea that a constable was frequenting houses of ill-fame, or taking too much liquor, and at the same time you were not in a position to prove it, what would be your idea of the best way of dealing with that man?—Well, I should recommend that he should be transferred to another place to give him clean surroundings. A man often gets drawn into these things through forming acquaintances he does not like to offend, and through carrying on with some loose woman, and it may be the saving of that constable if he is transferred. You see, men are very much subject to their surroundings and associations, and it is a bad thing to leave a man too long in one place.

135. *The Chairman.*] What do you call too long?—I should say letting a man stop ten years, and sometimes twenty years, in one place. I believe there are some men in the Force who have been twenty and thirty years in one place. Well, that is too long for any man to be in one place. He cannot help but be influenced by his surroundings. It is impossible, I do not care how straight he is. Another thing, you see a constable should never be sent to serve in his native place, or anywhere near it. I have thought it over very often. Of course, you know, a constable gets married, and when he gets married he should certainly be transferred to some other place, or otherwise he is amongst his wife's surroundings then, and whether they influence him or not the public think they do. The public are very suspicious of the police, and we have to be very careful not to justify that suspicion. My experience is that we have had very bad results through allowing a constable to remain amongst his wife's friends.

136. Then, have you found when men have been transferred, on what you may call general charges, that it has had the desired effect, and after there was nothing wrong with them, as they had pulled themselves together in their new circumstances?—Yes, I have seen that done again and again.

137. *Colonel Hume.*] Now, you told us yesterday, that you thought the pay was too small, and gave us to understand that the policeman's lot was not a happy one at all; now, how can you account, or can you account in any way for the Force being sought after as it is?—Well, you see, there is a fascination about the police with young men. There is the uniform, for one thing, and they think it is an easy gentleman's life until they put on the uniform, when they are undeceived. Further, if you made the pay 2s. 6d. per day, you would find just as big a number wanting to get in, and, of course, they have to make the pay up another way, and if they take bribes from a publican you cannot blame them. To make them honest, and willing to carry out the important laws the police have to administer—the most important laws that we have in regard to the welfare and safety of the public, you must give them good pay. If you give a constable a miserable pittance to go on to the streets to administer the gaming and licensing laws, how often would it not pay a gambler or the publican to oil the constable's hand to make him wink at breaches of the law. The constable has a sick wife, perhaps, and does not know where to turn to buy her some nourishing food, and is that not enough to induce a man to accept any temptation where it is thrown in his way. If he has a decent pay an honest man will refuse anything like that. Only a scoundrel at heart would do that, and he would do it whether he had good or poor pay. If you compel a constable to live in the slums, you must expect him to be of the slums.

138. During the time I was Commissioner, Mr. Pardy, were your requests and suggestions to me as a rule given effect to or not?—I think so. I do not remember any instance where they were not. Yes; we worked very amicably together. I have not the slightest ground for making any complaint against you.

139. *Mr. Taylor.*] I should like to ask whether you have any more definite reply in regard to that house in Filleul Street. Have you not reason to believe it is a house of immoral character?—It is reported to me that there is nothing against this woman's character. She is an invalid, and is receiving charitable aid. She has two daughters whom the police for some time have been keeping under surveillance, to see whether they are leading immoral lives; but up to the present they have found nothing to justify such a suspicion.

140. What complaints have you received about that house during the past year?—I have not received any about this particular house; but I have had about misconduct in Asher's Right-of-way, and that is where this house is situated.

141. Have you had any report from your officers before to-day about this particular house?—This report was in November, 1897, and that is when Mr. McGill spoke to me about the house, and I sent a constable to make inquiries. Mr. Thompson also complained, and I kept the place under surveillance for a long time at night. I had men frequently visiting it at night.

142. *Mr. Tunbridge.*] With reference to detectives, how would you suggest they should be governed?—Well, if you appointed a Sub-Inspector at a central station the detectives would be under his rule.

143. We have no Sub-Inspectors at present. I mean, if the matter remains as it is, do you think there should be an officer over them?—Not further than a first-class detective.

144. Well, a chief detective is a first-class detective?—It is calling them “chief detective” that has caused the mischief.

145. Briefly, you do agree there should be a detective officer over the detectives?—Certainly.

146. Now, with reference to confidential reports to the Commissioner, do you not consider there are occasions when an Inspector should be allowed to make a confidential report to the Commissioner?—Certainly. If he is not allowed—well then it would be very detrimental to the efficiency of the Force.

147. I think I understood, in your examination in chief, you rather disagreed with the confidential reports sent in?—I understood the question to refer to an order issued very many years ago, for the Inspectors periodically to send in a confidential report on every man. That is what I complained of.

148. You do not agree with that, but you agree that the Inspector should have the power to send in a confidential report on the conduct of a man so long as it does not contain a charge against that man?—Exactly, because it might lead to some terrible scandal if not taken up at the time.

149. Briefly, you think the Inspector should have the power to send in confidential reports on special occasions?—Yes. If the Inspector has not that power some offence might go on, but he has no evidence to prove it, and by and by it is too late, and some terrible scandal has taken place; and that should be avoided by all means.

150. Of course, where there has been a charge brought against a man he should see it, and should be allowed to see it?—Certainly.

151. *Colonel Pitt.*] Do you say that you are of opinion that in each district there should be a chief detective over the others?—No, not with that title.

152. Will you shortly explain the mode by which you think the Detective Force in each district should be organized: who should be chief, if any?—According to rank. There are first, second, third, and fourth-class detectives.

153. Supposing there are two first-class detectives here in Dunedin, in your opinion should either of these have authority over the other?—Yes, but that would be carried by seniority; whoever was senior would be in charge.

154. *The Chairman.*] Then, I understand it should be merely a matter of seniority?—Yes.

155. And the Detective Force subject to the general control of whom?—The Inspector in charge of the district; but in his absence the sergeant takes the Inspector's place, and during that time they should be under his orders, or otherwise you will have divided control.

156. *Colonel Pitt.*] Does the sergeant take your place when you are away, or the district clerk?—The district clerk is the senior sergeant here. I cannot put a junior sergeant over the senior.

157. *The Chairman.*] And does he do any other duty than clerk's duty?—No.

HUGH MULHOLLAND was examined on oath.

158. *The Chairman.*] When did you join the New Zealand Police Force?—I joined the Otago Police Force under Mr. Weldon, on the 2nd February, 1874. My registered number is 135.

159. You joined as a third-class constable?—There were only two classes when I joined—second and first. I joined as a second-class constable. Since that time I have been in charge of stations close on twenty-one years. It will be twenty-one years on the 1st November next since I got charge of the Winton Station. I was transferred from Milton to Cromwell on the 15th December, 1890.

160. Are you a married man?—Yes, with six of a family.

161. Were you married when you joined?—No; I got married in the Otago Police Force. In 1877 I was married first. I am now married a second time. I had charge of the Cromwell station from that date until I was transferred to St. Clair, on the 11th March of this year.

162. What is your present rank?—First-class constable.

163. When were you promoted to first-class?—When I was at Winton, somewhere about twenty years ago, on the 1st September, 1878—Mr. Weldon was Commissioner of the Otago Police at that time—for my exertions in discovering a fire when it was starting, thereby saving the insurance companies some £2,000 worth of property. Some short time ago, before Colonel Hume resigned the Commissionership, at the Cromwell Station I saw by the *Police Gazette* a great many of my comrades in the colony getting promoted. I made application to be promoted to the rank and pay of a sergeant. For the first time in my life I applied for promotion. In the ordinary course I got a reply to that application. I remember part of the reply, and the purport of it was, “You are such a number on the list of first-class constables; there is no sergeant required at present, and, even if there was, there is no reason why you should be promoted over your seniors.” A short time after that, on the 11th January, 1898, several first-class constables who were my juniors were promoted to sergeant's rank. I felt very much annoyed to see so many of my juniors getting promotion and no word about me, and I naturally came to the conclusion that there was no encouragement to do my duty. I never looked for political influence, and hence my humble position. That is my opinion, any way. The Police Regulations state that you must not look for political influence, and therefore I wanted to live in accordance with the regulations, and

did not look for political influence. But I have strong reasons to believe that many others, although it is against the regulations, did look for it and succeeded by it. I could have got political influence if I had looked for it the same as others.

164. How do you know you could have got it?—I have friends like other people; and if I had liked to make use of them I expect I could have got influence both in the House of Representatives and out of it. In fact, it is a common remark for people to say you cannot get on in the Force if you have not one or two Cabinet Ministers at your back.

165. Do you mean a common remark in the Force, or outside of the Force?—Outside the Force; and even amongst some of the constables you get a hint that you need not expect to get on without political influence. During the time I was stationed at Winton I was Clerk of the Resident Magistrate's Court, from the date it opened until I was transferred, about eleven or twelve years. I was Inspector of Slaughter-yards, forest-ranger, officer of Customs, Clerk of the Licensing Committee for a while, Registrar of Dogs for a part of Southland and the Borough of Winton for a while, and I was also bailiff. All these positions, so far as I know, I held to the satisfaction of the public and the Police Department. There was a little income attached to nearly the whole of these offices which I held at Winton, except the Customs.

166. What was the income?—I got £10 for being Clerk of Court; I got a commission on the dogs; I got £5 for being forest-ranger; I got £2 from the Borough Council for being Clerk of the Licensing Committee, and, I think, £2 from the County Council; and I got paid so much per head as Inspector of Slaughter-yards, and as bailiff I averaged in fees £20 a year at least. The slaughter-house would be worth about £10 or £15 per year to me.

167. What was the difference in your pay as first-class constable and that of sergeant?—When I was at Winton some of them were appointed only as acting sergeants, and got nothing extra, but when permanently appointed they got 6d. per day more than a first-class constable. I lost seriously by my transfer to Cromwell. The man I succeeded at Cromwell got 1s. per day goldfields allowance until he was transferred to Winton. I was sent there without any goldfields allowance, and, though I had several appointments outside the Police Department, I got very little for any one of them at Cromwell. I got nothing for Customs, or as Inspector of Factories. There was very little in the bailiff work at Cromwell, and very little as Inspector of Slaughter-yards. The bailiff-fees at Cromwell during the whole of 1897 only came to £6 5s., to the best of my recollection. In Cromwell, also, things are very dear, and, to give you one item simply, I had to pay 6d. per quart for milk in the winter.

168. Had you been promoted to sergeant, would you have gone to the charge of a station?—I would have gone where I was ordered.

169. *Colonel Pitt.*] Why do you think you ought to have been promoted to sergeant?—Because I have served now, on the 1st February last, twenty-four years in the service.

170. What is your age?—I am fifty-four. I joined the Force in 1863, so I am a pretty old policeman now. If I got promoted I was willing to go where I was sent, and I expected that the department would not keep a sergeant at Cromwell. I wanted to get away from Cromwell, and I thought it would be beneficial to me to get promoted, and to get a change, even to the streets. I will read you these promotions in the *Police Gazettes* of 3rd February, 1897, 5th January, 1898, and 16th February, 1898; and the names of sergeants in italics are those who are junior to me in the New Zealand Police Force:—

The following promotions will take effect as from the 1st January, 1898:—

First-class Constables to be Third-class Sergeants.

Wild, Frederick, No. 50.	<i>Mackenzie, John Campbell, No. 187.</i>	<i>Siddells, James, No. 231.</i>
Brennan, William, No. 59.	<i>Warring, William, No. 202.</i>	<i>Treanor, James, No. 128.</i>
Walker, William, No. 67.	<i>Scully, Patrick, No. 211.</i>	<i>Bowman, Patrick, No. 270.</i>
Stapleton, Richard, No. 85.	<i>King, Thomas, No. 244.</i>	<i>O'Donovan, John, No. 290.</i>
<i>Darby, Robert, No. 195.</i>	<i>Bourke, Thomas, No. 235.</i>	<i>Wright, Arthur Hobbins, No. 424.</i>
<i>Phair, William John, No. 209.</i>	<i>Murray, William, No. 88.</i>	

[NOTE.—All registered Nos. higher than mine (135) of first-class constables promoted in *Police Gazette* are junior to me. Not room here for all their names.—H. MULHOLLAND, Constable No. 135.—6/4/98.]

171. Was any reason given to you why you were not promoted?—No. I could not make out why junior first-class constables were promoted and no word about me. I began to think it was strange, and I also thought that if I am utterly useless I ought to be dismissed. Why should I have charge of a station for nearly twenty-one years if I am utterly useless? The station ought to be taken away from me. If I am not going to get any advance there is no encouragement for me to do my duty impartially to the public; and I put the thing down to the want of political influence to a great extent. I joined the Irish Constabulary on the 18th September, 1863, and I served to the 4th July, 1868, when I resigned.

172. Did you get any promotion in that Force?—No; they did not as a rule promote them there under five years' service. During my service in the Irish Force I was never reported, and was never censured. I served during the Fenian trouble in 1865 and 1867, in Ireland. Colonel Wood was our Inspector-General at that time, and the Imperial Government gave the Irish Constabulary, for their fidelity during the Fenian trouble, an increase of pay and praised them in both Houses of Parliament, and Colonel Wood recommended that the constabulary for their loyalty to the sovereign should be called the Royal Irish Constabulary, which was done. I want to show you that I served and helped to earn that title. Colonel Wood said he was proud to be placed at the head of such a body of men, thirteen thousand or fourteen thousand strong, and there was not one case of suspicion amongst them, whilst a great many of the soldiers went over to the Fenians.

173. Have you anything else to tell us about your New Zealand experience?—I was punished three times in New Zealand for very slight offences in the Otago Police days. It is on the records,

and the Commissioners know all about it, I suppose. I think the last time I was fined the head of the Police Department was in Wellington.

174. *The Chairman.*] You have no mark against you in your defaulter's sheet since when; was it before the amalgamation of the provinces?—I am not certain, but it is not far from twenty years. I might say they were very slight offences indeed, and for one of the times I was fined it was principally, I know, because I refused to go and dig in the Inspector's garden.

175. *Colonel Pitt.*] Have you any entries in your merit-sheet?—Yes. I understand Mr. Weldon promoted me from second-class to first-class constable for discovering a fire. I think I am badly treated. I never refused promotion, and never was asked about it.

176. *Mr. Tunbridge.*] Briefly, your complaint is that you have not been promoted to the rank of sergeant?—Yes, I think I have been overlooked.

177. You had experience in the Royal Irish Constabulary?—Yes, a little.

178. And you have had upwards of twenty years' experience in the New Zealand Force?—Yes.

179. Does not your experience tell you that, although a man may be a very good constable, he is not likely to make a very good sergeant in many cases?—Well, I do not know. I have not been tried, any way. If I am not fit for the business it should be taken from me.

180. For the past twenty years you have been stationed at Winton and Cromwell?—Yes.

181. Had you any men under you at Winton?—No.

182. At Cromwell?—Yes.

183. How many?—One man under me, for a short time only.

184. Up to the present you have never been in charge of men, except one man for a short time in Cromwell?—That is so, except in the Home country. The senior man was responsible for the work.

185. Up to the present you have been at a remote country station, practically the whole of your service?—In this country, yes.

186. Do you know Constable John Jeffreys?—No.

187. Do you know Constables Charles McDonald, Haddrell, or McGorman?—No.

188. Do you know Constable Nolan?—Yes. I have seen him since I came to Dunedin.

189. Is he a very good man, for all you know?—I know nothing against him.

190. Do you know Constables Coulahan, Cartmill, Smart, Stanley, Farmer, Wheelan, Hobson, or Joyce?—No.

191. Do you know Constable Pratt?—Yes.

192. Do you know Constables Bowden, Weatherley, or Mackay?—No.

193. I mentioned all these men as first-class constables, senior to you in the first-class rank; now, to carry out your idea, every one of these men has a similar complaint to yourself?—Yes. Well, if I do my duty as a constable I do not see why I should not do it as a sergeant. Perhaps they have more against them in their defaulters' sheets than I have.

194. You will admit that although a man may be a very good first-class constable he may not be a very good sergeant?—I never got a chance to try it, but I have known illiterate men made sergeants.

195. Do you think Inspector Pardy treats you fairly?—I have nothing against Inspector Pardy. I think he is a very just man, so far as I have seen him. I am not long under Inspector Pardy. I was under several Inspectors before him.

196. If Inspector Pardy did not think or did not recommend you for advance to the rank of sergeant you do not think it would be done because of any prejudice he has towards you?—I do not know that he is to blame—I cannot put the fault on any person, but I still think I have been unfairly treated.

197. You said, and you emphasized it, "I have come to the conclusion that there was no encouragement for me to do my duty"; and later you said, "It is utterly useless for me to do my duty"?—I said, "If I am utterly useless."

198. Then, you said there was no encouragement for you to do your duty?—I got disheartened—that is what I said.

199. Then, will you tell me why the Colony of New Zealand pays you £170 a year and gives you a free house, if that is not encouragement to do your duty?—I think I was unfairly treated. That is what I mean—that I have no encouragement to do my duty.

200. Do not you think the payment of £170 a year and a free house is encouragement to do some work?—I thought I was overlooked.

201. Then, you consider £170 a year and a free house is very little encouragement for a policeman to work and do his duty?—A lot of other men are getting more. I said to myself, If the department consider me utterly useless, why do they leave me so long in charge of a station.

202. Do you think you have justification in coming to the conclusion that the department considers you useless?—They would not keep me if they thought I was useless. I might have lost in profit by promotion from Winton, where I did not want promotion; but I applied for it at Cromwell because I could not lose anything by it there. I got very little "pickings" at Cromwell, as they are commonly called, and it cost me twice as much to live as it did down country. I would not have lost anything by getting promotion from Cromwell.

203. If you had remained in Winton, then, you would have been perfectly contented?—If the stripe had been given on trial I would have asked permission to refuse it.

204. And you would have preferred to remain at Winton?—Yes. Before I would have taken the stripe on trial I believe I would have preferred to remain at Winton.

205. Winton, taking it all round, is one of the most lucrative places in the Otago District?—It was pretty good when I was there.

206. How long were you at Winton?—A little over thirteen years.

207. Then you felt it was an injustice to you not to have been allowed to remain at a station—one of the very best stations in the province—for more than thirteen years? You thought it was an injustice to be removed, and to give another man an opportunity to get it?—Well, I was an old constable, hence I felt the injustice. If I had been changed to some other station down country I would not have thought I was badly treated, because I knew I was a long time at Winton, and I had a right to be changed after a certain number of years in the usual way; but if I had changed from Winton to some other place down country equally as good financially I would not have felt it.

208. Now, may I say, taking it roughly, that your payment and emoluments at Winton were equal to £250 a year?—It might be that. I could not say the exact amount.

209. And a free house?—Yes; in the police-station, of course.

210. If you had been removed to another station equally as good you never would have felt you had any cause to come before this Commission?—In all probability, if I had been removed to some place like Winton I would never have made a complaint before the Commission regarding promotion.

211. You held very many offices at Winton?—Yes.

212. Did these offices take up much of your time?—They all required a little time occasionally; but I had to work very hard occasionally to get through with the work. I remained in my office up to one o'clock in the morning to get through with important work.

213. What work?—To keep my books up to date.

214. Which books?—Police-books and Court-books.

215. How long did it take you to keep your police-books—probably half an hour a day to keep your police-books posted?—Well, it depended on the correspondence that was received. I had to copy circulars received into the circular-book, and district orders, and so on.

216. Would you get on an average one circular a month?—No; but there would be district orders to copy.

217. Would the district orders and circulars average one a month?—I cannot very well answer how many.

218. From your knowledge of police work?—Sometimes district orders come in pretty often.

219. Is it not a fact that probably you would go months without one to copy in?—It is probable I would go days and weeks without one.

220. Then, would the police books take more than half an hour to post up?—Some days they would take more.

221. Very little more?—I had a great deal of country work to do.

222. I want to get out from you if you were working very long hours in posting up your books, or in work consequent on the outside offices you held, and not the police work?—Some of it was.

223. The greater part of it?—Yes.

224. You had a very wide district at Winton?—Yes; pretty large.

225. A district which was all the better if it saw more of you?—That is a difficult question to answer; but I do not know they lost anything by not seeing me oftener.

226. What I mean to say is that, if you had been able to devote the whole of your time to police work instead of to these outside offices, you would have been able to get round your district much oftener than you did?—There is no doubt about that.

227. Can I take it, then, that the outside offices held by the police officers does act prejudicially to the Police Force?—When they have a great many offices they cannot attend to everything correctly.

228. And the first one to be neglected is police work?—I never neglected police work.

229. You cannot neglect your Clerk-of-Court work—that must be done?—No; the police work was to be done first. That was my order.

230. And you neglected your duties as Clerk of Court?—If I was not able to serve civil summonses within the proper time they had to lie over.

231. I asked you about your work as Clerk of Court?—When I would come in, at 7 and 8 o'clock at night, people would often be waiting for witnesses' subpoenas, and I used to go and issue them at once to oblige the people before I had my tea, because I had been away in the country all day, and they could not get me sooner. I gave them at all hours.

232. Did not your other offices very materially interfere with your police work?—If any crime was committed and required my attention as a constable I attended to the-crime first, and allowed the other work to stand over.

233. Suppose the Court was sitting?—If the Court was sitting I had to attend the Court.

234. And the crime would have to wait?—I do not know that anything was ever reported that required my immediate attention on Court days.

235. *The Chairman.*] How often did the Court sit?—Monthly, at Winton.

236. *Mr. Tunbridge.*] You were speaking about your defaulter's sheet. Will you refer to it?—It is as follows: "28th March, 1875: Neglect of duty in failing to render assistance to one William Lindsay, of Winton, who reported to the constable that some men were disturbing his household, and requested him (the constable) to visit the place; complaint not proven. 10th September, 1875: Disobedience of orders, viz., riding troop-horse Jack at too fast a pace, having been previously cautioned not to do so; fined one day's pay. 18th December, 1876: Wilful disobedience of orders in not proceeding to Lawrence by first train from Dunedin; fined one day's pay, and severely reprimanded."

237. You think that Mr. Pardy would be an impartial judge of your qualifications?—Well, I think Inspector Pardy has treated me fairly and justly since I came under him, and I look upon him as a just man, but I am not prepared to say he has kept promotion from me.

238. Then, if Mr. Pardy, when he was asked to recommend certain constables in his district, did not recommend you, you think he would do it honestly? You have no reason to think he did not act honestly?—Well, I think he should have recommended me.

239. You do not think that Inspector Pardy was actuated by any prejudice?—I make no charge against Inspector Pardy. I do not know whether he recommended me or not, but if he did not I think he should have done so.

240. *Colonel Hume.*] Would you be good enough to say who told you that you could not get on in the Force unless you have a couple of Cabinet Ministers at your back?—I cannot say who told me. It used to be remarked in conversation about the streets of Cromwell.

241. Is Cromwell a big place?—No.

242. Any very crowded streets?—No.

243. And yet you cannot remember who told you such a startling piece of news as that?—I do not remember, but I know it has been said by some of the people.

244. More than once?—It has been said once, any way.

245. Just tax your memory again and let us know who said it?—I cannot remember now who said it.

246. You are perfectly certain you cannot remember who said it?—No.

247. Are you perfectly certain anybody ever did say it?—I am satisfied it was said or I would not give it in my evidence. I was talking to many people both night and day, but I cannot remember who said it.

248. You have never stooped to any political influence?—No.

249. You would not do such a thing?—Never to my knowledge. I do not know whether anybody else looked for me. I never asked any one.

250. You entered the New Zealand service at the beginning of 1874?—Yes.

251. You got a station in 1877?—I went to Winton about the 1st November, 1877. I was transferred from Balclutha to it.

252. And then you got your advance to first-class, when?—In September, 1878, a year after I went to Winton.

253. When, without even one Minister at your back apparently, or any political influence of any shade or description you got your promotion in fairly due course, and you got charge of a sort of paradise?—I got very little promotion.

254. Then, without the slightest political influence of any sort you got your promotion, and you got what appears from your description to be one of the best stations in New Zealand?—Yes, Winton was a very good station. It was not promotion for me to be sent to the goldfields without the goldfields allowance.

255. Well, then, you got into what you consider to be one of the best stations in New Zealand, and were allowed to stay there thirteen years?—A little more.

256. And no political influence was brought to bear to allow you to stay there?—No. But some of my juniors had just as good stations, and these men got promoted over me. Lumsden is just as good a station.

257. Had you been allowed to stop at Winton for the rest of your natural life you would not have complained?—I would not have applied to take a stripe on trial at Winton because I knew a sergeant would not be kept there. If I was paid for the stripe, and paid lodging-allowance, I would not mind taking it, even at Winton.

258. You have seen a good deal of police service: do you think there ought to be periodical transfers of constables?—I think there should be.

259. When do you think a man should be removed—thirteen years is too soon—what is your idea of when he should be removed?—I think no man should be left more than ten years at the most at one station. I understand what shifting means. There is a great deal of trouble and expense attached to it. I know all about it. I had to call an auction sale at Cromwell, and had to part with my furniture for nearly nothing.

260. Then, in your idea, ten years should be the time a man should be allowed to remain in charge of a station?—I think so, in my opinion.

261. Then, you were shifted from Winton to Cromwell?—Unfortunately, I was.

262. Now, did you understand when you entered the Force that you were to have your choice of stations?—I understood distinctly I had no choice of stations. That is the reason I obeyed orders; and I may tell you a gentleman in Southland asked me, "Do you want to go to Cromwell?" I said, "Inspector Hickson was the best judge as to whether I ought to go or not." He said, "I have influence; if you want to go, or if you do not want to go, say so." I thought it was better than it turned out to be.

263. Can you remember the gentleman's name?—Mr. Roche, of Invercargill.

264. Now, you are at St. Clair?—Yes.

265. What sort of a station is that?—It is a good house, apparently, but I cannot say much about it because I am a short time there.

266. Is the duty very hard?—Not, so far.

267. Now, is not St. Clair one of the best stations we have got?—It seems to be a healthy place by the sea.

268. A good house?—Yes.

269. And very little duty?—I have not complained about the house, and St. Clair, so far.

270. In fact, a good many constables would like to be there?—I cannot say.

271. How many Ministers at your back to get to St. Clair?—None, so far as I know. I asked none.

272. Then, altogether, you seem to have had a very fortunate career, barring this Cromwell business, with no political influence whatsoever?—No; I think I have been overlooked in promotion of sergeants. Some of my comrades with equally as good stations as mine have been promoted over my head.

273. But you did not do your ten years in Cromwell?—No.

274. Are there no perquisites at St. Clair?—None, so far as I know; but living is a little cheaper than at Cromwell.

275. *Mr. Tunbridge.*] You applied to me to be sent near to Dunedin for the benefit of your children?—Yes.

276. And did I accede to your request?—Yes.

277. That will show we have no prejudice towards you?—I did not accuse any one of having a prejudice against me.

278. *Colonel Pitt.*] Would you sooner have remained at Winton or have been made a sergeant and removed from there?—I would rather have remained at Winton, than take the stripes on trial as they used to be given.

279. Would you take a sergeant's rank?—I would have taken it when I was at Winton—namely, with sergeant's pay and lodging-allowance, because I knew I had to commence somewhere if I wanted to get on.

280. *Mr. Taylor.*] You say you were asked to dig the Inspector's garden some years ago in Dunedin?—No, it was at Lawrence, under Inspector Thompson.

281. You were told to dig his garden?—I was asked by Sergeant Titchener, who is now dead. He came in with a smile, and said, "We are all to dig in the Inspector's garden to-day."

282. Did you dig it?—No, I did not. I knew I could not be forced by the regulations, and I said, No; and soon after that I got fined for changing the saddle on a horse.

283. Did some of the other men go in?—Yes, some of them did, and they did not get fined.

284. You mentioned the name of a man named Roche, at Invercargill, who offered to get political influence for you?—Yes.

285. What was he?—A storekeeper.

286. What reason had you to think that he meant political influence?—Well, I suspected he did.

287. Was he a politician?—He has been mayor of Invercargill, and he was a Justice of the Peace. He is a very respectable man.

FREDERICK MALLARD examined on oath.

228. *The Chairman.*] You held at one time the office of Inspector of Police?—I was Inspector in charge of the Dunedin district for seven or eight years. Of course, I have to tax my memory a little, as it was seventeen or eighteen years ago since I left the service. I was eighteen years in the Otago police altogether. I came down here from Victoria in the beginning of 1863. Mr. Branigan sent for me. Then, I think, I was seven years in Port Chalmers; then I had charge of the Tokomairiro district; and then I had charge of the Tuapeka district; and then I was transferred down to Dunedin, in 1871, and I left in the year 1880.

289. Will you kindly give us the benefit of your experience that you acquired during these years?—Of course, I wish to say at the outset that I have no feeling in any way. I am an old police-officer, and therefore in anything I may say my sympathies are absolutely with the Force. I know what we have all had to contend with. I see I have got down here in my note "First, police organization." May I frankly and openly give my opinion? I may say this, that after a large number of years—twenty-two years' police experience, and studying the matter carefully, and having had a desire to be ambitious enough to command the Force, I say at the outset a man may be an excellent police-officer and yet be incapable of organizing. Captain McMahon, of Victoria, organized a splendid Police Force there, and he had never done a day's police work in his life. But he was a trained disciplinarian, and he put that service into splendid shape. I may now assume for the nonce that I was organizing a Police Force. I should call my Inspectors around me, and I should implicitly make these men understand that I held them in the first instance responsible for the order and good government in their respective districts, that they must be responsible through me. I will guide and direct, but they must accept responsibility. Once having done that, the Inspectors, of course, would retire to their respective districts conscious of their responsibility. They would then be supplied with a certain number of sergeants and constables to carry out their respective duties. That having been done, the Inspector would then become a little Commissioner, as it were, in his own district. I may say that the Commissioner in my opinion should be a man of firm determination of character, a strict disciplinarian, and thoroughly impartial, and the men should know him intimately. Then the Inspectors, of course, would take their cue from the Commissioner; the sergeants again would take their cue from the Inspectors, and the constables would take their cue from the sergeants. Now, I hold that the sergeants are the mainstay of the Police Force, and upon them depends greatly the satisfactory working of the service. The Inspector should be a man equal to the occasion, or he should not aspire to be one. He should, in my opinion, live at that time just the same as if he were living in a glass-house with everybody's hand against him. Needless to say his qualifications should be equal to the work he has to perform, and they are multitudinous, as every one knows. In my opinion, if a man aspires to the office he should be competent to do the work. If he is not competent, of course he will have to be removed, or should be. I speak with some authority on this matter, because the late Mr. Weldon and myself found ourselves one night without any police at all in the city. Mark you, that was the year of the public-works policy, and they all struck, so two or three of us had to work night and day. Of course, Sergeant-major Bevin and two or three others stuck to us, and we had to organize the Force; so I have had some experience. They sent some of the Armed Constabulary down. That was in the year 1871 or 1872. However, we organized upon that basis. Of course, that will come under the head of promotions. Once a man is promoted to the rank of sergeant, then, of course, that man is a rising unit until he gets up perhaps to be an Inspector, or something of that kind. Well, I suppose recruiting would come under the head of "organization." Now, my experience has been this: that the best men we ever

had were taken from the plough-tail—that is, men we trained ourselves, and were men from the agricultural classes. These men, in my opinion, should not exceed twenty-five years of age at the outside. I defy you to break a man into discipline after twenty-two. I have been brought up in the navy, and I have been schooled in discipline, as it were, since I was ten years of age. Well, then, of course I am not going into the question of training, and a depot, and all that sort of thing.

290. How would you train them?—I would have them put in a central depot, as in Wellington, and I should take them on on probation, not as constables—that is absurd—but on probation for three or six months, to see whether their adaptability is such as to make constables of them. During the time they were in the depot, of course, I would have them drilled, and teach them, above all, to keep themselves clean, and strict and so forth in their work, and I would have them further, if possible, nearly all natives of New Zealand. I would give them the best chance. I would have a Board, consisting of the Commissioner, the head of the department, and probably some other gentleman—Colonel Hume, or some one from the gaol. Well, then, after a time they could have a look at these men, and have a talk with them, and see if they knew everything about their work, and then they should select the best men as permanent constables, and the other ones should go about their business. Then, of course, they would be drafted in the ordinary way to districts to do their ordinary police duty. Well, now, as to the general organization, distribution, and control of the Force: For the control I should say a Board—decidedly a Board.

291. *Colonel Pitt.*] Do you mean the general control of the department?—No, but I would have no objection that dismissals and serious breaches of discipline should be referred to the Board.

292. What about the Commissioner, then?—The men may not have sufficient confidence in one man. Of course, I would not deprive a man of the right to petition. I would not take Ministerial control away from the Force. Of course, the Commissioner must report to the Ministerial head of the department from time to time, and of course all recommendations for promotions, I suppose, would be submitted to the Minister for his sanction.

293. And would you make decisions of the Board subject to Ministerial control?—I certainly would. I would not let a Board be absolute. The Minister should have the control. Of course, I am assuming that the absolute primary essential of an organized Police Force is to keep it free from political influence, which, of course, has been its ruin. When I say ruin, everybody wires to members of Parliament and to Ministers on one thing and another. Now, at this point I should like to say this, that from what I have seen of Colonel Hume, and from what I know of Colonel Hume, he is an excellent organizer. He has been in the past, generally. When he came out here our gaols were in a terrible mess, but he licked them into shape any way. When he took charge of the police he had a difficult duty before him, the same as Mr. Tunbridge has to face. It is not at all a bed of roses, and if Colonel Hume had been left alone I do not think he would have got into this mess. Of course, you must understand that I am speaking now as an out-and-out disciplinarian.

294. Can you give us any reason for thinking that political influence has been detrimental to the police?—My reason is this: it has been operating ever since the General Government took over charge of the provinces, and it has become intensified of late. Of course, I cannot go about with my eyes shut or with plugs in my ears; not only constables but sergeants, in many instances, have gone over the heads of their superiors and bring about this bane that any disciplinarian detests—this political influence is brought to bear, and then the executive officer becomes a mere nonentity. Of course, I would never refuse any man the right to appeal from one tribunal to another, and, of course, that has been the trouble. I say again that Colonel Hume is a capital organizer, but then these confounded politics came in and ruined everything.

295. Can you give us any instances that have come under your knowledge, on which you have founded this opinion of men going over the heads of their seniors?—You see, I cannot give you this. I presume from the position I have held, and the position I have subsequently held, managing an insurance company, that I am not colouring. I am not in the habit of colouring. I am a mathematician, and I state what is fair.

296. You are not prepared to give us facts on which you founded this opinion?—How can I give you the facts?

297. *Colonel Pitt.*] You said if Colonel Hume had been left alone things probably would have been different: left alone by whom?—What I saw in the papers, when Colonel Hume was under examination in Wellington. I read that men were recommended for promotion to the Minister. Colonel Hume could not go over the head of the Minister.

298. Did you infer, then, that if he had been left alone by the Minister?—I inferred that if Colonel Hume had been left alone by the Minister, or by the Cabinet. I say this thing has been going on for years and years, ever since I left the service. In point of fact, I had to leave the service through political influence. Juniors were kept.

299. Then, you said you would not take away Ministerial influence?—Certainly not. Any civilian who has any sense would not go behind his executive officers in controlling the Force. I say again, Colonel Hume has simply been made the scapegoat of this Commission. The point is this: Colonel Hume has to answer for the sins of others.

300. Do you make a distinction between political influence and Ministerial control?—Well, of course, you see, the Minister of the day has to do almost absolutely what his party wants him to do. It does not matter which side of politics are in; politics is just a game, like the beautiful “ins and outs,” and you want the Police Force to be run on the “ins and outs.” And that is what has been ruining the Force.

301. Then, you say political influence is brought to bear on the Minister?—I assume it was, from what I hear.

302. *The Chairman.*] Then, with regard to promotion, what would you suggest to us?—Now, you come to a very serious point. Of course, I assume you are not going to admit a man into the Police Force unless he can write a decent hand.

303. We will assume he passes the national standard?—Quite so. If men aspire to the rank of sergeant, they should pass something like a decent examination. A set of questions should be formulated by the Commissioner, or Board, if they have a Board sitting with the Commissioner. I would examine him in the ordinary police law, and as regards controlling the men. Of course, no man can command others unless he has been a commander of himself.

304. In regard to the classes: what is your idea as to the existence of classes?—I have not given that any thought. I have been seventeen years out of the Force, and I would rather not give any answer. However, I would have first, second, and third classes. In Victoria we used to call the men with one stripe senior constables. I would not do away with that.

305. Now, with regard to constables: would you have the various classes of constables, and make their pay according to their class, or according to their years of service?—I think I should make their pay according to their length of service, provided they behaved themselves. That is, however, a matter of detail once you get your men licked into shape.

306. We have to inquire as to whether their pay should be according to class, or according to length of service?—We used to pay them according to length of service.

307. Then, you had only one class of constable?—We paid them after so many years. We had a long-service pay.

308. You are not, perhaps, prepared to express an opinion on that?—I would rather not. I should like to say that, when the names are submitted, I think, other things being equal, certainly, that seniority should count. Some men would never make sergeants, just the same as some sergeants would never make officers, and yet they all think they are competent to do it. Then, of course, we come to the promotions from sergeant's rank to Inspector. Well, then, again, with all due deference, I think the sergeants should undergo some kind of examination before they are appointed Inspectors. You see, of course, that Inspectors have terrible responsibilities. I many a time almost shudder at the responsibility an Inspector has got with the thousands of temptations open to him. Then, again, in this case I also think, other things being equal, seniority should weigh somewhat for promotions to Inspector's rank. Here you are faced again with this question. I have had fellows who were capital sergeants, but I certainly should not have recommended them to be made officers. Then they kicked up a row, and that is where the trouble comes in.

309. This personal fitness is an element which should be taken into account in promotion?—Yes; personal fitness, coupled with seniority. Now, I hold that once a man is an Inspector he should always consider himself on duty, and that quarters should be provided for him adjacent to the police-station. I am speaking of myself now, and am looking back at my career. I had quarters at the station, and my standing orders were, "Call me half a dozen times, but keep things right." The public always want to jump on you, and you have to be continually watching. If you go to Canterbury, you will find that Mr. Shearman made good provision for police quarters. A house should be built for the Inspector near the station, and, in order to make his duties as light as possible, he should have a month or a couple of months' leave during the year, and there should be an extra supernumerary officer in Wellington, under the immediate eye of the Commissioner, and let that officer be a relieving officer to go round all the districts. Then the Commissioner himself would be in touch, through this confidential subordinate officer, and would know all that was going on in the districts, and the Inspectors themselves could get their month or six weeks' leave or whatever it was. I would, further, have two first-class sergeants in every centre in New Zealand. Of course, you must bear in mind that my experience is of Otago, and when Mr. Weldon had charge of the Middle Island; and when he was away, I had charge of the Middle Island too. I would have two first-class sergeants in each centre, independent of what is called the ordinary section sergeant. I would have a first-class sergeant to go on at 9 o'clock in the morning, and to remain on till 9 at night. Then, independent of the ordinary sectional sergeant, I would have a first-class sergeant to go on duty at 9 at night, and to be available for any call that may be made by the general public or any one else, and responsible for the prisoners, and to go out occasionally and inspect the night-duty sections. Of course, a night-duty sergeant, or any man who has done eight hours duty, has quite enough to do, if he makes his three or four visits through the night to his men. Of course, here again I will have to interject, and say, Of course, the country will have to pay for it. Now, I will explain why I want these sergeants. As I said before, I am a disciplinarian. The police are only human, but they are only human to the extent that every other member of the community is human; and of all the things in the world never educate your police to be censors of morality. Every one knows that police government in any shape is atrocious, but I like police work when it is carried out properly. The reason for a second sergeant at night is this: A constable may bring a charge into the station, and the watchkeeper is only a constable the same as himself. He does not like to refuse the charge, and he has some doubts as to whether the charge is a proper one to enter. Then, there should be this sergeant to appeal to. In just the same way, if the sergeant in charge of the night-duty section should unfortunately find one of his men has taken a little more than he should have taken—and mark you, I would not punish a man too much for that, because some of the best men in the service take a glass of grog occasionally—that sergeant should take the man to some one superior to himself, and not to a constable. That is why I should like to see a sergeant take charge at night as a superior officer. Now, there is one thing I should like to impress on the Commission, and that is the absolute necessity for Inspectors especially,—and I dwell on the Inspectors because they are the real men who must work their districts properly,—and all members of the Force, cultivating judicial minds, with educated discretion; and, further, when enforcing the law and maintaining discipline throughout the service, to show no signs of partisanship. Some Inspectors in the past have shown partisanship, and that is one of the main things, of course, that you have to guard against. I will tell you what I did when I came down from the country. I had been stationed up country for some time, and I took charge here. Well, I took charge, and for two or three nights I went on night duty myself. Now, I said, "I am going to work this beat with you for two or three

hours," and then I worked the beat to see how the constable did his work, and to see that he was competent to work his beat. I do not know that I would ask the members of the Commission to put in a whole night on street duty. Now, I am coming to compulsory retirement. Compulsory retirement, of course, is a very sore point, but I also want to see promotion for the young fellows. There was never a man born yet but that you could get his equal. Now, I would certainly have compulsory retirement of officers at sixty or sixty-five years of age at the outside. That would give an opportunity of promotion to the rank of Inspector; and I would have sergeants and constables retire at sixty certainly. That would give promotions again by keeping the ranks open. I suppose now—I really do not know the ages—but you must have men in your service nearly eighty. I would certainly insist on compulsory retirement. I know it is a very sore point. Now, the next thing I have got on my notes is "Reasons for the present disorganization." Well, I have already alluded to that before; and I can only repeat that, from what I have seen of Colonel Hume, had he been left alone the thing would have gone on all right. Now, with regard to pensions, no man is more desirous of seeing the police getting a pension than I am; but if you sit round this table and formulate a scheme you will find you cannot formulate a scheme without going to Parliament for the money, and Parliament is dead against pensions. Then, once you introduce pensions to the police, what will Colonel Hume's men say in the gaols? I say that the dreary work in the gaols of watching is worse than police work. I have done gaol work myself, and I know what it is. Then, the gaols will want a pension, and Parliament will say you shall not have it. In New South Wales at the present time they will soon have to face a very great difficulty; their pension fund is running short, and they cannot keep it up without going to Parliament, and I am very anxious to see how they will get on. I do not see how you are going to give a pension.

310. Would you recommend them to pay for their own pension by a deduction from their salary?—That is the only way I can see; but you will find the country is dead against pensions. We should all like them.

311. *Colonel Pitt.*] About the appointment of Sub-Inspectors—are you in favour of having Sub-Inspectors in the districts as well as Inspectors?—I do not think you want them. It would be too expensive. It is the expense to an extent that influences me, though the districts are very large. Still, you have got a first-class sergeant.

312. How long would you leave an Inspector in charge of a district before you transferred him to another?—Now, I do not think I am a great advocate for removing men unless there is an absolute necessity for it. The Inspector, of course, must be the judge, and he must report to his commanding officer, the Commissioner; but some men are absolutely unfitted for one station and capably fitted for another. I think Inspectors should be shifted quicker and oftener than sergeants and constables, for this reason: they would each then get a grip of the duty of the colony.

313. How long would you leave a man in one district?—Only five years. I think that is quite long enough. It is impossible to lay down a general rule so far as the men are concerned. In reference to the Detective Department, I do not approve of your having chief detectives. I think they should be detective sergeants, and then they would be liable for promotion to the rank of Inspector, and absolutely—mark you—under the control of the Inspector. The chief detective assumes that he is more than the first-class sergeant. Of course, when a man gets into plain clothes all he has to do is to hold his tongue. One of the first questions I used to ask a man when he applied to be a detective was, could he hold his tongue. A detective must know how to hold his tongue.

SATURDAY, 19TH MARCH, 1898.

WILLIAM STONE PARDY: Examination on oath continued.

Inspector Pardy: I wish, Sir, to refer to a portion of my evidence. As reported in last night's *Dunedin Star*, I see it conveys a meaning which I never intended it should, and as it appears it makes me do a great wrong to a respectable body of men—the detectives—the way my evidence reads; it says they are a bad lot.

1. *Colonel Pitt.*—You said that in Taranaki they were a bad lot?—I said I would not have a detective in Taranaki, because they were a bad lot. There I stopped. I was going to mention the names of certain members of the Detective Force; but I left it at that, and went on to speak about something else.

2. You said, "I would not have a detective when I was in Taranaki, because they were such a queer lot"?—I referred then to certain members, not to the whole body. I referred to a few men. Of course the detectives would feel very much aggrieved, and justly so, if it remained as it is. The "queer lot" I referred to consisted of about three members of the Detective Force.

3. Were they members of the Detective Force then?—Yes, at that time. That referred to three members only, and I was afraid I would have one of them sent to me. As regards the general body of detectives—of course those men I referred to are now out of the Force, fortunately—they are an honest respectable body of men. As regards my own detectives in this district, they are efficient, honest, and energetic men, and I have the highest respect for them. Being in daily contact with them, I have every opportunity of judging. In regard to Constable Aitcheson's fine being remitted, I saw an account of it in the Press. I was the Inspector who inflicted the fine. Shortly before I inflicted this fine Constable Aitcheson had been guilty of a similar offence.

4. *The Chairman.*] What was it?—On the first occasion I cautioned him, and told him if he committed the offence again I should have to fine him. That offence I did not enter in the defaulter's sheet. I was not unduly severe on the man. They were not aware in Wellington of the

first offence, as it was not entered in the defaulter's sheet. On each occasion it was a wilful offence, and it was not through any mistake. It would appear from the report in the papers that I had acted tyrannically, whereas I did not. I have never acted tyrannically towards any of my men. I have always treated them with the greatest kindness.

5. *Mr. Taylor.*] I understood you to say yesterday that there were no legal brothels in Dunedin?—Not to my knowledge. If there was one, I should soon take action.

6. What is the limit of your power with regard to interfering with children, young people?—As to children under fifteen, if we find them uncared for, no one to look after them, or if we find them living with drunkards—that is, common drunkards, not drunken parents, but persons who are common drunkards, persons guilty of habitual drunkenness—or people of loose morals, otherwise prostitutes, or thieves—in these cases it is the duty of the police to bring the children before the Stipendiary Magistrate, and request him to commit them to an industrial school.

7. Can you interfere with children over fifteen?—Only as vagrants, if they have no visible means of support, and that is where the great difficulty of the police comes in.

8. If you found them soliciting prostitution you could interfere, of course?—Well, I should certainly do it. If they were known, I should not arrest but summons them. Except for serious offences, and especially young people, we do not arrest them if we can reach them by summons.

9. What is the duty of your police-officers and your detective officers in regard to houses of ill-fame?—It is their duty to keep them under surveillance, and if anything arises in the nature of an offence, it is their duty to promptly report it to me.

10. Do you keep a record of the locality of these houses?—Well, no, because they are so continually shifted about; but I have a list made out every year as to the number of known prostitutes.

11. Have you a female searcher at the station?—Yes.

12. What are her duties?—Her duties are to search all female prisoners brought in.

13. How many female prisoners do you think in the year pass through your station?—Not a great number of cases. We proceed by summons where we possibly can.

14. How many do you think—are there fifty?—I dare say there would. A great number of them would be over and over again. It would not be fifty separate people.

15. I suppose you could get a record as to how many people she searches in the year?—Yes.

16. Before this woman was appointed, female prisoners were searched by one of the officers?—Oh, no.

17. Whom were they searched by?—A woman was hired specially. She was paid 5s. for searching each individual prisoner.

18. Did one woman perform the duty right along?—Occasionally we had to call in another. Perhaps the one woman would not be available.

19. None of the constables' wives live on the police premises?—No.

20. What are her other duties in addition to being female searcher?—She has to take entire charge of all female prisoners who are brought in. She searches them and locks them up, and she keeps the keys unless she is going away. That is, of course, very seldom—perhaps a short time of an evening. She then, of course, leaves the keys with the lockup keeper in case of any accident happening to the prisoner; but it is very little she is away.

21. Does she live on the premises?—Oh, yes. She has got a furnished room to herself.

22. Any family?—One little girl about ten or twelve.

23. What other duties has she?—She is Inspector under the Infant Life Protection Act.

24. Are there not two children younger than the ones referred to at Mrs. Desarthe's—two children, six or seven years of age, not her own children?—No; not to my knowledge.

25. Have you the report that was produced yesterday?—I see in this report she has two children, five and six years old—A. W. Desarthe and D. M. Desarthe.

26. These children would not be reported upon by your Inspector?—No.

27. Have not the two girls referred to been before the Court?—I do not think it. I have no recollection of it. On the 13th November I gave instructions to the chief detective to this effect: "Please have this house, also the girls, kept under surveillance so as to see how they get their living."

28. If a constable was possessed of knowledge that prostitutes to the number of four and five were frequenting a certain house, would it be his duty to report it to you?—Certainly. It would be his duty to report it to me, and it would be my duty to prosecute under the Police Offences Act.

29. Do you remember a prosecution that took place very soon after you came here—the first prosecution under the Criminal Code Act?—Yes.

30. What was the person's name?—I forget her name.

31. Sheary?—Sheary was the name of her hanger-on.

32. Did you have a report on that house by any of your officers?—I must have had reports, because I prosecuted.

33. Can you remember whether that particular house was referred to as being a brothel of a respectable class?—No. I could not say that.

34. In connection with the return just produced of offences in the Clutha?—It is Exhibit No. 25 I suppose you refer to—a return of all crimes in the Clutha district from the 1st January, 1890, to the 31st December, 1893; and Exhibit No. 24, showing all crimes in the Clutha district from the 1st January, 1894, to the 31st December, 1897.

35. In connection with that return, No. 24: licenses were in force six months of that period were they not?—Yes.

36. *Colonel Pitt*: Which period?—The second period.

37. *Mr. Taylor*: These returns show a considerable falling-off in the total number of arrests in the latter period?—In the first period there were 347 for the three years, and in the second

period the total was 238. That gives a reduction of 109. In the first period the licenses were in force the whole time, and for six months of the second period.

38. I understand you to say you had no reports as to the existence of any tote-shops in Dunedin from your men?—No, I have not.

39. You do not know of any?—I do not.

40. If there were any to your knowledge you would have prosecuted?—Oh, certainly.

41. You discovered the one in which you prosecuted a short time ago yourself?—Yes.

JOHN ANDREW MILLAR, M.H.R., examined on oath.

Mr. J. A. Millar : I do not desire to take up the time of the Commission, nor would I have appeared before it were it not for a report of the proceedings of the Commission which appeared in the *Otago Daily Times* of Friday, 18th March, giving the evidence of Inspector Pardy. I propose to quote the extracts I wish to refer to. The first is as follows :—

The great cause of discontent in the Force was the continuous political interference of members of Parliament. If they would let the Force alone, and leave officers to conduct it, he thought there would be very little cause of complaint.

This is the first statement made. Then, further on in his evidence he says, in reply to Colonel Pitt :—

Political influence affecting the Force had existed to a large extent, but recently he had not seen so much of it. Men had thrown it in his face that they could overrule him and the Commissioner too.

Then, further on, in reply to Mr. Taylor, he says :—

Mr. Taylor.] When was there less political influence?—Under Captain Russell there was little political influence exerted.

Then, it must have got worse since his retirement?—There is no question about that ; it has been worse.

During the last six months it has been dying out?—Well, I have not seen so many signs of it. When an order has been given it has been obeyed. Naturally enough, men will be insubordinate when they know there is a power behind the throne. If men know they can get a member of Parliament to oppose anything an Inspector or Commissioner suggests, naturally they will do it. That has been done repeatedly, and I cannot help saying it.

I say that this statement, so far as I am concerned, is absolutely incorrect—that I never interfered in the case of a single individual member of the Police Force with the exception of Constable Mayne. As to that constable, I went to Inspector Hume, or wrote to him, and asked that, after twenty years' service in the Force the man desired to be put on plain-clothes duty, to see whether he was fit for a detective. I put the case before Colonel Hume, and asked him—seeing the man considered he had a grievance, and I thought myself he had a grievance from the evidence I had before me—I asked him if it was not possible to put him on as a plain-clothes constable. I had nothing to do with putting him on as Court orderly, and I have never interfered with any individual policeman with that exception since I have been a member for the district. I have on two occasions interviewed the Commissioner about matters affecting the Force as a whole : once as to promotion. I considered promotion had been very unfair, and I quoted several cases of men who had been twelve and thirteen years in the Force, and who were still third-class constables. The Commissioner, Colonel Hume, who is present, can bear me out in that. Another complaint was a habit which had grown up amongst Inspectors, where men committed an offence—say, if a man had been only half an hour out of barracks beyond the proper time at night, and reprimanded by the Inspector for being absent—the Inspector would say, “Do not let this happen again.” Naturally the man would think it was all over ; and, judge of his surprise, six or seven years after, when applying for promotion or transfer, to find this item on the defaulter's sheet that the man never knew existed. I brought this also under the attention of Colonel Hume, with the result that a circular was immediately issued to every Inspector notifying him that when an entry was made in a man's defaulter's sheet that entry had to be read to him immediately. With those two exceptions I have never interfered with the Force, and, so far as individuals are concerned, with the exception of applying to the Commissioner in the case of Mayne to put him on plain-clothes duty, I have never exercised one iota of influence to the best of my knowledge and belief in any shape or form. You can see, on a statement like this going out broadcast, the natural inference, and the inference which has been made by people in Dunedin, is that organization of the Police Force is completely broken up through this political interference which Inspector Pardy has stated existed. I think he ought to weigh his words carefully. I have been five years in Dunedin, and the Inspector seven years, and I say, so far as I am concerned, these are the only cases in which I have made representations with regard to the Police Force. If the Inspector can show to the Commission that I have interfered in any shape or form otherwise I ask him to do it, or else clear me of this imputation. The reason why it narrows down to ourselves is this : he says distinctly here that during the last six months this political influence has not existed to the same extent, and the reason for coming to that conclusion, according to this evidence, is because the men have obeyed instructions. The only inference to be taken from this is that prior to the last six months the men have not obeyed instructions, owing to this political influence or interference ; and that is the impression that is going abroad, and it puts members in a false position, and especially myself.

42. *The Chairman.*] So far as you are concerned, you have not used your political influence for the purpose of promoting any individual member of the Force, except in the case of Mayne, whom you wish to be given a trial in plain clothes?—That is the only case. Colonel Hume is present, and he can state whether that is so or not. To the best of my knowledge and belief, that is the only thing so far as any individual member of the Police Force is concerned. And then there are the other two matters, affecting the Force as a whole.

43. *Inspector Pardy.*] Are you aware—of course, I do not suppose you are—that I have felt political influence interfering with my men outside of Otago ; that is, influence brought to bear through men applying to their friends to work political influence—are you aware that I have felt that influence more so from members outside the Otago District than from members of this district?—I am not

aware of that. I am only speaking in regard to myself. I am one of those who are under this accusation of having assisted to disorganize the Police Force through political influence.

44. Are you aware that in giving that evidence I scarcely had you in my mind?—No, I am not.

45. The men in my district come from different parts of the colony, and are you not aware that if they had political influence they would exert it from the place where they came from—through their relatives and friends?—Of course I cannot say.

46. Are you aware that I myself have never put a charge in a defaulter's sheet against a constable without first acquainting him with the fact that I was going to do it?—I am not aware of that. When I brought this under the attention of Colonel Hume—the time could be easily fixed too by that fact—within a week or so of my having brought it under his notice he told me a circular was issued giving instructions to that effect.

47. *Colonel Hume.*] Your object in speaking to me, and writing about Constable Mayne, was that you thought he had not been very well treated, was it not?—Yes.

48. In fact, you thought that either I or somebody else in authority had a bit of a "down" on him?—I did. I thought the man had not received justice for the time he had been there, and therefore I deemed it my duty as his representative to bring it under your notice.

49. *Mr. Taylor.*] Did you look at Mayne's papers at all?—I had a pretty general knowledge of the man's whole career in the Force. I had no access to the official papers.

50. Do you know what Mr. Carew said in concluding his judgment in connection with an inquiry that was made into a charge against Mayne?—He said either that Mayne had neglected his duty or he was not capable of understanding an order.

51. Did he not say that the man was lacking in intelligence or regardless of the truth?—As far as I remember, he said he was either lacking in intelligence to receive an order—yes, I believe that is it—or that he was telling an untruth. Well, it was one man's word against the other.

52. *The Chairman.*] How long ago is that?—This was in 1883, I think. He joined the Force in 1877 or 1878, as far as I can remember—the Mounted Constabulary. Upon two occasions when there was a reduction of men he had been reduced. He had risen to be a second-class constable, and then he was also in charge of a station at a time when an order was given that officers in charge of stations were to be promoted to second-class constables; but he was a single man, and consequently was transferred from that station.

53. *Mr. Taylor.*] Whom did you write to in connection with this matter?—Colonel Hume, as far as I remember.

54. Did you write to the Minister of Defence?—I did later on.

55. Did you get a reply from him?—I do not know whether I had a letter in reply. I had a verbal statement from Colonel Hume that, according to Inspector Pardy's report, he was not suitable for plain-clothes duty. As against that, I had evidence that Inspector Hickson had recommended him for plain-clothes duty some years ago.

56. After, you must have written to the Minister of Defence?—I fancy so. I went right through with the thing. I thought an injustice had been done, and I took the case right through.

57. Do you think the Minister of Defence is as capable of judging the merits of a case like this as the Commissioner and Inspector?—It is quite possible, because there may be such a case as I have known myself, where an Inspector may take a prejudice against a man—have a "down" on him: the Commissioner will be guided by the report of his officer underneath him. Perhaps the Commissioner will not care to have friction with his Inspector. If you go to the Minister, who is absolutely independent, and place the true facts of the case before him, he may see the matter without the prejudice that exists in the case of the Inspector. That is why I say in some cases a Minister is quite qualified to judge.

58. You think a Minister will be absolutely independent?—I suppose he would be as absolutely independent as the Inspector, and more so, as in the case I have stated.

59. You said you knew of cases where men who had been third-class constables for twelve or fourteen years. I think it would be distinctly to the advantage of the Commission if you named some of them?—Hastie was one. He was thirteen years a third-class constable. Martin, I think it was, was the next. Both these men have been promoted some time ago. Several instances of injustice have been rectified since; but what I pointed out was that there were men with only half the service who had been promoted years ago.

60. You have known of a case where an officer in charge of a station had been ordered for transfer and refused to go?—No, I cannot say I do.

61. Supposing I mention the place of Lawrence, would that not recall it to your mind?—No.

62. Do you remember a reform association being formed here by Mr. Saunders and another, some years ago?—Yes.

63. Did you supply that with information as to the condition of the Police Force?—I supplied them with no information. I said I had information. They wanted information. I declined to give it, because the information I had was private. They wrote to me for it afterwards.

64. Did you tell them the Police Force was in a very bad way?—I said great dissatisfaction existed amongst the men in regard to promotion. I told them I knew of instances to my own certain knowledge of men being promoted who should not have been promoted. According to the evidence given to me, these men had been guilty over and over again of gross dereliction of duty as well as breaches of the regulations, while other men who had been honestly doing their duty for years and years were still in the same position, and I certainly thought the thing ought to be rectified. I endeavoured to rectify it, by bringing it under the notice of the Commissioner.

65. Did you not say the very first thing you would do when in the House would be to ask for a Commission of inquiry into the Police Force?—I did not say that.

66. You had no intention of asking for a Commission?—I will not say that. I had an intention when I went into the House to get wrongs rectified.

67. Did you get them rectified?—I got a certain portion of them rectified. I have just mentioned one, with regard to the injustice done to the men in entering charges in their defaulters' sheets without their knowledge. Colonel Hume said he was not aware of such a thing—if it existed it was wrong, and he would immediately issue instructions that it should cease.

68. Did Colonel Hume say he was aware of it?—As far as my memory goes, he said he was not aware of it; and the proof that he was unaware of it was shown by the issue of a circular stopping it within a week.

69. Five years ago, or thereabouts, did you have access to the men's defaulters' sheets?—No.

70. You did not have access to the defaulters' sheets?—No.

71. Never saw any documents relating to the men's conduct?—Never saw any documents relating to the men's conduct—got information: never saw the documents.

72. As a man always going about these people, do you think there is any disorganization amongst the police in this colony?—I think there has been a lot of dissatisfaction existing amongst the police themselves in regard to the whole of the conditions under which they work. The pay is small, the promotion has been very, very slow, and there is nothing to look forward to. In New South Wales they have a pension fund. It is made up of fines and rewards that otherwise go to the police, and other things, so that if a man gets a certain position there in the execution of his duty, or after he gets to a certain age, he has something to look forward to and something to depend upon. As far as I can gather from communications which I have had from men round the district, they all seem to think there ought to be a pension system, and a better system of promotion—more systematic. Those are the main grievances that I have found amongst the men.

73. Your knowledge of details is almost confined to Otago as far as grievances are concerned?—Well, pretty well. I believe the same thing exists in Canterbury. So far as promotion is concerned, I know from certain information there were cases there similar to those in Otago.

74. *The Chairman.*] The state of things you refer to relates to a period of how long ago?—Well, you see, I have been in the House five years, and it might be four years ago when I brought the matter first under the attention of Colonel Hume, or it might be twelve months ago. Some I brought up four years ago, and if I heard of anything wrong I have dropped in when in Wellington, and asked him if he could not remedy it.

75. You have at various times brought these matters under the notice of the Commissioner?—I should say about three or four times, with the result that some grievances have been remedied. Of course, you know it is impossible for every Commissioner of Police to promote a man immediately. It takes time.

76. *Mr. Tunbridge.*] You are pretty familiar with the scale of wages here?—Yes.

77. I would like to get your opinion as to what you consider would be a fair wage to give a constable, taking into consideration the fact that a man has to live wherever he is told, and that his wife is not allowed to carry on business or anything of the kind?—I think, considering the nature of the work, 7s. 6d. per day ought to be the minimum. I consider that low; and that is with this provision—that the uniforms are free. I think the very lowest a man could be expected to live upon is £2 5s. a week.

78. Would you think, in addition to that, married men should be allowed anything for lodgings?—I think that ought to be done when they are compelled to live close, as they are, to the station, in the towns where rents are high. I think there ought to be an allowance in that case. Single men, of course, living in barracks, can manage.

79. What I wish to get from you is this: that men who have to provide their own quarters should be allowed something towards it?—Yes.

79A. And you say 7s. 6d. should be the minimum. What do you think would be a fair maximum for a constable?—That is, first-class?

80. Yes?—9s. 6d. to 10s. per day. That would give a 1s. rise for each grade.

81. Two grades of 1s. a day up to 9s. 6d.?—Yes, 9s. 6d. to 10s. I should say, for a first-class constable.

82. *Colonel Pitt.*] Did you hear Inspector Pardy this morning, in an explanation he made to the Commissioners, say that before he left his seat, referring to what he had stated about political influence, he had been threatened by a member that he would suffer for the statements he had made?—I heard him say something about being threatened, but not that he had been threatened by a member.

83. Yes; I understood so. What do you say as to that?—As far as I am concerned, I have no feeling against Mr. Pardy at all.

84. Did you say he should suffer?—No. I never hinted here, nor have I said anything outside, beyond the fact that I was going to appear before the Commission, and ask Mr. Pardy to prove that I had been using political influence.

85. Nothing else?—Nothing. I never did a man an injury in my life-time, and I do not intend to start now.

86. In reference to a pension scheme: can you say, from what you have heard amongst the police, whether they are in favour of a pension scheme or an increased rate of pay?—I think that both should exist. I do not think they would object, from what I can understand, to paying a small amount towards a pension fund, provided it is supplemented in the same way as in New South Wales. I understand that the New South Wales scheme is working satisfactorily, and that a similar scheme could be initiated here.

87. *The Chairman.*] Your opinion is that, out of their pay, they should contribute towards a pension fund?—Yes; but a nominal sum, and have it supplemented.

88. In place of the present life insurance?—In place of the present life insurance.

89. What is a nominal sum?—Well, you see, the Civil Service deduction is 5 per cent.

90. At present they are paying into an insurance fund amounts ranging from 4d. a week upwards. What would you suggest would be a reasonable payment out of their pay towards a

pension fund?—I should think any payment not exceeding 5 per cent. ought to be amply sufficient, because, you see, most of the departmental officers, if I am correctly informed, pay 5 per cent. towards a superannuation fund.

91. Coming from the inner circle, do you think that the House of Representatives, not as at present constituted, but taking the tone of the House generally, would be prepared to grant financial aid to a pension fund in this particular Force?—Yes, I think the House would be quite prepared, as far as I know, to approve of anything which would put the Police Force on a really sound footing—a footing that will give satisfaction to the men, and enable us to get the best Force and the best class of men possible.

92. Are you aware of the respective cost of the Police Forces in the other colonies? Do you know how the cost of the New Zealand Force compares with those of the colonies of Australia?—I could not tell you right off. I have it at home. I know it is very much less here. It is 50 per cent. almost, below the lowest of the other colonies. The low rate of pay, and being practically under-manned, caused a large amount of dissatisfaction. It is the low rate of pay that affects the men principally, and there is no outlook for the future if they are thrown out of the Force when age is creeping on them, or through any accident.

93. *Mr. Poynton.*] What do you think of making the head of the Force independent altogether of Ministerial influence?—I do not believe in it. After the Railway Commissioners I do not believe in putting absolute power into any official's hands. I say every official should be amenable to the House. We are the representatives of the people and responsible to the people, and no man should be put beyond the control of the representatives of the people. My own idea is that I would like to see a Civil Service Board created, which would take over the whole control, and then you put them free of the House and free of political control.

94. *The Chairman.*] You would make the Commissioner responsible to the House, and not to the Government?—No, not as at present constituted, unless there was going to be a Civil Service Board for the purpose of controlling the whole service, then make the head of departments responsible to the Board; but, as at present, I say the head of every department should be responsible to the Ministry of the day.

95. *Mr. Poynton.*] But you would advocate the appointment of a Civil Service Board controlling the Police Force as well as the other departments?—Yes, I would include every department, every branch of the service.

96. *Colonel Hume.*] In your remarks about juniors being put over the heads of seniors, what do you refer to—a special batch that was promoted, or when?—They were individuals. Some of them, I understand, were promoted for special service. I think you informed me so. Of course that was not known to those who complained to me. I had the bald fact that, we will say, for example, there were men with seven years' service and others with thirteen years, and those men with seven years' service were promoted to second-class, while the others were left as they were. In one or two instances I pointed out to you you said there were special services for the promotion.

97. And I think I told you I was dead against it?—Yes.

98. The man Hastie, you referred to, was only passed over by those men that I had orders to promote for these special circumstances?—I think at the time you said Hastie was next on the list, or something of that kind, and I think he was promoted soon afterwards.

99. Being a member of the House, I suppose you have seen in my police reports protests about special batches?—I have no doubt of it. I am not making accusations against your administration in any shape or form.

100. *Mr. Tunbridge.*] With reference to the Civil Service Board, what would you consider their function should be—would it take entire control out of the hands of the Inspectors and the Commissioner?—Oh no, no detail work. The head of the department should be responsible for the detail work, but in promotions or appointments the Board should have control; but I would not give them a free hand to appoint whom they liked. There should be certain regulations laid down so that no favouritism should creep into the Board more than a Ministry. The head of the department should have the absolute control of all details, but as far as the appointments to the Force were concerned, then the Board should do it under a recommendation from the head of the department, guided by the regulations drawn up for appointments.

101. As regards dealing with defaults?—That would be entirely a matter of detail, that should belong to the head of the department.

102. Up to and including dismissals?—Yes.

103. And transfers?—Otherwise the head of the department could not be held responsible for the work of the department. If you expect a man to be responsible for the working of the department you must give him absolute control so far as the details are concerned, and if anything goes wrong you can hold him responsible.

104. *The Chairman.*] Whom does that give control to?—That gives control to the officer, who will be responsible to the Minister, and the Minister will be responsible to the House.

105. How is it that a Minister takes the control into his own hands, and makes appointments irrespective of the head of the department?—I do not know. If he has done so, I think it is not right.

106. You do not think there ought to be interference in any details?—I do not know that it has been done; but I know if I were interfered with in any way I would not be responsible for the results of that interference. I have always taken that stand, that if I were interfered with in any way I would not be responsible for it.

107. *Mr. Tunbridge.*] At present the appointing of constables appears to be made by the Governor, who apparently relegates that power to the Minister?—Yes.

108. Would you suggest that should be altered then?—Yes; I would like to see that put under a Civil Service Board.

JAMES MCGILL, examined on oath.

109. *The Chairman.*] What are you, and where do you reside?—Builder; Moray Place, Dunedin.
110. *Mr. Taylor.*] How long have you been in Moray Place?—Twenty-six years.
111. Have you had occasion to complain to the police at any time in regard to the character of the houses in your neighbourhood?—Yes.
112. Where are the houses situated?—In Filleul Street, close to Moray Place.
113. Are they on Filleul Street or off Filleul Street?—Well, there are some of them off Filleul Street. Some of them are facing Filleul Street, and some off Filleul Street.
114. Are some of these houses situate in a right-of-way?—Yes; there is one right-of-way called Asher's Lane.
115. Have you frequently complained about the character of these houses?—Very often.
116. What has been your complaint?—Well, low characters; and they are often occupied by women of the town. There is another place a little further down in the same street. It is just about twenty yards further down.
117. When did you last complain of the character of these houses?—Well, I think the last complaint was a letter, signed by about twelve of the neighbours, sent to the Minister of Justice. We had tried so many others that at last we appealed to him, in October last.
118. Whom have you tried besides the Minister of Justice?—We have tried the landlord, William Asher.
119. Whom else have you tried?—The agent of the ground landlord, which is the Perpetual Trustees Company.
120. Have you complained to anybody else?—The mortgagee, Bishop Neville.
121. Did you get any satisfaction from any of them?—Very little. They would be pressed for a little while, but it is still allowed to go on.
122. Has some of this property been occupied by women of the town for the whole term you have been in that neighbourhood?—For the last fifteen years, off and on. It has been known by repute as a low place from that cause these last fifteen years.
123. Did Mr. Asher, the landlord, refuse to act?—Yes.
124. What did he say?—He said he got better rents from that class, and their money was as good as anybody else's; that they paid regularly, and other people supplied them with drapery and food, and he did not see why he should not supply them with a house.
125. What did Bishop Neville say when you complained to him?—He said he was very sorry; but he had invested his money in the place, and he was afraid if he took any prompt action he would lose it.
126. Did you write him at all?—I first wrote him a private letter, many years ago. I think it is eight or ten years ago.
127. *The Chairman.*] What was the date of the conversation with Asher that you have referred to?—About twelve years ago.
128. *Mr. Taylor.*] How long ago is it since you saw the Bishop?—It is about two years ago since I saw him; but it is eight years since I saw him first and wrote to him about it.
129. How did you find out the Bishop was interested in the property?—I got to hear by a sort of side-wind that he had some interest in it, and I made a search in the register and found that he had a mortgage of £1,000 on it, for which he was getting 10 per cent.
130. When did you complain to the police last?—I think about six months ago, to Mr. Pardy.
131. Were the same people in then as there are there now?—I could not say exactly. I think not.
132. They have changed tenants again?—Yes.
133. Is there any nuisance existing there at the present time such as you complain of?—I think there is.
134. Have you seen any young girls coming out of any house?—Yes, two young girls that are living there apparently. They are from fourteen to sixteen years of age. They live with an old woman. I have seen them in company with an old woman, I should say.
135. Do you know the woman's name?—No. I have heard her called "Scotch Lizzie." She is a well-known character.
136. You do not know what house they live in?—I do not know. It is up the lane, but I do not know which house.
137. What did you observe in their movements?—I saw these young girls hanging about during the day, and hanging about in the evening, and up till 10 o'clock sometimes, in company with young men. I saw them last night at 10 o'clock—one of them in company with a young man.
138. Have you seen them with a number of different men?—Yes.
139. In proximity to the house?—Yes.
140. Are they near the house you refer to when you see them?—The one I saw last night was in Moray Place under my workshop.
141. *Colonel Pitt.*] Do you mean on the street?—Yes, on the street. Filleul Street joins Moray Place just at this right-of-way.
142. *Mr. Taylor.*] Have there been any disturbances there to your knowledge?—Oh, very often.
143. *The Chairman.*] Where?—In this right-of-way.
144. Can you fix any house?—No, I cannot fix any house. In fact, I have never been in the lane these last twenty years—at least twelve years, anyway.
145. *Mr. Taylor.*] Do you know if these girls you refer to have been before the Court?—I could not say.

146. How many rooms are there in each of those cottages in the right-of-way?—I think there are four—two downstairs and two up. It is a sort of attic room upstairs.

147. A class of building right out of date?—They have always been a low class of building—no accommodation at the back at all, and no divisions in the front. The houses are all joined together, and there is no privacy about them. There is about 6 ft. of a brickyard, and no division fences in front.

148. Do you think the police have been sufficiently vigilant in looking after that neighbourhood?—Well, they have always promised to look after it when I spoke to them, but there was nothing much done. They would get a conviction sometimes.

149. *Colonel Pitt.*] For what?—Sometimes for vagrancy. They tried one for prostitution, but failed to get a conviction, about two years ago.

150. Has the value of property depreciated very much in the neighbourhood in consequence of these houses being there?—Very much indeed.

151. How do you estimate that?—Well, I have a lot of property just a little way from it, and when any person comes to ask about a house they ask if it is near Filleul Street, and if I say "Yes," that finishes it. They toss their heads and go away, very often.

152. *The Chairman.*] That street has a bad reputation?—Has a bad reputation.

153. *Mr. Taylor.*] Have you seen this woman you refer to in company with the girls?—Yes.

154. In day-time?—Yes; I never saw them with her at night-time.

155. *The Chairman.*] What age is this woman would you say?—Oh, a woman between fifty and sixty, I would say.

156. Is she a cripple?—I do not think so.

157. *Mr. Taylor.*] You think that the value of property in that neighbourhood is injured by the existence of these houses?—I must say it is.

158. And the comfort of the public?—And the comfort of the public as well. Nobody likes to live opposite a brothel.

159. Under the definition laid down in section 140 of the Criminal Code Act, do you think you have a right to complain of this place?—I think I have.

160. *The Chairman.*] Have you made any complaint under that statute?—Not under that Act.

161. Have you gone to the Court and lodged an information against anybody?—No, I have made no charge. I tried to move the authorities, and those interested in the property.

162. Do you found your opinion as to the character of this place on the fact that two girls—one of fourteen and one of sixteen—are seen about at night and up to 10 o'clock?—Yes. I see these two girls going backward and forward to the publichouse.

163. Have you seen others?—Yes.

164. Kindly tell us what others you have seen?—The place has been generally known as a place of ill-fame for fifteen or sixteen years.

165. *Colonel Pitt.*] The street, or any particular house?—In this right-of-way.

166. *Mr. Taylor.*] Have you seen women of low character—prostitutes—frequenting that lane?—Yes.

167. Visiting some of the houses in that lane?—I have repeatedly seen women taking men off the street into this lane.

168. *The Chairman.*] How recent?—As recent as two months ago.

169. Have you any doubt at all as to the character of these women, and their relations with the men whom they took off the street?—None whatever.

170. With regard to two months ago, that you speak about, are you so frequently in the street or are you so situated from your place of observation that you can say nothing more than that? If you saw two months ago women take men off the street into the lane, are there not other women knocking about whose reputation you know?—I can fix one case about two months ago, when I saw a respectable-looking woman to all appearance stop a man in the Octagon. I was passing through the Octagon at the time. I saw them make for this place, and I made it my business to watch them. I saw her take this man up this place. There was every appearance of seducing the man off the street. I have no doubt in my mind what it was. About the same time there was a disturbance in the right-of-way. A man came running past my workshop. This woman that I refer to as having the two girls was chasing this man. They ran down Moray Place, and a crowd after them. I was walking down Filleul Street at the time. When I got to St. Andrews Street there were the same two and the crowd after them. It was in the evening, about 8 o'clock.

171. Did she appear to be chasing him in anger?—Yes. I can give you another case. I think it would be about September last year. There was a disturbance in the afternoon. A crowd gathered inside this right-of-way. This was in broad daylight, and one of these low women was making a disturbance. She turned up her clothes and exposed her person, and rushed into a house. That is a sample of what we get.

172. *Colonel Pitt.*] Were there any police about when the crowd gathered?—A policeman came on the scene afterwards.

173. *The Chairman.*] What hour of the day was this?—It was in the afternoon, about 4 o'clock.

174. *Colonel Pitt.*] Were the crowd dispersed at the time the policeman came?—Some of them were there. The woman was inside then.

175. *Inspector Pardy.*] I believe you complained to me on one occasion only?—Yes.

176. Are you aware I promptly acted on that complaint?—I do not know what you did. I did not hear any more of it.

177. You are not aware?—No.

178. Are you aware the police have again and again prosecuted people for misconduct in that right-of-way?—Yes.

179. Are you aware the police cannot take action unless they have evidence?—Yes.

180. Do you know of any instance where they have been able to get evidence and have failed to prosecute?—No, I do not.

181. Are you aware that, again and again, when they had the power they have compelled people to leave that locality when they had sufficient grounds to go upon?—I suppose I am. I know that I have complained, and they have been shifted.

182. I believe I am a near neighbour of yours, so it is quite convenient for you at any time to inform me of anything you had to complain of?—Yes.

183. And yet you only complained to me once?—Only once.

184. *The Chairman.*] Where do you live?—I live in Moray Place, 50 yards from Filleul Street, and Inspector Pardy lives next door.

185. *Inspector Pardy.*] You have seen me about a lot?—Yes.

186. You are aware I do not spend much time in my bed?—I do not think you do.

187. Are you aware that unless a house is a brothel within the meaning of the term as stated in "The Indictable Offences Summary Jurisdiction Act, 1894," the police cannot prosecute the owner of the property?—I do not know sufficient about the law to give an opinion on that point.

188. Have you seen these girls doing any improper act?—It is very difficult to say what an improper act is. I would not like to see my girls hanging about at 10 o'clock at night.

189. But have you seen them doing any improper act?—No. The general appearance of the girls is sufficient, I think.

190. You have seen nothing in connection with these girls that would justify the police in bringing them before the Court?—They would need to look closer into it than what I have had the opportunity of doing.

191. Are you aware the police have no power to enter a house without a warrant?—I do not know that.

192. You have never seen anything more than you have described to the Commission?—Oh yes, a great deal more. I have only given those cases which I am able to substantiate as facts, and which other witnesses can prove besides myself.

193. *The Chairman.*] You have seen more; then why did you not tell us?—Then you would want me to fix a time, which I could not do. I have said the place has been known these last fifteen years, all over Otago, as a place of bad repute.

194. Are you speaking of this right-of-way, or Filleul Street?—I am speaking of Filleul Street, but this right-of-way is the worst place in it.

195. *Inspector Pardy.*] Do you know if there are any women at the present time residing there who are simply living by prostitution—of your own knowledge, not hearsay?—Not of my own knowledge. I know there is a woman living in Filleul Street, or was a short time ago, that goes under the name of "Mother Montague." I have not seen her for a few weeks.

196. Are you aware that on several occasions, when complaints have been made to the police by residents, they have made every possible inquiry to get evidence for the purpose of prosecuting, and failed?—I am not aware of that. The police, as a rule, are very reticent as to what they are doing.

197. *The Chairman.*] Have you any property in Filleul Street?—Yes.

198. When did you acquire that?—About six years ago.

198a. Long after the character of this street was known?—Oh yes—bought it very cheap. I might add to that, that I got it with a view to clearing out a lot of prostitutes, which I did. I might also add that I had an interest in a lot of property that adjoins this place. I got this over twenty years ago.

199. *Inspector Pardy.*] As to this woman, you said you did not know her name. Her name is Desarthe. Are you aware she is getting an allowance from the Benevolent Trustees?—No, I am not.

200. And such being the case, are you aware the police cannot prosecute her?—No. I may say that I have complained to Sergeant O'Neill.

201. *The Chairman.*] More than once?—Yes, several times, I think. We often have a talk about it.

202. What was your complaint to him?—A general complaint about the characters in this lane. I also complained to Inspector Hickson when he was here.

203. *Mr. Tunbridge.*] You said you saw a woman accosting a man in the Octagon, and take the man up this right-of-way. Did you see them enter any house there?—No.

204. You do not know the woman was living there?—I do not know.

205. Have you ever seen either of these two girls take any man into a house there?—I have not.

206. You say you complained to Bishop Neville, and you learned he was drawing 10 per cent. interest on a mortgage of £1,000?—Yes.

207. And you gave Bishop Neville to understand that he was getting what was practically the proceeds of prostitution and brothel-keeping in the way of 10 per cent. interest?—Yes, I told him so, very plainly.

208. And, notwithstanding that, he took no action to remedy the state of affairs?—Took no action that I am aware of.

209. Did he, to your knowledge, make any inquiry at all?—I do not know. I never heard of it.

210. What you complain of more particularly are the disturbances that occur from time to time?—There are very often disturbances.

211. In the street or in the houses?—Well, both.
212. Sometimes in the street and sometimes in the houses?—Yes.
213. Do you know that the police have no power to enter a house to stop any disturbances going on therein?—That is too much of a legal question for me.
214. How long has this right-of-way been in existence?—About twenty years.
215. Your property is of a much better class than that in the right-of-way?—Yes.
216. And the fact of having that property close to yours of course depreciates it?—Yes it does, very much.
217. It would materially increase the value of your property if that right-of-way were cleared out?—It would.
218. Therefore you feel very strongly on the point?—I do.
219. Can you at the present moment mention one house in this right-of-way where there is a prostitute living?—No. I said before I had not been in the right-of-way for at least ten or twelve years.
220. You cannot say that at this present moment there is a prostitute living in this right-of-way?—No, I cannot say.
221. How recent do you know there has been a prostitute living there?—I could not fix any time.
222. I mean within the last year, or two years?—I could not fix any time.
223. Can you say from your own knowledge you have ever known a prostitute to be living there?—I said before, I have seen women take men off the street, and I have seen women stick up men.
224. Have you seen them enter the right-of-way?—Yes; and go into houses, too.
225. Can you name any particular place?—No; the houses are too close together. You cannot distinguish which house it is from Filleul Street.
- 225A. Are the people occupying these houses principally the working classes?—Yes, I may say, principally.
226. The houses are cheap, are they not?—I do not know. The landlord told me he got better rents from prostitutes than he could get from anybody else.
227. How long ago is that?—It would be ten or twelve years ago.
228. At the present time are they occupied as far as you know by the working class of people?—I cannot say. There were a number of travelling musicians in that lane.
229. Can you give any idea of the rent of those houses?—No.
230. Are there many such houses as these in Dunedin—of that class?—Well, not very many. It is not so much the houses as the surroundings. The backyard is so very small, and there are no divisions in the front.
231. And consequently the lowest class of people living in Dunedin get there—those who can afford to pay only very small rent?—I suppose so.
232. You have had experience of other towns, have you not?—Yes, a little.
233. You find in every town there is a low class of property where the poorest people reside?—Yes.
234. Do you consider that this is something on the same lines?—Yes.
- 234A. This is a low class of property, and the lowest class of people get there?—Yes. I may say that I do not complain so much of the police as I do of the owners—the ground landlord, the landlord, and the mortgagee.

JOHN BRYCE THOMSON, examined on oath.

235. *Mr. Taylor.*] Do you live in the vicinity of Asher's Lane?—Yes, my property adjoins it.
236. *Colonel Pitt.*] What are you?—A builder.
237. *Mr. Taylor.*] How long have you been there?—I have been on the section over twenty years, but not in the same house. I lived in the one above it. I may say that the Commission may understand that myself and the previous witness were partners for twenty years in the property, and we divided it, he taking the upper portion and I taking the lower.
238. Have you had occasion to complain about the character of the houses in Asher's Lane?—Yes. The complaints the last witness has been examined upon were made in company.
239. *Mr. Poynton.*] You joined him?—Yes; and the letters that were written were written conjointly.
240. *Mr. Taylor.*] Have you the correspondence that passed between yourself and the Minister of Justice?—I have a copy of it. I may say that while I was in Wellington it was sent on to me, and I asked Mr. Sligo to deliver it to the Minister of Justice as I was passing through. These are the copies:—

SIR,—

30th October, 1897.

We, the undersigned, residents and property-holders residing in Moray Place and Filleul Street, beg respectfully to call your attention to a very grievous nuisance in this locality which we have had to put up with for some years past. We refer to the conduct of tenants residing in a terrace of houses in Asher's right-of-way, and some others in this neighbourhood. We have written and interviewed the police in Dunedin several times, but the nuisance is still unabated; so we now appeal to you to protect us in this matter, which has now become so serious that if prompt measures are not taken to prevent this locality from becoming the resort of persons of low repute, property in this neighbourhood will become valueless. Considering that the right-of-way complained of is not more than one hundred and fifty yards from the Octagon and the main street in the city, we do not think it unreasonable to ask the police to keep a strict eye on the place. This has not been done in the past, as evidenced from the fact that most unseemly disturbances, accompanied by language of the most horrible description, have continued for hours, and are of very frequent occurrence. We submit that this locality has not received the attention from the police it ought to have, and ask you, in your capacity as Minister of Justice, to do something to remedy this matter, which has for some time been a blot on this city.—We are, &c.

The Hon. the Minister of Justice.

GENTLEMEN,—

Police Department (Commissioner's Office), Wellington, 26th November, 1897.
I am directed by the Hon. the Minister of Justice to acknowledge the receipt of your letter of the 30th ultimo, complaining of an alleged nuisance existing in your neighbourhood, and to inform you, in reply, that the matter is receiving the attention of the department.

I have, &c.,

J. B. TUNBRIDGE, Commissioner of Police.

J. B. Thomson, Esq., and other gentlemen signing letter, Moray Place, Dunedin.

SIR,—

Police Department (Commissioner's Office), Wellington, 14th December, 1897.
In further reference to your letter dated 30th October last, addressed to the Hon. the Minister of Justice, complaining of the conduct of the tenants of the houses in Asher's right-of-way, Dunedin, and asking that the police might be directed to pay special attention thereto, I have the honour to inform you that inquiry has been made and it is found that the police have already devoted very considerable attention to the place in question, with the result that during the past two years no less than fifteen persons have been brought before the Court for various offences committed in this place.

The present tenants are an improvement on those who formerly occupied the houses, and I trust with proper police supervision the place may be so kept as not to be an annoyance to the surrounding residents: but you must understand that, so long as the law is not broken, the police are powerless to interfere.

I am, &c.,

J. B. Thomson, Esq., Moray Place, Dunedin.

J. B. TUNBRIDGE, Commissioner of Police.

I may say I must give the police considerable credit. They have turned the people out of these houses twice; but the police cannot turn people out of their houses without evidence as to offences against the law. Then the landlord just allows the bad ones to go in again.

241. *Mr. Poynton.*] You do not blame the police?—I do not blame the police. I may tell you there are houses next to this right-of-way, and they turned them out there; and immediately after I let a house to Mr. Pardy's predecessor, and they could not let the houses all the time Inspector Hickson was in it.

242. *Mr. Taylor.*] Do you say that while Inspector Hickson lived there these houses were not the nuisance that they are now?—Not for the short time he lived there; but practically he left on account of the conduct of neighbours. They could not get tenants.

243. As a matter of fact, what do you consider the character of some of the tenants of these houses now?—I do not know who is in them now, except Mrs. Desarthe.

244. What do you consider the character of them?—Well, they are of the lowest class of people. The last witness was asked a question if they were working people. Well, they are people that will not work.

245. Do you know the woman referred to as "Scotch Lizzie"?—Yes, by sight.

246. Do you think she is a woman of the immoral class?—I could not say what she is, or anything about her. Her house is a resort of low characters.

247. What is your judgment, as far as she is concerned?—She is an oldish woman of a very disreputable type.

248. Have you seen the girls?—I have seen them going in and out by day and night.

249. Have you heard disturbances since you sent that petition to the Minister of Justice?—Yes. Yes, there was one last night.

250. What was the nature of it?—A fight, drawing a crowd—fighting in the right-of-way.

251. What time was that?—About 7 o'clock. There was a crowd of thirty or forty people. I went to ring up the police; but my son came after me and told me it was all over, and it was not worth while.

252. What age were these girls?—Fifteen or sixteen years or upwards. The police have been very active in clearing them out, but the proprietor immediately lets as bad or a worse crowd in. I do not blame the police at all.

253. Have you seen these girls consorting with men in the neighbourhood?—No. I have seen them standing in the right-of-way, and I have seen them importuning men.

254. *The Chairman.*] What, these two girls?—I would not say it was these two, but I have seen girls.

255. Do you connect these girls with Asher's Lane?—Yes.

256. How?—One of them importuned myself, and after I had gone into my house I saw two of them go up Asher's Lane with two men.

257. *Mr. Taylor.*] Do you think that women following prostitution live in that lane?—I am certain they do.

258. I mean, girls following prostitution live in that lane?—Yes.

259. Were either of these girls living with Mrs. Desarthe?—I could not tell you.

260. You do not know which house these girls do live in?—No, it is one of these houses.

261. *Inspector Pardy.*] You say there were two girls importuning for prostitution, and one of them importuned you. Do you know who those girls were?—No.

262. Can you give us any idea of their age?—From the manner of their speech I should say they were well on between twenty and thirty years. I watched the same two, after I got into my house, take two men up Asher's right-of-way.

263. You do not know whether they took them into a house at all?—I do not.

264. Can you say at the present time whether there is a prostitute living in that lane?—I do not know a soul that is living in it, nor which house they live in, except those three men, street musicians, who go up and come out of the right-of-way.

265. I believe you have on several occasions made complaints to me, both verbally and in writing?—Yes.

266. Are you aware I took immediate steps on each occasion?—That is what I said before. I know of two occasions on which you have been the means of having the right-of-way almost cleared out.

267. I have always paid prompt attention to your complaints?—Oh, yes.

268. As to these two little girls, did you see anything more of them than just hanging about?—I never saw them but once in my life.

269. *Mr. Tunbridge.*] Do you think the police have done all they can?—I do, without the assistance of the proprietors.

TERENCE O'BRIEN, examined on oath.

271. *The Chairman.*] What are you?—I am chief detective, stationed at Dunedin.
272. *Mr. Taylor.*] How long have you been in Dunedin?—A little over seven months.
273. Where were you moved from?—Oamaru.
274. Then, you occupy senior position here?—I do.
275. Were you here when the prosecution of a betting-office was instituted some months ago?—I was.
276. How long had you been here when that took place?—We initiated proceedings, I think, about a week after I came here. The prosecution took place about a week later, at the Police Court.
277. Is it part of the duties of a detective officer to take cognisance of the existence of such places as betting-shops?—I consider it is.
278. And all houses of ill-fame—you would report either of these classes of case to the Inspector?—Yes, I would.
279. Since you came here, have you any occasion to think there are any betting-shops in Dunedin now?—I have no doubt there are.
280. Do you know of any?—Yes, I think I know of one.
281. *Colonel Pitt.*] A tote-shop?—I will not say it is a tote-shop.
282. *Mr. Taylor.*] Similar to the one that was raided?—I do not know that it is similar. It is a place where betting is conducted, no doubt.
283. Do you know the definition of a gaming-house under the Criminal Code Act?—Oh yes, I have a good idea.
284. What is the definition approximately?—It is a place open, kept, and used for purposes of betting, with persons resorting thereto, shortly put.
285. Do you think the place you refer to would come under the definition set forth in the second portion of section 146?—I do not think that it would.
286. Why would it not come under that description?—Well, in the first place, there is nothing unlawful in making a bet provided it is done under certain conditions.
287. Is it lawful to keep a place specially set apart for that business?—I cannot say it is unlawful to do so.
288. You think it is a legal occupation for a man to open an office, and receive correspondence in the nature of wagers?—Yes. I think it legal for a man to carry on any amount of betting in the way of correspondence, telegrams, or telephone.
289. Under what circumstances was the conviction obtained some months ago—what circumstances were connected with the institution successfully raided then?—It was known that persons went to the office for the purpose of betting—that is, went to the counter and made their bets, and I suppose, in the event of their winning, drew their money.
290. Did that establishment not receive correspondence in the way of betting correspondence?—Yes, I have no doubt there were lots of correspondence there.
291. They were not prosecuted for the correspondence?—Not at all.
292. As to the place you refer to, and think is a betting-office, have you taken particular pains to find out whether betting is conducted there?—Yes, I have been keeping an eye on it.
293. Where is it situated?—In the Arcade.
294. Is that Barnett's place?—Yes; it is known by the name of Barnett and Grant. It is conducted by Grant.
295. Have you been able to satisfy yourself about the place being an illegal gaming-house?—Not since the last conviction. I have nothing before me to justify me in saying it is.
296. Was that the place raided before?—Yes.
297. How do you know it is still carried on?—I suspect it is.
298. Why?—Because the office seems to be occupied by the same persons, and I do not know of any other occupation that they follow.
299. Do you see people frequenting the office?—No.
300. Never seen anybody since the conviction was secured?—No.
301. Not a soul except the proprietors?—Not a soul.
302. How often have you been round there?—Sometimes three or four times a day, sometimes once or twice a day, some days not at all.
303. Is there any week you have not been round there at all?—No, not at all.
304. Do you know a man by the name of Tommy Barnett, a betting-man?—I do.
305. Where does he locate himself?—I do not know that he has got an office.
306. You do not know where his office is?—No.
- 306A. Do you know a man named Ben Curtis?—I do.
307. Is he a betting-man?—I understand he does bet. He keeps a tobacconist's shop.
308. In some parts of the colony have you had experience of tobacconists' shops being a blind for tote-shops?—No.
309. You do not know it is so?—I do not know it is so.
310. Is the man referred to just now, Tommy Barnett, a betting man?—I think he is.
311. Would he rank as a book-maker, or a spieler?—A book-maker, I should say.
312. Barnett and Grant book-makers?—Yes.
313. Not spielers?—No.
314. What is Ben Curtis—a book-maker?—I call him a tobacconist.
315. Do you know he carries on betting?—I have heard so.
316. Have you made inquiries?—I have, and I have reason to believe he does betting there, but the result is I have not satisfied myself he carries it on in any illegal manner.

317. Would it be illegal for Curtis to bet on his premises?—It depends upon what kind of bets he made. There are bets which it is not illegal to make, even in a drawing-room.

318. Tote odds?—Oh, not tote odds.

319. Have you tried to get evidence with regard to any of these tote-men?—I have, and secured convictions.

320. In Dunedin?—Not in Dunedin.

321. Do you know Moss?—Yes.

322. Where is his place?—In the Exchange Rooms.

323. Is Moss a betting man, or a spieler?—I would take him to be a book-maker.

324. He keeps an office?—Yes.

325. You know of these four places where betting is carried on systematically?—I do not say systematically. Betting is carried on.

326. In those four places?—Yes.

327. Do you know of any other place?—No, I do not.

328. Do you know of the existence of any brothels in Dunedin?—Well, not within the definition of the Act. I cannot say I do.

329. Do you know any place you are suspicious may come within the definition of the Act?—If a person could see them at all times and all lights there are places which would come within the definition of the Act.

330. Have you taken any trouble to see them, with the view of finding out whether they do?—I have.

331. Is one of those places situated at the corner of Cargill and Scotland Streets?—There was such a place there.

332. What sort of place was there?—It was a house occupied by a woman and her daughter, both of whom are indifferent characters. I cannot say common prostitutes.

333. How many girls lived with them?—So far as I know there was only one, and that one not living there—only visiting the place from time to time.

334. Is the house still occupied by them?—It was vacated either yesterday or the day before.

335. Was the house empty yesterday?—I understand so; yes. I did not see it yesterday.

336. You would be surprised to hear it was frequented last night by a number of these women?—I would.

337. Do you know Percy Terrace in Dunedin?—Yes, a lane off King Street.

338. Any similar establishment there that you have any doubts about?—There is one place that I have doubts about.

339. How many girls frequent that place?—Two, as far as I know.

340. Are cabs commonly in attendance there at night?—I have seen cabs pull up in front of the place on one or two occasions.

341. How often has that happened?—To my own knowledge, only twice.

342. Who goes in the cabs?—I saw a man get out of the cab once.

343. Never seen women get out of a cab?—No, not there.

344. Who got out of the cab on the other occasion?—I did not see any one except the cabman himself.

345. Do you know Asher's Lane?—I do.

346. Any similar establishment there, do you think?—No, I do not think so.

347. Do you know of any other houses as to which you have any suspicion?—Oh, yes; there are others.

348. Do you know one in King Street?—I do.

349. Where?—Close to St. Andrews Street.

350. Opposite the timber-yard?—Yes.

351. Why do you suspect that house?—Because I have seen the place frequented by a couple of gaily-dressed women.

352. Were they the proprietors of the house, or were they visitors?—I do not know.

353. Were they of the prostitute class?—Well, I should certainly take them to be of that class from their style and manner.

354. Do you know of any other place you suspect?—There are others in many places about the city in which females of an indifferent class live.

355. Have you ever reported any of these places to the Inspector as being suspicious houses?—Oh, yes. I reported the matter, and had convictions obtained against persons for allowing such characters to frequent their houses.

356. In Dunedin, since you came here?—Yes.

357. It is no part of your business to inquire into the moral conduct of every woman of the city?—I do not think so.

358. You say you had convictions—against any of the houses named?—Not against any of the houses named—against others.

359. On what were they charged?—For permitting prostitutes and persons of bad repute to frequent their houses.

360. You laid no charge of that kind against any of the places mentioned?—No.

361. You consider the evidence is not sufficiently strong?—Yes.

362. How many convictions of the kind have you obtained since you came here?—Two.

363. Do you class the places they had frequented as brothels—do you consider them brothels?—Well, no, I do not. They were not actually charged with that.

364. Did you consider the houses they frequented brothels?—I had no evidence that they were, and no cause to think so.

365. Is it an offence for a prostitute to frequent any house?—It is an offence for a man or woman to allow persons who have no lawful means of support to frequent their houses. It is also an offence to allow persons who are thieves, persons of bad repute, to frequent their houses.

366. Have you reported in reference to betting offices, to the Inspector, since you came here?—No.

367. Do you consider it your duty to report such places?—I do, certainly.

368. You have not done so?—I have not done so.

369. Do you know any spielers in Dunedin?—Well, tell me what you mean by the expression “spielers.”

370. The definition that has been given to us is: A man who follows racing, plays games of chance, carries loaded dice, and will clean a man out at every opportunity. A “book-maker” has been defined as a man who makes his living by professional wagering. Are there any spielers according to that definition in Dunedin?—There are a few who frequent the place from time to time.

371. Are there any men who are here pretty regularly—all the year round?—Yes, there are a few.

372. What are the names?—There is one named Thomas Burns, William Brosnahan, Harry Mooney; but he is not a resident of Dunedin, he comes here occasionally.

373. Can you recall the names of any others?—No, not just at present.

373A. Are there other men of that class in Dunedin?—There may be one or two more; I would not like to say.

374. Do these men frequent the corner of Rattray and Princes Streets?—They are about there occasionally, yes.

375. Do you see many racing-men at that corner? Have you had complaints about their assembling there?—No, I have had no complaints myself.

376. Have you seen any of them booking wagers there?—I have not.

377. You would be surprised if I saw six different wagers booked at that corner yesterday?—Yes, I would be surprised. For my seven months in Dunedin I have not seen one. I would be surprised at your seeing six.

378. You do not know that betting-men frequent that corner very much?—Oh, yes; I know that very well. I have had no personal complaints about it. I believe complaints have reached the police.

379. *The Chairman.*] Betting in the street is not an offence?—If a man offers stated odds it is not an offence; but if he bets totalisator odds, or with an infant, it is an offence.

380. *Mr. Taylor.*] Do you know if wagering is carried on with minors?—I do not know.

381. Did you know a case in Oamaru?—I did.

382. Had you a conviction for it?—I had.

383. How often?—Twice, I think.

384. No such case has come under your notice in Dunedin?—No.

385. With regard to spielers, are they subject to being charged with having no lawful means of support?—Well, I do not know.

386. Have you known such prosecutions by the police?—I know men are classed as spielers who have lots of property—perhaps property worth £1,000. Some men who are looked upon as spielers go about from one racecourse to another from one year's end to another, and yet have property to the extent of £1,000.

387. You could not interfere with a man like that?—No; I should say that was a means of support.

388. You think gambling is on the increase, or decrease?—I certainly think it is not on the increase.

389. If Inspector Pender says it was on the increase he would be wrong?—I presume you are speaking of Wellington.

390. Have you any knowledge of Wellington—is it on the increase there?—I cannot say it is on the increase there. I was only there three months altogether.

391. You do not think it is on the increase here, or in Oamaru?—That is so.

392. Is it one of your duties to report breaches of the Licensing Act to your Inspector?—I have never looked upon it as such. My practice has been to mention the matter verbally to the Inspector when I saw anything of importance; then if the Inspector called on me for a report I gave it to him.

393. During the seven months you have been here, have you noticed any breaches of the Licensing Act?—No, I cannot say I have.

394. Are you very observant of all that is passing?—I do not keep my eyes shut.

395. And in seven months you have not seen a single breach of the Licensing Act?—No, I cannot say I have.

396. *Colonel Hume.*] You were recently in Oamaru, were you not?—Yes.

397. You were there for some years?—About sixteen years.

398. During any time you were there did you consider there were too many constables?—No I did not.

399. Did you think the principal duty of the constables was to avoid tumbling against each other, when you were there at any time?—No, I think they were all better occupied.

400. Fully occupied?—Yes.

401. *Inspector Pardy.*] With regard to these spielers, have you ever lost an opportunity of prosecuting one when you had sufficient evidence?—Never.

402. I believe a considerable number have been prosecuted?—Yes, they have.

403. With regard to the house occupied by mother and daughter, is it not a fact that they were told if they did not clear out by Friday they would be prosecuted? Those were your instructions?—Yes.

JOSEPH ALBERT McGRATH, examined on oath.

404. *The Chairman.*] What is your rank?—Second-class detective, stationed at Dunedin.

405. *Mr. Taylor.*] How long have you been in Dunedin?—Nine years.

406. Do you remember a prosecution of a gaming-house here some months ago?—I do.

407. There was a conviction?—Yes.

408. Do you consider it your duty to report the existence of such places to the Inspector?—
I do.

409. Had you ever reported the existence of that place?—Not in writing. The matter was spoken of in the Inspector's office.

410. If the Inspector says he discovered the existence of that place of his own motion he would be wrong?—He would be mistaken. Chief Detective O'Connor mentioned these men to the Inspector when they had an office in the Commercial Hotel, and after that they removed to the Arcade.

411. Do you know of any similar offices in Dunedin now?—Not similar offices—not an office where the same business is conducted, so far as I know. Betting men have offices.

412. You knew nothing of the details of the business of this office that was successfully raided until they came out in Court, did you?—Oh, yes; we searched the place and found records.

413. How long had it been open before the prosecution was instituted?—I could not give you the dates from memory.

414. You know Barnett and Grant pretty well, do you not?—Yes, very well.

415. Had they been here three months prior to that?—Oh yes, fully that.

416. Had they been here five years?—No, not in the same way. They used to bet in the street.

417. How long had they been in that office?—I really could not tell you from memory.

418. Had they been there two years and a half?—Oh no.

419. How long were they in Watson's Hotel?—Only a short time.

420. Six months?—I do not think so.

421. Altogether, from the time they started business in Watson's Hotel until the time the seizure was made in the Arcade, how long had elapsed?—It would be only speculative—perhaps twelve months. I could not say with any certainty.

422. Did you know during that twelve months the class of business they were carrying on?—
No.

423. When did you find out?—About the time the matter was mentioned.

424. Did you find out?—Well, it was really a matter of common knowledge.

425. Common talk in the town?—Yes.

426. Then, the public found it out as quickly as the detectives?—The betting portion of the public, of course.

427. Do you not consider it is one of the functions of the Detective Force to know of the movements of that class of people?—Undoubtedly.

428. Yet the public get there as quickly as the detectives?—The clients of the betting-men, of course.

429. Do you know any offices that you suspect to be similar to Barnett and Grant's existing to-day?—Carrying on tote-betting?

430. I do not say carrying on tote-betting, but the same class of betting that you knew Barnett and Grant to be doing a month before they were convicted?—I do not know of any such house.

431. Where are Barnett and Grant now?—They have an office in the Arcade.

432. The same place where they were convicted?—No, they have shifted.

433. What class of business are they doing now?—They are betting, I understand.

434. Have you taken any steps to find out whether it is illegal betting?—I do not know. I know, of course, they bet in the street, and have reason to suspect that if you ring up the telephone they will bet with you.

435. And go into the shop?—No. They learned a little law. During the hearing of that case it was pointed out there must be a physical resorting to the place, and they have got a telephone in their office now.

436. Do you know of any other similar place to Barnett and Grant's?—Another man named Barnett has, I believe, an office in High Street.

437. Upstairs?—I think so—in an insurance building.

438. Have you been up there?—No. I have been near it, but I have not been in it.

439. Did you take any steps to find out what class of business they are doing there?—Yes.

440. How did you find out?—I have not found out. Of course, they do their business cautiously. Since that conviction they bet with their regular clients—men whom they know—and it is unnecessary for anything to be said almost other than to mention the amount of the wager; so that even if you heard in the street everything that passed between them, it would be insufficient to support a charge.

441. You wait until from the outside the case comes to you ready-made?—Well, I do not make evidence.

442. *The Chairman.*] You have no right to enter this office?—None whatever, without a warrant.

443. Could you get a warrant by swearing to the facts within your own knowledge?—No, Sir.

444. *Mr. Taylor.*] Do you know of any other similar establishment?—No.

445. Do you know an office kept by Moss?—He did keep an office. He is not in Dunedin now, I understand.

446. Do you know if he has an office to-day?—I do not know. I heard he left town.

447. If O'Brien said Moss was running a betting office in the Exchange Rooms at the present time he would really know more about it than you?—He would.
448. Do you know a man named Ben Curtis?—Yes.
449. What is he?—A tobacconist.
450. What else?—He is understood to be a betting-man.
451. Do you know whether tobacconists' shops are used frequently as blinds for betting-shops?—I do not.
452. Have you ever heard that?—I have heard of a case.
453. In Wellington are tobacconists' shops used to cover tote-shops?—I do not know at present. One was used there. I think there was a conviction against him.
454. Do you know of any other shops in Dunedin you suspect are used for carrying on betting of any kind?—No. I cannot call any other place to mind.
455. Where do the betting fraternity—walking-totes, and that class—frequent in Dunedin?—I do not know there are any walking-totes, but betting men frequent Princes-street.
456. Do you know Rattray Street?—Yes.
457. Have you seen them there every day by Scott's place?—Yes.
458. Have you ever seen them making up wagers?—No.
459. Never saw money pass there?—No.
460. If any one were to say he saw six different entries made by those men in their books in one day, that would surprise you?—Not at all. I have seen them writing in books.
461. You never saw the entries?—No.
462. Never got near enough?—No.
463. Have you ever seen money passing, or anything of that kind, at that corner?—No. I do not know that I would be much wiser if I saw the entries. I do not think they would give much information about the nature of the bet.
464. Do you know any spieler in Dunedin?—I do.
465. Can you name any of them?—Yes.
466. The definition we have before us is: A betting-man is a man who makes his living by professional wagering; and a spieler is one who follows racing, plays games of chance, carries loaded dice, and will rob a man if he gets the chance. According to that definition, are there any spieler in Dunedin?—Yes, some.
467. Can you name any of them?—A man named Burns, and Keogh. I do not like to put those men down as spieler who for the most part make a living by gaming, because those men have property, and have lawful means of support.
468. *The Chairman.*] Those men who use loaded dice, and hang about brothels and act as "chuckers out," as they are termed, and people of that sort?—Well, there are two brothers Miles, Chatterley, Boyle, William Brosnahan.
469. *Mr. Taylor.*] Harry Mooney?—Well, he can be hardly said to be a resident of Dunedin. He visits here. Christchurch is his headquarters.
470. Are none of these men amenable to the law as vagrants?—Well, they have been convicted of vagrancy, some of them, but of course one cannot arrest them the moment they come out of gaol and bring them up again.
471. Can you tell us how long it is since any of those men were convicted of vagrancy?—Perhaps three or four months. It might be more; it might be six months. I cannot speak with certainty.
472. You regard them as a dangerous class in the community?—Yes.
473. And you keep them under pretty strict supervision?—Yes.
474. You think the law wants altering to enable you to cope with the betting people?—I do.
475. At the present time you are not equal to the detection of illegal betting, except on rare occasions?—That is so. They can bet in the street with impunity.
476. Have you reported Barnett and Grant, or Curtis, Tommy Barnett, or A. Moss to the Inspector as being in your opinion betting-houses that should be closely supervised?—Those places were mentioned at the time of the other prosecution.
477. And the Inspector heard them mentioned?—No doubt.
478. But you have not officially reported them to the Inspector?—No. Of course, the detectives keep them under supervision, and all the Inspector could do would be to tell us to do so. We do it without being told.
479. When was the last prosecution, before the one four or five months ago of a similar character—was it five years before?—No, I do not think it would be as long as that. The man you mentioned, Barnett, was convicted of a similar offence, probably within three years.
480. Did you discover that?—Yes.
481. Were you responsible for discovering the offence, and sheeting it home?—Well, I am not certain at this distant time. Henderson was with me in the case. He and I, at all events, were responsible for it.
482. What constitutes supervision of a gaming-house by the police—you say you have never been in Tommy Barnett's office with a view to investigating what goes on inside the room—what constitutes supervision?—Well, if I saw people frequenting any of these offices, I would take steps to get evidence against them. If I thought it was possible, I would get a person who was not known to visit the office and take a wager, either tote-betting or otherwise.
483. That is what you call supervision?—Yes.
484. How often have you done that in connection with Curtis's case?—I have never done it in connection with Curtis's case, because I have never seen men go in there that I had any reason to suppose were going to bet.
485. Take Moss?—I have never seen men going in there.

486. Have you ever seen them going into Barnett and Grant's?—No, I cannot say I have; at all events, not since the conviction.

487. Do you think gambling is on the increase or decrease in Dunedin?—I am inclined to think it has not altered much the last few years.

488. Practically stationary?—Yes.

489. If anything, is it on the increase or decrease? Put it another way: supposing Inspector Pender said it was very much on the increase in Wellington, do you think he would be far wrong?—I think there are fewer spiliers and less gambling here than in some other cities—Wellington, or Auckland, or Christchurch. I am speaking now from what I hear. I have not been to those places lately.

490. In Dunedin do you think the difference is in the direction of increase or decrease, say, during the last five years?—I think it has increased.

491. Do you think any minors wager here with book-makers?—I do not know of any, but I think it is very probable they do.

492. You never knew a case?—No.

493. Would that evidence be difficult to obtain if you had any suspicion?—Well, I would require some grounds for suspicion.

494. You would send a minor to bet with a book-maker with the view of detecting him?—I have never done so. I think that would be objectionable.

495. Did you consider it objectionable to send an individual to trap Barnett and Grant?—No, not to send a man there.

496. Do you think it would be objectionable to send a boy under sixteen years of age to bet with a book-maker, with a view to detection?—I think a boy of sixteen should be kept away from those places altogether.

497. To your knowledge, none of them have been betting with book-makers?—Not to my knowledge.

498. You are a very keen observer of what is going on in Dunedin?—Well, yes.

499. You regard it as your duty to report houses you suspect are the resorts of prostitutes?—Yes.

500. When did you report such a house last?—I only report such a house when I have sufficient evidence to support a charge. It is understood to be our duty to look after such places, and if I had sufficient evidence I would report it at any time.

501. When did you report one last?—That is to say, when did I last have a case of that kind?

502. Yes?—It was a case of a woman named Thompson, keeping a brothel in Athol Place—perhaps twelve months. Of course I have given evidence in cases since that date.

503. Do you think there are any places which come under the legal definition of brothels at the present time?—No, I think not.

504. Not one?—No, not one.

505. Do you know the city very well?—Yes.

506. Is prostitution on the increase or decrease in Dunedin?—On the decrease in Dunedin, undoubtedly.

507. If the Magistrates in the colony and the Inspectors of Police in the colony reported to the House of Representatives that it was on the increase in all the large centres, they would be mistaken?—I can only give my opinion.

508. Are there more young prostitutes on the streets now than there were ten years ago?—A great deal less.

509. And less older people, of course?—Yes.

510. Do you know a house at the corner of Cargill Street and Scotland Street?—Yes.

511. What kind of a house do you regard that as?—Well, I do not regard it as a brothel.

512. How many women live there?—I do not know how many live there at present.

513. Five or six?—I do not know whether there is more than one.

514. You have not investigated it at all?—No, I have not.

515. Do you know Percy Terrace?—Yes.

516. Any house there that you may suspect to be a brothel?—There are immoral women living there.

517. How many?—There is one house in which two live.

518. Is it frequented by others?—Not to my knowledge.

519. Have you ever seen cabs go up there?—No.

520. Have you ever seen cabs go down the lane at all?—No.

521. Have you investigated that case to see whether there are two or five there?—Yes; there are only two there.

522. Is that a house kept for the purposes of prostitution?—I do not know that it is. I have no reason to think so.

523. How do you know what house I refer to?—I told you that there was one house there in which two women live.

524. You do not suspect that as being a house of ill-fame?—As I say, there are immoral women, but I do not know of any person frequenting the place for the purpose of sexual intercourse.

525. *The Chairman.*] But if you did, as the law now stands, could you interfere?—I certainly think so. What I say is this: If I could prove men frequented a house occupied by one prostitute only for the purpose of sexual intercourse, it would be a brothel. I know it has been held otherwise.

526. *Mr. Taylor.*] Do you know of any other similar place to the one in Percy Terrace that you suspect may be a house of ill-fame?—Well, what do you mean by a house of ill-fame? As I told you, I know other places where prostitutes reside. I know a place where two reside together.

527. In King Street?—Yes.
528. Have you seen women frequenting that house?—No.
529. Not seen other women frequenting that house?—No.
530. Have you never seen cabs there?—No.
531. Do you know Asher's Lane, off Filleul Street?—I do.
532. Are there any houses of that character there?—Yes, there are houses in which prostitutes reside. There is a house in Asher's Lane where one prostitute resides.
533. Do other women frequent that house?—Not to my knowledge.
534. Have you reported the existence of any of these places to the Inspector?—The Inspector knows as well as I do; it is unnecessary to report it. There is a report sent in every month.
535. Do you ever find young girls of fifteen or sixteen importuning on the streets here?—No.
536. Never known a case?—Not within my own knowledge, but there have been cases. Girls have been brought up and sent to the Magdalen Asylum.
537. Within your own knowledge you know of no such case?—No.
538. Are you on the streets much at night?—Yes.
539. Have any girls, during the last year, been before the Court from Asher's Lane for brawling?—Not that I remember.
540. The Desarthe girls, have they not been before the Court for brawling?—I believe one of those girls has been before the Court for drunkenness. I heard so; I do not know of my own knowledge.
541. Whom does she live with?—She lives with Mrs. Desarthe.
542. Have you had Asher's Lane under supervision?—Well, I did not have it under supervision especially. The plain-clothes constables have it under supervision. I may say I am a great deal out of town. I have a good deal of country work, and these women shift about frequently; they are hunted about a good deal.
543. Would you report to the Inspector if you knew of any persons, say, of sixteen or seventeen, who were living with women of an immoral character?—Yes; young girls, do you mean?
544. Yes?—I should bring them before the Court.
545. Supposing they were over sixteen and under eighteen, would you do it then?—No.
546. Do you consider it your duty to report breaches of the licensing law to the Inspector?—If I saw a serious breach of the law of course I would report it.
547. Generally speaking, do you regard it as being the duty of the detective branch of the service to report breaches of the licensing law to the Inspector?—Not unless it was something serious.
548. What would you call a serious breach of the licensing law?—Well, I would consider it a serious thing if drunkenness was permitted, and if drunken men were about the place, and disorderly scenes were occurring, or if a place was frequented by thieves and prostitutes.
549. Have you seen any such breach of the licensing law recently?—No.
550. Have you seen any such breach of the licensing law since you have been stationed in Dunedin?—Yes.
551. Did you report it to the Inspector?—Verbally, I think, on two occasions, and I think the publicans were prosecuted.
552. As a result of the report?—I can only say I mentioned the matter verbally, and they were prosecuted shortly afterwards by the general police.
553. How long ago is that?—A couple of years ago, I suppose.
554. During the last two years you have not noticed any serious breach of the licensing law?—No. I may say I have not looked for trifling breaches of the Licensing Act. It has never been regarded as part of the detective's duty to do so hitherto.
555. The two branches of the police—the detective and the uniform branches—work amicably together?—Yes.
556. No jealousy?—I have not known any jealousy between the two branches. Of course, there may be a solitary case of jealousy, perhaps. I do not know of any.
557. *Mr. Tunbridge.*] With regard to spielers: Have you ever let an opportunity of arresting these men slip?—Never.
558. You have been asked about making reports to the Inspector. Do you not frequently have conversations with the Inspector?—Every morning that I am in town.
559. Any matter that comes under your observation you call his attention to, without making a formal written report?—Yes, Sir.
560. With regard to betting places, or offices kept for betting, have you not other means of getting to know what is going on at these places than by your own personal observation?—Yes.
561. Through informers?—Exactly.
562. It is not necessary for you to go and personally watch, to know what is personally going on there?—No.
563. You know from other sources of information that they do keep their books in such a way that it is impossible to get at them for "tote" betting?—Yes.
564. Although you have not seen those books yourself, you know that to be a fact?—Yes.
565. You were asked if you would interfere with young prostitutes, girls over sixteen years of age. Do you mean it to be understood you would not interfere with them if you saw them soliciting prostitution in the streets?—I would certainly arrest them if I saw them committing any breach of the law like that, of course.
566. *Inspector Pardy.*—Do you know a single young girl, a girl under twenty, on the town in Dunedin?—No, I do not.
567. Do you remember the last young girl that went on the town?—a girl of about seventeen—some four or five months ago, I forget her name?—I do not recollect the case.

568. Do you remember a young girl we sent to the Magdalen Home in Christchurch?—Yes.

569. What was done with her as soon as the police found out she was living a loose life?—I do not recollect the case. Of course, the two plain-clothes constables do this work specially.

570. What were your instructions from me as to young girls living a loose life?—To take steps at once to have them brought before the Court. I may say that I have read in the newspapers that jealousy existed between the detectives and their chief. I have served with five chief detectives. I have never been jealous of them, and I have never known a detective who was.

571. *The Chairman.*] With regard to the uniform branch of the service, have you found any jealousy on the part of constables which has in any way interfered with your work?—None whatever.

572. They have not withheld information from you on account of jealousy?—No. I have had no reason to suspect anything of the kind.

573. Have detectives withheld information from the uniform branch of the service in order to keep cases in their own hands?—No.

574. It has been suggested that the detective branch will withhold information from constables in uniform in order to keep to themselves the prestige of a case, rather than let it pass into the hands of the uniform men. Have you found any such feeling to exist?—No, never.

575. *Mr. Taylor.*] With regard to Tommy Barnett's office, is it downstairs or upstairs?—I think it is upstairs. I am not sure.

JOHN COONEY, examined on oath.

576. *The Chairman.*] What are you?—I am a plain-clothes constable, stationed at Dunedin.

577. *Mr. Taylor.*] How long have you been in Dunedin?—A little over eight years.

578. Have you been doing plain-clothes duty all that time?—I have been doing plain-clothes duty three years last October.

579. Did you make application to be placed on plain-clothes duty?—No. I understand Inspector Parry sent for me to do plain-clothes duty.

580. Do you remember a prosecution against gaming-house people a few months ago in Dunedin?—Yes.

581. Had you anything to do with that case?—Yes, so far as seizing some of the books, and assisting the chief detective and Detective McGrath was concerned.

582. Did you know the class of business they had been carrying on prior to that prosecution?—There was some talk about it.

583. How long had Barnett and Grant been carrying on that class of business—the class of business they were prosecuted for?—I could not say how long they were carrying it on. They had an office, I suppose, for four or five years down there.

584. Where had the office been?—In the Arcade, and one lower down High Street.

585. For at least four years before the conviction?—Yes, I would say it would be that.

586. If Detective McGrath said they had only been carrying on the business for a year, he would be mistaken?—Yes; I know they had an office in Watson's.

587. Did you ever make it your business to find out exactly the class of business they were carrying on?—No, I have not.

588. You consider it your duty to report such places you may suspect as places being used for illegal gaming to the Inspector?—Yes.

589. Did you ever report that one?—No; I was not aware there was illegal gaming carried on.

590. Do you know any establishments similar to Barnett and Grant's carried on in Dunedin now?—Tommy Barnett has an office in High Street, downstairs.

591. Upstairs?—No, downstairs.

592. Are you sure it is downstairs?—Yes.

593. Do you know of any other similar establishment?—No.

594. Are Barnett and Grant not carrying on a similar office?—Oh, yes, in the Arcade.

595. Do you know the Exchange Buildings, in Princes Street?—Yes.

596. Is there a betting office there?—Not now. I believe there was a man who had an office there.

597. What was his name?—Moss.

598. Are you certain Moss is not there to-day?—I am not certain.

599. Have you reason to think the office has been closed since the time you speak of?—I understood he left and went to the North Island.

600. How long since you saw him?—It is some time since I saw him.

601. Is it a month?—I think it would be more.

602. You do not know whether his office is open now?—No.

603. Do you know Ben Curtis, the tobacconist?—Yes.

604. What place does he keep?—He keeps a tobacconist's shop in Rattray Street.

605. Have you reason to suppose any gaming is carried on there?—No.

606. Is he a book-maker?—He has been, but I think he has given up that business for some time.

607. What makes you think he has given it up?—Well, he had some racehorses, and he was barred from going into the Jockey Club racecourse, and at that time I understood he gave up all that sort of business.

608. How long ago is that?—Twelve months ago.

609. Have you made any inquiries within twelve months as to whether he is carrying on betting?—Yes.

610. And the report has been?—He has not been betting.

611. If Detective McGrath said he was a book-maker now he would be mistaken?—Well, I have stated the result of my inquiries.

612. To the best of your knowledge he has not been betting this last year?—That is so to my knowledge.

613. Have you reported any of these places to the Inspector?—No I have not.

614. Have you endeavoured to get information as to whether they are carrying on illegal betting?—Well, I have tried to get information, but it is a very hard thing to get information—they are so cunning—as to whether they carry on this sort of business now, especially since the last conviction.

615. In connection with the raid against Barnett and Grant, a few months ago, do you know if a number of policemen were rated before the Inspector because names similar to their surnames were found in the betting-books?—Yes, I believe there were some.

616. Did you ever know any of the policemen in Dunedin to wager with any of these tote-shops?—No.

617. Did you know a policeman in Dunedin to wager with any of these book-makers?—No, not to my own knowledge.

618. And you never wager yourself with them?—Well, I have done so—not totalisator odds, though.

619. Do you not think that, if police-officers have that class of transactions with betting-men, it would render the prosecution of these men very difficult?—If it was carried on to any great extent, of course it would.

620. Do you think betting is on the increase or decrease?—I think it is rather on the decrease.

621. Do you know if there is any betting on the part of minors, boys under sixteen?—No, I do not.

622. Do you regard it as part of the duty of the detective branch of the service to report breaches of the licensing law to the Inspector?—Well, I always heard it was not the duty of detectives to do so, but I think if I saw a glaring case I would always do so; in fact, I have done so—not since I was in plain clothes; when I was in uniform.

623. Do you consider it your duty to report the existence of houses of ill-fame to the Inspector?—Yes.

624. Do you know of any such places in Dunedin?—Well, there are houses occupied by prostitutes, but it is very hard to prove they are brothels. I may say plain-clothes Constable McIntyre and myself were told off to do duty together, and we were instructed by Inspector Pardy to prosecute all occupiers of brothels. We did so. We brought a good many of them up, and had them prosecuted. We also had the girls that were living with them brought up, and charged with vagrancy. The brothels were broken up at that time. For a long time they were afraid to go back to the houses again. The consequence was a lot of these girls when they came out of gaol went to live at boarding-houses, and went from that to live amongst the Chinamen. We then had to prosecute the Chinamen for keeping houses frequented by prostitutes, and ever since then we have always been pretty well bringing these people up before the Court.

625. These houses you raided three years ago, were some of them occupied by a single prostitute, some by two, and some by three?—No, there was more than one. There were three and four, and five in some of them.

626. Are there any houses in Dunedin now where there is that number?—No.

627. Do you know a house at the corner of Cargill and Scotland Streets?—Yes.

628. Is that frequented by prostitutes?—No; not to my knowledge.

629. You do not know?—I know a man named Burton was living there, and was up till the last week or so. He is a hawker.

630. Do you know if prostitutes live there?—He has got a woman there living with him. I know she has got a bad character.

631. Would you be surprised to know five women were there?—I would.

632. Do you know any place at all in Dunedin kept for the purposes of prostitution?—There are a number of houses, as I say; but only two, at the very most, are living in those places.

633. They are used for the purposes of prostitution?—I dare say they are, but it is very hard to prove.

634. Do you know Asher's Lane?—Yes.

635. Are there any prostitutes living there?—Yes.

636. *The Chairman.*] Do you know how many?—There is one. She is living with a man. He is keeping her.

637. Why do you call her a prostitute?—Well, she knocks about the street at night.

638. *Mr. Taylor.*] Do you know Mrs. Desarthe?—I do.

639. You made special inquiries into that case, did you not?—Yes.

640. How did you satisfy yourself she was getting charitable aid?—Well, she told me herself.

641. Did you check her statement in any way?—No.

642. Do you usually take the evidence of a woman of that class?—I always knew her to be a respectable woman.

643. Did you check her statement to the effect that she was getting 9s. per week from a house on Maori Hill?—No.

644. How many children has she with her?—She has got four.

645. Are they her's?—No, adopted.

646. Do the girls follow any regular occupation in the day-time?—No.

647. Do they frequent the streets at night-time?—Not much.

648. They have been before the Court?—No.

649. Not for brawling?—No.

650. Neither of them?—No, not to my knowledge.
651. Do you not think these girls should be taken from a home of that description and taken care of?—Well, of course the mother is an invalid, and she is not able to look after these girls. One of the girls is rather fast.
652. *The Chairman.*] What is the age of them?—The oldest girl is about sixteen.
653. *Mr. Taylor.*] Is the other fifteen?—About fifteen.
654. Is it not a criminal act for men to have intercourse with girls under sixteen?—Yes.
655. Have you known these girls to solicit in the street?—No, I have not, and I have watched many a time.
656. *The Chairman.*] You do not think they are guilty of immorality?—I do not, and I know the mother would not allow a man in the house.
657. *Mr. Taylor.* Would the health of the woman, within the last two months, have permitted her to run down Moray Place and down King Street after a man with whom she was quarrelling? Well, in the state of her health I do not think it would be possible.
658. Are there any juvenile prostitutes in Dunedin?—No, there are not. There have been, and they were sent to the Magdalen Home in Christchurch some time ago.
659. You think that is on the decrease in Dunedin?—Yes I do.
660. Do you know a house in Percy Terrace?—Kept by women?
661. Yes?—Yes. I know there are prostitutes living in it.
662. How many?—There are two in one house. There are three houses there altogether with prostitutes. Two is the most that live together.
663. Have you known cabs go down that street?—Yes, I have seen cabs pull up outside.
664. Have you seen women or men get out?—Well, men.
665. Ever seen women get out?—No.
666. What class of evidence will convict of keeping a brothel?—One case we had in Asher's right-of-way, there was a man named Haddock was brought up for keeping a brothel. He was living with a prostitute. I would not be certain, but I think there was a prostitute in the house at the same time; and the police went in and caught a man in bed with this other prostitute. He was brought up before the Stipendiary Magistrate, and because it could not be proved there was more than one copulation, the case was dismissed.
667. You think all the houses of this class are known to the police in Dunedin?—Yes, I think so.
668. *Inspector Pardy.*] I believe it is a particular part of your duty to look after houses of ill-fame, and young girls?—Yes.
669. Is there a single girl on the streets in Dunedin?—No.
670. Are there any that you might call comparatively young?—No.
671. Has the number of prostitutes increased or decreased since I came here?—They have decreased.
672. Is any house passed over that it is possible for the police to get a conviction against?—No.
673. Are we not continually—over and over again—prosecuting these very women that Mr. Taylor is referring to?—That is so. When brought before the Court, the Magistrates hardly know what to do with them, they are brought up so often.
674. As regards spielers, are there any number here?—No.
675. Is there any opportunity passed over of getting them convicted, when we have got sufficient evidence?—No, there is not. If there is any show at all, we bring them up.
676. Are there any loafers or bullies allowed about these unfortunate women?—No. I may say at that time we brought a lot of these bullies up, and had them charged with vagrancy, and had them convicted.
677. I believe you assisted me to break up a den in a publichouse?—Yes.
678. *Mr. Tunbridge.*] You have admitted to having made bets with betting-men?—Yes, Sir, on one occasion, a long time ago.
679. When was it—about?—About four years ago.
680. Was it a large amount?—No.
681. What was the amount?—Five shillings, I think.
682. Did you win or lose?—I lost.
683. You have not been betting since?—No, Sir.
684. I believe you have been directed to ascertain something about two prostitutes living near Scotland Street, who were said to have gone away to Napier?—Yes.
685. These women were told that unless they left the place they would be prosecuted?—Yes.
686. And they have left the place?—Yes.
687. When were you there?—Yesterday evening at 4 o'clock.
688. What did you find?—The house was empty—nothing in it—no furniture nor anything else.
689. Is that close to Scotland Street—turning into Scotland Street?—Just near the turning.
690. *Mr. Taylor.*] Is this house in Scotland Street or Cargill Street?—It is just as near the one as the other.
691. *Mr. Tunbridge.*] The house you speak of is very close to the corner?—Yes.
692. *Colonel Pitt.*] Is there no house at the corner?—Yes, but not one that I know of that is frequented by prostitutes.
693. As to this woman, Mrs. Desarthe, has she any nickname that you know of?—No.
694. Do you know any one of the name of "Scotch Lizzie"?—Yes.
695. Is she not Mrs. Desarthe?—No, it is a different person altogether. "Scotch Mag" is a woman that lives in Asher's right-of-way. She has a daughter called "Scotch Lizzie." She is a washerwoman, a very old woman.

696. *Mr. Tunbridge.*] It is not with her these two young girls are living?—No.

697. She has a daughter?—Yes.

698. What age is the daughter?—Oh, she is a pretty old woman.

TUDOR BODDAM, examined on oath.

699. *Colonel Pitt.*] What are you?—I am a plain-clothes constable, stationed at Dunedin.

700. *Mr. Taylor.*] How long have you been here?—I have been in Dunedin ten years, but I have only been a plain-clothes constable for twelve months.

701. Do you remember the prosecution of Barnett and Grant for keeping a tote-shop?—I do.

702. How long had they been running that business prior to detection—in the Arcade and Watson's?—Well, as far as I can say, perhaps twelve months.

703. Do you know any places in Dunedin you suspect are used for gaming-houses or betting-offices?—Well, none to my knowledge—that is, used for illegal betting—tote odds betting, or laying wagers with minors.

704. If there were any in which they were conducting an illegal business you would prosecute them?—Certainly.

705. Leaving that out of the question—as to whether or not they are conducting an illegal business—are there any you suspect are used for betting purposes?—There are three. There is an office kept by a man named Moss, one by Tommy Barnett, and one by Barnett and Grant.

706. During the last year you have not been able to get any evidence that would enable you to convict?—No.

707. Have you kept them under close supervision?—I have. The only evidence I could get would be evidence enough to justify a suspicion that such a thing was going on, but direct evidence it was impossible to get.

708. They are so astute?—They are—betting in the town and on the racecourse, too.

709. Where is Moss's office?—In the Exchange Buildings. He was there. I believe he has given it up now. He is away.

710. Do you know he has not closed his office?—I am not aware of that.

711. Do you know Ben Curtis?—Yes.

712. Is he a book-maker?—No, I do not think so. He is a tobacconist.

713. Has he been a book-maker?—He was in years gone by, when he was a racehorse owner; but he has thrown it all up.

714. Have you acquainted the Inspector with the fact that these offices are still running that you suspect to be betting offices?—No, I have not.

715. Do you consider it your duty to acquaint him with information of that kind?—Certainly; if I had direct proof that any breach of the Gaming Act was going on I would report it to the Inspector or the chief detective at once.

716. Do you regard it as your duty to report breaches of the Licensing Act? Do you consider it your duty, or more the duty of the ordinary constables?—I have no direct order. I should say it was more the duty of the ordinary street constables.

717. Have you noticed any breaches of the licensing law during the last year in your movements in the city?—No; I cannot say I have. Of course, I never looked specifically for them.

718. Is prostitution on the increase in Dunedin?—No; I should say it was on the decrease.

719. Do you think gambling is on the increase?—Well, no; I should say it is the same now as it was a year ago.

720. About stationary?—Yes.

721. Did you ever know of a case of a minor under sixteen betting with a book-maker?—Never. I do know of one case. That was about four or five years ago. He was a witness in a case—a material witness—and he asked the Stipendiary Magistrate to indemnify him against any future action against him if he gave evidence.

722. You think that evil does not exist in Dunedin?—Not to my knowledge.

723. Of course, as a detective, you are very much about amongst these men?—Yes, almost daily.

724. Do you consider it your duty to report houses you suspect are being used for the purposes of prostitution?—Well, if they come specifically under our notice.

725. They require to be very plain cases?—No, not necessarily.

726. Do you know any cases in Dunedin?—Brothels in Dunedin?

727. Yes, used for the purposes of prostitution?—Well, there are houses certainly frequented by persons of questionable character; but whether they come under the category of a brothel or not I would not like to say. I do not think they do.

728. Do you know a place at the corner of Scotland and Cargill Streets?—I know of a house that was there, but the inmates have left.

729. At the corner?—Not exactly on the corner, but on the right-of-way.

730. There is a house on the corner, and one on the right-of-way: is there no connection between the two?—No; the houses are cut off.

731. Do you know such a place in Percy Terrace?—Yes; I know three houses occupied by women of questionable character.

732. You have no evidence whether the houses are used purely for the purposes of prostitution?—No, I have not.

733. Do you not think you have sufficient evidence to get the nuisance removed?—No, I do not think so.

734. Do you see cabs going down there?—On isolated occasions I might.

735. How many houses of that character do you think there are in Dunedin: are there thirty?—No.

736. Are there twenty?—No; I do not think there are twenty.
737. Do you know of any jealousy existing between the two branches of the service?—Personally, none whatever.
738. All work together amicably?—As far as myself and the detectives are concerned, yes. In fact, it is just the reverse of jealousy.
739. *Inspector Pardy.*] Do you know any young prostitutes on the streets?—No.
740. What was done with the last young girls? Do you remember a young girl that turned out some few months ago; I forget her name; about seventeen years of age, and who was sent to the Magdalen Home?—Yes.
741. Was it long before the police had her up?—No.
742. Almost immediately?—Yes.
743. She was brought before the Court?—Yes; and sent to Christchurch, to the Magdalen Home.
744. Since then, I believe, there have been no young girls on the streets?—No.
745. This is your particular duty, is it not?—Yes.
746. What would you say were the ages of the youngest women on the town now?—From eighteen to twenty.
747. None younger?—No.
748. Are there many of that age?—No; there are few of that age.
749. We have tried to assist these people again and again to reformation?—Yes.
750. Induced them to join the Salvationists, and take up other occupations?—Yes.
751. In some instances we have been successful, and others go back to the old life?—Yes.
752. And the police have done everything they can to assist any unfortunate girl to lead a better life?—Yes.
753. *Mr. Tunbridge.*] As to the offices kept by Moss, by Barnett, and Barnett and Grant, are these offices frequented by betting-men?—No, Sir, I cannot say they are.
754. Is there anything, so far as the evidence you could get—any evidence so far as you know—forthcoming to prove them to be common gaming-houses?—No.
755. So far as you know, is there any betting carried on inside these offices at all?—No, not to my knowledge.
756. Do you know if there are any books kept there?—I believe there are in Barnett and Grant's.
757. At the other two?—I do not know, Sir.
758. Have you any information as to how these books are posted?—Oh, yes. Barnett and Grant's books contain communications from all parts of New Zealand and the Australian Colonies.
759. Correspondence?—Correspondence about wagers—straight-out betting.
760. Is it recorded as straight-out betting, or tote odds?—Straight-out betting.
761. And as regards the other two, you are not able to speak?—No; I have not been inside either of them. I have been to the door, that is all.
762. They are not frequented by any number of men which would justify their being termed common gaming-houses?—No.
763. *Colonel Pitt.*] Do you know Thomas Barnett's office?—I know the building. It is at the corner of High and Battray Streets. I was never in the office.
764. Do you know whether it is upstairs or downstairs?—I am not certain.

FRIDAY, 25TH MARCH, 1898.

NICHOLAS AZZARITI, examined on oath.

1. *The Chairman.*] What is your name?—Nicholas Azzariti.
2. Now, what reason have you for writing in your letter: "This is all spite that Constable Treacy has against my wife, because she would not let him have her boy one Sunday to go and recognise a stick"?—He dragged my wife into the Court. We have been for many years in Port Chalmers, and in all that time I have never seen my wife drunk.
3. I do not see in the police records that she was drunk; only that she was excited with liquor. She was not convicted of being drunk; she was bound over to keep the peace with Mrs. Rennie?—She had no quarrel with Mrs. Rennie. When I got home one day I heard of a summons coming, and I asked where it came from. I had done nothing; I have a good character.
4. Your wife has been unfortunate, perhaps, because there are two or three records against her. On the 18th June, 1887, she was fined for assault; in February, 1888, she was charged with insulting language, and the case was dismissed; in December, 1888, she was fined £1 for another assault; on the 5th May, 1896, she was charged with using insulting language, but the charge was withdrawn; on the 24th November, 1897, she was fined 10s. for a breach of the peace; and on the 18th February, 1898, she was bound over to keep the peace for six months. She has been unfortunate in getting into troubles, but she has not been drunk, according to the police records. Tell us, now, about refusing to allow the boy to identify the stick?—The constable was angry with me, and was against me.
5. What makes you think that?—He said, "Why not give me the boy?" and my wife said, "I want him to go to church."
6. Did that make him spiteful?—Yes; that is my opinion.
7. Now we come to the next thing. You say, "Constable Treacy boasted that if my wife and family were dead on the road he would not pick them up." Have you anything to say about that?—No.

8. Did you hear it?—No.
9. Some one told you?—Yes.
10. Can you tell us the name of any one who heard the constable say that?—No, I cannot.
11. *Constable Treacy.*] Do you remember my going to you and asking for your boy to identify a stick?—Yes.
12. Did I make use of any insulting remarks to your wife, to yourself, or to your boy?—No.
- My wife said she would not give the boy.
13. You did not hear me say that I would “have” you on a future occasion?—Yes.
14. You did hear me say that?—Yes, I did.
15. And you think I have a spite against you?—Yes.
16. Have you not been ill recently?—Yes.
17. Did you ask me for anything during your illness?—Yes.
18. Did you ask me to do you a favour?—No.
19. Do you know Jewiss?—Yes.
20. Did you not ask him to interview me, so that I might become a witness to your will?—I never told him that.
21. And if Jewiss came to me and told me that, he did it without your permission?—I told him nothing of the kind.
22. If Jewiss says you told him to do that he would be telling a lie?—I never asked you.
23. Did Jewiss not tell you that under the regulations I was not permitted to have anything to do with private matters?—No.
24. When I had occasion to bring your wife before the Court for bad conduct in Macandrew Road, do you say at that time I had a spite against you?—Yes.
25. Are you aware that Mrs. Lightbourne and other residents of Port Chalmers have spoken to the police about your wife’s conduct?—No.
26. Did your wife ever tell you that when Mrs. Lightbourne asked your wife for 2s. she owed her your wife insulted her?—No.
27. Did you not complain to Sergeant Geerin about your wife’s conduct, and say that you were persecuted by her?—When?
28. Did you, or did you not? Did you not say that you could scarcely live in the house owing to your wife’s conduct?—No.
29. Has your wife influenced you to write that letter?—No.
30. Did you write it?—No. My girl did, at my request.
31. If Sergeant Geerin says you have spoken to him about your wife’s conduct, and the way she spent your hard-earned money, he will be telling an untruth?—She has never spent my money.
32. Will Sergeant Geerin be telling an untruth if he says you complained to him about your wife’s conduct and about her spending your money, and that you would have to get lawyers to protect you in Court?—I never said that.

SUSAN AZZARITI, examined on oath.

33. *The Chairman.*] What is your name?—Susan Azzariti.
34. What have you to say as to this complaint?—This is the summons I got. [Summons produced.]
35. And you went to Court on it?—Yes.
36. The letter says there is no name to it. I see it is signed by “J. Morgan, J.P.”?—But I did not know who was to prosecute me.
37. It is not necessary to state that?—That is where Constable Treacy’s spite came in.
38. There is nothing in that. Will you say what reason you have to think that Constable Treacy has a spite against you for not allowing your boy to go and identify the stick?—Constable Treacy took the boy by the arm and said he would have him. He said, too, that he would have me yet, and that it was a long road that had no turning.
39. When did that occur?—About a year and a half ago.
40. Was it before you went to the Court?—Yes, it was a long time ago.
41. Is this list correct? On the 18th June, 1887, were you fined £1 for assault?—Yes.
42. A year afterwards, were you charged with using insulting language, when the charge was dismissed?—I do not recollect that.
43. In December, 1888, were you fined 20s., or seven days’, for another assault?—I do not recollect it.
44. On the 24th November, 1897—the occasion of this summons—were you fined 10s. for breach of the peace and fighting?—No, not for fighting; Constable Treacy is in fault there.
45. On the 18th February, 1898, you were bound over to keep the peace for six months?—It was by my own wish.
46. You and another woman were both bound over to keep the peace?—Yes.
47. Do you say that any of these charges arose out of the conversation about the stick?—Every bit of it.
48. What reason have you for saying that?—I know it. Did he not say he would “have” me?
49. Then, your husband says that Constable Treacy stated that if he found you or any of your family dead on the road he would not pick you up?—Yes, he said it. On the 24th November I went in to pay the fine. I thought I would see Sergeant Geerin at the office, but I found Constable Treacy there, and he said, “Get out of this, or I will put my boot through you.” He also said, “It won’t be my fault if I do not get you six months.”
50. Remember, now, that you are on your oath?—I am a good Christian—I am a good old Catholic, and I am telling you everything that happened when I was fined the 10s.
51. *Constable Treacy.*] You remember the day I went and asked your boy to identify the stick?—Yes.

52. How long ago is it?—About a year and a half ago.
53. Who was in the house?—My husband, my two children, and myself.
54. Was there any one outside?—No.
55. Where was I standing when I was speaking to you?—At the door.
56. And I said it was a long road that had no turning?—Yes, those are the words you used.
57. You have a neighbour named Mr. Miller, have you not?—No.
58. He resides near you?—No.
59. Perhaps you know him by the name of “Bob, the butcher”?—He lives at a great distance from me.
60. How far?—From here to the front steps.
61. Was he listening to our conversation?—He could not have been at my house.
62. You did not notice him on the road?—No.
63. You have all your witnesses, and you say that I behaved badly to you and that I was impudent?—Yes, you were. My family were there at the time.
64. You did not notice Mr. Miller, then?—No. I do not know any man of the name.
65. Did I not ask you to allow your boy to come to the station to identify a stick, for the purpose of bringing a man to justice for assaulting another in the tunnel?—Yes, you asked me that; and I said it was Sunday, that I would not let him go on Sunday, and that you could have him on the Monday.
66. Where did I make use of the insulting language?—It was at the fence. You said it was a long road that had no turning, and that you would “have” me yet.
67. Where there any neighbours listening?—I have none.
68. There was no one listening but your own family?—There was not a soul there, but my daughter, my boy, my husband, and myself.
69. *The Chairman.*] Were you inside the house?—Yes.
70. How far was the constable from you when he used the words?—About two yards.
71. *Constable Treacy.*] You did not see any one else about?—Not a soul.
72. Mr. Azzariti has been ill lately?—Yes, he is often ill.
73. Did he request me to become a witness to his will?—I do not know about that.
74. Are you aware that Jewiss asked me to become a witness?—No; and I would not like to have you as a witness.
75. Do you know that I told Jewiss that I could not interfere with private matters?—I could not say that.
76. Does your idea of spite come in because I once brought you before the Court for bad conduct in Macandrew Road?—Well, how does that come in?
77. Now, you say that on the morning of the trial I was at the police-station?—Yes, on the 24th.
78. How many times have you seen me at the station?—I spoke to you at the station once about Wilson, who insulted me on the street. That is about two years ago.
79. It was on the street that you spoke to me, was it?—Yes.
80. How many times have you ever spoken to me at the police-station at Port Chalmers?—Only once, when you said you would put your boot through me.
81. Did you not speak to me, about twelve months ago, in the presence of Sergeant Geerin?—What was it about?
82. It was a complaint about some neighbours?—I have no neighbours, except Mrs. Wilson. Let Sergeant Geerin answer that for himself.
83. Who told you I would not lift your family off the road if I saw them lying dead there?—You said it yourself; you said it to me.
84. Where was that?—In the sergeant’s office. You were doing up some things at the time.
85. Did I ever say it to anybody else?—You made the remark to me at the police-station.
86. *The Chairman.*] Was it on the day he said he would put his boot through you?—Yes.
87. *Constable Treacy.*] If your husband says I told another person that I would not lift you off the road, is he telling a lie?—I cannot say that, but I know you said it to me.
88. And who heard me?—I heard you myself.
89. Have you any witnesses to call with reference to my conduct to you?—I have Mrs. Brown, who was my witness in the Court that day.
90. Why do you not have Mrs. Brown here?—I was not asked to bring her.
91. *The Chairman.*] Will you tell me about this list again?—On the 18th June, 1887, you were fined £1 or forty-eight hours’ imprisonment for assault? You admit that?—I could not tell you.
92. In December, 1888, you were fined £1 or seven days’ imprisonment for assault?—I do not recollect that. I recollect that a woman said I struck her, and I was fined £1 7s. Mr. Carew was on the bench.
93. Then, on the 24th November, 1897, the date mentioned in the summons, you were fined 10s. or twenty-four hours?—Yes; it was all on account of Constable Treacy and Sergeant Geerin.
94. And on the 18th February, 1898, you were bound over to keep the peace?—Yes, by my own wish.
95. *Colonel Pitt.*] On the 24th November, when you say the constable made these statements to you, there was no one present but yourself and Constable Treacy?—We were the only two in the office.
96. *Mr. Poynton.*] He has not interfered with you since that date?—No, he has said nothing since.

DENNIS TREACY, examined on oath.

97. *The Chairman.*] What is your name?—Dennis Treacy. I am a constable stationed at Port Chalmers. With reference to this case, I have to say that I have never in all my life spoken to Mrs. Azzariti except in the police-station twelve months ago.

98. Did you at any time say to her that it was a long road that had no turning, and that you would "have" her yet?—No; I have always been respectful to her in every way. When I spoke to her I had reason to be respectful; there was a case coming on.

99. Do you say that some one else heard what took place?—No; but there were several knocking about.

100. Did you say, in the sergeant's room, that you would put your boot through her, and that if you saw her lying on the street you would not pick her up?—I never said that.

101. *Colonel Pitt.*] Was she in the station on the 24th November?—No. She asked me that morning where the station was, and then started to abuse me for bringing a charge against her.

102. *The Chairman.*] Where did you see her?—On the footpath, outside the station.

103. Did you make use of any such language as she attributes to you?—No; none whatever.

104. *Mr. Azzariti* said he had no questions to ask the witness.

105. *Mrs. Azzariti.*] Did you not tell me to clear out of the office?—I remember your being at the station once.

106. It was at the office, and you were writing?—I saw you in the station about twelve or eighteen months ago. You had not spoken to me in the station before that, and you have not spoken to me there since. You did not speak to me on the day of the case, except on the footpath, when you asked me the way into the Court.

107. *Mr. Poynton.*] You were going to give a reason, Mr. Treacy, why you wished to be civil to her when you spoke about the stick, but you did not finish?—Yes. My reason was this: She is a disagreeable woman, and I thought that by talking the matter over nicely with her the boy might identify the stick on another occasion.

108. And for that reason you were especially civil?—Yes, and for other reasons.

109. *Colonel Pitt.*] What took place between you and Mrs. Azzariti on the footpath? You say it was not in the station?—She came up to me and asked where her witnesses were, and where the Court was.

110. What did you say?—I told her she would have to find her own witnesses, and that I had nothing to do with them.

111. Was anything said about you getting her six months?—No. The first I heard about that was in the letter.

CONSTABLE TREACY'S CASE.—DENNIS TREACY, examined on oath.

112. *The Chairman.*] Your name?—Dennis Treacy.

113. When did you join the Armed Constabulary?—In 1879, as near as I remember.

114. When were you transferred to the Permanent Artillery?—About 1885 or 1886.

115. And when were you transferred to the Police Force?—In January, 1891.

116. What is your present rank?—Third-class constable.

117. You have received no promotion since you joined the Force in 1891?—No, Sir.

118. What do you wish to say about this question of long-service pay?—I wish to point out that I was serving under the old Armed Constabulary Act, all the time I was in the Armed Constabulary and the Permanent Artillery.

119. Was there any long-service pay in the Armed Constabulary when you joined it?—Men going from the Armed Constabulary received long-service pay when they had been five years in the Police Force—that is, prior to the 10th February, 1887.

120. They received it when they were entitled to it?—Yes. Their services in the Armed Constabulary counted in the term. When I was put in the Permanent Artillery, it was my wish to join the police.

121. And why did you not get your wish?—There were no vacancies.

122. That is, from 1886 to 1891?—In 1884, or the early part of 1885, I went to Wellington and interviewed the Commissioner, and he told me there were no vacancies. I then went back to my station. I was told that when my services would not be required in the Armed Constabulary I would be transferred to the police; but, instead of that, I was afterwards transferred to the Permanent Artillery.

123. What was your pay in the Armed Constabulary?—I joined at 6s. 6d. a day. It was reduced two or three times, and once it was increased.

124. What was your pay in the Artillery when you joined?—6s.

125. And in the Police Force when you joined?—7s. The reason I was forced to leave the Permanent Artillery was that there was a reduction, and, having a family, it was a matter I had to consider.

126. To what amount was the pay reduced?—5s. 6d. I was not reduced in pay, however, as I had just been promoted.

127. What pay were you getting in the Permanent Artillery when you joined the police?—6s.

128. When you joined the Police Force, were you aware that the long-service pay had been abolished by the circular of February, 1887?—Yes, Sir.

129. What claim have you to it now, if you accepted transfer knowing that it had been abolished?—I joined the Armed Constabulary on the understanding that when the Native difficulty was settled I would be transferred to the police. My services were required for years in the Armed Constabulary, and I was kept there.

130. You joined the Armed Constabulary on the understanding that when your services were no longer required you would be transferred to the police?—Yes, when a vacancy occurred.

131. What reason had you to suppose that long-service pay would go with you?—It was given to other men who were transferred from the Armed Constabulary to the police; they took their numbers and their services with them into the police.

132. *Colonel Pitt.*] Do you mean that if you had been transferred to the police earlier you would have got your long-service pay?—Yes, Sir. Several of my comrades are getting it now.

133. *The Chairman.*] You were anxious to be transferred to the police at a time when the long-service regulation was in force?—Yes.

134. Had you any special qualifications that led to your being put into the Permanent Artillery instead of into the police?—We were all drilled by Sergeant Parker, and I was one of twenty-five who were picked for service in the Permanent Artillery.

135. And that has had the effect of depriving you of your long-service pay?—Yes. It was not through any fault of mine, and it is not what I have already lost that I care about so much as what I am likely to lose in the future.

136. *Mr. Poynton.*] You are now getting 7s. a day?—Yes, Sir.

137. And some of your comrades are getting 8s.?—Yes. I think the second-class constables get 8s. 6d.

138. And what is a constable on the same grade as yourself getting?—From 8s. to 9s. a day—equal to.

139. If they are third-class they now get 8s. a day?—Yes.

140. They were your comrades in the Artillery, and they are now doing the same duty as yourself?—Yes.

141. And they were the same grade, but they had the good fortune to be transferred prior to 1887?—Yes.

142. *Colonel Pitt.*] Are there any entries on your defaulter's sheet?—There are none against me; but I have several "merits."

143. *Colonel Hume.*] You joined the Armed Constabulary in March, 1879?—Yes.

144. You were transferred to the Permanent Artillery in 1885?—Yes.

145. Did you get 6d. a day for long-service pay?—No.

146. Why not?—I was not entitled to it.

147. Why did you not get the 6d? You had been over five years in the Armed Constabulary?—The men who were transferred into the police got 6d. a day.

148. And the Armed Constabulary did not get long-service pay?—No.

148a. I think you told the Commissioners that they did?—If so, I was wrong.

149. You joined on the understanding that you were to be put into the police?—Yes.

150. That is, when you joined the Armed Constabulary?—Yes.

151. Who gave you that understanding?—I asked the Commissioner, Colonel Reader, and he told me that when the Native difficulty was settled I would be transferred to the police. He told me that before I left the depot.

152. Some of your comrades are still in the Artillery?—Yes.

153. What pay do they get?—I understand that men who were junior to me have risen from the ranks, and are now getting from 7s. 3d. to 7s. 9d.

154. *Mr. Tunbridge.*] It is only a question of long-service pay that you wish to speak about?—Yes, and of my back services.

155. You are not being treated in any way different from other men who have come from the Artillery to the Police Force since 1887?—Nearly all my comrades have received promotion except myself. There may be a few who have not, but they are very few.

156. No man has received promotion since you joined?—Not for services.

157. You have not been passed over in promotion?—No, sir, I have not; but soon after I joined the Police Force all the men with seven years and a clean sheet got promotion, and I was in hope that when I had served that time I would also get promotion; but I still hold the third-class rank.

158. *Mr. Poynton.*] Have you a free house?—No. I have to pay £1 16s. a month for rent, and I have paid rent since 1885.

159. *The Chairman.*] What family have you?—Five.

160. *Colonel Pitt.*] Do you hold any outside offices?—I was connected with the dog-tax work once, but it has been taken away.

161. *Mr. Poynton.*] Is 9s. a week for rent a fair allowance for the Dunedin district?—No, it is not. I think that 10s. a week should be allowed.

162. *Colonel Hume.*] I understand your contention is that the Armed Constabulary men should count in their police service their term of Armed Constabulary service?—Yes, Sir.

163. You think that your service as a police constable should date back to March, 1879?—Yes, that is what I am asking for.

164. How long have you been in Port Chalmers?—Three years and a half.

165. Why were you sent there?—I applied to go there.

166. For what reason?—Because I could get a better house there for my family at a cheaper rent than I could in Dunedin.

WILLIAM STONE PARDY, examined on oath.

Inspector Pardy: I produce Constable Treacy's defaulter's sheet, which is absolutely clean. His merit-sheet shows that in 1893 he received £3 for the detection and arrest of Phillips; that he received long-service and good-conduct medal in 1893; that in 1895 he received £1 for the arrest of a deserter; in 1896, £5 for services in connection with the arrest of Thomas Horne, and 10s. for arresting an absentee from Her Majesty's ships; £2 in 1897 for the arrest of two absentees from Her Majesty's ships; and £2 16s. 8d. in 1898 for securing a conviction for smuggling against Coleman.

167. *The Chairman.*] Constable Brennan complains of a statement in your evidence in the paper that "you had no occasion to reprimand or fine him lately." Do you now produce his defaulter's sheet?—Yes. By referring to it I find that on the 25th January, 1879, he was

cautioned for being absent from barracks without leave. He was absent between the hours of 11 p.m. and forty minutes past 12. On the 14th December, 1880, he was reprimanded for neglect of duty in not making himself acquainted with the provisions of the Licensing Act. On the 29th July, 1888, he was charged with neglect of duty by being fifteen minutes late for parade when going on duty, for which he was reprimanded. Those are all the charges against him.

168. *Colonel Pitt.*] Are there any merits?—On the 14th June, 1893, he received the medal for long service and good conduct.

169. *Mr. Poynton.*] This all took place before you had charge of the district?—Yes; years before.

170. You have never had occasion to reprimand him?—No; the paper has made a mistake in my evidence. The official report is correct.

171. *The Chairman.*] You say you have never reprimanded him?—That is so. It has been quite the reverse. I have been pleased with the way he has done his duty.

172. Now that you are here, I wish to ask you a question about ambulance work. Is anything done with the men to train them in that way—in ambulance work or in giving first aid to the sick?—Not since I have been here; but I believe that at one time they were trained. It was before I came here. I think it would be a very good thing. The police often come on the scene of an accident, and if they had a knowledge of how to stop bleeding, and to treat wounds, life might in some cases be saved. There was the case of a man who was stabbed in South Dunedin, where a constable bound up the wound as well as a medical man could have done it. He was a man who had been trained.

ROBERT RAINIER JONES, examined on oath.

173. *The Chairman.*] Your name is?—Robert Rainier Jones.

174. What are you?—I am a private detective.

175. Were you ever in the Force?—I was.

176. At what time?—I joined the Force in 1874, in May. I joined the Mounted Armed Constabulary, and in 1879 I was transferred to the Detective Force in Auckland under Inspector (then Sub-Inspector) Pardy. I served with him for over four years. I was transferred to Christchurch, and from there I was sent back to Auckland. From there I was transferred to Invercargill, from there to the Bluff, from the Bluff to Clyde, from Clyde to Arrowtown, and from Arrowtown to Queenstown.

177. Where did you leave the service?—In Dunedin.

178. Did you come from Queenstown to Dunedin?—Yes. In Dunedin I was doing street duty. I have here my medal for long service and good conduct, also my discharge. [Produced.]

179. You held the rank of first-class constable when you were discharged?—Yes.

180. The arrest you wish us to consider took place when you were in the Force?—Yes; but I am not making any complaint against the Force, good, bad, or indifferent. I am simply asking for what is set out in my statement.

181. On what do you found your claim for £20?—On the Prisons Act.

182. Is that sum fixed to be awarded?—I think so, Sir.

183. *Colonel Pitt.*] Was this man you captured an escaped convict?—Yes. I think he was doing eight years for robbery with violence.

184. What was his name?—McGuire.

185. *The Chairman.*] You claim £20?—I claim half of it on behalf of Wake, who arrested the man with me.

186. Did you receive any reward for the arrest of the man?—I received none. I never applied for it. I had done my duty, and I expected one.

187. And why do you expect it now, if you did not expect it then?—Well, the Commission is sitting now; and I am positive that some of my comrades who were also entitled to rewards for capturing men who had escaped from the penal settlement have not received anything, and it is hardship for them.

188. *Colonel Pitt.*] Where did they escape from?—From Humesville, at Milford Sound.

189. *The Chairman.*] Before you make any claim against us you should have made your application to the department?—Well, I did not do so.

190. It is a curious thing to allow a claim to remain in abeyance for so long, and then come here and claim it?—As long as it gets publicity it will be known that when a man gets away from a penal settlement the arresting constable will be entitled to a reward.

191. *Colonel Pitt.*] Why do you not apply to the Prisons Department for a reward?—I will do that.

192. Have you not had a long correspondence with the department about it?—No. Wake was with me; but I do not wish to be mixed up with him.

193. *The Chairman.*] Did Wake apply?—Yes.

194. *Colonel Hume.*] Did you arrest the prisoner yourself?—Yes.

195. Where?—At Mararoa Downs.

196. Were you by yourself?—I was with Wake.

197. *The Chairman.*] Well, never having applied to the department, I think you had better do so?—I will apply to the department.

The Chairman: The following is an extract from "The Prisons Act, 1882," section 42: "Whoever shall discover and prosecute to conviction, or shall give such information as shall lead to the conviction, of any offender, being at large contrary to the provisions of the two last preceding sections of this Act, shall be entitled to a reward not exceeding twenty pounds, at the discretion of the Judge, for every such offender so being convicted."

JOHN DWYER, examined on oath.

198. *Colonel Pitt.*] What is your name?—John Dwyer.
199. What are you?—I am a third-class sergeant of police, stationed at Clyde. On the 5th February, 1887, on the recommendation of Inspector Thompson, under whom I was then serving as district clerk, I was promoted to the rank of acting-sergeant.
200. *The Chairman.*] When did you join?—In October, 1878.
201. You joined the police?—Yes. I was never in the Armed Constabulary.
202. What Force were you in before?—I was in no Force. I graduated from the plough. I have here the recommendation of the Inspector at the time I was promoted. It is as follows: “Referring to the application of Sergeant William Beatty for his discharge, I respectfully beg to recommend that, in the event of its being granted, the constable named in the margin (First-class Constable John Dwyer) be promoted to be acting-sergeant in his stead. Constable Dwyer is an active constable, of more than ordinary education, zealous, and with a good knowledge of his duties, and would, I believe, make a good non-commissioned officer.”
203. *Colonel Hume.*] What is the date of that?—It is dated the 15th January, 1887. The following first-class constables were promoted as follows: John S. Bernard, 1st June, 1890; Edward Mackay, 1st October, 1892; Alfred James Mitchell; 1st May, 1893. I was senior to these men by years.
204. Were they made acting-sergeants or sergeants?—They were made acting-sergeants. As I say, I was senior to these men; yet in January, 1894, they were promoted to third-class sergeants, and on the 15th February, 1898, they were promoted to second-class sergeants, while I still remain in the third-class list. In May, 1890, I was asked by Major Gudgeon, then Commissioner of Police, to take charge of the Oamaru Gaol. I may say that at the time there was some trouble with the gaolers there. I agreed to take charge on the understanding that I would be allowed to retain my rank, also that I should receive long-service pay from the Police Department, and that I should be promoted in my turn. I think I might read the report I submitted to the Inspector at the time. It is dated the 8th May, 1890, and is as follows: “I beg to state that I am willing to accept the appointment of Gaoler of the Oamaru Gaol on the following conditions: That I be allowed to retain my rank, also that I receive long-service pay from the Police Department, and that I be promoted in my turn.”
205. *The Chairman.*] Did you ever hear from the Inspector that he received that?—I was clerk at the time, and I laid it on his table; and he sent it on, or perhaps the contents, to Wellington. I was the sergeant residing in the station, and was responsible for the good order, and if any complaints came in at night I attended to them. On the 27th December, 1893, a local appeared in the *Otago Daily Times*, as follows: “We understand that Sergeant Dwyer, who has been acting as gaoler at Oamaru for some years past, will take Sergeant Shirley’s place in the Dunedin Police Force. Sergeant Dwyer was stationed in Dunedin some eight or nine years ago, and was presented with a gold medal for saving life in a fire in Cumberland Street. About eighteen months ago he was awarded the Humane Society’s bronze medal for his conduct in swimming to the rescue of a man who was drowning in Oamaru Harbour.” This paragraph stated that I was to be transferred to Dunedin.
206. Did you get the bronze medal?—No, a certificate of merit. The paper, it seems, was wrong in both statements, as I only got a silver medal in Dunedin. I waited daily for the receipt of orders to go to Dunedin, but no orders came to me.
207. What was the origin of the local?—I do not know. I had received no instructions to go to Dunedin. On the 5th January, 1894, Colonel Hume paid a visit of inspection to the gaol at Oamaru, and I asked him if the report appearing in the newspapers that I was to be shifted to Dunedin was true. He replied that it was—that he was thinking of sending me there. I said I would rather be sent to any other station; that I had relatives there, and that I did not care to be in a town where I had relatives or friends. I also pointed out to Colonel Hume that I had a growing family, and that after paying 15s. a week for house-rent, which I think I would have had to pay in Dunedin, I would be a loser, and would not be able to keep it up on my pay. There was no allowance to sergeants at the time, but there was talk about it. I asked Colonel Hume if he could send me to a station with free quarters, as I then had, or allow me 10s. a week for house-allowance. He said he could not allow me house-rent, but that he might find a station for me somewhere North, and with this understanding he left me. I heard no more about my transfer. There was nothing said as to promotion, and when Commissioner Tunbridge quoted Colonel Hume’s memorandum for me in his correspondence on the subject—that I had refused promotion, and wished to remain in Oamaru—I was greatly surprised. I had not heard of the memorandum before. I remained in charge of the Oamaru Gaol until February, 1897.
- [Further examination adjourned.]
- SARAH JANE SLATTERY examined on oath.
208. *The Chairman.*] What is your name?—Sarah Jane Slattery.
209. You are married, are you not?—Yes.
210. Where are you residing?—In Dunedin just now.
211. Your husband is away?—Yes.
212. You do not know where?—No. I want to find out, but the police will not help me.
213. What right have you to say they will not?—He has been seen in Dunedin.
214. What have you to say about the house you refer to in your letter?—I say that it is ill-kept.
215. What house do you refer to—to the Matakau Hotel?—In Tinker’s; it is called the Newtown Hotel.
216. Who keeps the house?—Mrs. Mellor owns it, and, although Wall has his name there, it is Mrs. Mellor all the time.

217. Tell me any nights that the house has been kept open to your own knowledge?—It was kept open for years to my own knowledge. Sergeant McLeod was there once when it was open till 2 o'clock in the morning.

218. How long ago was that?—Two years ago. He came there on the 23rd December, and stopped there till very late, and got a bit "winey" himself. He then began to put the people out himself.

219. Tell me an occasion when you have seen the house open all night, giving the day of the month and the year?—On the 9th March, 1894, and all the year in 1895. We were living there, and could not go to sleep at all. We were alongside the house; the two houses are close together. When we complained of the noise the policeman told us we were living too close to the hotel. On the night of the 9th March, 1894, the house was open all night. I was watching my house that night, because Constable Leece had broken into it. On the 28th October, 1895, and on the previous night, it was open all night. Ask Constable Leece and Sergeant McLeod what time they went away, and what time they went there. They went there at half-past 11; but they had sent word that they were going.

220. That is a matter you have not brought before us in your letter. In the letter you only speak of the child being taken away, and about the conduct of the house?—I will tell you all about the other matter now then.

221. Do you say that on those two occasions the house was open all night?—Yes.

222. Was it noisily conducted?—Yes. They were nearly killing each other, and they were lying about on the road. There was a crowd of men fighting, and some of them were on top of the house, trying to tear the iron off the roof of the kitchen. That was in October. I sent for Constable Leece next morning.

223. How far were the policeman's quarters from the house?—Seven miles.

224. Who was the constable?—Constable Leece. We went for him next morning, but he would hear of nothing. All he would say was that we were living too close to the hotel.

225. You say the men were tearing the iron off the roof of the house? Whose house was that?—It was their own house.

226. You sent for the police the next day?—My daughter sent for the police next day, because the fence had been cut down.

227. Was any portion of your fence cut down?—It was my daughter's fence that was cut down. Mrs. Mellor cut the fence down. She is a terrible woman, and I told my daughter to say nothing to her about it. When Constable Leece came, all he would say was, "You are living too near."

228. What did you do about the fence being destroyed?—I did nothing; but the man who owned the place gave Mrs. Mellor notice to put it up, and after a time she did so.

229. You say that Constable Leece did nothing but tell you that you were living too close to the hotel?—That is all.

230. What did you expect him to do?—Well, what are the police for? What is pulling down a fence?

231. You could have taken the people to Court, but the constable could do nothing?—My daughter wrote to Colonel Hume.

232. Is there any other occasion when disorderly conduct was noticeable?—It was every day of the week—every day, and every night.

233. What was the date?—I will ask Constable Leece to tell you that. Constable Leece and Sergeant McLeod came, and sent in word that they were there.

234. Do you know that they sent in word?—I know it from a man who was inside the house.

235. Well, that man should come here and say it. He was not on his oath?—But I have not come here to tell you a falsehood.

236. Did you see anything more that you remember?—I remember the men coming out and knocking each other down.

237. Where were you?—I was in the garden at the back of my house. It was a moonlight night.

238. And you saw Constable Leece and Sergeant McLeod outside?—Yes.

239. Did you see them speaking to anybody?—Yes; and then Mrs. Wall went into the house and spoke to her husband.

240. Where were the constables?—They were towards the back of the house.

241. And when Mrs. Wall went into the house what happened?—Mr. Wall went into the room where the gambling was going on.

242. And did you see any more?—I saw the men come out at the front door.

243. Where were the police then?—They were still towards the back of the house.

244. What happened then?—The men ran away, knocking one another over.

245. The men ran away?—Yes; and I could tell you where they went to. I could point out the ground they walked on.

246. And they got clear?—Yes.

247. And what did the police do?—I do not know.

248. Did you see them go into the house?—No, I did not.

249. Is there any other matter in connection with the house that you wish to tell us about?—Yes; there is the night on which Sergeant McLeod slept in the house. That was the 23rd December, 1895; I think it was 1895. Inspector Parry has a note of it. He knows all about it.

250. What happened on that night?—Well, I cannot say what time it was when they knocked off drinking and singing. Then, some of them came out and lay against the wall of our house,

and it was 3 o'clock in the morning when Billy Wall came along and shifted some of them from our window, so that they would not annoy us. He had no coat on.

251. What did he do with them?—I do not know. I called the sergeant in the morning, when he was getting his buggy ready, and I asked him if he then knew the conduct of the house, and he would not answer me.

252. Was the sergeant in the house that night?—Yes.

253. Where were the men lying?—Under the bedroom window, against the wall of our house.

254. What is the sergeant's name?—We called him McLeod.

255. How do you know that Sergeant McLeod was in the house?—Because I was talking with him in the evening, and again at 10 o'clock; and in the morning when he was getting his buggy ready I sent for him, and asked him if he knew the conduct of the house, and he would not say a word.

256. Was Constable Leece there then?—No. On another night a big stone came through our window about 2 o'clock. I went out in my wrapper, but could see no one except Billy Wall, the man in the publichouse, and another man. I went to them and I said, "Wall, who put the stone through the window?" He said he saw no one. I said, "This is a funny time for you to be up," and he said the brewer had just called, and he had been taking in the drink.

257. When was that?—I do not know. Inspector Pardy has the date, and Constable Leece has the stone, but he never said a word about it.

258. Is there anything more you can say?—I would ask you how old a child must be before it gets drink.

259. Have you seen children getting drink?—Yes.

260. Well, is there any other fact you would like to bring before our notice in respect to this house?—There was a letter sent in objecting to Wall getting a license, as he was not a fit and proper person; and at Tuapeka, before the committee, Sergeant McLeod objected to the letter being read, as there were no such persons in the district as those who signed it. Sergeant McLeod was wrong in that, because I have lived in the district for thirty years, and I know the people who signed it. Now, why did Sergeant McLeod interfere? Why was the letter not read?

261. When was that?—It is two years ago this month.

262. Who was that letter from? Did you sign it?—Yes. I do not know if others signed it.

263. Do you wish me to understand that no one else signed it?—I think I was the only one who signed it.

264. Was it your letter he objected to produce?—Yes, it must have been. I signed my maiden name to the letter; but he knew the name. I had brothers in the district.

265. You must not be surprised at what occurred then, if you did not sign your name?—He said there was no one of that name there. There are people of the same name in Black's now, I think.

266. *Constable Leece.*] What did I say to you when I spoke to you about the fence being destroyed?—I do not think I said anything about the fence at all. It was my daughter who spoke about the fence.

267. Did you hear what your daughter said?—Yes.

268. What did she say?—She said the fence had been cut down by Mrs. Mellor, who had used some disgraceful language.

269. But what did she say about the fence?—That Mrs. Mellor had cut it down.

270. What was my reply?—You said, "The fact of the matter is that you are living too near."

271. Did I not tell you to go and lay an information?—I do not remember that.

272. Did I not say that, if you came to me as Clerk of the Court, I would prepare an information, and you could summons Mrs. Mellor?—No; you never made use of the word.

273. What was the damage?—There was from one house to the other. It was a wooden fence.

274. Could you say the extent of the damage?—No.

275. How much of it was cut down?—I suppose about 14 ft. or 15 ft.

276. How was it destroyed?—It had been cut down with a tomahawk, or an adze.

277. Could you not get your daughter to lay an information?—She is simple. If she had had any "savey" she would have laid it against you when you left me for dead out in the yard; and there is some of my grey hair that you tore out of my head. [Hair produced.]

278. Your daughter was satisfied?—Seemingly so; but I do not know.

279. As regards the publichouse, where were you when you saw the row?—I saw you coming down, and afterwards I saw the men rushing out of the house.

280. What sort of a night was it?—I believe it was a moonlight night.

281. Was there any wind?—I do not remember.

282. Where did we go to afterwards?—I did not see you go anywhere.

283. Have you been in the house since Wall has been the licensee?—No.

284. How do you know it has been badly conducted—gambling, and so on?—I know it has. I went in one afternoon to ask Wall to come and remove some men from our place.

285. Did you ever see gambling in the place?—I have not played cards there, and I have not seen it done.

286. Did you have any drink in your place?—It has never been without drink for any one that I choose to bring in and treat.

287. Have I not laid an information against you, and got a conviction for sly-grog selling?—Yes; but I swear I never sold a glass of drink to the man.

288. Is it not a fact that I once arrested you for having stolen goods in your possession?—Yes; it was a cowardly thing. You arrested me at night.

289. Did I not find some goods hidden in your house?—No.
290. *The Chairman.*] What came of the case?—It was dismissed.
291. *Constable Leece.*] Did you not apply at one time for a publican's license on the top of the hill?—No.
292. Did your husband?—Yes.
293. *The Chairman* (to Constable Leece).] Did you arrest this woman at night?
294. *Constable Leece.* Yes. The instructions of the Justice of the Peace on the search-warrant were to search "day or night," as it was supposed the goods were to be taken away before the morning.
295. *The Chairman.*] Do you say that Constable Leece entered your house?—Yes. He was bailiff, and he entered my private house where there was a billiard-table. In another house, half a mile away, there was a piano, which was mine. He had a distress warrant against the goods of my husband, and he took charge of the two. He left them in the billiard-room, and he had a carpenter to nail wood across the door. I got the piano back on paying £32 4s., but they took it again afterwards for my husband's debt.
296. *Constable Leece.*] You say that a stone was sent through your window?—Yes.
297. And you say I picked up the stone?—No; I said I gave it to you, and I heard no more about it.
298. When was this?—About November, 1895.
299. Was it about the time the fence was broken?—Yes.
300. Was it your window?—It was Fogarty's house, and my daughter had rented it from him.
301. *The Chairman.*] There is another matter. Mrs. Slattery says that Wall makes the statement that he can buy the policeman at any time for £5. Have you heard him say that?—Yes, he said it in the presence of my daughter and me. He said, "I do not care that (snapping his fingers) for you, because I can have the policeman on any day for £5."
302. When did he say that?—I cannot tell you the date.
303. How long since?—About a couple of years ago—more than a year ago, anyhow. It was in 1895. He did not say it once, but more than once; and when he said it to me I said, "Very well."
304. *Constable Leece.*] Did he refer to any particular policeman?—There was only the one on the ground at the time.
305. And he said he could buy me for £5?—No; you do not get me there. He did not say you. I suppose he meant any one.
306. *The Chairman.*] You say there was disorderly conduct when Sergeant McLeod and Constable Leece were in the house. Was there any more of the same conduct when they were in the house?—I do not know.
307. You do not know whether on those occasions the constable was there, or whether he was nearer than his quarters?—I do not know where he was—whether he was in Black's, or whether he was in the neighbourhood.
308. *Colonel Hume.*] You have lived in the district a long time?—Yes.
309. How many years?—I have lived between St. Bathans and there for about thirty years.
310. You are well known in the district?—Yes.
311. Will you tell the Commissioners the object you had in not signing your proper name to the letter?—I will tell you straight. I did it so that it would be read. I knew that if it was my own name to the letter it would not be read, because there was too much of the publichouse influence against me. That was my object. I signed the letter with my own name, and I can surely do it when I like.
312. Was it moonlight on the night of the 28th October?—I do not think it was. If it was it was a very early moon. I know that they were going round the house with candles in their hands.
313. You wrote to me frequently, did you not?—Yes.
314. And you always got answers?—Not always.

SARAH JANE SLATTERY, recalled.

315. *Mr. Poynton.*] Did Mr. Gilkison, solicitor, appear for your boy when he was charged with stealing the gooseberries?—Yes.

WILLIAM McLEOD, examined on oath.

316. *The Chairman.*] Your name?—William McLeod, sergeant of police, stationed at Sydenham.
317. Did you visit Matakanui about two years ago?—Yes, I have frequently visited it.
- 317A. Were you there one night with Constable Leece?—Yes.
318. Were you at the Matakanui Hotel on the night of the 23rd December, 1895?—I might have been.
319. *Mr. Poynton.*] Did you sleep there at any time?—Yes; several times.
320. *The Chairman.*] Do you remember the fact of a conversation with Mrs. Slattery the morning afterwards?—Yes.
321. She says that at that conversation she said to you, "You can no longer say you do not know the character of the house." Is that the conversation that took place when you were preparing your buggy?—It might have been something to that effect.
322. How was the house conducted on that night?—It was conducted all right.
323. What did the conversation refer to when she said, "You cannot now say you do not know the character of the house"?—I went there that night to inquire into a complaint of Mrs. Slattery's against Constable Leece.

324. This is the report that you wrote next day? [Report produced.] It is dated the 24th December, 1895?—Yes.

325. You say the house was conducted in an orderly manner?—Yes.

326. Is there any truth in the statement that there was disorderly conduct and rowdy drinking up to half-past 1 in the morning?—No, sir, certainly not.

327. You interviewed Mrs. Slattery next day with the view of making inquiries from her?—I spoke to her on the evening I reached Matakaniui, and asked her to be kind enough to get her witnesses, so that we might go to Shepherd's store, opposite the hotel, where I would take down all the evidence of the complaint, and forward it to Inspector Pardy. She said she would see. This would be about 6 o'clock in the evening. She afterwards sent a boy to the hotel for me, and when I saw her she said, "Oh, I won't bother about it."

328. Are you prepared to tell us that the house was conducted in an orderly manner that night?—Yes. There were two Justices of the Peace in the room next to mine; and other gentlemen of standing in the district were also in the hotel. There was Mr. Flint, and there was Mr. Ewing, of Cambrians, and in the early part of the evening Mr. Shepherd was there. The other two gentlemen, however, stayed all night, and if anything serious had been the matter they would have taken notice of it.

329. *Mrs. Slattery.*] Do you remember going to Matakaniui, driving in a buggy?—Yes.

330. When I came out to speak to you what did you say?—I forget.

331. Did you ask me why I did not give Mrs. Mellor possession of the house I was then in with my daughter?—No.

332. I told you I had no necessity to give Mrs. Mellor the house; and as we were speaking at the side of the house, did not my daughter come round and say that Mrs. Mellor had two boys going on the roof to take the iron off?—That is not the occasion. The occasion of the iron being mentioned was an afternoon; but on this evening it was late when we got there. It was 6 o'clock.

333. You stopped at the hotel on the night of the 23rd December?—Yes.

334. Were you not in the bar that night at half-past 12?—No.

335. Did not Wall go that morning and take men from under our window?—I do not know anything about that.

336. Did I call for you in the morning before you left?—Yes; I was there at half-past 5.

337. *The Chairman.*] When did you make your inquiry, then?

Sergeant McLeod: She would not have any.

Mrs. Slattery: What inquiry?

The Chairman: The witness says he arranged with you to go to Shepherd's store to take evidence.

Mrs. Slattery: No, nothing of the sort.

338. *The Chairman* (to witness).] No inquiry was held, because Mrs. Slattery would not bring her witnesses?—That is so.

Mrs. Slattery: He never asked me about an inquiry.

JAMES DANVERS LEECE, examined on oath.

339. *The Chairman.*] What is your name?—James Danvers Leece, second-class constable stationed at South Dunedin.

340. Will you tell us the character of this house?—I was often in Matakaniui for the purpose of keeping order at times of concerts or other gatherings.

341. Where were you stationed in 1894-95?—I was at Ophir from 1890 to 1896.

342. How far is that from Matakaniui?—Seven miles and a half. I was often at Matakaniui, as it was a district in which there were a number of miners; and rabbiters, miners, and shearers used to congregate at the concerts. I had also a number of summonses to serve there, and to do police work generally. I had ample opportunity of noticing how the hotel was conducted. I always saw it conducted in a proper manner. Sergeant McLeod and I occasionally paid surprise visits, on account of the reports from Mrs. Slattery saying that the hotel was not conducted properly. On those occasions we found that the hotel was properly conducted. Certainly, there were miners there playing cards.

343. For a publichouse it was properly conducted?—Yes. It was conducted in an orderly manner for a house of its class in a mining district. I heard of no gambling taking place in the house except through Mrs. Slattery's reports. She was so continuous in them that I wrote to the Inspector asking for an inquiry, to show who was in the right and who in the wrong. I could have got respectable people in the neighbourhood to speak as to the manner in which the house was conducted. The hotel was shut up at the proper time.

344. The other matter concerns the occasion when the fence was damaged?—I do not remember the circumstance. Mrs. Slattery and her daughter spoke to me about it, and Mrs. Mellor was there and denied it. I told Mrs. Slattery that her best plan would be to lay an information, and fight the matter out in the Court. I said I would prepare an information for her to take the matter before the Magistrate, as I could do nothing in the matter myself; but neither Mrs. Slattery nor her daughter did anything further. They seemed to be satisfied with the fence being put up. As to the stone going through the window, I made careful inquiries into the matter, and I could find no evidence as to the person who threw it. I believe it was an accident through some boys using a "shanghai."

345. Now, as to the taking of the child to the Court. Why was it taken to Clyde instead of Black's?—The reason was that Mr. McCarthy was the Magistrate for the Cromwell, Clyde, and other districts. He was taking Mr. Dalgleish's place at Black's. That was the reason he signed the order at Clyde.

346. Where was the case heard in Court?—In Black's.

Mrs. Slattery: No, it was not.

347. *Colonel Pitt.*] But the order was signed in Clyde?—Yes.
348. *The Chairman.*] The order was made at Black's, and signed at Clyde?—Yes, and the reason the child was sent to Nelson was on account of Father Sheehan's recommendations.
349. What was the ground on which the child was sent to the school?—He was charged with the theft of gooseberries from a garden, and assault.
350. *Colonel Pitt.*] How old was he?—Twelve years old, Mrs. Slattery says.
351. *The Chairman.*] Was it a charge of assault?—Yes, I think so; I think it was throwing a stick.
352. He was taken from the mother's custody and sent to Nelson?—Yes. We had a great job to get him, and it was by strategy that we got him at last. He had been tried and allowed out; and we went up several times to try and execute the warrant, but we could not get him. He was a very cunning boy. We had to remain in the house one night, and the next morning we got him.
353. *Colonel Pitt.*] Was the mother in Court when the order was made?—I believe she was, but I could not swear to it.
354. *Mrs. Slattery.*] You said I was present when he was convicted?—I said I believed you were.
355. *The Chairman.*] As far as you know the child is still in the school?—Yes.
356. *Mrs. Slattery.*] Did Mr. Gilkison not plead for the child?—I believe he did.
357. Did he not bring it out that there was nothing against the child; and did he not ask you to put a value on the gooseberries?—I believe a value was put on them.
358. Did I offer to pay it?—I do not know.
359. How long after was it that you took the child away?—It was a considerable time after the hearing of the Court.
360. *The Chairman.*] What is the boy's age?
- 360A. *Mrs. Slattery.*] He was fourteen on the 29th December, 1897. (To witness:) How many times did you break into my house?—Occasionally I had a distress warrant, and at times I had ejection orders.
361. *The Chairman.*] Did she ever demand to see them?—No. I begged and prayed of her to give me the key, and told her I would have to force my way in if she did not. She said it was her daughter's place. I asked her, for peace sake, to give me the key, but she would not do so.
362. *Mrs. Slattery.*] Did Fogarty not come forward and produce his documents?—Yes, and I told him to interplead.
363. *The Chairman.*] Who is Fogarty?—The man who laid claim to the place. I told him that if he owned the place he could interplead. He attempted to interfere with me, and I told him that if he did I would have to land him in Black's lockup.
364. Did he interplead?—No.
365. *Mrs. Slattery.*] Had you a warrant with you when you went into the house on the hill in June, 1894?—I had.
366. Why did you not show it to me?—You never asked for it.
367. During the time that Wall was in the hotel, how many times did your duty call you to the place?—Twice a week.
368. Did you ever enter it except when you were called?—I had other parts of the district to look after as well.
369. When I drew your attention to the conduct of the house, did you not tell me that you did not require it?—No.
370. *The Chairman.*] How many hotels of the same kind—in miners' districts—had you under your charge?—There were Ida Valley, Laudervale (sometimes), and another.
371. Which was the nearest to you?—They were all about the same distance away—about seven miles.
372. And you paid them periodical visits?—Yes.
373. There were licensed houses at each place?—Yes. There were eight licensed houses, extending over an area of eighteen miles, and there was only the one constable.
374. Were they all frequented more or less by miners?—By miners, rabbiters, and shearers. It was generally about the Christmas-time that shearing was on. The hotels were also frequented by the public, and by commercial travellers.
375. In visiting these eight houses, had you any system? Did you visit them at regular intervals?—Generally about twice a week each way.
376. So that each house would be visited—how often?—Each house would be visited once a week, any way.
377. What time in the day did you visit them?—About the afternoon. I was also there when concerts were on at the different places in the evening, and sometimes I stayed all night.
378. Were the concerts held in halls?—Yes. This generally occurred about once a month.
379. Did you consider that that was sufficient supervision of publichouses of the class?—I did.
380. What can you tell us as a general report of the houses?—I had one case against one of them for selling liquor to a person who was drunk, but the case was dismissed; otherwise, they were always well conducted.
381. Against a licensee while you were in charge of the district you had only one case?—Yes. I had one conviction for sly-grog selling.
382. That was within the last six years?—Yes.
383. *Colonel Pitt.*] When was that?—I think it was in 1892 or 1893.
384. Had that anything to do with the feeling against you?—That was the start.
385. *The Chairman.*] Was that the case of Mrs. Slattery?—Yes. That was the start of the troubles.

386. Was the case against her, or against other members of her family?—It was against her husband and herself.

387. Do you know anything of the husband's whereabouts?—No.

388. You know there is a warrant out for his arrest?—Yes. I have heard it said that he was at Coolgardie.

389. Have you heard the remark that he was at Dunedin?—No. I would like to say before I conclude that it is simply on account of doing my duty that I have trod on this woman's corns. She is the only person in the neighbourhood of Ophir who alleges a complaint against me.

WILLIAM STONE PARDY, examined on oath.

390. *Inspector Pardy.*] In regard to the boy, I wish to say that the constable came to me and spoke to me about him. I said I would write to Mrs. Slattery asking her to hand the boy over. I also told her that every care would be taken of the boy, and that he would be committed to the Nelson Industrial School, where he would be educated and properly brought up. Mrs. Slattery replied that she would not give up the child. I then informed Sergeant McLeod that the Magistrate's warrant must be executed, and that I expected him to have it done. The sergeant then sent Constable Chisholm, who was a stranger to Mrs. Slattery, from Alexandra to Matakauui to bring the boy, and, to prevent any scene or any violence with Mrs. Slattery, the constable waited until the boy came out of the house to go for the cows and then quietly secured him. Mrs. Slattery was informed of the fact. That is all that occurred in connection with the taking of the boy. In regard to other matters I have nothing to say, unless the Commissioners have anything to ask me. The witnesses seem to have explained it fully.

391. *Constable Leece.*] The house was reported to you as disorderly, was it not?—Yes, and repeatedly I sent either Sergeant McLeod or Constable Leece to make inquiries.

392. And you were satisfied with the police reports as to the conduct of the house?—Yes; I was quite satisfied. From the tenor of Mrs. Slattery's letter to me I could see that she had a bitter feeling against Sergeant McLeod and Constable Leece.

393. Have you had any other complaints about the conduct of the house, or about my conduct?—No, I had no complaints except those from Mrs. Slattery. As far as I was able to judge you did your duty most satisfactorily.

394. *Mrs. Slattery.*] Do you know that there is a warrant out for the arrest of my husband?—Yes. The police all know about it, and any man who says he does not know about it must be guilty of gross negligence for not reading the *Police Gazette*.

395. *Mr. Tunbridge.*] Inquiries have been made for Slattery?—Yes; all over New Zealand and in Australia.

396. He was found in Western Australia?—Yes.

397. Did he send Mrs. Slattery money?—Yes.

398. Through the action of the police?—Yes.

399. Then he left there?—Yes.

400. What was the last you heard of him?—He was calling on a relative, who kept a hotel in Melbourne. I forget the name, but I think it was Mrs. Slattery's sister.

401. That is the last information the police have about Slattery?—Yes.

402. *The Chairman.*] What is the name of Mrs. Slattery's sister?

Mr. Tunbridge: Mrs. Mitchell. (To witness:) Since that you have not been able to ascertain anything about the man?—No.

403. *The Chairman.*] How long is that ago?—About twelve months ago, or well on for it.

404. *Mr. Tunbridge.*] Slattery is known to a good many people in Dunedin?—Yes; and he is well known all over the goldfields. Sergeant Conn knows him, and Constable Leece knows him, and there is a private detective who knows him.

405. Since Mrs. Slattery has stated that her husband is in Dunedin, you have called special attention to the fact?—Yes.

406. *The Chairman.*] Does Mrs. Slattery say she has seen him within the last twelve months?—Yes.

407. You believe there is no foundation for that statement?—She must have been mistaken.

408. *Colonel Pitt.*] Is there any power to execute a warrant in Australia?—Yes, for wives desertion. In this case the warrant was issued, but it was not put into execution as the man sent money.

SATURDAY, 26TH MARCH, 1898.

CHARLES BONNER, examined on oath.

1. *The Chairman.*] What is your rank?—Third-class constable, stationed at Queenstown.

2. I have received a letter from you the terms of which are very similar to a letter received from Constable Treacy, and you refer to him in your letter?—Yes.

3. Will you just state the matters you desire to bring under the notice of the Commission?—I joined the Armed Constabulary—I am not sure as to the year, but I think it was in 1882, and was transferred to the Permanent Militia in 1884, and to the Police Force in 1890. I have got the long-service medal, and I am still a third-class constable. I have been nearly thirty odd years in the Constabulary and Police Force. I joined the Armed Constabulary first in November, 1867, and I put up with all the hardships connected with it during the war. I have the New Zealand war medal also. During the whole of my service I have never been once before an officer.

4. When did you leave the Armed Constabulary from that first service?—In 1869.

5. And rejoined?—In 1882.
6. *Colonel Pitt.*] Why did you leave in 1870?—I do not know. There was sickness in the family, and I tried to get leave.
7. *Colonel Hume.* You resigned?—I resigned; quite so.
8. *The Chairman.*] The particular subject of your complaint is you have not received promotion?—Yes. I lost all my service through being transferred to the police, and I find that young fellows are over me who have done no service at all.
9. You refer to loss of service, not in the police, but taking in the Armed Constabulary?—Not loss of service in the police, but loss of service as a whole; in fact, it was through no fault of mine I was not in the police before. I made application time after time, but it was never attended to until I saw Colonel Hume, and he transferred me immediately I saw him about it.
10. Is it the question of long-service pay you particularly draw attention to, or do you join with that the slow promotion?—Well, the long-service pay.
11. May we take all that has been said by Constable Treacy on that subject as embodying your views?—Yes.
12. Have you any suggestion to make to us in respect of any matter connected with the working of the Force?—There is one thing I would like to refer to. Being a third-class constable residing in the goldfields district, I find 7s. a day is just about as much as I can live on at all. Everything is so very dear there. We pay from 25 per cent. to 30 per cent. more for everything than they do in the town.
13. Do you call Queenstown, where you are now stationed, a goldfields town?—Yes.
14. *Mr. Poynton.*] You are a married man?—Yes, sir. Take coal, for instance: we pay £2 2s. a ton for the Kaitangata coal, and we burn as much again as they do in any other part.
15. *Colonel Pitt.*] I suppose there is no wood up there?—Very little. Then, again, the quarters are very bad indeed.
16. *Mr. Poynton.*] Do you get free quarters?—Yes, Sir.
17. *Colonel Pitt.*] Do you know if you have any merit records on your sheet?—I see by the sheet I have one reward of £2 2s. for obtaining convictions against two boys for breaking telegraph insulators.
18. *The Chairman.*] And your defaulter's sheet is quite clean?—Yes.
19. How long have you been stationed at a goldfields station?—Something over three years.
20. How many of a family have you?—Four children.
21. Are you in charge of the station at Queenstown?—No, Sir.
22. How many men are there?—One sergeant and myself.
23. How is it you get free quarters?—Well, the quarters were built a number of years ago, when it was an officer's station. They were single men's quarters, and the building has been there for thirty or forty years—at any rate, for a very long time.
24. *Colonel Pitt.*] Have you any perquisites outside your pay?—I am Inspector of Slaughter-yards.
25. What does that bring you in?—It brought me in, I think, £3 10s. or £4 10s. during last year. Of course, in winter time, they have to get their stock of coal away down the line.
26. Are you a mounted constable?—Yes, Sir.
27. *The Chairman.*] You find that 7s. a day leaves you hard pressed to pay your way?—Very hard indeed.
28. Is there any special wear and tear on your uniform on the goldfields?—Well, the long riding spoils your clothes sometimes.
29. You have breeches and boots to find?—Yes.
30. Do you get any special allowance on account of being mounted?—No, Sir.
31. You have to find a double uniform, as it were?—Yes, but it means simply a pair of breeches extra in the country.
32. What do you consider your uniform, including your riding-gear, costs you annually?—I could not say just now.
33. *Colonel Pitt.*] Have you to find a helmet?—No, Sir.
34. *The Chairman.*] Is there anything else you would like to add?—No, Sir.
35. *Mr. Tunbridge.*] I would like to know which you would prefer, a retiring-allowance, or a pension?—Well, with a family, I think I should like a retiring-allowance. It might be more good to them. I mean, that a retiring-allowance would be more good to my family than a pension. My family are all young, and, if I had to retire, the retiring-allowance might get me into something.
36. Personally, you would prefer a retiring-allowance to a pension?—Yes.
37. Have you any means of knowing what the opinion of your comrades is on that point?—No, Sir, I have not.
38. You are only expressing your own individual opinion?—Yes, Sir.
39. You must be rendered unfit for further service before you could be retired?—Yes.
40. And, although you might be rendered unfit for further work, you still think the retiring-allowance would be better for you than the pension?—I do not know, when I come to think of that again, a pension might perhaps be the best. Perhaps I might get laid up at any time. I did not look at it in that light.
41. *Mr. Poynton.*] Are you insured?—Yes, for a small amount.
42. *Colonel Pitt.*] How much are you insured for?—£150.
43. *Mr. Tunbridge.*] You say that, on considering the question, you are not so sure that a retiring-allowance would be preferable to a pension?—I was thinking of it for my family's sake. As the family are all young, it would be more good to them than a pension would be to me. They might go into business with it. I have not considered the pension.
44. *Colonel Hume.*] When you joined the Armed Constabulary Force in 1882 where were you stationed?—Wellington.

45. Did you go up the West Coast—Rahotu, Parihaka, and other places up there?—Yes.
46. And you were there in camp?—Yes.
47. And you were employed making roads?—Yes.
48. And you got some extra pay for that?—I myself never made roads.
49. The majority did?—Yes.
50. What was the pay in the Armed Constabulary Force then?—6s. a day.
51. And then they got 1s. a day for making roads?—Yes.
52. Did they get anything for camp allowance?—No, Sir.
53. Then, they were getting 1s. a day extra, and they had a fairly good time of it. They stopped at 12 o'clock every day and had the afternoon to themselves?—No; I never saw that.
54. Do you think the service they were then performing was in any way so hard as going on the streets from 9 to 5 every day?—No, Sir.
55. And yet your contention is that your date as constable should go back to 1882?—Quite so.
56. Would you not be going over the heads of those men that were working hard on the streets, when you were having a fairly good time on the coast?—I may say I was driving a wagon the best part of my time in the Constabulary, and I was out day and night, and it was very hard.
57. I understand the contention of your comrade was that police seniority should be the date of your joining the Armed Constabulary Force?—Yes.
58. Will you say you think the Armed Constabulary Force in those days were doing anything like as severe duty as the constables were doing on the streets?—Perhaps for six months in the year they would not.
59. But do you think it was so hard?—No, I do not think it so hard.
60. You have been a long time a third-class constable?—Yes.
61. Supposing you had been in the police in those days, and these Armed Constabulary men had come in over your head according to seniority, how long would you have been a third-class constable?—Well, they have left the Armed Constabulary Force and gone into the police with their service.
62. *Colonel Pitt.*] When was that?—I suppose that would be in 1878.
63. *Colonel Hume.*] Come into the police with their Armed Constabulary dates?—Yes.
64. But is it not a fact that a third-class constable would never know how he stood on the list at all if every man in the Armed Constabulary Force were to come over with the date of his Armed Constabulary appointment?—Yes. I was not asking for seniority; I was asking simply for long-service pay.
65. When you came in in 1890 you knew perfectly well you were not going to get long-service pay?—Well, I never made any inquiries.
66. You were in the Permanent Artillery, and did not know on what terms you were transferred?—No. There was simply an order asking men from the Permanent Militia if they wished to be transferred to the Police Department, and the men were transferred.
67. You did not know that three years previously long-service pay was abolished?—I heard so, but I did not think it was going to apply to old hands.
68. You say your quarters are bad at Queenstown. Now, there has been a large sum of money spent on your quarters at Queenstown recently, has there not?—Yes.
69. I passed through Queenstown not very long ago, did I not?—Yes.
70. You did not make any complaint about your quarters then?—I had not the time.
71. *The Chairman.*] You do not make any complaint about them now?—No.
72. They have been improved of late. When you say "very bad," do you refer to the condition they are in now since the repairs?—No; they are very much better now.

JOHN DWYER: Examination on oath continued.

73. *The Chairman.*] The last words yesterday were, "I remained in charge of Oamaru Gaol until February, 1897." Will you proceed now?—In February, 1897, I received official notice through my Inspector that I was transferred to Clyde, where I am now stationed. I wish to point out here that I used no political influence in any way to thwart the orders of the department, although I knew I was going to the worst station in New Zealand.
74. Do you consider Clyde the worst station in New Zealand?—I do; that is, for a sergeant and his family. I might call it the Siberia of New Zealand.
75. Is it known by that name?—I have heard it called that name before. I am seventy-six miles from the nearest railway-station.
76. What is the population?—About three hundred and fifty, I think it was, by the last census.
77. *Colonel Hume.*] It is a great deal more since the dredging?—It is not Clyde; it is Alexandra that has increased on account of the dredging.
78. *The Chairman.*] Where is the nearest railway-station?—Lawrence.
79. Have you any men there with you?—One constable. Living is at the very least 25 per cent. dearer than in any other town or centre in the colony.
80. What is the price of coal there?—Well, there is lignite coal to be obtained there at from 16s. to £1 5s. per ton.
81. When you say living is dearer there, then, it does not apply to coal?—It does not apply to coal. It is the necessities of life that it applies to. My perquisites for the year ending the 31st December, 1897, amounted to £3 1s.
82. What were they for?—Inspector of Slaughteryards, and bailiff's fees in the Warden's Court.
83. Do you do the bailiff's work yourself, or does the constable do it?—I do it myself. I am bailiff. The position of some of the constables serving under me is at the very least £20 a year better than mine.

84. But you have only got one man?—I have a sub-district.

85. How do they get that extra £20?—As Clerk of the Stipendiary Magistrate's Court, looking after the Court, and bailiff's fees, and other perquisites. I do not care whether some of them got £50 or £100 more, but I am only quoting this to define my position. I consider a man with 2s. a day less in one of the larger towns is very much better off than a man stationed in the goldfields district.

86. What family have you?—I have eight mouths to keep—five children, a servant, and myself and my wife.

87. And quarters?—Yes, Sir, I have free quarters.

88. And your pay?—My pay is a third-class sergeant's pay—that is, 9s. 6d. a day.

89. *Colonel Hume.*] And 1s. a day long-service pay?—The 1s. a day long-service pay is included in that—8s. 6d., and 1s. a day for long-service. I contend, your Worship, that, as it suited the department to have allowed me to remain in charge of the gaol, when these men were promoted over my head in 1894, in common fairness, I think, I should have been promoted in my place, unless there was some cause to the contrary, which I am not aware of.

90. *The Chairman.*] Is there a gaol at Clyde?—There is.

91. And who is in charge of it?—Constable Pratt, the constable who is serving under me.

92. I do not quite follow that remark of yours. You say, "As it suited the department to keep you in charge of the gaol in 1894." What do you contend?—That I should have been promoted then in my turn. There was a certain number of acting-sergeants junior to me, and they were promoted over my head at that time. That is my grievance.

93. Has Pratt any other duties to perform than those of gaoler?—Oh, yes. Of course, he has only a prisoner about once in six months or so there. He does police duties when he has no prisoner, the same as I had to do when I was in charge of Oamaru Gaol. I had to do police duty when I had no prisoners.

94. Any emolument attached to that office?—There is this: He gets £156 a year salary from the Prisons Department, and he gets 1s. a day long-service allowance from the Police Department, and free fuel and light from the Prisons Department. He gets free quarters, of course, the same as I get. I think that shows, your Worship, that he is about £20 a year better off than I am. I am not finding any fault with that. I do not begrudge any man what he gets. I only mention this to make it a basis on which to urge my claims. Other members of the Force who were acting-gaolers at that time were promoted in their turn, and still left in charge of their gaols. The gaoler of the Timaru Gaol for one.

95. I understand that, situated as you are at Clyde, if the gaoler has a prisoner in charge, the only active force is yourself?—That is all, and I have to attend to the out-stations. I may say I consider that is quite enough for the place. I believe the number of prisoners who went through the gaol last year was eight or nine.

96. *Mr. Poynton.*] How long do you keep them there?—For a month—thirty days. I notice that, in the last batch of promotions that were made, a large number of constables that were acting-gaolers were promoted in their turn, clearly showing that Commissioner Tunbridge recognises the justice of deserving men being promoted in their turn, even though they are acting-gaolers. It would not have cost the Police Department one penny to have promoted me in 1894 in my turn. As I was receiving my salary from the Prisons Department it mattered not whether I was third-class constable or first-class sergeant. My pay would be the same. In July, 1882, I performed an act of bravery by saving life from fire at Dunedin, for which I was specially promoted from second to first-class constable by Colonel Reader, who was then Commissioner of Police, and I also received a silver medal from the Mayor and citizens of Dunedin for valour displayed on that occasion.

97. *Colonel Hume.*] That is down on your merit-sheet?—I think it is. In 1891, I performed another act of bravery by jumping into the Oamaru Harbour one dark, cold, stormy night, and swimming out a distance of 80 or 100 yards to save a man who was drowning. I received a reward of £5 from the department and the Royal Humane Society's certificate of merit. I wish to quote a case as a comparison. In doing so I have no desire to cast any reflection on the officer. First-class Constable Joseph S. Kelly was promoted from first-class constable to acting sergeant in August, 1887, or seven months after my promotion. I think he was promoted in Auckland. In 1892, for jumping into the Auckland Harbour and saving life from drowning, he was promoted from third-class to second-class sergeant. It would appear that the act was not rewarded, looking at the *Government Gazette*, by any award from the Royal Humane Society. He is now a first-class sergeant, while I am still a third-class sergeant. I would like to know why there has been such a great difference in our treatment.

98. *The Chairman.*] You got £5, and he got promotion?—He got promotion, yes, for, perhaps, an act that was of a good deal less merit. In placing these facts before you I have no desire to pose as a man with a grievance. After my twenty years' service this is the first personal complaint I have made on any matter or thing whatever. I have always done my duty to the best of my ability, and got on well with every officer with whom I have served. It has always been my ambition to get on in the service, and I never missed an opportunity of advancing myself.

99. How about your defaulter's sheet: is it clean?—It is not clean. I am over eleven years and a half years wearing a stripe—that is, acting sergeant—and men who were promoted last month are on the same level with me to-day. What I ask is that I be placed according to my seniority on the second-class list—that is, fourth from the bottom.

100. Are you aware there is no recognised claim to promotion by seniority?—Well, if I do not stand equal to those men that have been promoted over my head in merit, then I am willing to withdraw this complaint. I am prepared to stand an examination in criminal law with any of those men who have been promoted over my head.

101. You allege that your record is as good as theirs?—I think so. I might add that I have been five years and a half district clerk, and six years and a half gaoler, and that has shut me

out from the most active part of my life in the service. You will have an opportunity of seeing my record, and I say, without any fear, if I was engaged on active police work during that time, perhaps it would be twice as good. I have asked for certain documents to be produced. I have had correspondence with Mr. Tunbridge on the subject, showing that I had no desire to come before you to settle this matter. [File of papers produced.] I would like, Sir, to make a few remarks here about defaulters' sheets and records of merit. Men have complained to me that they decline to appear before the Commission on account of their defaulters' sheets being published in the newspapers. They do not object to the Commissioners seeing their records, but they object to their being published in the newspapers throughout the colony, and for that reason they are not going to come before the Commission. One man brought it under my notice only yesterday. I may be excused for saying that I do not see any good coming out of it—the publishing throughout the colony the fact that a man committed some venial offence perhaps eighteen or twenty years ago. Men object to come here and give their evidence on account of that fact. I have no objection myself. My records and my career in the Police Force are open to the strictest scrutiny.

102. *Colonel Hume.*] When you were made gaoler at Oamaru you were district clerk to Mr. Thompson, the Inspector?—I was.

103. As district clerk, I suppose, you read all his letters and telegrams and that sort of thing?—Pretty well.

104. Then you would have written this telegram probably, accepting the appointment?—I did not write it. I do not think I did. I laid my report before him and he wired from the contents of it.

105. Do you know what was in that telegram?—I do not. I have no remembrance of the full contents of it.

106. You took a press copy of the telegram if you did not write it for Mr. Thompson?—I know, at the time, he said he was not going to send the full report. It was too long. He said, "There is no fear of your being passed over. You will get promoted in your turn."

107. You told us yesterday you took charge on the understanding that you were not to lose your rank or promotion, and to get long-service pay from the Police Department?—Yes.

108. Although you took it under what is contained in this telegram?—No, I did not. I placed a report before him, a copy of which I produce.

109. Then the Inspector sent a false report to the Commissioner?—I do not know that he did. I know he curtailed my report in the telegram.

110. Were you aware of the contents of this telegram: "Oamaru, 8th March, 1890.—The Commissioner of Police, Wellington.—If there is no difficulty, Dwyer will gladly accept the position of gaoler, if he is allowed to retain his rank. I will recommend him for it"?—I must have been, because I forwarded it. I know at the time Mr. Thompson made reference to the fact that there was no fear of anybody going over my head, and he said he would shorten the telegram.

111. That was Mr. Thompson's telegram, and you placed your confidence in what Mr. Thompson said?—Yes. I placed my report before him.

112. You had been away from police work proper for about twelve years—district clerk for five years and a half, and gaoler for six years and a half?—Yes. I did police duty at the same time.

113. Where—at Oamaru?—Yes, at Oamaru.

114. In Oamaru you generally had prisoners, had you not?—Yes, pretty well always.

115. And when you had prisoners you did not do police duty?—Yes, that is it.

116. Can you tell me of any non-commissioned officer of the police that has been promoted and allowed to remain as gaoler?—Sergeant Green, who was in charge of Naseby, for one.

117. But was not Sergeant Green in charge of the station?—He was, and also gaoler.

118. Were you in charge of the station, and also gaoler?—From 9 o'clock at night till 9 o'clock in the morning I was in charge at Oamaru. I was sergeant residing at the station, and I was responsible for the conduct of the station there from 9 o'clock at night till 9 o'clock in the morning.

119. Was not Sergeant Green in charge of the sub-district?—I am not talking about the station?—There is no sub-district attached to the Naseby Station. It stands by itself.

120. Quite so. That is a district, is it not? Was Sergeant Green in charge of Naseby sub-district?—Yes, he would be.

121. Were you ever in charge of Oamaru sub-district?—Yes, when the sergeant was absent from the town—when he was called away, or when he had leave.

122. But you were not in charge?—I was in charge at the station when I paraded the men coming off and going on night duty.

123. Quite so; but who was in charge?—Sergeant O'Grady.

124. Did the sergeant give up his command to you for the time being?—That was the rule.

125. That was an arrangement between you and the sergeant?—Yes, and between me and the Inspector.

126. Who was responsible for the good order of the town?—Oh, Sergeant O'Grady.

127. I visited the gaol, as you say, on the 5th January, 1894, was it not?—That is so.

128. On that occasion we talked about transfers and promotions together?—We did.

129. Had we talked about transfers and promotions before that—on any of my previous visits?—No.

130. You are sure of that?—I am; not that I remember.

131. I have never told you that as long as you remained gaoler you would never get promotion?—I am certain of that. You never told me.

132. What was that conversation on the 5th January? You asked me if you were to be shifted to Dunedin, did you not?—Ten days before your visit to the gaol it appeared in the Dunedin papers I was to be shifted to Dunedin. When you came to Oamaru I asked you if there was any truth in that rumour. You said there was. I gave my reasons why I should not be shifted to Dunedin.

133. That was on the 5th January, and I was going straight up towards Christchurch?—I think so. According to the record you made in Wellington you arrived some days afterwards.

134. You may be surprised to hear I wrote this memorandum to my clerk from Christchurch on the 9th January, four days afterwards: "Mr. Evans.—These promotions can now be published. Acting-Sergeant Dwyer declines promotion, and desires to remain at Oamaru, so we shall have to find some one else for Dunedin. Sergeant Mackay, Auckland Water Police, must be told he will be transferred at an early date, and his promotion will be subject to such transfer"?—I never heard of that before; I never saw that memorandum.

135. At that conversation do you remember telling me you would like to go to the North Island?—I did, sir; any place North, so long as I could get free quarters. If you could give me free quarters, of course it would be better for me.

136. And you are still certain in your own mind you did not decline promotion, and ask to remain at Oamaru?—Yes, I am certain of that.

137. What did you say when I said you were to go to Dunedin?—I pointed out to you my relatives were living there. My wife's people were living there, and I did not care to be stationed where I had friends. I also pointed out it would cost 15s. a week house-rent, and I did not think my pay would be equal to that. You fell in with those views, and you said you would try and get me a station up North.

138. If, as you say, I had never spoken to you about promotion before that, how was it you did not ask for promotion at this time?—Because my juniors were not passed over my head. My position was not affected in any way.

139. Was it not affected in 1892?—No.

140. When was it first affected?—In 1894. It was affected when I was sent to Clyde. They were third-class sergeants as well as I was. The only thing I applied for was my place in the seniority list, and I thought I would have no difficulty in getting that the moment I placed it before the head of my department.

141. Is it not an important part of a sergeant's duties to conduct cases in Court?—Yes.

142. Is it not a fact you had been twelve years away from the chance of conducting cases in Court, except, perhaps when the sergeant was on leave, or away from the station at Oamaru?—I had good experience in Oamaru while gaoler. I was in the Court every day in the week when I had prisoners there, and I can conduct a case as well as any of the sergeants that have been passed over my head. That is my opinion of myself.

143. Is not this a very important thing, and had you any practice at it?—I had in Oamaru. I conducted several cases there in the absence of the sergeant. He was Inspector of Weights and Measures, and he had to go round the district.

144. Did you ever conduct an important case?—No, I did not. I was generally present in the Court, and had a good knowledge of the routine work in connection with the conduct of cases.

145. *The Chairman.*] Are you having that experience now—are you conducting cases in the Court now?—I am. I have sent seven prisoners down here for trial to the Supreme Court.

146. Have any of the third-class sergeants you have named as having gone over your head been away from police work?—I am not aware. I may say men have been promoted lately who are district clerks.

147. *Colonel Hume.*] Who?—Sergeant Wright, of Wellington, has been promoted. He is a district clerk, and has never been anything else. Sergeant Ross here was nothing else but a district clerk, and he was promoted when he was only a second-class constable.

148. In Sergeant Kelly's case do you know anything about the circumstances of the case?—I have heard a little about it. He was promoted to acting-sergeant for arresting some Maoris in the North Island; and in the case of saving life, which I have referred to, I understand there was no merit whatever attached to it. It was in the open daylight when he performed the act, and there was no danger attending it as far as I can understand.

149. Where did you get your information?—I got it from a reliable source. These things were talked about by constables stationed with him at the time.

150. Well, then, you say now you want to be put on the same footing as those who were promoted to second-class last month?—That is it—that is, those who were passed over my head in 1894 through no fault of mine. I want to be placed in my proper place. That is my complaint.

151. If that were done would you not be taking the place of men who have been doing active work all the time you have been employed on other duties?—But that is no reason why I should not receive promotion in my turn. These men know I have a right to be there.

152. Is it not a fact that you have been twelve years away from police duty, while these men have been doing police work all that time?—Yes; but I have done police duty in Oamaru, as I have already stated. I do not consider that a reason why I should be passed over, with everything else equal.

153. In all my visits to Oamaru, from time to time, you never once asked me as to how you stood for promotion—that is what I understood you to say?—Well, you promised to shift me in 1895, and in 1896 again, when you visited the gaol.

154. Did we ever talk about promotion at any of those times?—No.

155. During the whole time you never spoke to me about promotion?—No, I did not. We did not speak about promotion at all.

156. I think you said things were 25 per cent. dearer at Clyde than elsewhere?—Yes; that is a very low estimate of the cost of living there. I will bring that, however, before the Commissioners in another form.

156A. Have you ever been at Queenstown?—Yes, I have passed through there.

157. Do you know anything about prices at Queenstown?—They are not quite as dear as at Clyde, but they are very dear there.

158. *Mr. Tunbridge.*] What were your pay and emoluments as gaoler at Oamaru?—My salary was £156 as gaoler. All police gaolers, no matter whether third-class constables or first-class sergeants, got the same pay, and 1s. a day long-service.

159. What else?—Fuel and light, and house.

160. What do you estimate fuel, light, and lodging to amount to?—About eight tons of coal in the year—that would be £12: light about £5 or £6 in the year: that would be £18, and I suppose house-allowance would be about £25.

161. Can you get a house at 10s. a week?—In Oamaru you would get a decent house. For 10s., in Oamaru, you would not get as good a house in Dunedin for 15s., or in Wellington, perhaps, for £1 5s.

162. That is equal to about £218 10s., then?—Yes.

163. The pay of an acting-sergeant is what?—9s. a day.

164. He gets nothing besides?—Nothing besides.

165. As a matter of fact, you were getting constable's pay although you held the rank of acting-sergeant?—Yes.

166. On being gaoler at Oamaru, you had pay and emoluments equivalent to £218 10s., whereas if you had remained acting-sergeant you would have been receiving just over £170?—That is, if I had been stationed in a town, but if I had been in charge of a country station my perquisites would have been considerably higher.

167. Will you instance any case?—I will.

168. Where were you as acting-sergeant?—In Oamaru.

169. What were you getting there in addition to your pay?—When I was district clerk I was getting 9s. a day.

170. *The Chairman.*] Including long-service pay?—Yes.

171. *Mr. Tunbridge.*] Roughly, you were benefited, by getting gaoler's position, to the extent of £1 per week?—Not that, Sir.

172. You would be benefited, roughly, about £50 a year?—That is, if I was in a large town and paying house-rent.

173. I mean, from the position you were holding at Oamaru, as acting-sergeant and district clerk, your appointment as gaoler benefited you to the extent of £50 a year?—That is, if I did not have free quarters.

174. *The Chairman.*] You had free quarters as district clerk?—I had. I lived at the station for two years.

175. *Mr. Tunbridge.*] You were benefited something under £30 a year, roughly?—£25, I put it down as.

176. You were going to give instances?—Well, there is Sergeant Hannan on the West Coast, at Stafford, whose perquisites, I understand, are equal to £100 a year, besides free house.

177. Do you know the date of Sergeant Hannan's appointment as acting-sergeant: was it before your appointment?—Yes, he was senior to me.

178. At that rate you would have had no opportunity of getting Sergeant Hannan's appointment, because he was already there in possession of it?—Well, juniors have been appointed to stations and seniors left in town.

179. You say you understand Hannan's emoluments are worth £100 a year?—Yes.

180. Will you look at that return and see if that bears out what you understand?—He shows his perquisites here at £34 a year; and free quarters, of course.

181. *The Chairman.*] Do you imagine that that includes the mileage, or is it only bailiff's fees?—Those are the fees for serving summonses. I do not think it does. I think his mileage at Stafford is five times that amount.

182. *Mr. Tunbridge.*] Have you any reason to suppose that is an inaccurate return?—I think so.

183. Why?—Because mileage is a great deal more than that, I suppose.

184. What other remuneration as bailiff would he receive than mileage?—Nothing else.

185. You maintain there is no room for mistake, that it must be deliberate misrepresentation?—I do not say that. I saw a return sent in here to the Inspector's office which did not represent the amount received as perquisites. There were more than bailiff's fees omitted from the record. The constable who had charge of the station has left the service now. His predecessor's perquisites as Clerk of the Court, looking after the Court, and other things, amounted to £42 15s., and yet they were returned as £8 for the year ending December last year, together with the £16 for Clerk of the Court and looking after the Court.

186. What was the name of that constable?—Constable Gleeson. He has left the service now.

187. Had that return to pass through your hands?—No. It was sent to the office.

188. You say your position was not affected until the three sergeants whose names have been mentioned were advanced to second-class last month?—My place in the list was affected, but not my position in regard to pay.

189. But your pay was only £156 per annum?—In the gaol?

190. Yes?—And long-service pay together with that.

191. You say your position was not affected till then: but these sergeants were third-class sergeants; and what was the pay of third-class sergeants with long-service pay?—About £174.

192. You were only ranking as acting-sergeant, and these men were ranking as third-class sergeants from 1894?—Because they were promoted over my head.

193. You said in your answers to Colonel Hume that your position was not affected till last month, when these sergeants were advanced to third-class sergeants?—No; I said my position as regards pay.

194. But you did not say as to pay?—Well, I correct that. My position was, of course, affected in the seniority list, because I was the senior acting-sergeant; and these men were promoted over my head in 1894, and therefore my position was affected as far as seniority was concerned.

195. Why did you not raise the question at that time?—Well, because my position as far as my pay was concerned was not affected.

196. As a matter of fact, if you had raised it at that time you would have been a great loser?—I do not know that I would. I might have been a gainer.

197. But, taking your pay, instead of drawing £218 10s. in 1894—they were not getting 10s. a week house-allowance at that time—if you had raised the question, and your request had been acceded to, you would have lost the difference between £170 and £218?—If I was sent to a city I would, but I might have been sent to a station. I might have got a country station.

198. As to these three men, where were they sent to?—Mackay was sent to Lawrence. Mitchell is in Napier. Mitchell had charge of a country station, and he was my junior.

199. Where was Bernard sent to?—I could not tell you. I think he was stationed in Auckland or Onehunga. I know Mitchell had charge of Hastings before he was promoted.

200. You ran the risk of losing the difference between £170 and £218?—Well, it was a risk. I might have got charge of a country station. You asked me to give you instances. Well, Mitchell was stationed at Hastings, and he was junior in the service to me. You can turn up the records, and see the perquisites he got when he was stationed at Hastings. I will give you another instance. There was the late Constable Florence O'Donovan, whose memory I respect and venerate. He was promoted when he was only second-class constable to acting-sergeant; but some time afterwards, in order that he should not lose his station, he reverted to the rank of first-class constable, and four years afterwards he was promoted over all the acting-sergeants to third-class sergeant in 1892.

201. *Colonel Hume.*] When was he made acting-sergeant?—About 1884 or 1885.

202. *Mr. Tunbridge.*] Did you protest against that?—I did not. I never protested. I never asked for one single favour since I joined the Police Force, nor have I protested against a single thing until to-day.

203. Why did you not protest at that time?—Well, I am not a man to protest.

204. Was it not because you were receiving a great deal more pay yourself?—It might not be the reason. As soon as you took charge, sir, I laid the matter before you.

205. And did I not deal with the case?—Yes, you dealt with it impartially and honestly. You said you could not reopen a matter that had been decided by your predecessor. There was nothing else left for me but to bring the matter before the Commissioners.

206. *The Chairman.*] We understand that you feel aggrieved at your position in the service?—At my juniors going over my head.

207. *Mr. Tunbridge.*] You will appreciate the difference between the report you read and the telegram that was sent up with reference to your appointment?—Well, I swear I laid that report before the Inspector.

208. What was the habit of Inspector Thompson in dealing with reports of that kind?—Filed them.

209. Did you file that report as district clerk?—I did; certainly.

210. Can you suggest why, if that report was filed, it is not with the other papers?—I will suggest a reason. Since the district was abolished, a lot of the papers have gone to Christchurch time after time. The sergeant who was appointed, and who is there now, has not got the knowledge of looking up the correspondence. He has not got the run of the office or the files of papers, and he may search for a week and not find it. And further, so many papers have been searched for time after time that the files have been disturbed. They have been put into empty packing-cases, the rats have got at some of them, and the files have been disturbed in every shape and form. All I can say is I filed a copy of that report at the time I furnished it to the Inspector. I have a copy of that report here.

211. Were there any other papers in connection with your appointment as gaoler at Oamaru?—I am not aware of any more. There was a lot of correspondence passed with the Inspector at the time, because there was considerable trouble with my predecessors in the gaol. There was a lot of trouble with them at the time, and Major Gudgeon wanted me to take it for some reason or other. He seemed to be anxious I should take the gaol: for what reason I do not know. I know my predecessor did not conduct himself properly, and there was a good deal of trouble, and he asked me to take it as a sort of special thing.

212. Did you not appreciate at this time, when the telegram was sent up, the difficulty you might be placed in owing to the telegram not specifying the conditions under which you were accepting this?—Mr. Thompson told me there was no fear of my promotion not going on. I might also add I was living in two rooms, and I had one or two children, and I was kept there against my wishes. I submitted a doctor's certificate. There was then a sum of money voted to put up sergeants' quarters when the vacancy occurred in the gaol, and in order to save that money, I dare say that was one of the reasons I was asked to go into the gaol. I tried to get out, and pay house-rent, several times.

213. You will admit, I take it, that your duties as gaoler at Oamaru, although better remunerated, were very much less onerous than a street sergeant's duty would be?—No, Sir, they were a lot more onerous, and I am glad you asked me that question. I see it has been suggested at Wellington that the police at Oamaru were simply getting out of each other's way. I have a return here of the number of prisoners that passed through the gaol during my time. My duties were some days eighteen hours on a stretch. I put through twenty-two lunatics in one year. For the year ending the 31st December, 1890, the first year I took charge of the gaol, I put 242 prisoners through the lockup, and 125 through the gaol.

214. *The Chairman.*] Are they not necessarily the same?—Some of them would be. There were outlying stations, such as Hampden, Ngapara, and Kurow, where I received prisoners from, and there were also prisoners in transit. In 1892 there were 227 prisoners through the lockup, and 129 through the gaol; in 1893, 230 through the lockup, and 132 through the gaol, and so on to the time I left it.

215. *Mr. Tunbridge.*] What were your actual hours on duty?—I got up every morning at 5 o'clock. I was called out to parade the men coming off night-duty, and at 6.30 I was attending to my prisoners. If I had prisoners awaiting trial, I gave them the usual exercise in the yard. I was also probation officer for the district.

216. But the whole of your duties were done under cover. Do you consider the position of a sergeant performing eight hours' duty at night on the streets in Dunedin would be an easier one than yours?—I often wished, when I was in the gaol at Oamaru, that I was doing my eight hours on duty.

217. But do you consider his duties were lighter than yours in that gaol?—No. Sometimes, as I say, I have been on for eighteen hours at a stretch in the gaol, when I had a violent lunatic that I could not leave.

218. Your duties were done under cover?—Oh, no; the prisoners had to be looked after—to be watched when doing their hard labour.

219. *Colonel Pitt.*] Do you consider that the twelve years you were away from police duty proper has in any way incapacitated you from performing the duties attaching to the rank of sergeant?—No, Sir, not in the least.

220. You have said some of the constables objected to their defaulters' sheets being published?—Yes. I think it is hardly fair to the men to publish in the newspapers the fact that, perhaps, some twenty years ago they were punished for some venial offence, and so discredit them. I know they have told me they would not come before the Commissioners on that account. They have grievances they would like to ventilate, but on account of the publicity given to their defaulters' sheets, they would not come before the Commission.

221. *Mr. Tunbridge.*] Would you give us your opinion on the question, pension *versus* retiring-allowance?—I think the police would be a good deal better off with a pension than a retiring-allowance.

222. You think a pension would be preferable to a retiring-allowance?—Yes, a great deal more preferable, in fact some of the men have asked me to speak on that point to-day. They cannot come in themselves, and they have asked me to state that they are in favour of a pension as against a retiring-allowance.

223. Do you think the men would object to contribute towards a pension fund?—I do not think they would.

224. They would not object?—I, for one, would not object to contribute towards a pension fund.

WILLIAM STONE PARDY, examined on oath.

225. *Sergeant Dwyer.*] How long have I been stationed under you?—I think it is something over twelve months.

226. Fourteen months?—About that.

227. How have I discharged my duties during the time I have served under you?—You have given me great satisfaction.

228. Do you know Sergeant Mackay?—Yes.

229. Do you know Sergeant Bernard?—Yes.

230. Do you know Sergeant Mitchell?—Yes.

231. Now, Inspector Parady, supposing the four of us were stationed in your district, and we all held the rank of acting-sergeants, and I was the senior man of the four, and you were asked by the department to recommend a man for third-class sergeant, would you recommend any of these men over my head?—Certainly not.

232. You consider me to be as suitable a man for that rank as any of the men I have named?—Yes. I should say a man like you should not be kept in the ranks. I am not flattering you. I am telling you honestly what I think of you.

233. Since I have taken charge of the Clyde sub-district I have sent seven prisoners for trial to the Supreme Court in Dunedin, and I have supplied you with copies of the depositions. How have I conducted the cases?—I cannot say any more than I have said before—that you have given me every satisfaction since you have been there. I was highly pleased with the way in which you got up those cases—the way in which you placed the evidence before the Court.

Colonel ARTHUR HUME, examined on oath.

234. *Sergeant Dwyer.*] You heard the questions asked Inspector Parady. Do you concur in what Inspector Parady says?—I quite concur in what Inspector Parady says. I would like to explain to the Commissioners that this is one of those cases I mentioned in Wellington. Almost all the North Island stations are held, or have been held, by acting sergeants-major or first-class sergeants, and, directly you attempt to send a third-class sergeant to succeed an acting sergeant-major or a first-class sergeant the particular locality at once considers it an insult. Now, in this particular sergeant's case, I had not forgotten his request to go to the North Island, and the two stations which were vacant happened to be Palmerston North and Wanganui. I thought he would be a suitable man for Palmerston North, where they had just had an acting sergeant-major, who died, but I found if I had sent him there I should only have brought an hornet's nest about my ears, because his rank, unfortunately, was only third-class. And then down here Clyde was the only place vacant, except the town, where he would not get a house, and that was the reason I sent him to Clyde, so that he might get a house there.

235. *Mr. Tunbridge.*] What would you consider the relative positions of Sergeant Dwyer and those other three who have been mentioned—Bernard, Mackay, and Mitchell—at the time they were made, and Dwyer was left at Oamaru?—As far as that goes I have always made up my mind, and I cannot understand how Sergeant Dwyer does not recollect my telling him that as long as he remained there he would not be promoted. That I always understood to be a compact we thoroughly knew about.

236. *The Chairman.*] Apart from that—supposing that understanding not to have been in your mind—what then would you have considered his proper position with regard to the men named? Did you understand they would be passed over his head?—I did understand it.

237. Did you consider Acting-sergeant Dwyer would stand lower on the seniority list than those three who were made sergeants at that period?—Yes; because, as I said before, he has had no practice in conducting cases in Court.

238. When you made those three men sergeants, you were aware they would stand above Sergeant Dwyer in the rank of seniority?—Yes.

239. You could see he would stand so in any future case?—Yes.

240. That he would lose his seniority of those three from that date?—Yes.

241. Did you consider these three men had any special claim to be passed over his head?—Yes, I did.

242. You were under the impression there was a compact: he was under the impression there was no compact. Supposing there was no such compact, and there was a misunderstanding as to his being promoted as long as he remained in the gaol, would his qualifications for promotion have been as good as the other three men?—Yes, with the exception of conducting cases in Court.

243. *Mr. Poynton.*] That was the only objection?—That is the only objection.

244. Otherwise he would have been entitled to promotion in the absence of any understanding?—That is it.

JOHN DWYER, examined on oath.

245. *The Chairman.*] You desire to bring before the Commission the position of men on the goldfields?—Yes, Sir. If the goldfields allowance could not be granted, a recommendation may be made that men should not be left over a certain period on the goldfields. I represent Sergeant McKenzie, Queenstown; Constable Marsh, Pembroke; Constable Chisholm, Alexandra South; Constable Fouhy, Roxburgh.

246. You are acting for those men and yourself?—Yes. Up to 1887 there was a goldfields allowance granted to the police stationed on the goldfields. When it was taken away there was nothing given in return for that allowance. I respectfully submit that the prices of the necessaries of life are as high as they were fifteen or twenty years ago. As far as Alexandra, Roxburgh, Clyde, Cromwell, Pembroke, Arrowtown, and Queenstown are concerned, railway communication is no nearer. It is as far off to-day as it was then. Every article of living is at the very least 25 per cent. dearer—I am putting it in a very mild way—at those places than it is in Dunedin or towns along the coast here. I have given in a list of prices, and you can see that such is the case. I trust I am not out of place in saying that if some allowance is not made, some suggestion might be made with regard to not keeping constables or sergeants stationed on the goldfields over a certain number of years. I consider it is a considerable handicap on men stationed there. Their more favoured comrades who are stationed in large cities have better facilities for bringing up their families and living a good deal cheaper.

247. *Mr. Poynton.*] What period would you consider the maximum?—I consider three years is sufficient punishment to keep a man on those stations.

248. *The Chairman.*] Your idea is they are not good stations for young families?—No. As soon as children grow up to a certain age there is no employment for them there. As far as I am concerned myself, my ambition is to get my children educated, and I feel at the present time I am not able to do that in the place where I am now stationed.

249. *Colonel Hume.*] You have named seven stations on the goldfields. Do you know how many constables out of those seven have been there over three years?—Well, there are four.

250. You will be surprised to hear, then, that there are only two—Roxburgh and Cromwell—that have been there over three years?—Constable Pratt has been there over three years.

251. I thought you said in charge of stations?—No; I am speaking of constables generally. I know there has been a lot of changes during the last few months.

252. You will be surprised to hear there is only one of the seven you have named that has been there over three years?—There have been changes at Naseby, Cromwell, Arrowtown, Queenstown, and at Ophir. I think there have been five changes during the last few months.

253. *Colonel Pitt.*] You said there were four men who had been there for more than three years. Do you stick to that?—I will not stick to that.

254. You do not know how many there are?—No. I did not say they were there any period of time. I was not sure. I thought they might have been there over three years.

255. *The Chairman.*] Can you tell us how long they were there before they were transferred?—Constable Mulholland was there seven years. Constable Bonner, at Queenstown, was there three or four years.

256. *Colonel Pitt.*] When you recommend that these men should be removed every three years, have you taken into consideration the cost to the department of carrying that out?—No; I have not.

257. Supposing the men's pay were increased at these stations, do you think there would be the same anxiety for removal as there is now?—No; I hardly think there would. Perhaps some would still be anxious to leave there. For myself, I think a couple of shillings a day would not be sufficient to make me satisfied. It is my children that I am considering. Personally I am all right myself, but it is the education of my children that I am anxious about.

INVERCARGILL.

TUESDAY, 29TH MARCH, 1898.

ARTHUR CHILLAS HENDERSON was examined on oath.

1. *The Chairman.*] You are a solicitor, practising in Invercargill?—Yes.
2. Will you kindly state the matter which you wish to bring under our notice?—In May, 1892, a man named Peter McDermott was brought up for assault, and he informed me that he asked the police to send for me, as he wished me to defend him. I was sent for. The next case was in August, 1892, when eight sailors were taken into custody from the ship "Lienfield," at the Bluff, for disobeying lawful commands. They were brought to Invercargill by Constables Brooks, Burnett, and McDonough. The men informed me that they asked the police to send for me to defend them. The men were informed, as they told me, that I was out of town and the police had brought Mr. Wade in my place. Within not more than an hour, at least, I was informed by a friend of the men who had come up from the Bluff and who knew they wanted to see me. I went down to see them, and was then told by the prisoners that they had been informed I was out of town, and that Mr. Wade had been recommended by the police. I lost £18 or £20 through that, because that was what Mr. Wade's bill came to, and I presume mine would have been the same if I had got a chance to defend them.
3. Who is the policeman you are referring to?—I do not say Sergeant Macdonell interfered personally in that case. I have named the constables under him.
4. I understand that it was an allegation as against the personal conduct of a particular officer; do I understand that you do not ascribe this conduct to any one particular officer?—I had a difference previous to this with Sergeant Macdonell: and then, since that difference with him, clients and prisoners wishing to employ me have been prevented.
5. If you can fix upon any individual officer, the fact that he has advised any prisoner to apply to any one else but yourself, knowing that the prisoner wished you to be engaged, of course that is a matter we shall be very glad to hear you upon. Well, the next case goes to show that within half an hour of their arrival you heard these eight sailors wanted you, and they informed you they had been instructed by Mr. Wade, who had been introduced to them by some officer of the police?—Yes; and they had been informed I was out of town; and I was not out of my office that day.
6. By what police?—I presume by one of the three constables who brought them up. The next case is that of *Moffatt v. Powell*, a civil case.
7. When did this happen?—On the 16th September, 1897. Mrs. Powell was summoned by the plaintiff in a case, and she came to me immediately after receiving the summons, and asked if I would appear for her in Court and take the case up. I had other transactions with her at the time, and said I would be very glad to appear for her. After I had arranged preliminaries she said she had promised to let Sergeant Macdonell know when she received the summons. She had had a previous conversation with the sergeant, and he had asked her to inform him when she got the summons, with the intention of holding an inquest, if she was summoned in connection with the fire. She asked me to hand her the summons, with particulars of demand, so that she could show them to the sergeant, and promised to return immediately with the papers to me, after showing them to Sergeant Macdonell. She did not return. On the 16th September—the day on which the case was to be heard—I went to the Magistrate's Court. The case was called, and Mr. Macalister appeared for Mrs. Powell. I think the case was then adjourned for a week. I saw Mrs. Powell outside the Courthouse, and asked her the meaning of Mr. Macalister appearing for her.
8. She made a statement to you?—She made a statement, and signed it. These are the only three cases that I have scheduled, so to speak; but the same thing has gone on for the last six years. About eighteen months ago I placed the case before the Magistrate sitting here, and he saw Sergeant Macdonell at the time.
9. You complained to the Magistrate that the sergeant had taken away clients?—Yes; I complained privately. I believe the Magistrate saw the sergeant, and recommended that a list of the solicitors practising in Invercargill should be placed in the cells, so that prisoners could make their own selection.
10. Will you call the Magistrate?—Yes, if I have power to call a member of the Commission as a witness.
11. But you can call the sergeant?—Yes; I think the sergeant will admit that the Magistrate suggested that the sergeant should put up a list of the solicitors practising in Invercargill in the cells, so that the prisoners might select whom they liked.
12. What did you say happened about eighteen months ago?—About eighteen months ago I complained to the Stipendiary Magistrate that prisoners who had wished to employ me were not allowed to do so, or words to that effect. That they had been prevented from employing me. The Magistrate undertook to see Sergeant Macdonell, and informed me afterwards that he had seen him, and that he had suggested to the sergeant that he should put a list of the solicitors' names in the cells so that the prisoners could select any one they chose without being influenced. I am not aware that any such list exists now, or that the sergeant acted on the suggestion. I know of no list. I have the impression, and it is the impression of the profession here, that the sergeant thinks he has the prerogative to suggest to any prisoner the solicitor he shall employ.
13. Have you any reason for making such a statement?—I have heard such a rumour made by the profession, and I think that is the sergeant's feeling as the head of the Police Force here—that he has the right to dictate to those who wish to employ solicitors; but, of course, the profession to a man disagree with that.
14. That, you say, is the impression amongst the members of the profession?—Undoubtedly so.

15. Can you give any grounds on which that impression rests?—From the constant practice of the police in selecting certain solicitors, almost, I might say, one or two solicitors. I have nothing more to say on that point of my letter. The only other point I touch upon is the very long term constables are allowed to remain in one place. In past years the length of service in Invercargill was very much too long in my opinion, and I have been associated with the police for nearly forty years. In past years the length of term that constables have been allowed to remain in Invercargill has been much too long. In many cases they would have been removed, but political influence or some other influence was brought to bear at once, and the orders were cancelled. That happened in several cases. It happened in the case of Constable Burrows. He was ordered for removal, but it was cancelled.

16. *Colonel Pitt.*] How long ago was that?—A year or two ago. Sergeant Macdonell was moved to Queenstown, but he got back within a few months to Invercargill.

17. When?—That is some years ago—four or five, or probably more. I am quite guessing at it. I am informed seven years ago.

18. How long was he away?—He might have been away six months. Since then, he has received instructions to remove to Oamaru. That transfer has been hung up by some influence; but it is not cancelled yet, or was not a few weeks ago when I spoke to Mr. Ward.

19. Mr. Ward, M.H.R.?—Yes, the Hon. Mr. Ward.

20. You say you were informed by him that the order was not cancelled?—Yes, not cancelled, but simply suspended, through influence that had been brought to bear. Mr. Ward was not aware that it had been cancelled. Constables who are any length of time in a town naturally make connections and friends, especially in spheres likely and almost certain to come into contact with the Force. The police are courted, and long residence has an evil effect in my opinion. I notice from the reports of the Commission in Dunedin, that ex-Inspector Mallard gave it as his opinion that constables ought to be moved certainly, but not sergeants. Now, I think in a place like Invercargill that it is far more important that the sergeant should be moved than the men. That does apply to a place like Invercargill, where a subordinate officer like the sergeant comes into contact with the whole community.

21. *Colonel Pitt.*] Do I understand you to say that the officers ought to be moved more frequently than the men?—Yes, in Invercargill, certainly.

22. *The Chairman.*] Do you mean the local head of the police, whether sergeant or Inspector?—That is just the point I was coming to. I would not say an Inspector. We want an Inspector in Invercargill; things have never gone right since we lost him. And we want an Inspector who from his surroundings and bringing up and associations has nothing in common with the men. There is too much "Hail fellow well met" in the camp, and it interferes with discipline. I certainly think that three years is quite long enough for any constable or officer to be in a place like Invercargill, or any place; and some of the constables here at the present time have been double that time. I do not refer to country constables, but I am speaking of the town proper. I think, too, there is a tendency to employ men who are too young for the Force. There are very great temptations. That is a subject Sergeant Macdonell and myself have more than once spoken about. The great temptations young constables are exposed to have been the ruin of more than one of them. I think men of thoroughly mature years, and married at that, should have preference to a number of young ones I have seen. I am speaking of Invercargill proper. There is a matter that I do not know if I am entitled to mention it, and it is in the matter of taking evidence. There was a local appeared in the Invercargill *Times* of the 24th March last, which I produce, which is well worthy of consideration; and I also produce a case here in the "Quarterly Digest" on the law of evidence. That is a practice that has been constantly going on in Invercargill.

23. You refer to the practice of taking statements from prisoners?—Yes; and Sergeant Macdonell and constables, but especially the sergeant, going into the witness-box to give evidence as to the admissions made. It is quite common to see either the sergeant or some one in the Force go into the box and refer to admissions made in the police-station when both parties were not there.

24. *Colonel Pitt.*] They might be perfectly voluntary confessions?—But it does not so appear on the surface in many cases.

25. *The Chairman.*] We will take it from you; and you say other members of the profession will support your statement that this practice is carried on to a reprehensible extent in this district?—That is my impression, and the impression of others.

26. Getting statements from prisoners, and then going into the box to give evidence?—Yes. In fact, the matter was brought to my notice by another solicitor.

27. *Colonel Pitt.*] What do you know of the matter yourself; what are you prepared to say?—I am not prepared to state any case. The matter was suggested to me to-day as a matter that ought to be brought before the Commission for their consideration.

28. *The Chairman.*] Of course, you understand it will rest there unless you give us something to support your statement?—I am not prepared to state a case, although it may be within the knowledge of the Stipendiary Magistrate here. I say the principle of the practice is improper.

29. Do not you think the law is responsible for that, and not the practice?—To some extent probably; but in my opinion, and the opinion of others, prisoners ought not to be questioned and cross-examined in the absence of the other party. If the two parties were there, when the other side would have an opportunity of denying or admitting any statements, the practice would not be so bad; but the case I have quoted goes to support my argument. It is quite a common thing to see Sergeant Macdonell in the box, and he occupies, I hold, the same position as a solicitor.

30. Have you anything more to say?—No, I do not think so. I might say I have always supported the removal of Sergeant Macdonell on many grounds, and I do think it would be in his interest, and in the interest of Invercargill, if he were removed.

31. Do you know how long it is since Sergeant Macdonell came into this district?—He was here before 1892.

32. *Mr. Tunbridge.*] You admit political influence, I believe?—I say that the police from time to time have used it.

33. You condemn the use of it?—I think it is wrong for the police.

34. Either on the part of the police, or outside people?—I do not say that.

35. You say you have always supported the removal of Sergeant Macdonell?—Yes.

36. Through what medium?—At meetings of citizens. I have made no secret of it. I have never gone behind the bush with Sergeant Macdonell.

37. To whom have you made representations that he should be removed?—To the Government.

38. Through a political channel?—To the Government.

39. To the Minister?—I have never gone myself, but I have known people wait on the Hon. J. G. Ward when he was a Minister, and since.

40. To endeavour to bring about the removal of Sergeant Macdonell?—I have known of that, but I was not one of the deputation.

41. Kindly say what you have done yourself?—I have never done anything myself beyond going to citizens' meetings here.

42. Did you ever make any complaint against Sergeant Macdonell to the Commissioner of Police?—Yes, to Inspector Pardy. All that I brought out to-day with regard to losing clients I mentioned frequently to Inspector Pardy, and he informed me he had spoken to the sergeant.

43. You never submitted your complaint in writing?—Yes, I think I wrote to Inspector Pardy.

44. Not to the Commissioner of Police?—I certainly saw Inspector Pardy on more than one occasion.

45. The first case you complained of was in 1892?—Yes.

46. When did you first make any complaint about that particular case?—I do not remember doing it, but there is not the slightest doubt I complained at the time.

47. To whom?—Probably to the sergeant, or probably to the Inspector. At this distance of time it is impossible for me to say more than this: I did speak of it at the time, probably to the Magistrate.

48. You are not prepared to swear that you spoke to any one?—Yes, but to whom I cannot say.

49. You never brought that case before the Commissioner of Police?—No, not to the Commissioner of Police, but I brought it up frequently before the sergeant and Inspector.

50. Did you ever make any complaint of that to the Commissioner of Police?—No.

51. Did you ever make any inquiry at all beyond what you allege the men told you?—I satisfied myself at the time that what I have stated to-day was the fact.

52. By what means did you satisfy yourself?—By going to the gaol to see the men, and in conversation with Sergeant Macdonell, who stated to me on one occasion that he believed it was perfectly correct. I do not say the sergeant had anything to do with that case, but he made inquiries into it through my speaking about it. I naturally made a noise about it at the time. It was a big case and there was money in it, and I lost that case.

53. You said, until last Wednesday you did not know the names of the constables who escorted these prisoners to Invercargill?—No. I may have known at the time, but I forgot it.

54. But although you considered one of the constables or probably all of them were instrumental in recommending Mr. Wade, and misleading the prisoners, you never until last Wednesday took sufficient trouble to find out the names of the men?—I do not know the constables on whom the blame rests. It may not have been one of these three constables who recommended Mr. Wade, and told the falsehood that I was not in town. I do not know who it was. The fact remains that a constable was sent for me. He returned to say I was out of town. It was false, because I was in my office; and within an hour I heard of the matter and went to the gaol and found out the facts.

55. Of course, these sailors are not to be got at now?—I suppose they are out of the colony, or may be dead.

56. Then, beyond your bare statement that they did make such a statement to you, there is nothing to support it?—It is not beyond the knowledge of Sergeant Macdonell that it did happen, and Constable McDonough may remember it.

57. You form your opinion that the police dictated to prisoners the name of the solicitor they should employ, from the fact that one or two solicitors usually were employed?—Well, I may say that I know it.

58. Will you kindly give me the names of these solicitors you suggest are employed through the action of the police?—I think Mr. Macalister has in past years got scores of cases through the police.

59. Which Mr. Macalister?—Mr. John Macalister.

60. And the other one?—I am not prepared at this moment to mention any other than Mr. Macalister, but I know any number of cases that the police have recommended. That is the impression in the profession.

61. I am sure you will assist the police in endeavouring to refute any suggestion you have made, if it is possible for them to do so?—Yes.

62. You have made statements, and it is my desire as Commissioner of Police that these statements should be fully inquired into, and I can only do that by calling the gentleman to whom you refer. For instance, I propose calling Mr. Macalister to say whether or not he has received work through the police; and I should like the name of the other gentleman?—The police are best able to tell you the gentlemen whom they recommend. It is possible a solicitor may be recommended by the police and know nothing about any such recommendation. I may have been recommended by Sergeant Macdonell and not know of it. I know other cases where he has recommended me.

63. *The Chairman.*] And Mr. Macalister might be recommended by the police and not know it?—That is so. It is a practice that cuts both ways; but I think it is a practice that is so bad that it should be stopped.

64. *Mr. Turnbridge.*] I may say at once, if it is any satisfaction to you, that I entirely disagree with the police acting as touts to any solicitor; they have no business to do so at all?—It has been generally done in the colony.

65. I should like the name of the other gentleman to whom you specially point?—In one or two trifling cases, I think, Mr. Matthews has had cases put in his hands, but no one grudges them to him.

66. Do you suggest he has got these cases through the action of the police?—That he has been informed that prisoners are in the cells and to go and see them.

67. Do you suggest that the police get any percentage or anything of the kind?—Certainly not; that never entered my head.

68. You know of no other motive?—Not beyond friendship. I never heard of such a thing.

69. You were speaking about police removals, and said that had it not been for political or some other influence removals would have taken place; will you kindly give the Commissioners particulars of any case, because the statement was general?—I can only point to Constable Burrows as a case.

70. The influence in that case being?—I do not know what the influence was, but he had the power to get the transfer cancelled. I have it from himself.

71. You advocate frequent transfers of police?—I do.

72. Can you point to any instance where it has been prejudicial to carrying out the law through the long detention of police in Invercargill?—Well, if you put it that way, I am not prepared to say right off, but the danger accruing from long residence in one place is that friendships are formed and enemies are made, who in the one case get benefits, and in the other case are punished; and I think a large number of the illegitimate cases in Invercargill would not have happened if the service had been shorter. There have been quite a number in Invercargill to the Force, and I think short service would have prevented that.

73. *The Chairman.*] Do you suggest there have been many cases of that kind here?—I think Sergeant Macdonell has a list of them. There have been a good number, and I think the long service in one place has a great deal to do with the illegitimate children, and that is why I recommend that married men and men of mature years should be enrolled in the Force.

74. *Mr. Turnbridge.*] You say your principal reason for advocating frequent removals is that some persons would get beneficially considered, and others the reverse; now, will you kindly instance any case where a constable has shown favouritism to any individual, or, on the other hand, has persecuted any individual?—I could cite my own case, where I have suffered.

75. I understand you do not blame Sergeant Macdonell particularly about that?—Well, I would be very glad if he can satisfy the Commission that he is not to blame. I do not come here with any feeling, but simply to put down an abuse of power in the selection of solicitors—that prisoners should be left to their own will in the matter.

76. Any other case than your own?—Not at the moment. I cannot state one.

77. Do you base your opinion as to these frequent transfers upon your own case?—Certainly not.

78. Well, I am asking you for any other cases?—I cannot give cases, but I have known of cases extending over a great number of years, and, associating with men who were in a position to give an opinion on police matters, I say long service in one town is a mistake.

79. You know Invercargill, and therefore I suppose you are referring specially to Invercargill?—Not specially; I say all over the colony. There is no doubt I can speak with confidence about Invercargill, because I have been here for twenty-five years; but it must be within the knowledge of every man on the Commission, and yourself and Sergeant Macdonell, the danger of constables becoming too intimate with hotelkeepers, who use them as a screen to cover breaches of the law.

80. In Invercargill? Can you suggest there is any licensee who is knowingly permitted to evade the law?—I cannot say that at the present moment there is a single hotelkeeper who would do such a thing. I should like to think that they are above it; in fact, they are a superior class in Invercargill; but I am speaking of years gone by, when I was more closely connected with the police. I do not know of any hotelkeeper in town now.

81. Then, your objection to the long detention of men in Invercargill falls to the ground?—Not necessarily. I have not associated with the police or hotelkeepers to know what is going on. I should be sorry to point a finger at any man. No doubt instances might be found out and supplied for your future guidance, I am quite sure, if I make inquiries. I simply give it as my opinion, and my opinion is grounded on my twenty-five years' residence here.

82. Grounded on what?—Actions of the police.

83. Has your connection with the police given you reason to found that opinion?—Yes. I say that broadly. For eighteen years I was Clerk of the Court, and during those eighteen years I was a great deal behind the scenes.

84. Do I understand you to say you objected to any statement by a prisoner being given in as evidence by a police-officer?—I object to the police examining and encouraging them to make statements.

85. Do you know of any case where the police have done so?—I know it in the case of children.

86. In what case?—I know it happened in the case of children who were suspected of petty thieving. A constable has gone to the mother's house and brought the children to the station and questioned and cross-examined them for hours, and then sent them away. That happened in the case

of the Allison children. The mother complained to me that the police had come down and taken the children to the police-station, and kept them there for some hours, and then sent them home.

87. What was the charge against the children?—Some petty theft.

88. And were they subsequently charged with the theft?—I believe one was, but I am not prepared to say so. But it is the principle.

89. I do not quite understand your objection. Then, I understand you do not object to the police giving statements made by prisoners if properly made?—Yes; properly given, and not solicited. I do not think the police should claim the right to approach any one to question and get information.

90. Do you mean prisoners, or persons who may be suspected of any crime?—Both; and another objection I have is the practice of approaching probable witnesses or accused by a wilfully-false statement so as to get admissions from them. That is done.

91. *The Chairman.*] By police-officers?—Yes.

92. *Mr. Tunbridge.*] You mean when a man is a prisoner, or before he is a prisoner?—In this case I have in my mind's eye immediately before the apprehension, and after the apprehension.

93. Is it your opinion that the law ought to be altered, and that the police should not be allowed to give statements of that kind?—Should not be allowed to approach any one with a false statement in the hope of getting evidence.

94. Although that person may be suspected?—Well, you do not suspect a witness.

95. Are you speaking about probable witnesses or probable prisoners?—Both. I do not think it is right.

96. Perhaps you will allow me to read the opinion of Mr. Justice Hawkins on that particular point as follows: "When a crime has been committed, and you are engaged in endeavouring to discover the author of it, there is no objection to your making inquiries of or putting questions to any person from whom you think you can obtain useful information. It is your duty to discover the criminal if you can, and to do this you must make such inquiries, and if in the course of them you should chance to interrogate and to receive answers from a man who turns out to be the criminal himself, and who inculpates himself by those answers, they are nevertheless admissible in evidence and may be used against him." Then, you set your opinion against that of Mr. Justice Hawkins?—No. What I say is this: It is wrong for a constable to approach a probable prisoner and tell him a wilful lie. For instance, saying to Jones, "I have it from Smith that you did so-and-so," when the constable never saw Smith.

97. Do you know of an instance of the kind where prisoners have been approached in that way—where subterfuge has been attempted to get evidence from them?—Yes.

98. And you condemn that?—I do.

99. You do not question the right of voluntary statements made by prisoners, or persons not charged with an offence, being put in as evidence?—No, not if cautioned in the proper way.

100. Do you mean the statutory caution? Do you not know that only judicial authorities can make the statutory caution?—It is the duty of a constable, after apprehending any one, if a voluntary admission is being made, to caution that person that any admission may be used against him and taken down in writing.

101. I will read Mr. Justice Hawkins again: "On arresting a man the constable ought simply to read his warrant, or tell the accused the nature of the charge upon which he is arrested, leaving it to the person so arrested to say anything or nothing, as he pleases. . . . There is, however, no objection to a constable listening to any mere voluntary statement which a prisoner desires to make, and repeating such statement in evidence; nor is there any objection to his repeating in evidence any conversation he may have heard between the prisoner and any other person." There is nothing about administering the statutory caution there?—It has been my experience in constant practice, when occasion required, for Mr. Justice Williams, from that bench there, to find fault if a prisoner had not been properly warned and cautioned before making a statement to be used against him.

102. *Colonel Pitt.*] Mr. Justice Hawkins also says, "But he ought not, by anything he says or does, to invite or encourage an accused person to make any statement without first cautioning him that he is not bound to say anything tending to criminate himself, and that anything he says may be used against him"?—That is what I refer to.

103. *Mr. Tunbridge.*] I wish to ask you about voluntary statements, not statements the result of invitation or encouragement?—I do not object for a moment to voluntary statements.

104. In the other case you say a voluntary statement is not made by the prisoner?—I say nothing of the kind. I say a prisoner should not be encouraged.

105. Will you give an instance?—I cannot give an instance, but I say it is the constant practice of the police to get evidence from prisoners without the usual caution.

106. But you are not able to quote any instance?—No; there is no doubt that during the last twenty-five years hundreds of cases have happened; but to be asked suddenly, like this, to name a case, I cannot do it. But it is one of those things which only requires ventilation in a case of this kind to have it put right.

107. *Colonel Hume.*] You have been some time practising in Invercargill?—Yes, ten years, I think.

108. And before that you were?—I was Clerk of the Resident Magistrate's Court, and Registrar of the Supreme Court.

109. I think you said you have been twenty-five years in Invercargill?—I came here in 1870.

110. You have several times stated that it was the opinion of your brother lawyers here: am I to understand you are speaking for anybody besides yourself?—No. Solicitors from time to time, in conversation about these things, have expressed opinions that I am now giving.

111. But you are not here representing anybody else?—Not a soul.

112. On the occasion you saw Mr. Ward about the transfer of Sergeant Macdonell, will you tell the Commissioners exactly what happened—the whole conversation?—I went to Mr. Ward to put a statement before him in connection with a case in which Sergeant Macdonell had approached me, believing I could give evidence. The sergeant afterwards went into the box at Court and gave a totally different statement to what occurred between us, and I went to Mr. Ward to put myself right with him and to put my statement before him. That statement was taken down the following morning, after the interview I had in the sergeant's office. On the 18th June the sergeant sent for me, and I was with him for a couple of hours; and he gave a statement in the witness-box altogether different to the conversation we had. It was so serious that I went to Mr. Ward to tell him the true facts. It was on that occasion he told me of the sergeant's transfer to Oamaru, and referred to it as having been hung up but not cancelled, and he had no doubt he would go.

113. Was not your object in going to Mr. Ward to get the sergeant transferred?—Distinctly and positively No. I went to put myself right, the sergeant having made a wrong statement in the Court as to what had passed between us. It did me an injury in the eyes of Mr. Ward, in my opinion, and I went to Mr. Ward with a written statement.

114. And you did not ask Mr. Ward on that account to get him away?—I might have; but I do not believe I did. I went with the one object of putting my written statement before him to show that the sergeant had not stated facts in the box, and these misstatements had got into the papers.

115. Then, if you might have asked Mr. Ward to get him removed, were you not using political influence?—I do not believe that I did ask him.

116. But if you did?—I did not go there with that object, and I do not remember: any way he had been removed then. He was awaiting removal then.

117. But you knew that, previous to that, the order had been cancelled?—Yes. I am quite sure I did not ask him. I did not go with that object.

118. You are quite sure you did not say, in the whole of this conversation, that it would be a good thing to get rid of this man, or to shift him, or something like that?—I might have said something like that, that it would be a good thing for the sergeant and for the people of Invercargill.

119. Were you not trying to get political influence to remove that sergeant out of this?—No, I distinctly say I did not go to the Hon. J. G. Ward with the intention of removing him. I do not care two pence whether the sergeant leaves Invercargill or not; but I say he must not interfere with my clients, and people employing me, as he has done this past six years continually. Hundreds of pounds would not cover what I have lost through the action of one constable and another.

120. This has been going on for six years?—Yes.

121. I have been here several times during those six years, and you saw me?—Yes.

122. Did you ever give me any hint of this?—No, I never approached you; and if this Commission had not been sitting I would have remained silent.

123. You have had considerable experience of police matters and police control?—Yes.

124. Where?—In Invercargill, and in Wanganui, and at Home. I have been brought up amongst the police. My father held the position of Procurator Fiscal, which is similar to the Crown Prosecutor here.

125. In any of your experiences in any country, have you ever seen in any police-station you have been in a list of solicitors put up for the information of prisoners?—Never; but it does not follow that the suggestion is not a good one.

126. Well then, again, you speak of constables being too young, and you also say they ought to be married?—Of mature years.

127. Do you know what age they take recruits into the Metropolitan Police in London?—I have no idea; but I think young, because my recollection of the men in London is that they were very young men.

128. Do you know anything about the Royal Irish Constabulary?—No. The tendency all over the world is to employ young men in everything.

129. Well, then, at what age do you think they should be taken on?—I do not think any one should be taken into the Police Force under thirty years. If a man is sober and steady and of good report, so to speak, up to thirty years, he will do for the police. He is not likely to become fast unless placed in very unfortunate circumstances.

130. There used formerly to be an Inspector here, and everything went right in your opinion so long as he was here?—Yes, and I think an Inspector is what is wanted. There would be a big gulf between him and the men, and there would be no chance of familiarity interfering with him and his duty.

131. If you had an Inspector he would be a good deal away?—Not necessarily. Supposing the district was equal to that of Southland he need not be much away, with a good sergeant under him.

132. You say an Inspector is required because there is too much "Hail fellow well met" between the officer and his constables, and you told us you were speaking of Invercargill; and, of course, that narrows it down to Sergeant Macdonell being a "Hail fellow well met" with his subordinates here?—That is my impression. When I used to be going more about the police-station than I have lately the impression always in my mind was that he allowed the men to be too familiar with him; and when a man gets into the position of sergeant he ought to keep the men at a distance.

132A. Will you give us a case?—I have been present when I have heard a constable say to the sergeant, "Give me a match, old boy." It may have been his way of working the Force under him; but I have a great notion that the moment a man gets the stripe on his arm he ought to take a stand, and in barracks should not be familiar with his men. A constable ought not to be able to approach a sergeant in as familiar a way as I have heard men speaking to Sergeant Macdonell,

133. You spoke about the Allison case ; was there any subterfuge used in that case?—I simply mention the complaint the mother made to me, that a constable had taken the children away from her house to the police-station, kept them there some hours, and returned them.

134. Did you make inquiries as to what the police had to say about it?—I inquired of the children afterwards, and found they had just been questioned in the usual way. I do not say anything about the children ; it is the practice.

135. As regards that case, you based your opinion entirely on an *ex parte* statement?—I simply said that the mother complained, and that I saw the children.

136. On that occasion, I believe, these children were not charged with any offence?—I am not so sure about that. I believe one ultimately was brought up for the offence they were all taken away for.

137. Then, you will admit you did not go very carefully into the case?—It is some time ago now.

138. You talked about subterfuge ; have you ever been present when any subterfuge has been used?—Yes, the sergeant tried to get evidence out of me by telling me a deliberate lie.

139. Can you give us particulars?—Yes, in the Hall case—and that is the matter that took me before Hon. Mr. Ward. The sergeant was under the impression that I could give him evidence. I was in his office two hours and a half. I distinctly told him I could not give him the evidence he wanted, and that if I could I would not, because it was a privileged conversation between Mrs. Cameron, the woman at the Bluff, and myself. After a long conversation, when he found that he could not get the evidence out of me—I could not give it—he says, “ Well, I have an offer to make you, Mr. Henderson. I won’t speak the offer because I want to be able to say the words never crossed my lips, and I want you to be able to say I never spoke the words. I will write them.” He had just received a letter by the evening post, and he read the contents of the letter to me, or gave me the substance of it, and then he took the envelope and wrote on the back of the envelope, “ If you will give me evidence that will corroborate Mrs. Cameron you can get a Government billet.” It was that which took me to Mr. Ward, because he twisted our conversation round in the Court in a most extraordinary way. Of course, I felt vexed and annoyed that that should be the measure of any man—of myself—that I could be got at in that way, and the interview very shortly afterwards ceased ; but the sergeant repeated the offer before I went. I made a written statement of it the following morning, and put it before Mr. Hall, one of the parties interested.

140. *The Chairman.*] What year was this?—18th June, 1897. It was this conversation that took me to Mr. Ward’s office to find out whether this had simply been a subterfuge on the part of the sergeant to get me to admit something, and I found out there was no truth in it. He approached me as he approached Dr. Torrance at the Bluff.

141. *Colonel Hume.*] Any other person present besides the sergeant and you?—No ; he and I were alone in the office. It is possible the constables may have been listening, but I do not know. There was nobody in the office.

142. Have you got that envelope with the writing on it now?—In my indignation of the moment I picked it up and threw it into the fire. I wish I had kept it. He made the statement most deliberately, but I have learned there is nothing in it. It was simply an offer to induce me to give my evidence.

143. Can you quote another instance of subterfuge?—He approached Dr. Torrance in the same way.

144. Can you give us another case of subterfuge that you know of your own knowledge?—No. He approached Dr. Torrance in the same way as he approached me. That is all I know. He saw Dr. Torrance, and told him that Dr. Young had told them everything, and that he (Torrance) had better confess.

ARTHUR CHILLAS HENDERSON was re-examined on oath.

145. *The Chairman.*] What is the addition you wish to make to your evidence of this morning?—The 16th September, the date of that letter, was the day Mrs. Powell’s case was to come up before the Magistrate. I attended at the Court, and when the case was called Mr. Macalister appeared for her, much to my surprise. The case was adjourned for a week. Outside of the Court I saw Mrs. Powell, and I asked her the question, “ How is it that Mr. Macalister is appearing for you ? Is it not a fact, Mrs. Powell, that you engaged Mr. Macalister at the request of Sergeant Macdonell ? ” and she said, “ Yes.” And I said, “ Come down to my office and give me a letter to that effect.” She came down, and in her presence I wrote that letter now before the Commission while she sat there. It was read over to her, and she signed it accordingly. I said, “ This kind of thing has been going on for years, and I must stop it.” She was not at any subsequent date asked by me to sign a second letter. She has only signed three documents in my office—two securities to David Roche, and that letter. She was never asked to sign anything else. The conversation and remarks she refers to never took place, and were never made.

146. *The Chairman.*] You never requested her to sign a second document relating to this matter?—Never at any time. I considered the letter now before the Commission sufficient.

JOHN McDONOUGH was examined on oath.

147. *The Chairman.*] What are you?—A second-class constable.

148. Stationed where?—At North Invercargill.

149. *Mr. Henderson.*] Do you remember on the 5th August, 1892, going to the Bluff with Constable Burnett and joining Constable Brooks there, and returning to Invercargill with eight prisoners?—No, I do not remember.

150. Do you remember bringing eight sailors up from Invercargill for disobeying lawful commands?—I do not remember.

151. *Mr. Tunbridge.*] Have you throughout your polite experience ever suggested to prisoners the solicitor they should employ?—No.

152. Have you ever told a prisoner that Mr. Henderson has been out of town, when that prisoner has asked to see Mr. Henderson?—No.

153. Have you ever suggested that Mr. Wade should be employed?—No.

[The evidence of the constable was here adjourned to enable him to proceed to the Bluff to procure the watch-house book, in which the charge and particulars were entered in 1892; and on his return with the book his examination was continued.]

154. *Mr. Henderson.*] Do you produce the watch-house book from the Bluff?—Yes.

155. Do you find entered there a note of the case to which we referred this morning?—Yes.

156. There were eight prisoners, apparently?—Yes.

157. The charge is, “Sailors from the ship ‘Lienfield’; offence, disobeying lawful commands” ?—Yes.

158. Were you one of the constables who brought the prisoners to Invercargill?—Yes, I escorted them to Invercargill Gaol.

159. *The Chairman.*] On what date?—5th August, 1892.

160. *Mr. Henderson.*] Was it you the prisoners asked to get a solicitor for them?—No.

161. *Sergeant Macdonell.*] Did they ask any one to get a solicitor?—Not in my presence on the train coming up.

162. And, you say they went straight from the railway-station to the gaol?—We took them from the lockup at the Bluff straight to the Invercargill Gaol, without going near the Invercargill Police-station at all.

163. Do you remember if they were sentenced at that time?—They were remanded.

164. Did you take them anywhere after that?—No.

165. Were they remanded to the Bluff?—I cannot exactly say whether it was to the Bluff or Invercargill.

166. Does the watch-house book say?—It says that they were remanded to Invercargill, and the case was dismissed on the 6th August, 1892.

PETER McDERMOTT was examined on oath.

167. *The Chairman.*] What are you?—A labourer.

168. *Mr. Henderson.*] Do you remember the 24th May, 1892; I believe you were the defendant in an assault case?—Yes.

169. What passed between you and the police in the matter of a solicitor to appear for you?—I asked one of the constables to go for Mr. Henderson.

170. *The Chairman.*] Where were you at the time?—In the cells. He said “Oh, if I were you I would not get him.” That is all.

171. *Mr. Henderson.*] Did they recommend any one else?—No one in particular. I mentioned it to Mr. Henderson the day of the case. That is years ago.

172. *The Chairman.*] He did not recommend any one else?—No.

173. *Mr. Henderson.*] Was the statement of the police that you should not get me repeated two or three times, or only once?—I cannot exactly remember now. It is a long time ago. Of course, I mentioned it the day of the case.

174. *The Chairman.*] Do you remember the name of the constable with whom you had that conversation?—I think it was Constable Burnett.

175. Did you engage Mr. Henderson, notwithstanding this remark?—I asked the constable if he would go for Mr. Henderson.

176. And then he advised you not to have Mr. Henderson?—Yes.

177. What happened after that?—Shortly after that I asked him again, and after that Mr. Henderson came in.

178. *Mr. Tunbridge.*] Did the constable explain why you should not go to Mr. Henderson?—No.

179. *Colonel Pitt.*] Did you understand in any way from the constable’s statement to you that it was a case in which you did not want a lawyer at all?—No; I wanted a lawyer.

180. It was not the constables’ expressed opinion?—No; they knew I wanted a lawyer, and knew it was necessary.

181. *Sergeant Macdonell.*] What was the charge against you?—Assault.

182. What was the result of the case?—I got a month’s imprisonment.

183. Was that without the option of a fine?—Yes.

184. Are you quite sure that the constable said to you not to have Mr. Henderson?—Yes.

185. Quite sure?—Yes, quite sure, because I mentioned it to Mr. Henderson the day of the case. If I had not mentioned it I would not be here to-day.

186. Did you ask him why?—No.

187. Do not you think it would be a natural thing to do?—I believe it was; but, of course, at the time I was confused a bit, and did not bother my head about it.

188. Did he give any reason why you should not?—I cannot exactly swear whether he did or not.

189. Did he say any one told him to tell you so, or indicate anything of that sort?—No, he never mentioned anybody’s name.

190. What time of day was this?—In the morning, between 10 and 11 o’clock.

191. Where did you see him?—At the cell.

192. Any one present when he said this?—No.

193. Are you quite sure it was Constable Burnett?—Yes.

194. Did you say anything to him about it?—Never a word. In fact, I never took any more notice of it, except to mention it to Mr. Henderson the day of the case.

195. *The Chairman.*] Have you on any other occasion had any suggestion made to you by any constable as to whether you should employ a particular man or not?—No, only on that occasion.
 196. Have you ever been in the cells on other occasions?—Yes, once.
 197. Your experience is not very extensive?—No.

RICHARD MATTHEWS was examined on oath.

198. *Mr. Tunbridge.*] You are a solicitor, in practice, I believe, in Invercargill?—I am.
 199. How long have you been in practice?—A number of years; but I was away for a few years. I returned about fifteen months ago.
 200. Have you at any time since you returned had any case put into your hands through the action of the police?—No.
 201. Have you had any clients come to you through any recommendation by the police?—No.
 202. *Mr. Henderson.*] Is it possible that you may have had a client sent to you by the police, or recommended by the police, and you were not aware of the fact?—It is possible, but very improbable. I do not think it would be likely, because in a case like that a client would say to me, "Well, I was recommended," or "The police sent me." No such remark has been made to me, nor expressed nor implied.
 203. Have you at any time been informed that there was any one in the cells, and that you might see him in case he wanted a solicitor?—No. Sometimes, in the course of business, I have called at the police office, and I would say, "Is there anything on this morning," or something like that.
 204. *The Chairman.*] Who would you make inquiry of?—Any one who might be there, just the same as I call at the Magistrate's Court and ask the Clerk.
 205. One of the police-officers?—Yes, and ask if there was anything on.
 206. And what then?—He might say, "There is something on," and nothing further.
 207. *Mr. Henderson.*] Did that not happen about a few weeks ago in that case of housebreaking in the East Road; did not you find out from the police that morning that there was a lad in for housebreaking?—No.
 208. I am speaking of the Houghton case. Was it not from the police that you learned there was a lad in the lockup?—I do not think it was, because it was a case that was talked about.
 209. *The Chairman.*] You say you called at the police-station and asked the constable if there was anything on. What did you expect; or did you get any reply?—He would sometimes say there was nothing on.
 210. And sometimes?—"There is a case," or something to that effect.
 211. Then, would the conversation end that way?—Yes. If there was nothing on I might go away, or go round by the Court.
 212. When you asked the constable if there was anything on, and he said there was something on, what then: did he tell you what was on?—Sometimes he might tell me of the case.
 213. In such a case, have you followed it up by saying, "Can I see the prisoner"?—Oh, yes, sometimes.
 214. And in consequence of that were you allowed to see the prisoner?—Yes. Sometimes other persons have met me in the street and said So-and-so has been arrested, and say, "You might go and see him, as he may not have a solicitor and want one." And I would go and find out about the case.
 215. I take it from you that you occasionally call at the police-station and ask if there is anything on; and if there has been anything on you have interviewed the prisoner with a view to professional employment?—Sometimes, and sometimes not. But the police have never recommended any one to me.
 216. *Mr. Henderson.*] That you know of?—I say all things are possible; but practically that would be impossible.
 217. *The Chairman.*] Do you know whether it is the usual thing for professional men to visit people in the cells if they are not sent for?—Of course some persons whom fortune has favoured and have a big practice do not do so; but many lawyers in a small place like this will go and see. Perhaps a person has been arrested the previous evening and is to be brought up the next morning, and he will go and see the person in the lockup, just to hear what he has to say.

MARY POWELL was examined on oath.

218. *The Chairman.*] What are you?—Wife of Thomas Powell.
 219. Where are you living?—West Plains.
 220. *Mr. Henderson.*] You remember the case, Mrs. Powell, you had with Mr. Moffatt?—Yes.
 221. Do you remember having an interview with Mr. Moffatt in his office, when he threatened to summons you?—Yes.
 222. After the interview with Mr. Moffatt, did you see Sergeant Macdonell?—Yes, I went to him.
 223. You are not referring to Mr. Moffatt's solicitor?—No, to his father.
 224. Then, was there anything said about summoning you when you saw Sergeant Macdonell?—No.
 225. Do you remember coming to my office after that?—I think so.
 226. As a matter of fact, that interview with Mr. Moffatt was followed by a summons?—Yes.
 227. When you got the summons did you come and see me?—Yes.
 228. You handed me the summons?—Yes, you looked at it; but I did not engage you.
 229. You did not ask me to appear for you?—No.
 230. You state that now?—Yes.
 231. You remember what you said to me after I looked over the particulars of demand, and talked of the case generally; do you remember asking the summons back from me, saying you

had promised to let Sergeant Macdonell know if you were summoned?—You gave it back to me. I do not remember asking for it.

232. *The Chairman.*] What did you go to Mr. Henderson about?—I had some business with Mr. Henderson, through Mr. Roche, on other matters than this.

233. *Mr. Henderson.*] What other matter did you mention that day you brought the summons from Mr. Moffatt?—I do not remember.

234. Now, did you not distinctly place that summons in my hand and ask me to appear for you?—I did nothing of the kind.

235. Did you not ask me to give you the summons, as you had promised Sergeant Macdonell to let him know if you were summoned; and did you not get the summons to show him?—I do not know.

236. *Mr. Poynton.*] What were you going to say when you were interrupted?—I had some other business with Sergeant Macdonell.

237. *The Chairman.*] You say you received the summons back from Mr. Henderson?—Yes. I told him that Mr. Moffatt had summoned me; and he asked me to let him have a look at it, and he did so, and handed it back to me.

238. You made some remark about Sergeant Macdonell?—Mr. Henderson wanted to have some further conversation, but I told him I had some more business with Sergeant Macdonell.

239. *Mr. Henderson.*] Did you not state “I promised to let Sergeant Macdonell know when I was summoned, as he said he would hold an inquest on my fire if I was summoned,” and you took the summons to him to satisfy him you were summoned?—No.

240. You did not come back to me that day?—No.

241. Did you go up to see the sergeant?—I did; but I did not see him.

242. Who did you see?—I think it was Constable Burrows.

243. Did you show Constable Burrows the summons?—I think I did.

244. When did you next see Sergeant Macdonell?—The next day.

245. Did you show him the summons?—I did not, because I had not it on me.

246. The case came on for hearing on the 16th December, and was adjourned. Do you remember who appeared for you on that day?—Mr. Macalister was to appear for me, but the case was adjourned.

247. Do you remember seeing me outside the Court immediately after the case was adjourned?—Yes; you followed me out of the Court.

248. You remember what I said to you?—You asked me to go down to your office.

249. Yes; but we had some conversation before we went to the office, and did I not ask you, “How is it, Mrs. Powell, that Mr. Macalister is appearing for you?”—I do not remember.

250. You never replied to that; and did I not follow it up with this remark, “Is it not a fact that Sergeant Macdonell has induced you to throw me over and employ Macalister?”—I do not remember.

251. Then, you remember the next step; I asked you to go down to the office?—Yes.

252. Is that your signature?—Yes.

253. You remember me writing this in the office?—You had it written and read it over to me.

254. Did I not write this letter in your presence?—No.

255. How could it be possible for me to write this before I knew the facts referred to?—You had that written before I went into the office.

256. I will read the document: “Invercargill, 16th September, 1897.—Mr. A. C. Henderson, Solicitor.—*SIR*,—After I saw you on the 11th about my case with Mr. Moffatt, as I told you at the time, I went up to see Sergeant Macdonell, and, after talking the matter over, he advised me to go to Macalister.—Yours truly, MARY POWELL.” I ask you again, did I not write that letter in your presence; and did I not ask you down to my office to give me such a letter?—You asked me to go down to the office, and had that letter ready written, and I did not know what was the nature of the contents when I signed it. I thought it was my own private business.

257. What private business?—About some cattle.

258. *The Chairman.*] You swear, now, you did not know what you were signing when you signed the letter?—I did not know the nature of it when he brought it up, all ready to be signed. Mr. Henderson put the question to me, If I saw Sergeant Macdonell after I went up; and I said No.

259. *Mr. Henderson.*] Let us get back to the conversation we had outside the Courthouse: Did I not ask you the question distinctly—now be straight—“Were you not advised by Sergeant Macdonell to throw me over and employ Macalister?” and was not your reply to me “Yes”; and, following that up, did I not say, “In that case will you come down to my office and give me a letter to that effect?”—No. You had that letter ready for me to sign. And another thing, you asked the question if Sergeant Macdonell had sent me to Macalister, and I said “No.”

260. *Mr. Poynton.*] Where was that?—In the office.

261. *The Chairman.*] You do not know what you signed; and that the statement in that document with regard to Macdonell is false?—I was not aware of the nature of the paper at all when I signed it. A few days after I signed that, Mr. Henderson wanted me to sign a second document about Sergeant Macdonell, and said he wanted to get him shifted, but I would not.

262. Cannot you read?—I can sign my name.

263. Why, did not you know what you were signing?—I had some business with Mr. Henderson through Mr. Roche, and I thought it was about that.

264. *Mr. Henderson.*] What was the second paper you said I wanted you to sign?—I think it was something about Sergeant Macdonell; and you said it was to get him shifted. You said you did not care if I would not sign, because you had the first letter which I signed.

265. *The Chairman.*] He partly explained the first the day he asked you to sign it?—Yes.

266. Will you explain that more fully: a few days afterwards he asked you to sign another, and you refused?—Yes.

267. Why?—Because I knew I had been wrong in signing the first.

268. Why wrong.—Because there was no truth in my saying that Sergeant Macdonell sent me to Mr. Macalister.

269. *Mr. Henderson.*] Then, why did you sign it, Mrs. Powell?—You took rather a cowardly way about it.

270. Did I not ask you distinctly outside the Court, “Is it not a fact that you have gone to Macalister through Sergeant Macdonell?”—I do not remember.

271. You stated just now you had some business with me in connection with Mr. Roche?—Yes.

272. How many days after the signing of this letter on the 16th September was it that you saw me about Mr. Roche’s affairs?—Well, I cannot say. I do not know whether it was the day after I gave you the £3, or not. I cannot swear.

273. That was in connection with the interpleader case?—I do not think so.

274. Then, you do know what you signed on the 16th September, according to your remark to the Chairman?—Yes, when you told me about it.

275. Then, why did you say in the first instance it had never been read to you?—I did not know the nature of it when I signed it. If I said so to the Chairman I made a mistake. I did not know the nature of that paper till after I signed it.

276. *Colonel Pitt.*] You said it was partly explained at the time?—I must have made a mistake then.

277. *Mr. Henderson.*] If you did not know what you were signing on that day, what did you think you were signing?—I do not want Mr. Moffatt interfering with my business at all.

278. What did you think you were signing?—I thought it was my own business.

279. What business of your own did you think you were signing?—You tried to save my cattle from Mr. Moffatt.

280. What did you think you were signing?—I thought it was some paper about the cattle.

281. *The Chairman.*] What about?—I had signed some papers, and I thought it was something in regard to them.

282. What sort of something?—About the cattle Mr. Roche had the mortgage over.

283. You thought this had some reference to a mortgage which Mr. Roche had over your cattle?—Yes.

284. *Mr. Henderson.*] Do you swear you thought you were signing a mortgage?—No.

285. Was Roche’s name mentioned at all?—I do not remember.

286. Then, what was said or done when that was signed?—Well, you were opposing Sergeant Macdonell. That was your object in taking me down to your office.

287. What was said when that letter was signed?—Well, I cannot remember all that passed, for you took me unawares.

288. Then, what did I ask you to sign?—You just pulled the paper from amongst some other papers and asked me to sign it.

289. For what purpose?—You pretended to be a friend of mine, but you proved false.

290. How did I prove false?—You told me you would save the cattle, and you ruined me—you and Moffatt.

291. What had that to do with the paper you signed? I want some more information as to why you signed it, and all about it?—Well, as I said before, I thought it was something in regard to the cattle; for you had been getting me to sign papers from time to time every time I came in about them.

292. You swear you thought you were signing about the cattle?—Something to that effect.

293. Was anything said to you outside the Courthouse, when I asked you to come down to my office, about cattle?—Not at the time, but you told me going along the street you would do your best to save my cattle.

294. When was the document about the cattle signed?—I cannot remember the date.

295. If I refresh your memory, will you be able to recognise your own signature again; is that your signature?—Yes.

296. Now, this document, which is an instrument by way of security over your cattle, was signed on the 26th August, long prior to the letter. What is the date of the letter?—The 16th September.

297. Now, how can you say that that letter was something about the cattle, when the security you gave Mr. Roche for the cattle was dated the 26th August, long prior?—You spoke to me about the dates. Did not you get me to sign two or three papers?

298. Can you explain to the Commission, now that you are reminded that you signed the security for the cattle a month previous to that letter, how that letter referred to the cattle?—That is what I thought. If I had not thought that I would not have put a pen to it.

299. What grounds have you for thinking that; it was partly explained to you when you signed it?—Not till after I signed it. I object to answering any question Mr. Moffatt puts to Mr. Henderson.

300. *The Chairman.*] If nothing was said about the cattle, what did you go to Mr. Henderson’s office for?—He asked me to go down.

301. You do not know what about?—No.

302. *Mr. Henderson.*] Why did you go?—You made me go. You never let me go out of your sight.

303. Did I ask you, outside the Courthouse, “Is it not a fact that you left me through Sergeant Macdonell recommending you to go to Macalister?”—No, it is not the truth.

304. Did I not follow that up and ask you to give me a letter to that effect, and you turned and went with me pleasantly and willingly?—No. I wanted to do some other business, and I could not do it for you getting me to sign that paper.
305. Now, half a dozen times since you signed that letter, have you not been to me and requested that I would not mention it to Sergeant Macdonell, in case he might do something?—I told you that that was not the truth in that paper.
306. Were you not threatened by Sergeant Macdonell?—In what way?
307. Were you not threatened with a prosecution by Sergeant Macdonell or any of the police—Not that I am aware of. Will you explain?
308. Were you not threatened with a prosecution on the part of the police about the fire?—No.
309. Was it not in consideration of the fear you had of any action on the part of the police that you did not want to come to trouble with Sergeant Macdonell over that letter?—No, I had no fear about the fire. If I had I would not have gone to Sergeant Macdonell.
310. Have you had no fear since?—No.
311. Has no one spoken to you at all about it; none of the police, within the last three months, spoken to you about the fire?—In what way?
312. Have they referred to the fire in any way?—No.
313. Did you not ask me not to make use of that letter, because you did not want to quarrel with Sergeant Macdonell?—No; I never used the words.
314. Nor words to that effect?—Sergeant Macdonell never interfered with me.
315. *The Chairman.*] Did you ever say to Mr. Henderson that you did not wish him to use this letter in case you got into trouble with Sergeant Macdonell?—No.
316. *Colonel Pitt.*] You say that when this letter was signed it was partly explained to you?—It was partly explained to me after I had signed it.
317. Now, it is not a very long document, and when it was partly explained to you did you understand then what it was?—Yes; I knew the nature of it then.
318. If what you had signed was not true, why did not you ask for the document back again?—He would not give it back.
319. Did you ask for it?—Yes.
320. That day?—Yes. I said, "There is no truth in that at all," but he said, "I do not care; I want to have Sergeant Macdonell shifted."
321. You are quite positive that took place that day?—Yes.
322. *The Chairman.*] You are speaking carefully, of course, and it is true?—Yes.
323. *Colonel Pitt.*] Did you tell that to anybody else afterwards?—I told my husband about it.
324. When?—Some time after.
325. How long?—I think after I had seen Mr. Henderson, up at Winton.
326. How many days after?—I cannot say; it would be a good bit.
327. Why did you not tell your husband when you got home?—I told some of the family, I think.
328. Do you know if you did mention it to any of your family when you got home?—I am almost sure I mentioned it to one of my sons.
329. *Sergeant Macdonell.*] Have I spoken to you about this matter from the time of the inquest on your fire up to the present time?—No.
330. *The Chairman.*] There was an inquest held on your fire?—Yes.
331. And you say the sergeant has not spoken to you on any matter from that time up till to-day?—I spoke to him to-day.
332. What time to-day?—About 1.30 p.m., with reference to sending me back home.
333. Then, you say, since the time of the inquest up till 1 o'clock to-day, you have never spoken to him?—No.
334. *Sergeant Macdonell.*] Do you remember whether or not the inquest took place before this case of Mr. Moffatt against you?—It was before the Court case.
335. And you say from that time until 1 o'clock to-day I have not spoken to you?—No.
336. Did Mr. Henderson tell you at any time I had a great "down" on you?—Yes; he said you were no friend of mine.
337. When did he tell you that?—Well, I think it was the day he wanted me to sign the second paper.
338. Did you mention that fact some time ago to anybody?—I was speaking to Constable Emerson, and I asked how it came that Sergeant Macdonell had such a "down" on me. I was going to come in to the sergeant about it, but put it off.
339. *The Chairman.*] When did you ask Constable Emerson about the sergeant having a "down" on you? lately, or at the time of the inquest?—I think about three weeks ago or thereabouts.
340. *Sergeant Macdonell.*] And whether I heard that or not, did I in any way communicate with you on the subject till to-day?—No.
341. Did any of the other police communicate with you on this subject until they went to you to-day?—No.
342. How long after you signed the first document was it that Mr. Henderson wished you to sign the second one?—I am not positive.
343. As near as you can remember?—About a week or eight days, but I am not sure.
344. What was in that document, do you know?—I noticed there was more writing in it than the first one.
345. Can you say what was in the document; did he read it over to you?—No.

346. Can you remember what he said to you about it?—Well, it was about you; and he wanted you shifted, and that you were no friend of mine.

347. Is that all you remember of what was in the document?—That is all. I knew there was no foundation for it, and I took no notice of it. I was sorry for signing the first, and if I had known its contents I would not have done so.

348. When you refused to sign it what did he say?—“It is all the same; you signed the last one,” or something to that effect.

349. Did he give you advice as to actions of yours on any of these occasions?—No.

350. Did you pay him any money?—I do not remember. I used to be into his office pretty often.

351. At any time about then did you pay him any money?—I am not sure whether it was the day I gave him £3.

352. *The Chairman.*] You say you had a conversation with the sergeant at 1 o'clock to-day?—Yes.

353. What about?—It was about sending me back home again.

354. *Sergeant Macdonell.*] Did I ask any other man to come in at 1 o'clock to be present when I spoke to you: do you remember me calling any one in when I spoke to you?—I did not take particular notice, but there was a gentleman present.

355. Had you any particular reason for coming in to-day to say something that was not the truth?—I came in to tell the truth.

356. You came of your own accord?—No, I was summoned.

357. *Mr. Henderson.*] You say you signed a second document, or that I asked you to sign a second document?—Yes.

358. Was it after your case was heard and disposed of?—Well, I am not positive; I do not remember.

359. Would it be a week, or a fortnight, or three weeks after you signed that letter?—I am not positive.

360. As a matter of fact, the second document you were asked by me to sign, and did sign, was it not another instrument similar to this one, which had been declined by the Magistrate as bad? You remember signing this, and you remember the Magistrate giving judgment against you, and you lost your cattle?—Yes.

361. Did you sign another security to Mr. Roche after the case was over and lost, similar to this?—Did you not fetch a paper up for me to sign?

362. Quite so, and did you not sign a second security to Mr. Roche after the case was over and lost?—About the crop, yes.

363. Is not that the only paper, besides the paper before the Commission and the instrument that was found to be bad—three documents—you ever signed or were ever asked to sign by me?—No, I did not sign one you asked me to sign.

364. You swear there was another you did not sign?—Yes.

WILLIAM WALKER was examined on oath.

365. *The Chairman.*] What are you?—A first-class constable, stationed at Riverton.

366. When did you join?—13th February, 1878. I was previously fourteen years and nine months in the Royal Irish Constabulary. I joined that service on the 11th December, 1862.

367. Will you tell us what you complain of?—The complaint I have got to make is that I have been passed over in the matter of promotion, and three men within the last six months, juniors to me in the service and in rank by years, have been promoted to the rank of third-class sergeants. I believe that both religious and political influence has been brought to bear to bring about these promotions. Also, a complaint I have got to make is that all the stations in Southland and Otago which have any extra money attached to them are in possession of constables of the Roman Catholic religion; and all the sergeants, excepting two or three in Southland and Otago, are Roman Catholics, although the Protestants are vastly in the majority in the Police Force in New Zealand by something over one hundred. I have also to complain that out of our rate of pay we have got to supply our own uniforms, and have got to pay for everything except the silver badge and number in front of our shakos. Also, that in country and suburban stations we have got to supply fuel and light for the use of the public at our own expense.

368. How do you explain for the use of the public?—Suppose a person comes to me after dark on police duty, I have got to take him into my office and supply him with light. If I take a prisoner into the lockup on a dark and wet night I have to provide him with warmth of some sort to prevent him dying. We have also to cook for the prisoners, and have to supply the fuel. Take my present station: I am allowed a shilling per meal for feeding prisoners. At the large centres, where the single men are in barracks, there is an allowance made for fuel and light, whereas we have to pay for it. When I use that word “we” I am not the mouthpiece of any individual but myself. Up to about nine years ago we were allowed a small allowance for fuel and light. That was taken away from us with the promise that it was only temporary, but it has not been restored since.

369. How was that promise made?—In a memorandum that came with the order. It stated that the stopping of this allowance was to be only temporary. I am certain that I am correct in stating that. That is all the complaint I have got to make. I want to make a remark before I go any further, and that is this: that during my time in the Police Force in New Zealand I have not had a quarrel with a Roman Catholic in the service.

370. What are you?—I am a Protestant.

371. What particular branch of the Protestant Church?—Church of England. In fact, my best and truest friends in the Police Force are Roman Catholics. I know this: that the late

Inspector went to a gentleman of the Roman Catholic Church and promised him that if his men wanted stations they could get them.

372. Who was the Inspector?—The late Inspector Moore. I was informed that he did so. There is another matter in connection with myself that I wish to mention. About nine or ten years ago I was charged by a woman named Mary or Margaret Ryder with attempting to commit rape upon her in her house in the North-east Valley, Dunedin. For three days and two nights that was inquired into by the late Inspector Weldon, and there were lawyers engaged on both sides, for the woman Ryder and myself.

373. Did it go to Court?—It did not.

374. How did she make the charge? Was it a formal charge?—A formal charge, before Inspector Weldon.

375. She did not lay an information against you?—She did not. She simply went up to Inspector Weldon and charged me with an attempt to commit rape upon her.

376. What was the result?—I had been suspended, of course, at once; and after the inquiry Inspector Weldon used these words, "Constable Walker will now return to duty; he is exonerated." That was the end of it as I thought then, and I returned to duty that night. In about eighteen months afterwards my good-conduct medal was due. Seeing it was delayed for two months after the time I expected it, I made an application for it. I was informed that there was a reprimand on my conduct-sheet as a result of the charge preferred against me by Mrs. Ryder. When I got that answer, that it was not due, I then applied for a rehearing of the case. Colonel Hume was in charge of the department then, and the answer I got was that, seeing both the Inspector and the Commissioner, who were in charge of the police at that time, were dead, it would be injudicious, or something to that effect, to open up the inquiry again.

377. How long after the event was it that you applied for this rehearing?—Immediately.

378. How long was that after the charge which was disposed of?—About eighteen months or two years. It is only within the last two or three days that I found I could bring this up before the Commission, or I would have had the whole particulars ready for you.

379. You state nine or ten years ago; can you give it with precision?—It would be about nine or ten years ago.

380. *Mr. Poynton.*] Do you desire the Commissioners to examine the papers?—Yes. I can call Constable Jeffreys, at present stationed in Invercargill, as he took the depositions. At the inquiry I was never called upon to defend myself, and still this black mark is placed against me, the first one in the service.

381. *The Chairman.*] Where was the inquiry held?—In the North Dunedin Police-station.

382. Were you in charge of the station?—I was in charge of the North-east Valley District, where this woman resided.

383. Is there anything further you wish to add?—Nothing further.

384. *Mr. Tunbridge.*] You say you have reason to believe you have been passed over, or, rather, that you have not been promoted, owing to religious and political grounds?—I have reasons for thinking so.

385. What are the reasons?—Seeing that all the promotions in the Police Force recently, with the exception of one or two, are Roman Catholics. Three men in this district have been promoted to the rank of sergeant, and are junior to me in the service, and a long time junior to me in the rank.

386. Who are they?—Constable King, Sergeant Dwyer, and another sergeant in Dunedin. These three men are junior to me.

387. You say four recently promoted in this district?—Yes, and three of them junior to me.

388. Were they the four constables promoted on the 1st January last—namely, Constables King, Warring, MacKenzie, and Bowman?—Yes, and Dwyer.

389. *The Chairman.*] What are the names of the men you complain of?—Dwyer, King, and Bowman.

390. *Mr. Tunbridge.*] Do you say they were promoted on the 1st January?—Yes; but it seems I am wrong as to the date of Dwyer's promotion.

391. You also complain they are nearly all Roman Catholics; what did you say?—I said I had a very strong opinion that it was in consequence of their religious belief they managed to get this promotion.

392. Do you know that two of the four promoted in January last—namely, MacKenzie and Warring, are Protestants?—Yes, but they are senior to me a long way. But I complain about the principle. It is a grievance of long standing, this religious feeling in the Force.

393. But it is a fact that two of the four promoted in January last were Protestants?—Yes.

394. What proof have you that selections were made in these promotions through political or religious influence?—I have no proof whatsoever.

395. It is merely a feeling?—Yes.

396. You complain you have been passed over in promotions?—Yes.

397. You unfortunately do not enjoy very good health?—I am in fairly good health.

398. Is it not a fact that you were transferred from the North-east Valley to Riverton in consequence of not having very good health?—Yes, the doctor recommended riding; and I was transferred here to get a horse.

399. You have a horse now?—Yes.

400. Do you always ride it?—No; I sometimes drive it and sometimes ride it.

401. And you more often drive than ride?—Yes.

402. Why?—Because it suits my health better.

403. You were transferred in consequence of suffering from indigestion, and you wish the Commissioners to understand that driving is better than riding?—Yes. But surely delicate health ought not to be a bar to a man's promotion. If it is, it is a punishment.

404. *Colonel Pitt.*] What reason have you for saying that the feeling is that these men were promoted because they were Roman Catholics, and that there is a strong feeling in that respect in the Force?—I did not say there was any feeling against these particular men; neither have I any feeling myself against these men. Unfortunately, this thing has been in existence for years. The same subject I bring up now was brought up seven or eight years ago in Parliament, and the member who brought it before the House had his house burned down, and he gave it as his reason for his house being burnt down that he had advocated the claims of the Protestants.

405. What ground have you for saying that the feeling exists in the Force that preference is given to Roman Catholics?—I have this ground, and I say, myself, that the promotions have gone in that direction for years, and suburban stations particularly have gone to men of the Roman Catholic religion. For instance, there are eight or nine stations round Dunedin, and there was only a Protestant in one for years.

406. Does that refer to all over the colony?—I cannot tell you anything about New Zealand except Otago and Southland. I have never been further north than Oamaru.

407. *The Chairman.*] What emoluments are you getting at Riverton?—I get free quarters, and 1s. a day long-service pay—9s. altogether.

408. What sort of quarters?—Comfortable quarters, and a good house if it was weatherproof.

409. What offices do you hold, in addition to those of constable?—I am paid as bailiff by mileage, and I am also paid as Inspector of Slaughterhouses for the upper riding of Wallace County.

410. How much as Inspector of Slaughterhouses?—I think it amounted to about £1 3s. or £1 4s. per quarter, a very small amount. I am paid so much per sheep and head of cattle, and it will run, possibly, about £1 5s. per quarter.

411. What was the total amount of the emoluments you received for all the offices you held last year?—£17s. 9s.

412. What does the amount of fuel and light for your whole house cost you?—I cannot tell you. In fact, I do not interest myself in the matter at all. My wife looks after that.

413. Does 1s. per meal pay you?—Certainly.

414. It pays for the firing to cook the meal?—Oh, no. It pays for the food. Another thing, we have to provide light for the office.

415. Have you a light in the office every night?—Almost, in the winter especially.

416. And fire always in the winter?—Yes.

417. Are you occupied in the office in the evening?—Yes.

418. For what purpose?—Writing.

419. How long?—Sometimes half an hour and sometimes a couple of hours.

420. What amount do you consider would remunerate you for the cost of fire and light in the office and cooking the prisoners' food?—I say if I got £10 a year I think it would pay for the fuel and light, and the cost of cooking for the prisoners. I think £10 would be a reasonable amount. I am quite satisfied there are stations worse off than I am, and more prisoners to look after than I have. I would be satisfied myself with £10 for that purpose.

421. Have you anything specially to say to us about uniform, more than you have said in your letter? What does it cost you a year for uniform?—About £3 10s. or £4, taking the whole uniform, hat and all.

422. Boots?—Oh, no; only jumper, trousers, and the hat.

423. How much for boots?—About £2 or £2 10s.

424. And greatcoat and waterproof?—I did not include them. My last waterproof cost me £3 10s., and the greatcoat cost, I think, £2 5s.

425. What about your riding-breeches?—Two pairs will last three years, and they cost £1 1s. each.

426. You do not include them in your £4?—No, that simply referred to what I have to renew every year.

427. Are the other things renewed every year?—No, a waterproof coat will with care last four or five years, barring accidents.

428. Is saddlery found?—Yes.

429. With regard to a pension scheme: In your opinion would the men prefer a pension, towards which they would contribute out of their pay, or a retiring-allowance of so much money in a lump when they leave the service?—So far as I can gather, the men would prefer a pension in preference to a retiring-allowance.

430. At the cost of a deduction from their pay?—Yes, I think a feeling like that was put forward in Dunedin; but there was considerable feeling on the part of the young hands against contributing towards the fund.

431. What is your opinion now?—I think the majority of the men at the present day would prefer a pension, and I am satisfied they would agree to contribute something towards that pension, of course as little as possible; and I would then, as my report suggests, compel all extra money earned by the police to be paid into the consolidated fund of that pension. I mean, all moneys earned by us as Clerks of Magistrates' Courts and Wardens' Courts, and so on, and that would amount to a good sum in the year.

432. Do you suggest that the whole of the present emoluments attached to these offices should be eliminated, and the men confined to the pay?—Yes, and allow us actual travelling expenses for serving summonses and so forth, the same as I get my expenses paid when out on police duty, namely, instead of allowing me mileage, allow me simply feed for myself and horse. It would take away a lot of jealousy.

433. Is it not a fact that in many cases this mileage is paid and charged for without travelling at all? Do you not sometimes serve summonses when you meet a man without having to take it to

him?—Certainly. I would get the mileage if I served him in the streets of Riverton instead of going out five miles or so into the country. But then, again, I might have to go several times and not find the man.

434. With regard to retirement, at what age do you suggest the men should retire, or after what period of service?—After twenty-five years' service.

435. At what age?—Well, I would not admit them under twenty-three, especially in the New Zealand Police Force, because there are disadvantages in this Force for young men that are not in any other Force in the world, and I would compel them to retire after twenty-five years' service; that would be at forty-eight years of age.

436. Do I understand you to say you would make it compulsory for them to retire at fifty?—Yes; because you can use them afterwards as useful members of the community. That would help to bring forward promotions a good deal quicker than it is at the present time.

437. You refer to military settlements, and you suggest that men retiring from the Force should form a rifle corps. Suppose four men retired from Invercargill, where would the corps be formed?—In Dunedin. I suggest the four large centres of population for them.

438. Now you suggest, further, you would do away with all grades in the service of constables and sergeants?—Yes; have one class of each.

439. What advantage do you see in that?—It seems cumbrous to have so many grades in the one rank, to my view, and it would meet the same purpose by increasing the pay at certain periods. It is rather strange to have three grades of policemen for the one rank; whereas if you pay them for the length of service, you lay the groundwork for securing them in the service where they would be of great use.

440. How would you divide that period of twenty-five years' service for an increase of pay?—At three years, and seven years, and twelve years. By the time a constable obtains twelve years' service, he should, in my opinion, be fit to be promoted to sergeant.

441. Are you suggesting, without limiting the number, that all men in the Force after twelve years' service should be made sergeants?—Oh, no, that would never work out.

442. What do you suggest should be the ground of promotion from constable to sergeant?—Seniority and conduct. Of course, if his education did not qualify him for it, let him give it up, which he would necessarily have to do.

443. With regard to the rate of pay, have you any suggestion to make?—I have not.

444. *Colonel Pitt.*] Do you think that the pay is sufficient?—It is not. I know I have had a very hard struggle to rear my family, and there are others in the same fix as myself; and if I were out of the service to-morrow, I would not be able to pay my train fare from this to Riverton.

445. What do you think the lowest pay should be?—The lowest should be 7s. 6d. If you give them uniform, I say 7s. would be sufficient; but if you do not give them uniform the least you can give an honest man, and one who will make the police profession a thing to be proud of, is 7s. 6d. to start from.

446. *The Chairman.*] With regard to promotion, you say length of service and conduct should count?—Yes.

447. Do you think that that power of selection should be exercised by the local officers or by the Commissioner?—By the Commissioner on the recommendation of the Inspector, and the Commissioner to have the sole control of the Force. No other influence whatsoever.

448. You express the opinion in your letter that it is not right nor beneficial to the service to transfer men from country stations merely on the ground that they have been there a very considerable time?—I do.

449. You think time should not be taken into account?—No. At the very lowest estimate it will take a man a couple of years to get round to every one in his district, and, so long as a man does the work required of him in the service, I say leave him there, whether constable or sergeant.

450. You are of the opinion, already expressed to us, that men from the farming classes form the best men for the constabulary?—That is my experience in the Royal Irish Constabulary.

451. *Colonel Pitt.*] What do you think should be the standard height of a man?—5 ft. 9 in. should be the minimum.

452. Do I understand you, that you still contend that the three men you mention, who were promoted to the rank of third-class sergeants, were junior to you at the time they were promoted?—Yes, in rank and service. I am a first-class constable for nineteen years, and that is before some of them were in the service. Sergeants Dwyer, King, and Bowman are all junior to me both in rank and service. The other two sergeants promoted within the last three months are both senior to me.

453. *The Chairman.*] You say Dwyer, King, and Bowman were appointed when?—I found out to-day that Dwyer was appointed twelve months ago.

454. Do you know if there is anything against you beyond that reprimand?—I am quite sure there is not.

455. Have you any entries on your merit-sheet?—Yes, I have merits for smuggling convictions, arrest of a housebreaker on description, and also one for a conviction for illicit distillation. I think there are several altogether.

456. *Colonel Pitt.*] Are you quite sure that reprimand is on your sheet?—Yes.

457. *Mr. Tunbridge.*] You say you get 1s. a meal for the prisoners?—Yes.

458. For each meal?—Yes.

459. What do they get for their breakfast?—Bread and butter and tea.

460. And for that you get 1s. Do not you consider that 1s. very well pays you for the boiling of the tea?—It does so, under the circumstances, but if I had to make it specially it would not.

461. You mean to say that 1s. does not pay you for the bread and butter and the tea you supply prisoners with, including the cost of the fuel for boiling the tea?—I do not think so.

462. The majority of the meals you supply are breakfasts, are they not?—Yes.
463. You rarely have to supply dinners?—Very rarely.
464. Therefore the 1s. you speak of almost invariably applies to breakfast?—Yes.
465. In each case at breakfast they get bread and butter and tea?—Yes; and whatever is on my own table they get, but that, of course, is my own look-out.
466. Now, about the fees you collect in your capacity as Inspector of Factories, £2 16s.: you say that was money you had expended, and which was refunded to you by the department?—Yes.
467. In what form had you expended that?—Dinner for myself, and feed for the horse each day I was out.
468. On an average, what would your dinner cost you?—1s. 6d.
469. And feed for the horse?—About the same.
470. That means you had been engaged about nineteen days as Inspector of Factories?—As Inspector of Factories, inspecting sheep-stations.
471. It means you have been engaged during the year about nineteen days in your capacity of Inspector of Factories?—Yes, inspecting shearing-sheds.
472. But are there no expenses incidental to inspecting other factories in your district?—No.
473. Then, according to that, your duties as Inspector of Factories take up a great deal of your time?—Well, they take up nineteen days; and, as to taking up time, the time would be taken up in walking up and down the streets of Riverton. I have no outlying shops except a few blacksmith's shops, and there is no necessity for actual inspection of those places further than collecting the fees. I make it my business that they must come and pay me the fees in my office unless I chance to be going by; so there is not much of my time as a policeman lost outside the town of Riverton, bar these nineteen days charged for here.
474. You use the police horse for that?—Yes.
475. And generally use the police horse in your work as bailiff?—Yes; if he is able to go, he goes.
476. You complain of having to find light and fuel?—Yes.
477. Do you not consider that the fact of having a house rent-free should be taken into consideration?—Of course it is taken into consideration as part of the emoluments of the service in these places; but I think it is a hardship upon me if a man comes to me at night and stays in my office for an hour that I must supply light for the public use.
478. How often is that likely to occur?—Possibly every night in the winter.
479. How often in the country at night would it occur?—I do not think I have been called out of bed more than once or twice for the last two years. Before that it was pretty often.
480. So you think you should get an allowance for light for having been called out of bed once or twice in two years?—I am using light before I go to bed. At the end of the year or at the end of the quarter I have to make up a number of returns for the different offices I occupy, and I must sit there in my office to do that work. I have sat there until 11 and 12 o'clock at night with the light burning at my own expense.
481. None of the departments pay you anything for that?—Not a penny.
482. You said just now you thought promotions to the rank of sergeant should be made by the Commissioner on the recommendation of the Inspector?—Yes. I say distinctly that there should be no outside influence allowed to promote any man.
483. Do you think that would give satisfaction?—I am certain of it.
484. Then, if these four officers who were promoted from constables to sergeants on the 1st January last were promoted exactly in the manner that you advocate, you have nothing to complain of?—No; only I would like to know the reason why I am passed over.
485. *The Chairman.*] What outside influence do you refer to?—Political influence.
486. What reason have you for thinking that political influence has anything to do with it?—I cannot give you anything certain. It is only an impression we have in the service, that unless you have got political friends you cannot get on.
487. Would you not have heard if there was anything of that sort—if it was a practical thing and a really existing power—how much a man exercised it, or from whom he got his influence?—If I did so I would not like to tell what I heard from any man as to what he could do. You hear a great many things that there may not be much in.
488. Do they do these things?—They go and see a member, or a Minister.
489. Can you trace any case where a man has said to you, "I will go and see a member or a Minister," and has done it?—I do not think so. I cannot recollect any one particular case; but it is the impression in the Police Force that unless you have some influence you cannot get on. I could give you a case where people tried to get me shifted from where I am through political influence, but I do not want to mention that because I "bested" them, and that is over.
490. *Colonel Pitt.*] You say your opinion is that the promotions should be on the recommendation of the Inspector, confirmed by the Commissioner; do I understand you to mean by that it should be altogether independent of the Minister?—I do, most unquestionably. I would hold the Commissioner responsible for all appointments, transfers, promotions, and dismissals, and he must necessarily report to the Ministerial head of the department once a year.
491. *Mr. Poynton.*] Do you think it adds to the efficiency of a policeman to travel round his district as much as possible?—Certainly; the more a country policeman mixes with the country population, the better for the policeman and the population.
492. Do not you think that going round as Inspector of Factories, although not part of your police duties, adds to your knowledge of the people, and their habits, and what goes on in the district, and thereby indirectly increases your efficiency as a policeman?—Of course it does.
493. *Colonel Hume.*] This morning I understood you to say that, from what you have seen, the general opinion of the Force was that there was very little show for any one except members of one particular religious sect in the Force?—Yes.

494. Will you carry your memory back for the last seven years: you study your *Police Gazette*, I suppose, and know all the promotions that have been made?—I only know of Otago and Southland.

495. You read the *Police Gazette*?—Yes.

496. All promotions are put in that?—Yes.

497. Now, are you prepared to say that the most efficient men in Southland have not been promoted?—I will do nothing of the kind; because the three men promoted over me are as good men as you have got in Southland.

498. Do you think in Otago and Southland there are double the number of Roman Catholics in charge of good stations than Protestants?—No.

499. What do you call a good many; you said “nearly all”?—There might be a proportion of five Roman Catholics to three Protestants.

500. Would you be surprised to hear that the real numbers are twenty-two Protestants to twenty-eight Roman Catholics?—I thought there were more. The point I want to emphasize is this, that where the pickings are, so far as I know, they are in the hands of Roman Catholics with the exception of two.

501. The question is, Have you studied this matter? Do you know?—I have not studied it very much, but I have taken a little trouble since this Commission started to post myself up.

502. I understood you to say just now that a person with a certain amount of political influence had tried to oust you from Riverton, but had failed?—Yes.

503. Does not that tend to show that political influence does not rule the Force, or else how was it they did not get you out of Riverton?—My Inspector stuck to me.

504. Does not that prove what I say?—Yes.

505. Then, political influence in your case completely failed?—Yes, but still I want to show you it is at work.

506. Any way, in your particular case political influence utterly failed?—Yes, and I have to thank Inspector Pardy for it.

507. *Sergeant Macdonell.*] About the question of “pickings”: Which are the four best stations for “pickings,” as you call it, in Southland?—From what I can learn from the men themselves, Otautau is best, Lumsden next, Wyndham next, and Winton next.

508. Now these, you consider, are the four best stations in Southland?—Yes.

509. Can you tell us the religion of the constables stationed at those places?—Otautau, Roman Catholic; Wyndham, Roman Catholic; Lumsden, Protestant; and Winton, Protestant. They are equally divided.

510. One other question—and it is not out of any disrespect, for I respect you: Are you an Orangeman?—I am, on the principle of being once an Orangeman always an Orangeman. I was made an Orangeman thirty-six years ago, but I have not put my foot inside an Orange Lodge but once for the last twenty-seven years, and that night the lodge was broken up.

GODFREY CORNELIUS JEFFREY was examined on oath.

511. *The Chairman.*] What rank do you hold?—First-class constable, stationed at Invercargill.

512. *Constable Walker.*] Were you stationed at Dunedin eight or nine years ago?—Yes.

513. Do you remember an investigation in the North Dunedin Police-station into a charge preferred against me by a woman named Ryder?—I do.

514. What was the charge preferred against me?—Attempted rape.

515. How long did the inquiry last?—It lasted three afternoons, beginning at 2 o'clock every afternoon; and the last day it lasted up till about 10.30 in the evening.

516. Can you recollect what the late Inspector Weldon said at the finish of it, as near as you can?—He said, “Constable Walker, you can go back to your station; there is nothing in this case at all.”

517. Was I suspended from the police during that time?—Not that I know of.

518. You took down the whole of the evidence in writing?—I did.

519. Can you recollect whether I was called upon for a defence or not, or to offer any evidence in defence of the charge preferred against me?—I do not think you were; I do not remember it. It is a good many years ago.

520. How long after the inquiry did you hear I was reprimanded for it?—Only a few days ago.

521. *Colonel Pitt.*] Who did you hear from?—Constable Walker.

522. *The Chairman.*] You heard from him not that he had been reprimanded, but that the reprimand had been entered upon his sheet?—Yes.

WEDNESDAY, 30TH MARCH, 1898.

ARTHUR CHILLAS HENDERSON, further examined on oath.

Witness: I desire to say this, at this stage: the letter signed by Mrs. Powell, addressed to me, and placed before the Commission, was brought before the Law Society here within a day or two of the date of it. I have reason to believe—I cannot swear to it—that the fact that the matter was brought before the Law Society came to Sergeant Macdonell’s knowledge. The next thing I heard was that Mr. Macalister had declined to appear for the woman, and he did not appear for her. She came to me and said that Mr. Macalister had thrown her over, and asked me if I would appear. I did appear for her.

1. *The Chairman.*] In what case?—In that same case. I did appear subsequently, Mr. Macalister having in the meantime, to use her own words, thrown her over.

2. Did you bring it yourself before the Law Society?—I was present at the meeting, brought it before the Law Society, and complained. The Law Society were having another meeting with regard to Mr. Wade. As I say, I have reason to believe it got to the sergeant's ears, and he must have communicated with Mr. Macalister. That is my belief. He did not appear for the woman. She came to me and asked me if I would.

3. Have you reason for that belief?—The only reason is that I had Mrs. Powell's writing—definite proof of what I believed to be guilt on the part of the sergeant, and I believe he knew I brought it before the whole profession.

4. Have you any reason for that?—I have no reason beyond my suspicion that he had knowledge of the fact that I brought it before the Law Society, and that he immediately communicated with Mr. Macalister.

5. That is, however, only suspicion?—Quite so.

6. That is mere suspicion on your part?—It is purely suspicion. I wished to mention this before Mr. Macalister went into the box.

JOHN MACALISTER examined on oath.

1. *Mr. Tunbridge.*] You are a solicitor practising in Invercargill?—Yes.

2. How long have you been practising here?—For the last twelve years.

3. Have you to your knowledge received any cases during the past few years through the recommendation of a police-officer?—No.

4. Do you think had cases come to you through the recommendation of the police-officers you would have known it?—Yes, I think I would have known it.

5. *Mr. Henderson.*] You are a solicitor under the Factories Act—are you not appointed to that position?—Yes.

6. How did you get that position?—Really, I could not say. I have been employed to do the work and I have done it. I do not know how I got it. I never asked for it from any one.

7. Have you got that position through the recommendation of Sergeant Macdonell?—No.

8. Not to your knowledge?—No, I am sure. I do not think the sergeant's influence is so much as all that.

9. You have the position, and the position must have been got by some means; it is not by your own asking?—It is not by my own asking.

10. By some unknown power you have been put into the position of solicitor under the Factories Act, and you know not how or why?—I cannot say. I suppose Government thought I was the best man to be appointed.

11. *The Chairman.*] Is it an appointment by the Government?—I do not know.

12. Who employs you?—I have been engaged by the Inspector, Mr. McEwan.

13. *Mr. Henderson.*] Does he act in conjunction with the police?—I cannot say.

14. *The Chairman.*] Is he a member of the Police Force?—No.

15. *Mr. Henderson.*] Is it not possible that many cases during the last few years have come into your hands through the recommendation of the police without your knowing it?—I never knew of any.

16. It is possible you may have been recommended without the police saying so to you?—I do not know of any policeman that has recommended me.

17. Is it not possible that any solicitor may be recommended by the police without that solicitor knowing it?—Well, I cannot recall a case. It is possible, of course, but I cannot recall any instance where the police have recommended any one.

18. I am asking whether, in your opinion, it is possible a policeman might recommend Mr. Macalister without Mr. Macalister knowing it?—I cannot say. I could not express an opinion on that. It is possible; all things are possible. It is possible; of course it is possible.

19. Have you ever had a police case where the prisoner gave you any explanation how he sent for you, beyond the fact that you were a solicitor?—No, I cannot remember any—simply that he wanted me to appear for him.

20. In all police cases, so far as you remember, the prisoners have simply sent for you, and given no reasons why they sent for you?—They have given me reasons afterwards—after they have been sent to the Supreme Court and acquitted; they have said they were quite right in selecting me.

21. Now, take the police cases and the Police Court,—and you have a great number of them,—and you say the same with regard to your Police Court cases: that your clients afterwards explained to you the reason why they employed you?—No.

22. Then, in those cases—and I dare say there have been a good many of them during the past ten years—clients have not given any reason for employing you?—Beyond saying they sent for me and placed the case in my hands.

23. Those cases may have been recommended by the police?—Well, they may have been recommended by anybody. I found this out to be the case: Certain people whom I appeared for recommended others. I found that to be the case; and prisoners in the gaol, I suppose, make recommendations to one another.

24. With regard to Mrs. Powell's case, did you hear of my bringing that before the Law Society?—No; and I would like to say that the sergeant never mentioned that to me; he never mentioned the case to me at all.

25. When Mrs. Powell came to you, did she say that she had been recommended by Sergeant Macdonell, or any police-officer, to come to you?—No.

26. Did she say that she had seen me about the case?—No, never mentioned your name; otherwise I would have made it a point to see, before I took up the case, that there was no relationship of solicitor and client existing between you and her.

27. Can you explain why you threw her over, so to speak, after appearing at the first hearing of the case *Moffatt v. Powell*, when it was adjourned?—I remember *Moffatt* was suing her, and she had a set-off. *Moffatt* was suing her for rent and other items, and she had a counter-claim. *Mr. Moffatt's* claim we admitted. I remember she admitted to me the rent was due, and I advised her, of course, that she had no defence, that all she could do was to put in a counter-claim. The counter-claim was filed. *Mrs. Powell* told me afterwards she could not get evidence—her sons, who were out in the country at the time—to come in and support the claim. I said, “Very well, the case may as well go by default, and you can sue again on the counter-claim.” It was not material, at any rate, to defend *Moffatt's* case, because *Moffatt's* claim was one to which there could be no defence, and she was not prepared with her evidence on the counter-claim. Practically that was the reason why I did not appear.

28. *The Chairman.*] You say that *Sergeant Macdonell* never spoke to you in reference to the case?—Never spoke to me in reference to the case.

29. *Mr. Henderson.*] Or any other constable?—Or any other constable. I did not think it necessary to attend. It was a matter of judgment going against her, and she could sue again on the counter-claim at a future time.

30. *Sergeant Macdonell.*] Did I at any time mention this matter to you up to the present moment?—No.

31. Did you know that this letter got by *Mr. Henderson*, and signed by *Mrs. Powell*, making some accusation against me, was before the Law Society?—I never knew of that. In fact, I may say I was at *Gore* yesterday attending a meeting of creditors, and never saw the newspaper till this morning, and that was the first time I saw or heard anything about it. I would like to make an explanation, seeing insinuations have been made about my getting business through the police. I would like to say this: I get criminal cases from the Lake district. I have defended criminal cases in the Supreme Court from a district over which the police could have no influence. Even at *Gore*, within the last fourteen days a woman was committed for trial for perjury; and, although there are eight solicitors there, I was retained to defend her in the Supreme Court, and I have been retained in other similar cases that have gone to the Supreme Court.

32. *The Chairman.*] You say you have a reputation in criminal work in the Court?—Yes, and in districts over which the police here could have no possible control—in the Lake district, and all round there.

33. You say you have not had any business, so far as you know, put into your hands by members of the Police Force?—No, I have not.

34. Are you in the habit of visiting the police-station with a view to ascertaining what cases may be in the lockup?—No, I am not.

35. I may say it was mentioned yesterday by a practitioner that it was the habit to drop in and ask if there was anything on?—I never do that. In fact, I have refused cases. The police have telephoned to me under instructions from the prisoners who have been brought into the cells. I have inquired who they were, and what the case was about, and I have repeatedly refused to appear.

36. *Mr. Henderson.*] Have you on any occasion gone to the police-camp without having been sent for?—No.

37. Never in your life?—No, never in my life.

38. I could not mention the case, but I have met you there myself when we have both been on the same job, have I not?—That may be so. I do not know. I do not think I ever did. I do not remember ever doing that.

ARTHUR CHILLAS HENDERSON, further examined on oath.

39. *Sergeant Macdonell.*] When did you come to the conclusion that the police were acting against you in any way?—It must have been about 1891 or 1892—the day on which you complained to me of my conduct in addressing a jury in this Court: that was the first. I cannot give you the date, but you know the case to which I refer. You complained to me in this passage here.

40. What was the case?—The case of *Regina v. Byrne*. In my address to the jury I complained of your conduct in approaching the prisoner, and the Judge upheld my view, but said he believed, while you had made a mistake, you were honest in what you did; and, after the case was over, I was walking from the library to the robing-room to take my wig and gown off, when you stopped me with these words: you said, “I know how you spoke of me to the jury like that.” And you raised your hand, like that. There were several witnesses there at the time, and you added, “I’ll have it in for you; I’ll follow you.” I said, “*Sergeant Macdonell*, if you interfere with me within the precincts of the Court while I have my wig and gown on I will report you to the Judge.” You continued, but I did not wait for you. I came straight into the Court, and I said to *Mr. Macdonald*, the Crown Prosecutor, “I have been grossly insulted by *Sergeant Macdonell*. I want to bring the matter before the Judge.” He replied, “Never mind, it will blow over; it will be all right.” Unfortunately for me, I was induced by him to let the thing drop. From that time to this I am honestly convinced in my mind you have followed me, as you said you would—that you have prevented people employing me, and that, if you have not done it yourself, your constables under you have done it, they knowing you were not on friendly terms with me. I am honest in my belief you have done all you could to injure me from that day to this. I would be very glad if you could say on your oath you have not. Circumstances appear against you.

41. You say on your oath I used the language you state, and put up my fist to you?—On my oath I have stated, almost *verbatim*, what passed between you and me in that passage there. Of course, it is a number of years ago, but I can assure you I have never forgotten it. We have often referred to it since. Three years ago we referred to it in my office, when we “buried the hatchet.” I suppose you remember that.

42. Would you mind telling us how you came to get that case into your hands, *Regina v. Byrne*?—It is a long time ago. My present recollection is it was through a man named Brown, who was living with her. She was a prostitute.

43. Are you sure Brown was in the colony at that time?—No; I would not swear. That is my recollection.

44. Did you get that case through any solicitors you were mixed up with for some time back?—No, certainly not.

45. Were these not the facts you complained of to the Judge: That this woman jumped into the water from the jetty with her child. She was rescued, and the child was drowned; and she was brought up to the station, and, on learning the facts, I got a cab and took her down to the jetty to show where the child was. Was that the fact you complained of?—Practically the fact was this: She was rescued from drowning, driven to the camp, her clothes dried, and then immediately driven back to the jetty by you, to show where she threw her child in, or jumped in herself, and I complained that you had done so in a precipitate, hurried way, and that the woman had not been cautioned in the usual way. The Judge believed you had done it honestly, but said you had made a slight mistake; and in addressing the jury I complained of your action.

46. It was on account of taking the woman down to show where she threw her child in?—Yes, while she was in a weak state, mentally and physically. The woman's life hung in the balance, and great care should have been taken of her; and I say now you had no grounds whatever for complaint of my language to the jury or the Court, but you considered you had.

47. And the Judge said something similar to what you have stated?—He said I was justified in what I said—that you had made a mistake, but he would like to believe you were honest in what you did, although you had made a mistake.

48. Do you remember the reason the Judge gave, why he thought I should not have acted as I did?—I cannot, but you may refresh my memory. If you give the reason, and I remember it, I will say so.

49. Was it not on the grounds that this woman was in custody on a very serious charge, and she should not be asked anything?—No, I really cannot remember anything of that.

50. And do you remember my explaining to the Judge that she was not in custody on that charge at the time she was taken down there?—I do not. You may have pointed it out to the Judge that she had not then been charged.

51. Do you remember my stating to the Judge she was then simply charged with attempting to commit suicide?—I do not remember the fact. I think it is probable you said so, but I do not remember it. It is very likely you said so. It is a great many years ago.

52. Was there any unpleasantness whatever between you and the police before then?—I cannot bring to my recollection any unpleasantness before then. You certainly never interfered with my practice before then—never.

53. Or any other member of the Police Force?—No; I do not remember. You may be able to refresh my memory, but at the present moment I remember nothing prior to that—no disagreement, nothing to interfere with the ordinary friendship that should exist between the profession and the police. I cannot think of anything at the moment.

54. I suppose you have thought this matter over a good deal this while back?—I have not, indeed. I never meant to bring this up. You have brought up a thousand per cent. more than I have. The gentlemen who are with you have brought to light a great deal that I had no intention of mentioning. All I wished to bring before the Commission was the fact that the police had interfered with people that wished to employ me.

55. But that was since this *Annie Byrne's* case that you refer to?—There is no doubt we were on the best of terms previously to that, and it was you who took up the quarrel, believing I had injured you in saying what I did, believing it was my honest duty in defence of my client.

56. Would you be surprised now to find that the two cases you tried to prove here yesterday—the eight sailors from the Bluff, and *McDermott's*—both took place the year before the *Annie Byrne's* case?—Well, it is a long time ago, and it is just possible I have made a mistake in the year. I have given the matter no thought for years, but in thinking of the quarrel with the police, I have always considered this *Annie Byrne's* case the origin of the sergeant's displeasure with me. I have not thought of it for years; in fact, I have not thought of anything in connection with this case until I came into this Court.

57. What is your reason for saying you were so very amicable with the police before then?—We were always friendly. Now that you cause me to doubt my memory with regard to dates, I could not swear to the first date on which you and I had a difference.

58. You say that we referred to this case in your office some considerable time ago?—You came into my office, sergeant.

59. Do you remember what for?—It was something about giving evidence. You wanted Jones, my clerk, to give evidence, and we got into a general conversation about bad blood that existed between you and my office, and I wound up by saying to you, "Let bygones be bygones. Let us bury the hatchet and shake hands over it." And you left me under the impression you were going to bury the hatchet.

60. Did not I tell you there was no hatchet to bury, that I had no ill-feeling against you?—You may have used those words, but the fact remains that there was a very serious difference between us. However, we shook hands, and I understood the hatchet was buried.

61. Did you try to borrow any money from me on that occasion?—No; I never asked you for a shilling in my life.

62. You did not ask me to lend you £5 that day, and you would give me interest on it?—Certainly not. It is impossible at this distant time to say what conversation passed, but for me to ask Sergeant Macdonnell intentionally, seriously, for money—never in my life.

63. Is it not a fact that you asked me for the loan of a five-pound-note, and you would give me any interest on it?—Certainly not.

64. On that very occasion you refer to?—I do not say it is not true, because I do not remember the circumstance: but it seems so absurd, so unlikely, that it must be untrue.

65. What do you mean—do you mean it is unlikely you would borrow any money?—I mean to say this: I have no recollection of the fact, and, under the circumstances in which you and I were placed, you would be the last man under the sun that I would have gone to. It is quite impossible I could have asked you for a shilling had I desired it.

66. Do you remember that at first I declined to shake hands with you, but you pressed me?—I did press you, because I was anxious to make friends with you. It is over three years ago—some-where about that, because my clerk has been back in Sydney nearly three years. You came straight up to the camp here, and told the men you had buried the hatchet.

67. You say I came up to the camp, and did what?—Within a quarter of an hour from the time you left my office a constable came into my office and told me.

68. Was it a constable?—It was one of the Force. He put his head into my door smiling, and said, "Well, you and the sergeant have buried the hatchet. He just came up and told us, and he made the remark, 'I'll let Henderson see whether I have buried it or not.'" Of course, that shook me at once. I came to the conclusion you were not genuine in shaking hands.

69. And when you told me that afterwards, did I not tell you it was not true?—I believe that is so.

70. I must ask you the name of that man?—Must I give the name, Mr. Chairman?

71. *The Chairman.*] Oh, yes, I think so?—Well, it was Detective Herbert, I believe. I do not swear it; but I do believe it was Detective Herbert.

72. *Sergeant Macdonell.*] If that was a deliberate untruth, would you say he was a straightforward man?—I would believe Herbert on his oath as soon as any man in the police in Invercargill.

73. Supposing that what he told you, if he did tell you, was utterly untrue, would you say he was a straightforward man?—That is not a fair way to put it. I have always found Detective Herbert a sterling, honest, straightforward, and manly man—a man who would not tell a lie, on his oath or off it.

74. Supposing a man told a lie, would you consider him a straightforward man?—I would not consider any man who told a lie a straightforward man, especially a man on his oath.

75. Do you remember some time ago—some considerable time after that—being in my office, and referring again to the fact that you thought the police were doing you out of cases?—Yes; I have had several conversations with you, I believe, sergeant.

76. Some time before last May, or about that time?—I could not give you the dates, but I am quite sure I have been in your office, and spoken to you about that matter since your visit to my office—since "burying the hatchet" business.

77. Do you remember crying in my office?—Never.

78. Do you remember my explaining to you how you lost your police cases?—No; you never explained to me.

79. Do you remember me telling you that your character was a cause of it?—Never.

80. Do you remember me referring in particular to the bungle you made of the Annie Byrne's case; that was the talk of the whole country?—You might have. I cannot charge my memory with it, but you might have.

81. Do you remember your telling me that you knew that the late quack, Dr. Ashby's woman, told you when they employed you at Otatau, he was a fool to employ such a duffer?—No; I never did.

82. Do you remember me telling you it was well known you embezzled Government moneys while Clerk of the Court here in Invercargill?—When?

83. On this particular occasion when you were crying in my office?—You never mentioned that in your life until we had the open rupture in the Magistrate's Court.

84. But this is since that, is it not?—It is a wilfully false statement. I was eighteen years in that office, and the records of the office and the certificates of the auditor to the very last hour I was in the office, are on record to show that the accounts and everything are correct. You have done that twice, and you do it in order to wilfully injure me, knowing it will probably go into the papers; but there is no foundation for it. If anything of that kind had happened, the Government would have seen to it. I hope the Commissioners will be good enough to satisfy themselves by seeing the records and finding out whether there is any truth in it. It is said to throw mud at me. He might as well ask me if I had committed murder.

85. Did you receive letters charging you with that, and explaining how you escaped being in gaol?—Never.

86. You say you never did receive a letter?—Never. I believe while I was in the service I received an anonymous letter.

87. No, but since you left the service?—No.

88. Did you receive a letter from ex-Constable Buchanan saying that your services in connection with oil and salt and so forth saved you from gaol?—No such letter ever came to me.

89. Did not some of your friends pay money in to the Government to save you at some time?—That is untrue. It never was done.

90. Do you know that an order was given to prosecute you and was countermanded?—That is untrue.

91. Do you remember what brought about that scene in the lower Court which you have referred to?—I cannot remember.

92. Will you give us your version of it?—I cannot remember. If you put your questions I will answer them as far as I can.

93. You referred to something that was said by me about you in the Court below on one occasion?—I do not remember the case.

94. Some remarks I made about you in the Court below?—You were indiscreet enough to make the same remarks in open Court that you have made to-day.

95. What led to that?—It was a dispute you had with the counsel in the case, Mr. Hall, and I followed up his remarks with some other remark, and you opened out to me. Inspector Parry was there. There was quite a scene in Court. Is that the case you refer to? I really do not know what you are driving at.

96. I refer to the scene in the Court below, when I made some remarks about you and made you clear out of the Court very quick?—You never made remarks that made me clear out of the Court. You have often been impertinent enough.

97. Do you remember what the remarks were?—I do not; but they were very insulting—referring to my honesty when I was Clerk of the Court, which was a pure fabrication.

98. Was there anything else said, about your paying £2 a month at that time of your clients' money to keep you out of gaol?

99. *The Chairman* (to witness).] I rule you need not answer that question.

Witness: I decline to answer the question.

100. *Sergeant Macdonell*.] You referred to some matter yesterday in giving your evidence that took place between you and I in reference to the Hall case, in my office last year?—Yes. I have a report here, taken on the following morning, of the whole interview. This is my statement taken down by Mr. Hall from dictation the following morning.

101. How did you come to my office on that occasion?—You sent for me on the evening of Friday, the 18th June.

102. I sent for you?—You sent for me. Constable McIlveney came to me.

103. Did I hand you a letter from your client, Mrs. Cameron, or Mrs. Gorman, rather, on coming into my office?—Yes.

104. That letter requested you to give me all the information you could on the matter?—You said you had a very important matter to put before me—that you had received a letter from a client of mine to give certain information.

105. You say I referred to a billet for you first?—You referred to the billet. You were the only one who did speak of it. I will go through the whole conversation if you like.

106. You say I was the only one who referred to the billet, not you?—As I said yesterday, when you found you could get nothing out of me you said, "I have an offer to make you."

107. Were you seeking a Government billet at that time?—I had been prior to that date.

108. Yes or no?—No; I was not. Certainly not—for over twelve months previously.

109. Were you twelve months previously?—For three or four years after I left the service I did all I could to get back to my position—five years, probably—but for twelve months previous to being in your office that night on the 18th June I am quite sure I had never done anything to seek a Government billet. I might, but I do not think so. However, I will take one now, if you could get it, Sergeant, if it is worth having.

110. Do you deny saying to me you had gone to Mr. Ward three or four times; that he had promised you, and his promises were not worth anything?—I do. Those were not the words I used; I will give you the words I used. You wrote down, "If you can give me evidence that will corroborate Mrs. Cameron you can get a Government billet." I could have gone through the floor. I tell you I never felt so insulted in my life. Then I said, "What are you to get for the job?" And you smiled such a smile as Sergeant Macdonell alone can smile.

111. *The Chairman*.] Will you repeat that answer?—He wrote on a piece of paper, "If you can give me evidence that will corroborate Mrs. Cameron, you can get a Government billet." After two or three remarks I asked the sergeant who his authority was for making such an offer. He did not name the Hon. J. G. Ward, but he referred to him in such language that I knew he meant the Hon. J. G. Ward. He did not name him, but he used an expression that left no doubt in my mind that the Hon. J. G. Ward was his authority. My reply was that I had been asking the Hon. J. G. Ward for an appointment for years, and he had not been able to get me one; and I might have added, "Even if I were to ask him for the next five or six years he could not get me one." I might have said that, but I am not clear on that point. Or I said, "It is very little use you saying you have his authority to offer me a billet now." I was very angry: I felt vexed to think that was the measure the sergeant had of me. I then said to him, "Sergeant, you have sent to my house in a friendly way to ask me to come to see you here. Is it not a fact that within the last week you have been speaking of me and another solicitor in town—I mean Mr. Hannan—in contemptible language, and yet you ask me here in this apparent friendly spirit? How can I trust you?" He said, "I never referred to you in contemptible language, or Hannan either." I said, "I have it from one of the Force." He said, "I know the man you refer to. The man has got delusions. I will soon have him out of Invercargill. I will soon punish him." And he had him out of Invercargill in a week. That was Detective Herbert.

112. Did you tell me on that occasion you had to consider your bread and butter, and that the two Halls were the most dangerous men you ever saw in your life?—I did not say the two Halls were the most dangerous men I ever saw in my life.

113. Do you remember on that occasion telling me a great deal about William Hall?—No.

114. And about Annie Byrne; that was referred to?—No.

115. And about this man Brown; that was referred to?—No.

116. Did you tell any other man that?—I do not think so. About what?

117. A great deal about William Hall, Annie Byrne, and this man Brown?—That subject never came up in conversation between you and me.

118. On that occasion?—On any occasion that I remember.

119. Do you remember telling others about the same thing?—I do not.

120. Can you see any one here now you told the same thing to?—I do not know. If there is any one in the Court, name him, and I will tell you whether it is so or not.

121. Were you not the first that gave the information that led to the prosecution of the Halls yourself?—No, certainly not.

122. Did you ever give such information?—Certainly not.

123. Did you ever write any documents to take divorce proceedings in the case before ever this case was heard of by the police?—Never in my life.

124. *Colonel Hume.*] You said yesterday that constables were kept too long in Invercargill, and in many cases they would have been removed, but political influence stopped it and got the order cancelled. Would you state some cases, please?—Of long service in Invercargill?

125. Yes?—I think the books of the police-office would show you that better. Constable Greene, who was moved some time ago, was here a great number of years; also Constable Burrows.

126. I understood you to be referring to the police now here?—No, not to the police now here. The police now here are all new arrivals within a few months. With one or two exceptions they are all new men.

127. *The Chairman.*] With regard to political influence, can you put your finger on any case?—I mentioned Constable Burrows. I do not know what influence he brought to bear, but it was sufficient to get his removal cancelled. There are one or two other cases I know. Of course I mentioned Sergeant Macdonell. I know there are one or two constables who got instructions to be moved, and they have been retained here, but I do not know the cause.

128. *Colonel Hume.*] You told us yesterday you made rather a study of this?—I did not say I made a study of this.

129. You said you spoke from considerable experience of the Invercargill police?—Quite so. I have been here since the year 1869, and I have been connected with them the whole time. I cannot bring any particular case; but I know of more than one, more than two constables who have been instructed to move and who have been allowed to remain—why, I do not know. Then, a deputation waited on the Hon. Mr. Seddon a few months ago to get Sergeant Macdonell moved. I was not one of the deputation. There was also a previous deputation waited on the Hon. Mr. Ward to get his removal.

130. Do you consider when a constable's wife is in a state of health that she cannot possibly be moved, and the removal is cancelled, that is political influence?—It might be political influence that brought about the cancellation, but that would be a reasonable cancellation; although in many instances constables have been moved and have left their families behind. Civil servants all over the colony have to do that. I had to do that when I was sent from Wanganui. Then, there is the second sergeant in Invercargill at the present time, who had to come here and leave his family behind. His wife was so ill that she had to be left behind. There was no cancellation there.

131. You would consider that was political influence if a constable's wife was too ill to go?—No, I would not; but political influence may be brought to bear to have the cancellation made. That is a reasonable cause, when a man has sickness in his family.

132. Do you say you still know much about the police in Invercargill now?—There are only three of them I am acquainted with now—Sergeant Macdonell, Constable Howard, Constable Williams, and, yes, there is Constable McIlveney. These are the oldest, I think, in the Force here.

133. Has Constable Macdonough been here long?—Yes; and Emerson. I was under the impression there were more new men than that. I know these men have been here a long time.

134. And McChesney?—Yes; but he is a new arrival. He was here some time ago, but he was removed, and came back again recently.

135. How do you reconcile that with your statement that most of them had only been here a few months?—That was my impression at the time. I desire to correct that. I was just going by the impression I had formed in going along the streets.

136. Do you know anything of the religions of the different constables here now?—I do. I say that is one of the reasons why Sergeant Macdonell should be moved to another community. He is a Scotch Roman Catholic, and this is a Scotch Presbyterian district.

137. Will you tell us how many Roman Catholics and how many Presbyterians there are in the Force here?—No.

138. Why?—Because it is not within my knowledge.

138a. Because you have not studied the question?—I have studied it as far as Sergeant Macdonell is concerned, and I say that is one of the reasons why he should be sent to Christchurch, or some place where he would be immediately under the command of an Inspector.

139. *Mr. Taylor.*] You were reported yesterday as saying you had been to the citizens about the removal of Sergeant Macdonell—that you had talked the matter of Sergeant Macdonell's removal with citizens?—Friends of my own in Invercargill.

140. Who are they?—I could not at the present moment give you the names of any special gentlemen to whom I have spoken or suggested the removal of Sergeant Macdonell.

141. Do you know Mr. Roche?—Yes.

142. Have you talked it over with him?—Yes.

143. What is his business?—He is a grocer.

144. And a wine and spirit merchant?—Yes.

145. Do you know Mr. Roope, the brewer?—Yes.

146. Talked it over with him?—Yes; I asked him if he was one of the deputation that waited on Mr. Ward.

147. Was he one of the deputation?—Yes.
148. You know Mr. Roche was one of the deputation?—Yes.
149. Who else went on that deputation to Mr. Ward?—I do not know. I did not know of the deputation till afterwards.
150. As a matter of fact, what publicans went?—I do not know of any publicans that went.
151. Have you ever talked it over with any publicans?—Never in my life.
152. Did you see Mr. Ward about the removal yourself?—I never had but one interview with Mr. Ward, and that was the occasion to which I referred yesterday, when I took this statement to him to put myself right.
153. Did you consult any person in Invercargill as to whether it would be wise for you to accept the offer that you believed to have been made by Mr. Ward, through Sergeant Macdonell, of a Government billet?—Never in my life. I spoke to my friends with indignation about it. I felt vexed at the time that I should have been so insulted—that Sergeant Macdonell should have that measure of me—that I could be bought.
154. Did you see Mr. Ward about it?—I did not.
155. What did you arrange with Mr. Roope?—I arranged nothing.
156. What opinion did you express to them—that it was advisable to shift Sergeant Macdonell?—I have expressed that opinion openly many times, because there has been so much discontent here, and he has made so many enemies. His over-zeal has clouded his judgment many a time. He is not fit to act on his own responsibility.
157. Did you discuss with the sergeant the subject of Herbert's removal?—Never.
158. Did you discuss the question whether Herbert ought to be removed from Invercargill with either the sergeant or anybody else?—I may have. It has been my conviction—I do not know whether I have openly said it—that he ought not to have been removed.
159. You had a very high opinion of Herbert?—I have now.
160. You were very friendly with him?—I knew him well.
161. And because you had a high opinion of him you think he ought to have stopped here?—Not because I had a high opinion of him, but because I thought he was the best man we ever had as a detective in Invercargill.
162. And because you have a poor opinion of Sergeant Macdonell he ought to be shifted?—I have not a poor opinion of Sergeant Macdonell; but, as I have said, his over-zeal clouds his judgment.
163. Did you discuss the question of Herbert's removal with the sergeant?—I might. I have been very open in all my dealings with this matter.
164. Do you know Herbert well?—Yes, well enough to give an opinion of the man's character.
165. He was a man of good character?—He was a man of sterling character, and he would not stoop to do dirty dishonest business in a case.

JAMES TORRANCE, examined on oath.

166. *The Chairman.*] You are a medical practitioner, residing where?—The Bluff.
167. *Mr. Henderson.*] Dr. Torrance, do you remember the occasion on which Sergeant Macdonell, Detective O'Connor, and a constable approached you at the Bluff regarding the Hall-Matthews case?—Yes.
168. You remember the occasion on which they spoke to you first?—Yes, the sergeant and Detective O'Connor.
169. Will you tell the Commission how he approached you, the language he used, what he said, if any threats were used, and if he gave you a statement as having been made by Dr. Young?—Well, I suppose I am obliged to answer the question. I have no particular desire to.
170. In what manner were you approached?—Well, I was a little annoyed at the time on account of the way in which I was approached. The sergeant charged me with an offence. He said they had got a very strong case, and they had heard from Dr. Young that I was a guilty party.
171. Would you give the exact words that he said Dr. Young had used?—Well, he said Dr. Young had told him I had procured abortion in a certain case.
172. Anything else? Did he say Dr. Young had said anything else?—No.
173. Have you a pretty clear recollection of what passed?—I remember distinctly what happened at the time.
174. Are you quite sure that is all the sergeant said Dr. Young had told him?—Yes, as far as I can remember. That was the only thing I found fault with, that they asserted Dr. Young had made that statement. I found when I consulted Dr. Young that he flatly denied it.
175. Did the sergeant say that Dr. Young had described the manner in which you had procured abortion?—No.
176. What was the sergeant's manner in approaching you?—Well, they urged me to take a certain course, which they considered best for my own interests—that was, to make a detailed statement of facts.
177. Did they say anything about letting any one off, or running any particular individual in, in connection with the matter—did they lead you to believe they wanted to get any particular one, or whether it was all the parties?—They led me to infer it was not me they wanted—that they wanted somebody else. I had a long discussion with them both afterwards about it. They denied they had led me to infer that.
178. Did they say whom they wanted to get—did they name any particular one they wished to sheet home the guilt to?—Yes. I inferred from what they said they wanted a certain person; not me.
179. Did they assure you there would be no prosecution against you?—Yes, they did—if I adopted the course they suggested.

180. That then there would be no prosecution against you?—Well, that the police would not take any steps against me.

181. *The Chairman.*] Did you have any communication with Dr. Young in reference to this interview?—Afterwards. I took the first opportunity of seeing him, certainly.

182. You subsequently had an interview with Dr. Young on the matter of this interview?—Yes.

183. *Sergeant Macdonell.*] Is your memory very clear as to what took place on that occasion?—Yes, fairly clear, I think.

184. Were you not very excited that night?—I was afterwards—after you left. I was very much concerned, certainly.

185. Chief-detective O'Connor and I saw you on the evening of Sunday, 20th June last?—It was on a Sunday afternoon. I forget the date.

186. In your room?—Yes.

187. I shall ask you if this was not the first thing that was said when we went upstairs to your room: I said to you, "We have come to see you on very awkward business, very serious business, which affects yourself very much." Was that the first thing said by me, or by anybody, on entering your room?—I think those were the first words, as far as I remember, or words to that effect.

188. And did I then mention Mrs. Matthews's abortion case some considerable time ago?—Yes.

189. Did I mention to you that I was very sorry for you on account of knowing your father?—You did, at various times.

190. Did I add, "But we have to do our duty"?—It is quite possible.

191. Was this not what I said in reference to Dr. Young, "We have seen Dr. Young, and he has told us everything"?—I do not remember; I know you distinctly said that Dr. Young had stated I had procured abortion.

192. You are quite clear on that?—Quite clear on that.

193. But do you remember these words, "We have seen Dr. Young, and he told us everything"?—I do not remember that.

194. I suppose you remember that both the detective and I were asking questions, or making remarks?—Yes.

195. Did you remain silent for a considerable time after we went in—was it some time before you answered anything?—Yes. You put a certain course before me, and threatened me with immediate arrest if I failed to accede to your wishes. I was to give a detailed statement of facts, or be arrested immediately, and taken up by the next train, which left in ten minutes.

196. *The Chairman.*] That was what was held out to you?—Yes.

197. *Sergeant Macdonell.*] Are you sure of that?—Absolutely certain; yes.

198. The first thing said, as to you making any admission or anything, was it not said by Detective O'Connor in these words: "Perhaps the doctor would like to make a statement, and be called as a witness"?—That was a long time afterwards. We were three or four hours in the room—from a quarter to 5 till after 8 o'clock.

199. Was that not the first suggestion, and did it not come from Detective O'Connor, in these words, addressing me: "Perhaps the doctor would like to give evidence and be called as a witness only"?—He may have said that towards the end.

200. But at the start?—No; never. The course I have stated was put before me; which course I could adopt, or be arrested immediately.

201. You say so positively?—Yes.

202. You say that Detective O'Connor did not say, when you were some considerable time silent, that "Perhaps the doctor would like to make a statement, and be called as a witness only"?—He may have said so.

203. Was that the first suggestion of your giving evidence?—No. It was urged upon me at the beginning that the best thing I could do was to make a detailed statement of facts.

204. Do you remember my stating that it was possible you might be called as a witness, but that anything we did would be subject to the approval of our superiors?—I do not remember. It is quite possible that statement may have been made.

205. Was Dr. Young's name mentioned before you made any statement?—Yes.

206. Do you remember, when I said I had seen Dr. Young and he had told us all about it, you asked, "Have you seen Dr. Young?" after I had said so?—I do not remember that.

207. I said, "Yes," and do you remember then saying, "Well, perhaps I had better make a full statement"?—Oh, no; it was nothing like that at all.

208. Do you remember saying, "But if I do make a statement, could I not be prosecuted"?—Yes, after you had urged again and again that you guaranteed the police would take no action against me. I said I did not believe it. I said, "Is it possible that such could be the case?" or words to that effect.

209. And when you decided to make a statement, did you say you would make a true statement of what you knew?—Yes.

210. And did you make a true statement of what you knew?—Yes.

211. Who wrote it down?—Detective O'Connor.

212. And when it was written, was it read over to you?—Yes.

213. Did you read it yourself along with Detective O'Connor aloud?—I do not remember. I read it.

214. And you say that was a true statement?—As far as I could remember the facts?—A long time had elapsed.

215. And after you signed it we left?—Yes.

216. Were you watching for us for some time after that?—Yes.

217. And you saw us in the main street at the Bluff later on that night?—Yes.

218. And did you ask us into your rooms again that night?—Yes.

219. Were you in great distress then?—Yes.

220. Did you threaten to commit suicide that night?—No.

221. Did you urge us very strongly to allow you to alter the statement?—I wished to amend the statement.

222. *The Chairman.*] Were you allowed to?—Not in the way I wished.

223. *Sergeant Macdonell.*] Were you told by me that you could make any additional statement you liked, but that I would not allow that statement to be interfered with?—Yes, I think so.

224. Did you start to write another statement?—Well, not another statement.

225. Another statement yourself?—No. I started to write this amendment.

226. *The Chairman.*] In the form of a separate statement?—No, I think it was just to be added to it.

227. *Sergeant Macdonell.*] Did you write out another statement?—Well, I was writing one out.

228. Did you decline to sign the second statement?—Well, I never completed it, because you would not accept it.

229. Is it not a fact that I told you you could write out any additional statement you liked and I would attach it to the other, but I would not allow the first statement to be interfered with?—You would not accept the amendment I was making.

230. Did I not tell you you could write out any statement you thought proper in addition to this, but I would not allow you to interfere with the statement you had written?—You may have said that, but you would not accept the amendment I did make.

231. You say I would not accept it; did you sign it?—No, it was not completed.

232. Did I ask you to sign it?—No, it was never completed.

233. And if Detective O'Connor and I both say you refused to sign it and complete it, and it was left on the table, would you contradict us?—That would be quite true.

234. And we urged you to finish that second statement and sign it?—No, that would not be true; because I did not complete it, as you refused to accept that statement.

235. Did not you wish to write the last page of your first statement over again?—That is what I wished to do in the first place—to amend it in that way.

236. And do you remember why I objected?—You objected to the additions I wished to make.

237. Do you remember my saying to you, “I will not allow you to alter it, because I know the alteration is not true; it is simply to excuse yourself”?—Yes, I remember you saying something about it.

238. Here is the last paragraph of the statement: “I make this statement of my own free-will, and there was no compulsion or pressure brought to bear on me.” Is that true?—Well, it was signed very reluctantly. You persuaded me it was the best thing to do.

239. *The Chairman.*] Did you write those words yourself?—No. I never wrote any statement. I was questioned and made answers.

240. The statement was written down by somebody else?—I was questioned, and my answers were put down. That is my signature.

241. *Sergeant Macdonell.*] I believe you felt a good deal aggrieved at the police over this matter?—Yes. If you remember, we had a long discussion in the office about it subsequently.

242. And we discussed it while on the way to Dunedin?—Yes.

243. You did feel aggrieved at the police, and do so still?—I do not know that I feel very much aggrieved now. I did then.

244. And perhaps a little now?—I dare say I do; quite naturally.

JAMES YOUNG, examined on oath.

245. *The Chairman.*] You are a medical practitioner, and reside at Invercargill?—Yes.

246. *Mr. Henderson.*] Will you state to this Commission all you have told Sergeant Macdonell regarding Dr. Torrance, in connection with the Hall-Matthews case?—As far as I remember, the only material facts I told Sergeant Macdonell were that I had gone to the Bluff, and, ascertaining that I had not been brought there at Dr. Torrance's request, I went to see him. I had been called to the Bluff, as I understood, to consult with Dr. Torrance over some case. On my arrival at the Bluff I learnt for the first time that I was not expected to consult with Dr. Torrance, and there was evidently some ill-feeling between Dr. Torrance and the person who had called me; so I went to see him to inquire as to why this unusual call had been made on me, or what was the quarrel between him and the person. It is not my practice to go down to the Bluff, or where another doctor is practising, unless with his connivance or consent—*i.e.*, unless he consults with me, or in case he will not go himself. I went for an explanation. Dr. Torrance then told me the woman in whose house the patient was believed he had done something wrong to the person staying with her, Mrs. Matthews, and was circulating such a report throughout the township. I told the police, further, that Dr. Torrance requested me to go and pacify this woman—that it was doing a great deal of harm the statements she was making—doing him (Dr. Torrance) great injury. That is all I remember telling them about Dr. Torrance specially on that day. The further account of that case is, I suppose, of no matter. I do not remember having informed the police of anything further about Dr. Torrance on that day.

247. *The Chairman.*] Did you make any other statement to the police in reference to Dr. Torrance's action in connection with this woman?—I knew nothing of Dr. Torrance's action in connection with this woman except that he had been called to attend her. At the time when I saw him he did not tell me—in fact, I never suspected—he had been acting illicitly. I never suspected it of Dr. Torrance until the police case came up a year or two afterwards. As a matter of memory the facts are correct, but I cannot remember the exact details of the conversation.

248. *Mr. Henderson.*] Did you state anything to Sergeant Macdonell that would incriminate Dr. Torrance?—I could not. I had no information to incriminate Dr. Torrance at my interview with Sergeant Macdonell. I had no evidence that would incriminate Dr. Torrance or any one else. In point of fact, I was especially careful to acquire no information that day. My idea was that I was involuntarily in an unpleasant case, and to get out of it without acquiring any information.

249. Did Dr. Torrance make any admissions to you?—Dr. Torrance made no admissions to me whatever. The first time I had any suspicions of Dr. Torrance's activity in that case was when the police showed me his signed statement. That was the first suspicion I had that Dr. Torrance had been the cause of that abortion. I was very particular to state that on all occasions to people to whom I spoke confidentially on the matter in the interim. Before I saw Dr. Torrance's written statement I thought he had been duped into attending that case, and that the abortion had been produced elsewhere. That was my private impression.

250. *The Chairman.*] You had not the slightest suspicion against Dr. Torrance until you saw the written statement?—Until I saw the written statement.

251. *Mr. Henderson.*] Did you tell Sergeant Macdonell at any time the doctor had admitted committing this abortion?—Never. I could not have done so. It was entirely at variance with the information I had from Dr. Torrance. Dr. Torrance had led me to believe he was wrongfully accused. He spoke like an injured man.

252. *The Chairman.*] Did you tell anybody else that, in your opinion, prior to seeing this statement, Dr. Torrance had committed abortion?—No. Until I saw the statement I had no impression of the kind about Dr. Torrance.

253. *Sergeant Macdonell.*] Do you think your memory is very clear as to what took place the first time you saw Dr. Torrance at the Bluff?—Of course, it was recalled two years afterwards without thinking about it in the interim, and it was a matter in which I took very little interest, but I am absolutely clear as to what my impression was.

254. Do not you think you are making a mistake altogether in saying that Dr. Torrance told you this woman was circulating this about the Bluff—seeing that the case was in progress at the very moment, how could she go about the Bluff reporting it at the time?—That is no business of mine how she would do it. I presume she would do it by the ordinary process of circulating reports. Dr. Torrance complained to me this woman was injuring his character by this allegation she was making against him.

255. Did you sign a statement to Detective O'Connor?—I think I did.

256. And do you think that is in that statement—that is, what Dr. Torrance told you when you went down there?—I do not know what was in that statement. There is nothing false in that statement according to my belief at the time. I do not pretend to remember everything, but I remember essential points on which I formed working impressions.

257. Was it not at some other interview he spoke about the rumour being circulated?—It was at his own place, when I went to find out the reason for my being called to the Bluff.

258. The first time?—Yes, the first time. It was a very hurried interview. It was not of more than two or three minutes.

259. Before you saw the written statement did you not see the police?—Yes, I had seen you and the detective before.

260. Did not you know pretty well all that was in the statement before you saw the statement at all?—No I did not. I did not get any details from Dr. Torrance.

261. But from the police, before that?—Oh yes, you told me a lot of things; but of course I do not take all for gospel that the police tell me. I do not mean to say the police lie to me, but the police may be misinformed.

262. *The Chairman.*] How long was it after your interview with Dr. Torrance, and after your interview with the police, that you saw the statement?—My interview with Dr. Torrance was when the event was taking place—a year and a half or two years before I saw the police. Then the police called on me and reopened this question, which I had forgotten all about. They had a talk, and I gave them the information which I have detailed to-day. At a subsequent interview with the police, they showed me this written statement of Dr. Torrance. I had two interviews with the detective. This was long after the event, about which this inquiry is taking place, occurred.

263. When was the first interview you had with the police?—I do not know the date, because I took no notice of it, but it was a month or two before the inquiry came on at the Police Court.

264. Can you say how long it was before you saw the written statement?—I could only make a sort of guess—eight or ten days after I first saw the police. The police showed me no document at the first interview, and I had no previous knowledge that such a case was coming up.

265. *Sergeant Macdonell.*] Can you give any idea as to when we first interviewed you on the matter?—As I said before, I cannot give dates now.

266. Do you remember the night of the week?—The first time I ever heard of the case was one night when you and Detective O'Connor came to my house.

267. Do you remember the night of the week?—I cannot remember that even.

268. It was at night-time?—Yes, in the evening. I took no note of it.

WILLIAM BERNARD McILVENEY, examined on oath.

269. *Sergeant Macdonell.*] You are a plain-clothes constable—in fact, acting detective—at present stationed at Invercargill?—Yes.

270. You have been acting as watchhouse-keeper for a considerable time at the Invercargill Station?—Yes.

271. How long is it since you came to Invercargill?—I arrived in Invercargill on the 15th December, 1893.

272. And you have been stationed here ever since?—I have.

273. While acting as watchhouse-keeper, or in any other capacity here, did you yourself, or did you know of any other member of the Force interfering with prisoners calling for any solicitor they thought proper?—I did not.

274. *The Chairman.*] What period were you watchhouse-keeper?—From about February, 1894, until July of last year.

275. *Sergeant Macdonell.*] Did you ever hear instructions given in reference to this matter—that prisoners were to have any solicitor they thought proper?—Yes. I was told shortly after arrival here that prisoners should see any solicitor they asked for.

276. And during the time you have been here do you know of anything to the contrary having been done?—No, not that I am aware of.

277. It was stated by Mr. Henderson yesterday that there has been a good deal of familiarity between myself and the constables. Did you ever see anything of that?—No, I did not—never witnessed any undue familiarity between yourself and any constable.

278. Did you ever hear any member of the Police Force—any constable—address me in this way, while going to light his pipe: “Come, old man, give us a match”?—No, never. I never heard anything of the sort. I am quite certain if such a term as “old man” had been applied to you, you would very quickly have brought the man to book.

279. Did you ever see me permit any such familiarity with any man about the station?—No.

280. *Mr. Henderson.*] Has the sergeant been on friendly terms with the Force here during your time?—With a few exceptions.

281. Has it not been quite a common thing for the daily topics, as they appeared in the daily papers, to be discussed between the men and the sergeant—public matters of interest?—I have been present when the sergeant was discussing the administration of the licensing laws with the men.

282. But I mean outside of your police duties, or outside of matters affecting the police or the department, have you on any occasion been present when the sergeant discussed these matters with the men?—No, I cannot say that I have.

283. You say there was a number of men with whom the sergeant was not on good terms?—I said, with few exceptions he was on good terms with the men.

284. Were there many of them?—Well, I believe there were three in my time.

285. Do you remember the sergeant being very ill some time ago?—I do.

286. He was supposed to be dying?—He was very bad, I believe.

287. Do you remember the name of the priest who attended him at his supposed death-bed?—I do.

288. Do you remember a communication made by the priest to the men in the Force, to be communicated to me, that Sergeant Macdonell wished to be forgiven all the wrongs he had done them and me?—This is the first occasion I ever heard of it. I never heard of it before.

289. Do you remember a constable coming to my office?—I never heard of it before.

290. What was the name of the clergyman?—The late Father Vereker.

WILLIAM WARRING, examined on oath.

291. *The Chairman.*] What rank do you hold in the Force?—Third-class sergeant.

292. Are you stationed now at Invercargill?—Yes.

293. *Sergeant Macdonell.*] When did you come here?—On the 14th January of this year.

294. You have been doing duty as watchhouse-keeper a good deal since then—yourself and Constable Jeffrey?—Yes.

295. Did you see or hear of any prisoner being interfered with as to what solicitor he should get during the time you have been here?—No.

296. Or in any other way?—No; never.

297. Do you know what the instructions are as to prisoners asking for a solicitor?—I think it was the day after I came here you told me in the office that the best plan, as a rule, was to go over the list of solicitors and let them select one for themselves.

298. You mean, to mention the list of names?—Yes; just mention the list of names.

299. Since you came here did you see any undue familiarity between myself and any of the constables?—No; never.

300. Or anything approaching it?—No.

301. *The Chairman.*] Practically, how does this work? You are told to go over the names of the solicitors. How do you do it; what names do you mention?—Well, if a prisoner, for instance, were to ask me what lawyer it would be best for him to have, I just name Mr. Henderson, for instance, Mr. Hall, Mr. Macalister, and those that I know, and just say, “You can select the one you prefer.”

302. What proportion does those names you have mentioned bear to the whole list of practitioners here?—I might not know all of them yet. I know Mr. Wade, Mr. Macalister, Mr. Henderson, Mr. Hannan, and Mr. Harvey.

303. And those names you have mentioned to your prisoners?—Those that I mention now, with Mr. Moffatt and Mr. Hall. Of course, I go over the names of all those.

GODFREY CORNELIUS JEFFERY, examined on oath.

304. *Sergeant Macdonell.*] You are a first-class constable stationed at Invercargill?—Yes.

305. When did you come to Invercargill?—On the 29th July of last year.

306. And since then you have been most of the time acting as watchhouse-keeper?—Yes.

307. You succeeded Constable McIlveney?—I did.

308. During the time you have been so acting, did you ever see or hear of any prisoner being prevented from getting any solicitor he thought proper?—No, I never did.

309. And did you at any time see any undue familiarity between myself and any of the constables?—No.

310. *Mr. Henderson.*] Since your arrival here can you say whether any solicitor or solicitors have come to the camp to ask if there were any prisoners in the lockup, and to see them?—Yes.

311. Have any solicitors asked you if you had any prisoners that morning, with a view to getting a client?—Yes.

312. Have you taken the solicitors to the prisoners?—Yes.

313. Has it resulted, in any one or more occasions, in the solicitor getting a client?—A few times; but when he has got a case there was not much money attached to it.

314. Quite so; but you have, at the request of solicitors, introduced them to prisoners, which has resulted in a solicitor getting a case on one or two occasions?—Yes.

315. *Sergeant Macdonell.*] Mr. Henderson refers to “solicitors”?—Well, I say “solicitor”; I will not say the plural.

316. *The Chairman.*] Is it only one member of the Bar who has done that?—Yes.

317. Who is that solicitor?—Mr. Matthews.

Sergeant Macdonell handed in the following statement from Constable Greene:—

Police-station, Oamaru, 22nd March, 1898.

REPORT of First-class Constable Michael Greene, No. 178, relative to the attached application from Sergeant Macdonell, and minutes thereon.

I RESPECTFULLY report that during the seven years I was stationed at Invercargill, where I acted as watch-house keeper, &c., nearly all that time, that neither the sergeant or any member of the police to my knowledge prevented any prisoner employing Mr. Henderson or any other solicitors. I did not know of any solicitor's business being interfered with by the police.

To Sergeant O'Grady, Oamaru.

MICHAEL GREENE, First-class Constable, No. 178.

EWEN MACDONELL, examined on oath.

318. *Mr. Poynton.*] You are a first-class sergeant, stationed at Invercargill?—Yes.

319. *The Chairman.*] How long have you been stationed here?—I came here at the end of 1889.

320. Was that your first coming here?—The first time I was stationed here.

321. As sergeant?—As sergeant.

322. From where?—From Dunedin, or, rather, South Dunedin.

323. Have you been here continuously ever since?—I was the following year transferred to Queenstown. I do not know for what reason, except some publicans told me that they got it done. I was transferred to Queenstown about the beginning of 1891. It was towards the middle of January to the best of my belief.

324. When were you brought back to Invercargill?—At the end of April of the same year. I remained here ever since. From the time I came here till the present time I never in any way interfered with Mr. Henderson's practice. I never at any time interfered with any prisoner sending for any solicitor he thought proper; and on a few occasions when a prisoner did not know any solicitor I went over a number of names. I made that a custom, to mention a number of names to them, and let them select which of them they thought proper. That happens very rarely. They usually have a favourite solicitor of their own. I gave them perhaps half a dozen or so, and sometimes mentioned Mr. Henderson's name amongst the number. Mr. Henderson has no ground whatever for saying that I interfered with his practice in Invercargill. He was in my office—I think it is within this last twelve months—and he told me what he stated here to-day—that a member of the Force went and told him that, after shaking hands with him, and, as he says, “burying the hatchet,” I had said that Mr. Henderson would see if I had buried the hatchet. I assured him it was not true, and I say now it is not true. I may have said that Mr. Henderson shook hands with me; but the idea of burying the hatchet never occurred to me. I had no hatchet to bury. I had no ill-will against Mr. Henderson, although I certainly thought him a very foolish man on many occasions. That was his own business. I then told him what really interfered with his Police Court business. I said, his own character in the first place. I told him it was well known he embezzled the moneys of the Court while in the Court at Invercargill.

325. You said this to him?—Yes; while Clerk of the Court, Registrar of Births, Deaths, and Marriages, and Examiner in Invercargill. I said it was also well known he stuck to the Buchanan money, and that the Crown Solicitor was instructed to take proceedings against him not long before then, and that he was paying that money up by instalments. He said, “Oh, yes, you chucked that up at me in the Court some time ago.” I also stated it was well known that when Registrar of Marriages he was charging more than the lawful fees.

326. You said all this at your interview with him in your office?—Yes; at that interview. This is when he cried for fifteen minutes in my office.

327. Was that the occasion on which Mr. Henderson told you he had been informed by a member of the Force you had said in the presence of the men: although you had shaken hands, he would see whether you had buried the hatchet or not?—Yes, on that occasion.

328. *Colonel Pitt.*] Did this conversation take place in your office or Mr. Henderson's office?—In my office.

329. Was any one present?—No. He did not deny anything. He started crying, and continued so for ten or fifteen minutes, and he could not leave the office for some time on account of that. I told him that I heard—in fact, that I knew—he was using what influence he could to get me shifted out of Invercargill, and he admitted he was doing something in that direction. I made use of this expression: “Those the gods wish to destroy they first make mad”—that a man of his character should start anything of the sort. I have no doubt he thinks so himself now. Now, we will come to the interview in my office.

330. You cannot fix the date of this interview?—No, I cannot,

331. It was at your office, and on the occasion on which he came to you and complained that you had said he would see if you had buried the hatchet?—Yes; and he also complained of my injuring his business. I now come to the interview in my office on the occasion he referred to in connection with the Hall case. I handed him a letter from Mrs. Gorman, or Mrs. Cameron. He read the letter. This was requesting him to give me all the information he could, she being his client. I requested him to do so—to tell me all he knew. He said he had his bread and butter to consider—that if he had a Government billet the same as I had he would soon give evidence. He said, “I have got a large family, and I have worked up a nice little business, and I must take care of it.” I asked how it would interfere with his business? He said that it would; that the Halls were the most dangerous men he ever saw in his life, and that he was afraid of them. He then told me a lot about Mr. William Hall, and Annie Byrne that was in gaol at the time for murder, and about the man Brown. I said to him, to induce him to make a statement, “Now, supposing you had a billet, what evidence could you give?” He said, “Ah, you are trying to get at me now.” He said, “If I only got a Government billet I would soon give evidence.” I then said, “If you do not wish to speak it out, write it down like this,” and I wrote it with a pencil large on a large envelope.

332. *The Chairman.*] What did you write?—“Write it down like this, if you wish to be able to say to people you did not tell me.” He said, “No, I will see you another time”; and he put the envelope in the fire. He was standing near the fire and I was on the opposite side of the desk.

333. *Colonel Pitt.*] Where do you say this took place?—In my office. I think it was on the night of the 18th June, 1897. He left, saying he would see me again. The next morning I told the result of our interview to Detective O'Connor at the Bluff, and told Mrs. Gorman the same—that he did not carry out her instructions in the letter. I now come to the interview with Dr. Young. That was on Saturday, the 19th June, the following night. Detective O'Connor and I came up from the Bluff to interview him. We did not take it down in writing, but we got a statement from Dr. Young as to what took place. I have not got the statement. It was afterwards taken down in writing and signed by him. I may state we arranged specially for that night, and to see him pretty late, so that he could not conveniently communicate with Dr. Torrance before the next day. All I wish to say in reference to this is: we had an interview with him before seeing Dr. Torrance, on the Saturday night. We saw Dr. Torrance on the Sunday afternoon at the Bluff. My reason for stating this is that it was stated yesterday that we had not seen Dr. Young when we represented to Dr. Torrance that we had.

334. *The Chairman.*] The question is whether, at the time you had your interview with Dr. Torrance, you told him that Dr. Young had said something that Dr. Young never had said?—I did not. Dr. Young made a statement, which was not taken down at the time. I wish to state exactly what took place between us and Dr. Torrance. We met him outside his own rooms, in the main street at the Bluff, and requested him to see us in his rooms, and he took us upstairs. I said to him—this is the first thing that was said—“We have come to see you, doctor—.”

335. When did you make those notes you are referring to?—That night. I said, “We have come to see you, doctor, on a very awkward business, very serious business, which affects yourself very much”: I added, “Mrs. Matthews' abortion case, some considerable time ago.” The doctor made no reply. I said, “We are very sorry for you, knowing your father, but we must do our duty.” He made no reply whatever. After a very long pause, Detective O'Connor said, addressing me, “Perhaps the doctor would like to give evidence. If that was so, he might be called as a witness only.”

336. I understand you are reading the whole of that note?—Yes. I said, “We might be able to do so; but, of course, anything we do is subject to our superior's approval, whatever course we take.” I said I would be glad to save him if possible. I pointed out the whole affair was very awkward. Still, the doctor never said a word. I then said, “We have seen Dr. Young and he has told us everything,” or, that we knew all about it. This was the first time Dr. Torrance spoke. He said, “Have you seen Dr. Young?” That was the first remark he made during our interview up to then. He said, in the way of interrogation, “You have seen Dr. Young?” I said “Yes.” He then said, “I suppose I had better make a full statement; but could I not be prosecuted as soon as I made it?” Both the detective and I said it was an unheard of thing the Crown prosecuting any one it accepted as a witness. I might state that this is not all in the note. I said it was an unheard of thing; and I know we stated what I said in reference to the Crown. I wish to deny the statement made by Mr. Henderson, as to his giving evidence to corroborate Mrs. Cameron's evidence.

337. *Mr. Poynton.*] At the interview with Mr. Henderson nothing was said about giving evidence to corroborate Mrs. Cameron's statement?—No, not a word. I would like to say that the other parts of Mr. Henderson's evidence in reference to the offer of a billet or anything of that sort is, I may say, the most untruthful evidence I ever heard. I totally deny it. Such a thing never entered my head.

338. I understand you deny you wrote those words that Mr. Henderson said you did write?—Yes, emphatically.

339. And the words you have stated were the only words you wrote?—Yes. He made another statement, in reference to the time I was very ill. I do not think it is worth while referring to it. There is not a shadow of truth in it.

340. You did not express a desire that he would forgive you for your injuries towards him?—No; never thought of such a thing. In reference to Mrs. Powell's case, I never saw the summons that he mentioned; never knew anything about it; never heard of the matter until I heard of it before this Commission.

341. Never saw or heard about the case?—No.

342. Did you make any suggestion to her as to the solicitor she should employ?—Not at all; nor did I know of the existence of that letter until it was produced before the Commission. I never

heard of it before the Law Society, or knew of it in any shape or form. In reference to the eight sailors, I knew nothing about that matter. They were taken straight to the gaol, and not here at all; and, in reference to McDermott, I knew nothing of this complaint of his until a few days ago he came to me and told me Mr. Henderson was urging him to say something.

343. *Mr. Poynton.*] Was Burnett here at the time?—Yes.

344. *The Chairman.*] Did you make any suggestion to Constable Burnett as to who McDermott had better employ?—I did not. Mr. Henderson's statement as to the familiarity that existed between constables and myself is certainly untrue. No constable ever asked me for a match, or anything else, in the manner that he says. If any of them had attempted to be too familiar I would soon check them. I am not harsh or rude to the men, but I keep them in their own places. In reference to taking statements from prisoners or suspected parties, I cannot say what took place in any case unless the case is mentioned. I always try to keep within the law, as far as I know; but I would like to say this: when a crime is committed, it is our duty to find it out. We interview any one suspected unless they are very strongly suspected. If we did not do so, we could detect very little crime; and I hold that, as long as we are not prepared to arrest, or make a charge against any one, we are quite entitled to put any question whatever to them, and I always do so if necessary, and that without any caution whatever.

345. That is, prior to making any charge against them?—Prior to making any charge against them; and even when we do charge them, I say it is not the duty—in fact, it is improper on the part of any policeman to give them what old-fashioned policemen call the usual caution—no caution to be given at all. I say it is only necessary to give them a caution after they are charged, if we are going to ask them any questions—tell them it may be used in evidence against them.

346. It is not necessary to caution them when you make known the charge to them, but only when you are about to ask questions after the charge is made known to them?—Yes, I will admit that on some occasions—very few—I offer inducement to accused people to give evidence—to become witnesses. I will state a case if the Commission desires it. It went to the Supreme Court. The witness did give evidence, and was accepted as a witness, and I withdrew the charge against him.

347. Do you say you would be justified in making a false statement with the view of extracting an admission, either from a suspected person or from a witness?—I avoid that as much as possible, but I know such is done. It will never do to go straight to a person and say, "Did you do so-and-so." That will never detect crime. Desperate diseases sometimes require desperate remedies. I admit that on many occasions I spoke in such a way as, without telling an untruth, to mislead the party, perhaps leading them to think that I knew more than I really did, which was often successful in getting the information I wanted. The same as in this doctor's case, saying Dr. Young told me all about it. Well, he did; but I did not say how much he told me. I will give instances, if you wish, in which such was done. I do not know that I have anything further to say, except that I believe a conspiracy has been going on against me in Invercargill—that Mr. Henderson is, unfortunately, made a butt for other people, being put forward in this way, as he was before now. I was served with a writ for causing a prisoner to be searched when I was not present, before putting him in the lockup. They had to drop that. So was Inspector Pardy.

348. How long have you been a first-class sergeant?—About twelve months, I think.

349. What is the pay attached to your office?—10s. 6d. a day.

350. Are these the whole of the emoluments of your office?—Yes, with free quarters.

351. *Colonel Hume.*] And fuel and light?—No. Well, I may say I do get light. There is gas in the building; but I do not get fuel, and, to tell the truth, I am not sure that I am entitled to the gas; but it is there, and I use it. I did not say anything about it before. I hope it will be considered so.

352. *Colonel Pitt.*] What did you mean by this statement to Mr. Henderson?—I said, "Write it down like this, if you wish to tell people you did not tell me." That was, if he wished to deny telling me that, I would have it in writing—just an inducement to get a statement from him.

353. Do you mean to say that you think it would be proper for Mr. Henderson to get into the box and swear he did not tell you this?—I would leave that to himself. I know what his conscience is.

354. *The Chairman.*] Some questions have been asked Mr. Ward with regard to the Hall case that I did not quite understand the answer to. Was he in any way connected with the proceedings in that matter?—He was not, as far as I know. No one was communicated with by me, except Inspector Pardy, for a considerable time while we were waiting for the return of Dr. Torrance, and then we were waiting to find out where Mrs. Matthews was, which we could not do for a considerable time. If your Worships will be pleased to hear it, I may say I got warning, shortly after the Hall case, that every attempt would be made to entrap me.

355. *Mr. Henderson.*] Have you at any time communicated with Mr. Taylor with regard to the probability of an inquiry?—Into what?

356. Have you had any communication by post or telegram with Mr. Taylor?—Never at any time.

357. Had you anything to do with your return from Queenstown to Invercargill?—No.

358. Did you ask anybody to interest themselves to get you back to Invercargill when you went to Queenstown?—I know people were interesting themselves. I heard that a petition was got up unknown to me in Invercargill.

359. Did you ask any one to assist in the matter?—No, I did not.

360. Did you ask Mr. Kelly, the member?—No; but I know who went to Mr. Kelly. I know who did go; and Mr. Kelly came to me. I never mentioned the subject to him until he came to me.

361. You asked no friend, or any one at all, to use influence to get you back to Invercargill?—No. I know who spoke to Mr. Kelly.

362. But did you ask any one to speak to Mr. Kelly?—I did not.
363. Did you ask any one to get up a petition?—No, never. I never heard of it till years after I came back here. I do not know now that it existed.
364. Did you take any steps at the time to bring about your return to Invercargill, by speaking to any one or doing anything?—Not that I am aware of.
365. Surely you remember?—I was not pleased at being sent away. I was sent into the country, and a third-class sergeant was put in my place.
366. Did you ask any one to use influence in securing your return?—I do not think so—not that I am aware of.
367. To whom did you speak about it?—Scores and scores of people spoke to me.
368. Can you give us the names of a few—just half-a-dozen?—The first one that spoke to me told me he had been to Mr. Kelly without my knowledge; and Mr. Kelly saw me afterwards and spoke to me. After that I know nothing about what brought me back here or how I came back.
369. You state solemnly you never used any influence whatever to get back to Invercargill?—No, not more than perhaps talking to people and people talking to me.
370. Whom did you ask?—I asked nobody. Of course, when people happened to be talking to me we talked the subject over. I am not aware of anybody I asked. A number of people talked to me about it; and a number of people thought I was very badly treated, at the request, it was supposed, of publicans; at least, they boasted about that again and again. The publicans certainly boasted they got me away in about twelve months after my arrival here.
371. Did the teetotallers boast they got you back?—No; I do not think so. Some prohibition people boasted of having got me back.
372. How long a time elapsed from the time you got instructions to go to Queenstown until you left Invercargill—a day, or a week, or a month?—I suppose it would be a fortnight or three weeks.
373. Then, all the conversations you had about being retained here would be during that three weeks?—Oh, no; it was before and after. Some Invercargill people in Queenstown came to me, and some said they would do their utmost to get me back.
374. Was this all voluntary, without you asking it?—It was.
375. You never asked a soul?—No, not that I am aware of.
376. How did you come to let the public know you wanted to be back?—I did not say I wanted back, but I certainly said I felt annoyed at being removed—that I should be knocked about by a pack of law-breakers, or, I might say, at their instigation.
377. Who are the law-breakers?—Well, I can tell you a lot. I am going by-and-by to refer to my enemies in Invercargill—brothel-keepers, unscrupulous lawyers, bad policemen, and the criminal classes generally—people of criminal tendencies; they are always against the police, and immoral people also. I may tell you they have been seen running from the brothels at my approach—jumping fences to get out of the way, and that sort of thing. They are all a howling mob against me. I may tell you who my friends are—all the law-abiding citizens of every description, of every denomination.
378. You got instructions, I believe, to go to Oamaru?—Yes, I got a telegram to go to Oamaru.
379. What influence did you use to hold that transfer up?—Did any one tell you I used influence?
380. I am asking you if you used any influence?—I used no influence.
381. Did you speak to a certain temperance gentleman in Invercargill?—Probably temperance people spoke to me.
382. And you spoke to them?—No doubt I answered them, but I am not aware that I spoke to them first.
383. Did you first tell them of the telegram you had received?—No, I do not think so. It was in the papers.
384. How could they come to you if you did not inform them?—They did not come to me at all. They met me while going about in the execution of my duty.
385. But do you mean to say you did not set to work and send long telegrams away to different parts of the colony at once?—Not a single one.
386. Or letters?—Or letters; not a single one.
387. Had you not a number of interviews in Mr. Macalister's office?—No.
388. Had you not an interview with Mr. Baxter?—I may have been talking to him. Mr. Baxter came to my office at one time.
389. Did Mr. Baxter not make himself very busy over it?—I am not aware of it. He may have.
390. Did you not know of it?—I did not. There are a number of people—the best people in Invercargill, I can assure you—who would be very sorry to see me removed, and very pleased that the good intentions of my friends were frustrated, and they give the Government credit for it.
391. What is the last communication you have had from Wellington about this transfer to Oamaru?—I had no communication from Wellington on the subject.
392. Have you had any communication from Wellington to remain for the present away from Oamaru?—I did not get any communications from Wellington on the subject. I got my telegram from Inspector Pardy, at Dunedin.
393. *The Chairman.*] Why did you not go?—How do I know.
394. Was it countermanded?—It was. I got another telegram from Inspector Pardy saying I was not to go.
395. *Mr. Henderson.*] Then, you did get a telegram from Mr. Pardy that you were not to proceed there for the present?—That is so.

396. Can you give us, as nearly as possible, the wording of the telegram?—Well, I may have it; I am not sure. It may have been noted, and sent back. To the best of my belief it was that I was not to proceed on transfer until I received further orders.
397. You have had no further communication to say that it is cancelled—simply one telegram, not to proceed for the present?—That is all.
398. Can you give to the Commission particulars of the Resident Magistrate's Court money that I embezzled?—No, I cannot; but I mean to call witnesses.
399. What you have stated is what you have heard from others—you have not examined the books?—No.
400. Then, what were your grounds for making the remark at all?—My information that such was the case.
401. Who was the party who gave you the information?—A number of parties.
402. There is a report in town—has been for a long time—that you have mutilated the reports in your office with regard to the Lora Gorge murder case, is that true?—It is not.
403. Is there any record in the sergeant's private diary of the Lora Gorge murder case, or is the record complete?—Yes; plenty of records.
404. And complete records?—Yes; complete records.
405. Has your diary of that date been kept up from day to day?—I cannot remember that. I cannot remember exactly. Sometimes they may run some days.
406. Is it not a fact that there are no entries in that diary for the year of the Lora Gorge murder, or from then?—Oh, no, that is not so.
407. Are you prepared to produce the diary?—Yes.
408. *The Chairman.*] Why are all those entries you have read to us entered in that book and not on the official diary?—I could not put evidence in my official diary. All I put in the official diary are the official duties. I would like to say I gave evidence of this twice before; it is nothing new.
409. *Mr. Tunbridge.*] Can you say the exact date you left Invercargill to proceed to Queenstown?—Yes, on the 19th January, 1891.
410. Did you receive notice to proceed some time prior to that?—Either two or three weeks before that.
411. Will you say what date it was you returned?—On the 28th April of the same year.
412. Now, with reference to Mr. Henderson's statement that the ill-feeling between yourself and Mr. Henderson commenced over the Byrne case, you have looked up the date of that case?—I have.
413. Can you give the date?—It was in February, 1893, the Supreme Court sitting.
414. Prior to that your relations with Mr. Henderson were fairly friendly?—Oh, yes; just the same as with the other solicitors, as far as I was concerned. The woman attempted suicide on the 11th January, 1893, and she was tried for murder at the Supreme Court in February.
415. The cases referred to by Mr. Henderson of McDermott, and the eight sailors, did they occur in 1892?—That is so.
416. *Colonel Hume.*] Do you recollect Constable Burrows, who was here, being ordered away?—Yes, I do.
417. And he did not go?—No, he did not. I am not sure whether he was ordered away or whether Inspector Hickson gave him the option to go. I am not sure which it was, but I know something of the kind took place.
418. You did not know why he did not go?—I was not sure, but I remember since yesterday that there was something in connection with his wife being ill.
419. He was taking charge of a country station?—No, he was going to get a free house, but it was at Lawrence, along with a senior man.
420. He was going for mounted duty?—Mounted duty, but he was going to get a free house, which he would not have in Invercargill.
421. The Force in Invercargill and suburbs consists of about twelve men?—That is so, at the present time.
422. Could you tell us what the religions of the men are—Roman Catholics and Protestants?—There are five Roman Catholics and seven Protestants. I would like to say I am very sorry this question of religion has cropped up. I find good men of every religion, and some of them without any religion at all. It makes no difference to them as policemen whether they have any or not. A good man is a good man, wherever he is or wherever he comes from.
423. *Mr. Taylor.*] When did you join the Force?—I joined the Force towards the end of November, 1875.
424. Where were you stationed first?—In Dunedin.
425. When did you leave there—about?—I was three months or so in Dunedin, and I was sent to Green Island.
426. And after that?—I was promoted, and taken back to Dunedin.
427. And where were you sent to from Dunedin?—At the time of the reduction, in 1880, I was reduced with a number of others to acting-sergeant from third-class sergeant, and sent to Caversham.
428. When did you reach the rank of third-class sergeant?—In May, 1879.
429. After Caversham, where did you go to—to South Dunedin?—Well, that was practically Caversham. I had charge of Caversham and South Dunedin up to the time I came to Invercargill.
430. What year was that?—At the end of 1889.
431. From Invercargill to Queenstown, in 1891?—Yes.
432. And have you been in Invercargill since your return from Queenstown in 1891?—Yes.

433. What was the stamp of policeman you found here when you took charge? Was your Force thoroughly efficient?—Oh, they were fairly efficient.

434. How many men had you under you then?—Two less than I have now.

435. Ten all told?—Yes, I think so. There was an Inspector here then.

436. Who was Inspector?—Inspector Moore when I came here, and he left shortly after for Dunedin, and Inspector Hickson replaced him.

437. Was Sergeant-major Ramsay ever here when you were in charge?—No; I succeeded him.

438. Was he here under Inspector Moore?—He was.

439. He was not here while you were here?—No, I succeeded him.

440. Did you have any trouble with any of the men with regard to visiting at the houses of prostitutes?—Am I bound to answer that?

441. *The Chairman.*] Yes?—Well, I had reason to believe that some of them did visit houses of ill-fame.

442. *Mr. Taylor.*] As a matter of fact, did not women come to the barracks to wait for them?—Oh, I do not think so.

443. Have you never seen them loitering there?—I have seen women, but I cannot say prostitutes. I cannot remember any just now, at any rate; but if it was going on it was thoroughly stopped, I know; for I made a very strong point of that, cautioning them that they would be severely dealt with, and that I would screen none of them. I did my utmost to stop such a thing taking place.

444. Had you reason to believe such a thing had been going on?—I had.

445. That some of them were loose in their habits?—Yes.

446. As a matter of fact, did it not come to your knowledge that some of the men regularly frequented brothels in the town?—I heard so before I came. I cautioned them very strongly after I came here. I spoke very decidedly on the matter indeed, and I think, if it was going on before, it was stopped.

447. Have you ever had a man under you that boasted of his political influence?—He did not boast to me, but I heard one man did so.

448. What was his name?—Constable Aitcheson.

449. *The Chairman.*] How long ago was that?—It is two or three years since he left.

450. How did you hear it?—I heard it amongst the men.

451. *Mr. Taylor.*] Have you Aitcheson's papers there?—Yes; I have got his defaulter's sheet.

452. Where does he come from—what is his native place?—I understand it is Waikouaiti.

453. Do you know what constituency that is in?—I heard, but I do not know. I am not very well acquainted with the locality. I think it is the Waihemo, but I do not know.

454. Did you have numerous complaints about this man's conduct from the citizens?—I had some complaints, and I had some complaints against him myself.

455. Was an inquiry in connection with his conduct asked for?—There was an inquiry held.

456. Were there any requests, that his conduct should be inquired into, forwarded to headquarters?—He was reported a few times, and Inspector Pardy held some inquiries, I know.

457. In Dunedin?—Here. I think he held two, and I think a third was held before the Magistrate.

458. Did you know anything of the complaints made by the Rev. Woollass and Mr. Baxter?—Yes, I did.

459. As a matter of fact, did they not have to make two or three complaints before they succeeded in getting an inquiry?—They were communicating with some people in Wellington, I understand. I reported certain matters to my superior in Dunedin.

460. What did you recommend?—I do not know that I recommended anything. I am not sure; but I reported his misconduct, I know.

461. What time?—Two or three times.

462. What character of misconduct?—Well, there was something in reference to a woman. She made accusations against him for getting her to cause her own abortion.

463. Was that the case he was dismissed for?—Yes.

464. Did you recommend any particular course should be taken with the man?—I was very anxious to get him away from here.

465. Did you recommend his removal?—I am sure I did. I am sure I urged the Inspector to try and get him removed.

466. Did they accede to your request?—No, he was not removed until the matter that I spoke of got into the papers, and then some action was taken.

467. *The Chairman.*] Which case was that?—The case in connection with the girl —, who was convicted of causing her own miscarriage.

468. *Mr. Taylor.*] Had you occasion to find fault with him for refusing to subject himself to discipline whilst he was under you?—Oh, yes; he was a very troublesome man.

469. Have you known of political influence being used by policemen to secure promotion or transfer, or to prevent transfer?—I have heard the matter talked of, but further than that I cannot say.

470. From your experience, has it not been very freely talked of in the Force amongst the men?—Oh, it has been talked of.

471. With regard to your removal to Queenstown: whom do you say was responsible for your removal from here?—I cannot say for certain, but the publicans boasted of it to myself.

472. Why?—Inspector Hickson was supposed to be a very temperate man, and I was supposed to be the same, and they considered us a pair of faddists. I am sorry to say a man in a high position in this town said to a policeman here, "They are teetotallers, faddists," and this was in the presence of a number of people.

473. *The Chairman.*] Are you a teetotaler?—I am almost. I am an abstainer. I do not belong to anything, but I very rarely taste drink.

474. *Mr. Taylor.*] Have you any knowledge as to similar boasts having been made in regard to previous removals of yourself?—Yes. Some money-lenders, at the request of an hotelkeeper—whether true or not I cannot say—but I have been informed they got me removed from South Dunedin to Invercargill at the instance of a man who lost his license since for harbouring prostitutes. I had to interfere with this man for selling drink to drunken men, and he took it badly, as they usually do, and I was given to understand that he got these money-lenders to get me removed—some of the cent.-per-cent. gentlemen. At any rate, I was told so.

475. Have you reason to think that such was the case?—I believe it was so. Still, it is only my belief.

476. Do you think your removal that was ordered in March last year was due to outside influence, or was it promoted by the department itself?—Oh, I think most undoubtedly it was outside influence, for I heard it was going on—deputations and so forth. It was represented I interfered with the late election, which was utterly untrue. I never from the first time we got the franchise up till the present time told a living soul who I voted for myself.

477. Have you heard reasons given for it?—I heard a few people—some in the Force and some out of it—were working together; and on the 1st October, 1896, that word came to Invercargill—the welcome news in certain quarters—that I was to go away, and I have good reasons to believe that was true.

478. Did you hear who the word came to?—I did.

479. Who was it?—Mr. Roope, the brewer.

480. *The Chairman.*] How did you hear it?—I would be very unwilling to say that. I mentioned it to one of the parties interested. He gave a sort of a denial, but not a very definite one.

481. But do you know to whom the first intimation of your removal came?—He did not tell me so personally.

482. But rumour told you it was Mr. Roope?—Yes, very strong rumour, in fact, more than rumour. The party to whom Mr. Roope told it, I understand, rung up the police-station to go and hear the good news.

483. Did a certain individual come down and tell you the good news?—No, but some one to whom he told it rung up the police-station.

484. *Mr. Taylor.*] Did you hear whether it was one of your own officers who was telephoned to?—I would prefer not to say anything more about it.

485. As a matter of fact, was it not Detective Herbert who was said to have been telephoned to?—Yes.

486. Did you have much trouble with Detective Herbert while he was here?—I could not say I had very much trouble with him, but we did not get on very well—that is, speaking officially.

487. He was not very subject to discipline?—Well, not very. I am making no complaint against him.

488. *The Chairman.*] What rank did he hold in the service?—Fourth-class detective. I think while he was here he was made third-class detective.

489. *Mr. Taylor.*] He had access to your desk while you were ill?—A number of them might have, if it was not locked.

490. You heard Mr. Henderson say some of the men inspected a certain book while you were away?—Yes. I know nothing about that.

491. What is your experience in connection with licensing cases? Have you been very much obstructed in the execution of your duty by the publicans?—Well, it is a very hard thing to get convictions against them.

492. As a class, have you found they are more addicted to perjury than any other class—that is to say, witnesses in licensing cases are more addicted to perjury than ordinary individuals or witnesses?—Very much more addicted to it.

493. *The Chairman.*] Are they more addicted to perjury than in ordinary cases?—I find that is so, in dealing with liquor cases, especially in sly-grog selling. I consider the penalties are too severe on convictions under the Licensing Act, and I think that tends to make it much harder to get convictions. I have always said so in my annual reports to the Licensing Committee—that the severer the penalties the harder it is to get convictions.

494. Do I understand you to say that witnesses concerned in liquor cases generally are more addicted to perjury than ordinary witnesses?—That is my experience. I found some exceptions.

495. *Mr. Taylor.*] Did you recommend the removal of Detective Herbert?—I did; to the Inspector.

496. Had you any complaints about his conduct while he was here, from the citizens?—I cannot say I had what you would call complaints. I heard remarks, but not in the way of complaints that I would report.

497. Is he a married man?—I understood he was a married man; but I heard his wife was dead.

498. Where is Detective Herbert now?—He was at the Thames the last I heard of him.

499. Are the men you have under you all efficient men?—I have very good men here indeed. They are not all the same, but on the whole they are good men.

500. All thoroughly fit for street duty?—Well, I will not say all.

501. As a matter of fact, have you any men here who are incapable of arresting an obstreperous man?—Yes, there is one.

502. Does he do street duty?—He does a little.

503. What does he do when he is not doing street duty?—He is doing night duty at the present time.

504. On the street?—He was not on the street last night, but he was the night before. He was last night looking after a lunatic woman that attempted to cut her throat.

505. How do you account for the retention of men of that stamp in the Force?—Possibly nobody likes to do anything against him, and neither would I.

506. If there was a superannuation fund, would he be dispensed with, do you think?—Oh, undoubtedly. I would be willing to do anything I could for the poor fellow.

507. You think a superannuation scheme, if it were established, would enable the efficiency of the Force to be very much improved?—I do, beyond any doubt whatever.

508. *The Chairman.*] Do you consider you are acting within your duty in not reporting physical incapacity because you may have some feeling of sympathy with the man?—I know my superior officer knows the man's condition as well as I do. We discussed the matter again and again, and I think it is to his credit that he is merciful.

509. *Mr. Taylor.*] What has been your experience with regard to recruits from the Permanent Artillery—have they been, as far as their moral character is concerned, up to the average of other recruits?—I would certainly say they were not—not as a whole.

510. If Colonel Hume and Inspector Pender say recruits from the Permanent Artillery form loose habits in the Artillery, to the detriment of their police service, you would agree with them?—Undoubtedly. I consider it was a very serious mistake to select them from the Artillery altogether, from the start.

511. You say, when you came here, you had occasion to warn some of the men that they must not frequent houses of ill-fame?—I spoke generally before them. I did not speak to any particular individual. I warned them if I caught any of them, or found out any such conduct, I would report it.

512. Are there any houses of ill-fame in Invercargill now?—Yes, there are two.

513. When were they prosecuted last?—A good while ago. They were prosecuted two or three times, and the last time they were prosecuted I stated in the Court that if at any time a complaint was made by the public or any one living around, I would take action against them immediately, and from that time, strange to say, no complaint was made by any one living around them.

514. Are they still of your own knowledge conducted as brothels?—They are; one in particular.

515. Is it not your duty, then, to conduct a prosecution?—I am not aware it is, till they are supposed to be a nuisance, or have complaints against them.

516. Are they not subject to prosecution under the Criminal Code if the place is kept for the purposes of prostitution, whether it is a nuisance or not?—I am not aware of that. Any offence under the Criminal Code is an indictable offence. There is something in that direction in the Indictable Offences Summary Jurisdiction Act, but I do not think it goes that far.

517. *The Chairman.*] Is it a place where a number of women are kept?—Sometimes two or three, sometimes one, but usually more than one. I prosecuted them two or three times, and the cases were dismissed; but that was before Mr. Poynton came here.

518. How long ago is that?—I suppose over three years, but we have had more prosecutions since.

519. *Mr. Taylor.*] Did you get convictions?—I got some convictions. I am not prepared to say how many. I may say we only want sufficient law to enable us to carry on, and we will try and put a stop to that sort of thing. Having them committed for trial is a very troublesome thing, and that was tried in the North to the best of my belief, and the case was thrown out. There must be some disturbance, or something of that sort; they must become a nuisance.

520. If there is no aggressive nuisance there to the annoyance of neighbours, you would have to proceed by way of the Criminal Code, and that is an indictable offence, a criminal offence?—That is my impression.

521. Do you think, then, the police have a right to suspend the operation of the law because they think it is too troublesome?—No, but some cases that took place in the North and were sent to the Supreme Court were dismissed. The accused were acquitted. I am almost sure that is so.

522. Does it follow, then, you would meet with the same fate here?—We go by the decisions of the Supreme Court a good deal.

523. Have you any gambling establishments in Invercargill?—Well, not a known gambling establishment.

524. Any tote-shops?—I do not think so. I have no reason to think so—not to my knowledge, at any rate. There has been one place that has been looked upon as a gambling place, but I could never get evidence.

525. *The Chairman.*] Apart from the tote-shops, do you know of any gambling establishments—places conducted for the purposes of gambling?—No, I do not. I do not think we have any here. This place is as clear of that sort of thing, perhaps, as any place in the colony.

526. Have you any knowledge yourself of any cases brought against members of your Force for the maintenance of illegitimate children, or illegitimate children they have failed to maintain?—I am aware that proceedings were taken against some members of the Force.

527. How many?—Two for children, and one for causing an abortion. They were all dismissed.

528. Within what time?—The last would be about two years ago.

529. What was that?—This abortion case—Aitcheson's case.

530. Was he convicted?—No. He was dismissed. There was no trial of himself. There was no criminal charge; but there was an inquiry into his conduct before the Magistrate, and he was dismissed on that inquiry.

531. The inquiry did not find him guilty of being in any way a party to the abortion business?—No, I do not think it did; it was on the complaint of being mixed up with it somehow.

532. The other two cases were for maintenance of children?—Yes; in fact, three others—Buchanan, and Martin, and Burnett, in my time, that I can remember.

533. Are you aware of any disgrace hanging over the Force in connection with this matter now?—No, I cannot say I am.

534. I do not mean whether you know that a member of the Force is the father of an illegitimate child, but whether the conduct of the father of an illegitimate child is of such a disgraceful character as to bring discredit on the Force—that is to say, by neglecting his offspring or misconducting himself in any other way in connection with it?—I do not.

535. Do you know of any such cases in Invercargill now?—No, I do not.

536. *Mr. Poynton.*] None of these men are now in the Force?—No.

537. You know of none of the police in Southland having illegitimate children?—No, nor that there is any stigma attached to them.

538. Do you think there are a sufficient number of men in Southland for the purpose of carrying out the laws?—I do. We have more in Southland now than there has been for many years before. I know in the early days they had a great number of policemen, but there are more now than there was sixteen or seventeen years ago, excepting an Inspector and clerk.

539. You think there is a sufficient number under your charge to carry out the laws?—I do.

540. *Colonel Hume.*] You say you heard the publicans boasted they got you removed from here to Queenstown?—I do. They did it to myself, and they said they would do it again.

541. They do not care much about you?—Well, some of them.

542. You look too well after publichouses?—Well, we are not too hard on them. I never go into them. I never associate with the owners. I never had a cup of tea with any living man in Invercargill.

543. But the publican interest in Invercargill is a very powerful one?—That is so.

544. Will you tell us what powerful influence got you back again in a few months to Invercargill?—I cannot say. There was a change of Government, and I think it is to the credit of the present Government that they thought there was an injustice done, and they rectified it. That is my belief. I cannot give evidence of it.

545. What was the change of Government?—The Ballance Government came in in the meantime.

546. Then, it is the Ballance Government that brought you back?—That is so. Mr. Seddon was in charge of the police at the time.

547. *Mr. Taylor.*] Was he in charge both times?—No; Captain Russell before then. It was during Captain Russell's time that I was sent here from Dunedin, and from here to Queenstown.

548. When did you get the order to go away?—In December, 1890.

549. *Mr. Tunbridge.*] With reference to the brothels, if you thought you had the remotest chance of getting a conviction, should you hesitate to take proceedings against these people?—Not the slightest hesitation. I am always anxious to do that—in fact, I would be very glad to see some law in force that would punish those found there without lawful excuse.

550. What you mean, by saying there were brothels here, was that there were houses morally brothels, perhaps, but not legally brothels?—I believe there is one legally a brothel, but it is conducted very quietly now, and if any of the neighbours would come forward and say it was a nuisance I would take action. I may say I got a return back from the district office instructing me to strike it off as a disorderly house, because we had no complaints for some time.

551. Do you wish it to go forth that there is a brothel here being carried on illegally, and yet you are not taking any steps to suppress it?—I am not doing so. I will take action if there is a complaint from the people living in the neighbourhood.

552. Does the law allow you to bring proceedings without proof that it is a disorderly house?—It is my opinion that we cannot.

553. Failing that evidence you are not able to prove it is a brothel—that is, a brothel that comes within the terms of the law?—That is so.

554. You are not wilfully closing your eyes to this brothel being in existence?—Oh no, far from it. I know they are very much in dread of me.

555. Have you tried to get the necessary evidence by observation or by inquiry?—I cannot say that I have. If I heard any complaints I would make inquiry, but without any complaints from the people round about I cannot act. As I said before, it was published in the newspapers that if any complaints were made by residents at any time the police were ready to take action.

556. *Mr. Taylor.*] Supposing there were a hundred such houses as you refer to, you would take no action if there were no complaints from the public?—I am satisfied if there were so many there would be complaints. Here they are not allowed on the streets. If we see anything improper on the street we caution them at once, and they are off.

557. I would like an answer to the question?—I believe I would try and see what the Bench would do with them. As I told you before, we got some dismissed before, though I thought they were very strong cases; but that was before Mr. Poynton's time.

558. How are appointments made to country stations—do you make any recommendations as to the fitness of the men?—I am occasionally called on by the Inspector to report as to who are fit to take charge of stations, and I do that from time to time, and I state every man that I think is capable of taking charge of a station.

559. Do the men you recommend invariably get appointments?—It is very seldom there is a change in the country stations here.

560. Do you make recommendations once in the year?—Hardly once a year.

561. Have any of the recommendations you have made been accepted?—I do not recommend any in particular. I may recommend half a dozen.

562. Do some of them always get appointments?—I do that when there are no appointments for them.

563. Do you find all the men in country stations capable as far as clerical work is concerned?
—We look upon the country station men as the best in the Force.

564. *The Chairman.*] You are speaking of the men in your district?—Yes. I think I can speak of Otago too. I know a great many of the men throughout Otago. The most capable men are the men usually with country stations.

565. *Mr. Taylor.*] How many country stations are there in your district?—Eight, I think.

566. How many Roman Catholics and how many Protestants have you in charge of stations?
—I cannot tell you now. I cannot tell you from memory.

567. *Mr. Tunbridge.*] You were asked if the constables whose names were put forward as being suitable for stations were accepted—were sometimes placed in charge of stations?—Yes.

568. Was Constable Burrows one of those names?—He was.

569. Or the constable at the Bluff, just appointed to a station, was he not one?—No; I did not report on him at all.

570. Is he in your opinion fit to take charge of a station?—Undoubtedly he is.

571. And he has got a station?—He has got a station.

572. Within a short time two constables from your district have been appointed to stations?—Yes.

573. With reference to what appears to be a preponderance of Roman Catholics in charge of stations, I believe many years ago the Force was very much more Roman Catholic than at the present time?—I believe it was.

574. Therefore, there is a greater percentage of the older men Roman Catholics than Protestants, and, of course, the older men are the men in charge of stations?—That is so.

575. Necessarily, of course, the Protestants are young men, and consequently not in charge of stations?—I believe that is so.

576. *The Chairman.*] And that large proportion arose probably through the importation of large numbers of men from the Irish Constabulary?—I believe that is so.

JOSEPH GEORGE WARD, M.H.R., examined on oath.

577. *The Chairman.*] You are a member of the House of Representatives, and recently in the position of Colonial Treasurer?—Yes.

578. *Mr. Taylor.*] Mr. A. C. Henderson stated yesterday, in giving evidence here, that you had been spoken to by him about the removal of Sergeant Macdonell from Invercargill. Can you say what the conversation was?—Yes, I can give a portion of it. My recollection of it is that Mr. Henderson called upon me to explain a statement that he was reported to have made in connection with a trial that had recently been proceeding in Invercargill. I have not looked up the report of the words to which he referred, but it was something to the effect that Sergeant Macdonell had stated in his evidence that Mr. Henderson had informed him that my promises were not worth a snap of the finger, in connection with some reported public appointment that he (Mr. Henderson) said had been talked of between Sergeant Macdonell and Mr. Henderson. Mr. Henderson stated to me that he thought that since then I had walked past him when coming out of the Club Hotel on one occasion without recognition, and he was of opinion I felt sore with him about this statement. My answer to him was I felt no soreness whatever on the matter, and that, as a matter of fact, I had not read the evidence. I had noticed this portion telegraphed to one of the northern papers; but I had not, at the time of Mr. Henderson's interview, read the evidence, and I have not read it all since. He got into conversation about some of the circumstances in connection with the Hall case, and mentioned that the parties who were chiefly concerned were of opinion that Sergeant Macdonell had been kept or retained here purposely, and that I had been instrumental in getting up the case: in fact, Mr. Henderson stated some of the chief parties concerned were of that opinion. My answer to him was that it was not true, that I had not interfered in any way, that I had not any knowledge of the circumstances of the trial that led to the incident referred to; that I did not know the parties referred to, excepting the two Mr. Halls and Dr. Torrance, and that I had neither spoken to or been spoken to by any witnesses or by any people on behalf of the witnesses in connection with the case referred to. Mr. Henderson went on to state that Sergeant Macdonell had injured his business here, and that the sergeant was in the habit of recommending solicitors past him in connection with the trial of prisoners before the Court. He got on to the question of the reported intention to remove Sergeant Macdonell, and my recollection of it is he asked whether that was to be carried out. My reply to him from memory was that I did not know how the matter stood: that it was reported that a transfer was to take place between Sergeant Macdonell and a sergeant further North, that I understood the transfer of the sergeant who was to be removed from North had been stopped, and that meant the stoppage of Sergeant Macdonell, but beyond that I knew nothing.

579. *Mr. Taylor.*] Did Mr. Henderson seem to have a very strong feeling against the sergeant?
—Oh, yes. He had, distinctly so. From his conversation with me he led me to understand that the sergeant was hostile to him in his business, and he was certainly very hostile to the sergeant. I would like to take the opportunity of stating that Mr. Henderson on that occasion, so far as my promises were concerned, said the statement that Sergeant Macdonell was reported to have made was entirely incorrect, and he had reason to know I had fulfilled my promises, inasmuch as I had previously done him a kindness in connection with an appointment of a member of his family to the public service, which I had done a few years before.

580. Do you remember a deputation waiting on you in reference to the removal of Sergeant Macdonell?—Yes, I recollect a deputation waiting on me some time ago, I think in the year 1896. I forget when.

581. Who formed the deputation? Do you remember the names of the whole of them? Was Mr. Roope there?—I think he was. My recollection of it is there were some half-dozen resi-

dents of Invercargill informed me they desired to see me on a public matter, that they interviewed me, and they preferred a complaint. I cannot tell you who the men were from memory, but they preferred a complaint that Sergeant Macdonell was not carrying out his duties fairly in connection with the administration of the licensing laws, and they asked me that he might be removed on that account.

582. Was Mr. Roche one of the deputation?—I cannot tell you who they were.

583. You know the Invercargill people pretty well?—I know them perfectly well. I dare say I could get the names of the whole of them. I have had hundreds of deputations, and I cannot remember the names of those forming any particular one.

584. Do you remember Mr. Roope?—I think Mr. Roope was one.

585. Were there any publicans present?—I cannot tell you.

586. Do you think you could obtain the names?—I have no doubt I can get them.

587. What was the nature of their complaint—that he was too zealous, or too lax in enforcing the law?—My recollection of it is that they said the sergeant was unfair in his methods; that they did not object to fair treatment, but they charged the sergeant with being unfair. My answer to that was, if they had a charge to make against the sergeant the right course for them was to put it in writing, and let an inquiry be held, and give the sergeant an opportunity of answering it. But I did not myself interfere as a result of that deputation at all.

588. Do you remember, about March, 1897, Sergeant Macdonell being ordered for removal from Invercargill at the time O'Grady was to come here from Oamaru?—I recollect a reported intention to transfer Sergeant Macdonell. I do not know what month it was in.

589. Were you interviewed in connection with the matter?—No, not to my knowledge.

590. Did any one see you about O'Grady's removal?—No, nobody.

591. And you were not responsible for interfering with either of these removals?—No, neither of them. To the best of my knowledge and belief, I have never heard anything of O'Grady's removal beyond the fact that Mr. Henderson mentioned it to me—I did not know the name even—that the transfer was stopped, and that that meant the stoppage of the transfer of Sergeant Macdonell.

592. Have you on other occasions been interviewed in regard to the removal of police-officers?—Never in that way. As a public man, in different parts of the colony, on a good many occasions I have been seen by police-officers themselves, who expressed a desire to be removed to this place, that place, and the other place. That has not been uncommon in different parts of the colony; but I have never had a deputation wait upon me, or any request made to have a man removed in that way.

593. As a matter of fact, political influence has been largely used in connection with the Force, of your own knowledge—you must know that?—Well, it depends entirely on the view that is taken of what is called political influence. I will give you a case in point: Mr. Kelly, member for Invercargill, within the last day or two has given a written recommendation to a man to get into the Police Force. That is not uncommon. I have myself given written recommendations to men who have applied to me, and who were deserving of getting into the public service. I have done it without refusal to any one, if I thought he was respectable, in any part of the colony, and for the Police Force or any other department. I have never known an attempt to bring political influence to bear to improperly lift a man over the heads of others: at any rate, I have never attempted myself to do this.

594. Do you not think that in the Police Force the final authority should be the Commissioner, and any attempted influence outside the Commissioner is likely to interfere with the efficiency of the Force?—What I think ought to be done is, the executive head of the Police Department should from time to time make his recommendations; and that, unless there are very good reasons to the contrary, which sometimes may exist, the Ministerial head should give effect to his recommendations.

595. Have you since the date of that deputation, of which Mr. Roope was a member, had deputations of hotelkeepers waiting upon you in regard to the over-zeal of Sergeant Macdonell?—No, I have not. On the contrary, in justice to Sergeant Macdonell—as I have placed the statement of a deputation, as to his dealing with the law, unfairly before the Commission—I may say one of the principal hotelkeepers in Invercargill told me, about the same time the deputation waited on me, that he entirely disagreed with the request that had been made; that while Sergeant Macdonell was a strict officer, he believed him to be a fair and impartial officer. That came from one of the best and most respectable hotelkeepers in Invercargill. I do not wish to mention his name, because I do not think it is a fair thing to do.

596. Have not Invercargill hotelkeepers urged the removal of Sergeant Macdonell upon you?—No. I have heard very little of Sergeant Macdonell beyond what I told you—namely, that a deputation waited on me, and they stated they thought he was carrying out the law unfairly, and they asked that he be removed. My reply to them was, if they had charges to make against him, they should put them in writing, and give him an opportunity to reply to them, and that I did not interfere as the result of the deputation at all.

597. Have the ministers of any Church interviewed you in regard to police-officers at any time?—I may have had a request from ministers of religion for or on behalf of men, but I do not know of any interviews that have taken place concerning any police-officers.

598. Will you supply the names of that deputation?—Yes, if it is possible to do so, I will. I do not think they appeared in the newspapers, and the only way I can get them is by telegraphing to my secretary.

599. *Mr. Tunbridge.*] If Mr. Henderson says that, on the occasion when he visited you, you told him that Sergeant Macdonell's transfer was simply hung up, or suspended for the time being, he would be incorrect?—Well, I did not know that, so it was not possible for me to have said that.

I think he would be incorrect in stating that. My recollection of it is the transfer was discussed by Mr. Henderson, and the stoppage was assigned to the fact of the other man from the North not being transferred here.

600. You say you had no knowledge of the transfer beyond public rumour, and, therefore, it would be impossible for you to have told Mr. Henderson that the transfer was hung up, or suspended?—

601. *The Chairman.*] I will read you the words: "I was informed by him that the order was not cancelled, that it was simply suspended through influence that had been brought to bear"—As a matter of fact, I never made that statement.

602. Mr. Henderson would be incorrect in saying you had said so?—Yes, because I knew of no influence that was brought to bear. That is a mistake on the part of Mr. Henderson.

603. *Mr. Henderson.*] Can you tax your memory as far as this, Mr. Ward: Might it not have been that you stated your belief that the matter was simply suspended, and the order was not yet cancelled?—No. As a matter of fact, personally, I did not know anything of it. My recollection of it is: you stated you believed, or other gentlemen with whom you were associated believed, that the transfer had been stopped, and you asked whether it was going on or not; and my recollection of it is you further stated you understood that some other officer from the North—I did not recollect even the name until it was mentioned to-day—who was to take Sergeant Macdonell's place had been stopped coming here because of the stoppage of his transfer.

604. Are you aware that the Minister of Justice informed Mr. Kelly, the member for Invercargill, that it was suspended?—I am not aware of that. As a matter of fact, I have no knowledge of it. I had no communication with the Minister of Justice about Sergeant Macdonell. I would like to state that I think the gentleman who was at the head of the Police Department during the whole of the time I was connected with the Ministry, and while I was a member of the House, will bear me out when I say that I have never exerted any influence myself or through any one else with a view to pressing for the promotion or transfer of any officer in the Police Force, or having appointments made. As a matter of fact, I have never pressed for promotions or transfers in connection with officers of any department of the State. I have always felt it was an important and delicate duty I had to perform as far as public officers were concerned, and I have never allowed anybody to make use of me for the purpose of doing an injury to any one in the Civil Service.

THURSDAY, 31ST MARCH, 1898.

EWEN MACDONELL was examined on oath.

1. *The Chairman.*] You are a first-class sergeant, stationed at Invercargill?—Yes.
2. You submit to us letters containing suggestions, which you offer as a result of your experience in the Force?—Yes, at the request of the Commission, of my experience here and at Home.
3. One of the things suggested by you is in respect to ranks, that you would do away with commissioned officers?—Yes, that has been my opinion for a long time. A remnant of the old Irish Constabulary system that was partially established here in the early days.
4. Whom do you refer to as commissioned officers?—Inspectors; they are not appointed like ourselves to the Force, but by the Governor.
5. You suggest in the same paragraph that there should be Inspectors, and Sub-Inspectors; what is the difference between Inspectors as you suggest and the Inspectors as they now exist?—They would be appointed in exactly the same way as sergeants and constables.
6. They are all appointed by the Governor?—The Commissioner appoints constables, and sergeants, and sergeants-major.
7. He recommends them, but the Governor has the power of appointment, and that, of course, means the Minister?—There are no others in the Force commissioned, and there is no such thing known in the Home Police Force as commissioned officers, in my opinion. They are appointed as constables, and promoted to sergeants, then to Sub-Inspectors, and then Inspectors, and then Superintendents, if they are capable of filling these positions, without any of this parchment business that is carried on here.
8. Do I understand you to suggest that appointments of Inspectors should be by the Commissioner, and not by the Governor?—Well, certainly. I think that is the case when the Commissioner appoints all constables, and then promotes them to the rank of sergeant without any further appointment. It is only when they become Inspectors, although they might be twenty years in the Police Force, that they are commissioned.
9. *Colonel Pitt.*] Shortly, you would take away the commission—the "parchment," as you call it?—Yes; I think that is more a military system than a civil police system. It exists nowhere except in Ireland, to my knowledge.
10. *The Chairman.*] I understand your suggestion is that the superior officer should be appointed by the Commissioner in the same way as constables?—Yes; to make it more a civil police.
11. *Colonel Pitt.*] Are you in favour of the Commissioner of Police being the head of the Force, and free from Ministerial control?—I am in favour of getting the best man possible to be Commissioner of Police, and that he should have control of the Police Force.
12. Apart from the Minister?—Well, I should say so.
13. *The Chairman.*] That is, his powers should be independent of the Minister?—Yes; that is my opinion.

14. *Colonel Pitt.*] I gather from your suggestions that you are in favour of the appointment of Sub-Inspectors as well as Inspectors?—That is so. I consider that the grade between sergeant and Inspector is rather too much at present.

15. And you think there should be only first-class and second-class sergeants, and constables, and detectives?—That is so. I find that the junior detective has often as much duty to do as a first-class detective. Of course there must be a head.

16. But do you think there should be no distinction of class amongst detectives?—Yes, I do, because in a large town one detective must be in charge of the others, and I think it is a very great mistake to have two there of equal rank, because one considers "I am as good as you are." I found that out many years ago.

17. As to the number of districts in the colony, do you think there are sufficient at present?—Yes, I do. I am in favour of having Superintendents in the large centres.

18. At present there are so many districts, presided over by so many Inspectors: you think these districts are sufficient for the working of the police throughout the colony. Would you make the Inspectors' districts more than they are at present, or do you think there are sufficient?—My suggestion is that the districts ought to be large, and the sub-districts ought to be given to Sub-Inspectors. That is my idea. In fact, Invercargill is a sub-district at present, including the most of Southland.

19. *The Chairman.*] The present police districts should be divided into sub-districts?—They are to a certain extent. Every constable's station is called a sub-district, and Invercargill includes a number of sub-districts.

20. *Colonel Pitt.*] What do you think should be the minimum height for recruits for the Force?—I consider that no one should be taken on, for uniform duty at any rate, less than 5 ft. 9 in. I would not say so as regards detectives; if the men are suitable their height does not matter so much. It might be an advantage to have a small detective.

21. Is any instruction given to the men in this sub-district by yourself, or anybody?—Yes, from time to time.

22. How often?—There is no stated time; but perhaps daily if occasion arises, and anything occurs that would require to be explained to the new hands.

23. What I mean is: is regular instruction given to the whole of the men?—Not here.

24. *The Chairman.*] Is there not a circular directing such should be done?—I understand so, in the large centres.

25. *Mr. Poynton.*] You think the licensing laws require alteration?—I do.

26. In what direction?—That people found on licensed premises during prohibited hours should be liable to prosecution as well as the licensee.

27. Apart from the family of the licensee, and if they have lawful business there?—Certainly. In reference to the question of instruction, I should like to say a little more, if I am permitted. I very frequently go with young constables along their beat, and tell them their duty, and how they should act in certain cases, besides what I tell them in the station.

28. *The Chairman.*] Do you give them any regular instruction in their duties and powers?—No, not regularly, but just as occasion arises. But I would say this: I would back the constables under me for knowing their duty as well as any in New Zealand.

29. You think your men do know their duty?—I do. From what they see and hear in the place they get every chance of knowing their duty.

30. *Mr. Poynton.*] You think a training depot is necessary for constables when joining?—I think it is, provided it is properly looked after, and not left to themselves, as in the Artillery, from what I hear.

31. *The Chairman.*] In the matter of pay, do you think the present pay is satisfactory to the Force?—No, I do not think it is.

32. On the question of pensions, would you prefer to have a pension or a retiring-allowance?—I was always in favour of pensions, to which the men would contribute according to their pay and length of time in the service.

33. *Colonel Pitt.*] What is your opinion as to the emoluments from outside offices going to swell that pension fund?—I think it would be a very good thing. Although I am not inclined to interfere with the benefits derived by some members of the Force, still I know that some country constables are far better off than I am here.

34. *The Chairman.*] Would it not tend to the efficiency and contentment of the Force, and do away with this jealousy and dissatisfaction, if the emoluments of constables were all applied to a general fund for the benefit of the whole Force?—It would so.

35. *Colonel Pitt.*] Have you any experience in your sub-district of malingering on the part of constables?—Not of late. I had a little some time ago, but the men have since been got rid of.

36. Would you be in favour of the appointment of police surgeons?—I believe in large centres it would be very useful. I have reason to believe that some doctors will give certificates for anything that a man requires.

37. *The Chairman.*] The question is, do you consider there should be police surgeons appointed in each centre?—I do, if independent men are appointed. I may say I often found some men when they were drunk would maintain they were sick, and would get certificates to that effect. That is my belief from what I saw. It is the most common excuse.

38. *Colonel Pitt.*] How do you think the men's pay should be increased: according to length of service, or the class they are in?—According to length of service and efficiency. There is one thing I should never like to see, and that is acts of bravery, such as rescuing a person from drowning, &c., made a ground for promotion. I think it is improper to promote a man for that sort of thing. A very stupid man may do some brave deed of that sort, and if he deserves any reward I think he should get it in cash. You should not put a stupid man for a single act over the heads of hard-working and more intelligent men.

39. *Mr. Poynton.*] Do you think it causes discontent?—I am sure it does. I may say I always found, if a good competent man is promoted, any discontent on the part of others will soon disappear.

40. *Colonel Pitt.*] Do you think a man should be promoted for seniority alone, or that a man should be promoted for efficiency, notwithstanding seniority?—Unless they are efficient and of good character, I think that seniority should count nothing.

41. *Mr. Poynton.*] Do you think defaulters' sheets should be discharged by lapse of time and good conduct?—Well, I am very doubtful of that.

42. Do not you think men should have a chance to reform?—They get every chance to reform, and his superiors could take that into consideration without making him equal to men with nothing on their defaulters' sheets.

43. If there was a rule to that effect, and a man's bad mark was discharged after five years, do not you think it would be an inducement to him?—I do not think it would. I do not approve of a rule to that effect, because if a man behaves himself well and does his duty well the entry on his defaulter's sheet unless serious will not always count against him.

44. I am speaking of the discontent of a man having black marks against his character, though many years old, when he is promoted?—I do not see how that could be beneficial, but I do not think very trivial offences should be a bar to promotion, if they are good men otherwise.

45. But you say it causes discontent to men who have no marks?—I may say this: it is a very easy matter to get marks on defaulters' sheets; and I find that good and honest men get marks on their defaulters' sheets, when rogues, who get others to lie for them, go scot-free and keep a clean sheet.

46. Is that not a reason why after a certain number of years it should be cleaned?—It is my opinion that for trivial offences they should be leniently dealt with. Otherwise it is an inducement for a good man to act the same as dishonest men do to save their defaulters' sheets.

47. *The Chairman.*] While you say you would not wipe out these offences, you think they should not be taken into account after a certain number of years against a man's promotion?—That is, trivial offences.

48. Take an instance where a man has a clean sheet for thirteen years, and a record appears against him antecedent to that, do you suggest that it should remain there?—If it has been a bad case, yes; because I consider he has no one to blame but himself, unless it occurred in a way that he could not help it. Perhaps in making an arrest, or something like that; it is possible that the best man in the world may arrest a person wrongfully, and so get a mark on his defaulter's sheet. There are many ways in which he may get a mark on his defaulter's sheet, where very little blame should be given.

49. Do I understand you to say, then, that it is not the men who have clean sheets who are always the best?—That is so in some cases. I never saw a good policeman yet but made enemies and got into rows. I may say this: I found for many years in the Force some men who said, "Do nothing; keep out of trouble, it is the best policy"; and even some of my superiors said so. They would give no offence, and shut their eyes to what might get them into trouble.

50. *Mr. Tunbridge.*] Your principal objection to wiping out all references against a constable is that it would make all men equal after a certain time?—Yes, equal with those who have nothing at all against them.

51. Men who had been well-conducted during the whole of their service would be on an equal footing with the men who perhaps some years before had a number of reports against them?—That is so.

52. And that is your principal objection to having reports wiped off a man's sheet?—Yes. I do not think it would be treating them properly.

53. You never got men sent down to you here who had not been at least several months in the service?—I have had some men sent down to me who were never a month in the service.

54. How long ago?—I think McIlveny was one, and I think a number of constables.

55. That is years ago?—That is so.

56. Have you for years past had constables sent to you who had not been at least some years in the service?—Oh, yes. The last one I can think of is Moynihan, who was sent down here from the Artillery.

57. How long ago?—I think two years ago. He has been dismissed since.

58. That is the last sent direct to you here?—Yes.

59. I take it you think that a training depot would be of material service?—I think so.

60. Would you suggest what time you think the men should be in this depot?—I think young people should be there three months; and I say, more than that; except in the case of an exceptionally smart constable no constable is very competent under five years. I say a man cannot learn his duties in a few days.

61. You think the minimum time a man should be in the depot is three months?—I do.

62. You are in favour of a pension as against a retiring-allowance?—Yes.

63. Would you have any fixed age at which the men should retire?—I do not know that I would compel every one to retire at the same age.

64. From your experience, at what age do you find men become unfit for constables' work; at fifty?—No. I think constables, if their health is otherwise good, are competent up to sixty.

65. Do you know any constable at sixty who is equal to performing the rough-and-tumble work of the service?—I do not say that I do, but I did know some that did their work, and did it well. Constable Harnett, of Anderson's Bay, was one. He was a very good man for duty, races, &c., and one of the best men I had to keep back a crowd at the races and sports when at South Dunedin; one of the best I have seen for that sort of duty. He has died since.

66. That is one instance of a man at sixty years of age?—That is so. I might be able to give others.

67. What is your opinion about the uniform; do you think the men should provide their own, or ought it to be provided by the service?—I think they should be provided with uniform the same as other branches of the public service.

68. Do you think the men not provided with barracks by the police should be given a lodging-allowance?—Well, to a certain extent. When I joined in Otago married men got an allowance of that sort—a certain number of them.

69. I am speaking of the present: do you think they should all be treated alike?—Well, my objection to that is that I am afraid there would be a rush to get married; and we must have, to carry on the police duties properly, a certain number of men in the station here in cases of emergency, and you can only do that by providing them quarters on the premises. That is very important in my opinion.

70. You think, then, if all constables were granted a lodging-allowance there would be a greater tendency for the men to marry than at present?—I have no doubt there would.

71. At present, the men know when they join the Force that they cannot marry until they have been a year in the service?—Yes.

72. You have a decided opinion on the question of police surgeons?—Yes, if the proper men are appointed I think it would be a good thing.

73. You think it would put a check on the issuing of improper certificates?—Yes.

74. And, probably, on malingering?—That is so.

75. *The Chairman.*] With regard to pensions, you say that the men ought to contribute out of their pay?—Yes, I think so; a percentage of their pay, according to their length of service.

76. What would qualify a man for a pension according to your system?—A certain number of years.

77. Would you make resignation compulsory at a certain period either of service or of age?—Yes, I would.

78. At what age would you make it compulsory?—At sixty, and before that if they are not fitted. I do not think there would be great trouble in getting rid of old men if there was a pension.

79. Do you prefer a pension system to a retiring-allowance?—Certainly.

80. Is it your opinion that, out of the present pay paid to constables, they would be willing to contribute to a pension fund?—I found many, after they had been some time in the service, willing to do so, but recruits when recruits are opposed to it, but in a few years they are very anxious that such a thing should be established. The young policemen are always afraid that the older men will reap the most benefit.

81. That wears off after they have been in the Force for a time?—That is so.

82. *Colonel Hume.*] In order to enable the police to satisfactorily carry out the Gaming and Lotteries Act, do you think any amendments are necessary?—I do not think any are very urgent, unless power is given to the police to enter supposed gambling-shops on certain reasonable grounds without waiting for a warrant.

83. Had you not some trouble here with a case of a lottery?—I do not think so.

84. Was there a great many gentlemen here summoned for raffling pigs as works of art?—That is so, but there was no trouble. I got a conviction.

85. In the case I mean you did not get a conviction; any way, are you prepared to say what a work of art is?—No, I am not.

86. Then, do you not think there should be some amendment in the law in that way?—Possibly, to define what works of art are; but we certainly got a conviction in the case brought up here.

87. Though you got a conviction, if my memory serves me right, you did not get a conviction of the right people; you got a conviction of the people who superintended the drawing, but not of the people who got it up?—We summoned, without any exception, all whom we found taking part in it, because all are liable according to law.

88. That is, the committee, secretary, and every one else?—Yes. Ultimately the charge against a number of them was withdrawn, and only the secretary and the treasurer, I think—one or two—were proceeded against and fined.

89. *Mr. Taylor.*] Have you any walking-totes in Invercargill?—Not to my knowledge. These sharpers come at race-time, and we make pretty short work of them.

90. You did arrest them?—We arrested some of them, and they were convicted and fined £10.

91. Were they charged with vagrancy?—No, with working gambling-machines. They have small machines that they carry under their coats.

92. *The Chairman.*] These men were not walking-totes, and layers of totalisator odds?—I do not say that, but they were not fined for that.

93. *Mr. Taylor.*] You have not the walking-tote evil in Invercargill?—No.

94. Have you had any experience of it?—No, I have not. I have seen them on the racecourse, and we got them convicted at Winton and Otautau.

95. Which of your officers was responsible for the arrest of the men you refer to?—Detective Herbert was in one case, and Constable Joyce. In the other case Constable McIlveney was responsible.

96. You said you thought it would be a good thing to appoint police surgeons with a view to preventing the issue of improper certificates?—Yes.

97. Why; do you think that improper certificates are issued?—I do.

98. You say men are absent from duty from causes other than those set forth in the medical certificates?—Yes, usually in a case of drunkenness.

99. As a rule, do you not find married men steadier in the discharge of their duties than single men?—If I gave my Invercargill experience it would be the opposite. The majority of the

men who got into trouble through immorality in Invercargill were married men. That is a fact ; but, however, taking my experience all through, I would certainly say that married men are steadier and better constables on the whole.

100. Then, if the married men had their quarters near the station they would be available for urgent duty?—They would not, perhaps, be so handy. When away from our premises they are away about their own business continually ; whereas single men, as a rule, must not leave the station until they tell the man in charge where they wish to go, and get his permission. The permission is never refused unless there is some reason for it. That is one of the regulations, that they will not leave the station without some one being at hand.

GEORGE LAVINGTON ROOPE was examined on oath.

101. *Mr. Taylor.*] What is your business?—I am a brewer.

102. Did you form one of a deputation that waited on the Hon. Mr. Ward in regard to Sergeant Macdonell's removal?—Never, to the best of my recollection.

103. Ever take any action in regard to Sergeant Macdonell's removal?—No, no action.

104. Did you ever talk the matter over with Mr. Henderson?—I may have done so. I cannot say that, because I have had several conversations with Mr. Henderson some time ago, when both sides were rather warm ; but I do not remember to have talked the matter over as to taking any action.

105. Have you not talked over the question of Sergeant Macdonell's conduct in Invercargill?—I may have done that, but I cannot say I have.

106. If Mr. Henderson says you were one of a deputation that waited on the Hon. Mr. Ward, he is wrong?—To the best of my knowledge.

107. Have you ever spoken to Mr. Ward?—Continually.

108. Have you ever gone to his office?—Yes, several times.

109. Have you ever talked political matters over with him?—I may have chaffed him, and that sort of thing ; but I take no real active interest in politics at all. I have never done anything in that way ; but I am known to be a friend of Mr. Ward's, so far as that goes.

110. In any of these conversations has Sergeant Macdonell's name come up?—I cannot remember. In fact, I do not think, so far as that goes, that beyond the time I am speaking of, when the first election in regard to prohibition was on, I had any interest to take in Sergeant Macdonell. Any business I had with Mr. Ward was most probably of a private nature. We were interested in mining ; but I do not see how Sergeant Macdonell's name could come up very well.

111. What is your opinion of Sergeant Macdonell as a police-officer?—At the time of the first local option election, when there was a reduction of five houses, and both sides were very warm, I thought at that time he rather favoured for a time the Prohibitionists ; but since the last election—since the country has shown it does not want Prohibition—I have found the sergeant a most efficient officer. Being interested in so many hotels at the time of this first election, of course people used to come to me, and say that they thought the sergeant was not acting fairly, but since then I have not heard a single complaint.

112. Who used to state he was not acting fairly?—I cannot tell.

113. *The Chairman.*] Do you express that as your own opinion, that at that time he was not acting fairly?—I think so. I have no reason to offer, but that was my impression ; but since then I may say he has been a most efficient officer, and most fair, and I have not heard a single complaint against him.

114. *Mr. Taylor.*] How do you judge his efficiency since 1896?—I judge his efficiency by the fact that these men do not come and find fault with him.

115. Which men?—Hotelkeepers.

116. Hotelkeepers find no fault with him since 1896?—No ; and they say he is very fair. I am not in a position to say that he was really unfair for a time, but that is my impression.

117. Have there been no prosecutions of hotels you are interested in since 1896?—I am interested in no hotels at all.

118. I think you stated you were interested in a number of them?—Only as a brewer. I have no actual interest, but simply as a supplier of beer.

119. Have there been as many prosecutions of hotels since 1896 as before?—I cannot tell.

120. Have things been quieter since 1896 than they were before ; what is your own feeling, as a man interested in that question?—I think at the present moment the hotels in Invercargill are as well conducted as in any part of New Zealand.

121. That is not saying much for them?—I find from my own personal observation that they are as well conducted as it is possible for them to be.

122. Referring to the question of Mr. Ward, if Mr. Henderson said you were one of a deputation he would be wrong?—I cannot say.

123. Would you contradict him?—I can only say I have not the slightest recollection of going to Mr. Ward. If Mr. Henderson said I was one I cannot say he was telling an untruth or not. About what time was this?

124. About October last year?—I am positive I never went. I am quite positive I never went in 1896.

125. If you are quite positive you did not go in 1896, are you positive you did not go about 1894?—I cannot say.

126. You will not contradict Mr. Henderson?—No, because I cannot say.

127. Is Mr. Henderson your lawyer?—No.

128. Have you ever discussed with Mr. Ward police matters at all?—Never, that I remember.

129. No matters affecting any policeman?—Not that I remember.

130. Have you got a good memory?—Very fair.

131. A very good memory?—I fancy so. What troubles me is to know why I should discuss the question of Sergeant Macdonell's removal with Mr. Ward. I have never had anything to do with him politically, because I have never gone in for politics at all.

132. Did you not act on his committee last election?—No; I never acted on any committee at all.

133. You take no interest in politics?—Not beyond indulging in the chaff of everyday life. I take no active interest.

134. Do you know Detective Herbert?—Yes.

135. Did you know him well?—Very well.

136. Did you ever ring him up at the police-station?—Not that I remember.

137. Did you ever get a telegram from Wellington regarding police matters from any one?—Not that I remember.

138. Did you ever ring anybody up at the police-station about any business?—I cannot tell you that, because very likely I may have. I am fairly intimate with some of the constables. I am a great cyclist and often go out with them on Sundays.

139. On Sundays you cycle with policemen?—Yes, on Sundays, sometimes. I do not know that there is any harm in that.

140. Do they ever go to your brewery to see you?—Never. In what way do you mean?

141. Has a police-constable ever been to see you on business?—On what sort of business?

142. State the business yourself; on any business, at any time, has any constable called to see you?—Not that I remember; if you stated the particular business I might remember.

143. *The Chairman.*] Has a constable ever gone to serve you with a summons?—I have been served with a summons.

144. Well, then, a constable would visit you to serve that summons?—Yes.

145. *Mr. Taylor.*] Did Detective Herbert ever go to see you at the brewery?—Not that I remember.

146. Does your brewery work at night-time?—No.

147. Have you got a night-watchman?—No, the brewer lives on the premises in a cottage attached. Of course the men may be back at night, because the beer comes down at all hours, and they have to be there to take it down.

148. Did you ever see any policeman in uniform in your brewery?—It would be better if you wanted to find out about the brewery to summon some one from there.

149. *The Chairman.*] The question is, whether you have ever seen constables in uniform at any time, day or night, in your brewery?—The only constable I have ever seen in the brewery is the constable in charge of the East Invercargill District. I have not asked him what he was doing there.

150. *Mr. Taylor.*] Is he still in charge of East Invercargill?—Yes, I think so. He is the only constable I have ever seen in the brewery.

151. What is his name?—Constable McDonough.

152. You never knew what he was doing there?—No.

153. Did you ever make any inquiries as to what the constable was doing in your brewery at night?—The constable could not possibly be there at night, because the place is always closed at night.

154. You said the men worked there sometimes at night?—To bring the beer down; but I would never be there at night.

155. Suppose you saw the constable there during the day-time, would you bother to ask him what he was doing there?—No; because all my men live in East Invercargill, and I should think probably he was there to see them on business. Probably he only passed the time of day with them.

156. *The Chairman.*] Do you say you saw the constable there in uniform?—Yes, but not often.

157. *Mr. Taylor.*] Is that part of his beat?—I presume so, because I have seen him at the end of our street pretty frequently.

158. He drops into the brewery sometimes to chat with the men?—I cannot tell you, because I really cannot tell what his business was.

159. Have you ever seen him get refreshments there?—No.

160. If you did would you stop him?—In fact, once or twice when I have seen him there I have asked him to have a glass of beer, but he said "No, thank you."

161. He always declined?—Yes, with me.

162. When he was in uniform?—Yes.

163. Do you know that is an improper offer to make a constable in uniform?—No, I do not. Any one who goes up to the brewery is always asked to have a drink. I may say whenever I have asked this constable he has always declined.

164. You do not know you were committing an illegal act in offering drink to a policeman in uniform?—I do not.

165. Is he the only constable you have seen in your brewery?—All that I remember.

166. And your memory is a good one?—It is so very seldom that I am there. The brewer is left in charge of the brewery, and I may say I am not there on an average two hours a day. I do not actually see what that has to do with the question.

167. Can you remember the workmen to whom you saw this constable talking?—I do not remember seeing him talking to any one in the brewery. I generally passed him going out as I was coming in, about 5 o'clock.

168. What is the name of your chief brewer?—James Wilson.

169. Would he be there at the time you are speaking of?—He would be about the premises.

170. Was he in your employ when the constable visited there?—I cannot say.
171. How long is it since the constable was there—twelve months?—I really cannot tell you.
172. Will you state the time you saw him there—about the time?—I cannot say.
173. Did you see him there once a week?—No.
174. Once a fortnight?—I cannot say.
175. *The Chairman.*] Can you say whether you did or did not see him there once a fortnight?—I cannot say. I may say I am quite certain I never saw him there once a fortnight.
176. *Colonel Pitt.*] You are quite certain it is not more than a year ago since you saw him there?—I am quite certain I have seen him there within the last twelve months.
177. *Colonel Hume.*] Do you happen to know a man named Bridge, who used to be in Invercargill?—I do.
178. He used to keep the Princess Hotel?—Yes.
179. The sergeant got a conviction against him?—He did.
180. Do you recollect being in Wellington when Mr. Bridge was there?—I do.
181. Did you see Mr. Bridge on that occasion?—I did.
182. Did Mr. Bridge say anything in reference to me to you?—He did.
183. What was the subject of your conversation?—He told me he had been to see you to lay a complaint against the sergeant for his behaviour in Invercargill, but you had told him you had no complaints from Invercargill, and could not accept his unsupported statement. He said I was in Wellington, and would be very happy to support these statements; and you told him to bring me to you. Bridge came to me and I refused to go, and would have nothing to do with it.
184. Then, if you had had any “down” on Sergeant Macdonell you had ample opportunity to ventilate it to me?—Yes, because I was going away that night, and Bridge offered to pay my hotel bill if I would stay that night to see you.
185. And you did not come to see me?—I did not know you in those days.
186. Any way, you did not go to the Police Commissioner’s office?—No.
187. *Mr. Tunbridge.*] Are you aware that within the past few months there have been prosecutions against four licensees in Invercargill?—I am aware of it through the papers. In a small place like this every one knows what is going on.
188. You know from general knowledge?—Yes.
189. And the penalty imposed in each case?—Yes.
190. That is within the last few months?—Yes; within the last three months.
191. Does that indicate that the licensing law has not been carried out here, recently or otherwise?—It does not seem like it. I think myself that the licensing laws are very well carried out, and that the hotels are very well conducted, and that the police do their duty.
192. You are quite clear that this constable you saw in your brewery refused to take drink?—Quite certain.
193. You would ask him?—Yes, I asked him. I may say I did not make an exception of him. If you see any one in the yard and speak to him you generally say, “Will you have a drink?”
194. At any rate the constable did refuse to have it?—Yes.
195. How many times do you think you have seen the constable at your brewery altogether? Can you give us any idea of the number of times?—I really cannot.
196. Scores of times, or a few times?—I do not remember seeing him more than three or four times in my life. Certainly not half a dozen times.
197. That is the sum total of his visits there, so far as you know?—Yes.
198. Have you any reason to suppose he does visit there frequently?—No.
199. *Mr. Taylor.*] You are only there two hours a day; how do you know?—I cannot say, of course.
200. *Mr. Tunbridge.*] Do you know if the constable buys beer from your brewery for home consumption?—I do not know of my own knowledge?—I do not keep the books at all.
201. You are not aware of the business the man had at the brewery?—Not the slightest.
202. Or, if he had any business?—I presume he had business, because all my men live in that district, or all live round about the brewery, and where he lives; but I have no idea why he was there.
203. *The Chairman.*] If he had a summons to serve on one of your men, would he go there?—Yes.
204. *Sergeant Macdonell.*] Have you any reason to think there has been any change in my conduct within the last few years towards hotels?—Well, I may say, of course, that I only surmised before that you had a leaning that way. I have no reason to think there has been any change whatever in you.
205. You have no reason to think there has been any change whatever in me?—No, I have not.
206. Can you say whether more hotelkeepers have been prosecuted lately than some time ago?—I cannot say there have been more prosecutions lately. But I have taken no particular notice of it. Your records will show.
207. Can you say whether or not we seized a quantity of your liquor at sly-grog shops?—I do know that. I said I thought before this last election you rather favoured prohibitionists.
208. What rid you of that idea?—I do not know.
209. Had any member of the Police Force anything to do with that opinion of yours?—No, I never mentioned it to any of the Police Force. I have been very careful not to. I knew they were under you.
- JOHN McDONOUGH was examined on oath.
210. *The Chairman.*] What is your rank in the Force?—I am a second-class constable, stationed at North Invercargill.

211. There is a statement made in the course of evidence, by a witness before this Commission this morning, that you had at various times been in his brewery when in uniform. That partakes of the nature of a charge, and in respect to it you are entitled to have twenty-four hours' notice in order to meet it. Do you desire that twenty-four hours' notice, or are you prepared to give evidence at once?—I am prepared to go on with it.

212. *Mr. Taylor.*] Do you remember at any time meeting Mr. Roope in his brewery?—Yes, I do.

213. Where did you meet him?—I met him in the brewery.

214. What part of the premises?—The brewery yard, while inquiring for the brewer's son.

215. Where did you meet Mr. Roope?—In the brewery yard.

216. At what point in the yard?—About the middle of the yard, just inside the gates.

217. Was he coming in, or going out at the time?—He was going out, I think.

218. You were going in?—Yes; to inquire about this boy as a witness, in a case of a boy charged with throwing stones. I had to summons the boy as a witness.

219. Are you very clear on that point, that you were going in as he was going out?—I cannot exactly say, but I think he was going out.

220. *The Chairman.*] When was this occasion?—Not long ago.

221. Can you fix it?—I cannot fix the date from memory.

222. How long about, approximately?—About a month or two months ago.

223. If Mr. Roope said whenever he met you you were going out and he was coming in, he would be wrong?—He might have been.

224. What boy was it you summoned in the stone-throwing case?—A boy named Thomas Little, up in Invercargill, and I wanted to get the brewer's son as a witness.

225. Did you prosecute this boy?—Yes, he was taken before the Court.

226. Did the boy go as a witness?—He was summoned, but did not appear, because he sprained his ankle the day before. The boy charged with the stone-throwing was convicted and discharged.

227. What conversation took place between Roope and yourself?—He passed the time of day and walked past.

228. Did he ever ask you to have a drink?—On one occasion.

229. Only on one occasion?—Yes.

230. And you refused?—Yes. As a matter of fact, I do not take drink on duty.

231. On other occasions, what took you to the brewery in uniform?—Well, the telephone is another thing, and it is very convenient if I want to send a message into Invercargill. It is two miles from North Invercargill to the station, and there is a telephone in the brewery, and I have had to telephone down to the sergeant on several occasions. I have no telephone at my station, and I go in there to telephone.

232. Is there no other telephone in the vicinity?—In the water-tower, but it is sometimes closed.

233. Do you use the telephone at the brewery both day and night?—I do not go there at night.

234. You have never used it at night?—No.

235. Is the water-tower closed in the day-time?—There is one man there at the present time, and sometimes he is away from the place.

236. Is the machinery running all day?—Sometimes it is stopped.

237. You say you rung the sergeant up from there: would the sergeant know where you were ringing from?—I expect so.

238. *The Chairman.*] How would he know?—I would tell him so.

239. *Mr. Taylor.*] Now, besides the telephone, on what other occasions have you been there?—On other occasions in consequence of a brewery-man named Dick, who is away from the brewery now, reporting to me that there was some misconduct placed on the gates, and I used to go there at night and watch for the boys.

240. You never took any refreshments from that brewery?—No.

241. Did the men ever offer you any?—Never.

242. No one but the proprietor?—No one but Mr. Roope.

243. How often have you been there altogether?—About five or six times, to the best of my knowledge.

244. Did it ever occur to you that it might lead to a misunderstanding your using that telephone?—Never.

245. How far is the brewery from the water-tower?—About a quarter of an hour's walk.

246. Which is nearest to your station?—The water-tower is nearest.

247. Have you ever applied for the use of the water-tower telephone, and found it locked up, and then gone to the brewery?—Yes.

248. How often?—Once or twice I found it closed. I go to the water-tower and then down to the brewery, because there is no other telephone to go to.

249. Did the sergeant know when you were ringing up from the water-tower?—Yes.

250. Did you tell him always where you were ringing up from?—Yes.

251. Were you always in the yard when you saw Mr. Roope, or did you ever see him in the main buildings on any occasion?—No.

252. Were you ever talking to any of the men when he came there?—I might be talking to some of them in the yard.

253. You never talked to Mr. Roope and some of the men together—in a group I mean?—No.

254. Quite sure?—Quite sure I never did.

255. Did you ever have anything to do with the inspection under the Beer Duties Act, in connection with the brewery?—Never.

256. You have never been employed in that capacity?—No.

257. *The Chairman.*] There is no telephone at your station?—No.

EWEN MACDONELL was examined on oath.

258. *Mr. Taylor.*] Have you often received telephone messages of your own knowledge from Roope's brewery?—I cannot say that. I often get telephone messages from the water-tower, and occasionally from Roope's brewery. That is so.

259. Do you not think that it is undesirable that a constable should go to a brewery to use a telephone?—If there was anything urgent, I would be pleased if he went anywhere. In a matter of urgency I should say he was justified in going anywhere.

260. Would you think it would be a good thing to go to a hotel to use a telephone?—It depends on the cause. If anything happened suddenly, and was important, I should say Certainly; but, if not, I should prefer a constable not to go to a hotel.

261. I want to know whether you think it is a good thing generally for constables to use telephones in breweries or hotels?—They do not do so to my knowledge; and if there was no particular reason for them doing so I would prefer they should not.

262. Do you think it is desirable for police-officers to use telephones connected with breweries and hotels, for the public service?—It may be in some cases.

263. Do you think generally it is a desirable practice for police-constables to use telephones connected with breweries and hotels?—If it is for the good of the service.

264. I think you are fencing the question?—Not at all. I say it depends on the occasion.

265. Do you think it is a desirable practice?—No, unless there is a particular reason for it.

266. An urgent reason?—Yes, something more than ordinary; but they do not often do it.

267. Do you not think a practice of that kind is likely to lead to misunderstanding and misrepresentation?—I do not know, really.

268. Cannot you give an answer?—It depends on who is looking on. I do not wish the police to go into hotels if they can avoid it.

269. Suppose you were looking on?—I would immediately inquire as to what the constable was doing there.

270. Then, you do think it is undesirable?—Unless there is a good reason for it.

271. Then, generally, you think it is undesirable?—Yes, unless for a good reason.

272. Can you remember how many times you received telephone messages from the brewery?—No; but not often.

273. Can you remember on any occasion what the business was?—No, I cannot really. I often told him to go to the tower telephone. Suppose he wished to know whether he was required next day, I told him to go to the tower and ring us up from there.

274. Did you ever tell him to go to the brewery?—No, not to my knowledge; and I would not unless the case was really urgent.

275. *The Chairman.*] Did you ever requisition for a telephone to be put in the station?—There was something said about it some years ago, but it was never carried out. There is a telephone to the South Invercargill Police-station.

276. *Mr. Taylor.*] Have you ever had occasion to reprimand any of your men for frequenting that brewery?—No, I do not remember.

277. Did you ever reprimand Aitcheson for doing it?—I believe so, but I am not positive.

278. In view of the fact that you have had occasion to reprimand a constable for the practice of going to the brewery, do not you think it is undesirable that a constable should use that telephone except in urgent cases?—Yes; but I would like to say, in reference to this constable, that I never saw a sign of drink on him.

279. *The Chairman.*] If the telephone at the water-tower is closed, and the constable wishes to communicate with you, do you see anything reprehensible in his going to the brewery to send you a message?—No, I do not, if there is any particular occasion, and so long as I am satisfied he is not going there for any improper purposes.

280. *Mr. Taylor.*] You can only remember reprimanding Aitcheson in connection with that brewery; have you reprimanded men for visiting any other brewery?—I do not think so; not here.

281. Any in Invercargill?—I do not think so.

JOHN JAMES MEIKLE was examined on oath.

282. *The Chairman.*] Where are you living?—In the Tuturau district, in Southland. I had occasion to go to Wellington in 1895 to attend a Parliamentary inquiry in regard to my false imprisonment. When I got up there I found certain reports in reference to my case, and a report sent up by Constable Leece, dated "Police-station, Mataura, 21st September, 1890."

283. Where did you find that?—I found that amongst the correspondence recorded against me at the Parliamentary inquiry.

284. Was a copy of that report put into the hands of the members of the Parliamentary Committee?—That is so.

285. How did it come into your hands?—It was handed to me to see whether it was correct. There are two members of the Committee here present, Mr. McNab, ex-member, and Mr. Kelly, M.H.R.; they were both on that Committee, and will corroborate my statements.

286. You produce this copy that you received from whom?—At the table, from the members of the Committee. I will just read the contents of it, as follows:—

Report of Constable Leece re Meikle Family.

Police-station, Mataura, 21st September, 1890.

REPORT of Constable Leece relative to the attached correspondence, and Minute No. 3270/90 thereon.

I respectfully report having made careful inquiries into the separated destitution of the Meikle family, but am of the opinion the case is not so bad as represented by the writer of the attached letter inasmuch as I found on my visit

to the farm that a young man named William Johnston, *alias* Lloyd, although not a desirable character, as seen by *New Zealand Police Gazette*, 1882, page 19, and 1886, page 248, was ploughing and had ploughed 30 acres of ground, sown it with oats, and harrowed it for Mrs. Meikle. He had bought the oats for the ground from a neighbouring farmer named R. Urquhart, and that he intends to work on the farm for the benefit of Mrs. Meikle—as he and Mrs. Meikle states—purely out of good-nature, and receives no pay. He has lived on the place for the last two years, and generally worked at rabbiting and general labouring work in the neighbourhood during that time. Also, in contradiction to the statement of the writer, that everything was sold after her father's incarceration, I found in Mrs. Meikle's possession two draught-horses with harness, plough, harrows, back-delivery reaper, one roller, thirteen head of cattle, three of which were milking-cows, besides household furniture and effects. Most of the farming implements, cows, and horses were on the farm when Meikle was there. I asked Mrs. Meikle if she could not convert the cattle into money to buy food, and she stated that she had not tried; that she owed £20 for food to John Templeton, of Wyndham, storekeeper, and he had promised to take two stacks of oats in part payment. The farm comprised 205 acres, not a penny of mortgage on it; but it belonged to her sons, James, Robert, and William, aged respectively fifteen, twelve, and nine years of age, and it was bought under agreement that no person could touch it until the youngest arrived at the age of twenty-one years. On the farm was erected an eight-roomed house, eight-stalled stable, two roomed house, large barn and piggery, with a water-wheel and chaff-cutter. I suggested to her the possibility of leasing the farm, but she said she could not live on the rent. She pays no rates to the Southland County Council or Tuturau Road Board, they having been kind enough to forego the rates owing to her pleading poverty. She was never offered any money for the ground, although it was rumoured that Mr. J. G. Ward, of Invercargill, offered her £700 for it. She has nine children—the eldest fifteen years, the youngest three years. One of them is at a town near Gore with her sister. Her eldest son, Arthur, aged twenty-one years, died suddenly about three months ago. She sells eggs and butter to Mr. Templeton, of Wyndham, to get food. She sold eight pounds of butter and five dozen eggs last week, but it is not sufficient to live on. I consider, on the whole, Mrs. Meikle is not worse off than her neighbours. If she rented the farm she could live on the rent of it; whereas as it is now she will not make much good of it. The young man Johnston will not always be kind enough to remain to father such a large family. The children, although having indifferent clothing, look healthy enough, and informed me they have had three meals a day since their father left them; and the girl Margaret who wrote the letter had a gold ring on her finger. Mrs. Meikle was dancing at a party given in the neighbourhood a week ago; but she denies that, saying she only sang, and put the children through the movements of set dances. She said it is at certain times she feels unwell. I would respectfully suggest that Mr. J. G. Ward, of Invercargill, be interviewed to ascertain if he offered Mrs. Meikle £700 for her farm. He has land adjoining on to Meikle's farm, and also Mr. Templeton, of Wyndham. As to the supplies of food to the Meikle family, I heard also that a subscription was got up for Mrs. Meikle and family at Wyndham, and if so the amount could be ascertained, and if she got it.

JAMES P. LEECE, Constable No. 412.

287. What portion of this report do you impeach?—I impeach the portion of it relating to the horses; that is totally untrue. The horses were all sold to pay my current accounts.

288. What portion do you say is untrue? Do you complain of the statement, "In contradiction to the statement of the writer, that everything was sold after her father's incarceration, I found two draught-horses, with harness, plough, harrows, back-delivery reaper, one roller, thirteen head of cattle, three of which were milking-cows, besides household furniture and effects. Most of the farming implements, cows, and horses were on the farm when Meikle was there"?—Yes. These were all sold to pay my current account.

289. *Colonel Pitt.*] Who was the current account with?—Mr. J. G. Ward.

290. *The Chairman.*] Do you state that the articles the constable says he found in the possession of Mrs. Meikle were not there?—No; everything was sold. That was fresh stock she got from Mr. Mabin.

291. Do you dispute that the stock and implements mentioned by the constable were on the premises when he visited it?—The stock was there.

292. Do you say it was not there when you were there?—That is so. In reference to the roller mentioned, it was the frame of a wooden roller, and the log was lying beside it, and that was all. There was nothing in it.

293. All the stock and implements you left there having been sold to pay your current account?—Yes. Mr. Ward sold them, and said he could not help himself. He was losing money on it, and he came and saw me, and told me what he had done. The next statement I complain of is that in reference to the Southland County rates. The constable said that through Mrs. Meikle pleading poverty they had foregone her rates. I should respectfully suggest that Mr. Fox, the County Clerk, should be brought here to show that I have received summonses, and that my family rates were never forgiven. They were recorded against the property.

294. You say they were charged on the land?—They are recorded here in the Supreme Court. I got a bill for £15 when I got here.

295. Did the Tuturau Road Board also forgive the rates?—They forgave two rates, and I paid the others since I came home.

296. It is only the constable's statement in regard to the County Council rates you complain of?—Yes. It has been a great injustice to Mrs. Meikle in my absence. She has been summoned once or twice.

297. Is there another statement?—Yes. It is a most serious one. He said, "The young man Johnston will not always be kind enough to remain to father such a large family." We all know what that means. I am not aware that my wife was cohabiting with him; but that is the meaning of it.

298. You complain of that as insulting?—It is plain enough to people all over the colony. In regard to the remarks about Mrs. Meikle dancing, I may state she was asked to give the use of the barn for a dance to celebrate the opening of the new school. A concert was also held in the school, and Mr. Bree asked her if she would go, and she said "No; I cannot go." He begged her to, if only for an hour, and she went, but simply to assist Mr. Bree in one song. Afterwards she was asked to stay; but she said she could not, and after staying an hour or an hour and a half she came home.

299. Was this in your own barn?—No; they held the concert at the Waikaka School, about four miles from Waireke, and they came down afterwards to hold the dance at my barn.

300. Where was the song sung, at the barn or at the school?—At the barn. The dance was held the same night. There is another item I would like to draw attention to very much, and that is as to this "undesirable character, Johnston." He was the principal witness against me here in

1884. He was looked upon then as a decent man, and this conviction was kept in the background in 1884, although it is on record here that he was convicted in 1882.

301. Was that a police case?—Yes, and this witness was produced and brought down here, and got me committed for trial on a charge of perjury over an assault case that I did not commit at all, and they made use of this lad at that case, and held him up to Judge Williams as an honest lad. Yet when I am in prison he is put down as an undesirable character, although they knew of the conviction against him in 1884.

302. When was the case heard?—In 1884; but it all fell to the ground.

303. What age was Johnston?—He was an industrial school boy. When this report of Constable Leece was written, I suppose, he was a young man of about twenty-three or twenty-four. I am only speaking from memory.

304. And your wife's age?—She will be forty-eight on the 1st April.

305. What age was Johnston in 1890?—About seventeen years of age.

306. And your wife about forty?—About that.

307. You say he was called in what year?—In 1884, before two Justices of the Peace. He was called first at the Court, as principal witness, and on his testimony I was committed.

308. *Mr. Poynton.*] Then, you went up at the December sittings of the Supreme Court?—Yes.

309. At that time he would be about seventeen?—Yes.

310. *The Chairman.*] And he was brought up before Mr. Justice Williams as a witness of reliable character?—All his convictions are set out here in the month of September, 1890, in the report about my family—all the accusations that possibly could be brought forward are hurled against the young man in 1890; yet he was a bad character in 1884, when he appeared against me, because his first conviction was in 1882.

311. You say these previous records against him were not brought up against him at that trial in 1884?—Not to my knowledge.

312. *Colonel Pitt.*] You said he was held up as a person of character by the police at your trial; but had Constable Leece anything to do with that prosecution?—Yes, he got it all up; and he got a strange policeman to swear the information.

313. That is your complaint?—Yes.

314. *Constable Leece.*] This young man, Johnston, was working on your farm at the time I went up to make this report in 1890?—He was not working in 1884, when he gave evidence against me; I cannot answer the question, because I was not present.

315. You do not know whether he was there or not?—Only from what I heard. I cannot state, when I was miles and miles away in the North Island.

316. Do you know that this stock was there?—I know perfectly well the stock was there; stock that had been bought.

317. Do you know they were there when I was making inquiries?—Yes, but not when I was there, as you state in your report. Not a hoof was left. Mr. Ward will prove that.

318. Were all these articles I have enumerated there then?—The only thing there was the broken frame of the roller, which was useless for anything but firewood, and an old broken reaper which any one could have had for 10s.

319. *The Chairman.*] Was every one sold while you were in prison?—Yes.

320. If they were sold while you were in prison, how could you say they were not on the premises while you were in prison?—There were sold years before, while I was in prison. If you call Mr. Ward he will prove that.

321. *Colonel Pitt.*] I understand these things were there, no doubt, when the constable was there; but they were not there when you were there, except that broken reaper and roller, and they were no good?—Mr. Ward came and told me in prison that he had to sell everything, as he had been losing money hand over fist.

322. *Constable Leece.*] As regards paying no rates to the Southland County Council, do you know that I was making inquiries about that at the time?—I do not know if you did, but I found out since that what you stated was totally untrue.

323. If I asked Mrs. Meikle and she said that was the case, would that be so?—She never told you so, and I can speak for her truthfulness.

324. She told me the Tukurau Road Board had forgiven her the rates, and also the Southland County Council. If the one part is true will not the other part be true?—No; because she could not tell you that, because she was summoned, and the records of the Council will show that.

325. This remark about the young man Johnston you have taken exception to very much?—It is the proper meaning. If you wanted to blacken Mrs. Meikle's character you might have said so all over the colony.

326. You have read the previous part of the report, in which I have said that he ploughed twenty acres of ground and sowed it with oats, and harrowed it, for Mrs. Meikle, and that he had bought the oats for the ground from a neighbouring farmer named Urquhart. Now, would not you consider from that that the other remark meant nothing except looking after their welfare?—It was "another man to father my children." You cannot get away from that fact.

327. But do not you see how I have said in the first part of the report that the young man was working on the ground?—I do not complain of what you said about that. I complain simply of what you have said about Mrs. Meikle, and the young man remaining to father the large family.

328. But, taking the one statement with the other?—I have nothing to do with the other statement. I say the imputation about my wife is a very serious and very improper one.

329. After reading the whole report through, do you think I have made a statement imputing motives to your wife?—I consider the report a most disgraceful one.

330. *The Chairman.*] I understand the thing you really feel most is what you consider an insinuation against your wife's character?—Precisely so; and not only that, but making untrue statements about my wife's position, and making out that she was untruthful, to the Minister.

331. The original letter stated everything had been sold, and this was a report on that letter?—That is so.
332. *Constable Leece.*] You say this young man Johnston was brought up as the principal witness against you in the perjury case?—He was.
333. And that I knew about him prior to that?—Yes; you have the *Gazettes* in your hands, and you knew perfectly well that the man was convicted in 1882.
334. Who laid the information against you?—You worked the case up.
335. Who laid the information?—Mr. Kenny.
336. Where is he?—In Invercargill.
337. Is he a constable?—Yes.
338. You say I knew all about it at that time?—Yes; you worked it up. I got you going through the land with this young man Johnston, and I asked you what you were doing there.
339. Who else was with us?—The late Detective Eade.
340. And Johnston and myself?—Yes.
341. What were we doing there?—You were there to see the distance from which the young man was supposed to have seen the assault on the other side of the hill; and I asked you what you were doing on the land without my permission.
342. What was the result of that perjury case?—It fell to the ground.
343. *Mr. Tunbridge.*] How long had you known this man Johnston?—The lad came to my house one day, in 1883, hungry, and I took him in. He was in a terrible state of nakedness, and I clothed him and assisted him.
344. Did he tell you what he had been?—No.
345. He did not tell you he had been in an industrial school?—No; I knew nothing about the lad.
346. *The Chairman.*] What was his age in 1883?—I do not suppose the lad was much more than thirteen or fourteen by his appearance.
347. *Mr. Tunbridge.*] When did you first know he had been in an industrial school?—After he ran away from me.
348. How long?—About six months. Mr. Sonnes told me, in Gore.
349. What date?—I cannot give the date. Roughly, about the latter end of 1883.
350. When were you prosecuted for perjury?—In December, 1884.
351. You state that Johnston was held up as a lad of good character by the police when you were prosecuted for perjury?—Yes.
352. In what form was he held up as a lad of good character?—The police got him as a principal witness in order to get me committed.
353. He was called as a witness?—He was recalled, and asked to disqualify his evidence, and on his evidence I was committed to stand my trial.
354. But the police did nothing to lead the Court to suppose this lad was a respectable lad other than call him as a witness?—They tried to uphold him as a decent lad.
355. Who upheld him?—The police.
356. Did they do anything other than call him as a witness?—They called him as a witness, certainly.
357. And nothing more?—A good deal more, when Mr. Turnbull recalled him and asked him if he wished to disqualify his evidence. I consider it was the duty of the police to tell the Bench of the conviction against him, and that he was a lad of bad repute.
358. You were defended by a solicitor?—We called no defence, if I remember.
359. You had a legal gentleman to represent you?—I believe Mr. Finn did.
360. You say it cost you over £300: where did it come in?—I was taken before the Court at Gore for the alleged assault case. After sitting there, at much cost to me, the case was rushed down here, and it was amended on both sides. There was also the case in the Supreme Court.
361. Your counsel had to be paid for?—Yes, and witnesses.
362. Were you defended by counsel in the Supreme Court?—Certainly; I had Mr. Solomons down from Dunedin.
363. You said you knew in 1883 that the boy Johnston had been in an industrial school?—Yes.
364. This was before you were tried for perjury?—Yes.
365. Well, if the police did anything to hold up this boy as a respectable person, why did not you instruct your solicitor that he had been in an industrial school?—That did not disqualify the lad because he had been in the industrial school. I did not know about the conviction, but the police knew, because they had the *Police Gazette*. I never knew until I saw this report, when I went to Wellington.
366. You did not allege that the constable inserted in his report that there were things on the farm that really were not there?—Of course he inserted what was not there when I was there.
367. But at the time he made the report?—I do not care what he made afterwards.
368. The constable said there were two draught-horses there, with harness, plough, harrows, back-delivery reaper, one roller, thirteen head of cattle, of which three were milking-cows, besides household furniture and effects. Were there such horses and cattle and articles there at the time?—I say distinctly that these animals were not there before I was sent to prison.
369. But they were there when the constable made his report?—I have every reason to believe they were there, because Mr. Mabin bought them for Mrs. Meikle.
370. Was the letter sent to the Minister of Justice one describing your family as in a destitute condition?—That is so.
371. Do you consider the fact that your family were in possession of these horses, cows, farming implements, and other things consistent with destitution?—Certainly; they are not paid for yet, some of them.

372. It is merely on the question that these things, although they were in the possession of your wife when the constable went there and made his report, were not the identical things on the farm before your conviction; that is what you complain of?—Yes; and the harrows were merely lent to do the work.

373. Do you consider the fact of your wife being in possession of this property consistent with the letter of your daughter to the Minister, stating that the family was in a state of destitution?—I say distinctly they were not paid for, and some of them are not paid for yet.

374. The constable reported they were there?—It does not matter what he reported. He said they were there when I was there, and they were not. My wife lived on potatoes and salt, and milk, for fourteen days.

375. You objected just now to answering any question relating to a matter that happened when you were not there; and now you are making a statement about things that occurred when you were not there?—My wife can come here and make a statement for herself. The district knows it well.

376. You say, you saw this report in 1895 for the first time?—Yes, in the month of October, when the first inquiry was held in Wellington.

377. Have you made any complaint about it before this?—I have. I complained to the Committee last session. Mr. Kelly can bear me out in that.

378. You made that a point in your petition?—I made a complaint to the Committee about this constable's conduct in this report.

379. Beyond making that complaint to the Committee, you have taken no steps prior to this?—I did; I reported the matter to Commissioner Hume.

380. Prior to this complaint?—I wrote when I saw this Commission was set up.

381. Then, you rested for two years without taking any action beyond mentioning the matter before the Public Petitions Committee?—I brought it up before the Committee in 1897, in the presence of Mr. Kelly.

382. I say, other than that, you have taken no action prior to the setting-up of this Commission a few months ago?—Because I was trying to get the department to take the matter up. If I could have prosecuted the constable civilly I would have done so.

383. With regard to the last paragraph of the report, to which you have taken exception, do not you think it is capable of a very different interpretation to the one you are putting on it?—Certainly not. When a man goes to father any one else's family, he is living with the wife. There is no getting away from that.

384. You think there is no other possible interpretation?—No; and you can put it which way you like.

385. You do not think the fact of your suggesting that is likely to put into the minds of innocent persons an interpretation that would never have got there otherwise?—The letter has no other meaning. You cannot wriggle out of it.

386. That is your opinion?—It is the opinion of better men than myself.

387. *The Chairman.*] I gather from the constable's cross-examination that he did not impute to the words the meaning you attach to them. Would not your major complaint against him be satisfied, and would you not feel satisfied, if the constable puts that view in a more distinct manner so that it can go forth to the world?—Well, here is the position. I had a certain complaint before the Government in regard to false imprisonment, and this report is put in before the Committee and impresses the Committee. I have no hesitation in saying that these false reports damned the reputation of myself and my family in the eyes of the Committee. They thought we were a bad lot.

388. Then, if these two matters can be explained—that these words were not intended to be used in the sense in which you and many others have received them, and that the cattle and implements which the constable saw on the premises were not there at the time you were in possession of the farm—would not that remove all the trouble?—No, it would not. He made these malicious statements against my family.

389. Would it not enable you to put yourself right?—Not with the House, because things were stated in the House last session because of these reports which would make you shudder to hear them. It was even stated I was guilty of horse-stealing and several crimes. It was all done to damn my reputation and my family and my case, and it has done so.

390. As you have made that remark, I will put a question in reference to it; was there no truth in such statements?—None whatever. It was brought up on the floor of the House next morning that three members the night before said I had been several times in gaol for horse-stealing. It was even kept out of *Hansard* and the papers.

391. Were you ever in gaol for horse-stealing?—Never. I was never accused of thieving until I joined this company, and I was put in gaol for sheep-stealing. And the constable helped the company on several occasions. He arrested my son, who is now dead, in connection with the same matter.

392. *Colonel Hume.*] Is it a fact that, during the time you were in prison, Mrs. Meikle was offered £700 for this farm?—It is totally untrue.

393. *The Chairman.*] Had she power to sell it if an offer had been made?—No; she could not sell it, and Mr. Ward knew it. It belongs to three of the boys. Mr. Ward, I may say, has launched out about £2,000 on my affairs, and I am sorry to say he has not been paid.

394. *Colonel Hume.*] Did anybody offer anything for the farm at all?—No; she could not have sold it if she had been offered £20,000.

395. *Constable Leece.*] Was there any mortgage on the farm at all?—She could not mortgage or sell.

396. Was there any mortgage?—No.

JAMES WHYTE KELLY, examined on oath.

397. *The Chairman.*] You are a member of the House of Representatives?—Yes, for Invercargill.

398. *Mr. Meikle.*] Were you along with me at the parliamentary inquiry last November, at Wellington?—Yes, with you almost every day.

399. *The Chairman.*] Were you a member of the Committee?—No. I presented the petition, and members presenting petitions are always allowed to be present at the Committee.

400. *Mr. Meikle.*] Were you present when I made these complaints in reference to Constable Leece?—I heard you on several occasions making complaints, not only before the Committee, but you made complaints very often to me personally about Constable Leece, whom I did not know at that time.

401. These complaints were not inquired into by the Committee, although I wanted them to do so?—I do not remember if the complaints were gone into last session.

402. You remember I gave them a list, and they were taken down in shorthand by the reporter—the same complaints as I now make?—Yes.

403. Are you aware that I wrote to the Chairman as well, to urge and get these things down?—Yes, I am aware, because on one or two occasions I handed your letters to Mr. Meredith, who was Chairman of Committee.

404. And that I showed you the correspondence before I sealed it, mostly to ask your opinion?—Yes, almost daily you showed me correspondence in connection with the case.

405. Did I also ask for other matters to be attended to, but they were ignored?—Yes, there were other reports you wanted to get hold of, but they were not available to you. Mr. Meikle requested to be shown reports that he believed were in existence, but whether the reports were in existence or not I cannot say. If they were in existence, Mr. Meikle's request was not acceded to.

406. *Colonel Pitt.*] To lay them before the Committee?—No, to be allowed to inspect them personally. In all probability they were laid before the Committee, but Mr. Meikle was not allowed to see them.

407. *Mr. Tunbridge.*] Was it suggested that these were reports from Constable Leece?—No, certainly not; but Mr. Meikle put the question about other matters.

408. *The Chairman.*] Do I understand you to say that Mr. Meikle made a complaint to the Committee in respect to these matters that he is now bringing before us?—Yes, and I may say he addressed me on several occasions in connection with the conduct of Constable Leece generally.

409. Did this particular complaint specially come before the Committee?—In connection with the report or letter, which he told me was sent by Constable Leece.

410. Did the Committee deal with that complaint?—The Committee did not deal with it during my attendance at the Committee.

411. Do you know whether the Committee reported on it?—No, they did not report upon this particular complaint.

412. Was this complaint only mentioned incidentally, or was it a matter of inquiry by the Committee?—It was a matter of inquiry along with others, and Mr. Meikle complained to me several times of the contents of this report, which was sent by Constable Leece.

413. I am not asking what complaint he made to you, but whether you can tell us, from the fact that you were in the habit of attending the Committee, if the Committee dealt with and made any report upon the complaint, that these statements by Constable Leece were not true?—No, the Committee did not. I will tell you what Committees generally do. They go over all reports and matters connected with petitions, and they do not report upon any individual matter. They merely draw up a report as to what they consider should be done; and if anything is printed in connection with the case these reports are put in as part of the evidence, but nothing is said as a rule about particular portions of evidence. This complaint was not dealt with specifically.

414. *Mr. Meikle.*] With these reports coming up, do you think they did me a great deal of harm with the Committee; do you consider this report against me and my family did me a great deal of harm with the Committee?—Well, I cannot say anything about this specific report. I can only assure the Commission that these reports, and this amongst the others, did materially damage the case so far as Meikle was concerned.

415. *The Chairman.*] You cannot speak of this particular one?—No. I say, this along with others, because there were fresh reports circulated amongst Committeemen every day.

416. *Colonel Hume.*] You have read that report carefully from time to time?—Yes.

417. And, taking into consideration the first part of the report, do you consider there is any reflection contained in that report against Mrs. Meikle's character?—Well, I think the interpretation put on it by Mr. Meikle is a very natural one.

418. *Constable Leece.*] I would like Mr. Kelly's opinion on that matter. As regards the first part of that report referring to the young man Johnston, and the remarks to which Mr. Meikle has taken exception, do you think there is any reflection upon Mrs. Meikle there?—Well, I think the words are highly capable of the interpretation put on them by Mr. Meikle. Certainly, after my attention was drawn to the matter, I read it over carefully two or three times; and I must say, in my opinion, the general public would come to the conclusion that Mr. Meikle came to, that there was a gross insinuation contained in these words, although it may not have been meant by you.

419. Supposing the word "support" had been used instead of "father," how would that do?—I cannot say.

420. *The Chairman.*] Suppose he had used the word "support" instead of "father"?—I think, even then, the general public would be apt to take their own meaning out of it, that there was some connection between the two parties that had no right to exist.

421. *Constable Leece.*] How did it strike you when you first read the report?—When the report was first read to me it struck me just exactly as I say now.

422. Did Mr. Meikle draw your attention to the report?—Mr. Meikle first drew my attention to the words contained in the report.

423. You had the same opinion as you have now, that it was a reflection upon Mrs. Meikle?—I say it is an interpretation that can be reasonably taken by the public.

424. Are you aware if the public have had a view of these reports?—I cannot say.

425. Do you know it was a confidential report sent to the department?—I cannot say; but I know this much, that Mr. Meikle had it.

426. Then, the public would not hear of it?—If it was a confidential report, and Mr. Meikle got hold of it, I do not see how the public could be prevented from getting it.

427. You say that?—I cannot say. It would probably get into the press if they got a hint of it.

428. Did he proclaim it himself?—He might do so. If one man gets hold of a confidential document outside Parliament it is no longer a confidential document.

429. If taken outside the Justice Department?—I do not know where it was taken from.

ROBERT MCNAB, examined on oath.

430. *The Chairman.*] What are you?—A solicitor, practising in Invercargill, and a member of the last Parliament, representing Mataura.

431. *Mr. Meikle.*] Whilst a member of the House in 1895 you were on the Committee that considered my petition?—Yes, I was a member of the Public Petitions M to Z Committee in 1894, 1895, and 1896. I remember Mr. Meikle's petition. I think I presented the petition, and while before the Committee I sat with the Committee, but did not vote as the petition was from my own district. At the request of several members of the Committee I gathered the material together and directed Mr. Meikle in what form he should put it before the Committee. I was present on every occasion, but beyond that I took no part in the proceedings except, perhaps, that I think I cross-examined. A solicitor represented the Government. I looked after him. He raised law points occasionally, and I took it upon myself to reply to him.

432. Did you ever see that report from Constable Leece in 1895 whilst on the Committee?—I remember hearing the report read to the Committee, the tenor of which, from recollection, identifies it with this report. That was in 1895.

433. *Colonel Pitt.*] This report before the Commission now?—Yes, the report read by Mr. Meikle when in the box.

434. Constable Leece's report?—Yes, I understood it was by a constable, but I cannot recollect the name. The document came to the Committee through the Chairman, and I heard it read before Mr. Meikle saw it. I think I was also furnished with a copy of it before Mr. Meikle saw it. Every member of the Committee got a copy. Mr. Meikle was claiming a sum for damages, and it was alleged by him that his family were in destitution, and had been left in destitution; and I remember, when the report was read, I formed the opinion myself that Mr. Meikle had exaggerated the condition of matters, and I understood that members generally held the same view. We got over the difficulty of the *quantum* of damages by referring the matter to the Government, with all the evidence which we had, including this report, and asked them to vote a sum, speaking from memory, to cover the prosecution and the various headings of damages specified. The report was adopted, and the Government voted a sum under one heading—the question of costs. The following year Mr. Meikle petitioned for the award under the balance. There were some four headings left out, and the same Committee reported that the previous recommendation should be given effect to. I speak from memory only. A sum was put on the estimates, but Mr. Meikle refused it. There was a general election, and another man took my place in the house. When the Committee was sitting we made no investigation into the truth or otherwise of this report, because we only investigated what was referred to in the petition. We made it a practice to never go in and sit upon matters that arose during the course of our inquiries.

435. *Mr. Meikle.*] You have seen Constable Leece's report?—It was put into my hands just now.

436. If you will look at the latter part of it you will see there the paragraph about Mrs. Meikle, and this young man Johnston not always remaining to father such a large family. What construction would you put on the words there?—If I were reading it, I would say it was worded in such a way that the great majority of people would be liable to conclude that some improper relation existed. So far as I myself am concerned, I would say it was playing with a phrase which enabled any such inference to be drawn.

437. Do you think it is right for a constable to express himself in such a phrase?—I do not express any opinion on that point.

438. Would you use such a phrase?—Well, I am a solicitor, and I have sometimes to appear in different ways. If you ask me in some capacity, I might suggest it in cross-examination.

439. Are you aware that this report injured me very much with the Committee in the House?—The opinion formed on the Committee, speaking from recollection, was that you had exaggerated the destitution of your family.

440. And this report was the means of saying I had exaggerated?—Yes.

441. That is the report that was taken to Wellington to show I had exaggerated; it was from that report the Committee thought I had exaggerated?—Yes; individual members. The Committee, of course, expressed no opinion.

442. *Constable Leece.*] You say there was no investigation as to the truth of this report by the Committee: Why?—No; because the petition alleged certain things on the face of it; and when Mr. Meikle came up before the Committee he wanted to go into a lot of different matters, and that is what caused members of the Committee to ask me to guide him in formulating his complaints. The Committee ruled that he should not step outside the four corners of the petition, and he had to

abandon a whole lot of things and confine himself strictly to the wording of the petition; and when anything arose incidentally, the reply of the Committee was that it was not within the terms of the petition, and could not be investigated.

443. Did you see this report before?—My recollection is that I heard it read, and, of course, I had a copy of it in a bundle of papers that every member of the Committee was supplied with, and it was published in the Appendix at the end of the year.

444. You say you think a number of people would say that the last paragraph in the report would cast a reflection on Mrs. Meikle?—Yes; a great number of people would hold that view.

445. Did the Committee in their investigations come to the conclusion that there had been immorality between this young man Johnston and Mrs. Meikle?—I have no recollection of that part of the report at all. We were seeking to ascertain the *quantum* of damages, and that was not directly bearing on the question. My recollection of it is as a report stating what was on the property, and as to the destitution of the family. The family stated they had nothing; and the report showed they had a lot of property.

446. You heard Mr. Meikle say it was still there when I went to make that report?—I heard what was said. The point, of course, was a different matter altogether. She got this property by going further into debt, a way in which you can easily increase your property.

447. Do you think the statement as to destitution still exaggerated?—Not a bit, financially. The position then was the same as if she had no property, because she only got into debt in getting it.

448. Still, there is nothing about liabilities in the report about the stock?—That was the weakness of the report. It did not state that the stock was brought there, and that Mrs. Meikle had gone deeper into debt on that account.

449. *The Chairman.*] With regard to these words in the report, that the stock which was on the farm was there when Meikle was there, did that convey any distinct idea to your mind?—I can only speak of having heard the document read and of the effect it produced, and it was this: that Mr. Meikle was contending his wife and family had been living in destitution; and the effect produced by this report was that they had been left by him with this stock and various chattels on the premises. I could not have told you there was a reference to any impropriety with Mrs. Meikle. That was outside the premises.

450. If the report had stopped there, stating that these articles were on the farm, would it have produced the same effect on your mind without the addition of these words: "Most of the farming implements, cows, and horses were on the farm when Meikle was there"?—If the report said this: "There is stock upon the property purchased by Mrs. Meikle since her husband's incarceration," I myself would have considered that Mr. Meikle's representation had been sustained, that he had left them with nothing.

451. Or if the report had said these things were on the farm, without going on to say they were there when Meikle left, would it have produced the same effect?—I would still have considered that the effect that was produced would have been produced, because it is a contradiction of the statement that was before it; and the report of the policeman, stating that the contradiction was not borne out by what he saw, would have caused the impression in our minds that Mr. Meikle's statement was untrue or exaggerated.

452. *Colonel Pitt.*] In your opinion, the awkward part about the report is that it did not state that these things were not paid for?—Exactly, and it appeared to make out that the wife was not destitute.

453. *The Chairman.*] Also, in contradiction to the statement that everything was sold, it said these things were there, most of which were there when Mr. Meikle was there?—Yes. You see we were aware from the evidence that a sale had taken place, when Meikle was incarcerated, to pay his debts, and we knew that once the things were sold all money had gone to the creditors.

454. *Colonel Pitt.*] After the Committee received this report, and before they drew up their report referring the matter to the Government, had Meikle an opportunity of contradicting that report?—Some documents were put in as evidence, copies of which were not furnished to Mr. Meikle, and I cannot say if that was one. I think the report from the Justice Department was one of them, but my recollection is that some were not supplied to Mr. Meikle. We got over the point—giving a definite finding on the point—by referring the *quantum* of damages to the Government, and forwarding all the evidence.

455. *The Chairman.*] Can you say if Meikle was brought before the Committee and examined as to the truth or otherwise of that report?—I cannot say.

456. *Constable Leecé.*] Having these cattle and horses on the farm, and selling the produce of the cows and poultry, would you consider it then exaggeration for them to describe themselves in a state of destitution or starvation?—I would say a person was correct in describing himself in a state of destitution in a case like this: if the stock was supplied by some one else, and they were simply there getting the use of it, and, having it so long as the owner cared to supply them with it, they would be correct in describing themselves as destitute.

457. Would they be starving, having the use of the produce of cattle and poultry?—They would not be in danger of dying for want of food so long as the liberality continued.

458. Then, it would be an exaggeration to say they were in destitution?—No, it would not be exaggeration.

459. If they had this produce?—In the case which I cite they would have the use of the property only during the pleasure of the owner of the property. I do not know who owned the property.

460. *Mr. Meikle.*] Had I any chance to contradict this report before the Committee?—I cannot say—that is, speaking for 1895. In 1896, if I remember aright, no evidence was given, because at my suggestion Mr. Meikle did not go to Wellington.

JOHN JAMES MEIKLE, re-examined on oath.

461. *The Chairman.*] With regard to the cattle which the constable saw on your farm: Have you any reason to believe that these are the cattle which had previously belonged to you? No, they never belonged to me. I know who has got some of the horses now.

462. It occurred to me it might possibly be the same cattle?—No, it was not the same cattle.

JOSEPH GEORGE WARD, examined on oath.

463. *Mr. Meikle.*] After my incarceration, Mr. Ward, did you carry on my farm for some time, and get the crops cut off it?—My recollection is that we did carry it on for some time.

464. Then, you sold all the stock and implements, as you were losing so much money by it, and put the proceeds to my account to reduce it?—My recollection is that, after you were incarcerated, we found it impossible to carry on the farm in the way in which it was going, and we sold the horses and cattle and implements, but we could not find many sheep.

465. There were five hundred gone?—I do not know the number, but a very large number were missing.

466. *The Chairman.*] Were the implements sold?—Yes, and the stock, such as was available, was sold.

467. *Mr. Meikle.*] Did you come to the prison at Lyttelton and tell me how badly things were managed, and the great amount of money launched out, and that you had sold the stock and implements because it was only a losing spec.?—My recollection is that I called upon you at your own request at Lyttelton, and told you then the position of matters, and what had been done.

468. And the only thing you could not get were the five hundred sheep; they were missing?—I cannot recollect the details, but my impression is that that is so.

469. Did Constable Leece go to you, after I was in prison, and ask you how many sheep were left on the place, and did he go to my son and family?—I have no recollection of him doing that. It may be so, but I do not recollect it.

470. I suppose you are aware, as a member of the House, that representations that went to damage my reputation and that of my family had a great deal to do in leading members to think that I was exaggerating my circumstances and position? Is that not so?—I heard a great many things said against you. Personally, as I told you in Wellington, the position I took up was that I declined to interfere, inasmuch as indirectly you were indebted to me.

471. Of your own knowledge you thought I had been unfairly dealt with, and you launched out £1,500 to £2,000 on my place?—I had a great deal of sympathy with your wife and family. When you came out of prison I authorised an advance of some hundreds of pounds to try and enable you to pull through.

472. Exclusive of what you had advanced before, to the amount of nearly £400?—Oh, yes. I may say that, although it was a necessity at the time to have sold Mr. Meikle's implements and stock, I authorised the continuance of the payment of the interest upon his farm, and the rates on his farm, during the interval that he was in prison.

473. You kept my property clear from 1887 until about eight or ten months ago. Is that not so?—I kept it going until it was put up by the mortgagee, and we bought it practically on your behalf while you were in gaol, and I kept it going until the Ward Farmers' Association went into liquidation.

474. You had every faith that I would come out and do what I have done to clear my reputation?—I was of the opinion that you were very energetic, and that in time you would repay me the whole of the money you owed me.

475. And you still think I will repay you if I am spared to do so?—I hope so.

476. *Constable Leece.*] How long after Meikle's incarceration was it that you sold the implements?—I cannot tell you the date; it would be some time after the first crop was taken off I should imagine.

477. That would be the first harvest after incarceration?—I am not certain, but I think so. What I think occurred was that after Meikle, who was the head and backbone of his farm, was removed to gaol the whole position was altered so far as the security of my firm was concerned. I think, in all probability, that it was after the first harvest; and after the accounts were balanced, it was decided to realise on our security, and I think that was done.

478. Did you ever see me before; did I ever interview you?—I have no recollection of having seen you or been interviewed by you before; I may have.

479. Did I ever interview you on this subject?—I have no recollection of ever having been interviewed by you, or being spoken to by you. Personally I have been spoken to by thousands of people, but I cannot recollect all their faces and names and the incidents that occurred.

480. If I say you were never interviewed by me I am correct?—If you say so I shall take your word at once. As I say, I have no recollection of having seen you before.

481. Mr. Meikle said reports were circulated when he was in Wellington about himself. Who circulated these reports; do you know?—I only know, so far as the reports I refer to are concerned, that what I heard was by way of what is familiarly termed "lobby gossip." I heard several members of the Committee making statements distinctly uncomplimentary to Meikle, and generally running him down as "a bad lot." I heard statements to that effect in the lobby.

482. *The Chairman.*] You do not know on what they were founded?—I have not the remotest idea—they were general. The position I took up, so far as Meikle's petition was concerned, was that as a member of Parliament I would not interfere or exercise any influence in any case in which I was interested, even though it was only indirectly. I did not go to the Committee, and I kept out of the whole business, so that nobody could say I had interfered in any way in a matter in which I was indirectly interested at that time.

483. Did you authorise the payment of the rates on the land?—My recollection is that I authorised the payment of the interest on the loan, and also the rates upon his farm.

484. You kept the farm going generally?—Yes.

485. That was after his incarceration?—Yes. The details of it I cannot give you from memory, but we kept his farm going for a time, and then we realised upon our securities. The mortgagee put the farm up to auction, and we bought it in and kept it going until Meikle came out of prison, and then we allowed him to go on it, and advanced him several hundreds of pounds to enable him to try and retrieve the whole position into which the thing had drifted.

486. Did you buy the stock that is there now, after the other lot was sold?—I do not think so, but I cannot tell you for certain.

487. I am referring to 1890?—Briefly, we had a bill of sale over his stock. The bill of sale was realised upon, and whatever was covered by the bill of sale and could be found would have been sold, and the proceeds placed to the credit of Meikle's account.

488. In saying you kept the farm going, did you buy stock also to keep it going?—I cannot tell you that; but my impression is we did not, but I am not sure.

489. *Colonel Pitt.*] If your firm paid the rates, how comes it that there were judgments in the Supreme Court against the land for rates?—I cannot tell you the details; but what I said was, we realised under a bill of sale, and we kept his farm going, and paid the interest and rates. I assume there may have been both interest and rates due then which we may have refused to pay. We would buy the property then without any back rates being due on it.

490. Since you have bought it in, you have paid the rates due on it?—I cannot tell you that from memory. When Meikle came out we advanced him some hundreds of pounds to keep going, and he may have paid the rates out of that.

491. *Mr. Meikle.*] You paid rates on my Sections 20, 21, and 22, but not on the boy's section, No. 23?—I know one section, with which we had nothing to do, was in the name of a minor.

492. That was the section—206 acres. They were summoned for the rates. You did not pay rates on that at all, Mr. Ward, because it belonged to my son, and those were the rates which were sued for?—There was one section, I remember distinctly, that belonged to some of your children, with which we had nothing to do.

493. I will read this statement to you: "Although it was rumoured that Mr. J. G. Ward, of Invercargill, offered her £700 for it." Now, did you ever at any time offer Mrs. Meikle one penny for that land?—I do not think so. Not to my knowledge; and my impression is that I never made such an offer. I do not recollect anything of the kind, and I certainly do not recollect authorising any such offer to be made.

494. You are quite certain you never paid any rates on my property more than during the time I was away?—Well, I cannot give you such details from memory.

495. On what did you pay rates on my property?—On the farm we had security over. I assume we paid the rates.

496. Did you ever pay rates on Section 23, for which summonses are recorded in the Supreme Court and held against the land?—We had nothing whatever to do with that section.

497. *Constable Leece.*] Was it only on the three sections you sold the stock, and only on the sections you had any dealings over?—It would be only the stock that our bill of sale covered, whatever that stock was.

498. There may have been stock on the other farm you knew nothing of?—There may have been.

499. Was the section on which the dwelling-house stood the one which belonged to the boys?—My impression is that that is so.

500. They were not sold?—No.

501. That is where they are living?—That is my impression.

502. *The Chairman.*] Do you know whether the bill of sale applied to all the stock then running on the farm?—I do not know that.

502A. *Mr. Meikle.*] I wish to ask this very important question: When you got the crop lien from me you were well aware you got a crop lien on my boy's section as well as on mine?—I think the crop lien covered the lot; that is not the bill of sale, of course.

503. *Constable Leece.*] But not the stock?—No, that does not refer to the bill of sale at all. The crop lien was quite separate and distinct from the bill of sale.

504. Which section was the crop on?—I cannot tell you that, but the crop lien covered the whole crop on either Meikle's or the children's sections.

505. Would the crop lien cover the stock on the boy's section?—No, it had nothing to do with the stock, the crop lien covered grain only.

506. Then, for all you know, there may have been these two horses and some cows on this other section?—They may have been there, or anything else might have been on the other section.

507. *The Chairman.*] You do not remember the words of the bill of sale; whether it covered undescribed cattle, or only described cattle?—I do not remember.

508. In respect to Mr. Henderson's case; it was said that a suggestion was made that Henderson might get a Government billet if he did a certain thing, and that the offer was put to him through Sergeant Macdonell. Did you in any way authorise any such offer?—No. I noticed also the question and answer in the paper this morning. I may say I had no conversation at any time with Sergeant Macdonell about any position for Mr. Henderson, or for anybody else in connection with that case, or any case, or any person in Invercargill. The suggestion that any such proposal was made by me is a highly improper one, because Sergeant Macdonell has never spoken to me about a billet for Mr. Henderson, nor I to him. In addition to which, I should be very sorry to think I could so far lose my self-respect that I should suggest that a billet should be given to him or any one else in order to give evidence against any man. I never had a conversation with Sergeant Macdonell about a billet for Mr. Henderson, or with anybody else, under such circumstances.

WILLIAM GRAHAM FOX, examined on oath.

509. *The Chairman.*] You were formerly Police Inspector?—Yes; in Invercargill, Southland.

510. *Mr. Meikle.*] I believe in 1889 and 1890 you had occasion to summon my children for rates on Section 23, Block X., Tuturau?—I cannot tell you from memory.

511. Perhaps that summons in the names of James and William Meikle will refresh your memory?—I have no doubt it is correct, because it is signed by Mr. Morgan, the Registrar of the Supreme Court, and it does call to my recollection a judgment I got against this property for rates.

512. You got three judgments?—I do not think so. I would have to refer to my books; but this summons I believe to be true. I am Collector of rates for the Southland County Council.

513. *The Chairman.*] Did the Council at any time forego the rates on that land?—That I cannot say without referring to my books. I have not the slightest recollection whether they did or did not.

514. Where are your books?—In the County Council office.

515. Could you refer to them?—Yes; I will do so. [Mr. Fox left the room and returned subsequently, and continued his evidence as follows:] I find on referring to the rate-books that the 1892–93 rates on this section, amounting to £1 15s. 11d., were part paid on the 23rd August, 1893; 2s. 1d. balance, and 16s. costs, being left unpaid—£1 13s. 10d. having been paid.

516. *Mr. Meikle.*] I want the rates from 1888 to 1892?—I find the rates for 1887–88, 1888–89, 1889–90, and 1890–91 were not paid, and the Council got judgment in each case. The 1892–93 rates were the first paid.

517. *The Chairman.*] Were they paid?—They are not paid yet. There was a judgment on the land in each case. That certificate of the Registrar deals with one or two of them.

518. *Mr. Meikle.*] You say the first summons was in 1889?—I cannot tell that. I know nothing about the dates of the summonses. I only know about the certificate and judgment.

519. Judgment was given?—Yes; on the 27th September, 1888, for £2 3s. 9d., and 15s. costs, on Section 23, Block X.; on the 25th August, 1891, for £3 7s. 8d., and 16s. costs, on Section 23, Block X.; on the 29th August, 1893, for 2s. 1d., and 16s. costs, on Section 23, Block X.; and on the 27th September, 1888, for £4 13s. 6d., and 15s. costs, on Section 22, Block X., Tuturau.

520. In 1889 judgment was given against me, and in 1890, and in 1891: that is all I want to know?—I have, I think, already said so.

521. *Mr. Poynton.*] Can you give the date?—It would be nearly two years from 1887 before judgment would be got for the 1887 rates.

522. These certificates referred to J. and W. Meikle?—I think Section 23, Block X., Tuturau, belonged to the sons.

523. It would be nearly two years before judgment would be given after the rate became due? Yes.

524. Against whom was this judgment entered?—Against the owner or occupier, as the case may be.

525. You do not know whom?—I think it was John W. Meikle.

526. Do you know any section belonging to the sons, John, James, and Robert?—Yes; I think the rates have been paid.

527. By whom?—To the best of my belief, Mr. Ward paid them.

528. *The Chairman.*] Can you tell us whether the rates on the other sections were paid?—I think they were paid.

529. *Constable Leece.*] Were the rates paid on all the sections?—I think so.

530. Was no request at all made to the Council to forego the rates?—I have a slight recollection that Mr. Mabin, who is well known in that district, made some representation somewhere; but it is too far back to remember.

531. Is there no minute or record made of it?—I do not think so. I think Mr. Mabin called and made some verbal representations; and I think he was recommended to send in a petition in accordance with the Act, and I do not think that came. At any rate, the rates would not be foregone except for extreme poverty.

532. Do you consider there was any extreme poverty?—I do not know anything about that.

533. It is only in cases of extreme poverty that the rates are foregone?—That is all.

JAMES DANVERS LEECE was examined on oath.

534. *The Chairman.*] What is your rank in the New Zealand Police Force?—I am a second-class constable, stationed at South Dunedin.

535. You were formerly stationed, where?—At Mataura.

536. Which is near where Mr. Meikle lived?—Yes, about fourteen miles. I wish to say, with regard to the objection to the first part of this report about the stock, I saw them there, and asked Mrs. Meikle if they had been always there. She replied, "They were always there." As regards the objection to the second part of the report, that she paid no rates to the Southland County Council, those were Mrs. Meikle's own words to me, because I had no knowledge of it myself. As regards the third objection to the statement, that "the young man Johnston will not always be kind enough to father such a large family," all I can say is that I did not mean to impute the sordid motives that Mr. Meikle has given to them, or that they should be taken to cast any reflection upon his wife. I meant them to be read with what I had written before, that "I found, on my visit to the farm, that a young man named William Johnston, *alias* Lloyd, although not a desirable character, was ploughing, and had ploughed 30 acres of ground, sown it with oats, and harrowed it, for Mrs. Meikle. He had bought the oats for the ground from a neighbouring farmer named R. Urquhart, and that he intends to work on the farm for the benefit of Mrs. Meikle, as he and Mrs. Meikle states, purely out of good-nature, and receives no pay." Well, in following those remarks up, I meant to state that he would not interest himself always in the welfare of the

family. I did not mean to impute any of the motives Mr. Meikle suggests, or to cast any reflection upon Mrs. Meikle. Such a thing was entirely out of my mind when I wrote that report, and I had not the slightest idea of casting any reflection upon Mrs. Meikle.

537. *The Chairman.*] Hearing, as you have heard from witnesses, the impression which these words convey, what have you to say about it?—I had no intention of casting any reflection, and I am sorry that such an impression has gone forth, that a reflection should be cast upon Mrs. Meikle by them. I had not the slightest intention of doing any such thing. I have got a dictionary there to show the meaning of the word “father” in some respects. I did not intend to give people that idea, if it has been taken that way. I am very sorry that such a thing has taken place. I might have used a better and different word, but I assure you, gentlemen, I did not do anything to cast any reflection upon Mrs. Meikle. Of course, this information was gathered from Mrs. Meikle at the time.

538. You have referred to the three items specially objected to?—Yes.

539. *Mr. Poynton.*] Mrs. Meikle was a respectable woman, and you knew her to be so?—Yes.

540. *Mr. Meikle.*] Why did you state in your report, “In contradiction to the statement of the writer, that everything was sold after her father’s incarceration, I found,” &c.?—I saw the letter then, but I have not seen it lately.

541. But you must have known then, when you wrote in reply—in contradiction to the writer?—I suppose I saw it then, and, in contradiction to the statement that there was nothing on the farm, I saw stock there.

542. How is it you remember other things, and do not remember this thing particularly? How do you remember about the county rates and do not remember this?—I do not know the contents of this letter.

543. Then, if you did not know, why did you write in contradiction to the letter?—I knew at the time, but I do not know now.

544. In this report, why did you not state that Mrs. Meikle told you that she stated the cattle and horses were there when Meikle was there?—I made careful inquiries.

545. Who from?—From the family and Mrs. Meikle.

546. And you swear now that you are telling the truth, when you say that she told you that?—Yes; she told me they had always been there when Meikle was there.

547. When Meikle was there?—Well, that is what I meant: they were always there.

548. Which did she tell you? Did she use those words?—I cannot tell; but that is the meaning I took from the reply I got from her, and it is very likely this one, because I have written it here.

549. *Colonel Pitt.*] Had you any note-book with you?—Yes, I think I had.

550. Where is it?—I do not know whether I have got it yet. I do not think I have.

551. *Mr. Meikle.*] Why did you not state in this report that Mrs. Meikle told you that the County Council forgave her the rates?—From what I said here I made careful inquiries.

552. Who from?—From your wife.

553. You want to make out that Mrs. Meikle was the only one you inquired of as to the destitution of the family? Did you go to any of the neighbours about it?—I do not remember that I did.

554. Will you swear that you did not?—I will not swear now. I am not sure.

555. Now, I wish to draw your attention to another part of this report. You say you asked Mrs. Meikle if she could not convert the cattle into money to buy food, and she stated that she had not tried. How is it you mention that so particularly? Why did you not state the same thing in other parts of your report that you say you asked her about?—It may be the way which I have of reporting the matter. I did not think it was necessary for me to state that I asked Mrs. Meikle on every occasion.

556. You also say she was not well: why say that?—She told me.

557. Yet you do not mention in other parts of the report that she had any county rates to pay?—I cannot say.

558. If the County Collector says the rates were never forgiven, you will be telling the truth, and the County Collector will not?—I may state that Mrs. Meikle said so.

559. If Mrs. Meikle comes here and says she did not tell you that, she will not be telling the truth?—I cannot help that.

560. I suppose you told the truth all along in this case?—Yes; I told the truth, and I challenge any one to bring an accusation against me.

561. Why did you here state that the young man Johnston would not always remain to father such a large family? Was it not to blacken my family, and to blacken Mrs. Meikle and myself?—No; I did not wish to impute any motives of that kind to Mrs. Meikle.

562. Did you not harass Mrs. Meikle all the time I was in prison until you were removed, and was reported for it to Colonel Hume?—I never heard of it until I got notice from this Commission.

563. Then, you think what you said about the young man remaining to father such a large family was a very good way to express yourself?—I never intended to put such a construction on that expression.

564. Who is your authority for stating that Mrs. Meikle danced at a party; I suppose Mrs. Meikle told you that?—Yes, she did. She said she was putting the children through the set dances, and that she sang at the concert.

565. And she denied it; and you said you had it on good authority, and that she was dressed with gold earrings, and that there was a gold ring on my daughter’s finger?—It is in that report, but not in mine.

566. You state it in your report that you had it “on good authority that Mrs. Meikle danced at a party a week ago; and she denied that, stating she only sang and put the children through the movements of the set dances”?—Somebody told me that, and I went to Mrs. Meikle and asked her if such was the case.

567. First you say she did tell you ; and then you say she denied it : Is she going to deny it in the same sentence ?—I say I was told that such was the case, and I asked her if it was the case.

568. She denies it in the report ?—She denied that she was dancing, but she put the children through the set dances and movements.

569. She told you she was at the dance ?—She did not tell me.

570. Do you think it was right to make a misrepresentation like that, knowing I was suffering in prison under an unjust sentence, to try and show my family were a gay lot, and did not feel my position ?—I put it in to show they were all happy and well.

571. On salt and potatoes for a fortnight ?—The children told me, and they all looked healthy.

572. Why did you go to young children, some of them—James aged thirteen, and a little baby only eleven weeks old when I was convicted in this Court ?—There are three sons, aged respectively fifteen, twelve, and nine, and they were able to give evidence as to the food they were getting. They were James, Robert, and William.

573. Then, you have got more than you should have ?— Well, you see, that was what was given to me.

574. No doubt you thought that a very good report to send to Wellington to injure me ?—I did not send it to Wellington.

575. Where to, then ?—No doubt to the Inspector of Police.

576. Are not all the reports sent to the office in Wellington ?—I do not think so.

577. Why fence the matter and not give a decided answer ?—I know any number of reports are left in the Inspector's office, Dunedin, that are of a purely local nature.

578. Was this of local nature, when word came from the head of the department to inquire into the destitution of my family ?—It was of a local nature in 1890.

579. Then, you mean to tell me that Mr. Buckley sent you this ?—Mr. Buckley sent me out to inquire into the matter.

580. Is all of this report you sent quite true ?—I will stand by the report.

581. Did you annoy Mrs. Meikle in any way during the times you went to the house ?—No, I did not.

582. Did you threaten to summon her for selling 5 lb. of mutton ?—I remember something being said about mutton, and I told her if she was selling mutton she was liable to be brought up for it.

583. Now, did you go to Mrs. Meikle and say, " You have been selling mutton ; I will summons you for selling mutton without a license " ?—No, I told her if she did sell mutton she was liable to be fined.

584. With regard to this £700, did Mrs. Meikle tell you Mr. Ward offered £700 for the property ?—No, I do not think she did.

585. Who told you that ?—It was a rumour.

586. Then you based your report on a rumour, and not upon facts ?—Of course I heard it in course of my inquiries in regard to destitution, and I asked the Inspector to see the Hon. Mr. Ward about it and ascertain if the rumour was correct.

587. Then, you are quite convinced in your own mind that you never told any one in the district that you would do everything you could against the Meikle family, and that I was a bad lot myself ?—No.

588. You never told a settler in the district that you would do all you could against me, because I was a bad lot ?—No.

589. And you never went and asked anybody about my family and about the stock ?—So far as my recollection serves me, I did not know of the stock until I went on to the farm and saw them there, and what Mrs. Meikle told me.

590. Did you tell any one on the road between Mataura and my house that you were going down to report on the destitution of my family, and ask what stock was there ?—I do not remember anything of the kind, because on the road between Mataura and your place I would not go near any of the settlers' houses, and I never met any one on the road. It is a lonely road.

591. You never spoke to Robert Urquhart about the matter ?—I do not remember.

592. Did you not go to Mrs. Urquhart's house, and want to get Mrs. Meikle to sign a paper ?—What paper ?

593. A paper to have my children put in the benevolent institution, and Mrs. Meikle to go to the Old Women's Home ?—I never did.

594. Then, if Mrs. Meikle and Mrs. Urquhart say you did, both of these ladies will be telling an untruth ?—I never did to my knowledge. I do not think I would know Mrs. Urquhart if I saw her.

595. Did you not explain the meaning of that paper to Mrs. Meikle, and tell her if she signed it it would be all right ?—I do not remember anything of the kind.

596. After that, when Mrs. Meikle made an application to the Charitable Aid Board, did you not go back to the house and fetch some papers, and, not finding her there, you went to Mrs. Urquhart's to find her ?—I must say I do not remember anything of the kind.

597. And you never went to Mrs. Urquhart's at all to get Mrs. Meikle ?—I cannot call the fact to memory.

598. And you cannot call the fact to memory, although you say the house is off the road, and it is a lonely road ?—It is a lonely road.

599. How often did you go to Mrs. Meikle to see her and she was not in ?—Whenever I had duty to do.

600. How often ?—I do not know. Not oftener than I could help.

601. A good many times after I was in prison ?—If there was anything to do I went there.

602. You were not there very often ?—Not oftener than I could help.

603. You did not put yourself about in any way?—No.

604. You were never told to hunt my family down, by the company?—No.

605. And yet all the time you were in league with Lambert, the principal witness against me in the sheep-stealing case?—No, I was not.

606. Were you not in league with him all the time, and had horses waiting for you at the station when you arrested my late son, Arthur?—No. You have been misinformed. I never did any such thing.

607. Did you not ride a station horse when you mustered the sheep on the 2nd November?—That is a new thing altogether.

608. It is not new, because you knew the horse you rode?—I do not know I ever rode a horse belonging to any one else but the police.

609. Was your own not knocked up and you could not go quick enough?—I may have got the loan of a horse.

610. Will you swear you did not ride a station horse?—I will not swear that. My horse may have been knocked up.

611. Will you swear you did not ride a station horse that day you came to arrest my son and muster the sheep?—It is possible I may have rode the horse.

612. You admit now such is the case?—It is possible; I am not quite sure.

613. With regard to this young man Johnston: In 1882 you were in Mataura, were you not?—Yes, I was in August, 1882.

614. And you state here, in this report, that he is not a desirable character as will be seen by reference to the *New Zealand Police Gazette*, 1882. How is it you made such an associate of this lad in 1884 when you wanted to assist to convict me and prosecute me on behalf of the loan company who wanted my land, because it happened to be in the middle of theirs?—It was not my province to ask a witness as to his character.

615. Then, you allow a witness to go into the box if you want to get a conviction, and keep it from the Justices that he is an undesirable character, while knowing he was recalled in this Court to see if his evidence could be disqualified in any way?—If he was convicted on any previous offence his conviction would be very soon brought up against him.

616. You are aware he was recalled in this Court when you came down, and that on his evidence alone I was committed for trial?—I am not aware.

617. You were here?—Possibly I might. I cannot say whether he was recalled or not.

WILLIAM GRAHAM FOX, examined on oath.

618. *The Chairman.*] You were an Inspector of Police in Invercargill?—Yes, for eight or nine years. Up to 1880 I had twenty-three years' service in the police.

619. Up to when were you in charge in Invercargill?—1880; Invercargill, Queenstown, and Dunedin were my stations. I have filled every grade—mounted, foot, detective, and general service. Of course, political influence will always be used in the appointment of the Commissioner of Police. That, I think, will be admitted. It should stop there. Therefore, a wise selection must be made if you want efficiency—a man who will carry out the rules and regulations, and will not allow any one else to usurp his authority in the constant fulfilment of the rules and regulations. Merit in the service must be rewarded, and breaches of the regulations punished, without fail. As a general rule, with very few exceptions, Inspectors' and sergeants' recommendations and reports should receive the best attention. Just fancy, merit in the service being rewarded by a Liberal Government, or a Conservative Government! Are not the Inspector and Commissioner the best judges of merit, and they ought to be the only judges. I think the recommendations of Justices and Magistrates ought to have great weight, because they have such opportunities of judging of the abilities and conduct of constables and sergeants. Promotions should not be overlooked. I understand and believe that for many years there was scarcely a promotion in the service. And the Inspectors had very little power; in fact, the men could not, and were afraid to do their duty.

620. *Colonel Pitt.*] Who, the Inspectors?—I believe on my oath the men, from the Inspectors to the lowest rank, were afraid to attempt to do their duty.

621. *The Chairman.*] You use the word "were": what period do you refer to?—For several years past—with the exception of Sergeant Macdonell, who was zealous and intrepid in the discharge of his duties, but he was not over-zealous. I should say the men in charge of out-stations ought to have first-class constables' rank and pay. Now, I would ask you to reflect for just a few moments on the position of the sergeant in this town, and, after hearing the evidence that has been given, I would ask you, are not the Government "loafing" on this man in a sense, by paying him a sergeant's pay for doing the duty of an Inspector.

622. You think there should be an Inspector here?—Undoubtedly. I say distinctly there has not been sufficient supervision; that the Force has been perishing for want of supervision. There ought to be an Inspector in this town, because there is not sufficient supervision. I ask you, as men of experience, how can the Inspector supervise this Otago Provincial District alone. Look how the stations are scattered, and the policemen require constant advice and instruction.

623. Do you mean the district is too large for one Inspector?—Otago is far too large. It is utterly impossible to do the work, and Mr. Pardy is far underpaid.

624. Has not the sergeant here the same control over his men as an Inspector or Sub-Inspector would have over his men?—No. The sergeant requires rank, in a place like this, to deal with the people with whom he is brought into contact. He comes into contact with the solicitors, and he requires rank; and the man is well qualified.

625. You are speaking of a particular man, and a particular district?—Yes, I am dealing with what I know most about. He is doing the duty of an Inspector, and the public are giving him a sergeant's pay, and but a second-class sergeant's pay until recently. Now constables, if you will just think, are out eight hours every night, Sunday nights included, through the year. The duty

is most severe, and very few men can stand it. They should have more leave of absence allowed them. It is most killing work for the legs, eight hours on a stretch in this severe climate. These men should have more consideration shown them, and more pay. You require intelligent men, and men of physical ability, and if you do, you should pay for the article.

626. You know the present leave—twelve days in the year?—It is not enough where they are working on Sundays. It is a terribly trying life, with a great amount of worry and annoyance from “cranks.” You know there are men outside of the lunatic asylums and gaols who should be there, and they constantly annoy and harass the police. Look at the worry the sergeant gets here. Why? Simply because he does his duty. There is another point I would like to submit for your consideration: a constable is continually making enemies if he is active and zealous, and immediately he commences to be active there is an immediate movement to get him out of that, and hunt him off. Now, here was Sergeant Macdonell transferred to Queenstown, and he was no sooner there than he had to break up his home, and come back here again. Has he ever been compensated for that? The sergeant did his duty, and he was punished by having his home broken up twice, and to satisfy the demands of whom?

627. You are not giving an opinion on the general management of the Force, but on the sergeant here?—I think you can apply these remarks right through the service. They will have a general application. How is it that New Zealand, of all the British Empire, is the only place where superannuation is not provided by law.

628. *Mr. Poynton.*] You think there should be superannuation?—Most decidedly. It is a disgrace to the colony. Do you think that I would have left the West Riding if I had thought I would get no superannuation allowance when I came here?

629. *Colonel Pitt.*] At what age do you think men should retire?—Sixty-five at the very latest, for officers and men. There is one matter I would like to draw attention to: that is the murder of a man named Bell, at Lora Gorge, in 1892. Now, the action of the police in that matter seemed to me very discreditable. It seemed to me that was a case of murder where it was the easiest matter possible to bring home the crime to the offender, had policeman-like action been taken—united action. One man might find little difficulty in doing it. As to political influence, I would like to mention, if I may be allowed, that it does sometimes happen that political influence is used on behalf of an officer or constable without that officer's knowledge at all. It has often happened. The Force seemed so sickly that I spoke to the last member returned (*Mr. Gilfedder*), and asked him not to interfere with the discipline of the service, and he promised not to do so. Religious influences, too, I know have been used to interfere with the service.

630. *Colonel Pitt.*] What is your opinion as to a central depot for the instruction of recruits?—I do not think a depot is complete without an instructor who has had police experience, to instruct the recruits in police duties and ‘coroners’ work, and in dealing with licensed victuallers. The instructor should give his instruction to the men verbally, and they should write it down as a guide for themselves in particular cases, as to how they should execute search-warrants, and how to approach a public-house if they wanted to inspect the hotel, and how to carry out their police duties in all matters.

631. What I mean is, do you think a central depot would be sufficient for the whole colony?—I think a central depot would, but the selection should not be narrowed to any section or class. The selection should be large, and the more applicants you get the better men you will get. In connection with the Permanent Artillery there is one matter I should like to mention, to show you the false position these men are placed in, in sending these men in soldiers' uniform to do police duty. Now, I will give you an illustration of what is likely to happen, and the danger of that position. Suppose a captain at the Bluff telegraphs to the police-station here that two sailors from his ship have run away, and asks that they should be sent back to the ship. That is quite within the captain's power. One of these artillerymen goes to the railway-station and says to the sailors, “The captain wants you back.” The sailor will ask him in strong language who he is, and will probably upset him on the pavement. When he is charged before the Magistrate what will he say? “I never saw a policeman dressed in this style, and I took him for a soldier and not for a policeman.” What would a jury say? They would say that some one ought to buy a suit of policemen's clothes for the soldier.

632. *Colonel Hume.*] You said, *Mr. Fox*, this Lora Gorge murder was a disgrace to the Force; I think you ought to give some further explanation?—The result of the case was an acquittal, inasmuch as there was no bill of indictment presented against the person accused.

633. *The Chairman.*] You say that proper united action on the part of the police was not taken?—Well, I will endeavour to enlighten you, as I understand it. I may tell you, Winton Station is eighteen miles from here, and is in telegraphic communication, and I believe in telephonic communication, with here. The Lora Gorge is north-east from Winton some ten miles, and a man named Bell was riding home to his own house one evening when he was shot dead at his gate, and the gun with which he was alleged to have been shot was found beside the murdered man. He was not quite dead at the time of discovery, but died shortly afterwards. The man made some statement to his wife and daughter actually pointing to the criminal; yet in the face of these facts, and certain other facts which I cannot detail at the moment, the man was not prosecuted. Now, I understand that this station (*Invercargill*) and Winton were not attached at that time; and when the murder was discovered, Winton Station was in communication with Dunedin, some hundred odd miles from here. Some years before that murder was committed there was stationed at Winton a constable named Tuohy, afterwards a sergeant, and then a detective—one of the smartest men in my time in the New Zealand Force. Had that man been immediately sent to the spot (he knew every man in the locality, and probably knew the gun with which the murder was committed) the prosecution (there was no trial) would probably have ended in a different way. Why was that not done? The police walk about, and so does the murderer. There was not proper steps taken, nor

proper action taken, to discover the murder. The matter was done in a slipshod way that would be a disgrace to any public service.

634. Where was Tuohy stationed?—At Winton.

635. How far from the scene of the murder?—He was transferred from Winton Station some years before the murder, but he knew everybody in the district.

636. You think he should have been sent there?—Yes; he had the great advantage of local knowledge, and that is why a policeman should not be moved too much, because his local knowledge is of great value.

637. *Colonel Hume.*] Is that your idea, because one particular man was not sent?—No, that is only one idea.

638. Do you know who was sent?—Not at all; but Tuohy was not sent.

639. Do you know who was?—No.

640. Where is the want of communication?—The matter should have been communicated to Invercargill first, to the sergeant here, and he should have immediately proceeded to the spot to take prompt action and to take statements separately, so that each person should not know what his neighbour was saying. These statements should have been taken down in writing and signed.

641. In a case of that sort you would put the sergeant over the Inspector in Dunedin?—What good could the Inspector in Dunedin do. When a murder occurs it is not a question of Inspector and sergeant, but a question of detecting the murderer. The Inspector is only a constable, and the sergeant is only a constable.

642. Are you in a position to say these written statements were not taken?—So far as my information goes they were not taken; and, I firmly believe, if they had been taken a different result would have been arrived at.

643. Any way, the police did bring a suspect to justice over it?—Yes, and a nice mess they made of it.

644. I suppose the Metropolitan Police of London is a good Force?—Yes.

645. Did they ever discover who committed the "Jack the Ripper" murders?—These are not on all-fours. It is ridiculous to compare the two cases.

646. Any way, you do not know what action the police did take?—Not what you might call "officially."

647. *Mr. Poynton.*] Do you know who was the constable at Winton when the Lora Gorge murder was committed?—Constable Rasmussen.

648. You do not reflect upon him?—No.

649. Is he a good man?—A very good man.

650. *Mr. Tunbridge.*] You think it absolutely impossible to have an efficient Police Force without a pension system?—That would steady the men, and take away a lot of frivolous nonsense. There are lots of young men who would look forward to a pension; and I may tell you there would be men amongst these pensioners who would be of the greatest assistance to the general Force. They would be reliable men.

651. You are also under the impression, I believe, that there is a want of proper supervision?—There is no proper supervision in this district, and I do not think that can be denied. I speak with no feeling in the matter other than the good of the service.

652. You think the constables are left too much to themselves in the remote part of the district?—They have no one to consult. These men require an Inspector stationed here, who would advise and instruct them, and be with them a good deal. There is constant supervision wanted if you want efficiency. If you have not constant supervision over the detectives you will find some very queer men get into the general Force and into the detective police, and it is the duty of the sergeants and Inspectors to get rid of these men. They gain admission somehow, and the Inspectors and sergeants must watch them. Suppose an inferior stamp of man is a detective here. If you do not supervise that man and keep him to his work what will he do? He will seek out an enemy of the sergeant's, and will thwart the sergeant in every possible way. If you have political influence coming in on top of that, you will have a service that will be a disgrace to any British community.

653. Do you think the Force as it stands at the present time is strong enough in numbers?—Yes, if you have the material.

654. Your experience in Dunedin was a long time ago?—Yes; in 1863. I got an appointment while in the West Riding to come out here.

655. *The Chairman.*] What position did you hold there?—I was a first-class sergeant before I was nineteen, and had an offer of an inspectorship from Colonel Cobbe.

656. At what age do they admit to that service?—Well, that I cannot tell.

657. You passed through the several grades and reached the rank of first-class sergeant before you were nineteen?—Yes; I joined in June or July, 1857. It was at the end of 1858 or the beginning of 1859 that I was appointed first-class sergeant.

658. *Mr. Tunbridge.*] What was your rank in Dunedin?—I was a quartermaster-sergeant.

659. Were you in charge there?—No, I relieved Inspector Percy at Queenstown.

660. Did you find the men in Dunedin at that time sufficient for all purposes?—Yes.

661. Can you tell us the number of men you had?—No.

662. It was very much reduced?—I think so.

663. What is your opinion about the outside offices held by constables?—Well, constables have a lot of duties to perform; and sometimes, to the best of my belief, there used to be a disagreement about performing the work which took the place of police work. At any rate they were made the most of.

664. Do you think these offices interfere with the police work?—I have not the slightest doubt they do, but still I do not see how you can get away from them.

665. Do you think it would be a good plan to remove that cause of irritation by putting the whole of these outside emoluments into a fund for the benefit of the men as a whole?—I think it a capital idea if a superannuation fund was established, even if the men paid 2½ per cent. out of their own pay, as we did at Home. That could be supplemented by the emoluments from these offices, as you suggest, and the Government should contribute towards it. I think it a capital idea.

666. That would remove a good many causes of discontent?—Certainly it would tend to bring about a steady discipline and good service to the public. They would get good value for their money.

667. You mean the fact of taking away these outside offices and salaries from the individual, and putting them to a fund for the benefit of the whole men?—I think it a capital idea.

668. *Sergeant Macdonell.*] I was taken by surprise to hear your remarks in reference to myself, and I wish to ask if I had anything to do with your coming here?—Not at all. You would not descend to such a thing.

669. *Colonel Pitt.*] As to the standard height: what should be the minimum?—I should say not lower than 5 ft. 9 in.

670. *Mr. Tunbridge.*] What do you think should be the maximum when a man should be admitted to the Force?—You can get good men at all ages.

671. Would you extend the age up to forty?—That was the standard in England; a man was eligible up to forty. Some men are as good at twenty-one as others are at twenty-eight.

672. From your experience of men, does it tend to show that men who are taken on late in life, and who have tried other occupations, are likely to develop into good policemen so readily as a man who in starting life makes the police his profession?—I do not think so. I have found good men from the army and navy; but we should make it a point to have young men, and to have the training of them ourselves, and we could then knock frivolous notions out of their heads, and settle them down to steady duty. Treat them with strict justice; if you do not, the constable will not think of his duty, he will think of something else. Useless men do not get into much trouble. If there is injustice in the service, or religious or political influences at work, you will turn their attention from duty, and inefficiency will be the result.

673. *Colonel Pitt.*] Supposing a charge is made against a constable, and it is inquired into and decided against him, and an entry made in his defaulter's sheet: ought he to know that?—Certainly. There should be no reprimand or admonishment without his knowing it. It is un-British.

674. What is your opinion as to the police having the franchise?—I cannot for the life of me see why you should allow the franchise to a man coming out of gaol, after serving six or nine months, and not allow it to a constable.

675. *The Chairman.*] Do you think the fact of allowing him the franchise places him at a disadvantage as regards political influence?—I do not think so.

EWEN MACDONELL, further examined on oath.

676. *The Chairman.*] Will you tell us what you know of Constable Mayne?—I think he was here under me for the best part of a year.

677. Is this the only place where you knew him?—Yes, where I came in contact with him.

678. He was here for about a year?—Speaking from memory I think so.

679. Was he in plain clothes here?—No, in uniform.

680. When was he here?—In 1890. I had no fault to find with the man's conduct. He was continually complaining of being ill. Ever since I have known him he has continually complained of being ill; and he took medicine, and that sort of thing.

681. Had you known him prior to this?—No, except by repute; I did not know him personally.

682. While he was here he was continually complaining about being ill, but you had no fault to find with his conduct?—That is so, but we used to be amused at his illness. A number of the men thought it was imagination, but whether it was or not I cannot say. There was nothing seriously wrong with him that we could see. He went from here to Waikaia, some sixty miles from here. I have seen him at different times while he was there.

683. Is that in your district?—No, but he used to come to the Supreme Court here.

684. What did you see of him?—Just in the usual way.

685. How long was he under your observation?—For about three years, I should say, at Waikaia, but I just saw him occasionally. That is all I can say about the man; I could not find fault with his conduct.

686. *Colonel Pitt.*] How did he do his duty?—I must say he appeared slow in doing his duty. I put it down to his supposed illness.

687. *The Chairman.*] What did you know of his illness? Well, I was inclined to think with the others that he imagined it. I do not think there was much wrong with him, but at the same time he was of opinion there was. I do not think he was malingering. I would like to add that from what I saw of him and his conduct I would say he was a very respectable man.

688. On account of his condition of health was he fit to do his duty well here?—He did it pretty well.

689. Did you find it necessary to report him at all invalided?—No, because he was never much invalided.

690. You never felt it necessary to report he was unfit for duty?—No, I did not, but I mentioned it to the different Inspectors that he was complaining.

691. *Colonel Pitt.*] Did he consult a doctor at all?—I understand he did.

BALCLUTHA.

FRIDAY, 1ST APRIL, 1898.

ALEXANDER SCOTT MALCOLM, examined on oath.

1. *The Chairman.*] What is your name?—Alexander Scott Malcolm.
2. Where do you reside?—Kelso.
3. *Mr. Taylor.*] Are you a schoolmaster?—Yes.
4. In a public school?—Yes.
5. How long have you been in the Clutha?—Nine years next May.
6. You were living in Kelso when licenses were abolished?—Yes.
7. Who was the police constable in that district at the time?—Constable Parker.
8. Did he remain there long after licenses were abolished?—Some little time. I could not answer the question exactly. From memory I should say he was there six months or more.
9. Do you think that the laws in relation to the sale of liquor were enforced while he was there?—I am confident they were not.
10. Did you complain to any one?—Frequent complaints were sent in from myself—not to Constable Parker, however.
11. To whom did you complain?—To Colonel Hume.
12. *The Chairman.*] By yourself?—By myself, as secretary of the Clutha Prohibition League.
13. *Mr. Taylor.*] And to any other person?—To Inspector Pardy.
14. Did you complain more than once to either of them?—I could not say the number of times, but during the whole course of prohibition frequent complaints have been sent in.
15. *The Chairman.*] Within what period?—Three years and nine months. They were not always sent directly. For instance, on some occasions deputations from the Otago Council have forwarded our complaints.
16. *Mr. Taylor.*] What has been the character of the complaints?—To call attention to the fact that sly-grog selling was going on, and, at first, was not being stopped in any way, and since then that it has not been stamped out. I have a copy of the first resolution that I forwarded as secretary of the League in February, 1895. I would like to say that informal complaints had been made to the police about sly-grog selling going on; and on one occasion the police had publicly asserted that we were doing harm by making our complaints so public, and that the police would have a far better opportunity of coping with these illegalities if the Prohibitionists would keep silent.
17. *The Chairman.*] Who said that?—I think Inspector Pardy was one of the gentlemen who mentioned that.
18. To you?—No. It appeared in the *Otago Daily Times*. I remember reading it there. I am not altogether sure that it was in the *Times*, but at any rate I believe it came from Inspector Pardy. And in consequence of that, this resolution was passed in February, 1895: "That in order to give the police a free hand, the Prohibitionists will keep quiet until the 12th April, on which date, if convictions had not been obtained, the League would institute a local and colonial agitation for police reform at the Otago Convention to be held in Dunedin at Easter." That resolution was forwarded by me to Colonel Hume and Inspector Pardy. It was very courteously acknowledged by Inspector Pardy. From Colonel Hume it received no acknowledgment whatever. In connection with that, I would like to say that before Easter arrived several convictions throughout the Clutha had been obtained.
19. *Mr. Taylor.*] But matters became pretty bad again, in your judgment, did they not?—Yes. I do not know that matters have been so bad since, but certainly they became bad, comparatively speaking.
20. Did you make complaints to the authorities?—Complaints were forwarded. I do not remember any complaints so distinctly as I remember the last, but I remember that complaints were forwarded frequently, indirectly or directly.
21. What was the general complaint—that the attempts to enforce the law were too spasmodic?—That was one of them. I felt that. For instance—I am open to correction in this matter—in the three years and nine months that have passed since the "No license" vote was carried in the Tapanui district there have been only four series of prosecutions—that is, at the rate of a series for ten months. I say a series, for this reason: that several of the offenders against the law would be brought up at the same time. I think those convictions were in February, 1895, November, 1895, August, 1896, and November, 1897. I know that the Prohibitionists have largely felt that, owing to the spasmodic action of the police in having convictions prosecuted at such large intervals, it has been equivalent to an encouragement to the sly-grog sellers to continue their illicit practices.
22. Are the houses at which sly-grog selling is practised well known to the police?—I admired the precision with which Inspector Pardy could lay his fingers, not only on the districts in which grog is sold, but apparently on the very houses, as shown in his evidence before the Commission in Dunedin. I would like to say that, seeing this is so, there is no reason whatever why the sly-grog selling should not be stamped out altogether. As was shown in Inspector Pardy's evidence, the police know that the offenders are few in number, and they know where they are to be found. Not only so, but the offence cannot be committed in private—that is to say, there must be a sale, and, therefore, somebody must be cognisant of the breach of the law. And not only so, but the offence must be frequently committed to make it pay. There are offences, of course, which the police have great difficulty in dealing with, because a man might commit one once and it pays him sufficiently. With the sly-grog seller, to make it pay he must commit the offence repeatedly.

23. Do you feel that the authorities have been sympathetic with the breaches of the law?—I would not like to say that. When you speak of the authorities, I know that at one time it was felt that the police were not doing anything like what they might. In fact, it was felt that they were letting matters slide.

24. *The Chairman.*] What period do you refer to?—Before Constable Mathieson came to Tapanui.

25. When was that?—It was some time in 1895.

26. *Mr. Taylor.*] Did Constable Parker get any convictions while he was there?—He got no convictions.

27. Was he there during the time that sly-grog selling was most rife?—At the time when it was as rife as it has been. Talking of the police being in sympathy with the liquor-sellers, I could not say it positively, but we have felt in regard to the police generally that they have not been as anxious to enforce the law as they should have been. In respect to liquor-laws, we recognise Inspector Pardy as perhaps the best Inspector in New Zealand; but even in regard to that officer we feel that he is very conscious of the amount of power and influence that the liquor trade exercises. I think that might have been evident to the members of the Commission at Dunedin.

28. What makes you think he is fearful of the liquor traffic?—His evident fright in addressing the Commission after he had given his first evidence. Of course, I cannot say it was fright—fear of the liquor party—but I wish to point out that a Police Inspector can feel fear, and Inspector Pardy is evidently susceptible to fear.

29. Did Inspector Pardy return to the Commission to give an explanation of his evidence?—Yes.

30. He was fearful of the consequences of what he had said?—As far as the report in the paper went his fear was evident.

31. *The Chairman.*] From the way that he explained his evidence on the second day, you think it showed he was susceptible to fear?—Yes.

32. *Mr. Taylor.*] Is sly-grog selling still carried on? Do you agree with Inspector Pardy that it is still carried on in the Tapanui district?—I do. It appears to me that perhaps the worst accusation that can be brought against the police is the fact that, by their own admission, there is sly-grog selling, and that it has not been stamped out.

33. *The Chairman.*] You have reason to think it is still carried on?—I am confident that it is.

34. Is it your opinion, or is it fact?—I have never seen the sale, but as far as a person can be reasonably confident of anything I am confident of it.

35. *Mr. Taylor.*] Have you seen persons frequenting the houses publicly known to be sly-grog houses?—I have seen persons in and about them. At the same time, let me say that, although we complain that the sly-grog selling has not been stopped, it has been enormously diminished by the operation of the "No license" law.

36. You think it should be stamped out?—I think it could be entirely stamped out.

37. If the police were vigilant?—If the police did their duty.

38. Do you see as many evidences of the sale of liquor in the Tapanui district as was the case formerly?—Before "No license"?

39. Yes?—Nothing like it.

40. Have you a copy of your communication to the Commissioner of Police?—Yes. It is as follows:—

Kelso, 23rd February, 1895.

SIR,—
At a meeting of the Clutha Temperance Convention, representing the whole electorate, held at Clinton this morning, I was instructed to inform you that, at the request of the police, the Convention had, in order to give the department every opportunity of getting convictions against sly-grog sellers, decided to take no action till the 12th April next, but that if no convictions are obtained by that date, a local and colonial crusade against the inaction of the police will be instituted at the Otago Convention to be held in Dunedin during Easter—that is to say, the Prohibitionists will fight as persistently and vigorously for police reform, and all that in their opinion is necessary to secure that, as they have in recent years fought for prohibitory legislation and "no license" votes.

The Commissioner of Police.

This was from myself, as the secretary of the Clutha Prohibition League.

41. Are you sure that convictions followed before the date fixed?—I am sure they took place in February or March. They would probably take place in March. They took place within a few weeks of the letter.

42. You ascribe the convictions to the pressure brought on the department?—I am not able to do that. I did not know what was going on behind the scenes.

43. *The Chairman.*] You think that what took place in the different centres was the result of that resolution?—I will leave it to the judgment of the Commissioners.

44. You said that proceedings were taken shortly after the sending of the letter?—Just so.

45. *Mr. Taylor.*] Was Dunnnett one of the persons convicted under the batch of prosecutions?—If I remember rightly, he was.

46. And Collins, and Simmonds, and McCann?—Yes.

47. The date of the convictions was the 8th March, 1895?—Yes; and I think there were six convictions.

48. There were six or seven charges and four convictions?—I think there were six charges at any rate.

49. I am quoting from Mr. Hawkins's report?—I would take it from other matter.

50. Do you think the report is inaccurate?—To say the least of it, inaccuracies have been found in some of his reports. I might mention, to save the time of the Commissioners, that through Mr. Thomson, the member for Clutha, complaints were forwarded to the Minister of Justice, the Hon. Mr. Thompson, within the last twelve months. Mr. Thomson, the member for Clutha, wrote that he had seen the Minister, who said that as the law now stood it was difficult to enforce it; and in answer to that I wrote that, as the Minister was one of those responsible for the making of the law, that appeared to be no defence whatever.

51. Do you think that the repressive measures adopted by the Clutha people in regard to the sale of liquor have led to an open defiance of the law, or is the defiance carried on with great caution?—The defiance is very veiled. There is no open defiance whatever.

52. Do you think they take extraordinary precautions to prevent detection?—Very great precautions.

53. If the Magistrate says that "the repressive measures and the penal enforcement of them have led to an open defiance of the law," would you say that is correct?—I should say No; certainly not. As a matter of fact, in the town in which I live, you may say there is no outward appearance of the sale of drink whatever. The bar is seldom or never open. At one of the hotels it is a very, very, rare thing to see any one lounging about.

54. *The Chairman.*] Are they hotels?—They are nominally temperance hotels. At the other hotel you sometimes see a small number of people about; but I have never seen any of them the worse for drink since "No license" was carried. As it is opposite the railway-station, it is only natural that people should be there.

55. Do you say you have seen no one the worse for drink?—I have seen five persons the worse for drink in the last three years and nine months.

56. How does that compare with the previous period?—Well, unless one had kept a very strict account it would be impossible to say. Before "No license" was carried drunken men were frequently seen. One afternoon in particular, I remember, when the shearers had got their pay, the street was simply a line of drunken men. That was in broad daylight, at 4 o'clock in the afternoon. At Heriot, where license has been renewed, I have only driven through it three times since the license was restored, and I have seen five men there the worse for liquor.

57. *Mr. Taylor.*] Since Constable Parker has been removed from the district has there been a more effective enforcement of the law?—Much more effective; but I am still of the opinion that it has not been effective enough. The police are too spasmodic in their efforts. They bring a series of prosecutions, and then, as it were, draw a big breath and say "That matter is done with," and six or ten months pass before fresh convictions are obtained. That encourages the breakers of the law, I hold, to continue in their illegal acts.

58. Do you attribute the present state of things to Constable Parker's action?—Not so much as to the action of the officer who has succeeded him, who is, in my opinion, a zealous, painstaking officer, though we think he might have done more still.

59. *Colonel Hume.*] Will you give us one single instance in which Constable Parker, while at Tapanui, neglected his duty as regards sly-grog selling?—I can hardly give a single one; but they were numerous.

60. Then, if they were numerous, you can give us one?—This is one: the sly-grog selling was going on the whole time, and Constable Parker did not in any case even institute a prosecution. I hold that when the law is being broken, and to the knowledge of the constable it is being broken, and he does not institute a prosecution, he is most certainly guilty of neglect of duty.

61. How do you know it was being broken?—In the same way as one knows a lot of things.

62. I can quite understand that; but you cannot get us any nearer, can you?—I can say that I have seen five drunken men during that time. That is one way.

63. Where were they?—In the Kelso district. And, although this is no direct proof, I may say that I have seen men going into the hotels who could not very well have been going in on any other business than to obtain drink. I am referring to Constable Parker's time now.

64. Would they not have been going in for anything else but drink?—One can imagine many things.

65. But what grounds have you for saying that they could not very well have been going in for anything else but drink?—My reason for thinking that they were going in to get drink was that more men were going in than were likely to go in for other business. After the first conviction had been obtained my reason for thinking it was, that I knew sly-grog selling had been going on there; and my other reason for thinking it was that it was a matter of common rumour.

66. Some of these temperance hotels have wholesale licenses, have they not?—No. When Mr. Hawkins unfortunately granted the wholesale licenses he made it a condition that they should not attach to any of the temperance hotels.

67. *Mr. Taylor.*] To any of the former hotels?—That is so.

68. *Colonel Hume.*] Are there such things as wholesale licenses in the Clutha district?—There is a single license of the kind, unfortunately, I understand.

69. Then, a man can go and buy wholesale at these wholesale licensed houses?—I suppose he can. Personally, I do not know.

70. You have seen five men drunk in the district?—Yes.

71. Had they bought the drink wholesale?—I should not suppose it likely, for the reason that the five men I saw were in Kelso, and the license now exists in Tapanui, four miles distant. It is a possibility, but that is all.

72. Constable Parker was removed from Tapanui, was he not?—He was.

73. And do you know what steps he took to trace sly-grog selling while he was there?—I do not know, but to all intents and appearances it was going on, and was not stopped, and no prosecutions were instituted.

74. Is it not the fact that your League made up their mind that he was doing nothing?—It is so long ago I would not like to answer that on oath, but it is possible that was our opinion.

75. Do you know what steps the department then took to get these spasmodic efforts—as you have termed them—stopped?—I know that Constable Broberg came into the district and obtained a series of convictions.

76. Do you know of anything else?—Since then?

77. Before?—Some attempts had been made and had failed, because, as the Inspector said, the affair leaked out through his own men, and nothing came of it.

78. How long have you been secretary of the League?—From the latter part of 1893.

79. Can you recall to memory a single case which, in the opinion of the League, has been properly managed by the police for detecting sly-grog selling?—I do not think it is a proper question to ask me. I could tell you where cases were improperly managed, but I cannot say where they were properly managed.

80. Do you know of a case that has been properly done?—My knowledge is not sufficient to enable me to answer that.

81. Well, can you tell us of a case that has been improperly done?—I said that common rumour had it that men were sent round; but evidently the cases were improperly handled, and they failed.

82. What do you mean by “improperly handled”?—That they failed.

83. You say that these spasmodic attempts encouraged the sly-grog sellers?—Yes, it encouraged them to continue, for the reason I will give to you. Of course, these people carry on the sly-grog selling for what they can make out of it, and if the prosecutions are conducted in such a way that they have a considerable time to recover themselves, and they thereby make more out of it than they lose, they are to that extent encouraged to continue their illicit traffic; whereas if convictions followed each other at the rate of one a month they would find that the game would not pay, and they would stop it.

84. But, on the other hand, have you not said that it is stopping?—It is very much less than it was.

85. What do you attribute that to—not to the police?—Yes, partly to the police; and I repeat that in Constable Mathieson we have a zealous and fairly capable officer, and in Inspector Pardy we have a gentleman who is probably the best Inspector in New Zealand. They have done some work. What I say is that they have not done as much as they might have done. It is also due to this: that there are a number of people in the Clutha district who are too respectable to go in and obtain drink at a sly-grog house even if they were able to.

86. I suppose these very conscientious people were there when Constable Parker was in the district?—Undoubtedly.

87. They seem to have gone in and got drink?—No. But since prosecutions have been instituted, drinking in the sly-grog shop is even more discreditable than it used to be. For instance, a gentleman who was had up in connection with a recent prosecution said that they would never catch him in a sly-grog shop again. The more public these matters are made, the less people with any sense of respectability will go into these places.

88. In your opinion, then, the department did what they should have done in removing Constable Parker, and they appear to have acted judiciously in selecting his successor?—I am quite of that opinion. I would like to say, though, that, in respect to Constable Mathieson, we feel, at any rate, that his services should have been more prominently recognised; and the Good Templars' Lodge at Tapanui sent a request—which I am not going to defend—that Constable Mathieson should be promoted on account of his success in coping with the illicit traffic.

89. *The Chairman.*] Is that political influence, or outside influence?—We had no influence at all; but, as I say, I am not going to defend it. It was simply a request that Constable Mathieson should be promoted on account of his activity; and the reply was that Constable Mathieson had only done his duty. The lodge were in the habit of thinking that that was the very thing that constables were promoted for.

90. There has been a good deal said lately about outside influence advancing men in the police service. You are of opinion that that ought to be so?—Most distinctly not.

91. Is it not the fact that certain gentlemen belonging to the Prohibitionist party were extremely anxious that Constable Mathieson should be sent to Tapanui?—I know a gentleman who was anxious that Constable Mathieson should be sent to Tapanui, but he did not belong to the House of Representatives.

92. If it were so, and he were sent there, and shortly afterwards was promoted, would not that be an instance of outside influence being used in the case of a particular individual?—I would like to say—

93. Will you say Yes or No?—I cannot say Yes or No. I would like to say that the zeal and ability he had shown was sufficient recommendation for his promotion.

94. But, on the other hand, might not some one else have been sent to the same district and shown the same amount of ability?—Yes; then, promote him.

95. But you cannot send the two to the same place?—No, I suppose not.

96. You say that things are now improving?—Yes.

97. How far back can you trace the improvement?—Undoubtedly there has been an improvement on what there used to be under license, ever since “No license” was introduced, and, on the whole, the improvement is a continuous one.

98. That is as regards the district, but I refer to the police supervision. When was that bettered?—After Constable Mathieson's appointment, as far as we could see.

99. That is some time ago?—Nearly three years ago.

100. *Inspector Pardy.*] You speak about sly-grog selling being stamped out. Can you tell me of a single offence on the statute-book that has ever been stamped out?—I shall decline to answer Yes or No to any question like that.

101. You are aware of the crime of murder?—Yes.

102. Has that been stamped out?—No.

103. Has theft?—No; but I can tell you one that ought to be, and that is sly-grog selling, inasmuch as it is known who the offenders are, that they are few in number, that they cannot commit the offence in private, and they must commit it regularly to make it pay.

104. Yes, and so ought all crimes. As to the spasmodic efforts of the police, are you aware that during the intervals between convictions I had men employed who were doing their best to

detect sly-grog selling and to follow it up?—I have come to know of some cases in which you had men in the district, but how frequently they visited it I do not know.

105. It was done secretly, of course. Kelso and Heriot are not the only places in the district where sly-grog has been sold?—I cannot venture to speak of other places.

106. Are you aware that the first prosecutions at Tapanui were promptly followed up by prosecutions at Balclutha?—From memory, I should say yes.

107. *The Chairman.*] The series you mentioned, Mr. Malcolm, in 1895–96–97, were they in Kelso?—They referred to Tapanui and Kelso, and sometimes to Heriot.

108. *Inspector Pardy.*] Do you remember that there were prosecutions at Balclutha, Catlin's, Owaka, and Dunedin?—I am interested only in those of my district.

109. I wish to show the Commissioners what a herculean task the police had to perform. Are you aware that the police followed up as quick as lightning Balclutha, Catlin's, Owaka, Edendale, Fortrose—all a long distance apart?—Edendale is not in the Clutha.

110. But are you aware that the police followed up prosecutions at these places, and at Gore, Stewart Island, and Preservation Inlet?—I am roughly aware of that.

111. Are you aware of prosecutions in Edendale?—That is not in the Clutha district, but I believe I have noticed it in the papers.

112. Fortrose?—I believe I have noticed about them.

113. Invercargill, and Gore?—Yes, I believe there were cases there.

114. *The Chairman.*] We will take it from you that you do not know what has taken place in other districts in regard to prosecutions?—Except through the casual reading of the *Times*.

115. *Inspector Pardy.*] Do you know of any other prosecutions in the Clutha district?—I know of prosecutions taking place in connection with Balclutha and in the Catlin's River district.

116. Again and again?—Repeatedly.

117. Quite recently?—Up to within a few months ago.

118. The police were working, then, in one part of the district or another?—I know the police have been working in other parts of the Clutha—I will not say continually. I suppose the very opposite.

119. Can you say that in my official capacity I have not done all I could to stamp out the sly-grog selling?—I think you have done a great deal, but that you have not done all you could have done.

120. Why do you think that?—Sly-grog selling has been going on. You have known it has been going on in a few places. It has been going on in public—that is to say, it has been sold to somebody—and yet in our district you have had only five convictions in three years and nine months.

121. Is that not the fault of the constable in the district?—I cannot distribute the blame.

122. Have you complained to me about the policeman Mathieson, for instance?—No.

123. Do you not know that I must be guided by the constables in the locality?—That is a matter for the department. I am not aware of its rules.

124. But, using common-sense, must I not be guided by the men in the district as to what is going on?—I should say, No.

125. Why not?—If you have frequent complaints of sly-grog selling going on in a place, and if you are informed by your constable that it is not, I consider it would be the duty of the Inspector to satisfy himself.

126. Are you aware that every time a complaint was made by you, or by any other member of the Prohibitionists, I have at once acted on it?—I was not aware of that.

127. Is it not a duty that must be performed with the greatest secrecy?—Yes.

128. Then, must I not carry it in my own mind, and not talk about it?—Yes, certainly.

129. Do you not see, then, that you are doing me an injustice in what you say?—We only say that sly-grog selling has been going on, and that five convictions have been obtained in three years and nine months; and we let the facts speak for themselves.

130. Have you ever given me information to act on?—It is not my duty.

131. I am asking if you did?—Once, at any rate, I did.

132. What was it?—I have no recollection of it. Shall I pass you a note of it?

133. Tell me what it was?—In the interests of justice, I think, it is best that I should not say it.

134. *Mr. Taylor.*] Is it a private conversation that you are reluctant to disclose?—No, I would not say that. Well, I will say that I have not given any public information.

135. *Inspector Pardy.*] There is a wholesale license and a publican's license in the district, are there not?—Yes.

136. It was never a prohibition district?—Never.

137. Do not young men and old men club together and buy beer, and make a noise over it?—That was common report in Tapanui.

138. And there was a wholesale license in Heriot, held by Collins, in the hotel that was shut up?—Yes.

139. And there is nothing to prevent any quantity of liquor being taken into the Clutha district?—Nothing.

140. Before the police can institute an inquiry they must have evidence?—Yes.

141. Can you say I have not done my utmost to get that evidence?—I should judge not.

142. Why so?—I will go back to the fact that only four series of convictions have been obtained in three years and nine months.

143. Are you aware that treble that number have been obtained in the district?—I am talking of Tapanui, and Kelso, and Heriot.

144. Do you mean to say that only four convictions have been obtained in Tapanui?—Four series.

145. And in between those were there not convictions in other parts of the district?—Yes, in the Balclutha end of the district.

146. Are you aware that I have prosecuted in seventy-nine cases during that period?—I was not aware of it, and I am glad to hear it.

147. *The Chairman.*] In the Clutha district?

Inspector Pardy.] Yes. There have been seventy-nine cases since “No license.” (To witness:) Are you aware that out of that there were twenty-three convictions, and fifty-six discharged through insufficient evidence?—Probably I was; but I do not know the figures exactly.

148. Are you aware that during that period there have been only seven drunkards in the Clutha district?—I understood there were only six.

149. Six were convicted and one discharged: Does that not speak well for the police?—The police have done a great deal, and we are only sorry they have not done more.

150. Are you aware that I had every support from Colonel Hume, who was then Commissioner?—I am not.

151. My hands were in no way tied, I had nothing to fear except neglecting my duty?—I have repeatedly heard you say so.

152. Are you aware that I had a man in that district for about three months, working, and that he was unable to procure liquor, though he was not known?—Do you refer to a recent case?

153. *Inspector Pardy.* Well, you do not know. No one knew but myself and the man.

154. *Mr. Tunbridge.*] You feel strongly on the liquor question?—Yes.

155. And you will never rest contented so long as a glass of liquor is sold in the Clutha district?—That is an extreme case. I should be contented if its sale as a general thing was stopped.

156. Do you suggest that its sale is a general thing at present?—I do.

157. I should like to know what your evidence is as to that?—When I say a “general thing,” I mean that the sale is going on generally. I do not mean to say that everybody and anybody can get it.

158. What is your proof that it is going on generally?—I have already explained that to Colonel Hume. It is a thing of common knowledge in the district. There are many things hard to prove by statement of fact that we know are facts.

159. It is hard to prove by everybody except the police?—No, I do not wish to say that.

160. How long is it since you last saw a man under the influence of drink?—I could not say. I suppose it is fully a year or more.

161. What other evidence have you that the sale of drink has been generally carried on?—Common knowledge.

162. Give us some idea of the common knowledge?—I occasionally hear, for instance, where there has been heavy drinking, from those who I can believe really know. I do not know of my own knowledge, but I have trustworthy evidence from others that drinking has been taking place.

163. How long is it since you heard that heavy drinking has been going on?—I heard of some within the last week.

164. Will you say who the persons were who were drinking heavily?—I was not told that. It was put this way: that there was heavy drinking going on last week.

165. In what place?—I did not hear.

166. Now, the person who told you?—I will have to think of that. If I remember rightly, it was my own wife who told me, but I am not quite sure.

167. How did your wife acquire the knowledge?—I could say how it is likely she got to know of it, but I understand you want facts. As a matter of fact, I am prepared to swear that I believe drinking was going on.

168. You are not able to tell the Court where the drinking was going on?—It was not mentioned.

169. And you are not able to say who the persons were who had the heavy drinking bout?—No; but I am able to tell the occasion with which it was connected, though I would rather not.

170. Perhaps you might tell Inspector Pardy?—Yes, with pleasure.

171. You cannot say where your wife obtained her knowledge?—Not definitely, but I have a suspicion.

172. May I take it that the drink consumed was obtained illicitly?—That I am not sure of, but I understand it was.

173. You are not sure, then, that the drink consumed was not obtained wholesale?—It is not likely.

174. *The Chairman.*] Do you suggest that it was sold for consumption on the premises where the drinking took place, or was it an entertainment by a man in his own house?—It was not in his own house, but it was an occasion I shall mention to Inspector Pardy. The whole of the surrounding circumstances would lead me to believe that it was sold illicitly.

175. *Mr. Tunbridge.*] You were rather surprised when you were told that there had been seventy-nine prosecutions in the Clutha since “No license” became law?—I was not surprised, but I was not aware of the figures.

176. Do you think the fact of seventy-nine prosecutions taking place shows apathy on the part of the police?—It shows that the police have been doing some work. It shows also that they could have done more. If they had seventy-nine prosecutions, why did they not get more? Why allow eight months to elapse in Tapanui?

177. If you glance down this return of convictions in Balclutha, you will see what has been done?—I see you have Guest among the number. His conviction did not take place under prohibition. That, I fancy, is one of Mr. Hawkins’s mistakes.

178. It is a prosecution for sly-grog selling?—But it did not take place under “No license.”

179. I think you are wrong in that?—It is dated the 11th April, 1894, and “No license” did not come into force until the 1st July, 1894. There are two convictions here that should not be entered.

180. How many series are there?—I will accept Mr. Taylor’s statement that there are seventeen series.

181. That is, for the three years and nine months. You know that the Court is held here only once a month?—I was not aware of that.

182. Do you not think that the holding of the Court once a month is likely to have deceived you?—No. There are only seventeen series of convictions in forty-five months. That makes an average of one every two or three months. I would like to point out, however, that the Court is not held in the district only once a month.

183. But the return refers to Balclutha only?—Well, Mr. Taylor told me that there were seventeen batches in the district. The Court is held once a month at Balclutha, once a month at Tapanui, and once a month at Clinton, and that shows that there have been no less than 135 sittings of the Court and only seventeen series of convictions.

184. You suggest that if a prosecution was taking place once a month it would have a more deterrent effect than a series of convictions?—I believe it would stamp the offence out altogether.

185. Do you not recognise the fact that there is very great difficulty in obtaining evidence against these people?—There is a considerable amount of difficulty; but, on the other hand, the offence is one which ought to be easily detected.

186. And stamped out?—Stamped out entirely.

187. You are a schoolmaster?—Yes.

188. For many years?—Yes.

189. Have you yet stamped out talking in the school?—I beg your pardon; it is a natural offence.

190. But is an offence of school discipline?—I never hope to stop it. I draw a distinction between the offences we may hope to stamp out and some we may not hope to stamp out.

191. Do you not think that, notwithstanding the utmost efforts of the police, they are never likely to stamp out all crime?—They will never stamp out all crime; but I believe they might stamp out sly-grog selling.

192. That is your honest opinion?—Yes, it is my honest opinion.

193. *Mr. Taylor.*] If Inspector Pardy had stated in Dunedin that he knew of six places in the Clutha where thieving was carried on regularly, would you not expect as a citizen that he would get convictions?—Yes; and break up the gangs.

194. *Mr. Tunbridge.*] Was the occasion of the heavy drinking at the holding of the Oddfellows’ banquet?—No, it was not.

195. *The Chairman.*] Do you recognise that, so far as the Inspector is concerned, he is dependent on the reports of his constables in the country districts to a great extent?—I hold he is to a great extent, but not altogether. My reply, I think, was that if he found there were frequent complaints of an offence sent in to him, which offence his constable denied, it would seem to me that it was his duty to satisfy himself as to the constable’s reliability.

196. Are you aware what number of visits Inspector Pardy made to the district?—Not a correct idea. I know he has paid a considerable number.

197. Do you class sly-grog selling as a serious crime?—A very serious offence.

198. Such a one as to require the special attention of an Inspector who is in charge of a large district, such as the Otago District?—What I was suggesting would not necessitate his whole attention. I do not think it would justify him in not attending to his other duties.

199. *Colonel Pitt.*] Do you not think the police have the same incentive to prevent sly-grog selling as the Customhouse officer has to prevent smuggling, for the protection of the revenue?—I do not, for this reason: The smuggler, I would think, has not many friends. I recognise in regard to the police that in dealing with the matter of sly-grog selling they have to risk offending a very powerful party—a party that has apparently had some political influence—and I think that has had the effect of deterring the police from being as active as they might have been.

200. In your charge against the police, of not doing all they might have done, do you take into consideration the cases they have brought before the Court in which they have failed, as well as those in which they have obtained convictions?—Yes; the cases I gave you cover the prosecutions as well as the convictions.

201. *Mr. Poynton.*] You say the crime is very much veiled here, and that the law-breakers take extreme precautions to hide the offence?—I think I corrected Mr. Taylor in that. I said they took very great precautions.

202. Do you not think that those precautions militate against convictions being obtained by the police?—I think they could obtain convictions in the easiest possible manner.

203. And when a batch of convictions took place, would not the failure of the police to obtain subsequent convictions be in a measure accountable to the increased caution of the sly-grog sellers for a time after?—I think the periods are growing shorter instead of longer.

204. Do you not think that, in a measure, it would be harder to obtain a conviction owing to the increased caution of the persons who were convicted, and also those who are warned by example?—Well, I have never seen the grog sold, but I think they are a little more careful now than they were before the last convictions.

205. You think that convictions could be got at regular intervals?—If the police were in earnest, and were backed up by the head of the department, they could get convictions whenever they liked.

206. Speaking as a citizen, do you think there is any need for increasing the Force?—I do not think there is any need to increase the regular police.

207. *Mr. Tunbridge.*] I was prepared to take Mr. Taylor’s version of there having been seventeen series; but will you take it if I say that on counting the list I find there have been twenty or twenty-one?—I think there may be twenty, and I will take your statement for it.

THOMAS GREENWOOD, examined on oath.

208. *Colonel Pitt.*] Your name?—Thomas Greenwood.
209. What are you?—Stationmaster at Tapanui.
210. How long have you been there?—Six years on the 4th July next.
211. *Mr. Taylor.*] Were you there when the hotel licenses were abolished?—Yes.
212. Have you ever had any communications with the police in regard to defeating their attempts to bring offenders to justice?—On one occasion.
213. What was it?—Constable Mathieson came to my office, and asked for some information from the warehouse-book, as to who a certain case was for.
214. Did you tell him?—No.
215. Did you know?—Yes.
216. Was the case addressed?—No; but it was marked.
217. How did you know who it was for?—I had the way-bill.
218. What do you do with goods not marked?—We do not receive them.
219. Why was the case not addressed?—I said it was marked, and the mark was quoted on the way-bill.
220. Was it marked on the case, or on the card?—On the case.
221. What card did you remove from the case?—On this occasion I removed no card.
222. On the other occasion what card did you remove?—If you follow up the other, I will say it was marked "B."
223. And you declined to give the police any assistance?—Yes. The case was wrongly delivered.
224. What do you mean by that?—It was delivered to a man whose initial is "B," but it was "J.T.B." Other goods came to the district marked "B" alone. The carter of the man "B" made a mistake in delivering it to "J.T.B."
225. Whom does "B" stand for?—Bellamy, a general carter.
226. And "J.T.B."?—John Thomas Burrell.
227. And it was delivered to him?—Yes.
228. What did it contain?—I may say that was the Friday afternoon. On the Saturday morning, Constable Mathieson came to me and said he wanted some information from the warehouse-book; but I declined to give it to him without a warrant for me to show the books, or authority from the General Traffic Manager. In doing that, I was only doing my duty; it was not a case of theft.
229. Did you say what the case contained?—Not yet. When I found the mistake that had been made, I saw the driver who had delivered it the previous afternoon, and told him the mistake he had made. I also told him to yoke up as soon as he got to town, and go and demand the case, and take it to the party to whom it belonged—Bellamy. Later on, I met the driver (Paterson), who said that Burrell had refused to give up the case. I went into the store to see Mr. Burrell, and ask his reason for refusing to give up the case. Mr. Burrell said, "Look at that. That is the way whiskey is being brought into Tapanui now." He also said there were eighteen gallons of whiskey, and one case of wine, and it was all in one large case. The case was booked as "sundries." I asked him how he knew it was whiskey and wine, and he replied that it looked like whiskey, and that the lid was off the case of wine to allow it to be packed in the case along with the octave (eighteen gallons). He also said they had drawn the case out, and that it looked like wine.
230. What happened after that?—I asked why he refused to give it to the owner, and he said, "I was afraid some one had sent it to me with the view of having my premises searched while it was here, and what a nice song they would make then." I told him to give up the case at once; and the carter and I took it out.
231. Did he sign for it to the carter?—I could not say. I do not think so, because it is not the practice. The carter takes stuff to a place and gets no signature whatever.
232. He signs to you?—Yes.
233. Do you give a way-bill?—No; only when I receive cash for goods delivered.
234. Is it not your duty to issue a way-bill with all goods?—No.
235. On the document he signed, was the name of the consignee given?—No.
236. To whom did you tell him to deliver it?—No one. He knew whom it was for. I concluded it was for Bellamy, being marked "B."
237. How did the carter know?—Because the mark was on it.
238. Had he taken packages to Bellamy's frequently?—He was Bellamy's carter.
239. Who is Bellamy?—He is the general carter from Tapanui, and the reason I did not give him a way-bill is that he has a ledger account. I do not give him a way-bill with every separate lot.
240. Are Bellamy's headquarters at Tapanui?—Yes.
241. And he had frequently had cases like that sent to him?—Yes.
242. You refuse generally to give information to the police that will assist them to do their duty?—If the police come to me with a matter of theft I would use my prerogative and let them know what I could.
243. But you draw the line at sly-grog selling? Did the constable not suggest that, as his reason for making inquiries?—Not that I recollect.
244. There was no address?—None, except "B."
- Mr. Taylor* said the police had been frustrated in their attempts to enforce the licensing law by the railway officials' action, and he desired to question the witness on the matter.
- The Chairman* ruled that the matter was one that did not come within their inquiry.
245. *Mr. Taylor* (to witness).] Since the hotels were closed, have not large quantities of liquor—larger than usual—passed through your hands?—Speaking from memory, there has been less

beer through the books since prohibition, but I believe there is about the same amount of whiskey, if not a little more, although an enormous number of people have left the district, especially the township.

246. You say an enormous number of people have left the district?—A large number of people have been starved out.

247. Will you give me their names?—I would not like to do that, but I could go over their businesses. I will take them as they go up the street. First, there is the saddler, then follow a chemist, a fancy toy-shop, a butcher, two tailors, and a draper.

248. Who was the draper?—I distinctly refuse to say who he was.

249. Is there not another saddler in the place of the one who left?—He went to Coolgardie and then came back again.

250. What about the chemist?—He is in Perth.

251. Is there not another in Tapanui?—Yes; Dr. de Lautour has started. He was a previous resident.

252. Another business is opened, then?—No, because Dr. de Lautour did his own dispensing when the other was there.

253. And is there not a butcher in the place of the one who left?—I do not say there is.

254. Are there not tailors there in place of the two you refer to as having been starved out?—As far as I know, there is only one.

255. Are you in favour of the prohibitory law and the abolition of licenses?—No, I am not.

256. How many people have left the district altogether?—I know a great lot.

257. You said there were an enormous number?—I should have added to that, "settlers who refused to come into the township."

258. Have there been any business premises enlarged there during the last two or three years?—I can only remember one, and that is Dawson's store.

259. Very considerable enlargements?—Yes. But I should have explained to you about the people who have left the district. I would like to say why people do not come into the town; it is because when they go into the Temperance Dining-room they are accused of going in to get a drink.

260. *Mr. Tunbridge.*] You say that about the same quantity of whiskey goes into the Tapanui district now as before prohibition?—Yes.

261. In what form?—Quarter-casks, 2-gallon jars (a great number), and cases.

262. You are aware that persons have been prosecuted for sly-grog selling in Balclutha?—Yes.

263. Is the whiskey that goes into Tapanui consigned to these persons?—No.

264. To whom?—Mr. Quin acted as agent at one time, but he has had none lately. He used to get a big lot. The stuff now goes to private people direct, and a large quantity to Mr. Simmonds, who holds a wholesale license.

265. What you wish to convey is that the people who now drink whiskey in Tapanui buy it outside the district, and have it sent to them, instead of buying it inside?—I know that there were places where a 2-gallon jar was never kept on the premises, and where now it is the practice to have it, or a 10-gallon keg of beer.

266. You say the quantity brought into the district is kept up by those means. Instead of being consigned to the retailers, it goes to the people who consume it?—None is consigned to retailers.

267. It goes direct to the people who wish to consume it?—Yes; or the wholesale agent.

BERTRAND EDGAR DE LAUTOUR, examined on oath.

268. *Colonel Pitt.*] What is your name?—Bertrand Edgar de Lautour.

269. *Mr. Taylor.*] You are practising in Tapanui?—I am a surgeon, practising in Tapanui.

270. How long have you been there?—Eleven years next September.

271. You were there when licenses were abolished?—Yes.

272. Do you think the law has been enforced by the police to the extent it should have been in the suppression of the liquor trade?—I do not. At any rate, particularly up to about June, 1895, when Constable Parker was in charge of the district, absolutely no steps were taken, I believe. For the first six months you could not tell the difference between the old days and the changed position. People went in and out as usual. We wearied ourselves, as members of the Blue Mountain Lodge, writing to Colonel Hume, the Premier, and Inspector Pardy. Our lodge meets fortnightly, and hardly a meeting passed at which the Secretary was not instructed to write calling the attention of these to the fact that the law was being broken, and that no steps were being made to stop it. In 1895 matters were better, but still things might have been improved. I recognise the great difficulties the police had to contend with. I have been told myself that such-and-such a detective was on the way. I have received that information from a man who is a mutual friend of the liquor dealers. The liquor dealers had told him, and he told me, and I knew of the matter within a few hours of the man leaving Dunedin.

273. What was the name of the detective?—I do not know, but if he is here I hope he will not be offended. He was known as the detective with the goggles. He wore blue spectacles. It is a matter of public rumour that Constable Parker warned Mr. Simmonds that the man was in town, and to look out for him. I believe it is absolutely correct. At first we complained to Colonel Hume and Inspector Pardy, who courteously answered our letters, but said there was no sly-grog selling. Inspector Pardy said he had made inquiries, and that we were mistaken, as there was no liquor being sold. That was the letter from Inspector Pardy to the Blue Mountain Lodge. In reply to that we brought him to the point and said, "If that is so, how is it that a certain individual is seen going into a certain hotel sober; he is in that hotel a certain time, and

comes out drunk. How is that?" We gave the dates. Again, we said, "If this is so, and no grog is being sold, how is it that another individual is seen going into the hotel?" In fact, for the first three or six months you could not tell the difference between the old days of license and the new days.

274. Has there been a distinct change since then?—Yes. There is only one complaint I have personally with the police. On the 15th of October of last year a man named James Mills met with an accident. The poor fellow had been drinking all day in either or both of the temperance hotels in Kelso. I was called to attend him; he was a patient of mine. He got drunk—so drunk that he was not capable of walking properly. He was in charge of his dray, and shortly after leaving the township he fell down and the dray went over him, and remained on his leg, crushing it horribly, for about half an hour before he was discovered. I was telephoned for to Dunnett's hotel, and I found him with a horribly mutilated leg which necessitated amputation. I patched him up as well as I could, and sent him to the Invercargill Hospital on the Saturday, and he died there on the Monday. They did not amputate; the man died before they could do it. I urged as well as I was able that an inquest should be held in that case, and I could never get it.

275. *Colonel Pitt.*] The police could not hold an inquest; it is the duty of the Coroner to fix it?—Oh, thank you; then I have no complaint against the police.

276. To whom did you report?—Constable Mathieson, and to my knowledge he reported to the Coroner.

277. *Mr. Taylor.*] Did you get any reason from the police as to why an inquest was not held?—Only that the Coroner did not think it necessary. Mr. Hawkins did not think it necessary to hold an inquest over a man who was killed by the drink of the closed publichouse.

278. Do you notice as many evidences of drunkenness in the district you are practising in as before the hotels were closed?—Not one-fiftieth part. Neither do I notice drunken men in the street, nor in my professional treatment of cases do I notice the class of cases that used to come—persons suffering from a recovery, or showing signs of having been drinking. I see none of them now.

279. Do you visit many homes during the year?—Yes, and I see a wonderful difference in some of those homes.

280. For the better?—Yes.

281. Following on a statement made by the last witness, I will ask you whether you find liquor in more homes now than before "No license"?—I see it nowhere except in the homes of those who used to frequent the publichouses.

282. Has the population of Tapanui decreased?—I should say it has increased. There is a large bush population now. I do not know a single store that has not been replaced. There are now two tailors. As for my old place I used to keep drugs at home for dispensing, but that was not a chemist's shop. I never formerly kept a shop—excepting a surgery.

283. Since the hotels have been closed have there been any violent deaths?—Five before and two since. Of the two, one was the case of a man who was drowned in the Pomahaka, and the other was James Mills. The five relate to a period of ten years, and the two to a period of three years and nine months.

284. *Colonel Pitt.*] You think the police have not done what they might have done for the suppression of the liquor traffic?—Yes.

285. Will you say what, in your opinion, they have left undone?—I think they might have been more frequent in their endeavours. They are spasmodic. As soon as one raid is done the sly-grog sellers say, "Now, it is safe; we can go ahead like anything." As a matter of fact, the party had hardly left Tapanui last time when the traffic was going on more than ever.

286. You think that prosecutions should be continued?—Yes.

287. Will the police get evidence of it?—I know it bristles with difficulties, but it should not be an impossibility. If the Police Force is true to itself it should not be difficult. In most of the raids the information has come from members of the police.

288. Can you say that?—I do not know from whom else it could come.

289. Can you tell us any one else from whom it might come?—No. I knew the information, however, before the people reached the district. I knew it at 10 o'clock in the morning.

290. If an unknown detective is being sent it should not be known in the district?—No, but it has been known.

291. *Mr. Poynton.*] Speaking as a citizen, do you think the Police Force in the Clutha should be increased, or could you suggest any alteration of the present number?—No, I do not think so. I should like to suggest that in the event of "No license" being declared in any district there should be a change of constable as soon as possibly convenient. We suggested that as a lodge. We urged on Colonel Hume to change Constable Parker. Although I have spoken rather strongly against Constable Parker I have a deal of sympathy for him, because prior to "No license" he was, like most constables, very friendly with the publicans, and not only friendly but on friendly relations—his family and the publican's; and it is a hardship to expect a man to turn round—in fact, one would have a contempt for a man who would do it.

292. *Mr. Taylor.*] That is why you suggest a change of constables?—Yes.

293. *Mr. Tunbridge.*] You said that, up to June, 1895, the police were entirely inactive?—That is my opinion.

294. Do you make it as a statement?—Yes.

295. Is it not a fact that in March, 1895, there were four prosecutions?—Yes.

296. Well, what do you mean?—Up to that time they were inactive.

297. You say that up to June, 1895, the police did nothing whatever?—I said the first six months.

298. Well, you are wrong are you not?—I am referring principally to the first six months.

299. As a matter of fact, then, there were prosecutions in March, 1895?—Yes.
300. With reference to the man Mills, you say he procured drink in either one or other of the two temperance hotels?—Yes.
301. What proof have you of that?—He was in them all the day, and when I saw him after the accident he was drunk.
302. Did you see him in them?—No.
303. Do you know that before you arrived on the scene of the accident the man was in a fainting condition and was given a tumbler of whiskey?—No. It would have taken six tumblers to have shifted Mills.
304. Do you know that he had been given whiskey?—Yes, I found he had been vegetating between the two hotels all the day.
305. As regards Elliott, the man who was drowned, do you know that he obtained the drink from the wholesale house?—Yes.
306. Not illicitly?—No.
307. *Colonel Hume.*] I think you stated that I said there was no sly-grog selling. To whom did I state that?—To me.
308. Was any one else present?—My wife for one, and Mr. J. T. Burrell, for another, and Mr. Whitefield; and, I am not quite sure, but I think Mr. McGavin was present.
309. Did I tell you I had ascertained the fact?—Yes; you said you had been round the district, and that you could get no drink; and I said it was not likely.
310. And you say that I did nothing?—There was a kind of understanding that we, the Prohibitionists, were to hold our hand. You complained of our writing to the papers. I said, "I have never written to the papers," and that we would not write. You promised that something would be done within a month, and within a month something was done.
311. What was done?—The first convictions.
312. And at 10 in the morning you heard that the police were on the way up?—Yes, I was told that in Wensted's chemist's shop.
313. You do not go to the hotel?—No, I never go there, except professionally.
314. Does the man in whose place you were go there?—He used to go there.
315. Probably he had heard about my telegram that I sent the night before, asking that a bed should be kept for me. But you do not think it is our duty to go round and detect sly-grog selling?—You expressed surprise in my house when they would not sell it to you. You gave me the impression that, because you got none, there was none being sold.
316. Did this detective with the blue goggles come that day?—I think there is a little misunderstanding. I did not know that he was coming until I saw him.
317. You say you used to hear that such and such a one was coming?—Yes, and perhaps we heard that there were more detectives up than there were ever up; but there were not more than there ought to have been.
318. Do you attribute the death of this man to the police in any way?—No; but I did think that an inquest should have been held, until I was put right.
319. *Mr. Tunbridge.*] You say your patients do not display any signs of drink, but that they used to?—Yes. I might say that I hardly have a case now of a man suffering from chronic alcoholism. I have had here and there, but nothing like what it used to be.
320. Chronic alcoholism follows the drinking of spirits?—Or drinking anything. I have seen the worst of it with beer drinking, which is worse than spirit drinking.
321. The stationmaster says the same quantity of whiskey goes in?—Yes; but he was basing his calculation on the population, and I join issue with him there. I say the population is larger.
322. You do not think his evidence is reliable in that respect?—He has made a mistake in calculating, that is all.
323. You would expect, if the same quantity of whiskey goes in, to find the same evidences of alcoholic poisoning?—Yes. He said it goes either to the people or to the wholesale house, but he did not say how much went to the one and how much to the other. I think a small proportion goes to the people.
324. But the people will consume it?—The wholesale man might stock it for a time. It might be stored there.
325. I think you advanced the opinion, from the appearance of patients, that the consumption of liquor was less than before?—So I do.
326. So your opinion is different to that of the stationmaster?—I say that the wholesale man may have it stored. He may have hundreds of gallons.
327. *Mr. Taylor.*] Cannot the wholesale man trade outside the Clutha district?—Yes, he can.

ANDREW CHRISTIE, examined on oath.

328. *The Chairman.*] What is your name?—Andrew Christie.
329. What rank do you hold?—Second-class constable, stationed at Mosgiel.
330. *Mr. Taylor.*] How long have you been in the service?—Thirteen years and nine months.
331. Since you rejoined?—Yes.
332. Did you join as third-class constable this time?—Yes.
333. When were you promoted?—About four years ago.
334. When did you come to Balclutha?—In 1891.
335. Were you here at the time hotel licenses were abolished?—Yes.
336. How long after?—Until August, 1896.
337. Did you have any prosecutions for sly-grog selling during the time you were here?—Yes.
338. Between June, 1894, and August, 1896?—Yes, I had five.
339. Who were they against?—Anderson and Moir, and I assisted in two cases at Catlin's.
340. What was the date?—I could not tell you.

341. Was Collins one of them?—Collins is not in my district.
342. Anderson and Moir were in Balclutha?—Yes.
343. Whom did you swear your informations before?—Mr. Hawkins and Mr. Dabinett for the Balclutha prosecutions.
344. Why not before Balclutha Justices of the Peace?—We did not want to let the Justices of the Peace know our business.
345. Were they friendly with the persons you were prosecuting?—Two of the Justices were old hotelkeepers—Mr. Dunne and Mr. McCorley.
346. *The Chairman.*] Were you stationed at Balclutha at the time?—Yes.
347. How many Justices of the Peace are there here?—Four.
348. At what date did you prepare the information?—I could not say.
349. Was the Magistrate here?—No. At one time I went to Gore to him.
350. Why go to Gore to see him when you could have sworn the informations before any one of the four Justices?—I went to him because I had been instructed to do so by the Inspector.
351. *Mr. Taylor.*] Was the instruction in writing?—No. I was in town when I got it.
352. *The Chairman.*] Did the Inspector give you any reason?—No.
353. *Mr. Taylor.*] You never swore an information before a local Justice of the Peace?—I swore two before Mr. Dabinett, of Catlin's.
354. How far is that away?—Twenty-five miles.
355. Did you ever collect accounts while you were in Balclutha?—No.
[Examination adjourned.]

SATURDAY, 2ND APRIL, 1898.

ROBERT HISLOP, examined on oath.

1. *The Chairman.*] Your name?—Robert Hislop.
2. What are you?—Stationmaster at Clinton.
3. *Mr. Taylor.*] How long have you been there?—Fifteen months.
4. Where were you before that?—Mosgiel.
5. Who was stationmaster at Balclutha before you?—Mr. Coker.
6. Have you noticed much drunkenness in Balclutha since you have been there?—Very little.
7. Have you seen any drunken men at all?—I have occasionally seen one or two men a bit talkative.
8. Is there much liquor passing through your hands by way of consignment?—Very little.
9. If the Commissioners wished it, could you prepare a return to show the quantities?—Yes, so far as it is booked as liquor. I have no reason to suppose that any quantity is brought in under the head of "Sundries."
10. *The Chairman.*] Are there any licensed houses at Clinton?—No, Sir.

JOHN RAMAGE, examined on oath.

11. *The Chairman.*] What is your name?—John Ramage.
12. What is your occupation, and where do you reside?—I am a tinsmith and plumber, residing at Balclutha.
13. *Mr. Taylor.*] How long have you been here?—For nearly twenty-six years.
14. Do you remember the time when hotel licenses terminated—June, 1894?—Yes.
15. Do you think that since that time the police have done all they could have done to suppress sly-grog selling?—Do I understand the question to be, Do I consider that the police have done all in their power to suppress sly-grog selling from the first to now?
16. That is it?—No, I certainly do not.
17. Who was the constable here when the hotels were closed?—Constable Christie.
18. Do you think he was active in the performance of this particular duty?—No, I do not consider that he was at all active. Of course, I have no definite grounds for saying so, but I say it from general observation.
19. You think that sly-grog selling was prevalent while he was here?—Very much so.
20. Has it decreased since?—Considerably.
21. Do you remember a disturbance immediately following the carrying of the vote on the licensing question, in which Mr. Henry's house was assaulted?—Yes; it was some time after the "No license" vote was carried.
22. Was it before the hotels were closed?—Well, it was some time after the vote was carried.
23. But was it after the hotels were closed, in June, 1894?—Yes.
24. What were the circumstances?—They were these: Mr. Henry and myself had good reason to sit up during that night and keep watch, because of a disturbance that had occurred the year before.
25. *Mr. Poynton.*] Was it upon your house?—No, it was on Mr. Henry's house; but I was watching in my house at the same time.
26. *Mr. Taylor.*] Had you had warning that it would be necessary to watch?—Yes.
27. *The Chairman.*] What was the intention of sitting up?—I would like to explain that immediately after the "No license" vote was carried I was warned, with others, that we were marked men, and I was told to be on the look-out, as it was feared that something might be done. Constable Christie gave me that warning. He advised us to shadow each other, and never to go far away, because he had a fear that the liquor party would do something.

28. Whom do you mean by the liquor party?—They were the ex-hotelkeepers, and others who were connected with the liquor trade in the town.

29. And he said you should be on the alert?—Yes.

30. Did he say against whom?—He mentioned no names.

31. And in consequence of that you sat up?—Yes.

32. *Mr. Taylor.*] What was the date?—It was a year before Mr. Henry's affair occurred.

33. That is, when the previous vote had been taken?—Yes. It was immediately after the vote was taken that I received the warning. I was doubtful whether Constable Christie would report the matter to the head of the department, so I deemed it my duty to do so; and I received a reply to the communication I sent.

34. *The Chairman.*] Whom do you call the head of the department?—Inspector Pardy.

35. *Mr. Taylor.*] Will you read the reply you got?—This is it:—

27th March, 1894.

SIR,—

I have the honour to acknowledge the receipt of your letter of the 26th instant, stating that you have reason to believe that you and others are in danger of being molested because you have taken an active part in the temperance interest. In reply, I beg to inform you that I have instructed the constable at Balclutha to render you every assistance and protection in his power should you in any way be assaulted, or anything occur calling for police intervention. (Signed on behalf of Inspector Pardy.)

36. Was there any disturbance?—Yes. In the first place, I would like to say that Constable Christie got to know that I had communicated with the department, and he came to me in a great way over it. He asked me if I thought I had done any good. I said, "It is a matter of opinion. Do you think I did any harm?" He said, "I do not know, but I think you did a foolish thing." I said, "That may be, but I deemed it my duty to report the matter to the Inspector, because how was I to know that you would do it. I had no guarantee that you would." He seemed very much annoyed; and I said I had reported the matter to the Inspector so that, if anything should arise, the department would know in what way to look for it. I also told him that, so far as my letter to the department was concerned, I could have shown it to him, as I had said nothing against him.

37. Was there any disturbance afterwards?—Yes. At the following New Year—nine months after the writing of the letter—I was away from home with my wife and family. I was at Port Molyneux. All the windows in my shop and front room were smashed in. That was on the 2nd or 3rd of January; and it so happened that my son and I came home that night, as we were suspicious that something might happen. I think the assailants did not think there would be any one at home: and we were just getting the kettle boiled when the windows went in. I went to the station for Constable Christie, but he was not there. I then went back to the house and kept watch. After a time I called Mr. Henry, and asked him if he would go to the station with me. We went together, but the constable was not there. We went back to the house, and a second window was smashed in. Then I sent another gentleman to the station, and still Constable Christie was not to be found. Early next morning a fire occurred, in which Blackwood and Chapman's stable was burned down; and I went there, while Mr. Henry did "sentry-go" over the premises, and the first sight I got of the constable was at that fire.

38. *The Chairman.*] What was the interval of time between your first visit to the station and your seeing him at the fire?—As near as I remember, the first visit to the station was about 11 p.m., and the fire was about 2 a.m. or half-past 2. At the first opportunity I laid the matter before him, and such circumstantial evidence as would have justified him in making an arrest that morning on suspicion; and he recommended me to keep quiet, and I said I would; but, unfortunately, he kept quiet too.

39. Did you lay an information?—No. He did not advise me in that way. What he said to me led me to believe that he would be able to follow it out, and I acted on his advice.

40. Was there an information laid by anybody?—No; and there was no apparent action taken even by the police, for the constable sought for no further information, and did not seem to interest himself in the matter.

41. Did he go to your place at all?—Yes, he had a look at what damage was done, but beyond that there was no apparent action, and I heard no more of it. That led up to the occasion of the watching of Mr. Henry's.

42. *Mr. Taylor.*] What do you know of that affair?—I was watching my own premises the following year again. I am not certain as to the date. We were both on the watch, in case anything would occur similar to what had occurred, and, while watching, a band of larrikins was going up and down the street. On one occasion they knocked at Mr. Henry's door as they passed, and Mr. Henry opened the door. I then saw that the object of the knocking was to get him to come out. Immediately he and his wife went out they were pelted with rotten eggs.

43. Did you go for the constable that night?—Yes. Mr. Henry and I went for him. We went twice for him, but he was not at home, and in the morning, at daybreak, we went again and found him. He got up and answered the door in his nightshirt, and we related the whole thing to him. We told him we had been there, and that we could not find him; and he said he had been round at a certain hour at Mr. Moir's—that is, the Farmers' Arms Hotel, which is next door to Mr. Henry's. The reason he was there, he said, was that there was a row on, and he went to see about it, or to quieten it.

44. Did he get any conviction in connection with that disturbance?—Not that I am aware of.

45. *The Chairman.*] Were proceedings taken by Mr. Henry himself?—I do not know of any.

46. *Mr. Taylor.*] He left the matter to the police?—Yes.

47. Has any police constable in Balclutha ever collected accounts for you on commission?—

Yes.

48. What commission?—It was only on one occasion, and it was a very small amount.

49. What were the circumstances?—It was an account of some odd shillings that I considered a bad mark. I did not expect to get the money.

50. Did you speak to the constable about it?—Yes. I put the matter in his hands, and he was successful in collecting it for me.

51. Did he deduct anything from the amount for collecting?—No. When he brought the money to me I told him, "Well, this is found; I never expected to get it," and I think I threw a two-shilling piece to him. As it was found money it was worth that.

52. *The Chairman.*] You wish to bring that before our notice?—No. I have no particular desire to do that; but I have been asked the question.

53. *Mr. Taylor.*] Have you noticed any difference in the amount of disorder on the streets since the hotels were closed, compared with the previous time?—Yes; a great deal.

54. There is less disorder?—You might say there is no disorder at all now compared with what there used to be.

55. Have matters improved since Constable Christie's removal?—Undoubtedly so.

56. The town has been quieter?—Yes; and there is less drunkenness.

57. And you infer from that that the police have been more vigilant in the enforcement of the licensing law since his removal than formerly?—Yes.

58. *Mr. Tunbridge.*] What is the present condition of the streets in Balclutha as regards orderliness?—They are very orderly.

59. Is there any disorder at all about the streets?—Very little. If you refer to disorder arising out of drunkenness, I say there is very little.

60. You say that, in your opinion, the police have not carried out their duties properly with reference to the suppression of the drink traffic here?—Yes; viewing the whole matter from the time of "No license" to the present time.

61. Do you think they are endeavouring to carry out the law at the present time as far as it is possible for them?—I am of opinion that it is possible for them to do more than they are doing; but at the same time I think they are doing a great deal.

62. Can you tell me in what way the police could do more than they are doing?—No; I am not well enough acquainted with police matters to be able to do that. I cannot tell you how they could do more.

63. Can you give particulars as to any neglect of duty on their part at the present time?—No, I cannot.

64. How long have the police been endeavouring to carry out the law here in Balclutha?—I believe they have from first to last been endeavouring to carry it out, but in a very feeble way at some periods.

65. You do not think, then, that they have wilfully winked at breaches of the law?—Now, at the present time?

66. Nor at any time?—I believe they are often guilty of that.

67. Up to what period?—Up to the time of Constable Christie's removal. In short, I wish to say that it is my opinion that during Constable Christie's time in Balclutha he did not carry out his duty in regard to the licensing laws.

68. Do you think that since Constable Christie's removal there has been an honest endeavour on the part of the police to carry out the law?—Undoubtedly I do.

69. *The Chairman.*] What was the date of Constable Christie's removal.

70. *Mr. Tunbridge.*] It was in August, 1896. (To witness:) Then, your first statement in your cross-examination, that the police had not carried out the law, applied to the period prior to Constable Christie's removal?—I do not think I stated that.

71. But is that what you now state—that the period at which the police were lax in their duty was the period prior to his removal?—Yes.

72. Did Constable Christie do anything at all to suppress the traffic?—Oh, yes.

73. You have been asked if constables ever collected accounts for you on commission, and your answer is "No," is it not?—I do not think so. I did not answer in that way.

74. But is not your answer equivalent to "No"?—Certainly not.

75. Well, tell me what commission a constable has received from you, or any date a constable has ever collected for you on commission?—I say that on one occasion a constable collected for me, and that I handed him two shillings.

76. And you consider that that was commission, and that he collected the debt for you on commission? Was there any pre-arrangement between you and the constable that he was to receive a certain sum?—No.

77. If out of a feeling of gratitude for getting some money you had thought was lost you gave the constable 2s., do you think that that can be properly expressed as collecting debts for you on commission?—I cannot give you a legal opinion on the point.

78. If you put the collection of accounts into the hands of a professional man there is an understanding, is there not, as to the terms on which he will collect?—Yes.

79. And if he collects those accounts and you do not pay him for collecting them he has a right to sue you?—Yes.

80. Now, if you had given this constable nothing at all, had he any right to take action against you to recover anything?—No.

81. It was left to your gratitude whether you gave him money or not?—Yes.

82. Can that be construed, then, into collecting debts for you on commission, giving it the most liberal rendering?—I have stated the circumstances, and you can either make it commission or not.

83. But your statement has been made to appear that a constable has been collecting debts on commission for you, and I wish the facts to be clearly explained. Personally I should like to get the name of the constable out—

84. *The Chairman.*] I do not think this contains a charge under the regulations.

85. *Mr. Tunbridge.*] Yes, if a constable receives a gratuity. He is not expected to receive a penny without reporting it. (To witness :) Do you know of any other persons who have had moneys collected by the constable in the way of debts?—Yes.

86. In this township?—Yes.

87. Do you know many?—Not personally; but it was a common thing, if you had a bad debt, for the one to suggest to the other that it should be given to the constable. It was suggested to me.

88. This constable was Clerk of the Court?—Yes.

89. And also bailiff?—Probably he was the bailiff.

90. Did you take any proceedings against the man who owed you money?—No.

91. I should like to know a little more as to how it came about?—It came about in this way. I got to know that it was the general custom with a few in the place. I did not go personally to the constable. I made out the account and sent my son with it to the constable, with a request that he would be good enough to collect it.

92. What was the amount?—It was something under a pound.

93. Could you give us the names of other people that this constable has collected money for?—Yes.

94. *The Chairman.*] This is a charge against a constable, and cannot be gone into unless twenty-four hours' notice is given to him.

95. *Colonel Hume.*] You have been here twenty-six years?—Yes.

96. Has it been a pretty orderly place during that time?—It was never a disorderly place.

97. Then, some credit for its being orderly is due to Constable Christie while he was here?—Probably so.

98. You have told us that in your twenty-six years' experience you had two windows broken on one occasion, and that you saw some larrikins throw two rotten eggs at a man and his wife. That seems to be the total sum of the disturbance you have told us of for these twenty-six years?—I did not tell you anything of that sort.

99. Did you not say you had two windows broken?—No.

100. *The Chairman.*] What windows were broken?—The windows in the shop. There were four shop-front panes and the glass in two sashes in the front-room window.

101. *Colonel Hume.*] They were your windows?—Yes.

102. And was I right in my suggestion about the man and his wife?—Yes.

103. And that is the amount of disturbance that occurred in Constable Christie's time?—That is what occurred in connection with me personally.

104. And you say there has not been much disturbance here?—I did not say anything of the sort.

105. You say it has not been a very disorderly place?—That is what I said.

106. Will you give us a single instance in which, in your opinion, Constable Christie neglected his duty in carrying out the liquor laws?—In my reference in that direction I am simply speaking in a general way.

107. You cannot give a single instance?—I cannot give any particular instance.

108. And I suppose you have a very good idea, as you watched the constable very well?—I never did anything of the kind.

109. Then, you know little as to whether he did his duty or not?—There are various ways of knowing these things.

110. But you cannot give an instance in which he neglected his duty?—No. I am speaking in a general way.

111. But you are perfectly certain that the department was right when it made the change?—Yes.

112. You had a good idea as to who broke the windows?—Very likely.

113. Had you or had you not?—I had my suspicions of certain individuals.

114. Why did you not lay an information against them?—Because I was advised to remain quiet.

115. And you did?—Yes.

116. And when nothing was being done, why did you not take the matter into your own hands?—Because I was convinced that the powers that be were not carrying out their duty, and that had I done so it would have been a fruitless effort.

117. Who are the powers that be?—I mean the police.

118. Constable Christie?—Yes.

119. *The Chairman.*] Then, what does your evidence amount to, if you do not say he neglected his duty?—I simply give it as my opinion.

120. *Colonel Hume.*] Is it not the fact that the reason you did not lay an information is that you thought you had not sufficient evidence to prove it?—I do not consider that that is so.

121. Do you consider that you had sufficient evidence?—I consider that with the evidence I had the police could have carried the matter to a successful issue.

122. When you found they did not, how is it you took no action?—I simply allowed the matter to rest in the hands of the police.

123. When you found the policeman did not lay an information, why not then lay an information yourself?—The action of the police would seem to have overturned my belief in the evidence I had.

124. Therefore, you considered you had not sufficient evidence. Is that not so?—Yes. But I am not putting it right. I did not altogether consider I had sufficient evidence, but I thought that with the close relationship existing between the police and the liquor party it was almost impossible for me to expect the assistance of the police.

125. Will you tell us what this evidence was that you gave to the police, this strong circumstantial evidence that you had?—At the time my family and I were at Port Molyneux, and there were two individuals in Balclutha who made very close inquiries, even from my children, as to whether their father was down here, and whether their mother was down here; and then they made inquiries from others, in order to make certain. These individuals had no reason, or no connection with me or my wife, to justify them in making any inquiries, and that, combined with the warning I had received from the police, led my suspicions in that direction.

126. *The Chairman.*] In what direction?—In the direction of those two individuals. And a strange thing was that when I laid my suspicions before Constable Christie, his own suspicions agreed with mine, and ran in the same direction.

127. *Colonel Hume.*] Were these two individuals what you would term larrikins?—No, not in the ordinary term of larrikin.

128. Then, I take it they were not the people who threw the eggs?—No.

129. Then, how do you connect the one with the other?—I do not connect them. They were twelve months apart.

130. And you do not think that the close connection you say the constable had with the liquor party prevented his going into the rotten-egg business?—I could not say as to that.

131. When you found Constable Christie inactive about your windows, did you report it to the Inspector?—No.

132. It was not important enough?—I acted on the constable's advice. As a matter of fact, I refrained from making any comments outside, for fear I would interfere with the efforts of the police.

133. Did you keep speaking periodically to the constable about the matter?—Occasionally I spoke to him.

134. You did not threaten to write to the Inspector if nothing was done?—No, I made no threats.

135. Do you say that sly-grog selling has decreased since Constable Griffiths came to Balclutha?—Yes.

136. What do you speak for—Balclutha?—Yes, and the Catlin's. I speak of the latter place principally from reports, but I speak of Balclutha from my own observation.

137. The constable who is here now is giving every satisfaction to you?—Yes.

WILLIAM MATHIESON, examined on oath.

138. *The Chairman.*] What is your name?—William Mathieson. I am a second-class constable, stationed at Tapanui.

139. *Mr. Taylor.*] How long have you been in Tapanui?—Three years on the 5th June.

140. Have you had much to do with the administration of the licensing law there?—Yes.

141. Had you much experience of the licensing law before you went there?—Considerable.

142. Where?—Auckland, Dunedin, and Lawrence.

143. In your opinion, does sly-grog selling still go on in the Clutha?—I can only speak of the Tapanui district. I have no knowledge of the district as a whole.

144. Well, of the Tapanui district?—I am inclined to think it does, in a small way.

145. Do you think there is as much liquor sold in Tapanui as in other towns of the same size where licenses exist?—I think it is absurd to say that.

146. How do you deal with the supply of drink at races, at shows, and at sports; are special licenses granted?—No. There has been no license granted for the sale of intoxicating liquor at public gatherings during my time.

147. Do you attend those gatherings?—Always.

148. Are there any evidences of sly-grog selling to be observed there?—No; on the contrary. The gatherings I have attended have been races, the annual show, and the annual sports at Kelso, and I have no recollection of seeing an intoxicated person at any of the meetings.

149. *The Chairman.*] Within what period?—Three years.

150. *Mr. Taylor.*] Have you any suggestion to make as to how sly-grog selling in the Tapanui district could be effectually stamped out?—I would not like to make my suggestions public property. It would defeat the ends of justice.

151. If the prosecutions were more frequent would not those engaged in the trade give it up?—Yes, I think so.

152. They have too much time allowed them?—Yes. If it was possible to bring them before the Court more frequently, and secure convictions, it would unquestionably stamp the trade out.

153. Having had special experience in the Clutha district, what are the difficulties you have to contend with most in the enforcement of this law?—Public feeling and public opinion.

154. Where do you swear your informations in connection with sly-grog cases?—On the first occasion, which was November, 1895, after the cases were matured, I went to Dunedin by instructions, to see Inspector Pardy. I put the whole case before him. Search warrants and informations were prepared, and Inspector Pardy asked me if there was a Justice of the Peace in the district whom I could trust to take the informations. Knowing that the utmost secrecy was required, I said I would not take the responsibility of recommending any one.

155. You would not trust them?—I would not say that.

156. Have you confidence in the secrecy of your Justices of the Peace?—I would not trust them, but they may be trustworthy.

157. Is there not a feeling in the district that they are sympathetic with the sly-grog sellers?—Yes, that is so.

158. Where were those informations laid ultimately?—I obeyed instructions, and laid them before Mr. Hawkins, whom I found at Gore.

159. *The Chairman.*] You have no doubt of Mr. Hawkins's sympathy?—I believe he is to be trusted.

160. *Mr. Taylor.*] How far is Gore from Tapanui?—Twenty-five miles.

161. Is it correct to say that a witness in a recent prosecution at Tapanui had to be taken under police protection?—I have no recollection of it.

162. I am now reading from the parliamentary report prepared by the Magistrate for the district. He says, "In a recent case at Tapanui it was necessary that the informer should be taken under police protection." Is that correct?—No.

163. If the Magistrate has stated that he would be incorrect?—Yes. It is true that a witness in a recent case, at my invitation, stayed with me for two days prior to the prosecution; but that was not the motive. I invited him to stay with me.

164. Was there any demonstration against the man?—Not the slightest; but a few larrikins called out names to him.

165. Has the population of Tapanui increased or decreased since you took charge?—I have not had the opportunity of compiling statistics for the borough, but I should say it has not decreased. I think it is rather on the increase, judging from the operations of the building trade.

166. What other difficulties have you to contend with in enforcing the licensing law in your district; have you reason to suppose that witnesses are systematically suborned?—Yes.

167. That is the result of your three years' experience?—Yes.

168. Suborned by those interested in sly-grog selling?—Yes.

169. *The Chairman.*] As a result of your experience as a constable, is that remark to be confined to cases of sly-grog selling?—Yes.

170. Is there anything of the same kind in other cases?—I would not like to go that far, but at the present time I have no recollection of any particular case. The sly-grog cases are fresh in my memory, and what I say applies specially to them, but it may apply also to other cases. My experience has taught me to be more careful in watching witnesses in sly-grog selling cases than any other witnesses who have come under my notice.

171. Was that the reason you had for keeping the witness in your house?—That was my principal reason—to prevent him being intimidated.

172. *Mr. Taylor.*] Would it materially assist you in your duties, as far as the enforcement of the licensing law is concerned, if all private hotels were under police surveillance, as are the public hotels?—It would meet the difficulty entirely, because it would be impossible to sell in the houses if the police were permitted to enter without a warrant.

173. *The Chairman.*] Do you make the suggestion that it should apply to every boarding-house as well, throughout the colony?—I do not care to say that it should be throughout the colony, but it would meet the difficulty in my district.

174. *Mr. Taylor.*] It was suggested by a witness yesterday that a number of tradespeople in Tapanui had been starved out. What have you to say of that?—I have no knowledge of it.

175. Do you know the township well?—Yes.

176. Supposing the means were placed at your disposal, do you think it would be possible to get more frequent convictions for sly-grog selling in your district?—Yes, if the proper means were adopted. If I make suggestions now they become public property, and that would frustrate my efforts. I would prefer to make no suggestions.

177. After having had practical experience, do you think that sly-grog selling in the Clutha can be practically stopped?—Yes, to all intents and purposes.

178. In view of your special experience, do you think the department have done all they might have done to suppress sly-grog selling?—Yes. The department has replied to every suggestion I have made with regard to detecting sly-grog selling, and I think I have made a good many suggestions in one way and another. I think that only on one occasion there was some little delay in replying, and if I recollect aright the suggestion was adopted, but it was too late for my purpose. I do not know that there was any unusual delay, but it was something like a month or five weeks.

179. Could the enforcement of the licensing law be more effective if there was some police authority in the Clutha district under whom constables could act without referring to headquarters?—I believe the principal cause of the delay is that Inspector Pardy has too much to attend to, and too large a district to travel over, and confidential correspondence must lie in Dunedin and await his arrival. My instructions are to forward all communications on the subject to Inspector Pardy confidentially; and I know that sometimes he has been away, and that my communications have been lying waiting for him for some time.

180. You think more prompt action could be taken?—If a competent man were in charge of the electorate, to act in conjunction with the constable, it would act better.

181. A witness said yesterday that he thought the influence of those engaged in the liquor business had prevented the police from efficiently administering the liquor law?—Throughout the colony?

182. Speaking specifically of Clutha?—That has not been my experience.

183. At Tapanui, what convictions have you obtained?—The first time was in November, 1895, when I obtained six convictions. The second time was a year afterwards, when the cases were dismissed. That was in August, 1896.

184. *The Chairman.*] How many cases?—Two informations. The third time was when five informations were heard, and there was one conviction. That was in November of 1897. There was one conviction, two were withdrawn, and two were dismissed. On the first occasion there were eighteen informations, three informations against each person. There were six convictions and twelve withdrawals.

185. Who were the informations withdrawn by?—Inspector Pardy.

186. *Mr. Taylor.*] What convictions have you had for drunkenness?—Not one.

187. Dr. de Lautour made reference to the case of a man named Mills. Do you consider an inquest should have been held?—I specifically pointed out, when reporting to the Coroner, how the death took place—what was asserted—that it was drink; and that death was attributable to an accident while in a state of intoxication. I also said the only point would be the illegal sale of liquor, and asked would an inquest be held. Mr. Hawkins replied, "Cannot order inquest under the circumstances."

188. Is it not the custom to hold an inquest in connection with all accidental deaths?—No, unless there are some suspicious of foul play.

189. You say the influence of those engaged in the liquor trade in the Clutha does not affect the action of the police. What is your experience elsewhere?—I have heard it asserted from time to time that publicans have a lot of influence, but it has never affected me in any way.

190. *The Chairman.*] How have you heard it?—I have heard it said among the police that so-and-so was shifted for doing his duty.

191. *Mr. Taylor.*] Among the police? Have you heard it said that it was to the advantage of the men not to be too active in the enforcement of the liquor laws?—I may have heard such a remark.

192. Has the feeling been expressed?—Not of late years. That was the feeling some years ago, when I first joined the Force.

193. *The Chairman.*] When did you join?—Thirteen years ago.

194. *Mr. Taylor.*] When were you promoted to second rank?—From four years and a half to five years ago.

195. Has Inspector Pardy given you all assistance in the enforcement of the licensing laws in the Clutha district?—Yes.

196. Have you been under any other Inspectors?—Mr. Weldon, Mr. Broham, and Mr. Moore, and, for a short time, Mr. Thomson, in Wellington.

197. Where did you serve under the others?—Mr. Broham in Auckland, Mr. Moore in Lawrence and Dunedin, and Mr. Weldon in Dunedin.

198. What is the feeling among the men in the Force in regard to their position in the Force generally—promotions, transfers, and so on? Has there been dissatisfaction?—There was considerable dissatisfaction in the Force until the system of transferring men from one end of the colony to the other was stopped. About six or seven years ago an Inspector had power to remove a man at his own sweet will without the slightest excuse. I was a victim to that kind of thing. I was transferred from Dunedin to Auckland, for what reason I know not, and I had to go, or leave the Force.

199. How long had you been in Dunedin?—Four or five years. It was at Inspector Moore's instigation.

200. *The Chairman.*] Had an Inspector power to move men from one district to another without the intervention of the Commissioner?—I understand the Commissioner would call for the removal of a constable from one district to another, giving no name, and it was left to the Inspector to remove whomsoever he liked.

201. *Mr. Taylor.*] How long were you in Auckland?—Eighteen months or two years.

202. Where were you removed to?—I exchanged with another constable in Wellington.

203. *The Chairman.*] How could you exchange places?—One constable in Wellington wanted to go to Auckland, and I wanted to go to Wellington, so we put in applications for transfer.

204. You agreed to send in an application?—Yes.

205. *Mr. Taylor.*] Was it not customary for such applications to be granted?—Yes, it was customary for such applications to be granted by the Commissioner.

206. *The Chairman.*] What year was that?—In 1892.

207. *Colonel Hume.*] Did you pay your own expenses?—No; I had some children to escort to the Industrial School at Nelson, so I was cleared of that liability.

208. *Mr. Taylor.*] Why did you wish to leave Auckland?—I had private reasons for doing so.

209. Were they connected with the Force?—I do not wish to impeach any one, and I would rather it remained at that.

210. Was it a grievance in connection with the Force?—I felt I was not getting justice under Inspector Broham. That was my primary reason.

211. How long were you under him?—Eighteen months, or close on two years.

212. Did he approve of your exchanging?—I did not interview him. I simply put in my application to the Commissioner through the Inspector.

213. Have you ever known political influence being used in the Police Force to secure transfers or promotions?—Of my own knowledge, No.

214. What is the feeling among the men as to the distribution of rewards?—I do not know. I am not among the men now.

215. When you were among them, what was the general feeling?—For myself, I had four cases at least which should have been recognised by reward, but they were not.

216. *The Chairman.*] How many rewards have you received during the three years you have been in Tapanui?—Three.

217. And did these four cases occur in Tapanui?—No. Two of them were in Auckland. I did not apply for the reward. I do not approve of the practice of having a case, and then, as it were, begging for the reward.

218. Have you ever applied in any cases for the reward?—Yes, rather than be overlooked I have applied.

219. *Mr. Taylor.*] Respecting convictions on defaulters' sheets, is there any great discontent among the men as to the way convictions are entered on defaulters' sheets?—Yes, I have also had experience in that way, and I would like to bring it forward. I would like to see my defaulter's sheet. I have only seen it once. [Sheet produced.]

220. *The Chairman.*] You apparently joined on the 27th December, 1885; and the first and only record of default is on the 5th March, 1891: "Leaving his beat to change his clothes between 9 a.m. and 1 p.m. without permission"?—Yes, that is what I wish to explain.

221. You were fined 2s. 6d.—Yes. That was under Inspector Broham. I wish to ask for the erasure of that item from my sheet, as it is there unjustly.

222. *Mr. Taylor.*] What were the circumstances?—I was on duty in Queen Street in the summer time, dressed in summer clothing—white helmet hat and white starch trousers—and it came on to rain. A tropical shower came on. I looked in vain for the sergeant in charge to obtain his permission to go and make a change, and I waited on my beat to see if he would arrive. We should be paid two visits every four hours. Not seeing any sign of him, and getting wet—having to stand under a verandah to protect myself—I met the constable on the neighbouring beat—Constable Stephenson, now dead—and said to him, "If you will relieve me of my beat I will go and change my clothing, and when I come back I will relieve you." Section 53 of the regulations permits this to be done. I went home, and was absent probably ten or fifteen minutes. I was at the barracks. I came back and relieved Constable Stephenson, who also went home to change his clothing; and, after his return, Constable Stephenson relieved Constable John McCabe, now at Gisborne. The sergeant (John McMahon) appeared about relief-time and asked us where we got our coats. We explained to him what we had done. He reported the matter to the sergeant-major—then Sergeant-major Pratt—and was instructed to report it to the Inspector, with the result now stated on my defaulter's sheet.

223. Were you ever taken before the Inspector?—Yes; but during my service that is the only offence for which I have been fined. I have been before the Inspector about half a dozen times.

224. *The Chairman.*] There is only the one record?—Yes, and I had to fight hard or there would have been more.

225. *Mr. Taylor.*] Under Inspector Broham, are not the men very much pestered by trivial complaints?—I should say harassed—that was my experience; and, in saying so, I could give details, with regard to fires especially.

226. That is, with regard to attendance at fires?—Yes.

227. That regulation has been amended recently?—In Dunedin it has. In Auckland, constables had to attend fires, although they occurred at the rate of two or three a night. No excuse was allowed. The sergeant-major or the Inspector would parade the men and call the roll, and the absentees were called before the Inspector next day.

228. If a man had been on an eight-hours' beat, was he liable to attend a fire within a few minutes of being relieved?—Yes.

229. Is that so in Dunedin?—No; but I could not be sure. I think there was an alteration made in Dunedin. I believe the regulation there is that on the first alarm of the bell the constables are not supposed to turn out, not unless the night-watchman instructs them that it is a serious fire. If it is serious all hands turn out.

230. *The Chairman.*] Do you say that in Auckland all the men had to attend a fire, including those on beats?—I believe that all hands had to muster at the fire.

231. And leave their beats?—I think certain of the beats had to be protected. One man, for instance, had to be left in Queen Street.

232. *Mr. Taylor.*] In Dunedin, if you have an arrest, is it the custom to write up your report after leaving the beat?—In Dunedin, No; but in Auckland, Yes.

233. Before you turned in?—Well, I think an alteration was made in Auckland too, but it is within the last few years; but it used to be otherwise. In Dunedin, the constables who had reports to make went in at the consideration of the sergeant, probably at 4 o'clock, handed the reports to the sergeant, and fell in with the men when they came in and were dismissed.

234. Did Inspector Broham exhibit violent temper to the men?—He did to myself.

235. Has there been discontent among the men, as to the way in which the reports against their conduct have been dealt with? A charge is made against a constable, and he sees it and makes his reply. Then it goes to the Commissioner with the Inspector's report. Was it the custom when you were in the large centres for the constables to see the Inspector's reports?—No.

236. Is that unfair?—Yes; I think the whole system was unfair. I never had an experience of an Inspector's office until I went to Auckland, and the system was one-sided there. The Inspector was judge and jury. I can give an instance of it.

237. Let us have the instance?—It concerns Sergeant Emerson, now out of the Force. I was on night duty under him. An assault was committed in Queen Street by a restaurant-keeper, a darkie named Cox, who assaulted a man. The man complained to me, and while making inquiries the sergeant came along and I reported the matter to him. The sergeant went into the restaurant and arrested the keeper, and instructed me to bring the assaulted person to the station. I did so. He said, "Take the man to the hospital, and see what the assault is like." I said that before going to the hospital I would give the names of two men who had seen the assault. I went to the hospital, and returned about 12 o'clock. Then, the sergeant instructed me to go and see to the finding of the two witnesses. I said it was almost an impossibility to find the witnesses at that hour. Next day the sergeant asked me in the afternoon to go with him to find the witnesses, but we could not find them. That night (Saturday) the sergeant instructed me to write a report to the effect that I could not find the witnesses. I said, "I have no report to write with regard to the witnesses, and if you think I have neglected my duty report me for it." On the Monday I was ordered to the Inspector's office. Inspector Broham read a long report from Sergeant Emerson, who charged me with insubordination and disobedience of orders. The case was proceeded with at once in the presence of the sergeant and the sergeant-major, and after a lengthy hearing the Inspector decided to convict me for the offence. This meant a serious matter to me, and I said that rather than proceed with the matter I would

apply to the Commissioner for a rehearing, as it was unjust. Next afternoon the clerk took the evidence down in writing, and the Inspector then dismissed the charge, and threw the papers to one side. It was with difficulty that I managed to get my rights, and I took the earliest opportunity of leaving Auckland.

238. *The Chairman.*] And there was no conviction recorded against you?—No. That is my experience of Inspectors' offices. Of course, I do not suggest that such is the case in Dunedin, where I have been treated with the greatest courtesy by Inspector Pardy.

239. When you intimated that you would forward the matter to the Commissioner, fresh evidence was taken in writing and the case was dismissed?—Yes; Sergeant Ellison, now at Wanganui, was the clerk who took the notes.

240. *Mr. Taylor.*] Do you think that, in regard to promotions, they should be by seniority or by merit?—I think they should be by merit. It is impossible to have an efficient Force if you stick to seniority.

241. Is there not a feeling in the Force that constables have been unjustly punished by frequent transfers?—That was the feeling at the time I am speaking of, but it is not so now. They are better treated now than they have been for years, and they are more satisfied.

242. Is your experience under Inspector Pardy that he encourages constables by his treatment of them to discharge their duties efficiently?—Yes.

243. In regard to offences by constables, should they be tried by a tribunal apart from their officers?—Yes. I think the Magistrate's Court should be open to all constables as a first tribunal.

244. *The Chairman.*] Are transfers not so frequent now as they used to be?—Not by a long way. At the time of my removal some eight or ten constables were removed all over the colony, but for what reason we did not know. It is, of course, a stain on a constable's official character to be removed. It is always thought he is removed for something.

245. You think that all police offences should be dealt with by the Magistrate?—Yes; either publicly or privately.

246. *Mr. Taylor.*] Have you ever known of a feeling among the men that activity in enforcing the licensing law was not desirable if they wished to get promotion?—There was a feeling that it did not do one any good.

247. As a matter of fact, have you never known of an instance where publicans have boasted that they would get certain police-officers removed?—I have heard of publicans talking in that way.

248. Have you heard of such a threat in connection with the Shamrock Hotel, in Dunedin?—Yes.

249. Whom did they threaten?—Sergeant Mackay.

250. Was Sergeant Mackay pretty vigilant in connection with licensing matters?—He was very active.

251. *The Chairman.*] Who made the threat?—I say I heard that such a threat was made by the people of the Shamrock Hotel—Tilburn.

252. *Mr. Taylor.*] Was not that common talk among the men in the barracks at Dunedin?—Yes.

253. Was Constable Mayne associated with you in Dunedin?—Yes.

254. Did you ever hear him boast of his political influence?—No.

255. Did you ever hear of any other constable boasting of his political influence?—I cannot recollect any.

256. Did you ever serve with Constable Aitcheson?—Yes.

257. Have you heard him boast of his political influence?—He was a man who boasted of many things, and no notice was taken of it.

258. Was there a feeling that he had political influence?—It was so said among the men.

259. Was the same thing said about Constable Mayne?—I have no recollection of it.

260. Inspector Pardy said, in Dunedin, that his plans for the detection of sly-grog selling had sometimes leaked out. Have you any knowledge of how it leaked out?—I have not.

261. A witness said yesterday that the people talked commonly in Tapanui about a detective with the goggles being in the district?—It was before my time.

262. Do you know of any plans having leaked out while you were there?—No. The plans I had in operation were known only to the Inspector and myself. I took care of that.

263. Did you move about among the farmers of the district much?—Yes.

264. Did you notice signs of drinking there?—No.

265. Compared with other places you have been in in the colony, what is the reputation of your district for sobriety?—I was in Tapanui ten or eleven years ago when licenses existed there, to relieve Constable King for a fortnight, and I attended a two days' race-meeting. My opinion of it was that it was a "pretty hot shop," and others who were there said it was a warm meeting.

266. *The Chairman.*] Had you any difficulty in performing your duty then?—There were the usual drunken disturbances that had to be suppressed, but I had no difficulty in doing my duty.

267. *Mr. Poynton.*] Were there two constables?—I was there to relieve Constable King.

268. *Mr. Taylor.*] Is there a general feeling in your district that those engaged in illicit trading have the sympathy of the Justices of the Peace?—That is my opinion. There has been a change of late, and there is one man who has no sympathy with them. I cannot class them altogether as in sympathy with the sellers.

269. *The Chairman.*] You stated that at Tapanui in the last few years you have had no cases of drunkenness at sports?—That is so.

270. Were you in Dunedin at the races?—No.

271. Have you been at any public gatherings in Dunedin lately?—No.

272. Have you much crime in your district?—Very little.

273. Very little of all kinds?—Yes.
274. What is the most prevalent crime or offence in your district?—I do not know that there is any I could name.
275. You are the only constable in your district?—Yes.
276. Do you think that numerically the Force is not strong enough there?—I think it would be advisable for the head of the department to adopt some system of sending detectives round, to follow some avocation in the district, until such time as they could carry out their plans.
277. What did you mean when you spoke about the police having more “means” in the district?—I did not mean monetary means, but some detective assistance in a particular way.
278. Has there been in the past any difficulty in obtaining assistance if you wished it?—Not the slightest.
279. Has there been any impediment whatever, or difficulty, or discouragement put in your way to prosecute the sly-grog sellers by your superior officers, or by the department?—No, none whatever.
280. *Inspector Pardy.*] You heard what was said about the spasmodic efforts of the police to put down the traffic?—Yes.
281. Is it not the fact that after a prosecution, and for some time after, these sly-grog sellers are extremely cautious?—Yes.
282. And is not that the reason why so long a period takes place between a series of prosecutions?—Yes.
283. You know that we did not stop because we had a prosecution?—That is so. There have been repeated attempts.
284. Is it not the fact that witnesses often go back on us?—Yes.
285. I have no recollection of the delays you speak of?—The first was about August or September, 1895, and the second about July in 1896, or perhaps earlier.
286. Did you ever ascertain from me the cause of the delay?—No.
287. Probably you are not aware that there was a difficulty in the way at the time, not through my being absent, but a difficulty I could not overcome?—I am not aware of that.
288. Is it not the fact that I have devoted a large portion of my time and brains to making plans to attack the liquor trade?—Yes, and it has been a difficult task.
289. In regard to defaulters’ sheets, I want to clear myself, as you have spoken generally in respect to Inspectors. Are you aware that I have never entered a charge on a man’s sheet without informing him of it?—I believe that has been your system.
290. Are you aware that in charges made against the men, either by the outside public or by the sergeants, I give the men any remand or adjournment they ask for?—I confined my remarks to Inspector Broham. I was never before Inspector Pardy.
291. As regards transfers, you spoke about the Inspectors generally. Do you know that I have never made a transfer unless under instructions from Wellington, and that the name of the constable was always mentioned?—I believe so. I have heard it said among the men that in New Plymouth the men were more satisfied than they were anywhere else. I understand that what Mr. Pardy states was the system he acted on.
292. *Mr. Taylor.*] While in Dunedin, do you know whether it was the custom for any constable to frequent breweries at night-time?—Yes, I believe it was the custom.
293. *The Chairman.*] Within your knowledge, or do you only believe it?—I have never frequented breweries myself, but I believe it was done.
294. Why?—Because I have frequently seen a quantity of beer being carried down.
295. Where?—To the police-station, and coming from the direction of the brewery.
296. The question was, Whether you are aware that the police frequented the brewery at any time?—I believe so.
297. Why?—I have seen them coming from that direction at relief-time. I have seen them coming from the direction of Speight’s brewery.
298. Do you say you have seen quantities of beer being carried by the men?—By a man.
299. A constable?—Yes. He is not in the Force now.
300. *Mr. Taylor.*] Was it not common talk in the barracks that such had been the custom for years?—Yes.
301. *Mr. Tambridge.*] How long ago was that?—Close on five years ago.
302. You remained in the vicinity of Dunedin for years after that?—No, I have been at Tapanui.
303. Did it continue after you left the neighbourhood?—It fell away considerably. Towards the latter days of my services in Dunedin I question if it was carried on at all.
304. So that in 1894 the habit of going to the brewery had discontinued altogether?—Almost discontinued.
305. Since you have been in Tapanui, have you done your utmost to stop sly-grog selling?—Yes.
306. Your very utmost?—Yes.
307. Then, it is wrong for the schoolmaster and the doctor to say you have not done so?—Yes, entirely wrong.
308. And you think that if the steps you recommended were adopted it might be entirely stamped out?—Not entirely; I said “almost.”
309. Have you recommended any steps to Inspector Pardy, or any one else, that have not been adopted?—I said before that all my recommendations have been adopted.
310. Your two answers were inconsistent. You said that if the steps you recommended were carried out the traffic might be entirely stamped out, and I want to know whether any steps you have recommended have not been carried out?—I verbally suggested to Inspector Pardy something

that he was to consider. That was on his last visit to Tapanui. It was a step that might be taken, and he agreed with it, and said that when he had time to think it over he would take it into consideration. That suggestion might be adopted yet.

311. As regards the amending of the law, do you think that if all boarding-houses were open to inspection, the same as licensed houses, the difficulty would be met in a great measure?—Yes, I feel sure it would.

312. *The Chairman.*] With reference to hardships in connection with the police being called out to fires, and the injustice that you consider existed in the manner in which reports were dealt with, do those complaints not refer to a remote period?—Yes. I understand that when Mr. Seddon took office he abolished the system, and issued a circular of a retrospective nature dealing with the production of all reports in connection with constables. Since that we have had a more independent position than before.

313. So that those hardships do not exist at present?—No.

314. Therefore, with reference to the condition under which you are at present serving you have no complaint as to those particulars?—No.

315. Have you ever in your service been reproached for your activity in connection with licensing matters?—No.

316. On the other hand, have you been encouraged?—Under Inspector Pardy, Yes; under Inspector Broham and Inspector Moore I was neither encouraged nor discouraged.

317. Did you take any action in your earlier days against the licensees of houses?—Yes. Under Inspector Weldon I was detailed for special duty to detect Sunday trading, along with Constable MacRae, now of Milton. We laid five or six informations, which resulted in the conviction of some, and the dismissal of others. In Lawrence, in conjunction with Constable Bowman, now Sergeant Bowman, of Dunedin, I also got a conviction. In Auckland I initiated a prosecution against Mr. Lynch, of the Clarendon Hotel, and the charge was dismissed. A second information was laid, and also dismissed.

318. And were you rebuked in any of those cases?—No. Under Inspector Pardy, of Dunedin, I laid informations against hotelkeepers, which resulted in their conviction; and I was encouraged by him in being detailed off to perform confidential duty. I took that as encouragement.

319. Your experience throughout the whole of your service has been the contrary of what has been suggested here, then—that the liquor interest interferes with the free action of the police in dealing with the liquor question?—That has not been my experience.

320. Your experience has been the contrary?—Yes.

321. On the question of pensions, do you think the men would prefer a pension in preference to a retiring-allowance?—I am in favour of a pension.

322. Would you be in favour of contributing to the pension fund by stoppages from your pay?—Yes, certainly.

323. Do you think there should be an age of retirement, when officers and all should retire?—Yes, I do.

324. You think it would encourage promotion?—Yes; if such a pension system were in vogue.

325. Do you think that without a pension it is difficult to maintain an efficient Police Force?—Yes.

326. Owing to what?—Owing to the number of old men who seem to get glued to the service, and cannot give it up on account of having no competency for themselves.

327. Should uniforms be provided by the officer or the department?—If the circular recently issued is to be adhered to—all constables to be in uniform—then, I say, that country constables should be provided with uniform. A man in the country has to provide leggings and cord trousers, and working among horses he destroys two suits to the one used by the man in the town. There is another matter which I wish to bring under the notice of the Commissioners. It is in connection with the Illicit Distillation Act. I produce a copy of the circular issued by Colonel Hume in 1892. It is as follows:—

(Circular Memo., No. 9/92.)

Police Department, Wellington, 6th April, 1892.

Illicit Distillation.

WITH reference to the illicit distillation which it is believed is still carried on in some of the inland districts, it is notified for general information and guidance that although the rewards now offered under Customs G.O. No. 388 are very liberal, still, as a further incentive to zeal and energy, the Hon. the Defence Minister is pleased to direct that any conviction of importance obtained through the special exertions of a police official shall, on the recommendation of the Customs Department, be made a cause for promotion under Regulation No. 61.

The discovery and suppression of illicit distillation in inland districts depend to a large extent, if not altogether, on the police, and at seaports they should be a valuable agency against smuggling.

A. HUME, Commissioner of Police.

I obtained a conviction under that Act, which conviction, the circular says, may be cause for promotion in addition to the reward.

328. When did you obtain the conviction?—On the 24th June, 1896. I received a reward from the Customs Department. I applied for promotion, but received no reply.

329. What was the date of your application?—About the 7th or 8th of July.

330. *Colonel Hume.*] Did you make application to the Customs Department for the reward?—No, I applied to my Inspector, and did not deem it my duty to have anything to do with any other department but my own. I simply drew attention to the circular, and left the rest to the department.

THOMAS GRIFFITH, examined on oath.

331. *The Chairman.*] What is your name?—Thomas Griffith.

332. What rank do you hold in the service?—First-class constable.

333. Stationed where?—At Balclutha.

334. Since when?—Since August, 1896.

335. *Mr. Taylor.*] When did you join the Force?—On the 3rd May, 1876, at Dunedin.
336. Did you resign at any time?—Yes. I remained in the Force till the 30th June, 1882, and I resigned by voluntary resignation after having served for some years as a first-class constable.
337. When did you rejoin?—On the 1st February, 1883, after an absence of only seven months.
338. In what rank did you rejoin?—Unfortunately at the bottom of the list, as third-class, and I was kept third as long as it was possible to keep me.
339. What is the opinion of the police generally in regard to the present Commission? Did the men desire its appointment?—That wants a little explanation. The good men think it is the best thing that has ever happened, and the bad ones think it is the worst.
340. Were any special reasons given for your being placed in Balclutha in 1896?—No, unfortunately; it was a grievance on my part that I was sent here.
341. Where were you stationed before that?—At Mosgiel; but, for a trumped-up case by a madman—one which I wish the Commissioners to take note of—I was sent here against my will.
342. What was the name of the man who charged you?—It was a man named Ruthin, who said I had been great with his wife. He had followed me about so much, and given me so much abuse, that at last I had to arrest him. He was bound over to keep the peace; and then he sent threatening letters to me, and that was the cause of my coming here.
343. Nothing was said to you when you were removed to Balclutha, as to the need for being active in suppressing sly-grog selling?—Yes.
344. Who said it?—Inspector Pardy said I would have to do my duty without fear or favour, and that I would have to put down sly-grog selling.
345. What has happened in that connection since you came here?—I have had prosecutions, and several convictions.
346. Will you give us a list of them?—I have had about twenty-three cases, some of which have been dismissed.
347. As a result of your experience, what is the best way to stamp out sly-grog selling here?—If they would fine £100, as the Magistrate did at Invercargill, and double subsequent fines, there would be little sly-grog selling.
348. You think the fines are too small?—Yes.
349. It does not discourage the trade?—That is so.
350. Has the department always followed your suggestions in regard to the suppression of the sale of liquor?—Yes.
351. In your experience as a police-officer, are the licensing laws as strictly enforced as other laws?—No, they are not.
352. Why?—Because the publicans' and brewers' interests have had such an influence on politics that the constable who did his duty was shifted from post to pillar. Immediately he made himself obnoxious to a certain class and carried out the laws he was removed.
353. *The Chairman.*] You have cases to cite?—I got nine shifts myself in twenty years.
354. Do you attribute that to political influence?—I have not a doubt about it.
355. What reason have you for saying that these nine removals had anything to do with politics?—It was public talk that I would be removed, and immediately I was.
356. *Mr. Taylor.*] Have publicans threatened that they would have you shifted?—Yes.
357. And you were shifted?—Yes.
358. And that is the reason you think they had an influence?—Yes.
359. *The Chairman.*] Did they announce that they would have you shifted?—Yes, they did.
360. Who are "they"?—The publicans at Outram.
361. *Mr. Taylor.*] Where were you first stationed when you joined the Force?—I joined in Dunedin.
362. What station did you occupy next?—Riverton, then Invercargill, Mataura, Lowther, and Waikaia, where I was when I resigned.
363. When you rejoined, where was it?—Invercargill.
364. And after Invercargill?—I was sent to Lumsden, and then to Outram, next to Mosgiel, and then to Balclutha.
365. Do you know of any officers who have remained in stations for fifteen or twenty years?—Not in Southland. Unfortunately, I have been kept in the worst climates—in Southland.
366. Have you on more than one occasion been threatened for interfering with publicans?—Yes, at Mataura.
367. You have had experience yourself as a publican, have you not?—Yes, for seven months.
368. *The Chairman.*] Where was the first threatening you had?—At Mataura.
369. And the next?—At Waikaia.
370. Were you not successful as a publichouse-keeper?—No. I lost all I had, and I rejoined the Police Force.
371. *Mr. Taylor.*] Have you been threatened by the publican interest on more than two occasions?—Yes.
372. And has the threat been followed by removal?—Yes, always.
373. Do you think that fear of the publichouse interest has been general among the men?—Yes, it has been very general.
374. Have you heard the men say so?—Yes. The men have told me I was a fool for doing my duty with the publicans, and that in my old age I would have to fall back to get a living from the brewery.
375. Were reasons ever given by the department for your removals?—I was removed from Mosgiel through the madman business.
376. On other occasions was it simply an order?—I would simply get the order.

377. Do you think the registration of all boardinghouses and private hotels, giving the police the right of entry, would facilitate the enforcement of the licensing law?—It would, undoubtedly.

378. Where do you usually swear informations in connection with sly-grog cases?—I get them signed by the Magistrate, or by Mr. Dabinett, of Catlin's, or at Dunedin.

379. Are there any Justices of the Peace in Balclutha?—Four or five.

380. Do you not go before them?—No.

381. Any special reason?—Yes.

382. What?—For fear it would leak out before I got a search warrant to have the place searched; and if it leaked out I would get the blame for it.

383. Do you regard the local Justices of the Peace as sympathetic with the sly-grog sellers?—Yes, and that was the reason I went elsewhere.

384. Have they thwarted you in your duty?—Some of them would.

385. Did you ever have an interview with any Justice of the Peace about a witness named Hamilton having been spirited away in connection with one of your cases?—It was common talk.

386. Have you discussed it with a Justice of the Peace? Did you suspect a Justice of the Peace of having spirited the witness away?—Yes.

387. Who was it?—John McNeill.

388. Did you see George Thomson about it?—I may have discussed it in the ordinary way of conversation.

389. You had no special interview with Thomson on the matter?—I do not think I had. I followed the witness to the ranges on the Roxburgh Station, and I was out all one night hunting for him. When I came across him I gave him £1 out of my own pocket so that he would have no excuse for not coming to Court, but he returned the money to me in a letter, stating that he could not find it convenient to attend.

390. Is there dissatisfaction in the Force in regard to the method of entering offences on the defaulters' sheets?—In the past it could not possibly have been worse.

391. How recently?—When the Seddon Government came into power.

392. Then, a regulation made by Mr. Seddon improved matters?—Yes. There was a regulation issued, when Mr. Seddon became Defence Minister, that when Inspectors reported constables they had to give the constables a copy of the report, so that they might reply to any charge against them.

393. Before that, were constables the victims of offences of which they knew nothing?—Yes.

394. Do you think that constables charged with offences should have some tribunal to try them other than the department?—Yes. If the Inspector formulates a charge he is the prosecutor, the judge, and the jury all in one. That might be right enough if men were honourable and just, but when they take advantage of their position or take "a down" on a constable he has marks put against him that he has no right to have.

395. *The Chairman.*] Are you speaking of the present state of things?—I am speaking of the state of things that existed before 1891.

396. *Mr. Taylor.*] How does Balclutha, under "No license," compare, so far as order and sobriety are concerned, with other towns of a similar size?—It is superior to any town of a similar size in the colony. It is a very rare thing to see a man the worse of drink in Balclutha.

397. Have you had any arrests for drunkenness in Balclutha since you have been here?—One, and it was at the railway-station.

398. He would come from outside?—Probably.

399. Is sly-grog selling on the decrease or the increase?—On the decrease.

400. Is it not possible to stamp it out?—It is a difficult thing to say that. There is sly-grog selling where there are licensed houses, in Dunedin, Invercargill, and Christchurch. It is very hard, like many other evils, to stamp out.

401. If the prosecutions were more frequent would it not discourage the men?—Prosecutions have been so frequent lately that the sellers are getting so clever that they can evade us.

402. They are very astute?—Yes. All strangers who come to the place are looked on as detectives, no matter what size he is.

403. Have you applied for removal from here?—Yes.

404. On what grounds?—Chiefly owing to the attitude of the Magistrate to me.

405. What do you refer to specially? Was it in connection with some prosecutions?—Yes. Mr. Hawkins generally treats the police as rogues and vagabonds.

406. *The Chairman.*] What was his attitude to you?—On a Court day one of the solicitors asked me for some forms, and I told him to go into my office to get them. He came back, and said he could not find them, and I went and got them for him. I did not delay. When I returned the Magistrate called me and addressed me from the bench, saying I had no right to leave the Court; that I was his servant, and that I was to attend to him, and to him alone. I tried to explain that I was on Court duty, getting the forms for the solicitor; but he would not allow me to explain, and the result was that the people in the body of the Court thought that I had committed a great crime. I determined then that, if possible, I would get away from the district.

407. *Mr. Taylor.*] Has he discredited your evidence in cases?—He discredited three of us in a case once.

408. That is why you are of opinion that he thinks you are perjurers?—Yes.

409. You know that there is a reward fund in connection with the Force?—Yes.

410. Are the awards equitably distributed?—No.

411. Is there dissatisfaction among the men on that score?—Yes.

412. Would it not be better if the system of monetary awards were abolished altogether?—What would you give instead?

413. Make marks for promotion?—Yes, that would be better.

414. The men are jealous of the rewards that are issued?—Yes, because they are not issued fairly.
415. Have you ever known of cases where persistent agitation has secured rewards?—Yes, if one had friends.
416. Were you connected with the Lochindorb attempted murder?—Yes.
417. In what way?—I worked it up from the first.
418. When was that?—In May last.
419. Was there a conviction?—Yes. It was a case that was not reported to me. The man shot did not believe his mate shot him; the doctor did not report it, and the station-owner did not report it; and yet I followed the case up day and night in terrible weather.
420. *The Chairman.*] Did the Inspector know this?—Yes.
421. *Mr. Taylor.*] Did you get any reward for that action?—No. The man was brought to justice, and received a sentence of fifteen years. There was another case of housebreaking I would like to mention.
422. Have you known of a case in connection with the Police Force where political influence has over-ridden the influence of the department?—The ruination of the Police Force is political and masonic influence.
423. Have you ever known of a case of outside influence obtaining something a man would not have got in the ordinary course?—It is like this: A man is promoted, and no one knows why. We will say McIntyre, for instance. One member of the Force will ask another, "Why did McIntyre get promoted?" and the reply is, "He is a Mason, and is well in with all the 'big-bugs.'" Or another case will be heard of, and he will be asked why he got over the heads of his seniors; and the reply is that his family is strong in such a member's district, and they worked it with the member, and the member with the department.
424. Is that feeling general among the men?—Yes.
425. Do you know of any case of promotion which the men consider to be unfair?—I am at a disadvantage, in that I did not expect to be called on to give evidence, but if I had time to look over the last promotions I could pick out several cases. There are constables who are promoted over me to be sergeants who have not near the service I have, and who have never had such good cases as I have had.
426. Take the case of Constable O'Rourke, of Otaki?—I do not know him.
427. He was promoted for some special reason that was not gazetted. Would not that cause dissatisfaction in the Force?—Yes, it looks as if there was something suspicious.
428. If the department told you that it was an oversight that the reasons were not gazetted, would that allay your suspicions?—Not unless it was to be seen in print.
429. *The Chairman.*] And notification of special reasons is better made late than never?—Yes.
430. *Mr. Taylor.*] You rejoined as third-class constable in 1882?—Yes.
431. When were you promoted to second-class?—On the 28th August, 1888, for merit.
432. And when were you promoted to first-class?—In 1894.
433. *The Chairman.*] Were you Clerk of the Court at that time?—Yes. The promotion in 1888 was for exceptional merit in connection with the detection of offenders. My notice of promotion reads: "For exceptional merit in connection with the detection and conviction of offenders, Harry Freen and Albert Edward Mawer, convicted of housebreaking; as well as spirited conduct in arresting Martin Johnston when armed with a double-barrelled gun, which was loaded, cocked, and presented at the constable. Third-class Constable Thomas Griffith is promoted to the rank of second-class from the 1st instant.—Wellington, 3rd September, 1888."
434. *Mr. Taylor.*] When did you leave Outram?—About four years ago.
435. You went to Mosgiel?—Yes.
436. Did you use any political influence to get shifted from Outram?—No.
437. Who is the member for the district?—Mr. Carnecross.
438. Did you not discuss with him the advisability of getting a shift?—No; but I know what you are referring to. I believe some of my friends did, owing to the treatment I received there; and I wanted to get near a school for my children. I was then shifted to Mosgiel.
439. Have not constables been driven to use outside influence?—Yes; because they could not get justice inside.
440. Is there not a feeling within the past six months that things are improving?—Yes; since the new Commissioner came.
441. You have confidence in the new arrangement?—Yes. We feel that we have an officer at the head of the department who understands police duty.
442. And you feel that he has a free hand, and that he will not be touched by members?—Yes, it is said he will have a free hand, and that he will be untrammelled by politics.
443. Did you have a prosecution against Dunne, jun., while you were here?—Yes; and against Dunne, sen.
444. *Mr. Tunbridge.*] You said that some constables had been promoted over your head?—Yes.
445. Will you give me some names?—If I had the *Gazette* I could point out some.
446. Were your former services allowed to you?—Yes; my previous services were allowed to me on the 9th March, 1895.
447. But you rejoined the Force as a third-class constable?—Yes. I applied to have my former services allowed to me, and the request was allowed, but afterwards cancelled.
448. Why was it cancelled?—The Inspector raised a point of broken periods, and it was taken from me.
449. It was found that in giving you back your former services they had made a mistake?—So they said.
450. You know now that if a constable resigns from the Force he loses all claim to his former services?—Yes; but what I complain of is that immediately I came back to the Force they made me do the work of a first-class constable.

451. Your number in the Force is 433, is it not?—Yes.
452. Now, the junior officer holding superior rank to you at present is Sergeant Wright, is it not?—Yes.
453. Do you know his number?—It is 424.
454. He is senior to you?—Yes.
455. You were advanced to first-class constable in 1894?—Yes, for meritorious conduct.
456. And Sergeant Wright was advanced to first-class constable on the 21st March, 1893, so that he is not only your senior in service but in the rank of first-class constable?—Yes; but I am allowed my time.
457. You see you cannot count your former services?—Yes, I am allowed it, but they will not let me count it in.
458. You have been very successful in prosecutions in Balclutha?—Yes. I have been successful wherever I have been stationed. I have been known as the “thief-catcher.”
459. I should like to know where you think rewards have been improperly given?—Well, I have seen that for sitting on a horse’s head and keeping it down—the animal having fallen down—a constable has got a reward of £5. In other cases constables have been rewarded for the most trifling things.
460. What do you refer to?—It was the case of a man who stopped a runaway horse.
461. Do you not think that sometimes a man might incur serious risk to life and limb in stopping a runaway horse?—Sometimes he might.
462. And a man who risks himself in that way, and who is probably the means of saving the lives and limbs of other persons, is deserving of reward?—Yes. A great many others would do the same thing as well as the policeman.
463. Do you begrudge those men the rewards they got for stopping runaway horses?—No; but I say that rewards have not been given fairly.
464. Have you not spoken of Lochindorb?—Yes.
465. Were you recommended for reward in that case?—The Inspector told me I had been recommended.
466. You do not know the reason it was not granted?—I understand the Commissioner of Police said I had only done my duty.
467. You did not get the papers back?—No. My reason for thinking I should get a reward is that it is possible for a man to display greater tact and ability in arresting a man who only gets eighteen months than in the case of a man who is executed for murder. It is not so much the arrest, as the manner in which a case is got together, and the trouble and worry in getting evidence.
468. It is not the length of imprisonment that a man gets that should carry reward, but the ability displayed?—Yes. In the Lochindorb case, for instance, the station is a long way off. The hut was miles away from other houses, and it was occupied by only the two men. There were exceptional circumstances surrounding the case that really entitled me to recognition.
469. *Mr. Taylor.*] The Inspector recommended the reward, did he not?—I believe so.
470. *Colonel Hume.*] Did you arrest the murderer?—No; but I was the cause of his being arrested.
471. How so?—I found out the boat in which he left, and went to the telegraph-office on a Sunday and sent the news to Dunedin.
472. And was he arrested in Dunedin?—In Wellington.
473. Then, your telegram was practically useless?—No; my telegram told the police the boat he was on.
474. You say that the discontent owing to the rewards is that the constables who have arrested certain people have not been rewarded; now you think the person who arrested a murderer ought to have got a reward?—If he displayed any special intelligence, he should.
475. And you should have got some as well?—Yes, it should have been apportioned if there was merit in the case at all.
476. Would you give us another case in which you think the rewards have not been properly distributed?—Yes. I had a case of robbery at Tiri. It occurred in the Milton district. I traced the offender in that case, and the day following that on which I got the correspondence I had arrested him. He was sentenced to three years. I think I was recommended by Inspector Parry for reward, but I got nothing. The public were pleased at the arrest, and subscribed £4 or £5; but I refused to take it, and the money was sent to the Inspector, who sent it to Colonel Hume. That gentleman refused to let me have it, saying I had only done my duty.
477. What was that case?—It was the case of James Millar.
478. What year?—Nearly five years ago.
479. You stated that the way promotions were made gave great dissatisfaction in the Force?—Yes.
480. Carry your memory back to 1890. Can you tell me any promotions that have given dissatisfaction since then?—Sergeant Wright’s case was quoted by the Commissioner, but it does not affect me.
481. I would like you to carry your memory back further, as the dissatisfaction appears to have been when I was Commissioner?—I think it was when you were the Commissioner that the greatest dissatisfaction was.
482. Can you give us a case?—I did not think I was entitled to promotion, but I have heard other constables commenting on other cases.
483. Do you read the *Police Gazette* carefully?—Yes.
484. Were there many promotions made?—Very few.
485. But they gave dissatisfaction?—Every one was dissatisfied.

486. It was because you expected promotion?—No, I did not expect it, but others complained that some men had been promoted over their heads.

487. Were there any men promoted over your head?—Not mentioning my back service, I may say I had no grievance.

488. Can you give us any case, then?—I cannot. When a body of men get together they talk about things, but at present I cannot give you a particular case.

489. You said it should be gazetted according to the Act, if a man was promoted for any special act, or promoted out of his turn?—It would be better if it was gazetted.

490. Now, if you studied your *Gazette* carefully you would know that this man O'Rourke was gazetted?—I do not know anything about him.

491. If he was gazetted there would be no grievance?—I know nothing about him.

492. Did you not say that the grievance was that it did not appear in print?—I said that if a man was promoted over the heads of others it would be better if it was in print.

493. *The Chairman.*] Do you know any man who was promoted for special services whose name did not appear in print?—No.

494. Then, you have no complaint on that ground?—No.

495. *Colonel Hume.*] Then, really, your complaint is that you are not allowed to go over the heads of men who were parading the streets for eight hours a night while you were a publican?—No, that is not it. I do not think that is a fair way to put it. I say that seeing I got my back services allowed, and that I was made to do the work of a first-class constable and only got a third-class constable's pay, it was not fair treatment. I was sent to take charge of important stations for the simple reason that I had had experience, and that my Inspectors thought I had the ability.

496. Are there not other third-class constables in charge of outside stations?—I am not aware of any.

497. Are there not fifty or sixty?—Not in such important stations as the ones I had.

498. Mosgiel?—No.

499. Where?—Lumsden and Waikaia.

500. There was a third-class constable at Waikaia—Mayne?—Yes, Mayne was there.

501. Was he a third-class constable?—Yes, and I think he is that yet.

502. And there was nothing detrimental to the district in consequence?—Perhaps it would have been better if a first-class constable had been in charge.

503. *The Chairman.*] You say that you have no drunkenness here, and that only one case was taken at the railway-station?—Yes.

504. How far away is the nearest licensed publichouse?—Stirling—not three miles away.

505. And, notwithstanding that fact, you have no cases of drunkenness?—No.

Subsequently, the witness said: I have been confidentially informed that Constable Christie is under the impression, and the public as well, that I have been the cause of charges being brought against him. I now swear that I am not. I have never supplied Mr. Taylor or any one else with facts about Constable Christie.

506. *Inspector Pardy.*] You heard it stated in Court that prosecutions in sly-grog cases suffered through you having to refer to me. Is that the case?—No. I wish to say that I have never met in all my experience a better officer than Inspector Pardy, or one capable of better giving advice.

507. Do you not get valuable advice from me?—Yes. I now wish to produce a list of breaches of the licensing laws I prosecuted in, and where:—

PROSECUTIONS FOR BREACHES OF LICENSING ACTS BY CONSTABLE GRIFFITH, AND WHERE PROSECUTED.

1. Dunedin to Riverton: Prosecuted Mr. Schmidt, hotelkeeper, Riverton, for permitting a raffle. He was fined. I was removed at the instance of Mr. ———, hotelkeeper, by influence with the member for the district, Mr. Hodgkinson. I was transferred to Invercargill.

2. Invercargill to Mataura: I had Messrs. Cameron and Humphries fined for breaches of the Licensing Acts; Mr. Humphries for billiard-playing after hours; and Mr. Cameron for dancing in his hotel after hours. I also had hotelkeepers at Gore cautioned.

3, 4. Mataura to Lowther: I had at Lowther two prosecutions for sly-grog selling—Messrs. Fell and R. Howarth. I also had objected to the license of the Centre Hill Hotel, for permitting drunkenness. Place burnt down; Mr. Frances, licensee, cleared.

5. Lowther to Waikaia: I had Mr. Davidson and D. Mathewson prosecuted for breaches of the Licensing Acts. I resigned here, and rejoined at Invercargill.

At Invercargill I had Mr. Stark, of Avenal, fined for Sunday trading. I had Mr. ———, Strathearn Hotel, fined for Sunday-trading. I had Mr. ———, Clifton Hotel, prosecuted for Sunday trading; and others reported and cautioned.

6. Invercargill to Lumsden: I had Mr. George Tucker's license taken from him, and other hotels cautioned by the Licensing Bench. I also had Richard Howarth fined for sly-grog selling.

7. Lumsden to Outram: I had Peter Ferguson and John Henderson fined for sly-grog selling. I had Thomas McKay prosecuted for breaches of the Act. I had Mr. Charles Johnstone's license refused. I had Mr. Andrew ——— license taken away.

8. Outram to Mosgiel: Hotels well conducted here.

9. Mosgiel to Balclutha: Laid twenty-one informations for sly-grog selling since August, 1896. Six convictions, £210 fines and costs; fifteen cases dismissed.

ALFRED EDWARD REMER, examined on oath.

508. *The Chairman.*] What is your name?—Alfred Edward Remer.

509. What rank are you?—First-class constable.

510. Stationed where?—At Clinton.

511. When did you join?—I think it was in 1880.

512. *Mr. Taylor.*] Where did you first serve?—In Wellington. I was there as mounted constable under Inspector Shearman. I was then transferred to Ashburton as mounted man, and served there under Inspector Broham for about twenty months. When I left Timaru I was

transferred to charge of Pembroke, where I remained for nine years, and at my own request I was transferred from Pembroke to Clinton. That was about two years ago.

513. Did you know it was vacant when you applied for transfer?—I applied four years before I obtained my transfer, and it was in the course of time that my request was granted. I limited applications to stations where I would have a similar station to Pembroke.

514. How long have you been at Clinton?—I think I went there in May, two years ago.

515. Who was your predecessor?—Constable Pascoe.

516. Is he in the Force now?—No, he has left.

517. Was he dismissed?—Yes.

518. Was it gazetted?—The cause of his dismissal was not gazetted, but I think it was for drunkenness.

519. Was he in charge of the Clinton district for a time after the hotels were closed?—Yes, for about a year afterwards.

520. Is there any sly-grog selling in Clinton now?—Not to my knowledge.

521. None whatever?—I do not think there is any. I may speak positively on the point, because Clinton is the hotbed of Prohibition. The Justices of the Peace there are staunch—one of them very staunch—in the temperance cause; and I am sure that if illicit selling of liquor was going on they would quickly let me know. I have had absolutely no complaint of sly-grog selling going on since I have been there, and I have seen nothing of it.

522. Are there any signs whatever of drinking?—None. Of course, I cannot say it is not going on, but there is no reason to think it is.

523. Have you had prosecutions for sly-grog selling since you have been in the Clutha?—No.

524. Would you have any hesitation in swearing informations before a Clinton Justice of the Peace?—None whatever.

525. You would not be embarrassed in the execution of your duty by the sympathies of the Justices of the Peace?—No; for the reason that I know they are straightforward, honourable men, and what they did in an official way would be only known to myself.

526. Do you think the registration of private hotels throughout the colony, and especially in "No license" districts, giving the police the right of entry, would facilitate the enforcement of the licensing law?—Unquestionably, it is the one thing that is necessary, I think, to help the police.

527. Have you had any licensing prosecution in any of your stations?—Yes; possibly as many as most men. When in Wellington I prosecuted single-handed against hotelkeepers, and they were convicted. In Ashburton, I also prosecuted in some cases, and one publican lost his license. At Pembroke, I had two or three convictions for sly-grog selling. It is safe to say I prosecuted twenty times.

528. Has there been a feeling in the Police Force that political interference has interfered with the Force?—Yes; but, as far as I am concerned, I know nothing of it beyond that the feeling exists. I have to say too, that men have been put above me. For instance, there is Wright. I was a second-class constable before Wright joined the service. I remained a second-class constable while Constable Smith, of Featherston, went through all the ranks. I was second-class constable when Constable O'Rourke was doing duty in Wellington as third-class constable, when the Chairman of this Commission told him on one occasion to speak English. That constable is now in the first-class, and is senior to me.

529. Have you discussed the promotions of Constables Smith and O'Rourke with any one during the last year? How did you know about them?—I saw it in the *Gazette*, and I was much hurt. There was a page of promotions made by Colonel Hume, and I should have taken no exception to them, but at the foot of the list I saw that these two men had been promoted to first-class. There was a memorandum to the effect that promotion had gone strictly by seniority, where efficiency and suitability was shown, and I naturally was up in arms, and wanted to know in what respect I was unsuitable; and I made a lengthy report to the head of the department. The reply was that promotion had gone strictly by seniority, except in two cases, which were special promotions.

530. For which the special reasons were not gazetted?—No. Neither were they given to me, but I did not follow the thing further. I took Colonel Hume's word for it, that there were special reasons for promotion, and there I let it stop.

531. Suppose the reasons for promotion of Constable O'Rourke were that he had shown ability in identification of prisoners, would you consider that sufficient?—Yes.

532. The bare fact of reasons not being given is likely to create discontent?—Yes.

533. Do you think that other men in the Force have also noticed these discrepancies?—Yes.

534. Is there a feeling in the Force that political influence has been rife?—It is talked about among the men, but I have had so little contact with them in the last twelve or thirteen years that I cannot say. I have been at Pembroke and Clinton nearly all the time. There is a feeling, however, that something is very "crooked" in connection with the promotions.

535. Is there a feeling abroad now that the Force is going to see better times?—Certainly. I could give one instance where some influence was brought to bear. I applied for a transfer from Pembroke, giving good and sufficient reasons, and instead of being transferred I was kept there until four years afterwards. Inspector Pardy was at my station visiting on one occasion and told me that the transfer would likely be within a few weeks, and that I was going to Lawrence. I objected to go to Lawrence, because the emoluments of the station were nothing, and there was another man to look after, and it was within the goldfields. Inspector Pardy told me that what I would lose in one way I would gain in another, and I then said I would go wherever I was sent. I wanted to get near a larger centre. Inspector Pardy said whenever a place could be found for Sergeant Conn I would go to Lawrence; but on that very day there appeared a paragraph in a Dunedin paper stating that Sergeant Mackay was to relieve Sergeant Conn, therefore the Inspector

knew nothing of the transfer. The original conversation between Colonel Hume and Inspector Pardy was, I believe, that I was to go to Lawrence; but the result was that another man was sent, and Inspector Pardy did not know it. I did not mention it as a complaint, as I am glad I did not go.

536. Do you not think that that kind of thing is likely to interfere with discipline, as it shows that your superior officer is powerless to protect you?—Yes. I think an officer in charge of a district knows the capabilities of his men, and, if he has not the actual power to transfer within his district, he should have the power to recommend; and that recommendation should be given effect to, unless there are reasons for doing otherwise.

537. You have been in charge of a number of townships of a similar size in New Zealand: How does Clinton compare with the townships of a similar size which have publichouses?—There is absolutely no disorder in Clinton.

538. You served under Inspector Broham for a time?—Yes.

539. Did he harass you in the execution of your duty?—No, I do not think so.

540. Were you ever before him charged with trivial offences?—Yes.

541. Frequently?—No; I was only before him once.

542. What was the charge?—It was in connection with the arrest of Jonathan Roberts, charged with horse-stealing. He escaped from custody. On the following day I made out a brief of the offence; and I came across a man named Dale, who was an old friend of mine. I believe he was an old policeman. In taking his evidence I was not as cautious as I should have been. Generally, when I ask a man for his evidence, I instruct him to tell me what he knows of his own knowledge; but it appears that Dale told me a long rigmarole, which I took for direct evidence, instead of which it was hearsay evidence, and I knew nothing of it. Inspector Broham, very properly, instructed the sergeant in charge to report me; and I was reported. But the sergeant's report over-reached the mark; he set out that it was a false statement. It was Detective Livingston. The report came to me for my explanation; and I said I could not plead guilty to making a false statement, because that would be tantamount to telling a lie, but that if they would alter the charge to neglect of duty I would submit to it. I consider that I should have guarded against the mistake, and I felt hurt that I had been let into the trouble. I went before Inspector Broham, who refused to alter the charge. He told me to bring Dale in. I objected, as he was a hotelkeeper; and Inspector Broham said, "You must bring him in." Inspector Broham said that if it was proved that Dale did not make certain statements contained in the evidence I would be punished, and if he did make them I would be blameless. On the following day I went before Inspector Broham again, and Dale then admitted that he did make the statements; and I was fined 5s. I would also like to say that I believe my defaulter's sheet will show that the fine was not for making a false statement but for neglect of duty.

543. Was there a general feeling that Inspector Broham was irritable in his conduct towards the men?—I can only speak of my own knowledge. I felt such a sense of injustice over this case that I made up my mind to leave the service. To show that Colonel Hume did not consider the evidence was of any moment, I may say that within a month afterwards I was transferred to Pembroke, one of the most lucrative stations on the goldfields. The cost of transferring me from Timaru to Pembroke, and the constable from Pembroke to Timaru, would be about £45.

544. *The Chairman.*] You think there is no disorder at Clinton?—No.

545. And you have not had a drunken man in your hands for a long while?—That is so. The only arrest I had for drunkenness was a woman who came from the train. There are two or three "hard cases" who occasionally get liquor down, and they are in a state of muddle until they consume it.

546. Where is the nearest licensed house?—At Pukerau.

547. *Mr. Tunbridge.*] You have had considerable experience in prosecuting publicans?—Yes.

548. Have you found your position in the service prejudiced through your activity against the publicans?—No. My opinion has always been that a constable who prosecutes a publican shows the department he is perfectly fearless, and it is a feather in his cap.

549. You have been encouraged, then?—Yes.

550. Your experience is quite contrary to what has been alleged, that owing to political influence constables are afraid to take action against publicans?—I am quite against that.

551. Your experience is quite the contrary?—Quite the contrary. I think it is quite as reasonable for a man not to take action against a thief, for fear that thieves in general would take action against him.

552. Are you in favour of retiring-allowances, or pensions?—Pensions.

553. And would you be willing to contribute towards it?—Yes, provided the emoluments of the station were not taken away. I hold the position of Clerk of the Court, for which I receive £10 a year in addition. If this was taken away from me it would be simply giving the money to the superannuation fund, and in that way I would be working for this fund, while many other members of the Force had not been. With reference to the bailiff work, most men in charge of country stations hold the appointment of bailiff, receiving 1s. a mile for the service of every summons. If the rule of the service was to take this money and put it into a general fund to go towards the superannuation fund, I am confident there would be a tremendous amount of inconvenience in the Justice Department. The summonses would not be served. For some of them I draw £1 for the service of summonses. I might spend more than £1 to get it served. I sometimes have to employ a man to serve summonses when I cannot do it myself.

DANIEL STEWART, examined on oath.

554. *The Chairman.*] What is your name?—Daniel Stewart. I am a solicitor, practising in Balclutha.

555. *Mr. Taylor.*] Have you been in Balclutha long?—Seventeen years and a half.

556. Do you remember the licenses expiring?—Yes.

557. Who was the police constable here then?—Constable Christie.

558. Do you think everything has been done in the direction of sly-grog sale suppression that might have been done?—I could not say that, although I could not specify any instance of neglect of duty on the part of the constable.

559. What is the impression of the town?—That the people who have been selling grog on the sly for three or four years ought to have been caught before now.

560. Have they not been caught before now?—Some have.

561. Has prosecution not been persistent enough?—I know the police had difficulties at first. There was a deal of public sympathy with those who lost their licenses, and no doubt information was held back. Then another difficulty was that some of the Justices of the Peace were sly-grog sellers, and others were sympathisers with them. That would prevent the police doing their duty.

562. Have not some of the Justices of the Peace in Balclutha been charged with sly-grog selling?—Two of them have.

563. Do you think the amount of sly-grog sold here is on the decrease?—I think the amount has very much decreased.

564. What are the evidences, taking three years before the hotels were closed and three years since? Has the town changed much as regards sobriety?—It was a common thing to see drunkards. I remember one Sunday seeing six drunken men at a hotel door. In the last four years I have only seen one drunken man; that was a short time ago.

565. Do you think the registration of private hotels and boardinghouses, giving the police access, would assist in the discharge of their duty?—I have no doubt constables have been deterred by being stopped from entering private hotels. I think all these places should be registered, and the names of the boarders registered too.

566. Has more been done toward the enforcement of the licensing law since Constable Christie was removed than before?—I think so. I consider Constable Griffith is an excellent officer, and is doing all he can to keep the place in order. I do not blame Constable Christie. He was here before the licenses were taken away, and those who were then hotelkeepers were his personal friends, and no doubt he felt in a false position, and was not so eager to get convictions as he might otherwise have been.

567. Do you think the suggestion is a good one, that whenever a license is removed the constable should be changed, so as to break up his friendships?—Yes.

568. Do you think sly-grog selling could be exterminated if the police took steps?—Yes; if the constable were intelligent, as the present officer in Balclutha is, and had a free hand, and was allowed to take every chance he got, he would be able to keep it down.

569. *The Chairman.*] Has he not a free hand?—There is a certain amount of red-tapeism about it. It would be better if the man on the spot could take action at once.

570. *Mr. Taylor.*] If a sergeant were stationed here, would that, in your judgment, tend to further the enforcement of the law?—Yes, either a sergeant or an astute constable. I think a constable would do very well.

571. A constable is bound to report to headquarters; do you think that he and a sergeant could act jointly?—I think the constable should have a free hand, and should be told that he must stop the sale.

572. *Mr. Tunbridge.*] I think there is a misunderstanding about reporting to headquarters. Do you know that a constable has power to get information without communicating with headquarters?—Constable Christie told me he had to report all these things.

573. Surely, he never said he had to report to Dunedin before he could set about getting information?—Yes; he said he had to send the facts to Inspector Pardy, and wait instructions to prosecute.

574. Do you not know that Constable Griffith has absolute power to get all the evidence he can without communicating with Inspector Pardy?—Yes; but he cannot move.

575. You mean he cannot lay an information?—Yes.

576. Does that interfere with the law being carried out?—If he is tied down by certain rules, and must send his evidence to Dunedin and wait till Inspector Pardy comes back, if that officer is away. And the Inspector might not have the same knowledge of the people as the constable on the spot, and he might think the case not good enough.

577. Has Constable Griffith ever told you he laid an information that he considered sufficient that has not been accepted by his superiors?—He never told me about communicating with his superiors; but Constable Christie once told me that he had to submit all evidence before he could take action.

578. But not before he could set about getting evidence?—No.

579. You gave Constable Griffith credit, I hope, for doing his best to stop the trade?—Yes.

580. And Inspector Pardy also?—Yes, as far as I know. I do not blame any one, but I say it seems strange that people should be carrying on sly-grog selling during three or four years notoriously, and that there should be no convictions, and only two prosecutions during the whole time.

581. Have these same people notoriously carrying on not been prosecuted?—Yes, but they have not been convicted.

582. Well, the police are not responsible for non-conviction?—I hold they are responsible. It is their business to keep down offences of all kinds, and if they fail the blame rests with them.

583. You do hope some time to arrive at Utopia?—I do not think so. I do not think the millennium is near us, but I think the traffic could be pretty well stamped out.

584. In four years you have not seen a drunken man in Balclutha?—I said I had seen one.

585. But you will not be satisfied while a glass of drink is consumed in Balclutha?—Well, I am not an abstainer, and do not hold extreme views on the liquor question.

JAMES THOMSON examined on oath.

586. *The Chairman.*] What is your name?—James Thomson.
 587. Where do you reside?—Balclutha.
 588. What are you?—A dealer.
 589. *Mr. Taylor.*] How long have you been in Balclutha?—For twenty years.
 590. Do you remember the time when licenses ceased to exist?—Yes.
 591. Do you notice any alteration in the condition of the town, so far as sobriety and order are concerned, since the hotels were closed?—Yes, I think so.
 592. There is an improvement?—Yes.
 593. Do you remember on one occasion when Mr. Henry's house was the subject of annoyance by larrikins?—I heard of it.
 594. Where were you that night?—I was in the Farmers' Arms Hotel. It was the last night of the old year.
 595. Was the police constable there?—I could not say.
 596. Did you not see him?—He may have been there, but I was not there very long myself.
 597. Did you not have a conversation with him?—I could not say.
 598. Was there a disturbance there?—Not that I am aware of. There were three or four of us, and we went to the back of the house. I do not remember if I got inside.
 599. Was that after the license had been taken away?—Yes.
 600. Was there a crowd in the house?—Yes, and there were a lot of people about the street. It was about 11 o'clock at night.
 601. How many people were inside?—I did not count them.
 602. You got inside the house?—I would not swear that I did.
 603. Well, how do you know that there were people inside?—I heard them talking.
 604. Was the door opened?—I think it was, but I could not swear to it.
 605. Did you not see that there were a lot of people inside?—Yes.
 606. How do you know?—We could see through the window. It is a boardinghouse, and the people were in the dining-room.
 607. Have you ever been inside the Farmers' Arms Hotel?—Yes.
 608. Since the license was taken away?—Yes.
 609. Have you bought liquor there?—No.
 610. Did you ever go inside with the police constable?—I might have.
 611. Did you ever see Constable Christie inside?—I could not swear I did.
 612. Will you swear you have not?—No.

WILLIAM MOIR, examined on oath.

613. *The Chairman.*] What is your name?—William Moir.
 614. What are you?—A farm labourer, residing in Balclutha. I used to keep a temperance hotel there.
 615. Up to what date?—It is two years in August since I left.
 616. *Mr. Taylor.*] You were resident here when the licenses terminated?—I did not have the place then.
 617. But you were in Balclutha?—Yes.
 618. Do you think there is much sly-grog selling going on?—I could not say; I never go about the houses, and I am seldom on the street.
 619. Do you think the evidence of the sale of liquor, such as drunkenness and disorder, are more observable now than before the houses were closed?—I think there is not the amount there used to be. I think there is not the evidence there used to be. If there is a case of drunkenness now, it is talked of more now than it used to be.
 620. Do you remember the night before New Year, when Henry's house was the object of attack? Were you in the Farmers' Arms?—Yes.
 621. Was a policeman there?—Yes. Constable Christie came there, after the slinging of the eggs was pretty well over.
 622. Was he in the hotel?—Yes.
 623. Have you had a policeman there on any other occasion?—Sometimes I had visits from Christie.
 624. Did he have refreshments there?—Yes, certainly.
 625. Was he in uniform?—Sometimes.
 626. Do you think all is done in Balclutha to suppress sly-grog selling that might be done?—There might be more done; but I think Constable Griffiths has done a good deal to put it down for the time he has been here.
 627. *The Chairman.*] Have you ever been prosecuted?—Not by Constable Griffiths, but I was prosecuted by Constable Christie.
 628. You are not keeping a boardinghouse?—No.
 629. *Mr. Taylor.*] On that night was Constable Christie inside the house?—Not late at night. If he was, it was early in the evening.
 630. *Mr. Tunbridge.*] Constable Christie was the cause of your being prosecuted?—He was the constable when I was prosecuted.
 631. Did he give evidence against you?—Yes.
 632. You have no reason to screen Constable Christie from anything?—No.
 633. What were you fined?—About £300.
 634. In how many of the prosecutions in which you appeared was Constable Christie concerned?—All but two, I think.
 635. *The Chairman.*] How many times were you prosecuted?—Six or seven times.

636. *Mr. Tunbridge.*] And in how many of the cases did Constable Christie appear?—If I am not mistaken he was in all the cases but two.

637. You have not a friendly feeling, then, towards Constable Christie?—Naturally I have not, but I suppose the man was doing his duty.

638. He frequented your house, and sometimes had refreshments there, and sometimes not?—That is so.

639. What were the refreshments? Were they temperance drinks or intoxicants?—Good whiskey; that was what he had.

640. Notwithstanding that he had been in your house, he was the means of your being prosecuted, and being fined £200 or £300?—Yes.

641. *The Chairman.*] Prior to these prosecutions he was in your house?—He would keep coming until within three or four days of my getting the summons, and would then knock off.

642. But he has not been there since the prosecutions ceased?—The last prosecution was in the week in which Constable Christie was leaving here, and the week in which I left too.

643. *Mr. Taylor.*] He was at your house between the prosecutions?—Yes.

644. *The Chairman.*] Your fines amount to £300?—The last one cost me £150.

GEORGE THOMSON, examined on oath.

645. *The Chairman.*] What is your name?—George Thomson.

646. *Colonel Haume.*] Are you a Justice of the Peace?—Yes.

647. *Mr. Taylor.*] When were you appointed to the Commission of the Peace?—I think it was in 1896.

648. Do you reside in Balclutha?—I have lived here for twenty-eight years.

649. Were you appointed on a petition?—No.

650. Was it because you were Mayor?—It was after I had been Mayor for four years that I was made a Justice of the Peace.

651. You were resident in Balclutha when the licenses terminated?—Yes.

652. Do you think there is much sly-grog selling carried on here now?—I have no right to think; I only talk of facts.

653. Do you know of it?—No, I do not.

654. Did you give evidence on the 15th August, 1896, in a case against Anderson for sly-grog selling?—Yes.

655. Well, do you not think sly-grog selling goes on?—There was at that time.

656. And you have no doubt there is a little now?—I have no doubt.

657. Do you know that there is?—I do not know for a fact.

658. Do you know McCorley's house?—No. I know one that used to be kept by him, the Railway Hotel.

659. Do you know Dunne's?—Yes.

660. Do you know Mr. Hay's?—No.

661. Mr. Myers's?—No.

662. Mr. Anderson's?—There is no such house.

663. Mr. Murray's?—Yes.

664. Mr. Heaney's?—Yes.

665. Do you think the police have done all they can to suppress sly-grog selling?—They have been very energetic.

666. Is there as much sly-grog selling since the licenses were taken away as before?—I do not know.

667. *The Chairman.*] Are these houses now kept by McCorley, Dunne, and others?—They are now known as the Railway Hotel, the Crown Hotel, the Criterion Hotel, and the Farmers' Arms Hotel. They are still called hotels.

668. *Mr. Taylor.*] Do you ever go to these houses?—Yes; I would go to any house in Balclutha, except the parsonage.

669. Do you ever see drink sold in these houses?—I object to answer that.

670. Did you ever have any financial transactions with the police constable in Balclutha?—What do you mean?

671. Did he ever discount trade bills for you?—The constable never discounted a bill for me in my life.

672. Have you ever seen the police constable in this house?—Yes; he has taken me in there to sign a document.

673. And on any other business?—I know that he has gone in there sometimes to see me, or, perhaps, to see Inspector Pardy.

674. Have you ever seen him there drinking?—I have often had a drink with the police constable. If the landlord liked to shout, I would do it to-morrow.

675. Have you ever had, to your recollection, drinks in any of these houses with the constable?—I could not swear to it.

676. Do you remember the prosecutions for sly-grog selling against Anderson in August, 1896?—Yes.

677. Did you give evidence?—Yes.

678. Did you say that you had incited others to purchase liquor from these people?—I admitted I had a drink in the place.

679. In the sly-grog shop?—Yes.

680. Were you a Justice of the Peace at the time?—I was.

681. Do you consider it your duty to inform the police of breaches of the law?—I am not an informant, and I do not mean to be. We have all sinned, and come short, and I suppose I am the same.

682. *The Chairman.*] Did you say you had bought the drink?—No, I did not say so.

683. *Mr. Taylor.*] Did you not admit in August, 1896, that it was purchased liquor?—No. There is one thing I would like to say: I saw by Inspector Parry's evidence in Dunedin that he said three Justices of the Peace had admitted to inducing people to drink whiskey on one occasion; but that was a mistake. I was one of the parties who admitted having a drink, but I was not then a Justice of the Peace. Inspector Parry made a mistake. There were two and not three.

684. Do you import liquor at all?—Yes.

685. In what quantities?—From 10 gallons downwards. Unfortunately, I have none to-day.

686. Do you import for anybody besides yourself?—No.

687. And you do not sell?—No; but I give away on many occasions.

688. Do you think that since the hotels were closed there has been as much drunkenness on the streets of Balclutha as before?—I have been here twenty-eight years, and I have never seen much drunkenness; and I was amazed to hear that only one man had been seen drunk recently. Last Saturday night I saw two drunken men in front of my own shop; they had come across the bridge from Stirling.

689. Do you think there is as much drunkenness connected with the sly-grog selling in Balclutha as there used to be with the hotels?—I do not think so. For twenty-eight years I have been travelling round nearly every householder in the Clutha, and my experience is this: When there were licenses I was entertained at some houses with tea, and at these houses they now take me in and give me whiskey; and I believe there is as much whiskey drunk here to-day as there was before the licenses were taken away.

690. That is your belief?—That is my opinion, and I am a man of some experience.

691. What is the effect of prohibition?—It has been detrimental to me.

692. To your own business?—Yes. During four years before the licenses were taken away I had a turnover of £10,500 a year, and since prohibition it has been reduced to something like £4,000.

693. When did you assign your estate?—After the prohibition vote. I had a large property. I had erected large buildings, and at the time the prohibition vote was carried I could have written a cheque for £1,000, and after the vote was carried the credit of the town went down. No money-lender would lend a farthing, and the crisis came when I was pressed; but I think it ungentlemanly for Mr. Taylor to bring this matter before the Commission. I would like to say, however, that within six weeks I paid in sufficient to pay 20s. in the pound, and was left with £2,000 cash.

694. What date was that?—I think it was May, 1894.

695. That was a month before the houses were closed?—Yes; but the vote had been carried three months' previously. I wish to add that Constable Christie did all he could to find out the offenders in Mr. Ramage's case. I know for a positive fact that Constable Christie not only did his best, but all he possibly could. He came to me and asked me to help him.

JAMES HENRY, examined on oath.

696. *The Chairman.*] What is your name?—James Henry.

697. What are you?—A bootmaker, residing at Balclutha.

698. *Mr. Taylor.*] Have you been here long?—Nearly thirteen years.

699. Do you remember the occasion on which you were interfered with one night?—Yes.

700. What was the night of the offence?—It was on the night of the 1st January, 1896. About 12.20, or 12.30, shortly after midnight, I heard loud knocking at the door as if made by a hard instrument. I went out and saw a group of young fellows. A band had just been playing, and that was the means of the crowd collecting. I recognised at least three of the young fellows. I had scarcely got outside to ask them what they wanted when they commenced pelting me with rotten eggs.

701. *The Chairman.*] Were you struck with them?—Yes.

702. *Mr. Taylor.*] What did you do?—I went down the street to find the constable, but he was not at the station. I went back by a circuitous route thinking he might be in the main streets, but I could not find him. In the meantime the same body of men, or some of them, had pelted my wife with eggs. She had come out of the door to watch me while I was on my way to the police-station, thinking the crowd might mob me, but they did not.

703. Did you find the constable?—Yes; next morning.

704. Where did you find him?—At the police-station. It was about 3 o'clock in the morning, and he was in bed; but he got up, and I reported the matter to him. He did not go round that morning to see what had been done, as he had to go to Port Molyneux, or Catlin's, where there were sports.

705. Did you tell him the names of the people you suspected?—Yes.

706. Did any conviction follow?—No. I told him the names of those who were throwing the eggs. The constable said he had warned one of the fellows to behave himself that night.

707. Had you been warned by Constable Christie that you were a marked man?—No; I believe I was not one of the marked men. There was no necessity to warn me. I am not frightened of them. I am a soldier.

708. Did he see you about the matter again?—Yes; I think he did.

709. Do you think there is much sly-grog selling going on now?—No.

710. That is, compared with what there used to be?—No.

[Examination adjourned.]

DUNEDIN.

MONDAY, 4TH APRIL, 1898.

JAMES PRATT, examined on oath.

1. *The Chairman.*] You are a first-class constable, stationed where?—At Clyde.
2. I have before me your letter. Without going through the whole of this in detail, will you just refer to the particular matters you want to bring under our notice?
3. *Mr. Poynton.*] Does this letter include all the things you wish to bring before the Commission?—I am beginning at the end in a way. I have come here to-day not dreaming for a moment there was anything but one reprimand on my charge-sheet, and I find I have got three or four. I never had the slightest idea they were on.
4. *The Chairman.*] Did you know of the one on the 17th February, 1891?—Yes.
5. Do you say the others were brought to your notice and escaped your memory, or do you say they were not brought to your notice?—They did not escape my memory.
6. You were cautioned as to them: were you aware of that?—Yes.
7. But you were not aware there was anything on the charge-sheet?—I was only in Invercargill a couple of days when I was charged with the first offence. I may state the circumstances of the case. I was told to visit the train at 10 o'clock in the morning, and I did not know the exact time of departure. Just as I entered the station I heard the train whistle. I immediately ran down to the train, and met Inspector Buckley coming from the station. The train was just moving from the station. He never said anything. I was brought up the next day and charged with neglect of duty, I suppose.
8. Neglect to attend the departure of the train?—The departure of the train? I had only been there two days, and I did not know when the train went.
9. You did it under a mistake at the time?—Yes. I left the office never thinking there was an entry.
10. The second entry is disobedience of orders, in walking with Constable Ferguson. It was when you were sent out on plain-clothes duty, with instructions not to interfere with the other constables, in 1887?—I hardly remember the circumstances, but I know this: that Constable Ferguson and myself chanced to meet. We were walking in the same direction, and we walked, I think, about 100 or 200 yards. I was brought up for it. I never dreamt for a moment that it was entered against me on the sheet. I was reprimanded for that.
11. The third is, you were admonished for gossiping with Constable Walton. Do you remember that?—That is the only one I came here for the purpose of explaining the circumstances of. I was going to ask your Worships to go into that. On the date named, the 17th February, 1891, Constable Walton and I were on duty. We were both on Princes Street. Our point of meeting was Hardy's Corner. I went up Princes Street. Walton took the beat down towards George Street. He had been sent away to look after some crimes that had been committed in George Street, and I was told to look after both beats until he came back. I did so. I do not know how long he was away, but he was away for a considerable time—for about an hour or so. On his return we met exactly at Hardy's corner. When Constable Walton came close to me, I asked him if he was going to take up his own beat. He said, "Yes;" and I said, "I suppose I can go on my own beat now." Those were the only words that passed. Directly the last word was out, I observed the late Inspector Moore coming through a crowd of people, who were assembled beside the fountain. There was a large crowd of people listening to the Salvation Army, and the crowd extended over to the bank. The fountain and the bank are opposite each other. Inspector Moore said he saw us talking together from the time he left Phillips's Hotel till he came to the telegraph poles, a little below the fountain. We were brought up, and we asked to be allowed to get witnesses to prove that we were not there twenty seconds. I am certain we were not there over twenty seconds. He refused us that, and said we were gossiping. Had I been allowed to get witnesses, or given the opportunity of proving that the charge was false, his own evidence would have shown that it was incorrect. We appealed against his decision to the then Commissioner, Colonel Hume, expecting of course, when we appealed, that we would be allowed to get witnesses to prove our case. We were brought up, and the case was heard before Colonel Hume, and the Commissioner upheld the decision of the Inspector. We expected to be allowed the opportunity of bringing witnesses to prove that we were not there twenty seconds, but we did not get that opportunity—in fact, Colonel Hume said if there were twenty witnesses he would believe the Inspector first.
12. *Mr. Poynton.*] You did not have the opportunity of bringing witnesses?—No. I may say it was impossible for the Inspector to have seen us from Phillips's hotel. We were standing in a hollow: we were not on the footpath; and if you go to Phillips's hotel and look up the street, you will see you could not see any one at Hardy's corner. It was impossible for him to have seen us at Hardy's corner until he came through the crowd. That is the point I wished to bring forward at the time. I saw him the minute he came through the crowd, thirty yards away. I said, "That is the Inspector." We were going to separate at the time, but possibly we might have stopped a second or two longer if he had not made his appearance. He said we were talking together for five minutes, and we were holding our hands up. Walton is like a recruit coming from the depot—he always has his hands hanging down. I said I might, but I was satisfied he did not. I may state I could have proved at the time that it was to get at me that he brought the charge against us. I was led to believe he said to Constable Walton afterwards he was sorry for bringing him up. I will mention an instance of how I was persecuted down here. At the very first parade after I was brought in from Kaitangata, I was marched out in charge of a third-class constable, though I was senior constable in Dunedin at the time.

13. *The Chairman.*] Do you remember anything about the fourth item: Neglect of duty, for not making inquiries into the truth or otherwise of the statement made to him by Arthur Clappett—namely, that a row took place in the Otago Hotel on Sunday, the 21st June, 1891?—I remember the occurrence. A man came up to me in Princes Street; we were relieving at the time, and he mentioned something. It was a drunken man, and I took no notice of what he said. It so happened that what he said turned out to be correct—that there was a row at this hotel, and, of course, that brought about an inquiry into the matter. I explained the circumstances at the time, and I thought that I fully exonerated myself from any blame whatever. I was never told that I was admonished or reprimanded or anything else for it.

14. You did not know that was entered against you?—No, I did not think for a moment that there was an entry made.

15. But you were reprimanded?—I was brought up.

16. Do you know when you were brought up if a record was made of what happened?—When I was brought up, of course, I expected I should be told of anything that was to be done before I left the office.

17. And you were not told?—No.

18. Now, with regard to the time when you were marched out in charge of a third-class constable?—I brought my treatment before Colonel Hume, at the time we were brought up on the charge of gossiping.

19. Verbally or by letter?—We did it by letter.

20. Did you get a reply?—We got a reply that he would be down in a certain time. When he come down we were brought to the office, and this was gone into. I may say that Inspector Moore had previously threatened me. He said he had heard I had been using some words about him at Balclutha, on leaving there, and if he heard any more about my using such words he would have me removed.

21. You deny having used those words?—Yes. I never used insulting language towards any one. My character is well known about. I could get hundreds to testify to it. The letter should be there, and my reply to it.

22. Is it in consequence of that communication you think he had personal animosity against you?—It started there.

23. You say in your complaint, "I would not have taken so much notice of this had I not known that it was done to get a case against me, as I had been threatened by the Inspector some time before leaving Kaitangata, on account of some things he alleged I did, or said, on account of him shifting me from Balclutha. His conduct towards me when doing duty in Dunedin showed plainly that he intended making it unpleasant for me, as appeared afterwards, as I had to bring his treatment of me before Mr. Commissioner Hume, and afterwards before the Defence Minister, now Premier (see my petition presented by Mr. William Hutchison, M.H.R., then)." Am I to take all this as facts from you on oath?—Yes, certainly.

24. You proceed: "The first parade I attended I was marched out by a third-class constable (Rutledge) in charge. The late Sergeant-major Bevin afterwards explained, when I brought my case before Colonel Hume, that Inspector Moore instructed him not to put me in charge. I may mention here that next day I was in charge, being the senior constable then in Dunedin. Numerous other annoyances occurred during the time I was in Dunedin, until I could stand it no longer. I then put my case before Colonel Hume (Commissioner), but got no satisfaction; after which I was compelled to lay my case before Parliament to see if there was any justice to be got, when it was acknowledged I was badly treated, and an order sent to have me put in charge of a station at once." Your case came before Parliament, then?—I understood so. It went before the Defence Minister at the time, Mr. Seddon.

25. You do not know whether it went before Parliament?—I know there was something mentioned in the House.

26. You say, "It was acknowledged I was badly treated." How was it acknowledged?—The Defence Minister, Mr. Seddon.

27. By letter to you?—I got a telegram from Mr. Hutchison. He acknowledged I had been badly treated.

28. You say that the Minister acknowledged that you were badly treated?—Yes. I expect he could not have done anything else, on the case that I put before him.

29. You say you brought your case before Parliament. Can you say yourself whether it was dealt with?—Mr. Hutchison and several other members took my case up. I understood it went before the Defence Minister, and he took the case up himself.

30. What year was this in?—That was just before I left Dunedin. A reply was sent down to the Inspector that I was to be sent immediately in charge of a station, and, I believe, accompanying this there was an order that in future all the married men were to be sent away from Dunedin; because I showed in my petition where there was a number of constables brought in from different stations that had been in charge of stations for years—1s. a day taken from them. They were brought in and docked of 1s. a day, and I showed where there were twelve single men in charge of stations.

31. In 1891, you say, your case was brought before Parliament by Mr. Hutchison?—Yes.

32. You lodged a petition?—Yes. I also interviewed Mr. Pinkerton about it; in fact, I interviewed all the members here, and they advised me to put my case before the department, and if I got no satisfaction, then to go to them. I put my case before Colonel Hume, and I got no redress, and then I put my case before them.

33. What was done with the petition you presented?—The only thing I know was I was ordered through this to be transferred immediately in charge of a station.

34. That was communicated to you by Mr. Hutchison?—Yes. I got a telegram from Mr. Hutchison. I would like the correspondence on the matter to be read—that is, with regard to my removal to Alexandra.

At this stage the following correspondence was read by Mr. Tunbridge :—

Memorandum from Inspector Hickson :—

Memorandum.

Police Office, Dunedin, 18th August, 1891.

I BEG to represent that there is good accommodation for a married mounted constable at Alexandra South, where Constable McIntyre, a single man, is stationed. When Constable Walton was removed from there, Constable McIntyre was the only available mounted constable of experience and capable in my then district—namely, Southland and Lake. Constable McIntyre is a smart, intelligent, and well-conducted constable. My only object in bringing this under your notice is that if there be a married mounted constable capable of taking charge of a country station who is not provided with a house, you might, if you thought it advisable to do so, send him to Alexandra and remove McIntyre into a town. The only other station in my present district having a single constable in charge is Waikaia, but there is no accommodation for a married man there. The accommodation consists of two small rooms, a bedroom and kitchen.

J. HICKSON, Inspector.

Telegram from Colonel Hume to Inspector Hickson, dated 24th August, 1891 :—

PLEASE offer Alexandra South to Constable Pratt, and let me know whether he will accept it.

Telegram from Inspector Hickson to the Commissioner of Police, Wellington, dated 25th August, 1891 :—

IN accordance with your instructions I offered Alexandra South to Constable Pratt. He promised to give reply to-day. Now, at his request, I have given him until to-morrow evening to consider.

Report from Constable Pratt :—

Police-station, Dunedin, 27th August, 1891.

CONSTABLE Pratt reports, relative to his taking charge of Alexandra Station :—

I beg respectfully to report, with reference to the above, that I would prefer waiting for a short time until a vacancy would occur in one of the suburban townships joining Dunedin, providing that I would get the preference to such vacancy. As Alexandra is such an out-of-the-way place, and no chance of my being able to get any of my three children, now available for situations, a billet there, and provisions, &c., being so dear, that I would not be benefited by the change, seeing that it would cost me over what I have now to pay for rent extra to keep my family of eight, all of whom are costly to keep, the youngest being over five years. The distance from Dunedin is 148 miles, and the cheapest way to cart furniture to there would be to send it direct from here, and which takes about six days' journey, I understand, for a team of horses, and would be expensive for a large family to go there. I would therefore ask Mr. Inspector Hickson to have the goodness to represent the above circumstances to Mr. Commissioner Hume, hoping that he may see fit to grant my request, or send some one with a small family there who would not be inconvenienced. I would not ask to have any constable removed to make room for me, although I have been removed three times out of four recently to make a place for others, at a loss of over £200. I will go to Alexandra if my proposals cannot be granted.

JAMES PRATT.

Telegram from Inspector Hickson to Commissioner, dated the 27th August, 1891 :—

CONSTABLE Pratt does not like going so far into the country as Alexandra South, where he would have no opportunity of putting his children to trades and situations; but if he cannot get a suburban station he will accept Alexandra, if allowed cost of removal. Please delay deciding until receipt of his report, which I am posting to you.

J. HICKSON.

Telegram from Commissioner Hume to Inspector Hickson, dated the 3rd September, 1891 :—

SEE no chance of a suburban station being vacant, and therefore again offer Alexandra South to Constable Pratt. His expenses of moving there with his family will be paid for by the department. Let me know his decision.

Telegram from Inspector Hickson to Commissioner Hume, dated the 5th September, 1891 :—

CONSTABLE Pratt accepts Alexandra Station, and will be ready to leave Dunedin Friday next, 11th inst. Shall I send him, and bring Constable McIntyre to Dunedin?

Telegram from Commissioner Hume to Inspector Hickson, dated the 7th September, 1891 :—

PLEASE send Constable Pratt to Alexandra, and bring Constable McIntyre to Dunedin.

Minute by Inspector Hickson, dated the 11th September, 1891 :—

CONSTABLE Pratt left here this morning for Alexandra on transfer, and Constable McIntyre has been instructed to proceed from there on transfer to Dunedin, leaving there on Monday next.

Witness : It cost the Government £45, or thereabouts, to send me there. I got my furniture, of which I had two wagon-loads, very much damaged, and if there had been a place where I could have got new furniture I would have thrown it into the river. I tried my best to be allowed to stop in Dunedin with my family.

35. *The Chairman.*] But you consented to go to Alexandra?—What I asked was this: I wished to be given a suburban station, and if the Commissioner would guarantee this I would prefer remaining in Dunedin.

36. You are not aware of any communication between Mr. Hutchison and the Minister?—Oh, no.

37. You do not know what was done by Parliament?—No; I do not know the course Mr. Hutchison took. He just notified me he brought the case before them.

38. You were moved from Alexandra to Clyde. Are the prices as high at the Clyde as here?—More so. The further you go away from a centre, or from a railway-station, the prices get higher.

39. The prices of living at Clyde are very high?—Very high.

40. How long have you been at Clyde?—Two years.

41. Is there anything else you would like to mention?—I wished to refer to my different transfers from the beginning. I joined the service on the 4th March, 1875, in Dunedin, under Superintendent Weldon. Previous to that I had served sixteen years in the artillery at Home. I was battery sergeant-major for four or five years. I also obtained a gunnery instructor's certificate. On coming out here, I produced my credentials—which could be hardly excelled for any position of trust—and directly I presented them Mr. Weldon took me into the office. I was taken into the office that very same day as assistant clerk. After being three months in Dunedin, I was sent in charge of Winton station. There were five or six, I dare say, who were senior to me; but I was chosen for the charge of Winton station. I wish to show that Mr. Weldon thought there was something in me. I remained at Winton till the 27th September, 1877.

I was then transferred to Invercargill—for what reason I never could know. At that time men were only left for short periods in charge of stations. I remained at Invercargill till the 27th May, 1878, when I was moved to Mataura. Just before I left Winton I had to attend to some voting-papers. It was a very wet and inclement day, and I got a very severe wetting. I was removed to Invercargill in the meantime, and I never felt anything for a fortnight. Shortly after my arrival at Invercargill I took inflammation of the lungs through this wetting, and I was laid up for two months, after being given up by the doctors. During the time I was ill half my pay was stopped. I asked to have the money refunded, but I never got it. I thought that was cruel. Shortly after a circular was issued that all men sick, unless it was brought on by their own actions outside of police duty, were to get full pay. My report got that brought about. Here I may bring under your notice the fact that I never had a house but one—all the time I was in the service—that was fit to live in; in fact, they were not fit for Chinamen to live in. The remarkable thing was that directly I left the stations a new station was commenced. I always had the misfortune to live in old houses. At Mataura I was living in an old house that was leaky in all directions. It was an old hotel, containing twenty-two rooms, and it was not fit for a Chinaman to live in. Then I was sent in charge of Gore on the 3rd October, 1878. The only house we could get was a three-roomed house. It was a very old house, and a very bad one. I had seven or eight of a family at that time. I remained there about four years, and a little before I left they built a new station. I wish to remark on the duty I did at Gore. When I went there there was a big population there, and I was Clerk of the Court, Clerk of the Licensing Court, Officer of Customs, Inspector of Slaughteryards, and so on. I had also a great deal of police duty to do at the time, and I had no assistance whatever. The Magistrates often wondered how I managed the work. I wish to show that when work was required to be done I could do it, and do so without a grumble. A little before I left there was a civilian Clerk of the Court appointed, at £200 a year, I think. I was getting £10 a year as Clerk. There was also a bailiff appointed at a salary. There was a constable there at the time, and a very short time after there was another added. I state now from facts that I did more work than the four of them did afterwards, as the work fell off after I left. I was sent to Wyndham on the 13th December, 1883, and I remained in charge of Wyndham until the 24th August, 1887, when I was transferred under circumstances which I wish to draw your attention to. It is not right, of course, to mention names, but I wish to bring in a man's name to show that he got me transferred from there through underhand work.

42. Is he an officer of the department?—No, he is a civilian. I could get dozens to prove that what I say is correct. When I was at Wyndham it was a very bad place; in fact, it was noted all over the colony for being a hotbed of larrikinism. Unfortunately, I have always been doomed to be sent to a bad place. I could get hundreds of people to prove that people were then frightened to go there on account of this larrikinism. The man I refer to is a saddler named Winter. This man was then a kleptomaniac. Over and over again, it has been known, if he saw anything he would take it away. The police were always watching this man. He had been brought up repeatedly by the police, and his great delight was to send policemen off in wrong directions, which he has done several times. Detective Eade was out for two days through wrong information that this man gave him. I suspected him of receiving stolen property, and I had occasion to get a search warrant to search his place two or three times. Naturally this man disliked me, and he set himself to get me out of the place. He had been bragging for two months how he would have me out of there. I heard this talk going about, but I simply laughed at it. I did not take any notice of it. However, he reported the matter to the Minister of Justice. He made a number of false charges.

43. What was the result of the search warrant—did you find what you searched for?—No, we did not find it. He was too cunning for us. There were several warrants executed against him.

44. Without success?—Without success, generally. He made a number of false charges. It was referred to Commissioner Gudgeon, and Inspector Buckley held an inquiry into the circumstances of this man's complaint. Inspector Buckley came up and handed to me the report of this man. I read it, and I denied it. I told him it was a false concoction from the beginning to the end, and I could prove that not a single word of it was true. Inspector Buckley could not find him on that occasion; and he came up again in a fortnight, and could not find him again. I may say I found out that on both occasions the man was in the town. However, on the third occasion he found him, and brought him into the office. The charge was read out, but the man said he did not want to go on with the case, and he made all sorts of excuses that he could not get his witnesses to come up. I defied him to get a witness to prove what he said, and said that it was a concoction of lies all through. More than that, I demanded that an inquiry should be held before two Justices of the Peace. I did not want an inquiry before the Inspector. He made no attempt to prove these charges, and the Inspector had to go back without any result. In seven or eight days I was transferred from there to Invercargill. I came to the conclusion, of course, that this man had got me transferred—that there was some underhand work between him and the Inspector.

At this stage the following correspondence was read by Mr. Tunbridge:—

Letter from W. J. Winter:—

SIR,—

Wyndham, 26th April, 1887.

My attention has been drawn for some time to the dissatisfaction our constable, Mr. Pratt, is giving to the public. A considerable amount of larceny is committed every week, and never once has he tried to catch the offender, but, on the contrary, he goes first to a particular acquaintance of the party he suspects and tells him his intentions, and explains how the goods are safe, and, of course, the whole matter is in the mouths of the public before Mr. Pratt is able to be up next morning from the severe cold he caught watching some person. Then it ends in "By Jove, I just missed him; he slipped away." I can prove all I have stated herein, and in conclusion would suggest that a good man be put in his place at once to save a great deal of trouble to the inhabitants.

I am, &c.,

W. J. WINTER, Saddler, Wyndham.

The Minister of Justice, Wellington.

Commissioner Gudgeon's minute, dated 2nd May, 1887 :—

INSPECTOR BUCKLEY.—Please report on this matter. Of course, if the constable is inefficient to the extent mentioned herein he must leave; but the idea of foisting him upon some other district is absurd.

Report of Inspector Buckley :—

SIR,—

New Zealand: Police Inspector's Office, Invercargill, 31st May, 1887.

With reference to attached correspondence of the 7th instant, *re* W. J. Winter's complaint against Constable Pratt of Wyndham Station, I have the honour to report that I have visited Wyndham twice to see Mr. Winter about it. On my first visit, some persons he said he wished to call as witnesses were absent. I then appointed another day, and on my visit on that day Mr. Winter declined to make any statement himself or call any witnesses in support of his complaint, but persisted that the constable had told some people in the township that he suspected him (Winter) of having stolen property in his possession, and that he intended to search his trap when he was driving home to his private residence from his place of business (about two miles), and he feels aggrieved that the constable should tell residents what he suspected and what he was going to do. Had the constable come to him (Winter) and told him of his suspicions he was quite welcome to search his premises, but thinks that he exceeded his duty in speaking about him in the manner he did, and then did not search his trap or premises, although he drove home on the evening the constable said he would search him the usual way, and he could have done so had he so wished. As to the constable's conduct in this instance I have but Mr. Winter's word, and would hesitate in pronouncing the constable in the wrong, as he denies ever telling any one that he intended searching Winter's trap. I had occasion to transfer Constable Pratt from Gore to Wyndham on the 13th December, 1883, on account of his not being able to carry out the duties of the Gore sub-district satisfactorily. Since then the police duties at Wyndham have been steadily increasing, and latterly the constable does not appear to be able to cope with them, and does not give satisfaction either to myself or the public, and I therefore think he is not fit to have charge of a station or to do mounted duty, as he seems to be very slow and timid in the performance of his duties, but he would answer for the foot division in a town. I would therefore recommend that he be dismounted, and replaced at Wyndham by a thorough energetic constable well up in his duties. I have no foot constable in this district suitable for the mounted division, or I would suggest placing him in charge at Wyndham, and Constable Pratt to take his place. Constable Pratt is a very steady man, and after his length of service (twelve years) I would be sorry to say he is wholly incompetent for any position in the Force, as I believe he would be a very good foot constable on beat duty. The majority of the residents at Wyndham give him an excellent character for sobriety, but are of the opinion that the township requires a more energetic and persevering man.

I have, &c.,

A. BUCKLEY, Inspector of Police.

Minute of Commissioner Gudgeon :—

MR. FOX.—The following transfer will take effect: Constable Pratt, of Wyndham, will be transferred to Invercargill and Constable Bogue, of Dunedin, take his place. Inspector Buckley will transfer a man to Dunedin *vice* Bogue. When Constable Fleming is discharged, Constable Strickland, of Temuka, may (by paying his passage) replace him.

Letter from Constable Pratt :—

Police-station, Invercargill, 31st August, 1887.

CONSTABLE PRATT'S representations relative to his removal from the charge of Wyndham Station to do foot-duty at Invercargill, &c.

I beg most respectfully to represent to Mr. Commissioner Gudgeon that on the 19th instant I received orders to hand over the charge of that station to Constable Fouhy on the 24th instant, and report myself same day at Invercargill to do foot-duty there. On receipt of the above I asked to be informed of the cause of my removal, and on the 24th instant was told that it was owing to reports from time to time from Wyndham. In justice to myself, I feel constrained to crave Mr. Commissioner Gudgeon's attention to the following representations, in the hope that you will reconsider my case, as I am prepared to have my actions investigated on any point (if fairly gone into) by any one you may appoint. There may have been, and always must be, things undone in any district; but I can say that if such has taken place, it was not through my neglect or carelessness. If anything was undone, it was because I was doing more important duty. If I erred on any matter, it was one of judgment, and light. The only report that has been brought under my notice for the twelve years that I have been in charge of various stations is one made by one William Winter, saddler, of Wyndham, dated the 26th April last, which you are aware of, I presume, and owing to which Mr. Inspector Buckley visited Wyndham for the purpose of investigating. Winter failed to substantiate his statements (as there was no definite charge made), although defied by me to do so in the Inspector's presence, knowing very well that he could not do so. I admit one of his statements, that a number of larcenies have been committed, but not that I used no means to detect them. But I also know that he had committed some of them, and all the crimes of a serious nature that have been committed were done by one man, an associate of Winter's. Such is well known to the police, and has baffled more than me, as in every case nearly a detective also investigated the cases. I wish to say that there has been remarkably little crime outside of Wyndham Township, for which please see crime reports from there for last four years. Winter is well known to the police as a bad character for last fifteen years. He was the leader of a set of larrikins, whose deeds had been commented upon by nearly all the papers in the colony some few years ago. He has misled the police frequently. He is an associate of George Davey, who has committed all the crimes referred to. I am certain of that for various good reasons, and so are nine out of every ten of the inhabitants, not only of the township, but the district also. The cause of Winter's report against me is well known to be on account of inquiries I made about him with reference to a saddle, &c., stolen some time ago from the Rev. Mr. Wood, of Wyndham, for which George Davey and Andrew Cross were arrested. Cross was convicted, and confessed, and stated that it was Davey who got him to assist him. Davey was acquitted for want of evidence. It is known by me and Detective Ede that Davey went over to Winter's house the morning after the theft, and returned again before daylight, and every one nearly in Wyndham as well as myself knows that Davey took the saddle to Winter's, and it has not been seen since. Winter has been stating to every one there since that he would have me removed, and has told a crowd of people there that he knew fourteen days before I left I would have to go, which appears strange, if so. If other reports have been made, I venture to say it is by others of a similar character, and whom I could name. I am persuaded that no one of any respectability has. There are several there who are not above suspicion also, and who may have had similar reasons to report, but I can justify my inquiries. If I have been reported, I think I should have been asked what I had to say, which has not been done in any case. In conclusion, I beg to remark that after joining the Force I was six months in Mr. Inspector Weldon's office, and was then sent by him to take charge of Winton Station. I was there about two and a half years; again at Invercargill about six months; went from there to Maitauro, and remained there about five months; was sent from there to take charge of a newly-formed station at Gore, where I remained, I think, about five and a half years; and, lastly, in charge of Wyndham Station for nearly four years, during which time I am not aware of having been reported for any omission of duty or a breach of the rules, &c., of the Force. I have served sixteen years in the artillery in Her Majesty's service, six of which I have been battery sergeant-major, and received a certificate qualifying me to act as gunnery instructor. I left the service at my own request, to better myself and family, and can produce credentials from my commanding officer and others to show that I have been highly esteemed by them. With my large family of ten (from twenty years to one year old), the change is a serious loss to me in many ways, as I have not removed them from Wyndham, as house-rent is much cheaper there. Pending the consideration of the above, I beg to apply to be removed from here to take charge of a station in the Dunedin district.

The Commissioner of Police, Wellington.

JAMES PRATT, First-class Constable No. 161,

Letter from Inspector Buckley :—

SIR,— New Zealand: Police Inspector's Office, Invercargill, 2nd September, 1887.

In forwarding the attached representation from first-class Constable Pratt, No. 161, relative to his transfer from Wyndham Station to this, I beg to refer you to my letter of the 31st May last, recommending the constable's removal from Wyndham for inefficiency, and in proof of that recommendation I forward herewith correspondence from me, dated the 26th March, 1886, calling upon him to explain why he did not visit the scene of a fire at Edendale, three miles from his station—about which there could be no question of its being a case of incendiarism—for eight hours after it was reported to him by Mr. J. J. Weaver, the owner of the property. The constable should have proceeded to the fire immediately on the report being made to him, and not allowed a period of eight hours to elapse before doing so, thus allowing time for any trace that might have led to detection being removed. It is not correct that the only complaint made against him of which he was acquainted was that of Mr. Winter, as the two accompanying letters of Mr. Mair and Mr. Shirley, dated the 23rd March, 1886, and 8th May, 1886, respectively, will show. Those letters were forwarded to the constable for his report, and his reports are attached thereto. I also frequently told him that complaints were verbally made to me of the manner in which he did his duty, and cautioned him that if the complaints continued it would end in his removal. He was always complaining of the amount of work he had to do, and that he could do no more; and on many occasions when he spoke about the busy times he had of it, I asked him to apply for a transfer, and that I would get a constable to do the duty, and I had no doubt would give satisfaction to the public and his authorities. I could quote more instances of where the constable showed want of attention, amounting almost to neglect of his duty; and it was only in consideration of his large family that I did not ask for his removal before I did. Mr. Winter was no doubt, some years ago, said to be the ringleader of a band of men who were in the habit of perpetrating practical jokes, but I am not aware that he is a thief. He may associate with the man Davey whom the constable mentions, but I am not inclined to believe that Mr. Winter joined him in acts of theft as suggested. I may add that the constable, when in charge of Wyndham Station, was very dilatory in sending in his returns and other documents, frequently having to be written to for them long after the time they should have reached this office.

I have, &c.,

A. BUCKLEY, Inspector of Police.

Minute by Commissioner Gudgeon, dated the 17th September, 1887 :—

INSPECTOR BUCKLEY.—Constable Pratt was moved from Wyndham simply because he could not cope with the criminals of the district. From what I could gather he had no power over any of the people, and did not give satisfaction either to his own department or to the people. If he wants to go to Dunedin let him try to effect an exchange with some man in that district.

Petition from Mr. J. W. Raymond, J.P., and four other Justices of the Peace :—

SIR,— Wyndham, 23rd August, 1887.

We have learned that Mounted-constable Pratt, who had been stationed here for four years, and has on the whole given satisfaction, had been ordered to remove to Invercargill to do foot-duty. As this removal to a place where the expense of maintaining a numerous family will be greater than at Wyndham, and as the pay and the emoluments will be considerably less, the removal can be looked upon only as a punishment. We are informed that the reason for this removal has been stated to be on account of complaints that have been made against the constable. We understand that the constable has not been made aware of the nature of these complaints, and that he is desirous to have an opportunity afforded of meeting and rebutting them. We venture to suggest that an officer who has served so long in the Force with credit to himself is entitled to have such an opportunity afforded to him.

We have, &c.,

W. E. Gudgeon, Esq., Commissioner of Police, Wellington.

(Here follow the names.)

Minute by Commissioner Gudgeon, dated the 19th September, 1887 :—

INSPECTOR BUCKLEY.—Please instruct Constable Pratt to explain how it comes to pass that these gentlemen are so well posted in his grievances, and ask him whether he is aware that to employ outside or political influence is against the regulations and punishable.

Constable Pratt's explanation :—

Police Station, Invercargill, 22nd September, 1887.

CONSTABLE Pratt's explanation and reply to Mr. Commissioner Gudgeon's minute of the 19th instant, *vide* attached correspondence :—

I beg most respectfully to state with reference to the above, that I have told several who asked me at Wyndham before I left that I was transferred to Invercargill to do foot-duty there. There are few who reside there but are well aware of the loss I sustain by being removed to Invercargill. The cause of my removal has been largely discussed at Wyndham, and few there are there who are not under the belief that it was on account of the report sent in to the Minister of Justice some time ago by a W. J. Winter, saddler, there, against me (which Mr. Commissioner Gudgeon is aware of). Winter had informed nearly every person there that he reported me. I heard it over six weeks before I saw it officially. He has told it over and over again that he would have me removed from there. He informed nearly a dozen people together on the street there that he knew fourteen days before I knew it that I was going. The above conversation has come under the notice of at least some of the Justices there, I know. Knowing that they are all well aware of the bad character that Winter bears, and also that Winter has a spite against me through having had occasion to make inquiries about him relative to a stolen saddle, that nearly every one there believes he received from a notorious bad character, George Davey; and, believing that that report was the cause of my removal, they have taken the case up. I presume they have done so from what they were sure to have heard, as they well know how I have done my duty there, and what I had to contend with; and as they are also well aware that there was no inquiry into Winter's report,—as Winter told every one so, and that he did not like to injure me,—notwithstanding that I defied him when he was brought face to face before me by Mr. Inspector Buckley some short time ago; and as the Justices are well aware of the whole of the case through hearsay, I am not surprised at the action they have taken, which has been unsolicited by me. I may have said there that Winter is the only one who has ever reported me during my long service, and that I would like to have had an opportunity of showing him up, which I could have done. As I have been asked so many questions at the time about the cause of my removal, my answers to such would be well known, and lead the Justices to come to the knowledge of what is set forth in their letter of the 23rd ultimo. I have not asked them under any circumstances to plead for me. It has been a spontaneous act on their part. I am well aware that soliciting aid in any such way is against the rules of the Force and punishable.

JAMES PRATT.

Letter from Inspector Buckley :—

SIR,— New Zealand: Police Inspector's Office, Invercargill, 24th September, 1887.

In forwarding Constable Pratt's explanation to your minute of the 19th instant, attached, I would like to state what passed between the constable and myself on the day after his arrival here on transfer from Wyndham, as having some bearing on the matter. To explain how the conversation arose, I must state that the constable after he received my memorandum ordering his transfer from Wyndham wrote to me asking to be informed of the reason of his removal, at the same time stating that he could not look upon his removal in any other light than that of a punishment. I returned his application, stating that he was removed owing to complaints being made from time to time of the manner in which police duties have been carried out at Wyndham, which correspondence he has not returned. On his arrival here in my office I asked him why he applied to be informed of the cause of his removal, at the same time telling him I thought it was impertinence on his part to ask such a question, as policemen are liable

to be removed at any time. He replied that he required it for a particular purpose, and that I would hear more about it shortly, emphasizing "that I would hear more about it shortly" with a very significant shake of his head. He then appeared anxious to have some more conversation on the matter, when I told him I did not wish to discuss the subject with him. As I was to hear more about it, I considered it best not to say any more about it just then.

I have, &c.,

A. BUCKLEY, Inspector of Police.

Minute by Commissioner Gudgeon, dated the 29th September, 1887:—

INSPECTOR BUCKLEY.—Please inform Constable Pratt that I did not remove him without due cause—that he is not the best possible judge of his own fitness for any position, and that if I find he uses outside influence in matters connected with the discipline of the Force I will recommend his discharge.

Letter from Commissioner Gudgeon:—

GENTLEMEN,—

Commissioner's Office, Wellington, 29th September, 1887.

I beg to acknowledge the receipt of your letter of the 23rd ultimo on behalf of Constable Pratt. The delay in answering the same has arisen from the fact that I forwarded the letter to Inspector Buckley for his report, which has now been received. In reply, I have the honour to inform you that Constable Pratt has on no less than three occasions been reported by different residents for inefficiency, and on one occasion by his Inspector. On my recent visit the constable's own report on affairs generally convinced me that he had neither the courage nor ability to enable him to cope with the difficulties connected with his work, and he complained that he had too much to do. Now, as it is necessary that the very best men in the Force should be employed on out-station duty, since they have not the advice of sergeants or Inspectors to assist them, I deemed it advisable to move the constable, and regret that it should have injured him financially; but you will agree with me that the public good in such matters is paramount. In seeking outside influence, Constable Pratt has been guilty of a serious breach of discipline, and, although I shall not on this occasion take official notice of his fault, I am none the less convinced of his unfitness for the Force.

I have, &c.,

W. E. GUDGEON, Commissioner.

J. W. Raymond, Esq., J.P., and others, Wyndham.

Reply from J. W. Raymond, J.P.:—

Wyndham, 8th November, 1887.

SIR,—

I have to acknowledge yours of the 29th September, and have to apologize for delaying so long. Our object in addressing you was merely to give Constable Pratt an opportunity of rebutting the charges made against him, as we felt sure that some of them were certainly assailable. I might also add that our action was purely spontaneous, Constable Pratt not on any occasion having solicited our sympathy.

Yours, &c.,

W. E. Gudgeon, Esq., Commissioner of Police, Wellington.

J. W. RAYMOND, J.P., and for co-Justices.

Witness: You can see how I was falsely charged with soliciting the influence of these gentlemen. I never knew a single thing about what these gentlemen were doing until I got this report from Commissioner Gudgeon. That was the first intimation I got of it.

45. *The Chairman.*] Your real complaint, I take it, is that all along you were never allowed what you consider proper inquiry into these charges?—Yes. I deny neglect of duty *in toto*. That is misrepresentation. I am quite satisfied that Commissioner Gudgeon got information afterwards that caused him to change his mind with regard to me. He may have heard from the Hon. Dr. Menzies, who signed that petition, as to the Wyndham matters, and six months after he removed me he seems to have changed his mind altogether. Six months afterwards he came down to Invercargill. I was on parade, and he called me out. He said, "Constable Pratt, I am going to send you in charge of Balclutha Station. I understand it is the best station in Otago, and I hope you will get on all right." Now, that does not look like the action of a man who has formed the opinion that I was useless. He must have had some confidence in me or he would not have made that statement. My impression is he found out I had been badly treated; and I took his words to me to convey this: "Now, you have been badly treated, and I am going to send you to the best station in Otago to make amends for it." I was sent to Balclutha on the 2nd May, 1888, and I remained there till the 21st January, 1890. There was nothing particularly happened, but I got the credit that I got in every place I have been in for putting down larrikinism. The only thing I wish to mention about Balclutha is that I was living in a wretched house there. There was a new house building just as I was leaving; in fact, it was finished three or four weeks before I left. I was sent from Balclutha to Kaitangata. I was transferred by Inspector Moore. I, of course, complained about being transferred. I understood, when I was sent to Balclutha, I would be allowed to remain there a considerable time, as I had been shifted so often before. When I went to Kaitangata I had only a four-roomed house. One of these rooms was used as an office, and I had ten of a family. Some of my family were twenty-three or twenty-four years of age at that time.

46. *The Chairman.*] You say you had children of that age living with you?—Some of them were over twenty. Through these frequent shifts my family has been ruined, as I could never get anything settled for them. At Kaitangata I had to rent a house at 5s. or 6s. a week, and put half my family into it. I applied to the Inspector to recommend the addition of two rooms, but he refused. I then asked for the material to be supplied, and I would find the labour to put up extra rooms. That was refused. Thinking I was going to be there some time—in fact, Inspector Moore inferred that I would be there the remainder of my time—I converted an outhouse that was there into a sleeping-room, and I made an office. I did this at my own expense, and I never got a penny from the department for it. I also fenced in a section—an acre of police reserve—and I made a garden there.

47. Did you make any application to the department in respect of this for a refund?—I do not know that I claimed. I think I should have been refunded the money. I am almost sure I mentioned it to the department. When I left, I agreed with my successor that he should pay £4 for the vegetables and other things. He did not pay. I applied for leave to sue him, and it was refused. I was removed from Kaitangata to Dunedin on the 14th October, 1890. I asked the reason for my being removed. I may state that Mr. Thomas Mackenzie, then member for the district happened to come there, and I found out he telegraphed afterwards to Wellington to have me remain there. He knew my family, and he did all he could to stop my transfer. I knew nothing about his action at the time. I never sought influence in any shape or form. There were two replies came about the cause of my removal. I forget what they were now. However, I had to

go. I heard the people got up a petition there, and I was afterwards informed it was signed by every man in Kaitangata but one. It shows the people were satisfied with my actions; and yet I was told by the department that it did not follow if I satisfied the public I satisfied the department. I think it should follow. I left my family at Kaitangata, and left there for the purpose of taking my discharge, I was so disgusted with my treatment. I was advised by the men, however, not to leave and throw up my service. I put my case before the department, and I could get no satisfaction, and I had to put it before the House. I, after a couple of months, brought my family to Dunedin, and a short time afterwards I was sent to Alexandra. My treatment in the service has been most harassing, and, had I not had such a family, I was so disgusted with my treatment that I would have thrown my billet up.

48. *The Chairman.*] You attribute your removal to Alexandra South to your appeal to Parliament?—There is nothing very much to be said about my time at Alexandra. It is a well-known fact that this place was another hotbed of larrikinism; and it is well known there was no man living that could cope with Alexandra. It was notorious for years before I went there as a hotbed of larrikins, doing outrageous things. The department will say I could not cope with the crimes committed there; but I say it was impossible for any man single-handed to cope with the crime there. The crimes committed were something awful. For instance, tying a Chinaman up, and setting fire to his place, and leaving him there to roast. The unfortunate fellow chanced to get out, and was found next morning by his comrade. I merely mention this to give you an example of the sort of people I had to contend with. You never heard, I suppose, of any such things being done in any part of the world. I had these men up several times, and if I had a dozen witnesses to prove the charges they would have twenty to prove they were in bed. On another occasion they threw kerosene on a Chinaman and set fire to him, and he was seriously burned. I have been out till 3 and 4 o'clock in the morning in all sorts of disguises to try and catch them. Of course, they were watching me. I may say I had these men up for setting fire to the Chinaman, and they were fined £1 each by the Justices. The fact was, I was simply laughed at—no support in any one way or the other. Had I had the Magistrate that is there now, larrikinism would have been stamped out long before it was. I wish to mention this, as the department will say I was not fit to cope with Alexandra. Mr. Pardy will know that he has sent up the smartest men he has—detective after detective—and they never made anything more out of it than I did. I could get every man in Alexandra—that is, every respectable man—to say that no constable in New Zealand could cope single-handed with the larrikinism there. When I was called to leave Alexandra I objected to it; in fact, I would have left if I had got my family to go to Invercargill. I was given twelve hours to go to Clyde. I had to pack up two wagon-loads of furniture and go to Clyde in twelve hours. I was transferred to Clyde on the 14th November, 1895, as gaoler. What delayed me was that I had asked that the transfer should be held over for a week, as there was nothing urgent, and I wished to make arrangements. I was waiting to know whether it would be granted or not, and the first thing I got was that if I was not at Clyde in a certain time I would be suspended.

49. *The Chairman.*] Had you not had the order for transfer some time previously?—Yes, a week before. I asked to have it suspended for a week, and I got no reply to my request. If I had got my family to go to Invercargill I would have left the service and followed them there very soon. Character does not appear to be of any use in the service from my experience. The only thing I have to say about Clyde is, that I am in a house that is not fit for a Chinaman to live in. Last session there was £400 granted for the purpose of building a new house, and by some mistake or other it did not come to pass. This session there has been £400 granted to put up a new station at Clyde, and I may say if some action is not taken this winter to put up a new place I will have to send my family away. I have now seven of a family, including myself and wife. My children had to get up frequently last winter in the night, as they could not sleep owing to the cold. In the summer it is 95 deg. some days, and in the winter it is below zero, I do not know how far. They had to get up in the night owing to the cold, though I had a stove burning all night near them. The only decent house I have had to live in during my service was while I was at Alexandra.

50. What age were you when you went into the Force?—Thirty-seven.

51. Is there anything else you would like to state?—There have been a number of charges brought against me in this correspondence to-day which I never had any idea I would have to meet. I never had any idea such statements would be made. I verbally contradict every one of them. With reference to not going to a fire till eight hours afterwards, it is ridiculous. I remember the occurrence, and even if I was not there till eight hours afterwards I showed good reason for it, I guarantee; but it is incorrect to say I did not go till eight hours afterwards. I say the representations made by Inspector Buckley while I was at Wyndham were false, and I could have shown them to be false. I say also that Inspector Buckley shifted me through, I will not say what influence, but I know Winter and he were two Masons; and it was my opinion at the time, and it was also the opinion of every one at Wyndham, that Winter had brought about my transfer. I say I insisted on an inquiry. If this inquiry had gone on I would have shown that what Inspector Buckley says against me there is false. I have been shifted through his representations to please this man, and I say he has falsely represented me all through.

52. Do you not feel satisfied in your own mind that the action of the department in putting you back again in charge of a station after your removal from Wyndham conveys, as you felt it did at the time, there was an admission that some injustice had been done?—I thought so. In my petition to the House, I asked to have the power taken from Inspectors of removing men from stations without giving them the option of holding an inquiry, when they demanded it. I demanded an inquiry there; and I knew I would not get it, and I did not get it. I wish to draw attention to the reply which appears in *Hansard*, that in future neither the Inspector nor the Commissioner can shift a man without the sanction of the Defence Minister. I brought that about. I pride myself on having that altered. I was deprived of my long-service medal for two

years, owing to these two charges being on the sheet. I did not know these charges were on the sheet till I saw them, when I was inquiring about my long-service medal. I also distinctly state I have been shifted from Balclutha through political influence. It was a well-known fact at the time. The Inspector shifted me from there to put this man Keenan in my place. I will get fifty people in Balclutha to say that is a fact.

53. Are you prepared to show it?—Not now. I could have shown it at the time. It is a well-known fact that Keenan had been offered other stations, and did not accept them. He would not go to a place except some station about Milton, and I am satisfied I was only shifted from there to make room for this man. I say he was a disgrace to the Force for years before he went there.

54. Is he in the Force now?—No. He was dismissed. He remained at Balclutha for nine days. He was drunk all the time. He was reported several times to the Inspector for being in that state before any notice was taken of it. I say distinctly, I was shifted from Kaitangata to make room for Constable Poole through political influence—Mr. J. C. Brown.

55. Do you know if any influence was used on his behalf?—That was well known at the time. I would like to see Inspector Moore's reason for shifting me.

At this stage the following correspondence was read by Mr. Tunbridge:—

Telegram from Inspector Moore to Commissioner of Police, dated the 23rd January, 1890:—

CONSTABLE Pratt, at Balclutha, not able to cope with duties there, I suggest he be replaced by Constable Keenan from here, that Pratt be removed to Kaitangata with his large family, and Constable Dale from latter place to Dunedin. Deem this arrangement advisable. Your permission sought.

Telegram from Commissioner Gudgeon to Inspector Moore, dated the 27th January, 1890:—

MAKE any changes you believe advisable, viz., Pratt, Dale, and Keenan.

Telegram from Inspector Moore to Commissioner Gudgeon, dated the 7th October, 1890:—

Re TRANSFER of Constable Pratt from Kaitangata to Dunedin, authorised 29th ultimo, A.C./1767: Constable Pratt asks that this transfer be suspended pending receipt of his complaint for having been transferred four times during thirty-two months, which complaint, he says, will arrive here this evening. I have instructed him to obey orders, and proceed to Dunedin on the 14th instant. I have arranged for Constable Poole, of Roxburgh, to relieve him on that date, and if these transfers are not effected much inconvenience will result. Constable Pratt has not performed his duties satisfactorily either at Balclutha or Kaitangata, and he has threatened to resign if transferred again. I shall be glad of your decision in this matter.

Letters from Inspector Moore:—

SIR,—

Police Office, Dunedin, 23rd September, 1890.

Re unsatisfactory manner in which the constable named in the margin—Constable Pratt—performs police duties, and recommending his removal from the charge of Kaitangata Station, and his transfer to Dunedin.

In submitting the annexed correspondence for your consideration, I have the honour to state that for some time past complaints have been made to me of the unsatisfactory manner in which Constable Pratt generally performed his duties. I may say that it was on this account he was removed from the charge of Balclutha Station, on the 3rd February last, to Kaitangata, a less important station, where it was hoped he would be able to give satisfaction; but I regret to say that complaints are still made of his neglect and dilatoriness in the discharge of his duties. I may further state that this constable seems always to have a grievance, which he appears to brood over; and he has stated that if he is again transferred he will resign and leave the Force. Under the above circumstances, I am at a loss to know what to do with this constable, but I would strongly recommend he be relieved of Kaitangata Station, and transferred to Dunedin, where he would be under the eyes of non-commissioned officers, and subject to strict discipline.

I have, &c.,

S. MOORE, Inspector of Police.

CONSTABLE A. Christie, Balclutha.

Police Office, Dunedin, 12th September, 1890.

You having verbally informed me that some time since you sent summonses to Constable Pratt, of Kaitangata, for service, that he kept the said summonses three weeks, and neglected to serve them and make return thereof in time for the hearing of same at Court; also, that the Magistrate at Balclutha had complained from the Bench of Constable Pratt's conduct; hence be good enough to furnish a full report of the particulars regarding the matters referred to.

S. MOORE, Inspector of Police.

Witness: I wish to say a word or two about that. That is the only charge that Inspector Moore could ever get against me. He had been travelling about, and he heard the Magistrate had said something. Some man made a complaint about a summons not being served that was sent to me at Kaitangata. He complained in Court, and the Magistrate said he had nothing to do with the matter—that if he had any report to make, he should make it to the Inspector. However, the man did not report to the Inspector, but the Inspector heard of it, and he asked me for an explanation. I gave an explanation that would satisfy any one that was not biased or prejudiced against me. I demanded an inquiry into the charge, but he would not give it. That was the only charge that ever he mentioned he had against me. I know, too, it was the only one he could get. I could have got twenty witnesses to prove about this man that I was charged with neglecting to serve. I could have shown that he had not a vestige of right to charge me. The fact of the matter was, the man was at Timaru that he was charging me with not serving. I knew he was trying to "have" me. He went three days to Invercargill to try and get charges against me. I defied him, when he went back, to bring them before two Justices of the Peace and prove them. I could have shown these charges were false, every one of them. I have always been trying to get an inquiry and I could never get it. That is the way I have been treated. I have been passed over by about fifty for promotion. I am prepared to stand any examination in police duties with any of those that have been passed over me, and I will back myself, and I do not know one in twenty of them. I say it is a mere chance you get promoted. If you are in a place such as I am now there would be very little chance of promotion. There is nothing extraordinary happening there. Unless you have a murder case in your district, and discover the murderer, or rescue some one from drowning, or have political influence at your back, you never have a chance of promotion. I say if a man does a meritorious act he should be paid in cash, and promotion should be by seniority accompanied by fitness. I also complain of the place I have to live in now. I assure you I will have to shift my family from there if nothing is done before the winter, for they cannot live there during severe weather. I have five children with me. The oldest is twenty-seven or twenty-eight, there is another about twenty, another eighteen, one of thirteen or fourteen, and one of ten.

56. *Colonel Hume.*] Are you prepared to say you did not plead guilty to these first two charges in your defaulter's sheet?—I was not asked to plead guilty or not guilty.

57. You did not plead at all?—No, I did not.

58. Did you go down to that train at Invercargill?—Yes.

59. Had not the train gone before you got there?—The train was just moving from the platform as I got to the station.

60. What was your object in going to the train?—That was part of my duty, to see the train off.

61. To see who went in it?—Yes.

62. You admit walking with Constable Ferguson?—I do; but I never thought it was an offence.

63. The result of these things being entered in your defaulter's sheet was that you did not get your long-service medal for some fifteen months or two years?—Yes.

64. Anything else?—That is all.

65. There is no money attached to the long-service medal?—No.

66. You admit you were talking with Constable Walton?—Yes; we met accidentally.

67. And when the Inspector investigated, you said nothing about having any witnesses to call?—I never thought it was worth talking about.

68. Were you punished for being there any particular time, or simply talking?—The charge is there.

69. And yet your grievance is I would not allow you to call witnesses, when you admit the charge?—We denied being guilty, from first to last.

70. Were you talking?—We were.

71. You wanted to get some evidence to show you were not talking above a certain time?—What we wanted to show was that Inspector Moore said we were there five minutes, and we were not there thirty seconds.

72. It never struck you to ask to bring witnesses before your Inspector?—We certainly asked for witnesses when Inspector Moore brought us up.

73. *The Chairman.*] Did you ask the Inspector to let you call witnesses?—Certainly.

74. *Colonel Hume.*] The next thing is, neglect of duty to inquire into a row at the Otago Hotel—did you inquire into that?—No, I did not. I never thought that was there. I simply explained to the Inspector at the time, and I never thought there was anything more about it.

75. As regards talking with Constable Walton, if the Inspector says, "I saw them at Rattray Street, both facing each other and motioning with their hands, as if discussing something, for about three or four minutes from the time I saw them," then he is making a false statement?—Undoubtedly, not a question about it.

76. As regards the complaint about these entries being made in your defaulter's sheet without you knowing of it: do you know that this could not happen now, that it was stopped long ago?—I do not know.

77. With regard to your complaint about being marched out in charge of a third-class constable when you were a first-class constable, it has not been carried on since?—No.

78. Now, with regard to married men being brought in from stations and docked of 1s. a day, will you give us the names?—There was Constable Walton, and others.

79. How did you lose 1s. a day?—We were on the goldfields. It did not include myself. I said that others were brought in for the purpose of docking them.

80. Tell us one it did include?—Constable Walton was at Alexandra, and he was brought in here; also Constable Nolan: he is at Woodhaugh now.

81. I understood you to say there were single men sent to take charge of stations instead of these men. What single men were sent?—Constable McIntyre. He was at Alexandra. There was another at Waikāia. I showed where there were twelve single men in charge of stations throughout Otago, and there were seven or eight unfortunate married men doing duty here, and paying high rents.

82. Did you ever read my reports?—Yes.

83. Did I draw attention to that in my reports?—Yes, I think so.

84. Did I approve or disapprove of it?—Oh, it was not your fault, bringing them in. My petition to the House got that altered. I take the credit of that.

85. You were moved from Alexandra to Clyde. How far is that?—Seven miles.

86. Are you a Freemason?—No.

87. Have you ever used any political influence at all?—Never asked any one. I deny I ever asked any one to do anything for me.

88. What is the population of Kaitangata?—About five or six hundred.

89. They got up a petition in Kaitangata to keep you there?—Yes. I was told so afterwards. I never knew anything at all about it when it was got up.

90. Is it an actual fact that a petition was hawked round a "tuppenny-ha'penny" place like that and you knew nothing at all about it?—It is because it was done very quickly there.

91. And very quietly?—Yes, very quietly.

92. Can you tell me how the petitioners knew you had fenced round this place?—They had eyes to see.

93. They go on further to say you spent the little money you had: how did they know that?—It was very easily seen. It was very easy to see I put up these two rooms.

94. How did they know you were not paid for it?—I do not know, I am sure. I had to go and buy the timber, and if they had any observation at all they could see I was doing it.

95. You got the order to move on the 4th October, and this petition was sent in on the 6th, two days afterwards?—I do not know when it was sent. I did not know anything at all about it. I never saw the petition. I never heard such a thing had taken place till afterwards.

96. You did not say anything to the Mayor of Kaitangata?—No.
97. You stated it was utterly impossible for one man to suppress the larrikinism at Alexandra?—Yes, at that time.
98. Did the man who succeeded you suppress it?—No, it was done before he got there.
99. *The Chairman.*] By yourself?—Well, by action taken by me before he got there.
100. *Colonel Hume.*] Then, one man did suppress it?—Well, I put a check on it while I was there. My belief is, if I had been allowed to remain there, I would have had no more trouble. It was just dying out. They got tired of it. One or two of them had been punished.
101. Then you did suppress it?—I take the credit of being the means of doing so.
102. Then, you see no necessity for two men being at Alexandra?—Not after I left.
103. But, before that, there ought to have been?—Yes, half a dozen were necessary.
104. How soon did you leave Alexandra after you got the order to go to Clyde?—I cannot say from memory.
105. Do you think there were eight days elapsed from the time you received the order till you went?—There might; but I was waiting for an answer to my request to be allowed three or four days to make other arrangements, as I intended going to Invercargill with my family and leaving the service.
106. Is it not usual for a man to pack up directly he gets orders to go?—I should think not. It is, if he is prepared to go; but I was not prepared to go.
107. You have a pretty good billet at Clyde now?—Yes.
108. And, as regards the house, there was a sum placed on the estimates last year to build one?—Yes.
109. That is an indication that I, at least, thought a new house was necessary?—Yes.
110. Now, you told us that a man could not get promotion unless there was a murder, or something very nearly approaching it, committed in his district, or else he must have political influence?—Yes.
111. We will take some station—Arrowtown. Was not the man at Arrowtown promoted the other day?—Yes; but I am not referring to these last promotions. I refer to cases previous to that.
112. We will take the case of Smith, who is at Featherston. Was there any murder committed at Featherston?—I do not know.
113. Was not the Featherston man promoted?—Well, a man named Smith was promoted over me.
114. Will you tell us one promotion that has been made in consequence of murder, or political influence, or masonic influence?—Yes. When I was at Mataura, a young man named Ross came to me to make inquiries as to joining the Police Force. He said he had a notion of joining the Force, and he asked what course he should take in order to get in. I said he might have to go to Wellington in order to join, but possibly he might get on in Dunedin without going to Wellington. I never saw anything more of Mr. Ross till six years afterwards, when I was down at the Supreme Court over a case. I found Ross was a sergeant—the man that I had given advice to six years before as to joining the Force.
115. Do you know where he is now?—He is out of the service.
116. Which was it—political influence, masonic influence, or a murder?—Well, it was influence of some kind. I should say political. Mr. Gourlay, Mayor of Dunedin, was a friend of his. He married Mr. Gourlay's daughter. That is a very good instance of political influence.
117. Can you give us one of masonic influence?—I have not much knowledge of constables, only those I have been immediately connected with. I heard all these things. I do not know them personally, but it is quite common talk that such is the case.
118. You have no complaint to make as to your present situation?—No, if I was supplied with a house.
119. Were there any arrests made for this roasted Chinaman, or this Chinaman that was covered with kerosene?—No; it was not in my time that happened.
120. What was the population of Alexandra—about?—It was very small, the time I was there. It was about a hundred people.
121. Then, out of these one hundred people you could not manage to fix on anybody that committed the offences?—I always knew them. I had them up dozens of times, but I could never get a conviction against them.
122. And yet you say there were no arrests made?—They were summoned.
123. What was the result of it?—The result was that they were fined £1 each by the local Justices.
124. *Mr. Taylor.*] You say that to get justice you have had to get assistance from Mr. T. Mackenzie, member for Clutha; Mr. Hutchison, member for Dunedin; and Mr. Pinkerton, member for Dunedin?—Yes.
125. You think similar steps had to be taken under the old rule pretty often?—Yes; I think so.
126. They have been forced into that position?—Yes; I think so.
127. *The Chairman.*] You said you never used political influence, to Colonel Hume; and now you say you had to use that influence to get justice: which is true?—Both are true. I only made representations when I could get no justice from the department.
128. *Colonel Hume.*] I understood you to say you never did get justice. Did you get justice when you went to these people?—Yes, certainly. They acknowledged I was badly treated. That is about all the justice I got.
129. *Mr. Tunbridge.*] Your first transfers were made under Mr. Weldon's rule?—Yes.
130. And subsequent transfers were made under Mr. Gudgeon and Colonel Hume?—Yes.
131. How soon did injustice commence against you?—I say from the very first.

132. And it has continued right down to the last?—Yes.
133. You have had the misfortune to receive injustice at the hands of Mr. Weldon, Mr. Gudgeon, and Colonel Hume?—Any shift I got under Mr. Weldon was purely for my benefit. From Invercargill to Mataura, of course, was for my benefit.
134. From Winton to Invercargill: was that for your benefit?—I have not complained about that, except the shortness of the period. What I complain of is the shortness of periods between my transfers.
135. Do you think if you had given satisfaction you would have been transferred?—I think I would, because at that time constables were usually shifted every two or two and a half years.
136. Mataura to Gore, that was four years afterwards: you do not complain of that?—Oh, no; that was for my benefit.
137. Gore to Wyndham; that was four years?—I do not complain about that.
138. You have made all these the subject of complaint?—Well, they have been in a way. The men that relieved me in those places have been there ever since almost. Mulholland relieved me at Winton. He was there until the other day, when he came down here.
139. Is it not a fact that Mulholland was at Cromwell for about five years?—Yes, but he had only one shift.
140. You have had, therefore, the misfortune to incur the displeasure, or, at any rate, according to your own ideas, to have had injustice meted out to you by every officer you have served under?—Well, it looks like it.
141. That is your contention?—No. I only say there are two—Inspector Buckley and Inspector Moore.
142. Do you not allege you were unjustly treated by being sent out to Alexandra instead of being kept at Dunedin for a suburban station?—No. I did not allege I was treated unjustly. I could not say I was treated unjustly; but I asked that that should be done.
143. Have you not made that a cause of complaint, and did you not dwell on it for a long time?—I say I should have got that as a favour. I asked it as a favour. I did not dwell on it much.
144. *The Chairman.*] You do not complain of your appointment to Alexandra?—No, because it was for my benefit.
145. *Mr. Tunbridge.*] As regards your removal from Alexandra to Clyde, you say larrikinism was rife at Alexandra, and you were not able to put it down?—Yes, and no single constable in New Zealand could put it down.
146. While you were there a public meeting was held by the inhabitants?—Yes.
147. Did they not make representations that police should even be drawn from the North Island to carry out the laws?—They could see more constables were wanted there.
148. Constable Chisholm succeeded you at Alexandra, did he not?—Yes.
149. How long was he there before larrikinism was dead?—It was conquered before he went there.
150. What was the meaning of the public meeting then, asking that police should be sent from the North Island, if it was conquered just immediately before your removal?—It is no wonder at all they did, because half a dozen policemen could not cope with it.
151. But you say it had been conquered?—I believe there would have been no more larrikinism there if I had been allowed to remain there.
152. Did not Constable Chisholm, immediately after he went there, succeed in getting a number of them in custody and convicted?—I never heard of it.
153. At any rate, within three months after Constable Chisholm's arrival in Alexandra, was not larrikinism stamped out practically?—It is not stamped out yet.
154. But I mean the acute stage of larrikinism?—From what I heard it is not stamped out yet, or anything like it.
155. Do you know of any complaints?—I know this: it was the Magistrate that stamped it out, not the constable.
156. Have you heard of any Chinamen having windows broken?—No. The Chinamen are not in Alexandra now. They shifted out of the town.
157. Do you know, since Chisholm has been there, of any windows being broken?—I am not aware.
158. Do you know of any Chinamen being set fire to?—I am not aware.
159. Do you know of any dynamite bombs being placed in a Chinamen's hut since he went there?—No. The Chinamen are living outside the town four or five miles. I understood there was a case of a Chinaman having kerosene thrown on him.
160. Is it not a fact that the people in Alexandra simply made a butt of you?—No, no such thing.
161. Simply treated you as little better than a child?—No, no such thing.
162. What was the meaning of the dummy in the river?—I do not know.
163. Were they not playing practical jokes on you?—It was not directed against me.
164. But you were unfortunate enough to fall into it?—I was unfortunate enough to be there; and if Chisholm had been there it would have occurred in the same way.
165. Do you think Chisholm would have been stupid enough to carry a dummy seven miles without discovering it was not a man?—I do; and I think the Inspector would have done it too. There were two doctors who were deceived over it.
166. But it had no hands or arms?—Well, two doctors were working at it for twenty minutes before they discovered it was a dummy. It was very natural looking; and as I was in a hurry to get it to Alexandra, it was very easy deceiving me.
167. You got it into a cart and carried it seven miles, and got two doctors to see it?—Yes. I may say the sergeant was there, and when he looked at it he could not detect it.

168. *The Chairman.*] Sergeant McLeod?—He was in charge. There were two hundred or three hundred people looking at it for ten minutes, and none of them ever thought it was a dummy. It was the most clever thing got up that I ever saw.

169. Did you act under McLeod's orders, in having this carted seven miles?—No. He was there when the dummy was landed. It was brought up the river, and taken out of the boat and laid on the beach.

170. Did Sergeant McLeod direct you what to do with it?—Yes. He ordered it to be put on a stretcher, and taken to a place and examined by the doctors. I would have given £20 for the Inspector to have been there, and I am quite satisfied he would have been deceived as well as I was.

171. *Mr. Tunbridge.*] Your complaints are that you have been moved about a great deal too much, and that you have not received the promotion you ought to have got?—Yes. I have not got my deserts in any way.

172. What you mean is, if you had received your deserts you would have been made a sergeant?—I would not have taken a sergeancy if it was offered to me. If I had been offered a sergeancy five or six years after I joined I might have taken it; but after that I would have refused it.

173. You would not have accepted it had it been offered you?—No, I would not; but I was entitled to receive it.

174. If I decline to offer it to you in the future you will not feel aggrieved?—No. I would not accept the position. I am satisfied I shall not be offered it. In any case, I think it would be an insult to offer it to me now.

175. *The Chairman.*] Why would you not accept a sergeancy?—If I had been asked when I was at Balclutha to come down to Dunedin as sergeant-major I would have refused it.

176. Why?—Because I was better off where I was. I would lose money over it. At that time I was better off in charge of a station; but now there is nothing to be made in charge of a station.

177. What is the difference?—The system has changed. The Court work is taken from constables, and all things they made anything out of have been taken away from them.

178. Do you not think it is a bad system that any of these country stations should be so profitable that it checks a man's desire for promotion in the service?—Yes.

179. Do you think it is desirable that these good stations should be held by any one man for a lengthened period? Is it not an injustice to the rest of the Force?—Yes. I recommend in my report that frequent changes should be made, especially in the goldfields—dear places. I have been up there seven years, and my pay has not kept me all the time.

180. *Mr. Tunbridge.*] You get in your present position free fuel and light and quarters, and your pay is more than that of an ordinary first-class constable?—I receive £156 a year.

181. And free fuel and light and quarters, and 6d. a day extra?—Yes.

182. And 1s. a day long-service allowance?—Yes.

183. And you get a prisoner perhaps once a month?—Sometimes two or three in the month. Of course it varies very much.

184. Your duties as gaoler are extremely light?—Oh yes. Of course I do police duty when I have no prisoners.

THOMAS GRIFFITH, examined on oath.

185. *The Chairman.*] You are a first-class constable, stationed at Balclutha?—Yes. What I wish to refer to are unjust charges on my defaulter's sheet. There are two charges. The first is "Unnecessary delay, and visiting places other than those he was instructed when sent on mounted patrol; fined 10s." The second is "Attending a fire in Tay Street in plain clothes and leaving without instructions to do so; fined 10s." The date was the 7th July, 1883.

186. The witness in the case was Sergeant Slattery, and he is dead?—I desire to give evidence on these charges. I complain that I was never guilty of those charges; that I was never charged with them, and I never pleaded guilty to them.

187. Was the evidence of Sergeant Slattery taken?—No, it was not. It is stated on the sheet that I pleaded guilty to them; but I did not. I was never charged with them, and I was never guilty of them. Those are not the charges that were read to me at all.

188. Slattery was not examined in your presence?—No, he was not. I will give you the whole details of the matter. I was a mounted man in Invercargill at this period. Usually in the afternoon, when there was nothing special, I took a patrol into the country. On the date mentioned, I took a longer patrol than usual. I went through a country that I had not been through for a very long time, called the West Plains, a district outside Invercargill. On my return to the station, as I was coming in, I met the Inspector. He asked me where I had been. I told him I had been on mounted patrol, and that I had taken a turn round by the West Plains, as I had not been in that district for a long time, and I took that way for a change. He returned, and asked the sergeant what time the mounted man was to be in. Sergeant Slattery said he gave me no instructions when I went out on mounted patrol, and he did not tell me to come back at any hour. The Inspector complained of that, and said that I should have been instructed to come in at a certain hour, and there that matter ended. I went on to the stable. I had two horses to look after then at the station, and, after doing up my stable and horses and kit, I was returning to my home, leaving my hat and jumper behind in the stable, where I always left them. While crossing over Tay Street, the fire-bell rang, and people ran to the fire. The fire happened to be, in this particular instance, outside of the Town Belt. It was a great time in Invercargill for fires. This was an old wooden building, belonging to, I think, Mr. Thompson, and it was unoccupied. There was a great crowd of people gathered about. The constable on the beat was there; Sergeant Slattery, Constable Wright, and myself. Promoted lately to sergeant, Sergeant Wright is now in Wellington, and he can be asked

as to the truthfulness of what I am now stating. I returned from the fire with Constable Wright. While at the fire, seeing that it was an unoccupied house, and there was no furniture or inmates, or anything to be watched, Sergeant Slattery said, "There is no good anybody stopping here. The man on the beat can do this." I was going down the street home, when I saw the Inspector coming; and hearing the sergeant say he was going to leave, I turned back to tell the sergeant that the Inspector was coming. He remained there for some time; and as the Inspector had growled at me for stopping out a little longer than usual, I wanted to let him see I was at the fire, and I took a turn round where he was standing, and soon afterwards, with Constable Wright, I returned to my home. Two or three days following this, Sergeant Slattery came up to me in the barrack yard and said, "Griffith, I have been instructed by the Inspector to report you." I said, "What for?" He said, "Being at the fire in plain clothes the other night; and staying out longer than usual on mounted patrol." I said, "All right, sergeant, if you are told to report me, I suppose you will have to do it." It would be three or four days after this I was called before the Inspector. The Inspector said he had a report from Sergeant Slattery against me. He held it in his hand. He said, "Sergeant Slattery reports that you stopped longer on mounted patrol than there was any necessity for. What have you got to say to that?" I said, "Sir, the fact of it is: I have been going so often out to the Waikiwi and through that part of the district that I took a turn that afternoon on the West Plains. Several of the settlers were very anxious to see the police up there. I had a long talk with some of them. It was a new district, and I wanted to find out the roads. If it is an offence to do any extra duty, I will not be guilty of it again." The Inspector said, "Sergeant, what time did you tell this mounted man to return?" The sergeant said, "I did not tell him any time." He said, "Sergeant, how does this man do duty?" The sergeant replied, "He is a very good man, Sir. It is the first time I have seen him stop any longer than usual in coming in." He then said, "Constable, you are also charged with stopping at a fire in plain clothes. What have you got to say to that?" I said, "I was partly in plain clothes. As you are aware, I always leave my jumper and hat in the stable, and I left them there at 9 o'clock at night, and when walking across Tay Street the firebell rung. Everybody went to the fire, and I ran to the fire also, so that I might be of assistance in case of danger to life and the saving of property. If it is any offence to go to a fire except in full uniform I was not aware of it. I will not be guilty of it again." "Fined £1," he said. I remonstrated with the Inspector as well as I could—said I thought it was very unjust treatment; that I had a long police experience, and that was the first time I was ever before him; that it was the first time I was ever before any Inspector, and that, under the circumstances, I failed to see what crime I had done. I told him that I did not disobey any order: that the sergeant did not tell me what time I was to come back; that all I had done was a little extra duty, and if that was an offence I would not be guilty of it again. As to going to the fire when not in uniform, there were other constables there in plain clothes, and if it was an offence to go in plain clothes I would not do it again. It was no good. I may now state I did not know what I was charged with. I was never on duty at the fire, except to go there as any other constable off duty. I was a mounted man, and I was on duty from 7 o'clock in the morning till 9 o'clock at night.

189. You say the sergeant told you there was no occasion for you to remain—that the constable on the beat could attend to it?—Yes, because it was outside the Town Belt, and there were no other houses near it.

190. You knew what you were charged with, except as to leaving without instructions?—The leaving without instructions is what I complain of. There were no orders to the contrary at that period, and the sergeant said what I have stated. As regards being on mounted patrol, I was not told to be in at any special hour.

191. You knew the charge against you—delay in returning from your patrol—unnecessary delay in visiting places other than those you were instructed?—I was instructed to visit no places, and that is where the offence is created.

192. You told us you went to a part of the district you had not been to for a long time before—that you were not in the habit of visiting?—That is so.

193. You were never told what part of the district you were to go to?—Never. I went on mounted patrol to exercise the horses. There were two horses, and exercise had to be given one of them every day, so that one horse would only be exercised two or three times a week. I appealed against it at the time—that I was never before the Inspector before, and that any man taken before a Magistrate for the first time would get off, except in the case of a serious crime; but my appeal was in vain. I certainly did not know that these charges were qualified like that, to make them offences. What I want to point out is this: In this instance the Inspector was the prosecutor, the witness, the Judge, and the jury. In ordering the sergeant to make this report to him he was the witness, and at the same time he was the prosecutor and the Judge. It was an extraordinary state of affairs. It would not be allowed in anything in the world except the New Zealand Police Force in those days. I think when constables are charged with offences they should be given the same fair-play as is given to criminals—namely, bring them before a Magistrate or Justices—a Magistrate, for preference—and let the charge be dealt with in open Court. I may say I served in the Royal Irish Constabulary before I served in New Zealand—and that is one of the strictest Forces in the world—and I was never charged with anything.

194. Your opinion is that charges against constables should be dealt with by the open Court?—They should get the same justice as is accorded to prisoners. The charge should be dealt with in open Court—by the Magistrate for preference.

195. *Colonel Hume.*] Did you plead guilty or not guilty to these charges?—I pleaded not guilty.

196. Then, you are prepared to swear that this defaulter's sheet is a false document?—I am prepared to swear that what I say is true.

197. But it says here you pleaded guilty—that is a false statement?—It is. I was never charged with that offence. In the first place, I was not told to go to any place. The whole country was open to me; and I never pleaded guilty to that.

198. You said the Inspector was the prosecutor, the witness, and the Judge, and the jury, and that would never occur in any country but the New Zealand Police?—Not that I am aware of.

199. Take the next service, the nearest service—the Permanent Artillery—supposing an officer in the Permanent Artillery saw one of his men drunk, would he not be witness, prosecutor, and Judge?—He would, if he took it upon himself.

200. What else could he do?—He could call upon one of his sergeants.

201. Take the case of one of Her Majesty's ship captains. He sees one of his men drunk. Is he not the witness, prosecutor, and Judge?—I do not know. I was referring to the Police Force. I do not know anything about the Permanent Artillery or the captain of a ship. I am talking of the Police Force. It would not occur in the Royal Irish Constabulary. If an Inspector did make a charge, a Board of officers would be appointed, and the Inspector would appear as a witness. He would not sit in judgment himself. I may state that the first I knew about these charges being on my defaulter's sheet was after Inspector Buckley retired from the service. You will see there will be some facts that will corroborate now what I say. I then applied to Inspector Moore, who was in charge at Invercargill, for a copy of my defaulter's sheet, and I got it. I wrote to Sergeant Slattery, who was then at Reefton, if my memory is good, and I requested him to send me particulars of the matter, and asked if he did not remember that I was never charged with these offences, and how was it that they were entered on the charge-sheet. I wrote twice to him, and I could not get an answer from him. Seeing that he would not answer me, I was anxious to force him, and I wrote on returning the defaulter's sheet, on my own report, which was attached to the copy of the defaulter's sheet, "I never pleaded guilty to these charges. I was never charged with them, and there is not a particle of truth in them."

202. *Mr. Poynton.*] Was that during Sergeant Slattery's lifetime?—Yes; immediately I found out these charges were there, and when I could get no reply from Sergeant Slattery, I wrote this in order to force an inquiry.

203. *Colonel Hume.*] Are you a Mason?—I am.

204. I think you told us the other day you had never used political influence to get yourself on in the Force?—No; I said the trouble in the Police Force was political and masonic influence.

205. Then, you went on to say you had never used political influence?—Yes.

206. You joined the Force in 1883?—The last time in 1883—Yes.

207. You were promoted to second-class in 1888, and first-class in 1894?—Yes.

208. Then you got on fairly quickly?—I did.

209. And yet you did not use any political influence?—No, I did not.

210. Did you use any masonic influence?—No, I did not.

211. Then it appears a man did not require any political or masonic influence to get on in the Force fairly well?—It seems that is why some of them get on.

212. Will you answer the question?—That is the general impression.

213. But what do you know?—In my own case I got on, but without either—by merit.

214. You went on to say the Force was very much more satisfied in the last six months?—I did.

215. Did you not then go on to tell us you had been passed over for promotion?—No; I did not. I was labouring under the impression that I was unfairly treated because I thought my past service of six years, when I resigned, should count for promotion in some way or the other. When the Commissioner explained to me that that period could not count, I was satisfied then I had not been unjustly treated.

216. Up till last Saturday you thought you were unjustly treated?—Yes; till last Saturday I thought I should have been promoted with the last batch of promotions.

217. You say you did not know of these charges on your sheet till after Inspector Buckley left the Force?—That is it. How I got to get it was, I was mentioning that I was sorry for his treatment by the Government, and it came out in that way.

218. *Mr. Tunbridge.*] What time did you leave the station on mounted patrol that day?—It would be 2 o'clock, or 2·30 o'clock.

219. And what time did you return?—About 7·30 p.m., if my memory serves me right.

220. You were away from 2·30 till 7·30 p.m.?—I think so.

221. What had been your usual hours for patrolling?—I did not usually go in till about 6 or 6·30 p.m.

222. You were away an hour to an hour and a half longer than usual?—About an hour to an hour and a half, from memory.

223. You do not wish to maintain that a constable has a right to leave the station and remain away as long as he chooses?—I do not mean that. It is to a constable's advantage to know the district he is stationed in—to know all the roads and the byways, the lanes and the people. This was a part of the country I had not been in. I thought to myself that some day or night I would have to go into this district, and I would know nothing about it, and that I had better take a turn round it. I was not told to go anywhere, or to come home at any hour. If I had been so told then it would have been an offence.

224. About masonic and political influence, can you give us an instance?—That would be very hard for me to do. I could not. How can you ask me that? But it is the general impression.

225. You cannot give any instance yourself?—I could not.

226. *Mr. Taylor.*] Have you not said that, although you yourself did not ask for political interference, your friends had interfered on your behalf?—Very likely they did. Where a constable has a grievance no doubt his friends would know of it, and they may use influence behind his back to remedy it.

227. *Mr. Tunbridge.*] As to the method of dealing with reports in 1883 in regard to constables, does it still prevail?—I really do not know.

228. Do you not know that if a constable is charged with an offence now, witnesses are called in his presence, their statements are taken down in writing, and he is given the opportunity to cross-examine those witnesses?—I made a mistake when I said I did not know. I do believe a constable can elect to be tried before the Stipendiary Magistrate.

229. *The Chairman.*] Do you know as a matter of fact, when there is a charge against a constable, he is given every facility for calling witnesses before his officer?—Yes; I think Mr. Pardy would adjourn it for any constable to get witnesses from any part.

230. *Mr. Tunbridge.*] Not only are you allowed to call witnesses, but you are also present when the evidence against you is taken down in writing?—I am sure I would get that privilege from Mr. Pardy.

231. Do you know it is the rule?—I am not clear. Thank goodness, this is my first experience of being on the carpet.

232. *The Chairman.*] Do you think it would be a good thing if the right were provided for by regulation?—It would; and it would be better if it was tried in open Court by the Stipendiary Magistrate. I refer to charges brought against constables, not only by the Inspector but by any other man.

On Monday, 7th April, 1897, the following correspondence was handed in:—

To Sergeant Macdonell, Invercargill.
In September, 1883, Constable Griffith was fined by Inspector Buckley on two charges for neglect of duty. Look up records of that period and see if any correspondence has been filed about those charges, and forward to me if found.
WM. S. PARDY, Inspector.

Police Station, Invercargill, 6th April, 1898.

REPORT of First-class Constable Jeffery, No. 263, relative to Constable Griffith being fined for neglect of duty in September, 1883:—

I respectfully report that I searched the diary from the 1st February, 1883, when Constable Griffith came to Invercargill, to the 12th July, 1884, when he left on transfer to Lumsden, and can find only one entry against him, and that was on the 7th July, 1883, when he attended a fire in Tay Street in plain clothes, and left without receiving instructions to do so. I also searched the Invercargill correspondence for Invercargill for 1883, and cannot find any report against Constable Griffith.

Sergeant Macdonell.

G. C. JEFFERY, First-class Constable No. 263.

RESPECTFULLY forwarded to the Inspector.—E. MACDONELL, First-class Sergeant No. 179.—6th April, 1898.

DAVID LATIMER, examined on oath.

233. *The Chairman.*] You are a first-class constable, stationed at Dunedin?—Yes.

234. *Mr. Taylor.*] When did you commence duty in Dunedin?—About eight or nine years ago.

235. When did you join the Force?—In 1878.

236. Have you been on many stations?—This is my fourth station.

237. What are the names?—Christchurch was the first, Timaru next, Ashburton next, and then I was back to Timaru for a short while before I came here to Dunedin.

238. Have you done street duty in Dunedin?—Yes.

239. What are you doing now?—I am doing watch-house duty.

240. How long have you been at that?—Nine months.

241. Before that you were on regular street duty?—Yes. Well, I used to be doing watch-house duty.

242. Were you ever ordered for removal, and have the order cancelled?—No, not that I know of.

243. As a result of your experience in Dunedin, can you say it was the custom for constables to frequent any breweries at night-time?—Well, some years ago it was, but not latterly.

244. Whose brewery was it?—Speight's brewery.

245. Has it happened within the last year?—It has not happened within my knowledge for the last three years.

246. *Colonel Hume.*] At night was this?—At night.

247. *Mr. Taylor.*] Did not some of the men regularly bring liquor from there into the barracks?—Well, there was one, some time ago. It is a good number of years ago. He is not in the Force now.

248. *Colonel Hume.*] That was when the barracks was up Maclaggan Street?—No, it was where they are now.

249. *Mr. Taylor.*] Is there a better feeling in the Force during the past six months than there was formerly?—Oh, yes; a better feeling.

250. So far as your experience goes, has there not been a feeling until some six months ago that men were compelled to use political influence if they wished to get justice?—Yes, there was a feeling. It was talked about.

251. General talk?—General talk.

252. *The Chairman.*] What do you attribute the better feeling now in the Force to?—Well, there have been some promotions lately. The men have been better satisfied.

253. Is it that they feel these recent promotions have been got without political influence?—Oh yes, I think they have. I may say that Mr. Pardy gave the men a caution some time ago with regard to going to breweries, and that practice has been entirely discontinued. Things generally are a lot better than they used to be. Some five or six years ago there were fifty or sixty brothels in Dunedin, and I think they have entirely disappeared.

254. *Mr. Taylor.*] The police are more vigilant now than they used to be?—Yes.

OWEN McCORMACK, examined on oath.

255. *The Chairman.*] What is your class?—Third-class constable, stationed at Dunedin.
256. *Mr. Taylor.*] When did you join the Force?—About six years ago.
257. When did you come to Dunedin?—About August, 1895.
258. Have you being doing street duty ever since?—I have.
259. Can you say of your own knowledge whether it was customary since you came here for any of the men to frequent Speight's brewery at night-time?—Since I came here it was not. There were a couple of men here, but they are not here now. I believe before I came here it was the usual thing.
260. What did you see of it after you came?—I did not see much of it since I came. Inspector Pardy spoke to us at a parade, and said if any of us were known to be going there we would get our immediate dismissal.
261. *The Chairman.*] How long ago was that?—That would be about two years ago.
262. *Mr. Taylor.*] Do you know of political influence being used by the men in connection with any matters?—Not that I am aware of.
263. Is there not a general feeling in the barracks that men do resort to political influence to get redress?—It is an understood thing. It is the barrack-room talk.
264. Did you serve with Constable Mayne?—I did.
265. Did he not boast in the barrack-room of political influence?—I was never mixed up with him, but I think he used to sometimes.
266. Was there not a general feeling he could pull the wires?—Oh yes, there was a general feeling.
267. During the last six months has there not been a change in the feeling amongst the men?—Yes, a lot better.
268. Is that due to the change in the control?—I think so.
269. What is the rule so far as Sunday holidays are concerned. What time off do you now get on Sundays?—We get four hours off one Sunday in four.
270. Do you know what is the rule in other stations?—Yes. They get a full day off, supposing they are full-handed.
271. Supposing they are full-handed. How do they manage them—they only send half the men out on Sundays all day on duty?—That is all.
272. If all the men are turned out on Sundays, as you are, there will be as big a staff on the streets on Sunday, when there is scarcely any one moving about, as on a Saturday night, when the streets are full of people?—Just the same.
273. Is there a feeling amongst the men that they should have a full Sunday every month?—Yes, there is a feeling.
274. Have all the men, as far as you know, in Dunedin, who are qualified to take charge of country stations, been acting as Court orderly in their turn?—I think so.
275. *Mr. Tunbridge.*] Which do you prefer, a pension or a retiring-allowance?—A pension.
276. Even though you would have to contribute a small sum towards it?—Yes.

JEREMIAH TOOMEY, examined on oath.

277. *Mr. Taylor.*] When did you join the Force?—In July, 1894.
278. Did you come from the Artillery?—Yes.
279. Where have you been stationed since?—Dunedin Central.
280. All the time?—Yes.
281. Been doing street duty the whole time?—No. When I first joined I was doing plain-clothes duty for a time, and this last twelve months I have been doing inside watch-house duty principally.
282. Is it within your knowledge that, since you came here, any of the constables have been in the habit of going to Speight's brewery at night while on duty?—It was the custom when I first came down.
283. If some of the men say it was the custom until the last year or two, do you know whether they would be speaking correctly?—I think it has been discontinued longer than a year.
284. *The Chairman.*] Can you say how long it has been discontinued?—I remember the Inspector mentioned as to publichouses and breweries. I cannot speak as to dates.
285. *Mr. Taylor.*] When the men used to go it was pretty clearly understood that, if they wished, they had the opportunity?—I believe so.
286. *Mr. Tunbridge.*] I would like to get your opinion as to pension or retiring-allowance: which do you think would be most acceptable to the men?—Personally, I would prefer a pension.
287. In preference to a retiring-allowance?—Yes.
288. Even although you would have to contribute a small sum towards it?—Yes.

PATRICK O'NEILL, examined on oath.

289. *The Chairman.*] What is your position?—First-class sergeant, in charge of the Central Station, Dunedin.
290. When did you join the Force?—In 1863; promoted first-class sergeant in 1874.
291. How long have you been in Dunedin?—I have been in charge of the Dunedin Station for about six years—not quite six. Previous to that I was on the goldfields.
292. *Mr. Taylor.*] Where were you stationed before that?—North Dunedin.
293. In the Dunedin circuit how long have you been?—About sixteen years, I should say, altogether.
294. How long were you at North Dunedin?—About twelve or thirteen years—not quite so much, perhaps.

295. When were you ordered for removal from Dunedin?—I was never ordered for removal from Dunedin.
296. You have been twice at the Central Station?—No. When I joined the Force I was attached to the principal station at Dunedin, and I was subsequently transferred to different parts of the province. The Central Station was then the depot.
297. Where was your first move?—I went to Waikouaiti from Dunedin.
298. How long were you there?—About two years.
299. After Waikouaiti, where were you?—I came back to Dunedin again. I then went to Hampden in charge of the Hampden Police-station.
300. And after that?—I came back to Dunedin again.
301. Then, where were you stationed?—I was sent from there to Outram.
302. How long were you there?—I was there about six months, and came back to Dunedin from there.
303. Where were you stationed after Outram?—I came to Dunedin, and from Dunedin I was sent to Outram some time after to take charge.
304. How long were you there this time?—I was there perhaps twelve months the last time. Then I was brought into Dunedin and promoted to second-class sergeant.
305. Were you sergeant at Outram?—I was constable. I was made second-class sergeant at once. That was the custom in those days. There were no third-class sergeants then.
306. Were you first-class constable before you were promoted?—Yes; in fact, I was always first-class, because there was no other class of constables when I joined the service.
307. *The Chairman.*] What year was that promotion to second-class sergeant?—About 1872.
308. *Mr. Taylor.*] Where did you go after that?—I remained in Dunedin for a time. I then went temporarily to Oamaru. I was there some time relieving the Inspector, who got into some trouble there. After Oamaru I went to Naseby to take charge. After Naseby I went to Clyde. I was sergeant in charge there under the Inspector, and I did the clerical work. I came from Clyde to North Dunedin under Mr. Weldon, and remained there about twelve or thirteen years. Then I got promoted to the Central Station at Dunedin on the death of the sergeant-major, and have been there ever since.
309. Were all these removals effected without your raising any protest?—Every single one of them without raising a protest.
310. Or making any application?—Or making any application whatever.
311. They were pretty numerous shifts?—They were busy times, and things were unsettled, and we were all shifted about. We had to put up with that in those days.
312. Do you know Mr. McArdle?—Yes. He is a Justice of the Peace at Dunedin.
313. Do you know him intimately?—Yes. I know him as a Justice.
314. Where were you stationed when he was in Dunedin?—I think I was at the Central Station, and in North Dunedin.
315. Did he ever interfere on your behalf in regard to any transfer?—I am not aware that he did. I told you that I never urged anything for transfer or promotion.
316. Your papers will not show any interference?—No; in fact, in my early days you dare not use political influence.
317. Do you think the rule in regard to political interference is observed?—Latterly it has improved a good deal.
318. But, say, now—in the last seven years?—Well, of course, political influence did exist, and was used considerably by some members of the Force.
319. *The Chairman.*] When?—Some years past, and up to some time ago. Not very recently, perhaps.
320. *Mr. Taylor.*] As a matter of fact, during the past six months, has not the change that has been effected tended to stop that?—I think it has killed it considerably, if not entirely.
321. So far as your observation goes, was it not very keen three or four years ago?—Yes.
322. You think the recent change is tending to put the men in better spirits?—I think so.
323. Do you remember a circular issued in May, 1895, in regard to the duties of Court orderlies?—Yes.
324. Has that been carried out in Dunedin?—Yes. The orderlies were to be relieved quarterly. There was a constable named Mayne, who was Court orderly at the time. His time of three months expired. I ordered him for street duty. He complained that he was not fit for street work then, and asked to be taken before the Inspector. He sent in an application, and the result was he remained on as Court orderly. I got no orders to remove him.
325. Was that as a result of a decision of the Inspector?—I do not know whether it was the decision of the Inspector, but I got no further orders.
326. *The Chairman.*] Did you get orders to let him remain on?—I got no orders to let him remain on. He was then on and performing Court orderly duty.
327. *Mr. Taylor.*] Until he was removed to Christchurch?—Yes.
328. Since Mayne left has this circular been carried out?—Yes. A constable named Quinn was appointed soon after, and he was relieved a few days ago.
329. About when did Mayne leave?—July or August last. I think there was another constable appointed for a short time, and Quinn has been doing it for the last two or three months. We were short of men at that time. I was getting hold of any man I could to do the job, pending the appointment of a man. After Mayne left, Constable McIntyre was appointed, and he remained as Court orderly until his transfer to Arrowtown.
330. For about three weeks?—More than that.
331. Was it a month?—It would be more than that; perhaps a couple of months. It would not be three months, at all events. McIntyre remained on, I think, till the 1st January, 1898, and Constable Quinn held it up till a few days ago. Constable Patterson is acting now.

332. Is Constable Quinn eligible for a country station?—Well, he is a single man.
333. Does not the order say that, in selecting men for the post, those men are to be chosen who are likely to be appointed to the charge of a country station where they are likely to be performing duties of Clerk of the Court. Has that been observed?—A man gains little experience for that by doing the duties of Court orderly in Dunedin.
334. But, is Constable Quinn qualified for a country station? As a matter of fact, can a bachelor take a country station?—They are not usually appointed to country stations.
335. Are they appointed now?—They used to be, but not latterly.
336. Is he qualified, according to the rule; is he a married man?—He is not a married man.
337. Is Constable Patterson a married man?—No, but he is a man very well up in years. He is rather sensible—what may be called a level-headed man in the police. Constable Patterson has for some time past been used as a relieving constable.
338. How long has Quinn been under you?—Some four or five years.
339. Has he done much street duty in that time?—Yes, a good deal.
340. Done any watch-house duty?—No.
341. Done any clerking?—No.
342. Has he done any relieving duty?—Yes.
343. Where?—He has done relieving duty in Queenstown. He has been, I think, to one or two other stations. I cannot remember now, as there are so many backwards and forwards.
344. Then, neither Quinn nor Patterson, in the ordinary meaning of the word, are qualified for country stations—that is, they are both single men?—Both single men.
345. Who acts as Inspector of Weights and Measures?—Constable Hanson.
346. Is that his sole duty?—His sole duty. He acts under the Adulteration of Foods Act also.
347. Does he do any Sunday duty?—No, nothing except what pertains to his office. He has to make up his books, of course, and he has very little time to do that during the week, because he is engaged inspecting weights and measures and taking samples in connection with the adulteration business.
348. What is the rule with regard to inspection of weights and measures?—I do not know.
349. What time does the watch-house keeper get off as far as Sunday is concerned?—The day watch-house keeper gets four hours off every Sunday.
350. And what does the ordinary constable get?—The day watch-house keeper and the Court orderly take the watch-house every alternate Sunday, four hours off each. The ordinary constable gets four hours off about once a month—every fourth Sunday.
351. Do you regard ordinary street duty or Court orderly duty as being the most arduous?—Well, ordinary street duty is the more arduous.
352. Then, the men who do the most arduous duties do not get the greatest amount of leave on Sunday?—The most of the men doing street duty are not competent to be watch-house keepers—at any rate, a number of them.
353. What do they lack?—They lack penmanship. They cannot write well enough.
354. Have you got many illiterate men in the ranks?—You cannot call them illiterate men. There are some fairly educated men whose writing is scandalous to look at.
355. Do you know what the rule is in other towns in regard to Sunday leave to ordinary constables?—I only heard what the custom is. In Wellington I heard they get off the whole Sunday once every six weeks, duty permitting.
356. Are you sure it is not once a month in Wellington?—No. I have heard that was what Inspector Pender said—that they get off once in every six weeks, duty permitting.
357. You do not know what the rule is in Christchurch?—No. I suggested here to the men some time ago that if they wished to take Sunday off they could have it; but it was not so beneficial as the system that existed. For instance, the relief that goes on at 9 o'clock goes on again at 5 o'clock at night, and we want all our force between 5 and 9 at night on the evenings of Sunday; and we want all our force between the hours of 5 and 9 in the morning. At that time in the morning there is property left exposed, unwatched, and the police, therefore, require to be doubly vigilant. Between the hours of 9 and 5 in the day there are numbers of people about, and there is no necessity for so much watching. There is danger to property between the hours of 5 and 9 in the morning and between the hours of 5 and 9 at night; when the streets are crowded we require a full force.
358. Could not a percentage of the men be off from 9 to 5 on Sunday?—Yes. We do that; that is where our four-hour system comes in. I think it is the best system. There are two reliefs between 9 and 5. One relief comes off at 1 o'clock: I take two men off that. Then, there is the 5 o'clock relief, and I take two men off that. I think it would be a risky thing to reduce the police between the hours of 5 and 9 in the morning.
359. Can you not afford the full eight hours?—We cannot; our men have to relieve others on country stations, on escort and other duties, and our staff is reduced. I know one thing—that the Inspector is quite willing to fall in with any system that will relieve the men, so far as he can with safety to the public interest.
360. Do you think the special privileges which the Court orderly and watch-house keepers have on Sundays are likely to cause discontent amongst the men?—I do not think so. I never knew anything of it. They are kept pretty busy during their term of office. They have a lot of returns to make out, and they have to look after the prisoners in the cells, and sometimes these prisoners are very troublesome.
361. *The Chairman.*] Does the Court orderly serve summonses?—He serves all police summonses, but he does not serve civil summonses.
362. *Mr. Taylor.*] Do all the men start exactly at the same time on Sunday—I mean the 9 o'clock relief?—Yes.

363. None are ever excused for Church?—No. They can go to Church if they like when off duty.

364. Are not some allowed half an hour's grace?—The men on night duty can always go to Church, and the men coming off at 9 o'clock in the morning can also go to Church. Those men coming off at 5 o'clock in the evening can likewise go to Church.

365. But I refer to the men coming on at 9 o'clock: are not some of them relieved half an hour to go to Church?—No.

366. Within your experience, are any of your men ever late in parading for the 9 o'clock relief on Sundays?—No. Any man late for duty is reported to the Inspector. That rarely occurs—once or twice within the last two or three years.

367. In your experience, in Dunedin, have you had frequent prosecutions in connection with licensing cases?—Yes.

368. Have you ever had a prosecution against the Shamrock Hotel?—Yes.

369. As a result of your initiative?—No. I conduct prosecutions in the Court.

370. What hotels have you ever laid informations against?—Well, latterly I have been in charge of the station, and I have not been out so much.

371. But when on street duty?—Yes, I have. I had one case against the National Hotel for a breach of the law, and some others I cannot recollect now.

372. You never had a prosecution against the Shamrock?—Never.

373. Do you know the Shamrock people have threatened to have some sergeants removed?—No. I saw something of it in the paper.

374. Have you ever heard publicans threaten to have a constable shifted because of interfering with their business?—No, I have not. I do not chum up with the publicans.

375. Do you remember a circular about instruction classes?—Yes.

376. Has that been strictly enforced?—Yes.

377. Are the lectures given once a week?—Yes; I give them.

378. What subjects do you cover?—The city by-laws, Police Offences Act, Justices of the Peace Act, Criminal Code, and Summary Jurisdiction Act.

379. Do you insist on regular attendance?—Yes.

380. Is the roll called at the lectures?—No. We do not call the roll because some of the men are on duty. We assemble all the men at the station.

381. Supposing the men absented themselves, would you have a record of that?—I would report any man who absented himself for disobedience of orders—neglect of duty.

382. If there is a man missing you know where he is?—Know where he is.

383. What is your opinion about the period an officer should be allowed to stay at any one station? Do you think periodical shifts are for the good of the service?—It may be good in small places, but in cities it is very injurious to the service.

384. Have you ever known a sergeant in the city examined as to whether he was sane?—I have heard of a sergeant being examined.

385. Do you know whether it was not a fact?—I believe the doctor did not report him insane.

386. Was he examined by a doctor?—Yes.

387. He was not declared insane?—He was not declared insane.

388. Still in the service, is he?—Still in the service.

389. Are all your men here thoroughly competent?—Very good men.

390. Have you any men now you would recommend should be weeded out?—No, none at all. We have a very good staff of men in Dunedin just now.

391. Is Sergeant Shirley here?—Yes.

392. A good officer?—A very sober man. There is not a more sober man in the service.

393. A thoroughly capable officer?—Yes; he is a very good sergeant.

394. Do you know when he was ordered back here it was protested against in the interests of the service?—That may be so.

395. Do you know?—I do not know of my own knowledge.

396. Did you discuss it with your Inspector, whether it was advisable he should come back here?—I did not. I saw something in the paper where the Inspector said it would have been better if he had not come back here.

397. You do not agree with that?—Oh, I do not say that.

398. *Mr. Tunbridge.*] You have been questioned about the leave to the constables: does the Inspector permit leave as far as it is possible consistent with the public safety?—That is so.

399. You are sometimes very short of men in Dunedin, are you not?—Yes, very frequently.

400. Do you consider you have sufficient men here in Dunedin, taking into account the casualties—men sick, men on relieving duty, men on escort duty, and other causes?—No, I do not think we have.

401. What number would you suggest would be sufficient to meet these casualties?—We would want between five and six men more.

402. Then it would be possible to give the men their full day's leave?—Yes.

403. If your present strength were always available you would have sufficient men?—Oh, yes.

404. As regards the question of pension *versus* retiring-allowance, what is your opinion about that?—I think a pension would be the best system. In fact, there is a pension in almost all Police Forces.

405. And as regards uniform, what is your opinion about that?—The uniform at present is supplied by the men themselves.

406. Do you think the men should be compelled to supply their own uniform?—My opinion is that the men should be supplied with uniforms, and there would then be uniformity through the whole service.

407. Do you think there should be any age for compulsory retirement?—No; I think a man should be allowed to remain in the Force as long as he is fit to do his work.

408. Are there not some men whom you know who, owing to old age, are incapable of performing proper police duties?—Yes, there are some.

409. If there was a pension system, you think that would do away with that?—Yes, do away with that.

410. What is your idea with reference to men joining the Force? At the present time the minimum age is twenty-three, and the maximum age forty: do you think men joining at upwards of forty years of age make good constables?—I think forty is too high. I think the ages should be between twenty-three and twenty-eight or twenty-nine. If you get young men you can train them and make policemen of them, but if you get men well up in years it is very difficult to deal with them. The men of the older age whom you get have been men disappointed in other spheres of life—men from the diggings, knocking about the country working on farms, employed about hotels—and there is a difficulty in getting these men to submit to police discipline.

411. Therefore you think young men make the best policemen?—Yes.

412. As regards Constable Quinn, do you know Constable Quinn has very strong hopes of getting married pretty soon?—Yes, I understand that is the case.

413. And if he became a benedict you think he would be quite qualified to take charge of a country station?—Oh, a very suitable man indeed.

414. You said you thought the frequent transfers in cities were not conducive to the welfare of the service?—That is my opinion.

415. Do you find it is an advantage in large cities that men should get to know the inhabitants?—Very advantageous indeed.

416. You do not think that applies so much in the country districts?—No. In small country districts it may be necessary to shift the men now and again.

417. In country districts the men have very little supervision?—That is so.

418. And as to men in cities, under supervision as they are, you do not think the fact that they get to know people is likely to make them lax in their duties?—No, I do not think so—in fact, it is very difficult to work a city with strange policemen, and the public interest is likely to suffer if you have a lot of strange policemen. You can get as much work out of one or two policemen who know a city as you would get out of half a dozen men that are strange to the place.

419. *Mr. Taylor.*] Do you know whether it was the custom for any of your men to frequent city breweries?—I do not know it of my own knowledge, but I have heard a good deal latterly about it. It came to my knowledge some years ago they were in the habit of frequenting them, but the thing is completely wiped out now.

420. Did you ever learn the details?—No.

421. Did you ever hear the key of the premises was left in a certain place for your men?—No.

422. Have you done street duty at all during the last five years?—No. I supervise the men.

423. You would not be likely to discover that of your own motion?—I would be likely to hear something of it.

424. Did you report it to the Inspector when you heard of it?—I never heard latterly. The first rumour of that kind occurred before the Inspector's arrival in Dunedin.

425. But did you make any inquiry?—No. The thing had gone—ceased to exist—when I heard about it.

426. And it has not existed since?—From what has come to my knowledge, apparently through your instrumentality and others, I believe there was something in it—at any rate, to lead me to think there was something in it.

427. *The Chairman.*] With regard to pay, do you think that it should be raised according to length of service, or according to rank held in the service?—I think there should be some system of long-service pay—to increase the pay as a man went along, and to induce the men to remain in the service.

428. Do you think that would be satisfactory?—I think so.

429. What is your idea with regard to having various grades of constables? Do you think that all constables should be of one rank, and increase the pay according to length of service?—I think two ranks of constables are not unreasonable at all. I think a man who joins the service should be put as second-class constable for two or three years, and then he should be appointed to first-class.

430. You would observe two ranks of constables; you would not make any difference in the pay of the two ranks?—Certainly I would.

431. With regard to sergeants, do you believe in a distinction in the ranks of sergeants?—The rank of third-class sergeant should, in my opinion, be abolished, and make two classes of sergeants.

432. *Colonel Hume.*] I would like to have your opinion as to the recruiting from the Permanent Artillery. Do Permanent Artillerymen, in your opinion, make good constables?—We have got very bad men from the Permanent Artillery.

433. Have you got any good ones?—We got some good ones too.

434. What is your opinion generally?—If you let me select my men I would go into the country and get a lump of a farm-servant, and train him up. They know too much in the Permanent Artillery. It is very hard to get them to submit to discipline.

435. You think the discipline they are submitted to in the Artillery does not fit them for police duties?—That is so.

JOHN BELL examined on oath.

436. *The Chairman.*] What is your position?—First-class sergeant, and district clerk at Dunedin.

437. How long have you held the office of district clerk?—Since 1866. I reverted from the Civil Service to first-class sergeant on the 15th May, 1888.

438. *Mr. Taylor.*] Have you been in the Dunedin district long?—Yes, all the time I have been in the service.

439. Have you never served under Inspector Emerson?—No.

440. What is the practice here in regard to detectives—have they to report to the Inspector every day as to the whole of their actions the day before—their whereabouts and so on?—No, not every day. They have a diary in which they enter particulars of their duty.

441. Supposing an Inspector refuses to take verbal reports from a detective, would you consider that a very harsh, a very absurd arrangement?—I think it is very unlikely he would do so; but if the Inspector wanted a written report he would ask the detective to furnish it.

442. *The Chairman.*] What Inspectors have you served under?—I served under Commissioner Branigan, Commissioner Weldon, Inspector Moore, Inspector Hickson, and Inspector Parly.

443. *Mr. Tunbridge.*] You have had a very long experience in office-work?—Yes, Sir.

444. We have heard a good deal about the system of dealing with defaults. I believe some years ago the system that is now in vogue in dealing with defaults was not generally practised, was it?—There has not been much alteration.

445. Years ago, if a complaint was made against a constable, was it the practice to take the evidence in writing in the presence of the constable, and give the constable the opportunity of cross-examining witnesses, and also allowing the constable to produce evidence if he wished?—Yes, certainly.

446. Years ago?—Years ago.

447. How far back?—Well, as far as I can remember, except in trivial cases.

448. In trivial cases the Commissioner would hear both sides and decide, and that was the invariable practice?—Yes.

449. Do you know if that practice existed with the Inspectors at the outer stations?—I do not know.

450. Do you remember the case of Constables Pratt and Walton being reported for gossiping by the late Inspector Moore?—Yes.

451. Have you any recollection as to how that case was dealt with?—I have not. I think it is recorded. The defaulters' book will show.

452. Would the defaulters' book show any more than appears on the defaulters' sheet?—No.

453. The late Inspector Moore was the prosecutor as well as the Judge; and was any written evidence taken, do you know?—I am not sure.

454. Would it be the practice to take written evidence in a case of that kind—it was a trivial case, gossiping in the street?—Well, it may or may not. It was a trivial case. It then depended on what the Inspector thought of it—whether it would be necessary to take it down in writing or not.

455. With regard to the detectives making full reports to the Inspector in writing, is it not the practice for the detectives to make reports on any matter of importance?—Yes, certainly they should.

456. The Inspector and detectives confer together every morning and exchange ideas?—Every morning.

457. Verbal communications would pass between the Inspector and the detectives that would not be in the nature of reports?—Yes.

458. I take it that is what you wish to convey—that men would make reports without making them in writing?—Yes; discuss a case.

459. It is more a matter of conference than a subordinate submitting a report to an Inspector?—Yes.

460. But in every matter of importance detectives make a written report, do they not?—Yes. If they do not, they ought to do so. It is the custom.

461. This morning conference is not held to relieve them from making written reports?—No.

462. They keep a diary showing the hours they are on duty, and therefore the duty on which they are engaged, and that diary is taken into the Inspector every morning?—Not every morning.

463. How often does the Inspector see that diary?—He sees it when he pleases.

464. You know Inspector Parly's system of dealing with defaults?—Yes.

465. As a matter of fact, you are always present when he deals with defaulters?—Not exactly that. I am in the office, as a rule.

466. Do you not take down the evidence when he is dealing with a defaulter?—No. Inspector Parly takes it down himself.

467. Does Inspector Parly always take the evidence when dealing with a defaulter?—Yes.

468. What is the custom: do you inform constables about entries on their defaulters' sheets?—The Inspector informs them if it is to be entered in the sheet. He generally writes it on the report of the case. In trivial cases he simply writes his decision on the report, and says whether it is to be entered on the defaulter's sheet or not. If it is to be entered on the defaulters' book, then it comes out to me to be entered.

469. In cases where men do not plead guilty, are not the depositions taken in writing?—Yes. It is important when they plead not guilty.

470. In every case where a man pleads not guilty the evidence is taken in writing?—Yes; unless it be a very trivial case.

471. *The Chairman.*] Can you say whether in all cases where constables plead not guilty the evidence is taken down?—Latterly it has been so, but formerly it was not so.

472. In every trivial case, if a man pleads not guilty, the evidence is taken down in writing?—Yes.

473. *Mr. Tunbridge.*] And he has an opportunity of defending himself by calling witnesses?—Yes.

474. And cross-examining witnesses who are called against him?—Yes.

475. *Mr. Taylor.*] Has not the impression been amongst the men—a matter of common conversation for years past—that the use of political influence was necessary to obtain favours?—It has been very common.

476. Have you ever heard any men in your station boasting about their influence?—No, I never heard it.

477. But a feeling has permeated the Force that political influence is necessary?—Yes; that it is necessary to use political influence if they want to get promotion. I have heard that rumoured about.

478. Within your long experience in Otago, have there been many transfers ordered that have subsequently been cancelled?—Some few.

479. What is the general feeling about cancellation of transfer orders?—It was supposed that the wires had been pulled, as it is commonly called, and that that was the cause of such an order being countermanded.

480. Is there a better feeling in the Force the last six months?—I have not heard so much about it lately.

481. *The Chairman.*] Do you limit it to six months? When did you begin to hear less of political influence than you used to hear?—It has toned down considerably since the new Commissioner was appointed. There seems to be a feeling in the Force that it will not be much use now to use political influence as formerly. There seems to be a feeling about the Force that it has been handed over to a permanent expert police-officer.

482. *Mr. Tunbridge.*] What is your opinion about pension *versus* retiring-allowance?—I think a superannuation fund should be established.

483. *The Chairman.*] You think there should be a pension?—Yes, on the lines of the pension system in Victoria or New South Wales.

484. What is that?—Well, that a man should be allowed to retire after fifteen, twenty, or twenty-five years' service, and the pension should be on a sliding-scale, according to the length of service. With a subsidy of about £20,000 from the Government, it could be made self-supporting by deductions from the pay of all ranks of, say, 5 per cent. We had a list of men who were in favour of it made out some time ago, and we found in this district the great majority of the men were in favour of the 5-per-cent. reduction.

485. Is that Mr. Hutchison's scheme that you have outlined?—Yes. Well, it cannot be said to be his scheme. It was got up in Dunedin, and handed over to him to take it in charge. He fathered the thing.

486. *Colonel Hume.*] You say there is a better feeling in the Force now, because it has been handed over to an expert police-officer. How are you going to stop the wire-pulling you have described?—Because they think the Force is handed over from the political head to a permanent Police expert.

487. You have had considerable experience in office work. Do you think it is probable for any constable in this district to have an entry in his defaulter's sheet without knowing that entry was there?—Well, men who had defaults some years ago might: it is quite probable. I believe some of the Inspectors put defaults on the sheets and did not tell the men about them—simply heard the case and decided.

488. Have any Inspectors you have been district clerk for done that?—I think Inspector Weldon did it. It was not formerly the rule to tell them; but latterly it was the rule to tell them.

489. Then, it is quite probable?—Quite probable.

POSTSCRIPT.

DEAR SIR,—

District Police Office, Dunedin, 12th April, 1898.

On perusing my evidence I notice that my services in the Police Force are not fully given. When giving my evidence in Dunedin on the 4th instant, I banded in a document showing the date of joining the Force, &c., but as it was not read out it was not taken down by the shorthand reporter, hence the omission. I have, therefore, to ask you if you will kindly have the enclosed particulars substituted.

I am, &c.,

The Chairman, Police Commission.

JOHN BELL, District Clerk, First-class Sergeant No. 4A.

My services are as follows:—I joined the police of this colony on the 15th October, 1861, with four years and a quarter service in the English Police. I was promoted to the rank of first-class sergeant in 1869, and further promoted to the Civil Service on the 1st April, 1870; salary £250 per annum. On the 1st April, 1874, my salary was increased to £262 10s. per annum; and on the 1st April, 1875, I was further advanced in salary to £275 per annum. On the 15th May, 1888, through retrenchment in the department, I was called upon to revert to the rank of first-class sergeant, with seniority dating from the 21st September, 1869. Please see the *Police Gazette* of 1888, page 100.

WILLIAM JOHN QUINN, examined on oath.

490. *The Chairman.*] What is your position?—Third-class constable, stationed at Dunedin.

491. *Mr. Taylor.*] When did you join the Force?—In 1892 or 1893.

492. Where were you first stationed?—Dunedin.

493. Been here ever since?—Yes.

494. What part of that period did you spend on street duty?—I was in plain clothes for about six months when I first came here.

495. Did you do plain-clothes duty immediately you came here?—Yes, I think so.

496. Without doing any street duty?—Without doing any street duty.

497. Did you make application to be employed on plain-clothes duty?—No. I was sent away to the country.

498. On what duty?—Sly-grog.

499. Were you engaged on that for six months?—No. I did work in town.
500. Did you take up plain-clothes work in the city without any previous service in the city?—
I was in plain clothes here. I was watching two criminals.
501. How long out of that time have you been Court orderly?—Barely three months.
502. Have you had charge of the watchhouse any length of time?—No, not much.
503. Have you been doing clerical work much?—No.
504. How long have you been on relieving duty?—I was away to Queenstown on one occasion, and to Roxburgh on another.
505. How long were you at the two stations?—I* was twelve days at Queenstown, and a week at Roxburgh.
506. Have you ever made any application for special work?—No.
507. Are you on street duty now?—Yes.
508. What has been the impression in the Force amongst the men as to the necessity for using political influence, until the new Commissioner was appointed?—Well, if a man was ordered for removal he would pull the wires, as the saying is, and prevent it if possible, if he did not wish to go.
509. Was there a general feeling that political influence was interfering with the ordinary discipline of the Force?—There was some time back.
510. *The Chairman.*] What do you call "some time back"?—Twelve or eighteen months back.
511. *Mr. Taylor.*] Has it been weakening since the agitation has been on about the Police Force?—Yes. I do not hear anything at all about it now.
512. Have the men begun to think political influence will be severed from the Force?—Yes, now.
513. Has it been common barrack-room talk, the necessity for using friends to get favours?—
I only heard one man.
514. Who was that?—Aitcheson.
515. Have you heard him boasting about it?—Yes.
516. He was very open—brazen—about it?—Yes.
517. You have heard much about it in a general way?—I have heard it remarked about the station.
518. Do you attend the instruction classes?—Yes.
519. How long have you attended them?—I could not say. I have been a few times there.
520. Have you been there half a dozen times?—Yes.
521. Have you been there a dozen times?—I could not say.
522. Do you think you have been more than a dozen times?—I never took any note when they were started.
523. *The Chairman.*] How long have they been started?—I could not very well say. It is a good time now.
524. Where are they held?—In the library.
525. Do you not know how often they are held?—When I was Court orderly I was away a good bit. I had summonses to serve, and there was necessity for me to be away from the station.
526. *Mr. Taylor.*] How many times do you think you have been present—can you remember whether it has been twelve or twenty times?—I was present a good number of times.
527. There should have been a hundred classes held—have you attended the half of them?—I could not say. Sometimes we would be on duty.
528. *The Chairman.*] Have you attended half a dozen times?—Yes.
529. *Mr. Taylor.*] Do you know if the classes were held last Monday?—They were held on Tuesday this week.
530. Have you always accounted for your absence to your officer?—Yes. If I am off duty I am always present.
531. As a matter of fact, has not the attendance at these classes been rather lax?—I could not say. I have seen as many as twelve and fifteen men there.
532. Is it considered amongst the men a very urgent thing that they should be present at these classes?—Yes. There are instructions from Sergeant O'Neill to that effect.
533. What is the practice: is it considered an important matter that they should attend these instruction classes?—Yes.
534. When were you there last?—I could not say. It is a good while ago. It is three months ago since I was there.
535. You have been acting as Court orderly: that would explain your absence?—Yes.
536. Have you attended any classes by the Inspector?—Yes.
537. How often are they held?—Once a month.
539. Are they held regularly?—Yes.
540. Had you any tuition at all in police duties before you went on street duty?—No.
541. Is there a strong feeling amongst the men that they should be allowed one Sunday a month off?—Yes, there is.
542. You have been having that as Court orderly?—No. I had four hours in the watch-house every Sunday.
543. You had four hours off every Sunday?—Yes.
544. You think every fourth Sunday could be given the men without serious inconvenience, or hampering things?—Yes, if they were full-handed.
545. There is a general feeling that they could have it?—Yes.
546. *Mr. Tunbridge.*] Since the circular came out ordering these instruction classes have you attended every class when you were off duty?—Yes.
547. There is no doubt about that?—No doubt about that.
548. If a man that is not on duty is absent from the class, is he treated as a defaulter?—Yes. He is brought before the Inspector for being absent.

549. Therefore, the men are not allowed to follow their own sweet will about these classes?—No.

550. The older men are not called upon to attend the classes?—The only one I know that is exempted is Constable Patterson.

551. How long has he been in the service?—Seventeen years.

552. He is excused, because men of long service are held to be competent?—Yes.

553. In your duties as Court orderly you were engaged very frequently up till a late hour at night?—Sometimes seven and sometimes ten at night.

554. Taking it generally, what hours do you consider you would be engaged on the average?—About nine hours a day.

555. Longer, in fact, than those who are on ordinary street duty?—Yes.

556. So that the Court orderly work is not such an easy duty?—No. There is a lot of running about.

557. I suppose every day there is a number of summonses to be served?—Yes, about six or seven every day.

558. And other inquiries besides?—Yes.

559. You were engaged when you first came into the Force in plain clothes for a time, were you not, in connection with the sly-grog business?—Yes.

560. What is your opinion about pensions?—I believe in the pension.

561. In preference to a retiring-allowance?—Yes.

562. Would you be willing to contribute to a pension?—Yes.

563. *Colonel Hume.*] Did Constable Aitcheson ever boast to you or in your presence about his having political influence?—Yes.

564. What did he say?—It was over being absent from parade. He was fined 2s. 6d. for being absent, and he used to boast how he got it back.

565. What did he say?—He said he went to some friend of his in town here.

566. Did he say whom?—He did not say who he was. He said he got him to write up to Wellington about it. He said he was glad to beat the Inspector.

567. And did he make any other boast but that one?—No, not to my knowledge.

568. Where did this conversation take place?—In the police-station. He slept in the same room as myself.

569. Was anybody else present but you?—No.

570. Did he boast at any other time about anything?—Not to my knowledge.

571. You did not see him after he got dismissed?—No, I never saw him after he got shifted to Invercargill.

572. *Mr. Tunbridge.*] Constable Aitcheson was dismissed?—Yes, I believe so.

573. Do you know how long he was in the service when he was dismissed?—About five years.

574. What class was he when he was dismissed?—Third-class constable.

575. Then Constable Aitcheson's influence was not successful in getting him promoted?—No.

576. And it was not successful in preventing him being dismissed?—No.

TUESDAY, 5TH APRIL, 1898.

JOHN FREDERICK WOODHOUSE, examined on oath.

1. *The Chairman.*] What is your name?—John Frederick Woodhouse. I am a barrister and solicitor in Dunedin. I wish on behalf of Bishop Nevill to state the facts with reference to a property in Filleul Street, referred to in the evidence given before the Commission by Mr. James McGill and Mr. J. B. Thomson, and to explain Bishop Nevill's connection with the property which Mr. McGill stated was inhabited or frequented by improper characters, and on which it was said the Bishop had a mortgage of £1,000 for which he was receiving 10 per cent. The facts are these: Some eighteen years ago Bishop Nevill was asked, through the gentleman who then acted as his agent in financial matters in Dunedin, to advance £1,000 on a leasehold security, the borrower being Mr. William Asher, who held a lease of the particular property referred to from Lund's trustees. Lund's trustees are well known in Dunedin as probably the largest private owners of property in the city. They are very large owners indeed, and they are noted for the way in which their estate is managed, and for the care that is taken with regard to it. I have the lease here, dated 10th September, 1877, and it is, as are all Lund's leases, a carefully drawn document. It is a long lease—sixty years, with the usual terms—and it contains very stringent clauses affecting the tenant. He is bound before the expiration of the first year to erect substantial buildings to the value of £500 at least. He is also bound not to allow any improper trade or business to be conducted. Generally there are stringent conditions throughout the lease showing that the landlords intended that their place should be kept in proper order and condition. It was on the security of this lease and the buildings which had then been erected, or were in course of erection, that the Bishop was asked to lend money, and, on the advice of his then agent, who is not here now, the Bishop did advance the money. The Bishop thinks he looked at the property, but he would not be quite certain about that.

2. What was the year of the advance?—1880. I produce the mortgage from Mr. Asher to the Bishop, dated 18th June, 1880. It is a mortgage of the lease to secure £1,000, and the rate of interest is 10 per cent., with a currency of five years. I would point out that that is eighteen years ago, when the rate of interest was considerably higher—very much higher, almost double—what it is now; and this was a leasehold security upon which a higher rate of interest would

be expected than would be expected from a freehold security. The Bishop then advanced the money, and this mortgage was executed. That is the only mortgage the Bishop has ever had over the property. There is a periodical revaluation of the rent provided for in the lease. Mr. McGill, in his evidence as published by the newspaper, states that he had "searched the register, and found that he (Bishop Nevill) had a mortgage of £1,000 on it, for which he was getting 10 per cent." But Mr. McGill does not state that that was a leasehold security, and that the mortgage was executed eighteen years ago. Had he done so, I do not think people would have come to the conclusion, which I have no doubt a great many have come to, that the Bishop is now receiving 10 per cent. for this property. As I shall presently state, the Bishop is not now receiving 10 per cent., but 5 per cent. What I wish to say is that Mr. McGill could not have discovered what interest the Bishop was receiving.

3. He only cited the information he got from the Registrar?—I think it is a pity he did not state the facts he found on the register. He would have found a mortgage of eighteen years old, and it is a matter of common knowledge that interest has gone down considerably during that period, and that no person pays the interest now that he paid then.

4. *The Chairman.*] I think Mr. McGill said more than that?—I am going by what the public would see in the paper. The report may be incorrect; but it appears that either Mr. McGill had discovered that that was the rate that the Bishop was getting, or that he had discovered facts that would reasonably show that that was the rate. I may add that when the Bishop lent the money the property was just about completed, and consisted mainly of a new brick terrace of houses. When the mortgage became due in 1885, the Bishop requested Mr. Asher to pay it off. Mr. Asher was not then able to do so, and the Bishop has tried to get it paid off ever since. In June, 1886, the rate of interest was reduced to 8 per cent. In December, 1890, it was reduced to 5 per cent., and that is the rate of interest that the Bishop has been receiving ever since. He discovered that it was not a good security—from the point of value, I mean, not because he was aware that there was anything improper about the property, and he has tried very hard to get the money paid off. He offered some time ago to Mr. Asher—and that offer remains open still—to take £600 in discharge of the mortgage. Mr. Asher has, however, not been able to do that. Mr. Asher has been paying the interest agreed upon, and the Bishop has never gone into possession of the property. If he did, his only way to obtain effectual possession and control would be to sell through the Registrar, and become the purchaser, in which case he would saddle himself with a liability in respect to the lease, which has a good many years to run, which he would probably never be able to get rid of. He has therefore, for those reasons, never assumed control of the property, and has consequently had nothing to do with the tenants at all. The Bishop has been complained to with regard to the tenants. He was complained to by Mr. McGill; but the Bishop did not, according to his recollection, make the reply which Mr. McGill says he made—"that he was sorry, but that he had invested money in the place, and he was afraid if he took any prompt action he would lose by it." As a matter of fact, the Bishop has known for some time past that he would lose his money; and what he says is, that he said he was only the mortgagee, that the matter was in the hands of Mr. Asher, and that he would speak to Mr. Asher on the subject. The Bishop did speak to Mr. Asher, and also to his present agent, and requested him to see Mr. Asher. What Mr. Asher said was that it was not correct that there were any improper characters about the place, or anything to complain of with regard to the tenants, and that all the tenants were respectable people, or words to that effect. Mr. Asher will give his own version with regard to the tenants. The Bishop was not in a position to do anything. All he could do was to do what he said he would do—to speak to Mr. Asher; and when he did, he received the assurance which Mr. Asher gave him—that there were no improper characters or persons living in the premises. That, therefore, is the Bishop's position, which he would like to be understood.

5. *Mr. Taylor.*] Have you copies of the letter in which it is stated that the amount would be reduced to £600?—I think that was verbal.

6. *The Chairman.*] Did the Bishop see the property?—He thinks he did, but he is not quite sure.

WILLIAM ASHER, examined on oath.

7. *The Chairman.*] What is your name?—William Asher.

8. Where do you reside?—York Place, Dunedin.

9. What is your occupation?—House and estate agent, Princes Street.

9A. I understand you desire to give us some information in regard to the property owned by you in Filleul Street?—The first intimation I had of the matter being brought before the Commission was when I saw a report in the *Otago Daily Times*. Before that I had no idea it was coming before the Commission. It has been said that the police have not done their duty, and that I am letting my houses to bad characters. Both of these statements I emphatically deny. The police have lately been continually inquiring who are the occupants of my houses, to the annoyance of my tenants and myself; yet they have not made any complaint of anything to me. I quite indorse what was said by Inspector Pardy—that he did not know that the girls who were referred to as living in my houses had been at any time before the Court; and to the best of my belief they never have. They appear to me to be modest, discreet girls living with their invalid mother. I will refer later on to this family. Chief Detective O'Brien said he had his doubts about a house in Cargill Street, and one in Great King Street, but he did not think there was a similar place in my property in Filleul Street. From inquiries made by the police, however, he would have known if there had been, and I can vouch to the best of my belief that every tenant living in this property is honest and industrious, working and earning their bread at various callings, and that they are quite as respectable a lot of tenants as any occupying Messrs. McGill and Thomson's houses. I have heard that tenants to whom I refused to let houses have got them from Mr. McGill. There was

one in Leith Street, when he owned the property. The two poor girls whose character he has tried to ruin work and support their sick mother, and one of their employments frequently causes them to be out until half-past ten o'clock p.m. They are escorted home by a gentleman friend every night, and by their mother's wish and sanction. The girls, I should think, are about eighteen years of age. Besides this, people inform me that they are old tenants of Mr. McGill's, and paid him 12s. 6d. a week for one of his houses. At present they are paying me 7s. The person who is referred to as "Scotch Lizzie" I do not know. She has no house from me. The remainder of Mr. McGill's evidence is equally untruthful, or misleading, and to the best of my belief and recollection he has never complained to me personally respecting the tenants of these houses. He once made a complaint to me about something else which we disputed about, but it had no reference to these houses. In respect to his uncalled-for remarks about the Bishop, the mortgage expired many years ago, and I have been requested to pay it off, but I could not, and the Bishop is kindly charging me 5 per cent. until I do so. The property cost me over £2,100, and I would be glad to sell it for about half. The Bishop spoke to me some time since in respect to a complaint that had been made to him. He did not tell me who had made the complaint, but I assured him that it was perfectly untrue. When his agent spoke to me about the same matter, I pressed strongly upon him to go through the property with me and I would introduce him to every tenant, and inquire and tell him their businesses to the best of my ability. In respect to Mr. J. B. Thomson's evidence, I have to say that the police never cleared out my property in Filleul Street, and that the row of houses has never all been vacant at one time. The most I can recollect as being vacant at one time is three out of nine houses. Drink is my greatest trouble with small tenants, and I check it all I can; and when I cannot succeed I give them notice to leave. Invariably I require from a tenant to whom I let a house a reference as far as morality and sobriety are concerned; but in any case I will not apply to Mr. J. B. Thomson for my character in reference to morality and sobriety.

10. *Mr. Woodhouse.*] Did the Bishop not offer to accept £600 from you?—Yes. The agent offered to accept £600 and release the mortgage.

11. When was that?—About three years ago.

12. He has been trying to get you to pay it off since?—Yes.

13. *Mr. Taylor.*] Was his offer to reduce the mortgage in writing?—No, it was verbal.

14. It did not come from him direct?—No, it came from his agent.

15. These houses have not been kept as brothels?—Not for the last three or four years, to the best of my knowledge; but I might say that the great difficulty in this class of houses is not whom you let them to, but whom your tenants take in as boarders.

16. Do you remember letting a house to Thomas Haddock, in Asher's Lane?—No.

17. Do you know that on the 21st November, 1895, he was charged with keeping a brothel in Asher's Lane?—No, he was not in my house. I have no recollection of the name.

18. Do you remember children named Sarah Mabel Lucas, Margaret Beat, Annie Boyd, and Mary Boyd being charged with associating with prostitutes in Asher's Lane on the 1st June, 1896?—No. But Beat's daughter lived with her mother in my lane.

19. Do you remember these four children being charged before the Court?—No, it was not in Asher's Lane. I have an idea of their being charged.

20. Do you know that they were charged with associating with prostitutes in your houses, and that they were sent to the Caversham Industrial School?—Not in my house.

21. Do you remember Kate Comber having one of the houses?—No.

22. You do not remember her being charged with using obscene language on the 11th August 1896?—She was not in my houses.

23. Does any one own houses in Asher's Lane but you?—No.

24. Do you remember a person named Hunter?—Yes.

25. Were they decent people?—He was a ganger for the "unemployed."

26. Do you remember Lilly Clisby?—No.

27. Rose McLaughlin?—No.

28. Will you be surprised to hear that Clisby was charged with breach of the peace on the 22nd September, 1896, and fined 10s.?—I do not know anything about it.

29. Do you remember Elizabeth McCausland?—I do not know anything about her.

30. Will you be surprised to hear that she was before the Court for drunkenness?—I do not know her.

31. Do you know Annie Conway?—Yes, I know her.

32. Do you know that she was before the Court charged with drunkenness?—It was not from my houses.

33. Do you say that positively?—Yes, I do.

34. And you think the girls referred to by Mr. McGill are about eighteen years of age?—I think so.

35. Do you know anything about them?—I can only give you their history in a way.

36. If the police say they are only fifteen and sixteen will you deny it?—No, I have no reason to deny it. I know that fourteen years ago these people were renting a house for which I drew the rent. At that time the mother was keeping a boardinghouse and was supporting her husband, who had met with an accident at Stewart Island, a tree having fallen on him. He had lost the use of one side, and his wife supported him by keeping boarders.

37. You state the police have made no complaint to you about your property?—No.

38. Never?—No.

39. Has Mr. McGill ever complained to you?—No.

40. Did you ever tell Mr. McGill that you got better rent from a certain class of people?—No.

41. Do you consider that the houses are sanitary?—Yes.

42. What is the size of the back-yard?—It is about 8 ft. deep, and they have the full breadth of the section in front.

43. Is there a dividing fence between the houses?—There is one dividing fence between the six houses; the other three are detached.

44. What is the total frontage of the houses from end to end?—From 90 ft. to 96 ft.

45. Any of them connected with the sewer?—The houses are not, but the closets are.

46. And you say you have not let property to prostitutes?—I have not, to the best of my knowledge.

47. Have you any property in Chalmers Place?—No.

48. Do you know the property there?—Yes.

49. What is the character of the houses there?—They have a bad character.

50. You have some bad property in Moray Place?—I had.

51. Was it let to prostitutes?—Yes.

52. There is another right-of-way off Filleul Street in which you have property. Has that not been in the possession of prostitutes?—No; they are all good people, and I do not recollect any people of that class except some who got in casually; but I turned them out. It is to be remembered that if an agent lets a house he cannot turn a tenant out for at least three weeks, or sometimes five.

53. How long has the Chief Detective been in Dunedin?—A long time.

54. Do you know that he has only been removed from Oamaru?—I thought he was the old sergeant. I see I have made a mistake in the name. I was referring to Sergeant O'Neill.

55. Do you not regard a man who has been here only a few weeks as an authority on Asher's Lane?—No.

56. Are the two girls working?—Yes.

57. What are they working at?—They were working at the theatre in Bland Holt's time. Previous to that there was one out as a nurse-girl, and the other stayed at home nursing her mother.

58. You assured the Bishop that the complaints were untrue?—Yes.

59. Have you been bankrupt since the mortgage was entered into?—No; but I have made an assignment.

60. How did you treat the lease?—I handed it over to the creditors, and they refused to have anything to do with it.

61. As a matter of fact, when you made the assignment, did the property not legally become the Bishop's?—You will have to ask a lawyer that.

62. When did you make the assignment?—I cannot tell you.

63. Was it five years ago?—It was more than that.

64. There was no conveyance, was there, of the interest in the lease from the Bishop to yourself?—I cannot tell you that. It was fifteen years ago.

65. Immediately after the mortgage expired?—I think it was.

66. The mortgage expired thirteen years ago: was it before that that you assigned the estate?—I could not tell you.

67. And you cannot say whether you conveyed your interest in the mortgage to the Bishop?—I cannot tell you.

68. What was done with the old lease—what did the creditors do with it?—They sold it back to me for a consideration.

69. And the old mortgage still stands on it?—The old mortgage still stands on it.

WILLIAM STONE PARDY, examined on oath.

70. *Mr. Taylor.*] Can you tell me what persons have been before the Magistrate from Asher's Lane, and on what charges?—This is a list of all convictions from Asher's Lane, the lane referred to by Mr. Thomson and Mr. McGill:—

RETURN showing Offences committed in Asher's Right-of-way for which Persons have been prosecuted.

Date.	Name.	Offences.	How disposed of.
21/11/95	Thomas Haddock	Keeping a brothel	Dismissed.
1/6/96	Sarah Mabel Lucas	Children associating with prostitutes	Sent to Caversham Industrial School.
	Margaret Beat		
	Annie Boyd		
	Mary Boyd		
	Kate Comber		
11/8/96	Kate Hunter	Obscene language	Dismissed.
22/9/96	Sydney Hunter	Breach of the peace	Fined 10s.
	Janet Beat		Dismissed.
	John Beat		Fined 10s.
	Lilly Clisby		Dismissed.
	Lilly Clisby		Fined 10s.
	Rose McLaughlin		Dismissed.
22/11/96	Elizabeth McCausland	Drunk	Fined 5s.
22/11/96	Annie Conway	Drunk	Fined 5s.
1/12/96	Elizabeth McCausland	Obscene language	Forty-eight hours' hard labour.

Central Station, Dunedin, March 19th, 1898.

D. LATIMER, Constable.

71. *The Chairman.*] It extends from 1895 to 1896?—Yes, and there have been none since.

72. The name of neither of the girls who have been mentioned appears in the list?—No. It was a mistake on the part of Detective McGrath. I am positive of that.

73. *Mr. Asher.*] I may say that the majority of the people named in the return do not reside in my houses. The only one I recognise is Hunter, who, I believe, was charged with drunkenness. (To witness :) Do you say that these people resided in my houses?—I am not able to answer that question.

74. *Mr. Taylor.*] Have the police ever complained to Mr. Asher about the character of the property?—I cannot say about this land, but I wrote to him about another, and I find that Mr. Asher was in this fix: he had only a lease of the property, and could not turn the people out. I wrote to him that such and such a house owned by him "is occupied as a brothel, and if you do not put the occupants out you will be prosecuted under the Criminal Code Act." Except in one instance it always had the desired effect, and in that case the woman had a lease.

75. *The Chairman.*] Do you swear that, within your own knowledge, these people were occupants of houses in Asher's Lane?—I cannot say from my own knowledge.

76. You took it from what source?—From our books.

WILLIAM ASHER, further examined on oath.

77. *The Chairman.*] Tell us if any of the persons named in this list were occupants of your houses?—Kate Hunter is one. She was living with her husband, who was a ganger for the "unemployed." John Beat was another. He is a man working in one of Mr. Keith Ramsay's steamers, a regular worker, and to all appearances a very decent man.

BISHOP NEVILL, examined on oath.

78. *Mr. Taylor.*] Do you remember what took place in regard to the lease when Mr. Asher assigned his estate?—I do not know anything about Mr. Asher assigning his estate.

79. Have you ever known anything about the character of the tenants in the property upon which you have a mortgage?—I have no personal knowledge of the subject at all. I have had one or two complaints, but I have not even seen the houses to this day that I know of.

80. Did Mr. McGill complain to you?—He came to my house once, and it is possible he might have spoken to me in the street before that. I recollect when he came to my house one time.

81. Did you take any steps to satisfy yourself as to the character of the houses?—Yes, I spoke to my business agent, who said he would speak to Mr. Asher, and I also met Mr. Asher myself and spoke to him, and he said the rumours were not true.

82. The Inspector of Police has just sworn that, in June, 1896, four children were charged at the Court with associating with prostitutes in a house in Asher's Lane, and were committed to the Industrial School at Caversham?—I did not hear of that.

83. A man was charged with keeping a brothel in Asher's Lane in November, 1895?—No, I know nothing of that. I took the measures I promised Mr. McGill I would take, and said that if what he stated was true I was sorry to hear it, and would consult my business-man, and speak to Mr. Asher; both of which I did.

84. The police evidence generally with regard to Asher's Lane was that it had a very unsavoury reputation: are you aware of that?—No. No one spoke to me about it except Mr. McGill.

85. Have you not been inspecting it within the last week or two?—I do not know where it is to this day. I know generally, of course.

86. At what time did you offer to reduce the capital from £1,000 to £600 in the event of it being paid off?—It might be some three or four years ago. We had reduced the interest at various times before that.

87. *Mr. Woodhouse.*] It is stated in the paper: "The Bishop said he was sorry, but that he had invested money in the place, and he was afraid if he took any prompt action he would lose by it"?—I would deny that. It is some time ago, and I cannot say the exact words, but my recollection of the conversation was that Mr. McGill called at my house, and represented that objectionable characters were living near him, and were a nuisance to him. I said I was sorry to hear it, and if I could do anything I would be happy to co-operate in getting rid of the nuisance. I said I was only the mortgagee, and that all I could do was to speak to my agent, and I would also try and see Mr. Asher on the subject. That is the whole of the conversation as far as I know. It was not a long conversation. It was only at my front door. That is the pith of the conversation, I am sure. I said nothing to him about rates of interest.

88. And this investment was brought to you by the gentleman then acting as your agent?—Yes.

89. On his advice you took it?—Yes. He said it was sufficient security for the capital.

90. And you left it in his hands?—Yes. I am very busy in other matters, and I left all things to my agent.

91. Is this property sometimes known as Asher's Lane?—I believe so.

92. When were you made aware of it?—I have heard the houses called Asher's houses, but until the Commission sat I never knew that the property mortgaged to me was known as Asher's Lane. If I had seen anything in the paper about Asher's Lane prior to that I would not have known it was my property.

Mr. Woodhouse: No, the houses are called "Regent Terrace."

JOHN DUNNE, examined on oath.

93. *The Chairman.*] What is your name?—John Dunne.

94. What are you?—A small farmer, residing at Balclutha.

95. *Mr. Taylor.*] Have you been in Balclutha many years?—Since 1870.

96. You had one of the licenses that expired in 1894, had you not?—At that time I was the tenant of a house which was Mrs. Dunne's property. We had let the hotel, and at the time the license was taken away it was occupied by Mr. Colvin.

97. Since the hotels were closed, have the police done all they could to enforce the licensing laws?—Yes.

98. Is the order of the town better since the hotels were closed?—I think the order is better than it has ever been before. In 1870 I was the sergeant of police in Balclutha: I was in the police service many years, and a more orderly place than Balclutha I have never been stationed in. I have heard a lot about the disorder in Balclutha, but I have not seen it.

99. Is there much sly-grog selling carried on there now?—I could not say.

100. Do you think there is as much grog sold there now as there was under license?—I do not see how I could answer that.

101. You are a citizen?—I do not think there is anything like it.

102. Have you ever boasted to any one that Constable Christie was removed from Balclutha because he exposed the drinking of the Justices of the Peace?—I have never heard of that.

103. Did you have a hand in getting him removed?—No.

104. You did not discuss the matter with any one?—No. I have never interfered with a policeman since I left the Force.

WILLIAM STONE PARDY, further examined on oath.

105. *The Chairman.*] I am requested by Constable Parker, who is now stationed at Waimate, to ask you to speak as to his character and the way he did his duty while acting under you?—In regard to general duty he gave me satisfaction.

106. What is his present rank?—I think he is a second-class constable. He was under me for about two years or more. He was serving at Tapanui.

107. How did he do his work?—His general duty was very satisfactory, but I was not satisfied with the way in which he acted with regard to the enforcement of the licensing law in the district. In saying that, I mean I did not consider he was exerting himself enough. I think he ought to have exerted himself more than he did. Apart from that he was a very good man, and I have no fault to find with him.

108. *Mr. Taylor.*] Had you sufficient confidence in Constable Parker while at Tapanui to disclose to him any plans you might have had for raiding sly-grog shops?—I can say this: that I trusted nobody.

109. *The Chairman.*] Did you disclose them to him?—No.

110. *Mr. Taylor.*] Was it not reported to you that he had warned the publicans at Tapanui when your men were coming round?—Yes, it was.

111. Had you reason to think it was true?—I could not get evidence to support it, and therefore gave the constable the benefit of the doubt. From what I heard I thought it best not to inform him what I was doing. The first he would hear of it would be when he was told to make the search.

PATRICK BOWMAN, examined on oath.

112. *The Chairman.*] What is your name?—Patrick Bowman.

113. What are you?—Third-class sergeant, stationed at Dunedin.

114. What is the matter you have to bring before us?—All I have to say is embodied in the report I have sent in, as follows:—

In December, 1890, having been transferred from charge of Waikaia to Arrowtown Station, I was appointed police gaoler at the latter place, and continued in such position until the gaol was closed in March, 1895. During that time I was paid by the Police Department as a first-class constable, but in March, 1895, I discovered that police constables acting as gaolers at all other police gaols in the colony were paid by the Prisons Department at the rate of £156 per annum, the Police Department paying the long service. This made a difference of £10 per annum to me, the amount received from the Police Department being £164 5s. while the amount payable by the Prisons Department (£156), with the £18 5s. long service, would make £174 5s. Previous to the gaol being closed, having discovered that I had been treated in this exceptional manner, I represented the matter in writing to Colonel Hume, who was in charge of both Prison and Police Departments, and asked that I be paid the difference; but he did not see fit to pay the claim, saying that I had been paid by the Police Department. Of course, I had no appeal from this decision, although feeling that it was an unjust one. I now respectfully submit that Colonel Hume was not justified in treating me differently to all other police gaolers in the colony simply because I did not discover that I was underpaid until the time already mentioned, and that I am in justice and equity entitled to the balance, which amounts to over £42. I leave the matter with confidence in the hands of the Commissioners.

115. *Colonel Hume.*] Have you any objection to my producing the papers in connection with the case?—I would ask you to produce all the correspondence.

116. On the 28th January, 1895, you wrote: "I beg to bring the following matter under the notice of my superior officer: I was appointed gaoler at Arrowtown on the 26th December, 1890, and have since been paid by the Police Department, whereas the constables at all the other police gaols of the colony are paid by the Prisons Department at the rate of £156 per annum, long-service pay being paid by the Police Department. I am therefore being paid £10 a year less than the other police gaolers during the past four years, and would respectfully request that the matter be brought under the notice of Lieut.-colonel Hume, Inspector of Prisons, for consideration." Inspector Pardy sent the letter back with the note: "Constable Bowman should state the number of prisoners confined in the Arrow Gaol during the past year." Constable Bowman replied as follows: "I beg to state the number of prisoners confined during the past four years is as follows: 1891, 10; 1892, 4; 1893 and 1894, 1. Those numbers are, of course, exclusive of lockup prisoners, of whom there are a good few. I may state that when there are no prisoners under sentence I have extra work to keep the gaol and surroundings clean and in good order." I took steps then to close the gaol, and did close it, and my reply was: "Inspector Pardy.—Please sell prison property by auction. As Constable Bowman was paid by the Police Department he has no claim for extra salary."

Witness : I beg your pardon. The first answer I got was that the prison was closed ; and this was an answer to another letter. I ask that you read the correspondence in the proper sequence.

117. *Colonel Hume.*] This, then, is the answer you refer to : "8th February, 1895.—It seems to me that this police gaol might now be closed. If the gaol was closed, Constable Bowman would have more time for police duty proper." That was sent to Inspector Pardy, who wrote back, "I do not see any necessity for keeping this gaol open, as it is not required under present arrangements." Then you wrote again about pay : "I beg to report, according to the *New Zealand Gazette* of 28th February last, the Arrow police gaol has ceased to be a police gaol. I would respectfully ask whether, in future, I should furnish the annual return of public property (on 30th June) to the Prisons or Police Department. Most of the property has been in use for a number of years, and would scarcely be worth paying the carriage of it to other prisons. In connection with the above, I beg to ask whether my application of the 28th January, for four years' extra salary as police gaoler has as yet been considered." On that I wrote, "Please sell prison property by auction. As Constable Bowman was paid by the Police Department, he has no claim for extra salary." You said that all police gaolers were paid at the rate you stated. Is that correct?—Yes ; but you told me the other day there were other gaolers, that I did not know about, whose cases were the same as mine. All I can say is, that the four gaolers closest to me were not paid as I was ; but I had naturally concluded that they were in the same position as myself.

118. We will take the nearest—Queenstown. How was that paid?—There was no gaol there in my time.

119. How is Cromwell paid?—There is no police gaol there.

120. You stated that all the police gaols in the colony were paid as you have described?—Yes, and my reason for saying so was, that the next four to me were paid as I have stated ; but you have told me that there are others in the same category as myself. I was not aware of that.

121. And that only five were paid by the Prisons Department?—I do not remember the number you stated.

122. And now you have no complaint?—It is for the Commissioners to decide. If the four police gaols close to me were treated differently to me I think it is a complaint. I reckon I have been as good a man as any of the four.

123. Clyde is the headquarters of the district?—No.

124. Is the sergeant not quartered there?—Yes, but he has nothing to do with me.

125. Is Clyde not the central part of the district?—It has been constituted the headquarters lately, under the present Commissioner.

126. Was it not the headquarters once?—Some years ago.

127. Is Naseby not another headquarters?—I do not know.

128. There has always been a sergeant there?—I believe so.

129. Did you ever see the estimates? Did you see provision there for a gaoler at Arrowtown?—No, and that was the reason I applied. There should have been provision.

130. You did not apply till 1895.—No.

131. How long had you been a police gaoler?—For four years.

132. You never applied till the gaol was being closed?—I knew nothing about it being closed when I applied.

133. You believe the statement I make now—that there are about thirty-three of the gaols?—Yes, but I want to know why the other four close to me are paid differently to me. I cannot answer that ; and I would like to know why you did not give me that reply some years ago, and not keep it up to the present time.

134. I told you in 1895?—I beg your pardon. You never said there were other police gaolers paid the same as I was.

135. I told you you were paid by the Police Department?—But why did you not say there were others paid the same as I was?

136. *The Chairman.*] When were you appointed gaoler, and by whom?—I was appointed by *Gazette* notice, in December, 1890.

137. What intimation did you have as to pay?—The pay went on as usual. I was paid by the Police Department.

138. Had you applied for the office?—No.

139. Did the notification you received of the appointment convey no intimation about salary?—No. I might mention that the officer who held the position before me was a sergeant whose pay came to about the same as he was paid by the Police Department, consequently he did not apply to be paid by the other department.

140. Do you know whether he was paid by the Police, or the Prisons Department?—By the Police.

141. And the same principle went on?—Yes.

COLONEL HUME, examined on oath.

142. *The Chairman.*] What do you wish to say about this case of Sergeant Bowman's?—In 1883, I think, a Bill was passed in the House introducing police gaols all over the colony at which prisoners could be retained for twenty-eight days. There were nearly forty of these gaols. Many of them have since been done away with. Seven of them were placed on the estimates for salaries from the Prisons Department, six of which were to be in charge of constables, and the seven were to be paid by the Prisons Department at the rate of £156 a year, the Police Department giving them their long-service pay if they were entitled to it, in addition to the £156. The seven specially paid by the department were Oamaru, Timaru, Clyde, Naseby, Lawrence, Westport, and Tauranga. All the constables, or sergeants as the case might be, in charge of the other stations which were gazetted as police gaols were gazetted gaolers. I may say that Arrowtown was a place at which there was a police gaol.

143. Is that the station of which this sergeant was gaoler?—Yes.
 144. And paid by the Police Department?—Yes.
 145. *Sergeant Bowman.*] Is it not a fact that in a number of those places the gaoler held the rank of sergeant?—In very few of them. Ashburton, I think, was one.
 146. Not Arrowtown?—It may have been.
 147. It would not be necessary for those men to apply? It would be immaterial to them?—No, it would not be necessary.
 148. Do you not think it would have been common courtesy on your part to have given me that reply when I represented the matter to you three years ago?—I am sorry I did not. I must have overlooked it.
 149. If you had stated that there were others treated as I was I would have been satisfied?—I did what I thought was right.

JOHN RAMAGE, further examined on oath.

150. *The Chairman.*] You reside at Balclutha?—Yes.
 151. You are a tinsmith?—Yes.
 152. *Mr. Taylor.*] Did Mr. Burley ever owe you any money?—Yes.
 153. How much?—A small amount, about 12s. I think.
 154. When was it paid?—About the 8th December, 1894.
 155. Who paid it to you?—Constable Christie.
 156. Where was the payment made?—In my shop.
 157. Did you give him anything?—Yes.
 158. How much?—If I remember rightly I returned him 2s.
 159. Are you certain you returned him something?—I am positive I returned him 2s. I remarked that it was found money, and that I had not expected to get it. I may say here that he declined to accept the money; but I pressed it, and said it was something for his trouble.
 160. Did he take it ultimately?—Yes; he put it in his pocket.
 161. Did you approach him with the view to his collecting the money?—Yes. I asked him to collect the money for me or summons for it.
 162. Did you speak to him about the collection?—I am not sure that I spoke to him personally on that occasion, but I spoke to him personally on another occasion afterwards, if I remember rightly.
 163. How did you approach him?—I made out the account for the money. I made it out in duplicate, and sent my son with it to Constable Christie.
 164. Is your son in town to-day?—He is at Balclutha.
 165. *The Chairman.*] Did you ever see either of the accounts again?—I do not remember.
 166. *Mr. Taylor.*] If you had received the money through the Court you would have had to sign for it?—Yes. I do not think I gave a receipt to the constable, and what makes me almost certain about it is that I have a recollection that Mr. Burley afterwards sent several times to me for a receipt, and I think that ultimately I made out one and sent it to him. He seemed to be afraid he would not get a receipt.
 167. *Mr. Macdonald.*] Did you bring this charge against Constable Christie?—No.
 168. In reply to Mr. Taylor you said, "If I remember rightly I returned him 2s." What do you mean by that?—I meant exactly what I said.
 169. Do you mean that you are doubtful about it?—No, I have no doubt about it.
 170. What do you mean by saying "If I remember rightly?"—It might have been half-a-crown, but it was 2s. anyhow. It was not less than 2s.
 171. And you say that Constable Christie did not want to take it?—That is so.
 172. You were grateful to Christie for what he has done?—Yes, certainly.
 173. It was found money?—Quite so.
 174. And you thought he ought to get something for what he had done?—Yes.
 175. Was it in your shop that he paid you the money?—Yes, in the front shop.
 176. How much did you get?—12s., I think.
 177. That was the amount that Burley owed you? Are you clear on that point?—I am thus far clear: I omitted to take a note of it from my books, and I telephoned and got a reply that it was 12s.
 178. So that, as far as your own memory is concerned, you could not remember how much it was?—No. I only knew it was something under £1.
 179. You said at Balclutha that you were not sure what the amount was, but that it was under £1?—Yes.
 180. You only know that amount by getting it in the telegram?—Yes.
 181. Did you remember the date without reference?—No.
 182. How did you get the date?—In the same telegram.
 183. Might I look at the telegram?—Yes.
 184. What you did was to telegraph to your son to tell you the date of the transaction and the amount that Burley owed you?—Yes.
 185. So you were not very clear as to the date, the amount, and the sum you gave to Christie, whether it was 2s. or 2s. 6d.?—That is so.
 186. And you say that when you sent your son to him the order was to summon if he thought necessary?—He could either summon or collect it.
 187. You know that Constable Christie was Clerk of the Court?—Yes.
 188. Was there much time intervened between the time of your son taking the account to Constable Christie and Constable Christie giving you the money?—I could not say.
 189. You are not very clear on that point either?—It was some time after, but how long I could not say.

190. That is all of the transaction you recollect?—Yes.
191. How did it come to be laid? Did you lay it?—No.
192. Did you mention it to Mr. Taylor?—I mentioned it to Mr. Taylor.
193. I suppose you did that out of gratitude to Christie for getting you the money?—I decline to answer that.
194. You take a prominent part in the Prohibition League in Balclutha, do you not?—I have taken a prominent part.
195. Mr. Taylor and you are rowing in the same boat in that respect?—I do not know about that.
196. In different boats?—I do not think that is necessary.
197. You have not always been a temperance man?—No, and I am sorry to say I was not.
198. You had a bit of trouble at Mataura once, had you not?—No.
199. Were you not in the hands of the police there for getting drunk on board the train?—No, I was in the hands of the police, not for getting drunk on board the train, but for being drunk on board the train, and that is one of the reasons why I am a prohibitionist, and I could give a good many more.
200. That was before you were a prominent member of the Temperance League?—I cannot say that I was a prominent member.
201. Was that the reason you joined the temperance people?—No, but I could give you a number of reasons.

WILLIAM E. BURLEY, examined on oath.

202. *The Chairman.*] What is your name?—William E. Burley.
203. *Mr. Taylor.*] Do you reside at Balclutha?—Yes.
204. Do you know Mr. Ramage?—Yes.
205. Do you remember being indebted to him in the sum of 12s.?—I was indebted to him at one time in a small way—I do not remember the sum.
206. To whom did you pay it?—I suppose I paid it to him. If I remember rightly, I heard that Mr. Ramage was going to summons me, and I asked Constable Christie to pay the money for me, as he was financing for me at the time. I had borrowed a few shillings from Christie at different times. I believe I owe Christie the money for that transaction yet, but I suppose I will pay it some day.
207. *Mr. Taylor.*] How often had you borrowed money from him?—Four or five times.
208. Small sums?—Small sums, and, I think, £5 one time. He offered it to me as a friendly action.
209. Did he never discount a bill for you?—No, never in his life.
210. Did you give Christie an I.O.U. for the money?—No.
211. Whom did you get a receipt from for the money?—I do not know whether I got it from Constable Christie or Mr. Ramage, or whether I got a receipt at all.
212. Did Constable Christie ever collect accounts for you?—Never in his life.
213. Did you give Christie no acknowledgement whatever for the money you borrowed from him?—No. Since I borrowed money from him I failed, and went through the Court, and you may see by the papers that I owed him £12.
214. *Mr. Poynton.*] He appeared on your schedule as a creditor?—Yes.
215. *The Chairman.*] Did Christie tell you that Ramage was going to summon you?—I could not tell you.
216. The £12 was for money lent?—Yes.
217. *Mr. Taylor.*] Did any other part of it represent accounts that Christie had paid on your account?—I could not say for certain.
218. When did you file?—February, 1897.
219. If you borrowed money from the police constable, cannot you remember whether some of it, besides Ramage's, was to pay accounts with?—I believe a small amount was paid to Mr. Mills on my behalf.
220. Did you hear that Mr. Mills was going to summon you?—Yes, about the same time.
221. Did Christie not tell you that Mills was going to summon you?—No.
222. Where did you hear it?—I heard it from outside.
223. How much was Mr. Mill's account?—Perhaps 18s.—under £1, anyhow. It is five or six years ago now.
224. Are you sure Christie did not tell you that you were going to be summoned by those two people?—I am sure of it.
225. Can you remember who told you?—No, I cannot.
226. Is there any other part of the money borrowed to pay accounts in Balclutha?—Well, when I was being pushed by different merchants I would ask Christie to lend me money.
227. Did you ever get money from Christie to pay Burlinson?—I paid him.
228. Did you get money from Christie to pay Mitchell?—No.
229. Do you remember other bills paid with the money you borrowed?—I remember there were some Dunedin firms. I was in business at the time.
230. No Balclutha firms?—Only Mills, and Ramage.
231. *The Chairman.*] What was your business?—Cabinetmaker, upholsterer, furniture maker, and so forth.
232. *Mr. Taylor.*] Do you remember what Christie said when you presented the duplicate accounts?—I do not remember anything of that.
233. *The Chairman.*] Did he ever present them to you?—No.
234. *Mr. Taylor.*] Did you not send to Ramage for a receipt?—No.

235. *The Chairman.*] What amount did you owe Ramage?—7s. 6d. or 6s. I can tell you now who gave me information about the account. It was from Ramage's son. He gave me the account one evening, and said that if the money was not paid within so many hours I would be summoned. I then told Christie about it and he paid it.

236. *Mr. Taylor.*] Did the son bring the account?—Yes.

237. And did Christie bring an account in duplicate to you?—No, I am clear on that..

238. Have you talked the matter over with Christie to-day?—No.

239. Have you talked it over with Mr. Macdonald?—No. I asked him when we were to come to give evidence. I thought it was to be 2 o'clock, and he told me it was half-past 12.

240. Did you go into the room in the passage with him?—I was standing at the door of it, and Mr. Taylor was beside us.

FREDERICK MILLS, examined on oath.

241. *The Chairman.*] What is your name?—Frederick Mills.

242. Where do you reside?—At Balclutha.

243. What are you?—A shoemaker.

244. *Mr. Taylor.*] Do you remember whether Mr. Burley ever owed you any money?—I believe he did at one time, but it was a long time ago.

245. What was the amount?—I am not certain.

246. If he said it was about £1, would that be nearly right?—Yes.

247. Was the money paid?—Yes.

248. Who paid it to you?—Mrs. Burley paid part, and I think Constable Christie paid the balance. I think I summoned Burley, but I am not clear on the point.

249. Can you remember the details of the transaction between yourself and Christie when he gave you the money?—No, not at this moment.

250. What other accounts have you had to do with—with Christie?—I had three or four. I had Miss Kerr's, and Charles Shand's.

251. Did they both owe you money?—Yes.

252. Who paid it for them?—Christie paid them both.

253. Did you summon them?—Yes.

254. The record will be in the Court books?—Yes; at least it should be.

255. What were the special circumstances connected with Shand's case?—Did you have great trouble to get the money?—Yes.

256. Was it recovered through the Court in the ordinary way?—Yes.

257. Did you give evidence in the case?—Yes.

258. Did you pay Christie anything?—No.

259. What do you mean by "great trouble"? Was there delay?—Yes. I had trouble in getting the money out of Shand.

260. Where did you get the money?—At my shop.

261. Did you give a receipt for the money?—Yes.

262. What were the particulars of Miss Kerr's case?—She took no notice of my bill, and I summoned her, and got the money through Christie again.

263. At the shop?—Yes. She did not appear at all. She paid Constable Christie.

264. Did she pay into Court?—She paid Constable Christie. She did not come to Court. She sent the money to me herself.

265. Then, Christie did not give that to you in your shop?—No, but it was through him that I got it.

266. How?—He served the summons on her, and told her what I was going to do, and I got the money.

267. Did you get the money in full?—No.

268. Did you make a return to Christie for his trouble?—No. I never make a return to a constable who has a duty to perform. He had several cases for me, and I have got the money through the Court.

269. Did you give Christie a receipt for the money?—Yes; I always gave him a receipt.

270. In the Court books?—I do not know that.

271. There are printed forms in the Court to sign?—Yes.

272. It would be on one of those, then?—Yes.

273. Did you summon in all the cases referred to?—Yes; and sometimes he has got the money without summonses.

274. In a case where he got money without summoning, would you give him an account to collect?—Yes; and when he brought me the money I would give him a receipt for it.

275. Has that happened half a dozen times?—I do not think so, but it has happened more than once.

276. Had Christie paid over all these amounts before he left Balclutha?—Yes.

277. He did not settle any of them after he got to Mosgiel?—No; but he settled a small account of his own after he got to Mosgiel.

278. Did you sell goods for him?—Yes.

279. Did you never make any arrangement with him as to recompense for the trouble he had in collecting those accounts?—I remember that on one occasion I omitted to charge him with a pair of boots, but I did not do that intentionally as a means of recompense to him.

280. *The Chairman.*] Then, why do you mention it?—I thought he had got money for me that I could not have got myself.

281. Did you intentionally not charge him with the boots?—I thought he had done me a favour, and I did not charge him.

282. *Mr. Taylor.*] Did you have any conversation with him about that item?—I cannot remember.

283. How came you to know that Constable Christie would collect accounts?—I asked him to do it, with authority to summon if he could not collect them.

284. You regarded him as a collector for the time being?—I thought that, being a policeman, he would get it sooner than I would.

285. Did you know he was Clerk of the Court?—Yes.

286. Do you not know that the Government charge, for all moneys recovered through the Court, certain Court fees?—Yes, and I paid them.

287. But you do not pay them when Constable Christie got the money without summoning?—No.

288. Did anybody tell you that Constable Christie would collect accounts?—I do not think anybody did tell me.

289. *Mr. Macdonald.*] I suppose you had on various occasions given Christie accounts to take out summonses for?—Yes.

290. And when you gave him these you expected him to take out summonses?—Yes; I gave him authority to take out summonses.

291. So that you went to him in his capacity of Clerk of the Court?—Certainly, as policeman.

292. *The Chairman.*] If so, you would have signed a plaint-note, would you not?—I never signed any.

293. *Mr. Macdonald.*] You would sign anything he put before you?—I would.

294. And that was done on various occasions, I suppose?—Yes.

295. You left it to Christie to manage the affair for you?—Yes.

296. *The Chairman.*] Did you pay him the Court fees for summonses when you took him the accounts?—I knew that if he took summonses out he would pay it, and charge me.

297. *Mr. Macdonald.*] I suppose you do not remember exactly what you did?—No, I do not remember.

298. How long ago is it since all this happened?—Well, it is now some time since Christie was in Balclutha.

299. How long ago is it since these transactions took place?—About three or four years.

300. *Mr. Taylor.*] When you gave Christie instructions to recover the money you did not give him any Court fees?—No.

301. What kind of authority did you sign? Was it a blue printed form, or a memorandum?—I gave him bills to collect, with authority to summon if he did not get the money.

JAMES WILLIAM MITCHELL, examined on oath.

302. *The Chairman.*] Your name is?—James William Mitchell.

303. You reside at Balclutha?—Yes.

304. What are you?—A tailor.

305. *Mr. Taylor.*] Do you know Constable Christie?—I do.

306. Have you ever had any financial transactions with him?—No, I cannot say I have, other than that he was Clerk of the Court at Balclutha, and I had some business with him in that way.

307. What was that?—It was ordinary Clerk of the Court work.

308. Will you give me one case?—There was the case of Andrew Sharp.

309. Did you summon Andrew Sharp?—Yes.

310. Did you recover the money?—Yes.

311. Where did you receive it?—I think it was at the Courthouse.

312. Did you sign the usual receipt?—Yes.

313. Have you ever recovered money without actually going to Court for it?—Not through Constable Christie.

314. Have you ever discussed accounts with him at all?—Not except in the way of Clerk of the Court in taking out summonses.

315. Did you always get your money promptly?—Yes.

316. Did you have occasion to write to Christie at Mosgiel?—Not about any money received through the Court for me.

317. On what money business did you write?—On account of some one else.

318. Was it about an account he collected for you?—A man said he paid some money into the Court, and said it was for me, and I wrote and asked about it. Christie sent me this letter [produced].

319. Who is James Robertson?—A farmer at Warepa.

320. One of your customers?—Yes.

321. Had you asked Christie to collect the money for you?—No.

322. Did you authorise him to get the money for you?—No, but I had told him to summon.

323. Did you sign a form of the Court or pay the Court fees?—No.

324. Was the man summoned?—No. I thought he had been, but he had not been.

325. Do you know if Christie saw Robertson about the account?—No.

326. Why did you write to Christie?—Because Robertson told me he had paid the money into Court.

327. *The Chairman.*] At the time you wrote to Christie had you taken out a summons against Robertson?—I had taken out a summons through Constable Griffith.

328. *Mr. Taylor.*] You did not wait until you had received this letter from Christie?—I thought the summons had been taken out. Robertson paid me the money; it was about the time I sent that letter. He said he had paid Christie some money on my account, and that is why I wrote the letter to Christie.

329. Did you tell Christie to collect or to summon?—To summon. He never collected money for me.
330. Have you ever taken a summons out before?—Yes, lots of times.
331. What is the usual formula?—To go and sign the plaint form and pay the fees.
332. Did you do so in Robertson's case?—Yes, when I summoned him.
333. But when you saw Christie?—I had forgotten about it. I had an idea that I had summoned him. I had summoned others about the same time, and I was not sure about this one, but it turned out that I had not summoned him.
334. Do you remember any of the other names?—I think Sharp's was about the same time. I had trouble about him.
335. What about him?—I had trouble in getting the money from him. I had to summon him, then take out a judgment summons, and then a warrant for his arrest for contempt of Court. He afterwards sent the money to me.
336. Was that in Christie's time?—Yes; Christie paid me the money he got, straight away.
337. Did you always get prompt settlements?—Yes.
338. Did you take the money frequently in your shop in connection with these summons cases?—I remember one amount I got at the shop from Christie.
339. What receipt did you give for it?—I could not say.
340. Did you sign the usual blue printed form?—I would not swear to that.
341. *The Chairman.*] Was the money you got at the shop money for which you had sued?—Yes; I had sued some one at Port Molyneux.
342. *Mr. Taylor.*] Cannot you remember who it was?—I forget his name.
343. Did you sign the receipt form?—I think I did, either at my shop or at the Courthouse.
344. Did Christie ever discount any bills for you?—No, he never did.
345. Did you write to Christie more than once about this?—No.
346. Did you write to him about any other amounts?—No.
347. Will you swear you did not write more than once?—I might have written twice, but I am sure in my own mind I did not do so.
348. How long ago is it since you told Christie to summon for the money?—It must have been twelve months before the date of the letter; somewhere in 1896.
349. Could not you have found from the records of the Court whether he had paid?—That is what I looked up when I wanted to find the amount of the judgment. I then found that I was wrong, and that the summons had never been issued. I was satisfied then that I had made a mistake in thinking it had been issued. I had issued a number at one time, and I had thought it was among them.
350. Did Christie see Robertson about the money?—I do not know.
351. Did you see Robertson?—Yes; I summoned him.
352. But before you summoned him had you seen him about the account?—Yes, several times.
353. Did you ask him for the money?—Yes, and he put me off.
354. Did you discuss the matter with Christie before he left Balclutha?—Yes.
355. Did you ask him for the money?—No. I told him to summon, and afterwards I asked him if the matter had been settled. I was going to take out a judgment summons, and Christie said it was hardly worth while, as the man was in trouble about some other cases, and that if I waited I would have a better chance. I knew that some one was pressing Robertson at the time.
356. So you let it stand over?—Yes. Then when Christie went away I went to Constable Griffith and said I would take out a judgment summons. I ascertained by searching the records that no summons had been taken out. It was my mistake.
357. You are clear about Christie telling you not to take the judgment summons out?—Yes, I am pretty clear on that.
358. What other moneys did you instruct Christie to collect for you?—None, except in his capacity of Clerk of the Court.
359. Did you always sign the plaint?—I suppose I did. I would not swear but that I missed some.
360. And if you did what would happen? Would you expect Christie to summon?—No.
361. What would happen?—I suppose if the Magistrate knew it was not signed nothing would be done.
362. Did you always pay the fees when you went round to see about the summonses?—Mostly.
363. Not always?—I might have missed it a few times.
364. Then what would happen?—One time I was going to pay the fees to Christie, and he said, "This man will pay," and I will get it then.
365. Did you run an account with Christie?—No.
366. He never bought anything from you?—He might have.
367. Did you do odd jobs for him?—Very little—practically nothing.
368. Did you make an entry in your books for these jobs?—Anything I did I entered in the books. I never did anything for him for nothing.
369. Did you think that Christie, or anybody else, would look after the accounts for nothing?—I do not want them to do it for nothing.
370. What about Robertson?—I thought I had summoned him.
371. *Mr. Tunbridge.*] Do you suggest that Constable Christie acted in any way improperly in connection with Robertson's account?—No.
372. You now believe you were under a wrong impression when you thought you had summoned him?—Yes.

373. And you think it was your own mistake?—Yes.

374. *Mr. Taylor.*] Have you talked the case over this morning with Christie?—I had a conversation with Mr. Macdonald.

375. Where?—I had two or three words with him in the adjoining room.

376. What did he ask you?—He asked me who called me as a witness, and I said it was Mr. Taylor.

377. How did you know I had called you?—You told me in the lobby. You said that Mr. Macdonald was interviewing your witnesses, and I took it that I was one.

378. What was the nature of the conversation with Mr. Macdonald?—He asked me who called me, and I said it was Mr. Taylor. He then asked me what I was called for, and I said I did not know, and that I thought it was a waste of time.

379. Did you not discuss Robertson's case?—Not much. I did not even show him that letter.

380. Did he suggest any line of answers?—No.

MICHAEL BERNSTONE, examined on oath.

381. *The Chairman.*] What is your name?—Michael Bernstone.

382. What are you?—A tailor at Balclutha.

383. Do you know Constable Christie?—I do.

384. How long have you been in Balclutha?—Not fully five years.

385. Did you ever have any financial transactions with the constable?—Once.

386. What was the nature of it?—I had summoned a party of the name of J. Reid, and I got judgment for the amount in Court. The full amount was £4 10s., and he paid £2 into Court, and the next day judgment was given for £2 10s. The party was "not much account," and I could not get the money, and for that reason asked Constable Christie to take out a judgment summons. He did not do so, but shortly afterwards the money was brought into my place by the constable. I thanked him very much, and there was no more about it.

387. *Mr. Taylor.*] Did you sign a receipt?—I do not remember; but I remember that I got the money in my shop.

388. The full amount?—Yes.

389. Is that all the business Christie has done for you?—He has done several others, but through the Court.

390. What happened in the Magistrate's Court between you and Constable Christie one day?—Oh, that was a matter in which I summoned him for a suit of clothes, and my lawyer got the money.

391. How much was paid in?—The full amount.

392. Were the costs paid?—Yes; 3s. for the summons.

393. Did you not complain to the Magistrate that the costs had not been paid?—Yes; I said the cost of issuing the summons, the lawyer's fee of 5s., had not been paid.

394. Did you get it ultimately?—Yes.

395. But you had to complain to the Court about it?—It was not for the sake of the 5s. that I complained, but I got the money.

396. How long had he owed the money?—About three months.

397. Is that unusual?—Well, sometimes people are long-winded, but you cannot help that.

398. Have you your books with you?—No.

399. Has Christie ever collected money for you?—No; but he brought in this money because I had told him to take out a judgment summons.

400. Did you see Reid about the case?—No; he was at work miles away.

401. Do you know how Christie got the money?—No, and he did not tell me. I remember he said, "I have your money from Reid," and I made no inquiries, but I thanked him very much.

402. Where did you settle up with him?—He brought the money into the shop one day.

403. Have you talked the matter over with any one to-day?—I cannot say I have.

404. With whom have you had a conversation? With Mr. Macdonald?—No.

405. With Christie?—Not about this case of Reid's.

406. What was it about?—I asked him what it was all about, and he said, "I suppose they want to make out a case."

407. Did you not know that it was about the collection of moneys?—No, not until I saw the subpoena. I have only the one case.

408. You have no record of any other transaction?—Not so far as I remember.

409. What else did you say to Christie? Did you talk Reid's case over?—No.

410. Did you speak about it at all?—We did not say much.

411. Was Mr. Macdonald there?—No.

412. Did you not speak to Mr. Macdonald at all?—I do not remember.

413. Have you spoken to Mr. Macdonald at all to-day?—Not outside in the passage.

414. Whom did you see in the room?—Mrs. Heaney. Constable Christie also came in, and then I went out.

415. Where did you speak to him?—In the passage.

416. And you said you did not know what you had been brought up for?—I said, "I want to know why we are brought up here," and he said it was about money matters.

417. Are you very familiar with Christie?—No.

418. Very friendly?—No.

419. Have you ever made statements to people in Balclutha that Christie has collected accounts for you?—This is the only account he has collected for me.

420. *The Chairman.*] In this case the man paid the money into Court before the judgment summons was issued?—It came to my shop before the judgment summons was issued.

421. *Mr. Taylor.*] Is money recovered in this way not usually paid into Court?—Yes, and a receipt given for it.

422. But this amount was taken to the shop?—Yes.

ALEXANDER BURNETT HENDERSON, examined on oath.

423. *The Chairman.*] What is your name?—Alexander Burnett Henderson.

424. What are you?—A builder, residing at Balclutha.

425. *Mr. Taylor.*] Do you remember Constable Christie being in Balclutha?—Yes.

426. Have you any occasion to think he neglected his duty while there?—I have.

427. *The Chairman.*] When?—The night before Christmas, 1893, I was at my gate when a man came along in a drunken state; he was so drunk he could not walk.

[This case was not proceeded with, twenty-four hours' notice of the matter not having been given to Constable Christie.]

Mr. Taylor: I will at once give notice of it to the constable.

JAMES HENRY, further examined on oath.

428. *Mr. Taylor.*] You said in your evidence at Balclutha that the constable did all that was necessary to work up the case?—I did not say that.

429. Did you not say, "I think he did a good deal to work up the information"?—No.

430. *Mr. Macdonald.*] I think the witness did say it. I thought his words were important, and I noted them myself?—Well, he did at first. I have no doubt of that; but when my letter appeared in the paper it seemed to annoy him. It explained the whole matter.

431. *Mr. Taylor.*] Did he tell you he was annoyed?—I have explained before what he said. He said I ought not to have written, or that I had no right to do so. I had showed Christie a copy of the letter before it appeared in print.

432. He knew it was going to appear?—Yes. I thought it was rather strong.

433. Did he come to see you about the case?—Yes.

434. What did he report?—When I went to the constable's house that morning at 3 o'clock I explained to him what had taken place, and asked him to call round. He said he was going away that morning by an early train. He came round next day. He told Mr. Ramage and myself that morning at 3 o'clock that about the time of the egg-throwing he had been round to Moir's back-door at the Farmers' Arms Hotel. He had heard a row there, and he also said he had exchanged some strong language with James Thomson. He may not have put it in those words, but that is what I inferred from what he said. I next found out from Constable Christie that I should be obliged to lay an information for assault. I think he told me that in Mr. Stewart's office.

435. *Mr. Macdonald.*] He asked you to lay an information?—I do not think he asked me. He said he thought I would have to lay an information for assault, and my reply was that I could not afford to take the matter up myself. The matter then dropped. Some correspondence still went on in the papers; it went on for three weeks.

436. *Mr. Taylor.*] There was no prosecution?—No.

437. *Mr. Macdonald.*] What is your grievance against Christie? Somebody struck you with rotten eggs, I understand?—Yes.

438. And you say you made a charge to Christie?—I reported the matter to him.

439. You now withdraw any censure you formally put on Christie for not being there at a certain time? You admit he had to leave at 4 o'clock that morning? You have no charge against him in that respect?—I came here because I was summoned. I have no charge against anybody.

440. You admit that he had to go away by the 4 o'clock train, and that he came to see you next day?—Yes.

441. You told him the persons you had suspicions against?—Yes.

442. Of course, you do not know what efforts Christie made to bring these people to justice?—No.

443. For anything you know, he may have been making the best inquiries he could; and endeavouring to find them?—I heard otherwise, but I cannot swear to it.

444. You were not with Christie all the time?—No.

445. Then, you admit that Christie ultimately told you that the police could not take the case up, and that you ought to lay an information?—Yes. I believe it was in Mr. Stewart's office, or about it.

446. Did he not say that the evidence at his disposal was not sufficient for the police to take up the case, but he wanted you to lay the information?—I did not understand it in that way. I thought the law did not allow him to take it up.

447. Did you not gather that he himself would not like to lay the information as a constable, but that he wanted you to lay it?—I will tell you what I understood: that probably the law did not allow him, and that he wanted me to do it.

448. Did he not tell you that?—Yes.

449. That he himself would not lay it as a police constable, but that he wanted you to lay it?—Yes.

450. And you said it would be somewhat expensive to you, and you wanted the police to do it?—Yes; but I was frightened of my witnesses too.

451. You admit that the witnesses were not very reliable?—Yes.

452. A good deal of feeling existed at the time?—Yes.

453. There were two factions, and a good deal of feeling was displayed, and you and Christie came to the conclusion that the evidence was not very reliable, and that probably the witnesses

would go back on you?—With reference to the two factions, I believe Constable Christie will say I have always acted independently of both, and I do now.

454. We are not insinuating a word against you, and we do not say you did anything that a respectable citizen should not have done; but you admit it was doubtful how the evidence would come out?—Yes.

455. And under those circumstances Christie said he would not lay the information, but that if you would lay it he would go on with the case?—Yes.

456. So you think he should have laid the information, and not asked you to do it? That is your grievance, is it not?—I have no grievance against the constable, but I have a grievance against somebody. It is well known in the Clutha that I had a good deal of private sympathy, but the people were afraid to show it. There is a gentleman in this room now, Mr. George Thomson, who said at the time that he would subscribe towards the prosecution of those who insulted me.

457. You heard what Mr. George Thomson said at Balclutha—that Constable Christie had made efforts to find the offenders?—Perhaps he said it; I do not remember.

WARD GEORGE WOHLMANN, examined on oath.

458. *The Chairman.*] What is your name?—Ward George Wohlmann. I am a third-class constable stationed at Dunedin.

459. I understand that a meeting of the constables of the district was held in Dunedin recently at which you were deputed to make certain statements to us?—Yes. Two delegates were originally appointed, but, as the men have given me precise instructions as to what to say, one may put forward their wishes as well as half a dozen. They also wish me to say they hope that the sending of only one delegate will not prejudice their case in any way before the Commissioners.

460. Certainly not?—Thank you. I would also like to say that all the resolutions adopted at the meeting were carried unanimously.

461. The whole Force was not present?—No.

462. Have you reason to believe that among those who were absent there were dissentients?—I have spoken to all I have come in contact with since, and they all agree with the propositions I intend to put forward. Our first resolution is: "As the present compulsory insurance only affects one class of the New Zealand Police Force, we are of opinion that it is arbitrary and unfair, and recommend that it be abolished, and that, in its stead, the Government bring in a pension scheme as in the other colonies." In discussing the matter, the men used certain arguments, among others, and I would like to put forward our views, as follows: We are insured under a table which makes the policy payable at sixty years, or at death if prior. The probability is against a considerable number of us reaching sixty years of age. According to the latest actuarial tables, a healthy man of twenty-three years of age is only expected, on an average, to reach the age of sixty-two years and a half. Of course, a considerable number will fall short of the average. We are therefore insured under a table which renders it unlikely that a considerable number of us will in any way benefit from this deduction of from 8s. to 16s. 4d. a month from our wages. It is problematical whether many of us will be in the Force at sixty years of age, even if we all lived to that age. Many will probably be discharged as unfit before sixty, even if we do not leave for any other reason. If a man is retired as medically unfit at, say, forty years of age, his policy is almost useless to him, because, if he is unfit for police-work, the probability is he is unfit for any work; therefore to derive any benefit from his policy he has not only to live to sixty years of age, but this man, unfit for work, and therefore unfit to earn money, has to keep his premiums paid for another twenty years; so that, in all probability, a considerable percentage of these policies will either be paid to relatives of deceased constables or be allowed to lapse, and the Government will take possession of all those parts of our wages, called premiums, we should have received each month. A man joining the Force now, even if his life is already insured, has to insure again under this special table, even when they are insured under a table almost similar, causing annoyance and financial loss. This compulsory insurance only affects part of the Police Force. It is a lop-sided scheme, and gives great dissatisfaction to those men who are under it, because they see they are, instead of in a better, in a worse position than the men who are not affected by it. It has, however, one good point. The Government Insurance Department will rake in a goodly amount of premiums paid in on lapsed policies. In the event of compulsory insurance being done away with, we respectfully ask that the premiums we have paid in be either returned to us with interest at 3 per cent., or else that we be credited with it in the event of another scheme being substituted. We do not think it would be fair for us to lose the premiums we have paid in in the event of a new scheme being brought in. It was stated last night by Sergeant O'Neill that he thought a deduction of 5 per cent. from our wages would be acceptable to the men. All I can say to that is that in New South Wales there is a deduction of only 2d. a day, and they receive wages as high as we do here. In Western Australia 2s. 6d. a month is deducted from each month's pay.

463. Would your men accept a pension scheme which involved a charge on their income of 2½ per cent.—say, 5s. or 10s. a month?—Yes, I think so. I think 5 per cent. is rather high, unless there is a good retiring-allowance. A sliding-scale might be introduced. For instance, if a man retired at ten years he could receive so much in proportion, and if he retired at fifteen years he could get half as much again, and if at twenty the full amount.

464. Are you suggesting that in addition to a pension?—I am speaking of pensions only.

465. What is your suggestion as to a pension, and when should a man be entitled to get it?—We have not fixed on any amount, or on any age, except the general suggestion that it should be on a sliding-scale. The amount of pension should be regulated by the length of service, beginning with ten years' service, and in the event of any man leaving the Force before that age (not discharged) he should have a retiring-allowance, as he had paid in for a certain period. He should receive a

month's pay for each year of service in lieu of a pension. A proviso should be put in the scheme to the effect that, in the event of a constable dying within a year after he becomes entitled to the pension, his wife and family should be given a reasonable amount in proportion to the amount of the fund he would probably be entitled to if he lived to a reasonable age.

466. Would you leave it to a Board to determine what the amount of the compassionate allowance should be?—Yes.

467. How should that compassionate allowance be settled? You say the wife should receive something—what do you suggest?—It could be arrived at by the life tables. If a man is entitled to live to sixty they should make it proportionately so.

468. You take the actuarial value of his pension, supposing he was alive?—Yes. I think I may safely say that the men would be satisfied with the payment to the widow of the amount paid by her husband to the pension fund.

469. Will you proceed now?—I will take the next three resolutions together: "That the rate of pay at present existing—viz., £10 per month—be dispensed with, and that the old rate of pay (7s. per day) be reverted to. That house-allowance be granted to married constables. That police uniform be provided free." In support of these resolutions, I wish to say: In 1895 the pay of a third-class constable was reduced from £127 15s. a year to £120 (apparently), paid at first at the rate of 7s. a day, but after the reduction at £10 a month. In reality there was a greater reduction, because every constable joining after 1893 was compelled to insure his life for £200. The youngest age at which a constable can join is twenty-three years. The premium charged at that age is 8s. a month, which, deducted from the year's pay of £120, leaves actually £115 4s.; so that, of two constables joining in 1893, one receives £12 11s. less than the other. This is manifestly unfair, for it contravenes the just principle of equal pay for equal work, performed under precisely the same circumstances and conditions. No arrangement has been made, or, at least, communicated to a constable joining since 1895, as to what pay he should receive in the event of promotion. We do not know what we are to receive. Promotion appears to have been an unconsidered contingency. If he is to receive 6d. a day more for each step, as the "7s.-a-day men" are, part of his wages will have to be computed at so much per month, and another part of his wages at so much per day, care having to be taken to distinguish between a thirty-one, thirty, or twenty-eight day month; so one constable will actually receive two rates of pay, and each computed in a different manner. The wages of £10 a month actually creates a fourth class of constables. If a third-class constable gets 7s. a day, and another constable gets only 6s. and a fraction, is not the latter constable on a lower scale than the former, and fourth class is below third class. The only difference between one class of constable and another is the difference of pay. In any case £10 a month (less insurance premiums) is too small a wage. To a man joining at twenty-three years of age is given £9 12s. a month. A man joining at thirty years of age gets still less, because his premiums are higher; yet, although he pays a larger premium, he has no more chance of deriving any benefit from it than the man who joined at twenty-three; so that a married constable, joining at thirty years of age, probably with one or two children, receives less wages than the single man who joined at twenty-three. Constables have to provide themselves with uniforms for day and night duty, overcoats, macintoshes, gloves, shakos, boots, &c., and pay for their messing. House-rent is from 11s. to 14s. a week hire for a house suitable for a constable to live in. Uniforms run into about £10 a year, besides the other heavy items of expenditure. When we have deducted these amounts there is not much left out of the £10, not enough to make it wise for constables to marry. It is the hope of a country station, with its free house, and the opportunity of making a little money, that encourages constables to marry. While waiting for this station, however, is the time married constables especially find it difficult to keep out of debt. For the good of the Force it is a time of temptation that constables should not be subjected to. We consider the wages too small to keep a constable independent of the public. It is not desirable that a constable should be in debt to his grocer, baker, or butcher. How can he do his duty impartially to these men if he is in debt to them? The wages paid to all classes of workers in the colony are as high, if not higher, than those paid to workers in the other colonies. We think it would be only fair if our wages were as proportionately high as are received by the police in the other colonies. The cost of maintaining the Police Force in this colony is 2s. 7d. per head of the population; in New South Wales about 5s. per head; and in Western Australia 7s. per head—nearly three times as much. Surely this is a proof of the meagreness of the pay. A constable in New Zealand is expected to be always in possession of ready cash, for if he is sent on duty beyond his station, as he often is, he has to pay all the expenses he incurs out of his own pocket, and it may not be returned to him for a month or two afterwards. It will be seen it is not fair to apportion his wages by an ordinary standard. The wages paid to a recruit in the Dublin Metropolitan Police is £1 a week and everything found, which is, I suppose, equal to £1 10s. a week. An ordinary labourer in Ireland is well paid if he receives 2s. a day. So the constable receives twice as much as the labourer. We receive 6s. and a fraction a day, and a labourer 7s. I never heard that the Dublin Police were considered overpaid. In conclusion, constables in country stations are usually Clerks of Courts, &c., and considerable amounts of public moneys pass through their hands. It is not conducive to the efficiency of the Force that they should be in debt. The distressing case of Huddleston's, in Auckland, can be instanced. Regarding uniforms, a feeling of apprehension exists amongst the men that, in the event of uniforms being found us by the department, we may be served out with slop-made uniforms. As we wish to appear in well-made, well-fitting clothes, we respectfully suggest that each man's measure should be taken. The men as a rule prefer the shako.

Mr. Tunbridge: I think I have a better suggestion than that—that the men be supplied with the material.

Witness : The next resolution is : “ That the annual holiday leave be cumulative up to three years, when necessary ; and that said annual leave be increased to fourteen days.” In consequence of the Queen’s Jubilee last year, the Commissioner has kindly given us two days’ extra leave, to be taken within the twelve months following the Jubilee celebration ; so that this year we have fourteen days instead of twelve. It is a recognised fact in the department that on many occasions twelve days’ leave has been found quite inadequate to enable a constable to visit his friends or relations. If a constable in Otago or Southland has his home on the West Coast, or in any part of the North Island beyond Wellington, almost all his leave is expended in reaching his friends and returning, allowing him no time to spend with them. This applies with equal force to constables in the North Island whose homes are down here. So that it is necessary for a constable whose friends are a long way from his station to apply for an extension of leave, that may or may not be granted. We ask, then, that our annual leave be increased permanently up to fourteen days. We ask also that it be cumulative up to three years, when necessary. If a constable does not take his leave in any one year it is lost to him, and, if he is so far from his friends that it is useless for him to take only twelve days, he cannot visit them at all. Constables join the New Zealand Force from the other colonies. Would it not be fair to allow leave to accumulate, to enable these men to visit their friends sometimes ? It would be an advantage to the Force itself, and it would not interfere so much with the routine of work, if constables took leave less often and more of it. As long as a constable remains in the New Zealand Force he is prevented from leaving its shores. The department will not lose anything : they would only be giving the same amount of leave as at present, but, instead of giving it in three instalments, they would grant it in one or two. It would also reduce the changing about of reliefs, and extra work entailed in supplying substitutes for constables on leave, by 100 per cent., and it would be a special boon to constables in out-of-the-way stations. We have made our demands as reasonable as possible, because we can point to the Post Office and Asylum officials, who get three weeks, and our duties are quite as arduous as are theirs. I would also like to say that constables on duty who have to attend Court next morning are not allowed any time off on that account, unless they are exceptionally long at Court ; and it is very trying on a constable on night duty to lose his rest on two or three consecutive days. It tempts men to neglect their duty, because they will say, “ If I arrest that man—perhaps he is a drunkard—I will have to get up to-morrow again. I have been up two days already, and I am blessed if I am going to do it.” Also, when a man is on the beat from 5 a.m. to 9 a.m. he often has to attend the Court during his hours off, and if his case is near the end of the list he has to wait about, and will probably lose the whole of his four hours ; so we respectfully suggest that, if possible, it should be arranged that we get time off when attending Court. Another resolution is, “ That constables on leave be allowed to travel free on Government railway-lines.” Constables are always on duty. They are liable to be called on to perform their duty when on leave, and so lose part of their leave. Railway officials travel free when on leave and not on duty. A constable on leave may be called on to assist one of these officials on leave, but the railway official cannot be specially called on to assist a constable—that is, not more than an ordinary civilian. Instances can be given of constables losing part of their leave owing to being forced to perform police duty. On one occasion Constable James Fergusson, of Invercargill, while on leave, had to take charge of a drowned man, and thereby lost two days.

470. *The Chairman.*] Were they not made up to him ?—Not that I am aware of.

471. Would it be considered his duty, Mr. Tunbridge, if not called upon ?

Mr. Tunbridge : No, I should think not. It would be the duty of the relieving constable.

472. *Mr. Poynton.*] Would he be reprimanded if he passed by ?

Mr. Tunbridge : Certainly he would. Of course, any leave he lost would be made up to him, and any expense would be refunded to him. The circumstances were these : Constable J. Fergusson, of Invercargill, when on leave, and when near Nevis, which is thirty-six miles from Cromwell Police-station, had to look after the body of a man who had been drowned off a dredge, and lost two days thereby. The name of the drowned man was John Downing. It occurred on the 8th December, 1897.

473. *Inspector Pardy.*] The man did not complain, or he would have had the time allowed to him ?—At any rate, our point is that while in plain clothes a policeman should be allowed to travel free of cost, as he is still on duty.

Witness : The next resolution is this : “ That the present relieving-allowance is insufficient, as married men only receive 3s. per day and single men 1s. 6d.” Over a large area of Otago and Southland the tariff at hotels, where constables on relieving duty are forced to lodge, is 2s. each for single meals and beds, or from £1 10s. to £2 a week. As a rule, the lowest tariff that can be obtained in any respectable hotel in the colony is 1s. 6d. a meal and bed, and from £1 5s. to £1 10s. per week boarding and lodging. Our lodging is supplied free to single constables in head stations. Our messing costs about 11s. 6d. per week, so a single constable on relieving duty is out of pocket per week from 5s. to £1. We ask that the relieving-allowance be increased, and especially so in isolated country stations, and all over the goldfields, where the living-rate is very high. In both New South Wales and Western Australia constables when absent from the station receive 5s. a day as travelling-allowance. For myself, when I was at Ophir I paid £1 10s. a week for board and lodging, and I am entitled to 10s. 6d. The next resolution is, “ That some uniform system of promotion similar to that existing in the Colonies of Victoria and New South Wales be introduced into the New Zealand Police Force.” Our men are looking to the other colonies, where the men rise fast compared with their advancement here. In New South Wales, after a year’s service, the men are promoted one grade and given an extra 1s. a day. If a man is not competent to take that grade he is discharged. That is the rule. Then, in from three to five years a man of ordinary intelligence is promoted another grade, with 6d. a day. He is then a first-class or senior constable.

474. *Mr. Poynton.*] Do you think a similar system should prevail here?—We are very dissatisfied with the slowness of promotion in the ranks of constables. We think that up to the rank of first-class constable, supposing the present ranks are continued, a constable should be promoted at fixed periods. After one year's service he should be promoted a step, and after two or three years he should be made a first-class constable. As regards the sergeants, the most efficient men should be selected from among the constables. The next resolution is, "That the present system of long-service pay extended to certain members of the New Zealand Police Force be made applicable to all men in the Force." We desire that, or that we should be compensated in some other way. We do the same work, and are entitled to the same pay.

475. *Mr. Tunbridge.*] Not taking into consideration the £120-a-year men: there are three grades at the present time?—Yes.

476. At 7s., 7s. 6d., and 8s. a day?—Yes.

477. With 1s. long-service allowance to men who joined prior to a certain period?—Yes.

478. What scale of pay would be acceptable to the men to begin with: what should he join at?—There are two ways—either at 7s. and get 1s. in one year if efficient, or, as a rule, if not efficient he should be discharged.

479. And what do you say should be the maximum?—Supposing we keep the three grades?

480. Do not trouble about grades. What should be the maximum pay the constable should receive?—It will depend on what the sergeants get. It should be 9s. at least.

481. How many years should a man serve before he should attain the maximum?—I suppose a constable would be at his best in about six years—five years after he had attained his first rise.

482. Would it be acceptable to the men to go on from six years' service, say, to thirty years' service without getting any rise?—If they had the 9s. they would be as well paid as they are now with their present chance of rise.

483. *Mr. Poynton.*] You think they would be satisfied to remain at that with their chance of promotion to sergeants?—Yes. It is acknowledged that promotion is blocked not only among the constables, but among the officers.

484. *Mr. Tunbridge.*] Do you think the men would be willing to accept pay rising in the manner I will state: We will put it that the men start at a minimum of 7s. The maximum is 9s. They rise by eight annual increments of 3d. per diem from the minimum to the maximum, and they take eight years to attain the maximum?—I think that would be preferable, because they would be receiving an increase during half the period. If they received 8s. in four years, at five or six they would be receiving part of the extra shilling.

485. You think some scale of pay of that style would be acceptable to the men?—I think so. It would be a great improvement on the present system of a man not knowing.

486. It would be a great improvement on the present system of a man not knowing when he will get a rise?—Yes, because now, as soon as that feeling of dissatisfaction arises in a man, if he sees he can get another job he will take it, and it takes his mind from his proper work.

487. As to the relieving-allowance, what would you suggest that a man should be given per day?—I do not think it is fair to fix it arbitrarily. He should be refunded what he expends, as long as it is reasonable. He should support his vouchers by receipts.

488. Is that not what is done at the present time?—No. If a man expends £1 10s. a week he does not get it refunded.

489. Assuming in your case you paid £1 10s. at Ophir, had you been in Dunedin the messing would have cost you 11s. a week; that would leave a balance to you of 19s.? Would it be satisfactory to you if you got 19s.?—I think so, so long as I am not money out of pocket.

490. *Mr. Taylor.*] There has been considerable dissatisfaction among the men over travelling-allowances?—Yes.

491. How long have you been in the Force?—Two and a half years.

492. Have you heard among the men you have associated with that there has been a general feeling that political influence has had to be used in a number of cases?—I think I can say it is more than a general feeling. Formerly the men seemed to consider that it was necessary.

493. There has been a feeling that promotions and transfers have been influenced by it?—Yes.

494. Has that feeling undergone any change during the past five or six months, since there has been a change in control?—Yes, that feeling has changed.

495. As a matter of fact, are not the men now beginning to express the opinion that the old arrangement has been broken through?—The idea is that it has received a check, because probably those who were capable of using the influence are now afraid to do it.

WEDNESDAY, 6TH APRIL, 1898.

DAVID PINKERTON, examined on oath.

1. *The Chairman.*] I sent a summons to you, Mr. Pinkerton, because I thought that having been in the Lower House, and now occupying a seat in the Upper House, you might be able to give us some information as to the question of political influence exercised in the Police Force. Mr. Millar and Mr. Morrison have been before us representing the Lower House, and we would like to also have the evidence of a member of the Upper House. Do you think that political influence is used?—I have been waited on on different occasions by persons, police and others, who have asked for my assistance in various ways. You might call it political influence, but I call it human nature. They are only trying to better their position. Some of the police have asked me to get them removed from town to country, some of them preferring the country to the town. That has been the request in most of the cases. In one instance, a policeman who had served a number of years wanted to get his long-service pay.

2. In response to these applications have you endeavoured to assist them?—I have from time to time either written or wired to the Minister, and, perhaps, once or twice to Colonel Hume. I remember speaking to Colonel Hume once about a matter.

3. Do you consider that any result has arisen from your action?—I think that most of my applications were unsuccessful. Beyond presenting the matter I never pressed it. I did not know the working of the department, and did not think it was my duty to press. I simply stated as near as I could what the men told me.

4. Where have you been approached by members of the Force with a view to your taking this action?—Generally in my own house in Dunedin. In many instances the request did not come from the police themselves but from friends.

5. Have you ever known a case in which a member of the Force has written out a telegram and asked you to sign it?—Yes.

6. What is the name?—Constable Mathieson. I noticed that one Constable Mathieson gave evidence at Balclutha, but whether it is the same man or not I do not know.

7. Has that been on more than one occasion?—Only on one occasion I think. I may say I refused to sign a telegram laid before me.

8. To whom was the telegram addressed?—If my memory serves me right, it was addressed either to the Minister, or to Colonel Hume.

9. What was the object of the telegram?—To get clerical employment in the office, instead of doing street duty. As far as my memory carries me, there were two telegrams presented to me by Constable Mathieson, and I signed one, but refused to sign the other.

10. To what extent does this practice go on?—Not to a great extent, considering the number of men in the Force. I have not had a great many applications.

11. Are we to understand this is not an isolated case?—The case of a telegram of the same nature is an isolated one; but some of the men have asked me to use my influence to get them country stations, and in some cases their friends have come to me, as I said before. I also had an application to get long-service pay for a man.

12. *Mr. Poynton.*] What do you think of putting the Force under a head which is free from political control?—I am opposed to it. I would rather see the Force under the Government.

13. Have you any suggestions to offer for alteration of the present system?—No; I see no reason why the present system should be altered. I think that, so far as influence goes, it would be as much used under a non-political Board as under the Government.

14. *Mr. Tunbridge.*] Did you receive these applications with good grace, or were you annoyed?—I received them with good grace.

15. May we take it that you encouraged them?—Oh, no. I did not show any feeling against their coming; but I never encouraged them.

16. Do you not consider that these applications, coming from men serving in your constituency, were rather embarrassing to you?—They might have been; but I was always careful to look after myself, and while looking after their wants I never unduly pressed a case.

17. So long as the Force is under a Ministerial head these applications are likely to be made to members of Parliament?—Yes, naturally, and they will be made under any other head. The influence might not be used through members, but it would be used all the same, as was the case when the Railway Commissioners held office.

18. I do not think that during the past six or eight months you have been approached, have you?—No.

19. Your applications were not attended with success in every case?—In many cases they were not.

20. Were there very many cases in which they were attended with success?—I think there was one—the case of Constable Walker, who was in the North-east Valley. There was some unpleasantness in the district, and one party of persons wished to retain him, and another to get him shifted. I spoke on behalf of getting him retained; but whether that would have happened without my interference or not I cannot say.

21. Is that the Constable Walker who is at Riverton now?—Yes.

22. In forwarding a request you do not inquire into the man's political opinions?—No. I never knew their political opinions, and never asked for them.

23. *Colonel Hume.*] As to this telegram of Mathieson's, did it have the desired effect?—I understand he is still doing street duty; that is, if he is the man who gave evidence at Balclutha.

24. Was the representation about Constable Walker from the inhabitants?—Yes, from a section of the residents.

25. *Mr. Taylor.*] Have you discussed these telegrams of Constable Mathieson's with any one since you sent them?—I may have incidentally mentioned them.

26. Have you discussed the matter with Colonel Hume during the last few weeks?—No, nor with any member of the Commission.

27. What parties were interested in Constable Walker. I could not tell. The residents of the locality seemed to be divided on account of a certain report he was said to have made, but what the report was I do not know.

28. Who saw you about the matter?—Mr. Thomas Short, a contractor, I think, was the principal one. There may have been others in his company, but it was from him I got the information.

29. Have you ever had any conversation with publicans or brewers about the removal of men?—No, never. It was once rumoured that I was to blame for the removal of Sergeant Mulville, but, as a matter of fact, he was shifted before I knew anything about it. No publican has ever suggested to me the removal of any policeman.

29a. How did you bring the matter before the Minister?—In some cases I waited on him.

30. Is it not subservient to discipline that a departmental head should have no power over the men?—I never anticipated any feeling of that kind arising.

31. But is it not subservient to discipline?—No doubt it would be.

32. Do you regard conversations with men who see you as confidential?—Yes.

33. What was the second telegram about, that Constable Mathieson laid before you?—They were both on the same subject. I did not think it was right that a policeman or any other person should bring a telegram to me and ask me to sign it.

34. Why did you sign one?—Well, I was willing to oblige him in the one case.

35. You were more pliable the second time?—No; I could not say that. I think I was less pliable.

36. Did Constable Mayne ever see you?—No; I do not know him.

37. Pratt?—No.

38. Did not he see you in connection with a petition before the House?—No.

39. What kind of a reply did you usually get from the Minister?—It was often the case that nothing could be done; or, if the application was for a situation, the reply was that there was no vacancy.

40. But sometimes the Minister would give you a favourable reply?—I do not remember having got one. They were all the other way.

41. Were all your applications unsuccessful?—Mostly.

42. You would get a successful reply sometimes?—Sometimes; if there was an opening the Minister would say he would see what he could do. That was the nature of most of the replies.

43. In urging the claims of any policeman who saw you, had you any knowledge of the merits of the other five hundred men in the Force?—I had not.

44. *Colonel Hume.*] Since this Commission set out, have I talked to you or communicated with you either by letter, or telegram, or verbally?—No.

JAMES DANVERS LEECE, examined on oath *re* Mrs. Meikle's letter.

45. *The Chairman.*] What is your name?—James Danvers Leece.

46. I sent you a letter from Mrs. Meikle for your perusal?—Yes, Sir.

47. Were you, during the imprisonment of Meikle, in the habit of being frequently on the premises of Meikle?—No, except on duty.

48. Tell us what duty took you there, and how often.—My duty was in the case of summons serving, and on the occasion of the boy's death, to see if an inquest was necessary, the boy having died somewhat suddenly.

49. How many times were you there to serve summonses?—A very few times; and on the occasion of the boy's death I was sent for.

50. Any other occasion?—I do not remember.

51. How long was Meikle in prison?—Five years, I think.

52. And you swear that during those five years you were there only on the occasions you mention—to see about the inquest and to serve the summonses?—Yes, and perhaps on other duties.

53. What other duties?—I cannot tell.

54. You ought to know.—Well, I would be collecting agricultural statistics once a year. I forgot about that. I was also Dog-tax Collector, and I was there to get the tax.

55. Can you call to mind any other occasions?—No, I cannot at present.

56. Have you in your mind an occasion when you spoke to Mrs. Meikle about selling mutton?—Yes. There was a rumour that she was selling mutton, and I went to see her, and cautioned her not to sell it without a license. It was said that she was selling mutton to the men who were making the bridge over the Mimihau.

57. How far is Meikle's farm from the nearest town?—About fourteen miles.

58. Was the bridge near their place?—Yes. The river ran past the corner of the farm. Frequently the butchers made complaints about this selling going on.

59. There is a suggestion in the letter, and I will ask you a question on it. Did you suggest to the neighbours that the woman was carrying on sheep-stealing?—No, never.

60. "He went round the neighbours, and asked if they had lost any sheep. He said that Mrs. Meikle was selling mutton"?—I never suggested it.

61. Do you remember taking a paper?—I do not.

62. Do you remember taking a paper to be signed when Mrs. Urquhart was present?—I cannot remember anything of such a nature.

63. Did she tell you she had not paid for the stock on the farm?—No. In reference to that stock I wish to say, I was coming from the Commission on Friday, and in the train after leaving Gore I met a man named James Mabin—it had been stated that the stock was sold to Mr. Mabin—and he told me he did buy it, but that, knowing Mrs. Meikle well, he gave the stock back to her for her interest and welfare.

64. Did you understand him to say he absolutely made her a present of it, or that it was for what he was owing to her?—He stated that he got the stock, and put it back on the farm for Mrs. Meikle; and Meikle said the stock was not on the farm when he was there. I may add that I never asked Mr. Mabin for the information which he gave to me.

65. *Mr. Tambridge.*] The principal part of Mr. Meikle's complaint against you is that in reporting to the Minister, you stated that you found certain stock upon his farm, and represented that stock as being the stock that was there prior to his incarceration?—Yes.

66. From what you now know, is it a fact that the stock you then saw on the farm at the time you made the report was the same stock?—It must have been.

67. At any rate, some of the stock you saw was the stock on the farm at the time of Meikle's incarceration?—Yes.

68. One visit you made to the farm, which you have not mentioned, was when you went to inquire about the stock?—Yes.

69. Another visit was when you went to inquire about a report you had to submit on the alleged state of destitution of Mrs. Meikle?—Yes.

70. It is no offence for a person to sell mutton?—No. The offence is in the slaughtering without a license.

71. Mrs. Meikle says she gave the mutton to the men who were making the bridge?—I do not think she was able to.

72. Was it about the same period that you went to inquire about the mutton that you also inquired about the condition of Mrs. Meikle and her family?—It would be about the same time.

73. And about the same time that the letter was sent to the Minister, stating that Mrs. Meikle and her family were in a state of starvation? According to Mrs. Meikle, she was then giving mutton to the men who were making the bridge?—Yes.

74. The letter you had to report on was a letter dealing with the state of Mrs. Meikle and her family from the time of Meikle's incarceration?—During the time of his incarceration.

75. *The Chairman.*] During the whole period?—I wrote the report in 1890, when I got the letter, and he was put in in 1887. They were then in a state of destitution according to their own statement. I left Mataura Station in November, 1890, for Ophir Station, to take charge.

JAMES DANVERS LEECE, examined on oath *re* complaint.

76. *The Chairman.*] Your name is?—James Danvers Leece. I am a second-class constable, stationed at South Dunedin. My letter of complaint is as follows:—

I would respectfully bring under the notice of the Commissioners that I have always endeavoured to advance myself while in the Force by the faithful discharge of duties entrusted to me; always bearing a character for sobriety and efficiency, and successfully passing the Police Force examination when required to do so. I notice that, notwithstanding this, some of the constables junior to myself have received promotion, whom, I consider, I could favourably compare with in merit and character. This makes it very discouraging, and has a tendency to make one feel apathetic for advancement. Further, that I have been put on street duty for nearly two years through circumstances over which I have no control—namely, being a widower. Although I have a family, I keep a woman to look after them and other household duties. I would suggest that where a man is left in a position of this kind, and his previous conduct has been good, that he be not treated according to the status of others who may have acted immorally, but that every constable be judged according to his own actions, upon which he should stand or fall.

77. With respect to promotion, what do you wish to say?—I have endeavoured to advance myself during my period in the Force—about sixteen years.

78. When did you join?—In May, 1882, I think.

79. Where were you stationed at first?—I joined at Wellington, and went to Invercargill, then to Mataura (where I had charge), then to Ophir (in charge), and then to South Dunedin, where I am now on street duty. While in charge of stations I have always discharged my duties faithfully, and no complaints have been made against me. I have always had a character for sobriety and efficiency; and at Mataura and Ophir I also did the clerical duties of the Court.

80. Do you say there were no complaints?—Only one—being on the platform without my uniform. When the Police Force examinations were on I successfully passed them, and when they were done away with there was nothing to fall back on but to attend to merit and sobriety.

81. In what year did you pass the police examinations?—In 1890. I notice that constables who were junior to me have been promoted over me. I have a list of them, and I think I can compare favourably with them in merit. They are Constables Norwood, McGill, Smith, O'Rourke, Marsh, Joyce, McIntyre, and Griffith. These men have been made first-class constables, while I am second. As regards being on street duty, I wish to say that I became a widower in January, 1896, and made application to get away from Ophir Station, where I had been over five years. I did not feel at all comfortable there, and I wished to get charge of another station, not thinking that I would be put on street duty; and I was very much surprised to find I was sent on street duty in South Dunedin, being told that as I was unmarried I would have to do street duty. I would suggest that constables left in that position—with a family as I have, and after so many years service, and if they are efficient and of good moral character—be still able to retain charge of a station notwithstanding their being widowers.

82. What family have you?—I have five, the eldest of whom was thirteen when I was transferred. I have now to pay a housekeeper 11s. a week to look after them. I made application to Mr. Tunbridge since he came to town, and his reply was, "It is an established rule that all constables placed in charge of stations must be married, and have their wives residing with them in case of any female prisoners being at the station. If, therefore, you have any suburban station, in which Constable Leece might be placed, I should be pleased to give it my consideration." This letter was addressed to Inspector Pardy.

83. *Mr. Tunbridge.*] With reference to your application to be in charge of a station, you know from my letter that constables must be residing with their wives?—Yes.

84. You are not in that category, unfortunately?—No, I am not; but I ask that the rule should be broken.

85. You were speaking about junior men being promoted over your head?—Yes.

86. When were you advanced to second class?—On the 1st June, 1890.

87. Do you know when Constable Forbes was advanced to second class?—I do not know anything about him. I see by the book you have given me that the date he was advanced was the 1st September, 1886.

88. Then, you say that these men have been passed over you. As a matter of fact the junior man in the second class was Forbes?—Yes.

89. And he was advanced to second class in 1886?—Yes.

90. And you in 1890?—Yes.

91. Well, how have these men been passed over your head, when they were advanced three years and three months before you?—I look at the numbers above me; that is what I go by.

92. Your complaint is that these men forged ahead of you years ago—not now?—They joined the service after me, and yet they are ahead of me.

93. But is not the junior some years senior to you in the second class?—Yes, but not in the service.

94. Your complaint, then, is not that they have been advanced over your head in the second class?—No.

95. But that they secured second class over your head?—Exactly.

96. Forbes is junior to the names you have mentioned in the second class?—Yes.

97. Therefore, the priority of these men whom you have mentioned dated from their advancement to second class?—Yes.

98. And do you know how the advancement came about?—No.

99. Was it not owing to the batches who were made under the Clerk of Court rule and the "one report" rule?—I was Clerk of Court in 1883.

100. *Colonel Hume.*] Then, your complaint about being passed over dates back to 1886?—Oh, no.

101. That is when these men were made second-class constables. Joyce was made second-class constable in 1885, and, therefore, your complaint about him dates back to 1885?—He went over my head then.

102. Then McIntyre's dates back to 1885?—Yes.

103. And Griffith to 1888?—I was not aware of that. These men are in charge of good stations and I am still on street duty.

104. And Marsh in 1883?—Then he must have been a second-class constable when he joined.

105. If you were passed over, it was years ago then?—Yes.

106. Are you aware that Norwood was specially promoted for saving life?—I was not aware of that.

107. *Mr. Taylor.*] In respect to McGill, do you know that he was fined for drunkenness?—I never heard of it.

108. Did you hear that he lost a prisoner, who was drowned in Wellington Harbour?—This is the first I have heard of it.

109. Well, if these things are true, and he was promoted to first class because he had been taken into an Inspector's office in New Plymouth, would it not create discontent in the Force?—I would feel discontent if I was kept under on that account.

110. It is said that McGill has been promoted to first class because he is engaged in an Inspector's office, and that he is not a first-class constable. Can you understand that?—No, I cannot.

111. If you had been gazetted first-class constable, you would expect to keep the rank?—Yes.

112. Is there any dissatisfaction in the Force in connection with promotion for saving life?—I do not know of it.

113. Do you know whether McGill was a Clerk of Court before he was promoted?—I may say that I was in Wellington when he joined the service. I was to be sent there, and McGill took my place, as he had been in the Force previously. I know he had been in the Force before, and I think he may have been Clerk of the Court at that time.

114. How far back have you gone in your search—further than 1896?—1896.

115. Have you had any experience of political influence in connection with police matters?—I was kept out of a good station once through some influence.

116. What were the circumstances?—I have a copy of the correspondence in connection with it.

117. *The Chairman.*] What station were you kept out of?—Lumsden. I was at Mataura at the time. The correspondence is as follows:—

Inspector's Office, Police-station, Invercargill, 13th May, 1890.

Transfer to Lumsden.

You will hold yourself in readiness for transfer to Lumsden very soon. Due notice will be given of the date of your transfer.
J. HICKSON, Inspector.

On the 14th of the same month I replied that I held myself in readiness. On the 3rd June, 1890, Mr. McGibbon wrote to the Inspector as follows:—

HEREWITH I hand you a small presentation, which the residents of Mataura wish to hand to Constable Leece previous to his departure, and, knowing that your department did not permit of such things unless with sanction, I trust, on behalf of the donors, that you will allow us this privilege, and make the presentation through your office.

Inspector Hickson on the same date wrote to Wellington:—

I FORWARD attached letter to the Commissioner, and beg to state that with it a gold locket has been handed to me for presentation to Constable Leece. Engraved on it is, "Presented by the residents of Mataura to Constable Leece, May, 1890." I beg to recommend that permission be given to Constable Leece to accept it.

On the 9th June, Major Gudgeon replied, approving of the gift being accepted. On the 14th July, Inspector Hickson wrote to the Commissioner of Police, Wellington, as follows:—

ON deciding to remove Constable Griffith from Lumsden some two months since, I instructed Leece to hold himself in readiness for transfer there, as I thought he would be a very suitable man for that station. The residents of Mataura hearing of his leaving resolved to present him with a locket, which I have. Now that Constable Griffith is to be relieved by Constable Mackenzie, of Outram, Constable Leece will have to remain at Mataura, and under these altered circumstances I would ask your instructions as to what to do in the matter. I may add that Constable Leece gives every satisfaction at Mataura, and it was with a view of placing him in charge of a more important station that I chose him for Lumsden.

Commissioner Hume, on the 19th, replied:—

INSPECTOR HICKSON.—If donors have no objection, please retain presentation till Constable Leece is transferred to another station, which will probably be at an early date.

Inspector Hickson on the 25th July wrote to me as follows:—

ATTACHED correspondence relative to the proposed presentation to you by the residents of Mataka is forwarded for your information. I have written to Mr. McGibbon on the subject.

It was six months before I went to Ophir, but what influence was at work I do not know.

118. *Mr. Taylor.*] Did you ultimately get the presentation?—Yes.

119. Was it largely subscribed to?—Yes; it was a good substantial one.

120. Who were the promoters?—Mr. McGibbon, and Mr. Mee, I think.

121. It has been said that publicans were very prominent in connection with presentations to policemen. Was any publican connected with yours?—No; not so far as I know. I received the locket from the Inspector himself.

122. These promotions produce apathy when out of order?—It discourages a man in getting on, or in endeavouring to place himself meritoriously before the department.

123. It destroys the spirit of emulation in the Force?—Yes.

124. You used an expression that men may have acted immorally. Do you suggest that the question of morality has not been a factor in making promotion?—I have no experience. I wanted the whole character of each man looked into, and treated on its merits, and if there had been any immoral men in the Force I do not want to be judged by them.

125. Ought not a man's whole character to be taken into consideration?—Yes.

126. *The Chairman.*] After your experience of country station-work, do you think it would be wise, or prudent, or right to put a single man or a widower in charge of a station where there is no other constable, and where they might have to take charge of women prisoners?—I look on it in this way: that where I have a family of growing girls and boys I have the family to study, and I am not going to put myself in the position of getting mixed up with women.

127. It would be a protection and a safeguard?—Yes. However, if I was a single man without a family I would not think it was a correct thing to do, and I would go on the street duty without any complaint at all. In my case, however, I have a family, and I have been morally correct and efficient, and I consider it a hardship to be put on street duty. People will think there is some reason for putting me on to do street duty—some reason not to my credit.

128. That arises from ignorance?—Well, if people hear of the complaints that have been brought against me they will say there is a reason for the change.

129. Do you know of a single case of a widower in charge of a station?—I do not.

ALEXANDER SAMUEL ADAMS, examined on oath.

130. *The Chairman.*] Your name?—Alexander Samuel Adams. I am a barrister and solicitor of the Supreme Court, practising at Dunedin.

131. *Mr. Taylor.*] Do you remember Sergeant Mulville being in Dunedin?—Yes, I think he was stationed here in 1893-94.

132. Had you occasion, with other citizens, to wait on Mr. Seddon with regard to him?—I waited on Mr. Seddon with a number of other citizens in connection with another matter, and I mentioned Sergeant Mulville's case to him myself.

133. It was not the primary occasion of your seeing Mr. Seddon?—No.

134. Will you tell the Commissioners the circumstances, and what passed between the Minister and the deputation?—The circumstances were these: Sergeant Mulville had been stationed in Dunedin for a little under two years. Previous to that he had been for a short time in a suburban station. He had made an application for promotion, and during the time he was in the city he had brought a number of charges under the Licensing Acts. I think in every case a conviction followed on the prosecution—if not in every case, in almost every case. I may say there was a publication in Dunedin in the interests of the liquor trade, called the *Licensed Victuallers' Gazette*, and about the month of April or May, 1894, a paragraph appeared in the paper drawing attention to Sergeant Mulville's activity in a sarcastic way, saying he had better be careful, or Mr. Seddon, the Premier, would find an outlet for his superfluous energies on the West Coast. Almost immediately after seeing that paragraph I heard that Sergeant Mulville was to be removed to Napier. I was aware that Sergeant Mulville had applied for promotion, but not for removal. On the occasion of Mr. Seddon's visit to the city, after the main business of the deputation had been discussed, I spoke to him about Sergeant Mulville. I said that, so far as I could gather, Sergeant Mulville was a man who was respected by the citizens as a man honest and reliable, and a man who had done his duty honestly and fearlessly. I also said that there were about thirty officers in the city, and that not more than three or four of them had attempted to enforce the provisions of the licensing law, and that Sergeant Mulville had brought a number of prosecutions, and had been very successful in obtaining convictions. Immediately following on the last of his prosecutions the paragraph to which I refer had appeared in the *Licensed Victuallers' Gazette*, and that he had been ordered to remove to Napier. I pointed out that the sergeant himself did not desire removal, and that it was exceedingly undesirable and improper that any sergeant or constable should be removed apparently for doing his duty. Mr. Seddon made a remark that he was not aware of the paragraph, and that it was an improper thing to publish. I said, "Certainly it was, if officers and men were to be removed because of doing their duty." Mr. Seddon suggested that I had given good reason for Sergeant Mulville's removal, because he had shown undue activity against a certain section of the community. I replied, "That can hardly be said, because in almost every case of prosecution a conviction has followed, and that ought to be evidence that the man was doing his duty and no more." I referred pointedly to the fact that the inference was that the liquor party were moving; and Mr. Seddon said, "Well, at any rate, they do not want him at Napier." I said, "Who are 'they'?" and he smiled and said, "Well, at any rate, the Prohibitionists would not object." I was going North the following day, and, as I learned that Mr. Seddon was also going North, I took a copy of the *Licensed Victuallers' Gazette* with me, and marked the paragraph. I saw Mr. Seddon on the platform at Palmerston, and I handed him the paper with the marked paragraph, drawing

his attention to it. Within a week Sergeant Mulville was removed to Napier, and within ten days of the interview I heard it suggested that the removal was entirely due to Sergeant Mulville's application for promotion; but I know that Mr. Seddon was made aware of the fact that Sergeant Mulville, having a family, some of whom were in situations and some at school, was exceedingly desirous of avoiding removal. That had nothing to do with me. My point was the apparent fact that Sergeant Mulville was being removed at the instance of the liquor party, and was being made the subject of improper pressure. The notice to Sergeant Mulville and his actual removal were within five or six weeks, at the outside, of the appearance of the paragraph in the *Licensed Victuallers' Gazette*, and after I had drawn Mr. Seddon's attention to it, and supplied him with a copy of the paper. I cannot now resist the impression that that was so, and that it would have an undoubted effect on Sergeant Mulville and also on the Force generally.

135. To discourage them in the enforcement of the licensing law?—Yes.

136. Have you heard of any activity on Sergeant Mulville's part since then, as far as the enforcement of the licensing law is concerned?—I have heard that while in Napier he has displayed no activity whatever, but of course I cannot vouch for that.

137. In the absence of the paragraph in the *Licensed Victuallers' Gazette*, would you have taken any action whatever in regard to Sergeant Mulville?—Certainly not.

138. You had no interest in his removal or retention?—Sergeant Melville was unknown to me up to that time. I may say that what I did was done with the representatives of the Press present—it was not done in a hole-and-corner fashion, but with the knowledge that the reporters were present. I should like it to be clearly understood that my object was to protest against what I thought was an unfair interference by the newspapers, and what seemed to be behind it.

139. Do you know the Clutha very well?—Yes, I know the district very well. I have spent a good time in the district, visiting among the people.

140. Were you professionally engaged in connection with any sly-grog cases down there?—Yes.

141. Where?—In Tapanui.

142. Was the action successful?—I appeared for the prosecution. I do not remember the year. There were half a dozen cases of police prosecution. I was engaged by the police, and the result of the cases was that each person prosecuted was convicted. I may say, in connection with those cases, I was very much impressed with the extreme difficulty that any person prosecuting would have in dealing with the evidence brought forward in such cases.

143. Do you think that is a difficulty that has confronted the police in these cases?—I think so. There is not a tenth part of the difficulty in other cases.

144. Do you think that Inspector Pardy has done all he could to enforce the law?—I think so.

145. From your knowledge of the Clutha, has the order and sobriety of the district improved much since the hotel licenses were abolished?—There can be no question about that. I have had several opportunities of testing the fact. In November, 1896, I addressed a circular letter to a large number of residents—merchants, agricultural men, Justices of the Peace, and farmers—in the Clutha district, saying something like this: "It is stated that since the "No license" vote there has been as much, or probably more, liquor sold in the Clutha district than before the taking of the vote, and that the result of the vote has been to injure business. Will you kindly say what has been your experience in the district?" I think that probably three out of four of the persons I wrote to were unknown to me, and I did not get a single reply suggesting either that there was so much drinking, or that there had been any injury to business. On the contrary, the replies very much exceeded my expectations. The replies I received were very much more favourable to the effect of the vote than I had anticipated, and convinced me that an enormous amount of good had been done as a result of the "No license" vote.

146. Is there not a feeling throughout the district that sly-grog selling in a district like the Clutha could be practically suppressed? Do you think more frequent prosecutions would do it?—Yes. I think there are about a dozen people in the Clutha, whom the police know very well, and who are supposed to be in the habit of carrying on a regular trade. If they were looked after more frequently, so that the fines over a year or a series of years would amount to more than would be paid under license, it would be a deterrent, and there would be a probability of the thing being stamped out. The fines imposed already would not amount to more than the license-fees that would have been paid. More frequent prosecutions would have a beneficial effect.

147. *The Chairman.*] One man at Balclutha said he had been fined £300?—I think that will be found to be incorrect. I would like to add that Mr. Seddon informed me that he was entirely responsible for removals of the police, and similar matters. As an illustration, when we waited on Mr. Seddon, in Wellington, as a deputation, and pressed on him that there were a number of improper removals, and lax administration, Mr. Seddon said, "What you want is not a Commission to inquire into the Force, but a Commission to sit on me."

148. *Mr. Poynton.*] Do you think the Police Force in the Clutha should be increased?—I cannot say that any facts have come under my notice to lead me to think the Force is not sufficient for the ordinary duties; but, in respect to the particular question of the enforcement of the licensing law, I think the local police are at a considerable disadvantage, because they are so well known.

149. Do you think that either the detective or the constable branch should be increased?—I have known detectives going by a train producing passes, and they are spotted by the guard by that fact, and the matter is telegraphed to the district, and the warning given. Or a man who is known as a constable out of another district is recognised, and his arrival is telegraphed. That has been done frequently in order to frustrate the efforts of the police to detect sly-grog selling. No doubt, in connection with that, it would be desirable that unknown men should be employed. I do not think it would be necessary to increase the Force, but to employ unknown men.

150. *The Chairman.*] Does not the remark you made as to the difficulty about witnesses and the character of the evidence apply to many other cases?—Perhaps it does; but it applies specially to the cases I have mentioned.

151. *Mr. Tunbridge.*] You say you think more frequent prosecutions would probably stamp out this sly-grog selling?—It appears to me they would have a beneficial effect.

152. Do you know any instance where, the police having the required evidence, they have not taken the necessary proceedings?—I should not like to say that. We hear rumours, and I should not like to give them the strength of evidence.

153. Do you suggest that, from any rumours you have heard, the police, though possessing the necessary evidence to justify an information being laid, have not done so?—If I were put in the position of giving credence to statements that have come to me as hearsay, I would say, Yes; but I cannot justify those statements.

154. Was it on this rumour that has reached you that you based the opinion that more frequent prosecutions could take place?—No. I think it is a matter of general policy.

155. You do not profess to know what action the police have been taking?—No.

156. You think the detective branch should be strengthened in the Clutha?—Yes, by the periodical visits of unknown persons, who would have an opportunity of discovering breaches of the law.

157. You do not wish to suggest that you know the number of unknown persons who have been sent there by the police?—No, I do not suggest that.

158. You do not know but that at the present time there are men in the Clutha district, entirely unknown to the people there?—No. I know that persons have been there, and that convictions have been secured in that way.

159. Your evidence is to the effect that at the present moment there is a constable at Tapanui, another at Balclutha, and another at Clinton, and that that is the sum total of the police in the Clutha?—Yes.

160. If I say that in the last three years probably half a dozen men have been in the Clutha endeavouring to get evidence, do you say this branch should still be increased?—No. It is a question of method. That is a question that can only be discussed by those who have control of the district.

161. You say, then, that if the sum total in the Clutha district consists of three men only it should be strengthened?—Practically it comes to that.

162. You are basing your opinions on what you know, and on what is known outside?—Quite so.

163. *Colonel Hume.*] You have known Sergeant Mulville for some time?—I did not know him personally at all until this question arose. I knew that he was acting as Inspector for the Corporation here for some time. I do not think I had ever spoken to him until this matter cropped up.

164. You do not know whether he is a Prohibitionist or not?—I do not, but I do not think so. I should be surprised if it were so.

165. In giving evidence, you told us of two or three rumours, and you said it was suggested that Sergeant Mulville was removed because of the energy he displayed towards the publicans; now, I understand, when Mr. Tunbridge asked you about some rumours in the Clutha, you said you could not speak of rumours, although you had been speaking of rumours twice previously in your evidence in chief?—I think I said in each case they were rumours. I think I intimated in my evidence in chief that these were simply hearsay statements.

166. Now, as regards rumours, you would be surprised to hear that this sergeant has had several cases in Napier?—Yes; I am speaking merely from rumour. I do not pretend to have any knowledge of it.

167. And you would be still further surprised if he had to be removed from Napier for showing too much energy?—Well, that would not be a surprise if he were removed for such an alleged cause after the experience in Dunedin.

168. Are you in the habit of taking the *Licensed Victuallers' Gazette* in?—I did then.

169. Is this the only reference you have ever seen to any sergeant or constable?—I do not know; it is years since it ceased publication.

170. Then, it is said in that, I understand, that Mr. Seddon would find an outlet for the sergeant's energies on the West Coast?—Yes.

171. But he did not?—But he did on the northern coast, at Napier.

172. Now, Sergeant Mulville took a very active part in carrying out the licensing laws?—He was active; but, I think, if Inspector Pardy were asked, he would say that Sergeant Mulville was an officer who did his duty, and did it fairly. I stated that in nearly every case, if not in every case, he secured a conviction, and that speaks for itself.

173. You will admit, from what you have seen of the police and know of the different towns, that it is important we should have the best sergeants in the big centres?—I would rather be excused from venturing opinions on police management, because it is not my *forte*.

174. You would not wish what we will call a "duffer" sergeant sent to a place like Dunedin?—Nor anywhere.

175. At the same time we must send him somewhere, if we have one?—To the right-about, I should think.

176. Now, in reference to this sergeant who was so particularly active in Dunedin in 1894, you would be surprised to hear, I suppose, that in August, 1891, he was reprimanded for neglecting to report a disturbance at the Provincial Hotel, I think in South Dunedin?—Yes, I would be surprised to hear that.

177. Then, you would be still more surprised to hear that on the 29th March, 1892, he was drinking in the St. Clair Hotel on a Sunday?—Then he was not a Prohibitionist. Of course, I cannot say.

178. Does that surprise you?—That you suggest it?

179. Would you be surprised to hear it appears on his defaulter's sheet?—I cannot speak of Sergeant Mulville's personal habits. I can only speak of the particular incident I refer to.

180. Do you know a gentleman named Mr. Hart, commission agent, at Anderson's Bay?—Yes, I fancy I know who you refer to. I do not know if he is in active business.

181. Would you be surprised to hear that in April, 1892, it is shown on the sergeant's defaulter's sheet that he was admonished for disclosing confidential information given to him?—I am prepared to say I do not think any one of these circumstances had anything to do with Sergeant Mulville's removal from Dunedin.

182. You know that Sergeant Mulville did get promotion?—I know he was removed to Napier.

183. And got promotion?—I do not know that.

184. Well, then, I understand Mr Seddon, in this conversation you had with him at Palmerston North, held himself entirely responsible for this move?—I had no conversation at Palmerston North. I met him at Palmerston South, and gave him the paper. It was the day before I had the conversation, and I am not prepared to say at that interview specifically Mr. Seddon held himself responsible; but he did more than once express himself so, and very specifically, to a deputation, of which I was one, which waited upon him in Wellington, in June, I think, of 1896. Now, it was on the occasion of the deputation which waited upon him, I think in June of 1896, that he said, after we had objected to these removals which seemed to be caused by the pressure of the liquor party, and objected to the pressure of any trade being allowed to influence removals, "Well, gentlemen, what you want is not a Commission to inquire into the Police Force, but a Commission to sit upon me"; and we assumed from that that he (Mr. Seddon) took the responsibility.

185. Then, if this sergeant's promotion was dated the same day as his transfer from here it would clearly indicate he was transferred on account of promotion?—I do not know. Of course it would show that his application for promotion had been granted. But it is clear, and you will be aware of it yourself, that if the promotion and removal were one act, Sergeant Mulville was very much disappointed, and very much objected to the removal, and would rather not have had his promotion with his removal. Therefore, the removal could not have been a reward for promotion.

186. *The Chairman.*] Can you suggest that he could obtain promotion without removal?—I cannot say that. I was not concerned with Sergeant Mulville personally, but with the effect on the Force; and what I pointed out to Mr. Seddon was, that it seemed to me if such pressure had not been brought to bear the removal would not have been carried out.

187. *Colonel Hume.*] Was it thought the Prohibitionists would not like him at Napier, or the publicans?—Mr. Seddon remarked at the close of the interview, "At any rate, I can tell you they do not want him at Napier." I said, "Well, who are 'they'?" and he said, laughingly, "Oh, at any rate the Prohibitionists would not object; you know that." I took it, therefore, that "they" referred to the liquor party.

188. Then, whoever sent him to Napier must have been acting in direct opposition to the wishes of the liquor party?—I do not quite see the inference; it might be so.

189. Is not that what Mr. Seddon said?—He may have said it.

190. He said the publicans did not want him?—He said "they"; and then laughingly added, "I suppose the Prohibitionists would not object."

191. Then "they" would mean the publicans?—I suppose so.

192. Then, notwithstanding that the liquor party did not want him there he was sent to Napier?—Yes, but Inspector Pardy was not in charge in Napier.

193. *Mr. Taylor.*] Where is the liquor interest strongest, in Dunedin or Napier?—Dunedin, certainly.

194. Is it not quite possible that the place where the interest is strongest would be the place most studied by any politician?—If I were a politician, and studying the liquor interest, I would say so.

195. Hence, the removal of Sergeant Mulville may be pleasing them in Dunedin and displeasing them in Napier?—I do not know for a fact whether the liquor party was displeased in Napier.

CHRISTOPHER CONN, examined on oath.

196. *The Chairman.*] What is your name?—Christopher Conn.

197. What is your rank?—Second-class sergeant, stationed at Dunedin.

198. *Mr. Taylor.*] When the Inspector was giving evidence in reference to an incident connected with a drunken policeman, that happened last Christmas Day, he quoted you as having gone for him, and used words to this effect, "That you wished him to come down, and see this drunken constable, as you were not safe with those men." I want to know what that meant?—It meant this: that the constable was drunk at Rattray Street corner. I called the attention of the man on the next beat to him, and asked him what he thought of him: did he consider him drunk or sober? The man seemed to hesitate in giving me an answer, and I said, "Come, now, I want an answer. If you were on your oath, would you say that that man was drunk or sober?" He said, "If you swear he was drunk, I would swear he was sober."

199. *The Chairman.*] Does that mean that he was satisfied of his being sober?—Yes, that he would swear he was sober. I said, "Very well; go on to your duty," which he did. He went up the street.

200. Who was it you were speaking to?—Constable Hannafin. As soon as I got the constable's back turned I went to Inspector Pardy's private house and told him the circumstances of the case. Mr. Pardy said, "You should have called the attention of the constable on the adjoining beat to him," and I said I had done so, and I told Mr. Pardy the result of his answer. Inspector Pardy then came at once with me to see the constable—Constable Macdonald—and on seeing him

he ordered me to get a cab and have the man conveyed to the station. This was done. Inspector Pardy then sent me to the street to bring in Constable Hannafin, which I did, and the Inspector admonished Constable Hannafin in the office for the conduct he had displayed in saying that the man was not the worse of drink.

201. *Mr. Taylor.*] As a matter of fact, Macdonald was fined for drunkenness?—Yes.

202. Did your remark mean that you feared the untruthfulness of Hannafin?—Yes; but I did not mean it to apply to other constables.

203. How long have you been in the Force?—Twenty-six years, in coming May. I would like to add that there are some reliable men in the Force.

204. Supposing you had joined the New South Wales Police Force, would your position be better to-day than what it now is?—Yes, much better.

205. Would you be entitled to a pension?—Yes, after twenty-five years.

206. What proportion of the wages would you be entitled to?—I see that some of the sergeants are retired on full pay after twenty-five years.

207. What is the standard of proportion?—The way it is proportioned there is this: the men appoint a Commissioner, and the Government appoint one; and when a man dies or retires the Commissioners meet, and if they cannot come to a conclusion they appoint a referee. I have been told by men who have been in the New South Wales Force that that is the way it is worked.

208. *The Chairman.*] For what purpose is the Commissioner appointed?—To look after the pension fund, and to hear claims that might arise.

209. *Mr. Taylor.*] Is not the absence of a pension fund here detrimental to the Force?—Yes, of course it is.

210. It discourages the men?—Yes. If it had not been for family circumstances I would have been out of the Force many years ago, but when one gets tied up with a large family it is not the best thing to do to shift about.

211. *The Chairman.*] When you joined the Force were you not aware that there was no pension fund?—I joined under Mr. Weldon, and he said that as a retiring-allowance I would receive a month's pay for every year of service.

212. *Mr. Taylor.*] Was that in writing?—It was an understanding at the time I joined. There is a circular in existence somewhere to that effect. It was in the provincial days.

213. As far as your experience extends, has it been a general feeling in the Force that political influence has had to be used at various points?—I have heard it talked about in all ways among the men; but what you find talked about among a number of men like constables is not always true.

214. What is your experience of men drafted from the Permanent Artillery to the Police Force?—They have been utter failures.

215. You consider that a training in the Artillery is bad for a policeman?—They do not make good policemen. The best man for a policeman is the man from the plough. That is my experience. The best are the men who have had no previous knowledge of artillery training. Men with that training are not suitable for police purposes.

216. Have you ever applied for a country station?—No; I applied to get from a country station into town on account of my family.

217. Is there a better feeling permeating the Force during the past six months—a more hopeful feeling?—I think so. The bad ones seem to be weeding out.

218. *The Chairman.*] To what do you attribute that better feeling of the past six months?—Well, if there is a discontented person among the men he makes others discontented.

219. But you say there is an improvement?—There is a better class of men. In Dunedin we have nearly all strangers.

220. They are not new men in the Force?—Most of them are new men.

221. Have some been in the Force less than six months?—Some of them have been less than that. In this station I think there are only three or four who have seen even a year's service. Some of the new men have been in the Force about six weeks.

222. Do you attribute the better feeling to the fact that a certain number of promotions have been made in the last six months?—The promotions never give satisfaction.

223. You do not attribute the improved state of feeling to the fact that a number of promotions have been made in the service during the last six months?—I do not think so.

224. You attribute it to what?—To the better class of men, who are more contented, and men with a little common-sense.

225. *Mr. Taylor.*] Has the alteration in control not had something to do with the change?—I do not think so.

226. Is it not recognised that the use of political influence will be less felt?—I do not think so.

227. Have you ever used it yourself?—No. The first complaint I made was to Colonel Hume, about eighteen months ago, when I did not get promotion. I looked to him for fair-play, and shortly afterwards I got my promotion. He acknowledged my claim to it, and I got it.

228. *Mr. Tunbridge.*] At the time Constable Macdonald was drunk, you thought that the evidence of Constable Hannafin and Constable Macdonald against your unsupported testimony would be too strong for you?—Yes.

229. That is the meaning of your expression that you did not feel yourself safe in their hands?—Yes. I had nothing to fear from anybody, but I had a feeling in that direction.

230. In cases of that kind cannot you call in a medical man to testify as to a man's condition?—Just then it would have been very inconvenient to get a medical man, and you want to see a man at the time, and not an hour afterwards, or more.

231. But it is the rule, in a question of a man being under the influence of drink, to call in a medical man?—Yes.

232. *The Chairman.*] What was the difficulty on this occasion?—Inspector Pardy was handier to me at the time, and I preferred to call him instead of a medical man.

233. *Mr. Tunbridge.*] In the absence of your Inspector or any other superior officer you would have had no hesitation in calling in a medical man?—No. I have no great faith, though, in medical certificates, even in that way. They are faulty, too.

234. There is a feeling among the constables, is there not, that one constable should not be called upon to give evidence against another?—Yes.

235. And, in a measure, you think it is rather a natural feeling, do you not?—Yes.

236. You would not care to be called upon to give evidence against a brother sergeant?—That is so.

237. As regards the New South Wales Force, have you any experience of that colony?—I have been in the country as a miner, but not as a policeman.

238. Would you consider the conditions of service in New South Wales more arduous there than they are in New Zealand, considering the climate, and so on?—No. New South Wales is a good climate. This is a most severe climate on a policeman—the most severe I know of, unless it is the Home climate.

239. As to the conditions of life in New South Wales, are they easier or otherwise than here?—From what I know of it I should say they are much the same. The men in the country stations have a better time of it than the men on the streets.

240. But there is a much larger percentage of men doing street duty in New South Wales towns than in New Zealand?—Yes.

241. You consider that men doing town duty are harder worked than the men doing the country duty?—Yes.

242. Therefore, taking the experience of this Force as a whole the conditions would be harder?—The conditions would be this way: Of course, it is a larger country. The towns are busier and the population is larger, and there are more men; and the night duty in this country is most severe in winter. There is not a harder life you could put a man to.

243. You are speaking more particularly of the men in the south?—Yes, of the men in Dunedin. Even Christchurch is a better climate than Dunedin. In Dunedin, the winter before last, I went out at the beginning of a fortnight with nine good strong young fellows, and before the fortnight was up I had only five, the rest having been laid up.

244. As regards the strength of the men here, have you sufficient?—No, we have always been short-handed as long as I remember.

245. Do you think your Force should be increased?—Yes.

246. Can you suggest what number would be adequate?—I think a night-duty section should have nine constables on the street and one in the watch-house.

247. How many have you at the present time, if full-handed?—I have only five sometimes.

248. But when you are full-handed?—Seven, as a rule, and the watch-house keeper.

249. And as regards day duty?—I think there should be five on each relief.

250. How many are there at present?—Sometimes we have two, sometimes three, and sometimes four.

251. What is the full strength when the men are available?—Four.

252. The numbers you have given are the numbers you would have if every man was available for duty?—Yes.

253. Are there not frequently on the night-duty section two or three men short?—Yes, and four.

254. The men were away in sickness, escort, relief, and other duties?—Yes.

255. Then, you would require a sort of reserve?—Yes.

256. How many?—Four or five.

257. Then, you would advocate about eight or nine men more?—Yes.

258. You do not require an increase in the number of sergeants?—No, there is a sergeant for each relief.

259. How many sergeants are there now?—Three for street duty.

260. Would it be an improvement to have a sergeant in charge of the station at night?—I look on it this way: From a quarter to 9 at night to a quarter to 5 o'clock in the morning the whole of the town is left in the charge of one man, and that is a large responsibility for the pay a man gets. I think there should be a first-class sergeant stationed in the barracks, so that anything of a difficult nature arising could be referred to him for his approval or otherwise. That has always been my opinion.

261. That sergeant could perform the duties of lockup keeper as well as general duties, and therefore it would be simply a sergeant in place of a constable?—Yes. I consider it is a big responsibility, where you have nine or ten young constables—some of them less than a year on the street—to be left on the street with them, and know that some of them whom you cannot well trust have to go a mile or more from your sight.

262. *Colonel Hume.*] You keep a pretty keen eye on the publichouses, do you not?—I do my duty to the very best of my ability.

263. Have you had any prosecutions?—Several.

264. Have you heard of any deputations waiting on Ministers to remove you on account of that?—No.

265. Have you heard of any influence being tried to remove you on account of that?—No.

266. Do you know the *Licensed Victuallers' Gazette*?—I have seen it.

267. Have you ever seen anything about yourself in it?—No. My attention has not been called to it.

268. Has anybody found fault with you for your action towards the publicans?—The publicans themselves have.

269. To you yourself?—In one case a publican reported me for undue interference. I applied through my officer to have the case heard before the Stipendiary Magistrate, and I came out all right.

270. *The Chairman.*] How long ago was that?—About six months ago.

271. What was the complaint?—Undue interference in my position as sergeant of police, and that I was harassing him in his business.

272. The charge was dismissed?—Yes.

273. *Colonel Hume.*] Has any influential person you know of been trying to get you shifted on account of your action towards the publichouses?—I do not think so. I have never been threatened in any way. Anything I have done I have done in the way of my duty, and I have done my duty when and where needed.

274. *Mr. Poynton.*] What is the opinion of the Force as to the head of it?—Do you think the head should be apart from public control?—One could not form an opinion on that from the men.

ROBERT ANGUS, examined on oath.

275. *The Chairman.*] What is your name?—Robert Angus.

276. What are you?—A labourer, residing at Balclutha.

277. *Mr. Taylor.*] Do you know Robert Campbell, of Catlin's?—Yes.

278. Did your wife work for him?—No; she never worked for him.

279. Did she have an accident in connection with his farm?—Yes; she broke her leg on his farm.

280. Was she not working for him at the time?—She was working for him as an obligation. They came for her to help them to milk the cows.

281. And while there she broke her leg?—Yes.

282. What happened after that, as to a claim for compensation?—I wrote to Mr. Ryley, the owner of the property—Campbell was only the manager—and he said in his reply that he would pay me £15 as compensation.

283. Ryley was manager for Anderson and Co., millers?—Yes. He wrote: "Dear Madam,—I duly read your letter, and can say nothing until I see Mr. Campbell. I have had a letter from Mr. Campbell in which he says he will pay you £15. You will make a great mistake if you do not accept it, for I have looked carefully into the matter, and I believe you have no claim, inasmuch as you were not at the time Mr. Campbell's servant, but performing a service which of your own free will you rendered."

284. What followed? Did you get the £15?—No.

285. What was the next?—Mr. George Ford, of Owaka, blacksmith, came to me, and asked me if I would accept £11 11s.

286. On whose behalf did he make the offer?—On Campbell's behalf.

287. What did you do?—I spoke to the wife, and we agreed to accept the eleven guineas.

288. Did you get it?—No, I never received it.

289. Did you receive anything?—I received £3 from Constable Christie, who also paid £8 to Dr. Smith.

290. What for?—For setting the leg. That was the amount of the bill.

291. What do you say was the amount of the bill?—It was £11 11s., but I believe I brought it down to £8.

292. Do you know that he paid £8 to Dr. Smith?—Dr. Smith told me so, and that he had given a receipt for it.

293. What become of the 11s.?—I never received it.

294. Did you speak to Constable Christie about it?—I believe I spoke to him once or twice about it.

295. What did he say?—I really forget now.

296. Did he say he had received eleven guineas?—Yes.

297. Did he say he had kept the 11s.?—No.

298. What did he say about the 11s.?—I remember that at the station one day I said there was 11s. standing from Cambell's account, but I cannot tell the answer he made.

299. You have been talking to Constable Christie this morning?—No.

300. To whom have you spoken about the case?—To no one.

301. Will you kindly try to remember the details of the conversation you had with Christie at the railway-station?—Well, I remember I said there were 11s. standing from the account, and somebody came up and spoke to him, and he went away. That was the last time I saw him before he left Balclutha.

302. Had the 11s. been owing some time?—Since the accident.

303. When was the accident?—Three years ago last Christmas.

304. On what other occasion did you ask for the 11s.?—He paid the wife £3 in Catlin's River about a month before we came up.

305. Did the constable say what he was keeping the 11s. for? What did he say when he paid the £3?—He said he would give the balance again, that he had not the money on him.

306. How did Christie come to have the money?—I cannot account for that exactly.

307. Did he not see you about it?—Yes. He advised me to take the eleven guineas, and said he did not think I would get any more.

308. Did he not say he would get the £15 if you would allow him to collect it?—No. He said if I did not take the eleven guineas I would not get a sixpence.

309. How did he come to get the money?—I do not know. I gave him no authority to collect it.

310. But you had a conversation with him before he collected it?—Yes.

311. *The Chairman.*] When were the eleven guineas paid?—Mr. Campbell has the receipts.

312. *Mr. Taylor.*] Did you get a receipt for the £8?—No.
313. Who got it?—Campbell; he was to pay the doctor.
314. Have you seen the receipt?—No.
315. Did you sign a receipt for the 11 guineas?—Yes. We accepted 11 guineas as full payment.
316. Has Christie ever collected any other amounts for you?—No.
317. What about £1 10s. from Mr. Ross, of Clarksville?—I cannot speak of that as a certainty, because I paid Christie 10s. of it myself, and the wife says she paid him £1.
318. Did you pay Christie 10s.?—I owed Ross some money, and I paid it to Christie.
319. What is Ross?—A blacksmith.
320. Had Christie asked you for the money?—Yes, and I paid him 10s. on account.
321. How much did you owe Ross?—£2 10s., I think.
322. Are you certain that you paid Christie 10s. on account?—Yes.
323. Where?—In Vial's hotel, at Owaka.
324. Were you having refreshments there?—I was working there at the time.
325. Have you had any correspondence with Ross about the payment?—Yes, and I saw Ross on New Year's Day.
326. Has Ross ever rendered you an account for £2 10s.?—Not since.
327. Not since when?—I can hardly tell you the date.
328. Is the whole of the amount paid now?—No.
329. How much do you still owe him?—I suppose it is £1.
330. Did you get a receipt for the 10s. you paid to Christie?—I do not think so.
331. Neither from Christie nor from Ross?—No.
332. Have you had a bill from Ross for £1 10s. or £1?—No.
333. Have you had any letters from Ross in connection with the matter?—No.
334. All by word of mouth?—Yes. I only saw him last New Year's Day.
335. Did your wife get a letter from him?—Not that I know of.
336. What did Christie say in regard to the 11s.?—I cannot exactly remember. As far as I remember, when I spoke to him about it at the railway-station he said he wanted it for his trouble.
337. *The Chairman.*] Do you swear that that is what he said?—It was to that effect, anyhow.
338. *Mr. Taylor.*] You have no doubt about the nature of the answer?—It was to that effect.
339. What did Christie say when you complained about the 10s. for Ross not having been paid?—I have not spoken to Christie about the 10s. I paid him on account of Ross.
340. You understood that Christie was Ross's collector?—No.
341. What did Christie tell you when he asked for the money?—That when he saw Ross in Milton he spoke to him about me owing him money, and that he asked him to speak to me about it.
342. *Mr. Macdonald.*] Did you authorise Christie to get the money for you?—I did not.
343. Did you authorise him to pay Dr. Smith?—Yes.
344. When did you authorise him to pay Smith? When he got the cheque, £3?—No, when he got the cheque, he asked me what he would do with the money, and I said, "You pay Smith £8, and bring the balance to me."
345. Did you see the cheque?—I did not.
346. When did he give you the £3?—In our house at Owaka.
347. Was it when he told you he had got the money?—No, about six or eight months afterwards.
348. Did he say he had given Dr. Smith £8?—Yes.
349. When he gave you the £3, did you ask him for more?—He said that was all he had, and that he would pay the balance again.
350. You are clear about that?—Yes.
351. Did he say how much he got?—I do not know how much he got, but I know I signed for eleven guineas.
352. But did he say how much he got?—Eleven guineas.
353. Did he tell you that?—He told me the cheque was for eleven guineas.
354. Did he say he got £11 11s. from Campbell?—He said he got a cheque for eleven guineas. Those were his words.
355. From Campbell?—From Campbell.
356. And he gave you £3, and said he had paid Dr. Smith £8, and that he would give you the balance again?—Exactly.
357. Then you spoke to him on another occasion, subsequent to that, at the railway-station?—Yes.
358. And he told you he wanted the 11s. for his trouble?—Yes. I told him there was a balance between Campbell and me, and he said he wanted it for his trouble. I wish to state now that I did not come here of my own free-will.
359. You were asked this morning about the 11s. Did I not ask you as a favour to go to Campbell, and ask him whether he had paid him £11 or £11 11s.?—Yes.
360. And you asked him in my presence?—Yes.
361. Then, I left you together?—Yes.
362. *Mr. Taylor.*] Whom did you speak to about this matter of Christie's, when you came to Dunedin this morning?—I think the first person I spoke to was Adam Paterson.
363. Is he a witness in the case?—No.
364. Did you see Mr. George Thomson?—Yes, I saw him this morning.
365. What passed between you?—I do not think that has any interest in the matter at all.
366. I will ask you whether Mr. George Thomson gave you 11s.?—I received it for a short time only.

367. *The Chairman.*] What does that mean; did you give it back?—Yes.
368. *Mr. Taylor.*] What was the interval between receiving the 11s., and paying it back?—About five minutes.
369. Did you speak with Mr. Campbell in the interval?—No.
370. Did you see Mr. Campbell in the interval?—No.
371. Whom did you talk to in the interval? A stranger?—Well, there were three or four, all there talking.
372. Who was it talked to you?—I do not know. He gave me the money, and about five minutes afterwards came back again, and in consequence of what he said, I gave the money back.
373. Has Dr. Smith been to see you about this case?—Not about this 11s.—only about his account—when he told me to give Christie £1 for his trouble, and advised me to summons Christie for 11s.
374. Have you had any conversation with Dr. Smith about Christie's case, and about coming up here to give evidence?—No, not that I know of.
375. Did Dr. Smith urge you to attend the Commission?—He did not.

GEORGE THOMSON, further examined on oath.

376. *Mr. Taylor.*] You know Robert Angus, of Balclutha?—Yes.
377. Did you give him 11s. this morning?—I did not. I proposed to do so, but he would not take it.
378. He did not take it?—No.
379. *The Chairman.*] Were you authorised by Christie to hand that to him?—No.
380. *Mr. Taylor.*] Was there not an interval of five minutes between the time of your handing it to him and getting it back?—No.
381. If Mr. Angus said that you gave him 11s., and he returned it in five minutes' time, he is stating what is untrue?—Yes, it is not true.
382. You offered it to him?—Yes. He wanted certain conditions, and I would not agree with them.
383. What conversation had you with Christie in respect to this 11s.?—Not one word. It was never mentioned.
384. Neither before nor after?—Neither before nor after.
385. Now, Mr. Macdonald says Christie saw you, and said you must not interfere with that 11s.; is that true or false?—It is false. Christie did not tell me.
386. Who saw you on Christie's behalf?—No one saw me.
387. Who told you from Christie not to interfere?—I was told not to interfere.
388. Who told you that?—I cannot tell you. It was a messenger, but I could not tell the man's name.
389. From Christie?—I do not know.
390. Who did he come from?—I cannot say.
391. If he did not come from Christie, how did you know he was a messenger from Christie?—I did not say he was a messenger from Christie.
392. Who was he from?—I cannot tell you.
393. You did not know the man?—I did not.
394. Was he a lawyer?—I do not know.
395. A lawyer's clerk?—I do not know. I do not know the man from Adam.
396. Why did you pay any attention to him if you did not know him?—I did not pay any attention to him.

JOHN CAMPBELL, examined on oath.

397. *The Chairman.*] What are you?—A farmer at Cannibal Bay.
398. *Mr. Taylor.*] Were you managing a farm there for Mr. Ryley?—I was.
399. Did Mrs. Angus milk the cows for you there?—No.
400. Was she milking there?—No.
401. Where was she milking?—The question I understand you wish to know is, how she happened to be present at milking-time. On this occasion I was away from the farm that day, and she came over to help the children with the milking.
402. Was her leg broken that day?—Yes, accidentally, by one of the cows.
403. Did she prefer a claim for damages sustained?—Well, I believe that was thought of, but it was never proceeded with.
404. There were some negotiations with regard to the payment of the doctor's bill, and so on?—Yes.
405. *The Chairman.*] Was Christie in any way concerned in the negotiations?—No.
406. *Mr. Taylor.*] Mr. Ryley said that Mr. Campbell offered £15, and he advised Mrs. Angus to accept it. Will you tell the Commission the nature of the negotiations for that payment—of that £15? Who saw you about the claim of £15?—I saw Mr. Solomon about the claim that was made. He was my legal adviser.
407. In Dunedin?—Yes.
408. And did you make her an offer?—I made no offer.
409. Did you make any payment to Mrs. Angus on account of her broken leg?—No.
410. Who did you pay it to?—I paid Dr. Smith's account.
411. What else did you pay?—Nothing else.
412. How much was Dr. Smith's account?—£11 11s. I paid £11, but not the odd shillings.
413. Did you pay by cheque?—No.
414. *The Chairman.*] Did you pay Dr. Smith personally?—No.
415. Who did you give the money to?—To Christie.

416. How much cash?—£11.
417. *Mr. Taylor.*] Who took the odd shillings?—He said he would take even money.
418. Did he say that to you?—Mr. Christie said that Dr. Smith did not want the odd shillings, so far as I can remember.
419. You did not pay by cheque?—No.
420. Did you get a receipt from Dr. Smith for the bill?—Yes.
421. Did you get a receipt from Mrs. Angus for £3?—No.
422. You got a receipt from Dr. Smith for £11 11s.?—Yes. It is as follows: “Mr. Robert Angus, *Dr.* to J. Gibson Smith.—To two professional visits to Catlin’s River, and advice Balclutha, Mrs. Angus’s fractured leg, £11 11s. Received payment.—J. GIBSON SMITH.—August, 20, 1895.”
423. When did you get this receipt?—I think it is dated the month of August, 1895.
424. When did you get it?—It was in the month of August, as far as I remember.
425. Who did you get this receipt from?—Mr. Christie carried it. I got that receipt when I handed over the money.
426. Was it receipted then?—Yes, as it is now.
427. And Mr. Christie got £11 11s. from you?—No, £11.
428. I find there is a pencil memorandum on the back as follows: “Account reduced per favour of Dr. Smith by 11s.” When was that written?—It was written some time afterwards. It is merely a pencil-mark I put on.
429. *The Chairman.*] Is that your writing?—Yes.
430. *Mr. Taylor.*] When did you write that?—I cannot mind.
431. Did you write it within the last month as a reminder of what happened?—Yes, I did.
432. Why did you write it within the last month?—I did not mind but what I had paid in full, until my wife reminded me of it. It was my wife who kept me in mind that I paid £11 only, and, as I had the receipt before me, I just marked it on.
433. When was that?—Last night.
434. Did you pay this by cheque?—No, by cash.
435. Pound-notes?—Yes.
436. How far away from the bank do you live?—Somewhere about eighteen or twenty miles.
437. Had you any difficulty in getting the money to pay Christie?—I always get my yearly wage.
438. Had you any conversation with anybody last night?—Except my wife, No.
439. Did you within the last week?—No.
440. How did you know the question of the odd 11s. was coming up?—Well, of course I knew when a man is on oath he has to answer everything so far as he can, and in order to keep myself in mind of that 11s. I jotted it down on this receipt. I will put in this further document: “Owaka, 5th August, 1895.—I, Robert George Angus, of Owaka, labourer, do hereby agree to accept in full satisfaction of all claims that I have against John Campbell, of Owaka, farm manager, in regard to the accident to my wife on the 29th day of December, 1894, by the said John Campbell paying the amount of eleven pounds eleven shillings (£11 11s.).—ROBERT GEORGE ANGUS, CATHERINE AGNES ANGUS.—Witness, George Ford.—5th August, 1895.”
441. How is it you hold two receipts for the £11 11s., one from Dr. Smith, and one from Mr. and Mrs. Angus?—I got the second receipt from Mr. George Ford.
442. *The Chairman.*] And not from Christie?—No.
443. *Mr. Taylor.*] You gave the £11 to Christie, and got a receipt from Ford?—I got the receipt signed by the Anguses from Mr. Ford. He witnessed it.
444. How long after you handed the money to Christie did you get this from Ford?—Shortly after. I cannot say how long.
445. Would it be a year afterwards?—No, not a year.
446. Was it less than a year?—Yes, I think less than a year.
447. How was it you got a receipt from Angus for £11 11s. if you only paid £11?—It was the doctor’s goodwill not to charge me the extra 11s.
448. Do you know whether the doctor got £11?—I do not. I got the receipt; that is all I wanted.
449. You do not know whether Mr. Angus got any of it?—That I do not know.
450. You never had any correspondence with Mr. Angus direct about this matter?—Very little.
451. Did you ask for this receipt from Angus?—Yes.
452. Why?—Because I did not want to be making a payment without knowing what it was for.
453. How do you know Dr. Smith took £11?—I do not know whether he received the money or not.
454. Do you know why the doctor did not receive that 11s.?—Of course, I did not pay the 11s.; he only got £11.
455. He gave a receipt for £11 11s.?—Yes; the receipt was signed, and he said he did not ask for the odd shillings.
456. Have you a cheque-book for that period?—I have not; I paid it in money.
457. Who is this account you paid to Constable Christie made out to?—It is made out to Angus.
458. Who authorised the payment of this money to Dr. Smith?—The doctor sent the account to me to be paid, because I said I would pay Dr. Smith’s account, and hence I got that document from Mr. Angus witnessed by George Ford.
459. Do you keep a cheque-book?—No.
460. Have you got any banking account?—I may say I have not.
461. Had you then?—No.

462. Did you not draw cheques upon Mr. Ryley?—No.
463. Nor orders?—Never.
464. As a matter of fact, did you not give Christie a cheque for £10 10s. of somebody's and a sovereign in settlement of this account?—I never did.
465. Have you talked this matter over with Christie to-day?—No.
466. With Mr. Macdonald?—No.
467. With a solicitor's clerk?—No.
468. Who were you talking to in the next room when I came in?—There was a lady there.
469. Anybody else?—Mr. Paterson.
470. You have not seen Mr. Solomon's clerk about this?—No.
471. Now, this receipt of Angus's is dated the 5th August, 1895?—Yes.
472. Did you pay Dr. Smith's bill two months before you got that document?—That might be; as far as I remember.
473. Can you explain to the Commission how it is that this receipt of Angus's is dated the 5th August, and Dr. Smith's is dated the 20th August?—Well, I cannot give an explanation.
474. Was this document actually written only a week ago?—Oh, yes; it was handed to me the very day Christie took the money.
475. Can you explain that discrepancy?—No.
476. You see one document, which you say you received two months after paying the money to Christie, is dated the 5th August, 1895, and that account is dated the 20th August, 1895; you cannot explain that?—No.
477. Does it strike you now as being strange?—It appears to me odd.
478. Did you ask for this receipt from the Anguses?—Yes.
479. Who did you ask for it?—I believe it was Christie I asked for it.
480. What did he say to you?—I cannot remember.
481. Did he promise to get it?—I cannot say whether he promised to do so or not; I forget.
482. You did not get it from him?—I got it from Mr. Ford.
483. Did he bring it to you?—I got it in his blacksmith's shop.
484. Was there any conversation with Christie as to the amount to be paid to Angus?—I had no conversation.
485. You had a conversation with him about taking this £11 11s?—Yes.
486. What was the nature of it?—The nature of it was that I handed over the money to him to carry to Dr. Smith, as it was too far for me to go with it.
487. How did you arrive at the £11?—That was the fee the doctor charged.
488. Have you any idea how Constable Christie came to be mixed up in the matter?—Not the slightest.
489. What made you hand the money over to him without authority from some one?—It was to accommodate me, so that I should not have to go in to Balclutha.
490. *The Chairman.*] This receipt that you got was your authority for paying him?—Yes.
491. *Mr. Taylor.*] Did you offer Angus £15 at any time?—No.
492. Did you know whether any part of this money was to be paid to Angus?—I did not know.
493. Did you authorise Christie to see Angus about the matter?—No.
- 493A. You did not ask him to see Angus?—No.
494. *The Chairman.*] Do these two receipts refer to one and the same sum?—Yes.
495. *Mr. Macdonald.*] Do you remember whether you saw Dr. Smith or Constable Christie at this stage first?—I cannot remember.
496. But you were led to believe that Angus would settle for £11 11s., that being the amount of Dr. Smith's bill?—Yes; that was my position.
497. And I understand you to say you gave £11 to Constable Christie to give to Dr. Smith?—Yes.
498. You knew that Dr. Smith's bill was £11 11s.?—Yes.
499. Was anything said between you and Constable Christie as to the odd 11s.?—Nothing. Constable Christie told me the doctor had knocked the 11s. off.
500. Did Constable Christie not ask you for the additional 11s. at one stage?—If he did, I do not remember.
501. Do you remember ever saying this: "I will not pay over the 11s., unless I am forced to"?—I do not remember it. I might have.
502. You said you understood Dr. Smith was going to take off the 11s.?—Yes.
503. And accordingly you gave Constable Christie £11, as you thought, to pay Dr. Smith?—Yes.
504. You understood that that other action was to be settled by the payment of Dr. Smith's bill?—Yes.
505. And up to now you never knew that Dr. Smith got £8, and Angus got £3?—No.
506. That was altogether outside you?—Yes.
507. As to that receipt of the Anguses, if Constable Christie said he never saw that receipt before, nor knew nothing about it, can you say anything to the contrary? Do you remember ever showing that to Christie, or speaking to him on the subject?—No.
508. You say you thought you got this receipt some time after?—It shows I must have got it after.
509. Have you no recollection of getting it from Constable Christie?—No; I got it from Mr. Ford.
510. So far as you know, Constable Christie had nothing to do with it?—No.
511. When you paid the £11, did Constable Christie hand over the receipt by Dr. Smith?—Yes.
512. What you understood was, that if you paid the £11 the doctor would knock off the 11s., and so the matter was settled?—Yes.

ROBERT GEORGE ANGUS, further examined on oath.

513. *Mr. Taylor.*] Did you ever see that document, signed by yourself and Mrs. Angus and witnessed by Mr. Ford, before?—Yes.

514. Who did you give it to?—I gave it to Mr. Christie.

515. Was Mr. Ford present at the time?—Not so far as I know.

516. *The Chairman.*] When you gave this to Christie did you receive any money?—I never received any money until about six months afterwards.

517. Then, why did you sign the receipt and give it to Christie?—He said he would take the receipt over if I signed it, and get the money from Campbell. Those were the words he used.

ADAM PATERSON, examined on oath.

518. *The Chairman.*] What are you?—A farmer at Catlin's River.

519. *Mr. Taylor.*] You know Constable Christie?—I do.

520. Did he ever collect any accounts for you?—Not for me.

521. In connection with a sum of £14 9s. 4d., did you summon any one for that?—Yes.

522. Who?—George Barrington.

523. When did you summon him?—I cannot tell you that.

524. What Court was it at?—Balclutha.

525. What year?—I cannot tell you that.

526. Cannot you get near it?—No.

527. *The Chairman.*] Who was Clerk of the Court?—Constable Christie.

528. *Mr. Taylor.*] Did you recover the money?—Yes.

529. How long after you summoned?—A good bit; I cannot say how long.

530. *The Chairman.*] Who did you receive the money from?—Constable Christie.

531. *Mr. Taylor.*] Did you get it from the Bank of New Zealand?—I got two cheques from Christie.

532. What for?—One for £6 odd, and another for £8, or £8 2s. I am not sure which, but I think it was for the latter amount.

533. Did you get them at different times?—Yes.

534. How long between?—Some time between.

535. How many letters did you write to him about it?—I think I wrote three.

536. Where was he when you wrote to him?—At Mosgiel.

537. Were both of these sums paid after he went to Mosgiel?—Yes.

538. Did you give a receipt for the money?—I do not recollect whether I did or not. The cheque was good enough receipt.

539. Do not you know that it is customary when you receive money from the Clerk of a Magistrate's Court to give a receipt on an official form provided by the Government?—I did not give one.

540. *The Chairman.*] Were both of these payments on account of Barrington?—No; they were: on account of Barrington, £1 19s. 4d.; and Wilson, £4 8s.

541. Who was the £8 2s. on account of?—Miss Mason, music-teacher.

542. These three people owed you money, and you summoned them?—Yes.

543. At Balclutha?—Yes.

544. Did you go to the Court at Balclutha to take out the summonses?—I saw Constable Christie at Catlin's River, and instructed him to summon them.

545. Were you a witness in the case at the Court?—They paid the money into the Court before the cases came on.

546. *Mr. Taylor.*] Then, how is it you did not get the money until after Constable Christie went to Mosgiel?—I do not know.

547. Have you copies of the letters you wrote to Christie?—No.

548. Did you get any letters from Constable Christie?—Yes.

549. Have you got the letters now?—No, I destroyed the letters.

550. Were these summonses all taken out at the same time?—No, at different times.

551. Now, if the money had not been paid into Court, would you not have had to go as a witness?—Yes.

552. You say the money was paid into Court before the case came on?—Yes.

553. *The Chairman.*] In all these cases?—Yes.

554. *Mr. Taylor.*] Why did you write to Constable Christie the second time?—The object was to get my money.

555. *Mr. Macdonald.*] I understand the gist of the matter is this: You instructed Constable Christie to act in some three transactions in connection with money owed you by some people?—Yes.

556. He got the money?—Yes.

557. You do not know the dates of these transactions?—No.

558. He left Balclutha without giving you the money, and you wrote to him and he sent you the money?—Yes.

559. There was no question of commission or payment?—No, nothing of the kind.

560. *Mr. Taylor.*] Did you pay the costs of the summonses in these cases?—No; I got the money in full.

561. *The Chairman.*] Did you not pay the costs when you instructed the Clerk of the Court to issue the summonses?—I do not think so; I scarcely think I did. I handed him the bills, and asked him to summon the parties.

562. *Mr. Taylor.*] Did you understand it was to summon, or collect it?—To summon.

563. Did you get any of the three amounts from the people named?—No, the whole from Constable Christie.

THOMAS GRIFFITH was examined on oath.

564. *Mr. Tunbridge.*] What offices do you hold?—I am Clerk of Court, bailiff, Inspector of Factories, and Clerk of the Licensing Court.

565. Any others?—No.

566. If you were paid your out-of-pocket expenses by the department, would you be willing to give up the salaries and fees you now receive from these appointments?—I have thought the matter over, and this is what I think would be fair: If a constable in an out-station got £1 per month extra for these offices, which entail a great deal of extra work upon him, then all over and above that sum should be put into a pension fund. I think that would take away all the heartburning about good stations, because all stations would just be worth that extra £1 per month to the constables.

567. *Mr. Poynton.*] Do you think they would be satisfied?—I think they would, if the extra money was put into a pension fund.

568. *The Chairman.*] It would make the pay even all round?—Yes, for the extra work.

569. Then, would not trouble arise if a man had more work to do than another?—No, I do not think so.

570. What is the total of your present emoluments?—Roughly, about £26 per year. I would be willing that all over £12 should go to the pension fund. I would also suggest that half the fines from police prosecutions for sly-grog selling and licensing cases should also be added to the fund. It is done in Ireland, and gives great satisfaction. The temperance people consider also that this induces the police to take an active interest in the suppression of illicit trading, and that it makes the police more energetic in the enforcement of the licensing laws when half the fines go to their pension fund. And, I think, rewards for meritorious conduct should be done away with, and that constables should only get marks, and that these marks should count for promotion. I would also beg to suggest that there should be a sliding-scale for pensions. For instance, say a constable broke down in health after fifteen years of service he should be entitled to so much, and after twenty years it should be a little more, and after twenty-five years so much more, and at thirty years the constable should compulsorily retire. If that was the case, it would be a great improvement on the present system, and do away with all the heartburning, and it would create promotions as well, because the old hands would then retire. At present they hold on like barnacles to a rock.

571. Do you think that the age of an officer himself should have anything to do with it?—In the Royal Irish Constabulary they have to retire if they are as strong as any man in this room.

572. At what age?—After thirty years' service.

573. Is there any limit in the age at which they can enter the Force?—They can join from eighteen to thirty.

574. Can a man entering at thirty go on for thirty years' service?—Yes.

575. It is compulsory retirement on years of service, and not age?—Yes.

JAMES BENNETT DALES, examined on oath.

576. *The Chairman.*] What is your rank?—I am a third-class constable, stationed at Dunedin. I joined the Force in November, 1889.

577. *Mr. Taylor.*] Have you been doing street duty?—I did three months' street duty.

578. What have you been doing since?—I was ordered by the then Inspector, Mr. Moore, into the district office, as assistant clerk at Dunedin.

579. Have you been there ever since?—Yes.

580. Did you ever apply for promotion?—I did.

581. What was the reply?—I applied about two years ago, and I was told that it was not possible, because there were so many senior to me. I pressed the special duties I had to perform, but I was told they would not be taken into consideration.

582. What are your wages?—7s. a day.

583. Do you get a free house?—No, I live in the barracks. I am a widower with one child.

584. You are constantly employed on clerical duties?—Yes; from ten to twelve hours per day—never less than ten hours. I have been working twelve hours per day steady since the 1st January.

585. Do you know Constable William McGill?—Yes; I have met him a few times in Wellington.

586. He is now district clerk at New Plymouth?—Yes.

587. Do you know that he was promoted from third-class to first-class constable?—Yes.

588. Because he was to fill that position as clerk?—Yes.

589. Have there been any complaints against you?—No, I have never been in front of a superior officer yet.

590. You have a clean sheet?—Yes.

591. Do you know McGill was fined for drunkenness?—I heard a rumour to that effect.

592. Do you know he lost a prisoner in Wellington Harbour?—Yes.

593. Do you think his special promotion from third-class to first-class constable is likely to discourage other men?—I looked upon it as a result of getting to be district clerk in New Plymouth.

594. Do you think the district and assistant district clerks should have a definite rank, that is to say, they should have some special recognition for their work?—I have no rank or allowance. The chief clerk gets a clerical allowance, and the assistant clerk gets none—at least in the Dunedin district.

595. Does the chief clerk get a house-allowance?—Yes, and a clerical allowance.

596. That is because he is a sergeant?—Not necessarily. The district clerk in Christchurch gets a house, and he is only a first-class constable.

597. Do you know what the Napier man gets?—I cannot say the amount.

598. Does he get a house-allowance?—It is the rule for all district clerks to get a house-allowance when married.

599. Have you, in moving about amongst the men, ascertained whether political influence is regarded by the men as necessary, or was in the past?—Well, in the past it was looked upon as being a very important factor in promotions. That is, speaking from generalities.

600. Is there a more hopeful feeling in the Force since the control was changed?—Yes; so far as I can see, there is a much more hopeful feeling. I may say when the districts of Dunedin, Southland, and Lakes were amalgamated in 1891, and taken over by Mr. Hickson, there were three clerks in the district office, until 1893, when constable—now Sergeant Wright—was transferred to Wellington, and instructions came from Wellington that his place was not to be filled; and from that time up to the present I have been doing the work of two clerks. When Wright was in this office he got a clerical allowance, and since he left I have got none. I hold the opinion that the work I have got to do entitles me to more than 7s. per day. When the chief clerk was gone on his holidays, and the Inspector went away to the Lakes, I have been virtually in charge of the office. I have been accountable for all the clerical work in the district, and records and money matters. I think the assistant clerk should at least get an allowance, or else have a corresponding rank. I think he should have at least 1s. per day, the same as the chief clerk.

601. *The Chairman.*] You feel that if an assistant clerk got 8s. per day he would be properly paid?—Well, 7s. is not enough to begin with.

602. What you are asking us to consider is, what would be the proper pay for assistant clerks?—I think after eight years' service that I should be entitled to rank as more than a third-class constable.

603. What extra pay do you say an assistant district clerk ought to get?—1s. a day; and it all depends on what rank you hold. Now, the assistant clerk in Christchurch holds the rank of first-class constable, and I am reliably informed that he draws a clerical allowance, and I think it is rather hard that I should not participate in the same privileges.

604. Is he as old as you in the service, or older?—He is older.

605. *Colonel Hume.*] You said that, in the past, political influence was looked upon as a very important factor as regards promotion. When did you allude to in the past?—In fact, pretty well since I joined the Force in 1889, and especially within the last five years.

606. Were there any promotions made during the last five years to your knowledge?—Very few. I should have qualified that statement also by saying influence in reference to getting out-stations. It is a well-known fact that there is a very keen competition for out-stations, and one is led to believe that very often those who have entered into the competition have resorted to political influence.

607. Are you speaking now more especially of the last five years?—Yes.

608. Your knowledge is more especially of Otago and Southland? Now, are you prepared to show that the seniors have been passed over by the juniors for out-stations during the last five years?—Well, in some cases.

609. Can you name one?—Well, for instance, Constable Mathieson was recently promoted to the rank of second-class constable, and was sent in charge of one of the most important out-stations in the district over the heads of just as suitable men who have been first-class constables for many years, and there was great dissatisfaction over that.

610. Who were the seniors in this district at the time who ought to have got that station?—I refer to the principle of first-class senior constables being in charge of small and petty stations. They consider that when better stations are opened, or become vacant, everything being equal, they should have the first right of appointment to such stations before junior men, who perhaps have never been in charge of a station before. They think the junior men should work up from the poor stations to the most important stations.

611. It means to say that they think there ought to be a double shift each time?—Yes.

612. Irrespective of the expense?—Yes.

613. But can you tell me, during the past five years more especially, of any country station having been unfairly given to juniors over the heads of seniors?—No, I do not say that.

614. Then, political influence during that time does not seem to have affected the selection of stations in the way of juniors going over the heads of seniors?—No.

615. But there have not been double shifts when really good stations were vacant?—No.

616. And you think political influence may have prevented that?—Well, to a certain extent.

617. Now, in regard to the subject of assistant district clerk: Did you ask for it?—No, I was ordered in there.

618. But you knew perfectly well you need not have gone in there unless you liked?—Yes.

619. And if you went out to-morrow you know there are a dozen ready to jump at it?—Yes.

620. It is a billet much sought after?—It is.

621. And when you went into it, were you under the impression you were going to get any pay or allowance for it?—Well, I was told by the Inspector that if I went into the district office it was a more responsible position, and strictly confidential, and that if I performed my duties properly no doubt I would get preference for promotion. I may say that, before I went in, a third-class sergeant was assistant clerk. Mr. Weldon thought it was a sufficiently important position to place a third-class sergeant in.

622. Who was there before you?—Sergeant Ross was there as assistant clerk.

623. Do you know of any case where any influence, whether political, masonic, publicans', or prohibitionists' influence has gained either promotion or station for a man?—Not to my own personal knowledge.

624. *Mr. Tunbridge.*] Your duties in the district office are very responsible duties, and confidential duties?—Yes.
625. And you feel you ought to get some extra remuneration for it?—Yes.
626. Your hours are very long?—Yes.
627. You say, since the beginning of this year you have been employed on an average twelve hours per day?—Yes; I have to do it, to keep up with the work.
628. In Christchurch, you say, the assistant clerk has a clerical allowance?—I am told that.
629. What is it?—I am told it is 1s. per day.
630. Do you think if all assistant clerks were treated in that way it would be satisfactory to the men?—It would.
631. Do you know about the Auckland clerks?—No. I may say also it is very awkward sometimes for a third-class constable, acting as assistant clerk, perhaps to be approached by a senior constable for a little bit of information that you do not feel willing or consider it your duty to give. He may perhaps say, "You are not much use here, and you are not getting as much as I am getting," and sling out hints that make you uncomfortable.
632. You have never been asked about pensions or retiring-allowance? What is your opinion about that?—I think a pension would be more suitable, and more acceptable to the Force.
633. Personally, you would be in favour of a pension?—Yes.
634. In regard to these various outside offices held by police-officers, do they throw a lot of extra work upon the district office?—They do. In fact, half my work is in connection with the Public Trustee, the Otago Benevolent Institution, Industrial School, Inspection of Machinery, and several other departments.
635. Have you anything to do in connection with the Beer Duty Act?—Yes.
636. You say half your time is taken up in connection with work outside police-work altogether?—Yes. I would have very good hours were I just confined to police-work. But, now, after having to work steady all day, I have to start on this outside work at night. I also forgot to mention lunatic work. The Police Department have got to report periodically on all lunatics in the district, and also in reference to their maintenance.
637. Now, this question of good stations has caused a very great deal of jealousy in the Police Force?—Yes, there is a very strong feeling that when a large and important station becomes vacant, a first-class constable who is occupying a minor station, and who has good abilities, should get the preference of the better station, and that men perhaps just from street duty should go into the second-class stations to start with.
638. Now, if the emoluments derived from these good stations were taken from the individual who performs the work, and devoted to a purpose which would benefit the whole of the Force, do you not think it would be the means of removing a great deal of that discontent?—I believe it would; but the question then arises, Would the constable interested do his work, and give as much satisfaction.
639. What are the offices held by constables for which extra remuneration is given?—Clerk of Court, bailiff, inspection of slaughterhouses, Warden's Court work, licensing inspection, and Clerk of Licensing Committees.
640. Do you remember how many other offices there are?—There might be six or eight offices for which no money is paid.
641. Are the duties in connection with these unpaid offices neglected now?—No, I do not think so.
642. Then, where does your argument come in, that if the men do not receive remuneration for doing a particular work that that work would be neglected?—Well, many of these men are very hard worked, and the consolation they have is that they derive a little extra for it.
643. You see your argument was, that if the men did not receive any money for doing the work it probably would not be done; but you say there are six or eight offices for which no remuneration is received, and yet the work is not neglected?—The work in connection with these offices is not nearly so heavy as the work for which they are paid.
644. *Mr. Poynton.*] Have you ever done any bailiff work?—No.
645. Do you know that often in serving summonses a man has to pay money out of his own pocket?—Yes.
646. And has to get it back again according to the mileage?—Yes.
647. And if there was no mileage he would very often lose money?—Yes.

THOMAS GRIFFITH, examined on oath.

648. *The Chairman.*] You are a constable, stationed at Balclutha?—Yes.
649. And Clerk of Court?—Yes.
650. You produce the *plaint-book* at the Magistrate's Court, Balclutha?—Yes.
651. And the *judgment-book*?—Yes.
652. Do you find the three cases referred to in the previous evidence—namely: *Paterson v. Barrington*, *Paterson v. Wilson*, and *Paterson v. Mason*?—I find no entry of *Paterson v. Barrington*, or *Paterson v. Wilson*. I have only found *Mason*; *plaint* on the 4th February, 1896.
653. What does the Court record show in regard to that?—The Court record shows that on the 11th March it was settled out of Court.
654. *Mr. Poynton.*] What is the amount?—£8 2s. 6d., and costs 5s.
655. *The Chairman.*] Who was Clerk of the Court at that time?—Constable Christie.
656. When did he cease to be Clerk of the Court?—In August, 1896.
657. *Mr. Taylor.*] Can you find the case of *Barrington* in the book?—No.
658. There is no record in the book as to *Barrington* and *Wilson* ever having been summoned?—No.

JOHN GIBSON SMITH, examined on oath.

659. *The Chairman.*] What is your profession?—I am a medical practitioner at Balclutha.
660. *Mr Taylor.*] Are you on the Commission of the Peace?—I believe so.
661. Have the police done all they could do to enforce the licensing law since hotel licenses were taken away—I think they have.
662. You think they have been successful on the whole?—I think so, fairly.
663. Has there been an improvement in the sobriety and order of the people at Balclutha since the hotels were closed?—Very little. It never was a very drunken place.
664. You know Constable Christie?—I do.
665. Do you remember Mrs. Angus breaking her leg?—I do.
666. What was the amount of your account in connection with that?—£11 11s. I sent in.
667. Who did you render the account to?—I think I gave the account to Constable Christie and told him to forward it to Campbell. And, further, I told him, “In the event of your getting £11 that would be right.” I also said, “In the event of your getting the money I have arranged to give Angus £3.” I said he was very poor at the time, and that he could give him £3.
668. Did you not see the Angus people about it?—No. I spoke to the Angus people, but I knew very well I would never get a farthing out of them. They owed me a large sum before that.
669. You did not render an account to Angus?—No, because I thought it was utterly useless.
670. Did you receipt your bill?—I received £8 from Christie.
671. Did you give him a receipt for that?—Yes, I think so. £8 was the money I received.
672. Did you give him a receipt for £11 11s.?—I cannot say whether I did or not.
673. *The Chairman.*] You gave a receipt, but you cannot say for what amount?—No.
674. *Mr. Taylor.*] What instructions did you give to Christie, so far as Campbell was concerned?—I said, “In the event of getting the money from Campbell, knock off the 11s. and give me £8, and Angus £3.
675. Did Mr. Christie give you a cheque?—No, he gave me notes.
676. How much?—£8.
677. Do you know Mr. Ramage?—I do.
678. Do you know Henry?—I do.
679. Did you give Christie anything?—Not a farthing.
680. Did Christie retain anything?—Nothing from me.
681. Did you consider the collection of that money as part of his duties as Clerk of Court?—No; but what I did do was, I spoke to him about summoning. I thought if I could get the money out of Campbell there would be no use in summoning Angus.
682. But you do not regard it as part of his duty as Clerk of Court or constable to go and collect the money?—No.
683. Why did you ask him?—Because he was going to Catlin’s River.
684. Not as constable, or Clerk of Court?—No.
685. Was your account made out against Campbell?—I cannot say.
686. Who did you consider liable?—In the first place, I considered Angus liable.
687. You did not bill him?—There was no earthly use in billing him.
688. Did you tell Constable Christie that Campbell was liable for the bill?—I said I believed he was liable. There was an action going on, and Angus, I think, had consulted some solicitor; and it was talked about in the district that they thought Campbell was liable, and of course Campbell must have thought himself liable or he would not have paid me.
689. You say Christie did not retain anything from you?—No, nothing.
690. What did you give him?—I gave him nothing.
691. Did you return him a pound?—I returned no pound.
692. What reason had you for asking Christie to collect this money?—I thought he was a very useful man when he was going down there.
693. Did you know he was a police constable?—I did.
694. Did you know he had his duties defined?—I did.
695. Did you consider it part of his duty to collect accounts for private citizens?—I know nothing about that.
696. Did you arrange with Angus to give him £3?—I spoke to Angus and told him he would get something if I got the money.
697. Did you tell him how much he would get?—I think I told him £3.
698. Did you tell him what you were going to charge him?—I think I did.
699. How much was it?—Eleven guineas.
700. Did Angus get the £3?—I do not know.
701. Did you give it to Christie to give to him?—Christie kept it to give him.
702. Did you get a receipt for that?—No, I did not ask for a receipt.
703. Did you give a receipt to Campbell?—I do not know.
704. What did you do?—I suppose Christie gave him a receipt.
705. What other amounts has Christie collected for you?—Not a farthing.
706. Did you give him authority to collect this from Campbell?—I merely mentioned it verbally to him.
707. You thought that would be sufficient?—Yes.
708. Did you arrange with Campbell before Christie went?—I think I spoke to him about the account.
709. Did you arrange with him?—I do not think I did arrange with him how it was to be paid.
710. Had he agreed to pay at the time Christie took the account?—Yes.
711. Who to?—To him, I suppose.
712. When was the last time you spoke to him about it?—I do not remember.

713. When was the arrangement made?—I cannot tell you; I do not remember.
714. Then, Christie made the arrangement with him?—I suppose he did.
715. *The Chairman.*] Do you suppose he made any arrangement?—Yes, with Campbell, to pay me.
716. *Mr. Taylor.*] You had not made any arrangement with Campbell?—No.
717. Did you tell Christie you thought Campbell ought to pay any definite amount?—I do not remember.
718. Did you tell him he ought to pay £15?—I do not remember.
719. Did Christie get the money on the first application?—I do not know.
720. How long was it between the time you gave him the account and when you got the money?—I cannot say. My memory is bad, and I have too much to think about.
721. Had you any conversation with Christie at all when he paid the money over?—I do not remember.
722. There would be surely some conversation?—Very likely some general conversation.
723. Do you recognise that document, being your receipt for £11 11s., made out in the name of Mr. Robert Angus?—Yes.
724. Is that in your writing?—Yes.
725. Who is it made out against?—Robert Angus.
726. Well, now, when did you send that to Campbell?—I cannot tell you from recollection.
727. Are you sure you did not give that to Angus?—I cannot say.
728. Did you ever see that document, being a receipt given by Mr. and Mrs. Angus to Mr. Campbell in full satisfaction to all claims against him for damages on account of the accident to Mrs. Angus?—No, I do not think so.
729. You did not throw Christie £1 when this was settled up?—No. I told you before I neither threw him anything nor gave him anything.
730. *The Chairman.*] You did not give him anything?—Not one farthing.
731. *Mr. Taylor.*] Did you see Mr. Angus about this case?—I saw him on Sunday.
732. Did you tell him not to come up here?—No; I did no such thing.
733. Did you see Mrs. Angus?—I saw her at the door, but did not speak to her. I was in a hurry when passing.
734. You did not stop at all?—I stopped for a second. I spoke to Angus.
735. Did you see Mr. Campbell?—Not for months and months.
736. Have you seen Mr. Paterson?—I saw him this morning. I said "Good-day" to him. He said he was coming into Dunedin this morning.
737. *Mr. Macdonald.*] Did Angus tell you on Sunday that Christie had retained £1 10s. of this money?—Yes. I said, "Well, Angus, why don't you get the money from him?" and he said, "I have written to him, and cannot get the money."
738. *Mr. Taylor.*] Was not the name of Mr. Ross, Clarkville, mentioned with Mr. Angus the other day?—I do not know him.
739. Did he tell you at the same time this was money he had received from Ross?—No.
740. You are perfectly certain?—Yes.
741. You have a good memory?—Yes, for that.
742. Did he mention the name of Ross?—I cannot tell you. I was too busy to listen to any tattle about Ross.
743. If Angus says it was £1 10s. connected with Ross that Christie retained, will you contradict him?—I will not say.
744. Have you had a conversation with Christie to-day about this case?—No.
745. You remember the Vial prosecution on the 13th March, 1895?—I do.
746. You were a witness?—I was not subpoenaed. I volunteered to give evidence.
747. Do you remember Anderson's prosecution in August, 1896?—Yes.
748. Were you a witness in that case?—No.

WARD GEORGE WOHLMANN, further examined on oath.

749. *The Chairman.*] There are some suggestions, I understand, which you omitted to bring before us yesterday?—Yes; it is in relation to Sunday four hours' leave. I would not have alluded to the matter at all, only it was mentioned in evidence two nights ago. We informed our Inspector of our desire, and he very kindly assured us that if he found it practicable, and in accordance with the system that was employed in Wellington and Christchurch, he would be willing to give it to us. That would give us a day off every month. He assured us he would give it to us if he was satisfied; and we were satisfied with his assurance, but as the matter was mentioned in evidence the other night I thought I would like to make a remark upon it. It was stated that the eight most dangerous hours in the week were the four hours on Saturday night from 5 to 9 p.m. and from 5 to 9 o'clock on Sunday morning, because on Saturday night most people are about, and so most constables are required; and on Sunday morning no people are about and property is left unprotected. However, I would like to point out this fact, and I think I am well within bounds when I state that the arrests made on Saturday night are at least 300 per cent. above the arrests made on the supposed dangerous hours on Sunday morning, so that if the ordinary compliment of four policemen are sufficient to cope with the arrests on Saturday night, I think one-third at least should be sufficient to cope with the arrests on Sunday morning. But to give a margin of one-third for safety, half the number of men should be sufficient to cope with the crime on Sunday morning, so that it is not unreasonable for us to request that half the men should be allowed off, so as to get a full Sunday once a month.

750. What is the excess of arrests on Saturday night?—At least 300 per cent., and I consider I am well within the mark. Constables are transferred here from Wellington and Christchurch, and they come down and tell us how much better off they are in those centres, and that things are

not equal, and, of course, it is liable to make the men a little dissatisfied. I wish also to speak about the pay of plain-clothes constables. I am requested to do so by the members of the Force. I would like to state that the majority of their work is carried on out of the station. They have to incur a great deal of expense in travelling about, which is not refunded by the department. It is reasonable to suppose that they must mix with the majority of the people, and they must associate with criminals, and, if necessary, spend a few shillings over them, so that in their ordinary avocations of following out crime and so on they incur a great deal more expense than do ordinary constables. Also, although it is not pleasant to have to state it, I think it is agreed that there is a certain kind of information that can only be obtained by paying for it. It is a great temptation to a constable who only receives £10 per month and who is on plain-clothes duty to buy information, if by that means he can get it without infringing the law and so help to bring himself under the notice of his superiors and get himself promoted. They are at a disadvantage in this respect. First, second, third, and even fourth-class detectives receive much higher pay than these plain-clothes men, who are paid only as ordinary constables. In their anxiety to obtain notice and get up a good case they will frequently run themselves very short of money, if they think that by the judicious use of a little "palm-oil" they can get information to complete their case. If they are to be of any use at all they must obtain information, and, as I said before, one class can only be obtained in that way; therefore we suggest that a special allowance should be granted to constables doing plain-clothes duty. They have very long hours, and no fixed hours, and may work twenty-four hours a day. Their time is never their own, and if they are married men they have to leave their homes unprotected perhaps for weeks while they are away on special duty. They are continually associated with the lowest stratum of society; and for these reasons we respectfully suggest that they receive favourable consideration for their request, and that a special plain-clothes allowance be given to these men.

ERNEST BINGHAM, examined on oath.

751. *The Chairman.*] What are you?—A third-class constable, stationed at South Dunedin.

752. In your letter you say, "The pay of the average daily labourer has been from 7s. to 8s. per day wherever I have worked for daily wages, therefore I think that in asking for an increase to that amount I need not be considered unreasonable." What class of labour averages 7s. to 8s. per day?—The class of labour I was engaged in.

753. What was that?—Sawmilling; all kinds of work almost in connection with sawmilling.

754. When was it when you say your wages averaged that?—All the time I was engaged in it.

755. What did you join the Police Force at?—£10 per month.

756. Did you think you were joining at a lower pay than you were earning?—I was earning 7s. per day.

757. Then why did you leave to join the police?—I joined the police because I thought it was steady employment.

758. Has it proved so to you?—It has proved steady.

759. What causes your dissatisfaction?—The expenses are higher than I imagined.

760. Is it on account of finding the expenses higher than you anticipated that you ask that the rates should be increased?—Partly.

761. Will you make any observation you wish in regard to these suggestions of yours?—Another reason I ask for an increase of pay is that men working together should have more equal pay, in my opinion. It causes better feeling amongst the men in my opinion.

762. When did you say you joined the Force?—In February, 1897.

763. You think there should be more equality of pay?—Yes, where the work is the same.

764. Do you not recognise that long service should entitle a man to an increase of pay?—Yes.

765. Where would the equality be?—I am working alongside men who are earning a higher rate of pay.

766. Supposing a man has been longer in the service than yourself, ought he not to have a higher rate of pay?—He joined at a higher rate.

767. Do you suggest that the fact that the arrangement made with him at a higher rate of pay was an injustice when you entered into an arrangement at a lower rate?—It was no injustice to me.

768. But you think there should be equality?—I think there should be equality when men have the same work, making due allowance for the number of years of service.

769. You mean equality at the time of entry, with a rising pay for length of service?—That is a matter I have not gone into.

770. What do you suggest in the case of these men who have entered at a rate which, by their agreement, is higher than the rate at which you entered?—Certainly not to reduce them, because the pay for them is not too high. I wish to point out that the payment I receive I scarcely consider high enough, the expenses being higher than I imagined.

771. That is, the rate you agreed to serve at; but you find the expenses higher than you anticipated, and therefore you think that fact should be taken into account?—Yes.

772. What are the expenses you find heavier than you anticipated?—The expenses of living.

773. Are you a single man?—No.

774. Where were you living at the time you joined?—In Southland, at Winton.

775. Do you find it more expensive living where you are now stationed than where you were living?—Yes.

776. Have you quarters?—No, I pay rent.

777. How much?—About 6s. per week at the present time. I have paid higher.

778. You have a small family?—A family of one.

779. Were you married when you joined?—Yes.

780. What were you paying in rent when you joined?—I was paying 2s. 6d. for a four-roomed house with a good garden attached to it.

781. Your letter contains several other suggestions, and you suggest there should be house-allowance for married constables; you are speaking of all married constables?—Yes.

782. And you continue: "As to the former, I desire to say that I think it should be granted, for the following reasons: Sergeants receive it; constables in charge of stations receive it; some married constables who are not in charge of stations receive it; all single constables have barracks, fuel, and light provided them at the country's expense. Married constables have to provide all the above out of a pay that I think will be admitted is not too high for the single men. For myself, although I have only a small family, I find that after paying my just debts at the end of each month, and living with the strictest economy, there is nothing to put by as a nest-egg for old age, or in case of sickness to pay a doctor." You say that is so?—Yes.

783. And you wish us to take that on oath?—Yes.

784. And all the rest of your statement contained in this document you wish to be taken on oath?—Yes.

785. You go on to say: "By the terms of Regulation No. 209, married constables are to reside in the locality selected by the Inspector. That being so, I submit that that alone is sufficient to justify married constables in asking for this concession, as it may not always be to the convenience of the pocket or otherwise of the constable to have to reside where the Inspector directs; but, together with the previously-mentioned facts, I think that a case is made out sufficiently strong to justify the Commissioners in seriously considering it in their report. In regard to the pay, I beg to point out that it does not, to my mind, appear just that there should be the inequality that at present exists in the remuneration given to men doing the same work. To explain: third-class constables, who may have joined nine or ten years ago at 7s. per day with no reduction for enforced insurance, those who may have joined one or two years ago at 6s. 8d. per day (£10 per month), less reduction for enforced insurance, and, it may be, second-class constables with their fourteen or fifteen years' service, having received a higher pay from the first, 6d. a day with their grade, their long-service pay, and no reduction for enforced insurance—they all do duty together, have the same duties, the same hours, and the same responsibilities; in fact, are equal in everything but the pay. I do not say that I think the senior men are receiving too high a pay, but I submit that where men are doing the same duty, after making due allowance for a number of years of faithful service, the remuneration should be more equal. Regulation No. 28 provides that no member of the Force will be allowed to engage in any business or trade, either by himself or his wife. That regulation, if it is to be enforced, provides a sufficient reason for asking for an increase for the lower-paid men, as it prevents them or their wives doing anything to augment their pay in any way. To adjust the foregoing, I beg to suggest the following: Raise the pay of those who joined at £10 per month to 7s. per day—not an extensive rise; permit constables' wives to engage in any little business on their own account; and provide for a rise in pay or grade every five years if the defaulter's sheet reasonably permits of the same." That is the suggestion you wish to make in addition to the one I have already referred to about the pay?—Yes.

786. *Colonel Hume.*] In the sawmilling trade, you say, the men get from 6s. to 7s. per day?—From 7s. to 8s., and some get 9s.

787. What do you consider they earn a month; how many days do they work on an average? According to the master.

788. Not according to the weather? You cannot work in all weathers?—Well, under one master I only lost about two or three days in three or four months. I believe the most I have lost is five or six days in a month.

789. Then, you cannot give us any average?—No, not so far as my experience goes.

790. *The Chairman.*] You consider you improved your position by getting your present appointment at 6s. 8d. per day?—In some ways, but not in all. Although I did not earn so much money before I joined the Force I could save more. The expenses of uniform and other things eat all I could save.

791. Did you earn £10 per month at the saw?—No.

792. *Mr. Poynton.*] You had no temptations such as are in the way of policemen in your sawmilling career?—No.

793. *Mr. Tunbridge.*] Have you formed any opinion as to which you think preferable, a retiring-allowance or a pension?—So far as I have thought it out I would prefer a pension to a retiring-allowance.

794. Assuming a pension system were adopted, you would not be called upon to keep up your life-policy; and would you, then, be prepared to contribute towards this pension?—That would depend. Supposing a system were adopted, would the money that had been deducted for life insurance be put to the pension fund?

795. You would not be compelled to keep up your life-policy, and would probably get a surrender value. I mean, if a pension were granted it is improbable that the Government would continue to insist on your keeping up your life-policy?—I would understand that the department would not oblige me to keep it in force.

796. Then, that being so, would you be prepared to contribute towards a pension?—Certainly.

797. As regards pay, would you prefer the present system of classes to go on, or would you prefer to rise by small annual increments?—That is a matter which has not been brought under my notice, and I have not thought it out.

798. The men who did not join under the £10 per month system received when they first joined 7s. per day?—I understand so.

799. And their maximum is 8s. per day?—Yes, as a first-class constable.

800. Would you prefer to remain under that system, with a chance of getting your class at certain periods, or would you prefer to rise by a series of small annual increments, say of 2d. a year, and gain your maximum in six years?—I would prefer to rise by the small amount.

801. And do you think it would give more satisfaction to the men?—Yes, because probably there are some who would not qualify to be classed as second-class constables for a great number of years.

WILLIAM STONE PARDY, examined on oath.

802. *Mr. Tunbridge.*] You have been in charge of the Dunedin district ever since Prohibition was passed for Clutha?—Yes.

803. And all arrangements for carrying out the prohibition law have been in your hands?—Yes.

804. Now, will you kindly state briefly the number of persons who have been employed in connection with the detection of sly-grog selling since the Act came into operation—I mean special persons, outside the constables stationed at the three stations in the Clutha district?—I must have had fully thirty different persons at different times.

805. Police and others?—Yes, and private persons.

806. The number of prosecutions, I believe, is seventy-nine?—Yes, and twenty-six convictions.

807. What is the aggregate amount of fines imposed?—£645. That is for the Clutha district, solely in connection with sly-grog selling prosecutions. In addition to that there are all the Court fees.

808. Throughout the whole of this period of three years and eight months, has there been any lengthened time without special endeavours being used?—No. I am always working at some part of the district. But, you see, after a conviction in one part of the locality they would be on their guard, and it is only after some considerable time that we are able to get hold of them again.

809. Have all the suggestions you have made to the department been readily acceded to by the head of the department?—Yes.

810. And have you invariably given the fullest possible consideration to suggestions made to you by the constables at the various stations?—Yes, and where practicable I have carried them out. Of course, constables have not the experience I have had, and some of their suggestions have been crude.

811. Have you not endeavoured to your very utmost to stamp out this sly-grog selling?—I have devoted my whole brain-power to it. For hours and hours, when I ought to have been sleeping, I have been studying and thinking how I could plan to circumvent these sly-grog sellers. In fact, during that time my life has not been worth living.

812. Has the department at any time curtailed you in any way in money expenditure?—In no way whatever. On one occasion even, I incurred expenditure in employing men without authority.

813. Briefly, it has been a pretty considerable tax on the department for the special payment of men acting as spies, and special allowances to the police?—Certainly. I can say no Prohibitionists have shown more zeal in the matter than I have.

THURSDAY, 7TH APRIL, 1898.

JAMES HOGG, examined on oath.

1. *The Chairman.*] What are you, and where do you reside?—Watchmaker, residing at Balclutha.

2. *Mr. Macdonald.*] How long have you been residing in Balclutha?—About twenty-seven years.

3. Did you know Constable Christie while he was there as police-officer?—I did.

4. Did you have an opportunity of seeing how he performed his duties as police-officer?—Yes.

5. I understand you live in a central part of the town?—I do.

6. What is your opinion as to the way in which he performed his duties?—I have frequently formed the opinion that Christie performed his duties in a very excellent way, and seemed to be very painstaking.

7. Do you remember an incident when Mr. Henry had some rotten eggs thrown at him?—I do.

8. It was about New Year time, I understand?—Yes, New Year's eve.

9. Can you say whether Constable Christie at that time made any efforts to discover who it was that perpetrated that outrage?—Yes. As far as I could judge, he used the most strenuous efforts to find out who the culprits were.

10. We were told there was a large crowd there, and some people were suspected, but that there was not evidence sufficient to identify them?—Yes. The suspected ones, of course, tried to throw the blame on other shoulders, and the difficulty seemed to be to find out who were really guilty.

11. *The Chairman.*] What facilities did you have for knowing what steps Constable Christie took to discover the offenders?—The facilities I had of knowing were that Constable Christie questioned me very closely on the case, and with reference to these people: "Had I seen them?" and he also cross-examined my boy, who was playing in the band at the time.

12. *Mr. Macdonald.*] Do you know whether he made any inquiries up and down the town, and did his very best to find out?—Yes.

13. Do you remember the incident about Ramage?—Yes, I remember that clearly.

14. That was, I believe, perpetrated by some larrikins about New Year's time?—Yes.

15. There was a crowd there, and the difficulty in that case was to identify who had done it?—Yes. It was even more difficult than in the case of Henry.

16. Do you know whether Constable Christie made active inquiries with a view to finding out the perpetrators on that occasion?—Yes, I have reason to believe he made very active inquiries.

17. Do you know whether there was really a difficulty in finding out who they were?—I should say there was a great difficulty.

18. *Mr. Taylor.*] What do you know of your own knowledge about the difficulties of discovering the culprits in this case?—I know that these people backed each other up in conniving and throwing the blame on others.

19. Who backed each other up? What people?—I do not think it is fair to mention names.

20. Were certain names mentioned to you?—Certainly.

21. Who told you them?—It was a general topic of conversation in town.

22. As to who the suspected men were?—Yes.

23. Outside of that, do you know anything of the efforts Christie made—did he tell you what steps he was taking to discover them?—No.

24. How do you know he took any steps at all?—I simply know by his making inquiries.

25. Of other people?—Yes. I know he made inquiries of other people.

26. They told you?—Yes.

27. Were you very friendly with Christie when he was in Balclutha?—Well, yes; not altogether very friendly. I may mention one thing: he succeeded in getting a conviction against my son once for breaking some railway-carriage windows.

28. As a matter of fact, were you not very friendly with him—were you not in the habit of meeting him and having a chat?—Oh yes, certainly.

JAMES O'NEILL, examined on oath.

29. *The Chairman.*] What are you?—I am a Catholic priest at Milton.

30. *Mr. Macdonald.*] I understand, Father, that your duties frequently take you to Balclutha?—Yes; Balclutha is my district.

31. You are frequently there?—I am frequently there.

32. Did you know Constable Christie while he was stationed at Balclutha?—Yes.

33. Did you have opportunities there of seeing how he comported himself as a constable, and attended to his duties?—I had considerable opportunities of seeing the way in which he discharged his duties.

34. Did you form an opinion?—I formed an opinion that, considering the exceptional circumstances of the place, he did his duties in a very efficient manner.

35. Active and obliging?—Always active, as far as I could judge, and always attentive to his business.

36. Now, do you remember being at Balclutha while an incident occurred about rotten eggs being thrown at a man named Henry?—I was in Balclutha a few days after that incident.

37. I understand, in a country place like that, it was a topic of conversation?—It was talked about a good deal.

38. And we have been told there was a difficulty in identifying the offenders?—So I understand.

39. Can you say whether Christie was making inquiries with a view to discovering who the offenders were?—I recollect seeing Christie after this, and I was given to understand that his purpose in visiting the place where I stayed was to make inquiries regarding this offence.

40. So that he was apparently doing his best to find out the offenders?—As far as I could judge, he was doing his best to find out the offenders.

41. Do you remember also on another occasion, I think about twelve months before or after, that incident which happened to a man named Ramage, who had some windows smashed in?—I heard something about that.

42. Do you know whether the constable made inquiries with a view to bringing these people to justice?—In reference to that case I have no definite knowledge of Christie having done anything, but I conclude from my general knowledge that he on that occasion did his duty as he did on other occasions.

43. I suppose you are frequently at Balclutha?—Well, perhaps about twice a month—sometimes more, sometimes less.

44. And while there, I suppose, you are brought into contact with all classes of people?—I meet all classes of people. When there were licenses in the district I stayed in a licensed house, and continued to stay there when it was converted into a boarding-house; and sometimes I have seen Christie go there in the performance of his duties. I have had occasion once to call his services into requisition to obtain an article that was stolen, and I found he was very diligent and made every effort to secure the article, which had been stolen from our bazaar.

45. Was that an offence that arose at Balclutha?—It was committed at Balclutha. It was the stealing of a flag connected with a bazaar that was on at the time. Some person stole it out of a lark, and Christie made diligent efforts to sheet the offence home. The flag was returned to me; and Christie told me when next I saw him that, suspecting the offenders, he had warned them, and on that account the flag was sent back to me.

46. *The Chairman.*] Was there any prosecution?—I did not want any prosecution.

47. *Mr. Macdonald.*] You did not want a prosecution?—I did not want a prosecution. I only required to get the article back, and I instructed him to that effect. I instructed him not to take legal proceedings to get the article back.

48. You say that, being there as frequently as you are, generally speaking, he performed his duties to the satisfaction of the public?—I have never known him, to my own personal knowledge, to be deficient in any way in the performance of his duties.

49. *Mr. Taylor.*] Where were you staying when Christie called upon you in connection with the outrage to Mr. Henry?—At McCorley's Railway Hotel.

50. It was not a licensed house then, was it?—I fancy not.

51. Did Christie call on you there?—He did not call on me specially. He happened to be in the house making inquiries, and I was told the object of his visit.

52. When were you told?—On the same occasion.

53. That very day?—Yes.

54. You referred to exceptional circumstances in connection with the performance of police duty. What exceptional circumstances do you refer to?—The exceptional circumstances that I refer to are the state of feeling that has been aroused by the exceptional legislation under which Balclutha is at present suffering.

55. Suffering?—Suffering.

56. Do you mean the legislation that the people of the Clutha district have adopted?—I mean that, in general, the circumstances of the Clutha are such as to make it very hard for any policeman to do his duty with satisfaction to all parties.

57. He asked you to give evidence in this case?—I was summoned by the Commission.

58. Have you been interviewed on the matter?—No, I have not.

59. Had any discussion with Christie on it?—No discussion.

60. Or Mr. Macdonald?—Or Mr. Macdonald.

61. How often do you go to Balclutha?—My regular visits were once a month, but I have occasion to go in the intervals—on the occasion of sick calls and other duties.

62. Did you see Christie every time you went?—I dare say I did not.

63. How long did you stay there when you went?—For parish purposes I generally went on Saturday and returned on Monday. There was a time when I used to go regularly twice a month.

64. On an average three days a month you stopped there?—I should say more than that. I should say four days in the month.

65. That is, forty-eight days out of 365. You have no knowledge of what Christie was doing the rest of the year?—I have seen him in other parts of the district. Catlin's River is also part of my district, and I have frequently seen him there.

66. Did you give him instructions not to prosecute in connection with the recovery of that flag before or after the recovery?—Before the recovery and after.

67. It was stolen from some bazaar?—Yes; it was stolen from a line across the road.

68. Do you remember what part of McCorley's Christie was in when you saw him?—I cannot say that. I have no distinct recollection as to what part of the house he was in, but, generally speaking, there was a room where I most frequently saw him. There was a little room facing the south.

69. How frequently did you see him there?—Well, I cannot say that I have seen him there very frequently, but whenever I did see him it was in that room; and on that occasion, as far as my recollection serves me, it was in this room he was consulting the people of the house regarding this outrage.

70. On other occasions what was he doing there?—Doing his business, I expect.

71. Did you see him there before the license was taken away and after?—Yes, I believe I have seen him a few times.

71. *Mr. Macdonald.*] With regard to this flag, you say you did not want to prosecute?—I did not.

73. Was it really an act of stealing, or was it done by larrikins in the nature of a "lark"?—I had reason to believe afterwards it was meant for a "lark," but Christie did not know that then, nor did I. I was very angry at the time, and I went to him at once and told him about it, and he set himself at once to find out. He made various suggestions as to who would be the likely ones to do it. There were some parties there from Kaitangata that day, and he suggested some of those were the guilty parties, and, as far as his knowledge of the people went, those who were likely to do such a thing. He said he would hunt the thing up. I told him I did not want to prosecute. I only wanted the flag, because I wanted to return it to the owner.

74. You came to the conclusion it was not intended as an act of theft?—I came to that conclusion, Yes. I had reason to know afterwards it was entirely a "lark."

75. That had something to do with your instructions not to prosecute?—Yes. I had reason afterwards to believe it was a "lark" from the very first. Christie warned those he suspected, and the flag was forwarded to me at Milton by some unknown person.

76. I understand you to say that the general circumstances of Balclutha make it very difficult for a constable to perform his duties satisfactorily?—Yes.

77. I suppose what you refer to, Father O'Neill, is this: Owing to "No license" being carried there are two factions in existence—the extreme temperance people, and what are called the moderate people?—The Prohibitionists and the moderate people.

78. There is no doubt whatever these two factions exist in the town and surrounding district?—They cause a very large amount of uncharitableness and a large amount of bad feeling, which, in my opinion, makes it very hard for a policeman to do his duty.

79. One of the duties of the policeman is to keep clear of both factions, and do his duty by everybody?—I consider one of the duties of a policeman is to keep both sides from having reason for finding fault.

80. If he is friendly with the Prohibitionists the other side does not like it, and *vice versa*—in fact, there is a very strong feeling on the drink question up there?—Yes. I am in a position to know that it has been the source of a considerable amount of uncharitableness and bad feeling.

81. Although the Prohibitionists are in the ascendant and carried this vote, a very big minority have a very strong feeling of dissatisfaction at the existing state of affairs?—A very big minority are

very dissatisfied with it; and the travelling public, who are much inconvenienced by it, are very dissatisfied with it. Most people that I have spoken to on the subject say it is a decided hardship.

82. I believe the feeling goes as far as this: A great many who actually voted at that time for Prohibition would vote the other way if they had the opportunity?—Several have told me so.

83. And you say, whenever you saw Constable Christie at any of these hotels it was in the performance of his duty as a constable?—Yes, in the performance of his duty, not in the performance of my duty. I have always, as I have said, found him a most efficient and obliging officer, and whenever I had occasion to speak to him to have anything done he was always energetic and courteous.

84. *Mr. Poynton.*] Is he a member of your congregation?—No, he is not, and never was, as far as I know, a member of my congregation.

85. *Mr. Macdonald.*] When Christie went into this hotel, and you saw him there, he was making inquiries, as a constable should do, about matters connected with the town?—Yes, that is my meaning. The proprietor occupied responsible public positions, and was consulted by Christie.

JAMES HOGG, further examined on oath.

86. *Mr. Macdonald.*] You heard Father O'Neill state that the existing state of affairs in Balclutha made it very difficult for a police constable to perform his duties there, owing to this "No license" being carried?—That is distinctly my opinion too. It makes it very difficult.

87. May I ask which faction you belong to?—I belong to neither faction. I did take a prominent part at the time Prohibition was carried in Balclutha; since then I have had reason to change my ideas.

88. *The Chairman.*] What part did you take?—Prohibitionist.

89. *Mr. Macdonald.*] Since then you have changed your ideas?—Yes. I do not think it is a success.

90. Is it not a fact that a very large minority of the people are very dissatisfied with the existing state of affairs?—Yes.

91. And the result has simply been to create two factions in the community—the Prohibitionist, and the moderate party?—Yes.

92. And a very strong feeling exists, the one against the other?—Yes.

93. And the result of that is, it makes it exceptionally difficult for a constable to perform his duties to the satisfaction of the entire community.

ANDREW CHRISTIE, examined on oath.

94. *The Chairman.*] You are a second-class constable stationed at Mosgiel?—Yes.

95. You were a constable stationed at Balclutha, between what dates?—From 1891 till 1896.

96. And when was "No license" carried?—1894, I think.

97. *Mr. Macdonald.*] Is it a fact that there was considerable feeling between the factions up there at the time this "No license" was carried?—Yes.

98. Did that feeling continue to exist during the whole time you were there afterwards?—It did.

99. Can you say that there is a great portion of the community there dissatisfied with the existing state of things?—That is so.

100. And I suppose the effect of that would be, it makes it exceptionally difficult for the police to suppress sly-grog selling?—Yes.

101. As a matter of fact, the sympathies and feelings of a large portion of the community would go to thwart the police in the performance of their duty in suppressing sly-grog selling?—Yes.

102. I suppose you had cases of sly-grog selling while you were there?—I did.

103. Did you not find it exceptionally difficult to get witnesses to go to Court and give evidence against these people?—Yes.

104. It was more difficult to get witnesses to give evidence than in any other class of case you had to deal with?—That is so.

105. Caused entirely by the sympathy of a large portion of the community with these people?—Yes.

106. Is it not a fact that a police constable, in discharging his duty efficiently, as far as sly-grog selling is concerned, makes himself obnoxious to a large portion of the community there?—Yes.

107. Incurs their displeasure?—Yes.

108. Was this not your experience in getting up evidence in these cases? Frequently witnesses refused to give evidence?—Yes; they did so.

109. Pretended not to know anything about it?—Yes.

110. And in some cases they gave you statements, and when you got them to Court they gave entirely different statements?—That is so.

111. That was not your experience in cases of theft, or in any other class of case you had to deal with—not to such a degree?—Oh, no.

112. I believe after you had had some experience in this way you adopted the course of taking written statements from witnesses when you could get them?—Yes.

113. It was difficult to accomplish that many times?—It was, very.

114. Did it not happen that you had a great deal to contend with in witnesses departing from their written statements, and giving entirely different evidence in the Court?—It did.

115. On various occasions?—On various occasions.

116. In fact, the community looked at a sly-grog case in an entirely different light from any other class of offence?—They did.

117. And the great portion of the community endeavoured to screen them as much as they could?—That is so, yes.

118. Notwithstanding that you were fairly successful in getting several convictions?—I was, I had seven or eight cases altogether.

119. There was one man named Moir you had how many convictions against?—Four.

120. And I think the total amount of his fines came to about £300; is that correct?—It is correct.

121. His cases were fought very desperately, and I think one of them went to the Court of Appeal?—It did.

122. He stated that while you were at Balclutha you used to go to the Farmers' Arms Hotel and get your whiskey regularly?—It is false. I never drank in the man's house in my life. I never drank in Moir's house in Balclutha.

123. As a matter of fact he has a strong feeling of revenge against you over those cases?—That is so. He passed me in the street, and never spoke to me.

124. He was one of those who came in after "No license" was carried?—Yes.

125. I think Mr. Hawkins fined him £80 and costs on the last occasion?—Yes.

126. Do you remember any other convictions for sly-grog selling you had besides these?—Yes. I had a conviction against a man named Anderson.

127. I think he was fined £50 and costs?—Yes. I also had another one against people named Guest.

128. As far as Anderson's case was concerned, I think the Magistrate made some strong observations—that he was determined to put sly-grog selling down if he could manage it, and he fined him £50 for the first offence?—He did.

129. As a matter of fact, did not the Magistrate inflict very severe fines wherever the evidence justified him, as far as you can say?—He did.

130. In some cases, owing to conflict of testimony, the cases were dismissed?—Yes.

131. By the way, in that very case of Anderson's, did you not incur a good deal of odium by bringing some of the most prominent citizens of Balclutha before the Court as witnesses?—That is so.

132. Some Justices of the Peace and others?—Yes; three Justices of the Peace.

133. But you did your duty without fear or favour to anybody?—I did.

134. You also had another conviction, I understood you to say?—Yes, against people named Guest. Guest said, "It was not me; it was the wife that sold it." The wife was charged, and she was fined £6.

135. There was this peculiarity about Guest's case: he was a very strong Prohibitionist?—Yes.

136. And a storekeeper there?—Yes.

137. So that was out of the ordinary run of cases with which you had to deal?—Yes.

138. He was one of the leading Prohibitionists of the town?—Yes.

139. So that you distributed your favours both on the old hotels and sometimes on the Prohibitionists, if you found they were infringing the law?—Yes.

140. I suppose the result in that case was not to get you into very good repute with the Prohibitionists; there was a very strong feeling about that case amongst the Prohibitionists at the time?—Yes.

141. By the way, did Mr. Adams, who gave evidence yesterday, ever prosecute in any sly-grog case while you were there?—No.

142. Did you have any other convictions, as far as you remember, besides those you have mentioned?—There were two others at Catlin's.

143. Do you know of your own knowledge, in addition to the convictions you obtained and in addition to your own efforts, that people were sent out from the town with a view of catching these people?—Yes; a number were sent out.

144. On various occasions?—Yes.

145. The result was this: The more convictions you got the more cunning these men became?—Yes. They were more on their guard; in fact, if a stranger came into the town they would watch him all over the place to try and find out who he was.

146. As far as you and the Inspector were concerned, you were doing everything in your power to suppress this evil, both by your own efforts and by importing strangers into the district with the object of catching these people?—Yes.

147. And you found it a very difficult task; and, even after you got cases, you found it very difficult to get convictions?—That is so.

148. I suppose as a constable you find it very difficult to hold the balance evenly between these two factions?—That is so.

149. How does your defaulter's sheet stand?—It is clean. The merit-sheet is as follows: "8th May, 1889: For services in connection with the detection and prosecution of Walter Gibb, convicted for illegally shooting pigeons; £1 reward. 6th November, 1889: Services in the detection and prosecution of David Whytoch, for sly-grog selling; £2 reward. 2nd May, 1894: Obtaining a conviction against William Guest, at Balclutha, on two charges of sly-grog selling; £2 reward. 13th November, 1895: Obtaining the conviction of William Moir for sly-grog selling; £3 reward. 18th March, 1896: Obtaining a conviction under the Animals Protection Act; £1 reward. 2nd September, 1896: Obtaining convictions against William Moir and J. Anderson for sly-grog selling; £8 reward."

150. How long have you been in the service?—Thirteen years and six months.

151. There was a suggestion made by Mr. Taylor, when Mr. Dunne was being examined as to the way he had boasted about getting you removed from Balclutha. Did you ever hear of such a thing?—I never heard of such a thing.

152. As far as you know, there is no truth in it?—That is so.

153. You heard the charge made against you by Mr. Henry?—Yes.
154. Well, he admits that you made certain inquiries, and that you ultimately told him you had not sufficient evidence, but if he wanted to lay an information you would do the best you could for him?—That is so.
155. Did he tell you the persons whom he suspected?—He could not say who he suspected. One or two he named.
156. He said there was a large crowd there, and he suspected some persons in the crowd?—Yes.
157. Was there a difficulty in identifying any of them?—He told me he could not identify any of them.
158. The evidence he himself possessed was not sufficient?—No, it was useless.
159. And the result of your inquiries did not enable you to get sufficient evidence?—No.
160. Did you invite him to lay an information, and tell him you would give him all the assistance you could?—I did.
161. As to the Ramage case, you heard about his complaint—that he got some of his windows smashed in?—Yes.
162. Had he any evidence sufficient on which to lay an information?—None whatever.
163. Did you make inquiries with a view to discovering who the offenders were?—I did.
164. Did you ask him to lay an information?—I did.
165. Did he decline?—Yes, he declined. He said he would not lay an information.
166. And the evidence you had at your disposal was not enough to secure convictions?—No.
167. Did you tell him that?—I did.
168. You heard what Ramage said: that on one occasion he gave you 2s. as commission for recovering a bad debt?—It is a falsehood.
169. Did he offer you 2s.?—I do not remember. I do not think he did.
170. At all events, you are clear about this: he never gave you 2s.?—I never got a sixpence from him.
171. But you are in doubt as to whether he offered it to you?—Yes.
172. But you are quite clear you never got it?—Yes.
173. By the way, did Henry ever make a charge against you, notwithstanding the long time that has elapsed from the time this thing happened until now?—No, I never heard of it before.
174. Or in Ramage's case?—No, neither.
175. Have you had other charges brought against you by the inhabitants of Balclutha, with these two exceptions, although you were stationed there about six years?—No.
176. As far as this charge of Anderson's is concerned: you have heard what Mr. Campbell said—that he only paid you £11: is that correct or not?—That is correct.
177. He only paid you £11?—That is all—£11.
178. You paid £8 of it to Dr. Smith, according to arrangement, and £3 to Mr. Angus?—That is so. That is how the money was disposed of.
179. That was in pursuance of an arrangement entered into between Dr. Smith, Mr. Angus, and Mr. Campbell?—Yes.
180. I believe Campbell lived about twenty-five miles off?—Yes; at Owaka.
181. And at that time the place was inaccessible by railway?—Yes, there was no railway there.
182. I suppose you, in the ordinary course of your duties as constable, made periodical visits to this place?—Yes.
183. And it was on one of these occasions that Dr. Smith asked you to get this money for him?—Yes. He asked me if I would oblige him by getting this money from Campbell—to save him a trip.
184. *The Chairman.*] Did you go specially to get this money?—No, I was on my police duty.
185. Had you anything to do with effecting a compromise, or was it effected before you were asked to collect the money?—It was effected before I was asked to collect the money.
186. Had you anything to do with making arrangements?—No, I had not.
187. *Mr. Macdonald.*] How much were you asked to get?—£11. The doctor gave me a receipt. He said, "You give that to Campbell, and you will get eleven guineas; but," he said, "never mind the eleven guineas, fetch me £11 even money." Campbell met me at the boarding-house where I was staying. He said, "Here is £11 for Dr. Smith."
188. Was it in cheque or in money?—Money.
189. Did you ever tell Angus you got a cheque?—Never did.
190. In giving Angus £3, did you tell him you would pay him the balance by-and-by?—No; I had no balance to pay.
191. Did you ever tell him on a subsequent occasion at the railway-station that you were going to keep the 11s. for your trouble?—No, certainly not.
192. You had no balance in your custody?—No. I never spoke to the man about it, nor he to me.
193. *Colonel Hume.*] You collected this debt for this man Ramage, did you not?—No, I did not collect it. Mr. Burley met me in the street, and he said, "Christie, Ramage is going to summon me. You had better pay it for me, and I will pay you again."
194. This was in Balclutha?—Yes.
195. The man had only got to walk a few yards to do it himself?—He had not the money to pay it.
196. Yesterday, it was stated, there was considerable delay between the time judgments were given and the time the amounts were paid to the different people: can you account for that?—When any money was paid into Court I paid it the next day.

197. What was the delay in paying in cases that were settled out of Court?—There was no delay. I paid the money immediately I got it.

198. As regards this place where Campbell resides, is there no bank or post-office?—There is a post-office—no bank.

199. A money-order office?—I do not think there is a money-order office.

200. I understand you to say you have never taken commission at all?—Never.

201. Never taken a present for collecting money?—Never.

202. What was your object in collecting these debts?—I did not collect any debts.

203. You virtually collected from Campbell?—No. Dr. Smith gave me a receipt, and asked me if I would oblige him by fetching this money.

204. What was your object in mixing yourself up in money matters with any of the people in your district, apart from the cases which came into your hands as Clerk of the Court?—I only did it to oblige Dr. Smith. It is twenty-five miles to the place, and he asked me if I was going down to Catlin's. I said I might be going down during the week. Then he asked me to do this.

205. Had you no supposition you would be paid for that?—No.

206. Or, did you intend to take anything if it had been offered?—I would not have taken anything supposing the doctor had offered it.

207. As regards sly-grog selling at Clutha, were your suggestions to the Inspector usually carried out?—They were.

208. And you were not thwarted in any way?—No; Inspector Pardy gave me every assistance.

209. *The Chairman.*] With regard to the case mentioned by Mr. Paterson, what do you say to that?—I deny that I retained the money in my hands; and Mr. Paterson, since he gave the evidence, admitted to me he had made a mistake.

The Chairman.] In his evidence at Invercargill, Constable William Walker requested that his defaulter's sheet should be examined. He was under the impression there were only two minor offences recorded against him. His defaulter's sheet now being produced shows that he was charged on the 10th October, 1878, with being absent from duty for four hours, and insubordinate conduct towards Sergeant Hannon, for which he was cautioned. On the 24th October, 1889, he was charged with misconduct in entering a house and attempting to take liberties with a woman therein. He was reprimanded for the entering, and found not guilty of taking improper liberties. In April, 1891, he was charged with slandering prominent residents in the North-east Valley, and was severely reprimanded, and cautioned as to future conduct. His merit-sheet is a very satisfactory one.

The following letters from Sergeant John Dwyer were handed in:—

SIR,—

Police Office, Clyde, 31st March, 1898.

In giving evidence before the Police Commission on the 26th instant, the question was raised that I was wanting in experience as a police sergeant in conducting cases in Court.

As I have brought several cases before you during the time I have been stationed in your district, I shall esteem it a great favour if you will kindly say how I have brought these cases into Court, and conducted them there.

I have, &c.,

S. E. McCarthy, Esq., Stipendiary Magistrate, Queenstown.

JOHN DWYER, Sergeant of Police.

SERGEANT DWYER, Clyde,—

Magistrate's Office, Queenstown, 1st April, 1898.

I am in receipt of your letter of the 31st ultimo enclosed herewith. In reply, I have to state that I have found you quite competent to conduct cases before the Magistrate on behalf of the police. You have always acted in an impartial manner, and yet not forgetting that the accused has his rights as well as the prosecution.

I have also further to add that, since your advent to the district under your care, there has been a marked change for the better in the administration by the police of the Licensing Acts in that portion of my district.

S. E. MCCARTHY, S.M.

OAMARU.

WEDNESDAY, 13TH APRIL, 1898.

THOMAS O'GRADY, examined on oath.

1. *The Chairman.*] What is your rank in the Force?—I am a first-class sergeant, stationed at Oamaru.

2. When did you join?—In 1862.

3. Where were you stationed when first joining?—In Canterbury.

4. When were you first stationed at Oamaru?—In 1887.

5. What rank did you hold then?—Second-class sergeant.

6. Were you then in charge of the station?—I was not till four years afterwards.

7. Who was in charge of the station?—Ex-Inspector Andrew Thompson.

8. How long did you remain in that position?—About five years.

9. And then what happened?—Mr. Thompson then retired, and I got charge of the sub-district shortly afterwards, being promoted to first-class sergeant.

10. What force had you under you then?—Eleven men in all, in the sub-district—that is, including Ngapara, Kurow, and Hampden Stations.

11. How many at Oamaru?—Eight, and one each at Hampden, Kurow, and Ngapara.

12. That was in the year 1892?—Yes, at the end of 1891.

13. Have you remained in charge of this station ever since?—I have.

14. What force have you now?—I have eight men, all told, in Oamaru. That includes the gaoler, the plain-clothes man, and the mounted man.

15. Have you charge of these other stations?—Yes.

16. Do you find that force sufficient for the work of your district?—It is quite little enough. The population is about fifteen thousand in the sub-district of Oamaru. I mean the Oamaru Station.

17. Is it enough, or is it not enough, to work your district as you would consider satisfactorily?—At present I consider it enough.

18. What is the actual district?—It comprises the town and suburbs of Oamaru. It extends fourteen or fifteen miles. It extends to the Waitaki, to the Awamoko, to the Otepopo, and to Enfield.

19. Coming to the men stationed here, what rank do they hold?—Constable Joyce, at Hampden, is a first-class constable, and Constables Graham and Bradshaw are second-class constables. They are at the other two stations.

20. What ranks do the men hold in the towns?—Constable Greene is a first-class constable; Constable Christie is a second-class constable; Constable Madden is a second-class constable; Constable Trehey is a third-class constable; Constable Hunt is a third-class constable; Constable Cotter is a third-class constable; Constable Mayne is a third-class constable.

21. You say you consider these men numerically sufficient?—Yes.

22. Are they efficient: that is to say, are they of an age and physically equal to do the work required?—Yes.

23. Do you call them efficient constables?—There are two of them young constables who are learning their position very well. So far I consider them efficient.

24. How long have they been in the Force?—One about two years and six months, and the other about twelve months, I think.

25. And as to the others, do you consider them efficient men?—Yes.

26. Have you had any complaints from them: I do not mean their position in the Force so much as the conditions under which they live?—Constable Hunt has represented for some time the necessity for getting a house, having to pay house-rent. He is a married man.

27. Is he the only married man with you?—The gaoler and Hunt are the only two married men on the station. The gaoler has quarters.

28. What is the gaoler's name?—Constable Madden.

29. What quarters have the other men?—They live on the premises, at the station. Two of them are at present living in the gaol, and three in the station.

30. Where do they mess?—They are boarding at an hotel.

31. What hotel?—Some at the Globe, and some at the Queen's.

32. Why do they not mess at the barracks?—There is not accommodation for them at the barracks.

33. How long has this gone on?—It has existed for several years. The matter had been under the consideration of the Commissioner for some time, and the difficulty arose that there was no respectable boarding-house convenient to the station where the men could procure their meals.

34. How long has this practice been going on?—Since I have been on the station.

35. You found it in practice when you came here?—Yes.

36. Do you consider it a good practice?—I do not. I have always had an objection to it personally.

37. You have brought it under the notice of the Commissioner?—Yes. It has been considered at various times for several years—by Inspector Pender, Inspector Broham, and Colonel Hume. I may say that when stationed at Lyttelton some years ago the same practice prevailed there, and then it was decided that a cottage should be rented by the hotelkeeper, where the men had their meals, outside the hotel.

38. Are you aware of any feeling in the Force with respect to the present compulsory insurance system?—No, I have heard no objection to it since it has been initiated.

39. *Mr. Poynton.*] Is there anything else you would like to say about the Force?—I have heard the matter of pension *versus* retiring-allowance talked of, and I think the majority of the men are in favour of the pension.

40. *The Chairman.*] At the cost of a deduction from their pay?—Yes, at the cost of a small deduction from their pay, with a contribution from the Government.

41. Does that involve in your mind the cessation of the present compulsory insurance system?—Yes, I should say so.

42. *Mr. Poynton.*] Do you think the men should get their uniforms free?—I do. I may say that some years ago a Board of Inspectors recommended that. At that time the detectives only were paying for their clothes. The other men received their uniforms, and the detectives were allowed a certain consideration in consequence of having to provide their own clothes. Shortly afterwards, the free uniform was dispensed with, and they have had to pay ever since for their uniforms. It is a very expensive item, especially to mounted men.

43. Have you thought about the rates of pay?—I have no suggestion to make with reference to that.

44. Do you think married men should be allowed house-rent?—I think married men should receive consideration; and I think mounted men should receive consideration, because their uniform is more expensive. The only other matter that impresses me with reference to the service is that I am a very old member of the service. I have a good deal and materially assisted in the working of the department for many years, and, I am happy to say, been an active member of the service ever since I joined. I have been complimented by the Hon. Mr. Bryce and several Ministers for my zeal and activity in the service, and I would say one thing: I think, after mature consideration, for

years the unfortunate grievance or cause of complaint in the service was the fact that the head of the department did not understand police matters. My severance from the police will probably occur in a short time. I do not intend to die in the Force. I have been trying to make some other provision for myself in the last few years. I may say the control of the service was at first held by Colonel Moule. I am quite satisfied he knew very little about it. Then followed Colonel Reader and Colonel Whitmore, and though Colonel Hume has made big strides in trying to do good for the service—and I believe he has done his utmost, and I have no reason to find fault with what Colonel Hume has done—the others, I find, knew very little about it. The control of the service was simply left in the hands of nurses—the chief clerks in the department. If the department had been worked by an officer who thoroughly understood police matters, the police now would have very little grounds for complaint. This complaint has existed for many years, especially amongst the older members of the Force—the department being controlled by men who really knew nothing about it.

45. *Mr. Poynton.*] Is that your own opinion, or is it an opinion held by the men?—It has been felt by the older members of the service, both in Otago and Canterbury, with whom I have come in contact for years.

46. Have you formed an opinion as to the head of the department being independent of Ministerial control?—I am very strongly of that opinion. The Police Force cannot be properly managed without the head of the department has full control.

47. *Mr. Taylor.*] You have been here about ten years?—Yes.

48. How often have you been ordered for removal during that time?—Once.

49. Last year?—Yes.

50. Who did you see about removal?—Personally I used no influence to counteract any order of the Government. I had a reason for not going to the station where I was ordered. I stated, and have always said so, that I considered it my duty to obey the orders of my superiors, and go wherever they thought proper to send me. In this case I had a reason: my manhood would prevent me going to the station where I was ordered to go, under the circumstances.

51. What was the reason?—It is a personal matter between an officer of the service and myself that I must decline to state, with the sanction of the Court.

52. Did you report your reason to the Commissioner?—To the Commissioner?

53. Yes?—No.

54. How did it bear on your non-removal?—I cannot tell you. I do not know.

55. Who did you tell about your objection to be removed?—My objection is known to some members of the Force for many years.

56. Who did you tell about it?—I do not remember telling anybody—not any one in authority.

57. What Oamaru man did you tell about it?—I really cannot say whether I told anybody. I may say it is a personal matter of honour between myself and another officer.

58. Did you make any objection at all to the removal?—No, except this: I think I mentioned to Mr. Duncan one time, my sons—if Mr. Taylor wishes an explanation I have no hesitation in giving it—my sons have taken up some land near here, about twenty miles from here. They are young, and they are struggling to start the thing, and my advice I looked upon as very essential for their being successful in their efforts. I was glad when the matter of my removal did not take place. I said then, and I have said since to the department, that at any time my services would be required I was only too happy to carry out their instructions, in any part of the colony they were disposed to send me. That is the reason why I was anxious to remain.

59. *The Chairman.*] Did you bring directly to the notice of the department the fact that your removal from Oamaru would be unpleasant and unsatisfactory to you?—I did not.

60. Not directly?—Not directly.

61. *Mr. Taylor.*] You said it was a question of honour. Is that what you refer to?—Well, I say it was a question of honour between myself and another member of the service.

62. You objected to go to Invercargill?—Under the present circumstances, if my objection would be good, I would object to go to Invercargill. I do not deny it either, for reasons of my own. I may say with reference to Mr. Duncan, it was after the transfer was stopped that I mentioned the matter to him. Mr. Duncan, previous to the order being cancelled, took no steps, neither did I communicate with him in any way.

63. Who did you communicate with before your removal?—I did not communicate with any one. I did not ask any influence whatever to prevent my going.

64. What did you say to Mr. Fitzgerald, or Mrs. Fitzgerald?—I cannot say that I ever said anything to them about it. I am quite satisfied, as far as my memory goes, I never used an expression to Mr. or Mrs. Fitzgerald on the subject of my transfer.

65. Did you not discuss the question of your objection with them?—Never.

66. What other publicans did you discuss it with?—None. If you imagine I am a man of that sort you are very much mistaken.

67. Now, who did you discuss your removal with?—I cannot tell you. As far as my memory goes, and I am on oath, I do not remember having discussed or mentioned the matter to anybody in particular.

68. Have you discussed it generally with the people of Oamaru?—I did not.

69. Did you get your instructions to go by telegram?—I believe the first intimation I got was by wire. I think that was so; but it was not to go hurriedly—it was to hold myself in readiness.

70. Did the countermanding order come by telegram?—No. I think it was a memorandum—that it was to be held over for the present. I understood the sergeant at Invercargill had made arrangements; I do not know.

71. You understood it was done at Invercargill?—Yes.

72. Who did you learn that from?—I could not tell you; it was a matter of comment.

73. Did you not write to the department at all about the matter?—I did not.
74. Neither on the receipt of the original telegram nor the second one?—I did not.
75. Is it not customary to acknowledge telegrams?—No.
76. Do all of your men fall in at the same time on Sundays—say, at 9 o'clock in the morning?—No. You mean fall in?
77. I mean, take the men who are to do street duty at 9 o'clock on Sunday?—No, they do not. I am late out myself on Saturday night. It is the only day I have a bit of rest. I am on from 9 in the morning till 12 at night, principally in the office, very seldom in the street. There is only one man going on at 9 in the morning.
78. What is the ordinary number who go on street duty at 9 o'clock?—One man.
79. Is he allowed grace sometimes?—He is. The 9 o'clock man is not, but occasionally the relief, between 1 and 5 o'clock, have a portion of their time off if the town is quiet.
80. How many men does that include?—That was the practice initiated by Mr. Hickson in Dunedin, and he suggested it to me—that the men might have a portion of their time off on Sunday if the town is quiet. On some occasions, if there are many people in town, I would not give them that concession.
81. As a rule, you would not interfere with the men attending Church, if it broke into their regular hours a little?—They have sufficient time to go to Church, if they are so disposed. Of course, I have nothing to do with that.
82. As a matter of fact, do not some of the men get half-an-hour's grace to go to Church on Sunday?—They do not. This is the first time a matter of the kind has been intimated to me. For the first time I have heard it since I have been in charge of the station.
83. If a man reported himself as half-an-hour late, would you keep a record of that?—I would not, if he gave a reasonable and proper account of himself.
84. What would you consider a good reason?—If he was detained on any police duty. There are various things I would take into consideration from a common-sense point of view, and a small thing of that kind I have always dealt with myself.
85. Supposing he said he had been to Church, would you consider that a good reason for late attendance on duty?—Yes, I would. I say if a man wishes to go to Church he has a right to go; but he should let me know first. I am sorry to say a great many of the police do not go to Church.
86. Are you aware of any instance where a man has been fined in the Force for being five minutes late?—I am not.
87. Would you consider that a very severe penalty?—As far as the surroundings of this case are concerned I could not tell you. I do not know of it myself.
88. How would you treat a case like this: Supposing a sergeant found a man off his beat for half an hour, or an hour, would you treat him in the same lenient way?—I look upon the matter of a man leaving his beat, where he is entrusted with the control of the beat and the charge of the property on that beat, as a very serious breach of the discipline of the service.
89. Have you any instance on record of men having left their beats on night duty?—There is one instance that has been inquired into, and it is the subject of a case before the Commission now.
90. Is that the only instance since you have been in charge?—Yes, since I have been in charge. I may say there was an instance in Mr. Thompson's time. I reported the man myself, and Mr. Thompson himself dealt with it.
91. Have you got any men here who have not done any police duty—any recruits?—Yes, I have two. They had a little experience before they came to me. I think Trehey was in the Permanent Artillery, and Cotter was a few months in Christchurch.
92. Are the men instructed in police duties in any way?—Yes; they are instructed when they are going on duty, as often as I can find time to give them instruction.
93. You have no regular instruction class?—I have not.
94. Did you get a circular the year before last with regard to instruction classes being held?—I looked upon that as a matter where, if police duties interfered, the instruction would have to give way, and, there not being a sufficient number of men to fill in the gaps on this station, there is very little time afforded to give instruction—I mean those regular classes.
95. What proportion have you now on the station of Protestants and Roman Catholics on this station?—There are five Roman Catholics, I think, and three Protestants.
96. Are there not six Roman Catholics?—I think it is five.
97. Do you know the publicans of Oamaru well?—Well, I inspect their houses quarterly.
98. Do you know the men who run the houses?—I do.
99. You do not go there, except once in every three months?—Yes, I do; whenever I think it is necessary to do so in the execution of my duty. I have done so all my life, fairly and honestly.
100. Do you know whether the big majority of hotelkeepers in Oamaru are Catholics?
The Chairman (to witness): Do not answer the question.
101. *Mr. Taylor.*] What duty does the gaoler do in Oamaru?—He is, by order of the Inspector of Prisons, in charge of the gaol, and takes charge of the prisoners. He does escort duty when he has no prisoners, and generally attends to the premises.
102. When did he do escort duty last?—About three weeks ago, I think.
103. Where was that to?—Dunedin and Seacliff.
104. On an average, how often would he do escort duty in the course of the year?—Very many times. There are prisoners to escort between here and Studholme Junction, and *vice versa*; prisoners to the Seacliff Asylum and Dunedin.
105. Does he take them all, or do some of the other men take them occasionally?—If he has prisoners he is generally not interfered with by the department. If he has no prisoners I make use of him whenever I require him.

106. If he has no prisoners does he do street duty?—No. When necessary I have sent him out on the street at night in plain clothes. I have frequently done that. I may tell you at once the gaoler is paid by the Prisons Department.

107. *The Chairman.*] He does not do street duty?—He does not.

108. *Mr. Taylor.*] Have you any brothels in Oamaru?—No.

109. None?—None.

110. Do you consider it is within your power as a police officer to take a woman or a girl from a brothel?—I would consider it my duty as a police-officer to act in any way in the matter of humanity, or, if I could do good, to assist in removing young girls from the precincts of bawdy houses. I consider it the duty of a policeman, and I would do it.

111. Have you legal power to do it?—I would take that upon myself, for the benefit of society.

112. Have you taken a girl from a house in Oamaru at any time within the last year?—I did not actually take her. I did not use any force in taking her. The circumstances were these: The mother and relations of a girl came to my office and reported to me that the girl had left her home and gone to Wellington, and they were afraid she would get into bad company. I telegraphed to Mr. Pender, and asked that inquiries be made as to her being there. She ultimately came back, without her being found in Wellington, and she was in Oamaru for about a week or ten days, I think. I then was told by her relations she was in a house, which is not a brothel, in Oamaru. I took Constable Madden, the gaoler, with me, and went to the house about 9 o'clock at night. The girl was in the place.

113. *The Chairman.*] What age was she?—Nineteen, I think. I inquired of the owner of the house if the girl was there, and she immediately admitted she was. I got the girl into a room, Constable Madden and the woman being present, and I told her what her friends had done, and the steps they were taking to get her back. I advised her to come, and she did, and I sent her to her relations that night. She was a day or two afterwards sent to the Magdala Home in Christchurch, where she is at present.

114. *Mr. Taylor.*] Who took her there?—I think her relations.

115. No police constable?—I really forget. I do not remember.

116. Did Madden, the gaoler, not go with her?—I cannot tell. My impression is her relations took her. He may have gone. He would only go as far as Studholme, and be met there by a constable from Christchurch, if he did go.

117. *The Chairman.*] Under what circumstances did she go—voluntarily, or by order of the Court?—Arrangements were made by a clergyman in Oamaru with the authorities in Christchurch that she should be sent to the Magdala Home.

118. *Mr. Taylor.*] Who was the gentleman in Oamaru?—I think it was the Rev. Father Howard.

119. Was it Father Howard who saw you about her first?—He did not.

120. Did he see you about it afterwards?—No. I saw a telegram, which was shown to me by the mother of the girl, about having made arrangements with the authorities at Magdala.

121. *The Chairman.*] She went voluntarily?—Yes.

122. *Mr. Taylor.*] You say the house she was in was a perfectly respectable house?—I would not go so far as that.

123. Did you threaten to summon the woman in charge of the house for keeping a brothel?—Not in the present circumstances; some years ago I did.

124. Not in connection with that particular circumstance?—No; I did not.

125. Do you remember visiting the Queen's Hotel, any night within the last twelve months, and finding men there card-playing?—I do not.

126. Did you visit the Queen's Hotel at all?—I visit the Queen's Hotel frequently, and I visited it the last night of the races, and compelled the licensee to turn out the people at four minutes past 11.

127. On a previous occasion did you not find men there card-playing?—Some two or three years ago two clergymen in the town reported to me that there was card-playing going on in the Queen's Hotel. It was then kept by a man named Johnston. I went as far as the hotel with them, and I said, "Well, it is usual to have two men to enter a hotel together. I will see if I can find a constable. I will not be a moment." Then a thought struck me. I said, "Well, if you wish to go in with me, I will go at once, without the constable." This they refused to do. Sergeant Dwyer turned up immediately afterwards, and we went in. We found three boarders from Waimate and Waihao, and two highly respectable citizens of the town. There was no drinking, and we saw nothing else. They were just sitting down talking.

128. Who keeps the house now?—Mr. Kelly.

129. Do you know Mr. Moss, the jeweller?—Yes.

130. Do you know Mr. Matheson, the tailor?—Yes. He is not here now.

131. Do you know Mr. Probert, the tobacconist?—Yes.

132. Do you ever remember going in there, and finding card-playing going on there?—Never.

133. *Colonel Hume.*] Did you ever receive any instructions that the gaoler was not to be put on street duty?—There is a written memorandum to that effect.

134. Do you know what the date of the memorandum is?—I do not.

135. Do you know who it is signed by?—Major Gudgeon, I think. Yes, it is Major Gudgeon.

136. Does it simply say street duty?—It simply says he is not to be employed on police matters except in the immediate vicinity of the gaol and premises.

137. Then, there is no order that he should not be put on duty in front of the gaol, for instance, is there?—The object of the order, I take it, was this: that at any moment a prisoner may be brought into the office or lockup, and it is essential the lockup-keeper should take

charge of prisoners. I understood at the time the order was issued that that was the meaning of it.

138. Have you put him on every police duty that you considered would not interfere with his duty as gaoler?—I have.

139. *The Chairman.*] How many men have you on street duty at night in the town?—I have two men on it. They take eight hours each. The day reliefs have four hours, and the night reliefs have eight hours. They go on at nine and come off at five.

140. Are there two men on the beat all day?—There is only one man all day, and two at night.

141. *Mr. Taylor.*] Is this list of the religions of the men on the Oamaru Station correct?—Yes. I made a mistake just now.

142. *The Chairman.*] Of the eight men now in the Force here, six are Catholics and two are Protestants?—I believe that to be so, but I have never had experience of it in any way, either in conversation with the men or otherwise. I believe six of the men profess to be Catholics. I believe they are.

143. Do you find any inconvenience arising in the Force, or affecting in any way the efficiency of the Force, in consequence of the religious state of any portion of members of the Force?—I have not.

144. Have you found any religious hostility or religious animosity arising in connection with the matter?—I never heard it before brought up. I may say that, personally, I respect and admire a man who will openly and manfully say he is of a certain religion. I prefer that. I do not care what religion he professes, as far as I am individually concerned, or as a police sergeant, and I consider it mean to attribute anything of the sort.

145. Do you find it conflict in any way with the harmonious working of the Force?—I never have. I never heard it uttered.

MICHAEL HANNON, examined on oath.

146. *The Chairman.*] What are you?—A publican.

147. Licensee of what house?—The White Hart Hotel, Oamaru.

148. Will you tell us now what your complaint is?—On the morning of the 4th of March, at 1 o'clock, I was annoyed by two men rapping at my door. I asked them what they wanted. They told me they wanted a drink, which I refused. I would not open the door for them. I went round the back of the premises, and unlocked the gate to know who was there. After I went round the back, knowing one of the men by the name of "Mick," I asked him what he wanted? He said he wanted a drink. I told him to go away home. I made to go round the back a bit, and he followed me part of the way. When I saw he was determined to follow me, I returned to the front door. He partly followed me inside the door, and I put him out. A man named McCarty was told to go for a constable by my wife. He volunteered to go for a constable. When he was about a quarter of an hour away I went for one myself. I went out to see whether I could find a policeman. I was not far from the house when I met McCarty coming back. I asked him if he had seen a policeman, and he said he had not. I said to McCarty, "You go with me; you take this side of the street, and I will take the other." He took the west side and I took the east side. I told him to meet me down at the bridge at the south end of the town. When we met at the bridge I asked him if he saw anybody. He said, "No." We turned back then on the east side of Thames Street for about 100 yards. Then we crossed over to the west side, and crossed back to the east side. We went up as far as the Queen's. We could not see any policeman. Then I said to McCarty, "We will go over to the police camp, and see if we can find a policeman." When we went over to the police camp I went round to the back door, and the police office was open. I went into the passage, and McCarty came after me. I saw a bedroom door which was partly open. I sung out in a moderate voice, "Anybody here?" I heard no reply. The room was quite dark inside. While I was in the passage I could not see anybody in the room, it being dark. I struck a match and looked in, and I saw a man lying on the bed with his feet towards the door. I said, "Get up"; and I repeated that remark twice. I did not know then who the policeman was that was lying on the bed. I kept striking matches while I was there, to show light. I had a match in my right hand, and I went in towards his head. I said, "I will go and see who you are, now." Then, when I looked, I saw it was Constable Greene. When I saw it was him I could see he was fast asleep, and I put my hand right across his breast on to his shoulder and shook him. I told him that I wanted him up at the house, to arrest some men who were kicking up a row. When he made to get up he gave a bit of a stumble, and his handcuffs fell on the floor.

149. *The Chairman.*] Was he dressed?—Oh yes, in uniform. He had everything on, bar his hat, and he was in bed. We got outside on to the passage. He was putting the handcuffs on my left hand, in a funny sort of way.

150. Who was?—Constable Greene. He was putting them on my hand, and I turned and smiled at McCarty. He smiled and said nothing. I said "Come on, there is no time to delay."

151. Intended for fun was it, putting the handcuffs on your hand?—Yes, I took it that way. McCarty and the constable and I went up to the house, and about 25 yards off we met this man. I told the constable to arrest him. He refused to do so. When he refused to arrest him I went inside, and he and this man went down the street again. I saw no more of them that night. I cannot say any more.

152. *Mr. Lee.*] He refused to arrest this man Connelly, did he not?—Yes.

153. Then you got very annoyed, did you not?—I was not annoyed.

154. You recollect there were two charges laid against Connelly?—Yes.

155. He was charged with entering your licensed premises and refusing to quit them?—Yes.

156. And he was charged with being drunk and disorderly?—He was.

157. You remember both these cases were dismissed, were they not?—I know they were.
158. They were tried by Mr. Wray, the Stipendiary Magistrate?—Yes.
159. When you got up to the gaol that night, you say, it was pretty moonlight?—It was bright in the atmosphere.
160. Was it moonlight?—I could not swear to that.
161. Have you not already stated before Inspector Cullen it was moonlight?—I said it was partly moonlight and partly starlight.
162. What time was it?—A quarter to 2 in the morning.
163. Do you know the moon set that night before 12 o'clock?—I am not aware of that. I think the moon set at about 2.30 o'clock.
164. It was the night of the races?—It was the morning of the 4th.
165. The races were on the 3rd?—Yes.
166. Your house was lighted up when Connelly came along there?—Yes.
167. It was lighted up after 12 o'clock at night?—There was a light in the passage.
168. And a light in one or two of the windows?—There were lights over the door, not parlour windows.
169. You are quite sure McCarty went to the gaol with you?—I can swear to that, and back from the gaol to the house too.
170. He was a boarder in your house at that time?—He was.
171. And so was Murphy?—Yes, Murphy was a boarder that night, and the night before.
172. You say Connelly was drunk that night?—He was not sober.
173. You said he was drunk?—Yes; and I swear to it now too.
174. Do you remember all the other witnesses, including the constable and McCarty, swearing Connelly was not drunk that night?—They swore that.
175. Do you remember the Magistrate finding there was no sign of Connelly being drunk that night at all?—Of course, he may have done so right enough.
176. How is it that that night, you say, Connelly entered your house, when all the witnesses on the occasion say Connelly did not enter your house at all?—They were not there at the time. They were round the back. He followed me in.
177. There has been an inquiry, has there not, before Inspector Cullen—all this evidence has been taken before Inspector Cullen?—My evidence was taken, and so was McCarty's.
178. Were you present when McCarty made his statement to the Inspector?—Of course I was; but he made no statement. He said he came as far as the Globe, and no further; but he came with me all the way.
179. This is what McCarty said before Inspector Cullen: "He," that is, speaking of you, "asked me to go for a constable. I walked up the street past the police-station. I saw no constable. I went down the street again, and met Mr. Hannon coming towards the police-station. He asked if I had seen a police constable. I replied not. I walked up the street as far as the Globe Hotel with him, and I returned to the hotel. I do not know what took place afterwards. I went back to Hannon's Hotel. I saw Murphy, and, I believe, Connelly. Connelly was at the front, and Murphy at the back."
180. *The Chairman.*] Do you admit on your oath that is true?—That is not true.
181. *Mr. Lee.*] This is what McCarty said that night?—Yes.
182. To put it shortly, McCarty denies what you say about him being at the gaol?—Yes, before Inspector Cullen; but he is not prepared to swear that on oath, and I challenged him to do so. Only for a mistake that was made, I would have him here to-day.
183. Have you sent a letter saying you were not going on with the case?—I sent a letter right enough when I could not find McCarty, and, the case being heard by Inspector Cullen, I did not see it was any use proceeding further with it. I would like to know where McCarty is this last week.
184. What is he?—A working-man.
185. Where does he work generally?—He is here, there, and everywhere. Sometimes he is in Canterbury, and sometimes in Sydney.
186. You know him well?—He stopped with me this last three or four years, whenever he came from the other side.
187. Who brought him before Inspector Cullen?—I asked him if he would come.
188. The first information you gave about this to the police was the wrong man altogether, was it not?—It may be the wrong name. I did not know Connelly by his name. I only knew him by the name of "Mick the Slipper."
189. Did you not tell the sergeant the man who had been there was Condon, not Connelly?—Condon, or Connelly.
190. You know Condon very well?—Yes; I have not seen him this long while.
191. Did you tell the sergeant next morning it was Condon, not Connelly?—I did not. I said his name was either Condon or Connelly.
192. If you see Michael Condon about you know him to be Michael Condon?—Yes; if I saw him I would know him.
193. And you knew Michael Condon by name that night?—I did not know but this man's name might be Condon too.
194. You thought there might be two Michael Condons?—Yes.
195. Is it not this then: You do not remember well what took place that night?—I could not made a mistake.
196. Do you remember there were two informations laid against Condon?—I was not aware of it till two days afterwards.
197. That Condon was the person who was summoned in the first place?—I was told so.

198. Do you know in the first instance the wrong man was summoned?—When I found out the mistake I told the sergeant he had made a mistake.
199. The sergeant's mistake was it, not yours?—Yes; not mine, that I am aware of.
200. How is it the sergeant happened to pick out Condon, who was a prohibited person; did you tell the sergeant he was a prohibited person?—I did not.
201. Did you know Condon was a prohibited person?—I did.
202. How was it the sergeant proceeded against him for being a prohibited person?—That is more than I can tell.
203. *The Chairman.*] Did you know that Condon's name was Michael?—Yes.
204. And Connelly's too? Did you know both were Michaels?—Yes. I know Connelly six years back. I never knew his surname. I only knew him as "Mick the Slipper."
205. *Mr. Lee.*] How was it you told the sergeant it was Mick Connelly if you did not know his name?—The next morning I was told his name was either Condon or Connelly; that is why I told the sergeant that.
206. You are quite sure about Greene putting on the handcuffs?—Yes.
207. Which hand?—The left hand.
208. Did he lock them?—He did not.
209. How long were you at the station altogether?—Between four and five minutes.
210. He was sound asleep?—Yes.
211. And you had to use a bit of force to waken him?—I had to shake him by the shoulder. I could not do it by calling him.
212. When he was thoroughly awake, what did you tell him?—I told him there was a man down at the house that I wanted to give in charge.
213. Did you say anything about searching for him any time?—No, I did not—not to him. I told him to come quickly to the house.
- 213a. I suppose, when he did get up to the house, if he had arrested Connelly and taken him off to the station, you would never have said another word against Greene at all?—How do you know?
214. Would you or would you not?—I am not going to tell you that.
215. Supposing Greene had arrested Connelly, and taken him off to the station, should you have lodged any complaint against Greene at all?—I would.
216. Even if he had arrested Connelly?—Yes.
217. When he got up there, and would not arrest Connelly, you told him the law in Sydney was very different—that over in Sydney he would have been arrested?—I did not tell him that.
218. Who told him that?—The missus.
219. Connelly was not going on with the row when the constable came along?—He was away from the house.
220. He walked away with the constable?—Yes.
221. And you did not get any further annoyance from Connelly that night?—No, I did not.
222. The constable saw him away from the place, at any rate?—He did.
223. What is your complaint against Greene fully—not being on the street?—Yes.
224. Nothing else?—Being asleep, and not doing his duty.
225. Anything else?—Not being quite sober, according to my conscience.
226. You draw a very fine line between a man who is drunk and when he is sober, being a hotelkeeper?—I can tell whether a man is drunk or sober, or any the worse for liquor.
227. You considered Connelly was the worse for liquor?—I did.
228. Did anybody else?—That has nothing to do with me. If he was sober he would not be there over an hour calling people names.
229. Did you mention anything to McCarty about Greene not being sober?—McCarty told me himself he would swear he was drunk.
230. Did he say that before Inspector Cullen?—He did not.
231. What did he say there?—He said he did not pass the Globe with me. I say he did. He was with me all the way.
232. Did you meet anybody else, you and McCarty?—No; we saw one man. We went across the street to see if he was a policeman. When we saw he was not we went across on the other side.
233. Was there any conversation at all with McCarty at the police-station?—No.
234. McCarty said nothing there?—When Greene was putting the handcuffs on me I looked at McCarty, and McCarty smiled at me at the folly of him doing it.
235. Where was McCarty standing then?—In the passage, inside the back door.
236. McCarty could see into the bedroom?—McCarty could not see into the bedroom. When I went into the bedroom he stopped outside. McCarty never went into the bedroom.
237. Was there anybody else there except you and McCarty?—No; I saw nobody, at any rate.
238. *Mr. Taylor.*] Did any one see you about withdrawing this charge? Who did you talk it over with?—People might come to me and say I was doing a rash thing.
239. Did you talk it over with Greene at all?—I have not spoken to Greene at all about the matter.
240. Talked it over with the sergeant?—No.
241. Who did you talk it over with?—I cannot say—I talked it over with anybody.
242. Why did you withdraw it?—Because McCarthy was not here to come and give evidence on oath. Nobody came to me to withdraw the charge. I made inquiries about McCarthy, and I could not find out where he was.
243. *Mr. Tumbidge.*] You complained of the constable the following morning, did you not, to Sergeant O'Grady?—I did.

244. At what time in the morning?—It might be about half-past 10 o'clock.
 245. You went to the police-station and made a complaint against Constable Greene to Sergeant O'Grady?—Yes.

MICHAEL GREENE, examined on oath.

246. *The Chairman.*] What rank do you hold in the Force?—First-class constable.
 247. How long have you been stationed at Oamaru?—Since the 6th February, 1897.
 248. *Mr. Lee.*] You were on duty on this night when Hannon came to see you, were you not?—Yes.
 249. Where did you first see Hannon that night?—I saw him in the passage at the police-station.
 250. What were you doing when you saw him?—I was just coming out of my room.
 251. You were on duty that night?—Yes.
 252. What had you been doing in the room?—I was changing my socks and shoes.
 253. *The Chairman.*] What time was it?—It would be about a quarter to 2 in the morning.
 254. *Mr. Lee.*] Why had you been changing your socks and shoes?—They were damp that day and a portion of the night, being very wet.
 255. It was a wet night?—Very wet for a portion of the night.
 256. How long had you been in the room before Hannon arrived?—It would be about a quarter of an hour. It could not be more. It was thereabouts.
 257. When you were on beat at night do you look in at the police-station occasionally?—Yes, it is part of my duties, in the event of any prisoner being inside at night.
 258. *The Chairman.*] There is a watch-house keeper?—Not at night, only the man on duty.
 259. Which man was in charge of the watch-house that night?—I was.
 260. *Mr. Lee.*] You met Hannon?—Yes.
 261. Who was with him?—No one.
 262. Do you remember whether it was a light night or a moonlight night?—There was no moon after 12 midnight. It was a pretty bright, starry night.
 263. Could you see it was: could you recognise him?—No; not in the passage. Of course, when I heard his voice I thought it was Hannon. He spoke to me, and he told me there was a man at his hotel wanting to get in to have drinks.
 264. You heard him say he found you asleep on the bed, and he gave you a good shaking to wake you up?—That is utterly untrue. It must be wilfully untrue.
 265. And this little incident about the handcuffs: is that true?—No.
 266. *The Chairman.*] You say it is untrue that you were lying down on your bed when Hannon came to you?—Entirely untrue.
 267. *Mr. Lee.*] Had you any conversation with Hannon in the passage?—No; except the remark he made to me that there was a man at his hotel wanting to get in, and he wanted me to accompany him up there.
 268. You went away with him?—Yes.
 269. Where did you go?—Along Thames Street, in the direction of his hotel, until we reached there. It was on the left-hand side from the station.
 270. There was no one with Hannon when you went out?—No, Sir.
 271. *Mr. Lee.*] What state was Hannon in?—He was excited.
 272. *The Chairman.*] And he told you a man had been kicking up a row at his place?—Yes; wanting to get in to have a drink.
 273. *Mr. Lee.*] You went along to the hotel with him?—Yes.
 274. Who did you see when you got there?—I met a man named Michael Connelly a little this side of the hotel on the footpath.
 275. What was Connelly doing?—He was coming towards us at the time.
 276. Did you stop?—Yes. Hannon said, "There he is, there he is; take him away."
 277. *The Chairman.*] How far from the hotel did you meet him?—Perhaps about 15 or 20 yards, roughly. The wife was standing in front of the door at the time. She was also excited, and she called out, "There he is; take him away." There were two men standing at the corner of the street at the time.
 278. *Mr. Lee.*] What did you do?—I spoke to Connelly, and asked him what was the matter here. He said he wanted a bed, and a drink for his mate, and he was refused. He was very quiet, and had no appearance of drink.
 279. Did you hear any row at all while you were there?—No, except Mr. and Mrs. Hannon were excited; in fact, I spoke to Mrs. Hannon and asked her not to speak so loud, that she might be heard by some of the neighbours close by. She did not keep quiet then.
 280. What did they say about arresting Connelly?—I said to Hannon that Connelly was quiet, and I could see him doing nothing wrong, and if he had done anything wrong he might be summoned; that I would not arrest him. He said if I did not arrest him he would "take the jacket off" me. He also remarked, when I said the man was quiet and sober, "I know he is not drunk, but I am not going to have him here." I said, "The man is going away quiet." His wife also said something about if I was in Sydney I would have to take him.
 281. You saw Connelly away from the premises, did you not?—Yes. I told him to go away home, and if there was a charge against him he would be summoned. I also said to Hannon I would see him to-morrow and get further information about it, and see if a charge could be established against him.
 282. You took care to see that Connelly left the place?—Yes, he went away.
 283. While you were on the scene there was no annoyance by Connelly?—None by anybody, except that Hannon and his wife were very excited. As to what took place before, I cannot say.
 284. Hannon made some complaint about you to the sergeant, did he not?—Yes.

285. And on that complaint you asked the sergeant if he would have an inquiry held?—Yes.
286. An inquiry was held before Inspector Cullen at your request?—Yes.
287. *Mr. Poynton.*] Did you make an entry in the watch-house book about the complaint of Hannon?—No. It is not customary to enter it in the watch-house book. There are no entries except when there are prisoners.
288. *Mr. Tunbridge.*] You say you first saw Hannon in the passage outside your bedroom door?—Yes.
289. Was your door open at that time?—No, it was closed.
290. Was your gas lighted or out at that time?—It was alight up to the time I came out of my room.
291. When you saw Hannon?—It was out.
292. Hannon was never inside your bedroom?—Never inside: he was in the passage.
293. He was quite unable to see you inside?—He could not see inside. The door was closed, and I had the gas alight up to the time I heard a knock outside. When I did I turned the gas off. I first said, "Come in," and Hannon being deaf did not hear. I turned out my light, and opened the bedroom door, and found Hannon in the passage.
294. When you saw Hannon in the passage your bedroom was quite dark?—Yes, the light was turned out. When I was leaving the room I turned out the light and opened the door and walked into the passage.
295. Can you tell me how it is Hannon properly describes the position of your bed, when he was never in your room, or never saw inside?—He was there at the last inquiry before the Inspector.
296. He has seen inside your bedroom since the inquiry has been held?—It is quite possible he might.
297. Do you know at all?—I have seen him in the passage.
298. You have heard him properly describe the position of your bed?—Yes.
299. And your suggestion is, he may have seen your bedroom since the inquiry has been held?—I think he has stated he has been in the station several times before, and also in the bedrooms.
300. His story that he struck matches in your room; that he saw you lying on the bed; that he had to shake you; and that you attempted to put the handcuffs on him, is wholly imagination on his part?—Wilfully untrue.
301. You say McCarty was never with him at the station?—Yes.
302. That is untrue?—Yes.
303. You said you went to change your boots and shoes because they were wet?—Yes.
304. You said it had been a wet night?—A portion of the night I said it was wet.
305. What time did you go on duty?—Nine o'clock.
306. Will you swear there was heavy rain after 9 o'clock?—Yes, there was a little between 9 and 10 o'clock, not much. It began to clear off.
307. *The Chairman.*] At a quarter past 2 you went to change your socks?—Yes.
308. *Mr. Tunbridge.*] You went on duty at a quarter to 9: had you been using your boots that you had been wearing all day?—No.
309. If your boots and socks got wet it must have been after you went on duty?—Yes.
310. There was no rain, or a little rain, after 9 o'clock?—It was clearing off. My boots were not good ones.
311. Do you remember when Inspector Cullen first held an inquiry, on the 30th of last month—the first day he was at Oamaru to hold this inquiry?—I do.
312. Do you remember Inspector Cullen speaking to you in the presence of Sergeant O'Grady as to calling the witness McCarty on your behalf?—I am not certain.
313. Or to give evidence?—I understood he was to be called by Hannon.
314. Do you remember Inspector Cullen speaking to you as to calling McCarty?—I do not.
315. Do you not remember that they said you ought to endeavour to find McCarty?—I do not recollect there was anything said about it.
316. Will you swear there was not something said about it—that it was to your interest to have the matter cleared up, and it was to your interest to have McCarty?—Yes; but I understood he was to be summoned by Hannon.
317. You remember something being said about McCarty?—I do remember that it was understood that Hannon would have McCarty summoned.
318. Did not McCarty disappear at that time—he left Oamaru on the 30th of last month, when Mr. Cullen first opened the inquiry?—I heard he was working somewhere up near Waitaki with some man named Ross.
319. Was not the inquiry adjourned because McCarty was not present to give evidence?—Yes.
320. McCarty was not present at the first inquiry?—No.
321. Did not Mr. Cullen say to you, or words to this effect: "You should interest yourself in endeavouring to get McCarty to attend"?—I recollect there was something said, but not in that way. He said something about McCarty—that the inquiry would be adjourned until McCarty would appear; and he asked me if I would summon him. I said it was understood he was to be summoned by Hannon.
322. Did you not say also, "I do not want McCarty, because he is sure to state what Hannon has stated"?—I do not think I stated that.
323. Will you swear you did not?—To the best of my belief I did not.
324. Nor any words to convey such a meaning?—No, that is my belief.
325. You quite understand the question—that you did not wish McCarty, because you were sure he would say the same as Hannon had stated?—I do not think I said I was sure. I may have said, as far as my memory serves me, that he was Hannon's witness, and probably would state the same as Hannon. I do not think I stated he was sure to.

326. You thought it probable he would say so?—Yes, that was the rumour.
327. Instead of that, he said he was never inside the police-station?—Quite so.
328. You thought McCarty would come and corroborate Hannon to the effect that he was with Hannon in the police-station that night?—That was the rumour about—that he would swear with Hannon.
329. That was your reason for saying you did not want him called—because you thought he would swear the same as Hannon, notwithstanding that you knew McCarty was never in the police-station at all?—That is so.
330. Knowing that McCarty was never inside the police-station at all, and not knowing anything of the man, do you think it reasonable you should come to the conclusion that the man would be prepared to swear to a thing that was absolutely untrue?—Sometimes witnesses say what is untrue.
331. If there had been three witnesses present who had been called to say what took place that night, would you wish him called now, or not?—I would be very glad.
332. You would not think he would say the same as Hannon?—It is not likely. Hannon stated at the inquiry that it was a bright moonlight night at a quarter to 2; and the moon set at 12 o'clock that night. McCarty stated also at the inquiry that he was going to be rewarded by getting board and lodging from Hannon as an inducement, and so on.
333. Had you seen McCarty before the first part of the inquiry was held by Inspector Cullen?—No, I had not.
334. Therefore, you did not know what he was going to say?—Only by rumour. It was mentioned all over the town.
335. What was mentioned all over the town?—That he was Hannon's witness. That is all.
336. Not what he was going to say?—From that they concluded he would be favourable to Hannon.
337. Up to that time you had not seen McCarty?—Except when he was a witness in the charges against Connelly. That is the first time I saw McCarty.
338. You saw him subsequent to that?—Yes.
339. Where did you see him?—I saw him in Thames Street, one night about 9 o'clock, when I was on duty.
340. Do you know what date?—I think it was the night after the first inquiry. I saw him in Thames Street, opposite the Fire-brigade Station.
341. Had the Inspector not gone back to Christchurch?—I do not know. I think he would be in Timaru that day.
342. How did you come to see McCarty that night?—I was coming along from the station when I met him there. He bailed me up, and asked me when this inquiry was coming on. I said it was adjourned till Monday, and it would come on then.
343. What else took place?—That was all. Just about that time—we had only passed a word or two—Mr. Hannon passed with some other man.
344. Anything more take place?—Mr. Hannon asked him if he was going up to his place. He said, "Yes." Hannon said, "Come on, then," and then went away.
345. Do you swear there was no conversation between you and McCarty that night, as to the evidence McCarty was going to give?—I swear positively there was not a word about evidence.
346. If McCarty says there was a conversation between you and him, he will be speaking an untruth?—Certainly.
347. You know the witness Murphy?—Yes.
348. Do you know he and McCarty had been together?—I could not say. I did not see them together.
349. Did not Murphy approach McCarty on your behalf?—No. If he did so, he has never been asked by me to do so.
350. When did you last see McCarty?—At the last inquiry at the police-station.
551. Have you no idea where he is now?—No. I heard he had gone towards Ngapara.
352. When did you hear that?—It would be some days after the inquiry.
353. How far is that from here?—About twenty miles.
354. You say you were in your bedroom about a quarter of an hour on this night?—About a quarter of an hour.
355. Changing your boots and socks?—Yes.
356. You say it is part of your duty to go into the station occasionally at night?—Yes.
357. It is not part of your duty to go to your bedroom, is it?—No, it is not.
358. Would it take you a quarter of an hour to change your boots and socks?—Oh, no; I could dress in less time than that. I am only speaking roughly.
359. You never made any report on this matter until you were called on by Sergeant O'Grady?—That is so.
360. After Mr. Hannon had made his complaint?—Yes. I was in bed at the time that Mr. Hannon came. I reported in the usual way. Perhaps it would be well for me to explain the usual way. Generally, when anything occurs, the man on night duty, except it is something very important, mentions it to the sergeant the following day, and then he gives instructions what to do—to report it, make further inquiries, and so on. The following day, when I got up at the usual time, between 12 and 1, the sergeant happened to be away at the races, and he returned between 6 and 7 in the evening. At that time I had returned from tea, and gone to rest as usual—that is, done my turn in bed—from 6 to 8. Then, at about a quarter to 9 o'clock I mentioned to Constable Cotter, when about to go on duty, that I would mention to the sergeant what took place last night. I asked the sergeant if Hannon had mentioned to him what took place last night at his hotel. He said, "I know all about it. I do not want to hear anything more about it just

now." I may say there is no foolscap available except in the sergeant's office; and the sergeant being away, there was none available.

361. Your excuse for not making a report is that there was no foolscap?—Yes; and that the usual custom of reporting matters was followed.

362. As a matter of fact, you made no report until the 6th March?—The sergeant gave me a report to reply to, and I had to reply to it.

363. On the 6th March?—On the 6th. But when going on duty at 9 o'clock the next night I mentioned it to him, and he replied that he knew all about it, and he did not wish to hear anything more about it at present.

364. When were you first called on to make a report?—The following day the sergeant gave me a report to reply to—a statement from Mr. Hannon to reply to.

365. Did not O'Grady say he did not wish to talk over the matter then, and you would require to report on it?—He said nothing of the sort. The words he made use of were that the matter had been reported to him, and that he knew all about it, and he did not wish to hear anything more about it.

366. *Mr. Lee.*] You say, as a matter of fact, that you had no knowledge of this charge of Hannon's against you until the second day after, when the sergeant supplied you with Hannon's report?—That is so.

367. The only thing you really had up to that date to report to the sergeant was the fact that you had been called out of the station to Connelly, and you intended to report to the sergeant what you had seen in reference to Connelly?—Yes; report verbally as usual.

368. *The Chairman.*] Did you recognise it was your duty to report in the morning what occurred during the night?—Yes, if there was foolscap available.

369. *Mr. Lee.*] Is it customary in trivial matters of that kind to make a written report to the sergeant, or merely a verbal report?—Just verbal.

370. *The Chairman.*] When you come off police duty in the morning you go to bed without leaving any record of what occurs during the night?—It is the custom, except in an important matter.

371. *Mr. Lee.*] You say you had no opportunity of seeing the sergeant, owing to the fact that he was away at the races, until somewhere about 9 o'clock at night?—Yes.

372. And you then told him about Connelly's matter?—Yes.

373. You reported the matter to him, and he said he wished to hear nothing further?—Yes.

374. In matters of that kind it is not the practice here to report them in writing at once next morning to the sergeant?—The matter is explained to the sergeant; and then, if he thinks it is necessary, he gives a sheet of foolscap, and instructs you to make a report on it.

375. *Mr. Poynton.*] Mr. Hannon made a statement that you were not sober: what do you say to that?—I was perfectly sober. I had no drink.

MICHAEL HANNON, further examined on oath.

376. *Mr. Tunbridge.*] Have you ever been inside Constable Greene's room?—I was.

377. When?—I was in his bedroom at a quarter to 2 on the 4th March.

378. On any other occasion were you there?—I passed it by one day, about six or seven months ago. I had a gallon measure, and I was going to get it measured by the sergeant. Going through the back I saw him sitting on the bed.

379. Did you have the opportunity of seeing the position of the furniture in the room, when you passed out on that occasion?—I saw a bed on the left-hand side of the door, and he was sitting on it.

380. On the morning of the 4th March was the bed in the same position?—It was on the left-hand side, and his feet were just facing me.

381. The same position as it was in when you saw it six months ago?—I think so. That is, according to my opinion.

382. *Mr. Lee.*] Have you been in that passage or room since this night you speak of, when you woke Greene, as you say?—On the Monday night when you went to see Inspector Cullen I went round the back, and I went into the passage and out again.

383. As to this room, what is the size of it: is it 10 ft. by 6 ft.?—Well, I did not measure the room.

384. Is it 12 ft. by 8 ft.?—I cannot tell the size of it.

385. What size do you think it is?—It might be 10 ft. by 12 ft.

386. It is a very small room?—Well, it is not a big one.

387. You cannot fail to see the whole of that room as you walk through the passage, when the door is open?—If a man looks sharp enough he might.

388. How long were you in the passage that night you speak of, during the inquiry?—I do not think I was a minute altogether.

THOMAS O'GRADY, examined on oath.

389. *Mr. Tunbridge.*] On the morning of the 4th of last month did Mr. Hannon come to the police-station?—He did.

390. And made a statement to you?—Yes.

391. You took that statement down in writing?—I put it in writing, Yes.

392. And you subsequently called on Constable Greene for a report?—I did.

393. When did you call on the constable for a report?—I was at the races on that day. I was preparing to go to the races at the time Mr. Hannon came to my office. It was 11 o'clock, or a little after. He made a statement to me, which I reduced to writing. I went to the races. Constable Greene was in bed at the time. I called on the constable the following morning.

394. I believe the following night, when the night-duty men were parading, something was said about Mr. Hannon's complaint, was there not?—Yes. I believe the constable did say something, but the exact words I am not positive as to; I cannot quite remember them.

395. Which constable?—Constable Greene. He made some allusion to it.

396. Do you remember what you said to him in reply?—I cannot give the exact words. I think I said that Mr. Hannon had made a report.

397. Do you remember what else you said?—I cannot.

398. Did you say anything which would lead Constable Greene to suppose there was no more notice to be taken of it?—I did not. I could not have done that, because I had it in writing at the time.

399. On the morning of the 5th, you say, you handed to Constable Greene Mr. Hannon's statement, and directed him to report in answer thereto?—Yes.

400. And on the 6th did you receive his report in answer thereto?—I think it is dated when I got it. It is marked in pencil. I did not get it for some days afterwards.

401. Is that the report?—Yes, that is the report. I got it two days after I had given it to him.

402. That was the first report you received from the constable?—That was the first report.

403. Or anything in explanation of Mr. Hannon's statement?—That is the first I got.

404. As regards constables making reports when coming off duty, what is your practice?—The practice and rule of the service has been, as long as I have been in it, that if anything special occurs during the night, the constable, before retiring in the morning, makes a report of it. It is as well known to every constable in the service as it is to me. I have made no rule to the contrary.

405. With reference to not getting foolscap paper?—It has been the practice always here for the men to obtain a supply from the drawer of the watch-house table, where they make their reports as a rule, and, apart from that, the weights and measures room is open also, where the men write their letters frequently, and where they could obtain paper.

406. Was there paper there at the time that they could have used?—There was paper in the watch-house drawer. When I heard it mentioned, I went and found paper in the drawer of the watch-house table. Of course, I could not positively say whether it was there that night, but I found it when I went there.

407. What time did you return from the races?—I think it would be about 6 o'clock. I did not look at my watch, but I stayed in the station for a time after I came home. The races finished about half-past 5 o'clock.

408. Had Greene desired to make any report he could have come to you for paper after you returned from the races?—As to the excuse he makes with regard to paper, the watch-house keeper has the key of my office, and the watch-house keeper was at home the most of that day and could have given him a supply had he asked for it. I never refuse the men paper. Any time they want it they always get it. They all know that.

409. Do you remember the 30th of last month, when the Inspector held an inquiry?—Yes.

410. Do you remember yourself, and Inspector Cullen, and Constable Greene being together after the inquiry was adjourned?—Yes.

411. Can you state what took place with reference to the attendance of the man McCarty in the presence of Constable Greene?—The Inspector wished particularly the attendance of McCarty, and he asked me if I knew where to find him. I said, No, I did not. I spoke to the man, and told him there was some expenses coming to him, and asked him where he would be to receive his expenses. He said he did not know where he was going to. The Inspector impressed on me the necessity of obtaining the presence of McCarty. I saw Mr. Hannon with the view of ascertaining where McCarty was, and I wired the result to the Inspector. There was a general conversation—a good deal of conversation—between the Inspector and Constable Greene in my office. There was a good deal of conversation.

412. With reference to the attendance of McCarty?—Yes. He said in the constable's presence the attendance of McCarty was indispensable—that it was necessary McCarty should be there.

413. Did Greene make any reply to it?—I do not remember whether he did or not. They had a general conversation, and I was in and out of the office for a portion of the time.

414. Was there any suggestion made that Greene should seek to get him?—Yes. The exact words the Inspector made use of I could not say, but he said, in effect, that it was to the constable's interest that the man should be brought to the inquiry.

415. And did Greene make any reply to that?—He said he thought he was Hannon's witness.

416. Anything more?—I do not remember any more.

417. Did you receive any report from Constable Greene as to McCarty's return to Oamaru?—No, I did not.

418. Did you hear Constable Greene say this morning he met McCarty on the night of the 30th, after the inquiry?—Yes.

419. Did he ever mention that to you?—He never mentioned it to me. Hannon mentioned it to me.

420. Although he knew you were seeking to find out where McCarty was?—Yes. I first heard of it at the second inquiry.

421. Was Greene present when it was brought up, will you state?—Mr. Hannon gave evidence at the inquiry, and stated that when going to look for McCarty, he discovered Greene and McCarty in conversation at the corner of the Fire-brigade Station: that he asked McCarty, in the presence of Greene, if he was coming up, and McCarty promised him to come up. That was the evidence given by Hannon.

422. But Greene made no statement to you that McCarty was in town?—No, he did not.

423. *Mr. Lee.*] You said just now that the officer on night duty would next morning report anything special which had taken place during the night?—Yes.

424. What would you call anything special during the night?—Well, a row occurring at a hotel at 2 o'clock in the morning—men knocking at the door and disturbing the inhabitants—I would consider a constable would report that.

425. If he saw anything of that kind?—Yes, especially at 2 o'clock in the morning.

426. Supposing Constable Greene, on his arrival at the hotel, had merely seen Connelly there, found the man was not the worse for liquor, heard no row at all, and took steps to see Connelly off the premises, promising Hannon that the matter of Connelly's conduct would be inquired into—do you think such steps as those ought without any doubt to be returned to you in writing the first thing in the morning, or would it be too late if he reported that to you some time during the next day?—In order to save himself, a constable with Greene's experience should have reported the threat made by Hannon. Hannon threatened to "take his jacket off," and, in order to save himself he should have reported the matter. I would consider it his duty.

427. Do the police, as a matter of practice here, report in writing all those cases that occur at night?—Oh yes, frequently. It has been the habit ever since I came here.

428. At what time of day after the night duty do they make these reports?—Sometimes during the day. If they are not of a special nature I would not ask them to come out of bed and make a report; but any cases coming before the Court I would require information as to them.

429. I suppose in cases which you would have to investigate, as to what proceedings you would have to take, some time during the next day would be a reasonable time to make a report?—Yes, if it is not coming before the Court.

430. At what time did you see Greene that night?—I saw Greene at ten minutes past 11 at night, and he was then perfectly sober, and all right on his beat.

431. The next morning, when did you see him?—I did not see him until I came back from the racecourse.

432. How was it you did not see him during the day?—He was in bed, and I was at the races.

433. The first opportunity you would have of seeing him without making special arrangements would be when you came back from the races?—Quite so.

434. You say there was a conversation between you and Greene that night about Hannon?—I have stated I think there was. Greene stated something. I am not quite sure about it. I cannot positively say what it was.

435. You then had, of course, Hannon's report in your possession?—Yes.

436. Have you that report?—No.

437. Where is it?—The Commissioner has it, I think.

438. You had some conversation, I suppose, with Hannon in the morning about this case—that was the morning after the occurrence?—Mr. Ralfe, the Clerk of the Court, was in my office at the time. Whatever conversation occurred was heard by Mr. Ralfe.

439. Did Hannon say anything, at that time, about who was at the station with him when he went for Greene?—He did not.

440. He did not tell you there was another man with him when he went for Greene?—He did not. I did not ask him, and he did not say it.

441. It does not appear in the report?—No.

442. *The Chairman.*] Did he say he was alone?—He did not. He simply said he went to the station, and entered by the back door.

443. *Mr. Lee.*] Having that statement, of course, you were somewhat in possession of the facts of the case in the morning?—Yes.

444. Did you mention the fact to Greene in the evening that you had a statement by Hannon?—I told him Hannon reported the matter.

445. I may take it that, whatever conversation took place between you and Greene, Greene knew at that stage you had some report from Hannon on the matter?—Quite so. I should fancy he would, at all events.

446. Greene says, when he was proceeding to speak to you about the case, you wished him to say nothing about it in the meantime—that there was a report on it by Hannon, and in the meantime you did not want any further particulars, or something to that effect?—The matter was mentioned on parade, and that was not the place to have the matter talked of at all. I was in the office from 6 o'clock that evening until the parade, and there was no application made to me on the subject.

447. But when this conversation did take place, did you say something to that effect—that there would be some further inquiry, or something of that kind?—I may have; I cannot remember the exact words.

448. In any case, Constable Greene knew you were in possession of the facts of the case from Hannon?—Yes.

449. I suppose, then, there would be no occasion for a report at that stage from Greene unless you asked for it; did you ask him to give a formal report?—Not verbally, I did not. Next morning I asked him for a written report.

450. *The Chairman.*] The parade you refer to was the parade at 9 p.m. on the 4th?—Yes.

451. *Mr. Lee.*] There are some matters which may come under the notice of the police which they would bring before you by word of mouth and not by writing?—I have always made an effort to have my men in my confidence, and I in their confidence; and I think anything that would arise during the night interfering in any way with the police should be mentioned to me. I think that should be done, in order to keep the men safe themselves.

452. Do you recollect who mentioned the matter first—whether Greene was the first to mention it or you?—I may tell you this: I was somewhat indignant at the fact of getting a report

n the first instance from Hannon, before Greene, and, as sergeant of the police I was a bit annoyed at not having received it from Greene, and I think, as far as my memory carries me, I said, "What about that affair of Hannon's?" or something to that effect.

453. Greene says when he first saw you he reported the matter to you; and your memory, as far as it serves you, leads you to the belief that you first spoke to him?—My recollection of the thing is: after I came home from the races I met the constable coming out of the yard, and I said then to Greene, "What about that case of Hannon's—what is it?"

454. Have you ever known Greene on his duty to be the worse for liquor?—Oh no; he was perfectly right when I saw him and perfectly straight at ten minutes past 11 that night.

455. And to your knowledge he is not a man given to liquor at all, as far as you know?—I should say not—not the abuse of it.

456. Did Hannon allege that Greene was drunk, or the worse for liquor at all?—In his first complaint to me he did not.

457. But subsequently he did?—Yes. He did to the Inspector, when the inquiry was going on. He replied that he made no direct charge.

458. Hannon was very much annoyed, was he not, when Greene did not arrest Connelly?—Yes, in the first instance: and in a second conversation I had with him, after he made the report, he said he thought Greene had a right to arrest Connelly. I then told him that the constable, not having seen anything that occurred, and the man being known, would be perfectly justified in not arresting him; and Hannon seemed to take it for granted that was the correct view of the thing then.

459. Then Hannon named the wrong man, did he not, at first—he said the man who had been annoying him was Michael Condon?—He gave the name of a man named Mick Condon. The other man's name was Connelly.

460. *The Chairman.*] Did he name one or two?—He only named one man in the first instance, and I took it for granted it was Condon he referred to.

461. *Mr. Lee.*] Acting on that, of course, you laid informations against Mick Condon?—Yes, an information was laid that morning against Mick Condon, and during the day the real person's name transpired, and the information was subsequently withdrawn against Condon and Connelly was summoned.

462. There seemed to be a doubt about the real person's name?—I think it was Constable Hunt who first told me about it.

463. What did Hunt know about it?—He was the man I sent to lay the information.

464. How did he know Condon was the wrong name, and Connelly was the right man?—I think he had some conversation with Hannon. I could not tell you.

465. Have you had any complaints at all against Greene in the way he carries out his duties?—No.

466. *Mr. Tunbridge.*] Do you remember what the weather was on the night of the 3rd?—It was fine when the men went out. It was raining during the day. It ceased to rain about half-past 8.

467. And from that time onwards was it dry?—Dry until I retired to bed, at nearly 12 o'clock.

HENRY GEORGE HUNT, examined on oath.

468. *Mr. Lee.*] You are a constable, stationed at Oamaru?—Third-class constable, mounted, stationed at Oamaru.

469. You recollect the matter of this change of name from Condon to Connelly?—Yes.

470. Will you tell the Bench what you know about that?—On the Friday morning, the second day of the races, the 4th, I was ordered by Sergeant O'Grady to go to the Courthouse and lay two informations against Michael Condon—one for being a prohibited person and being on licensed premises, and the other for disorderly conduct. I laid them, and asked the Clerk of the Court to leave them in the sergeant's office for service. They were given to me by Sergeant O'Grady on the Saturday morning to serve on Condon, which I did.

471. Did you find there was a mistake then?—Condon protested, when being served, that he was not the man; and on returning I mentioned the matter to Sergeant O'Grady that he had protested, and there was nothing more on the matter till the Sunday evening about 7 o'clock, when I was coming down on duty, and Hannon was standing outside his hotel. I believe Hannon spoke first; I am not quite sure. He said "Good night," and I believe he said "This is a nice affair." I then took the opportunity of asking him if he was sure it was Condon. He said it was Mick the Slipper, that works at Eveline, and I knew at once there had been a mistake. I knew Mick the Slipper that he referred to was Michael Connelly.

472. Did Hannon explain how it was he had made a mistake?—No, he did not.

473. Did you ask him?—I did not.

474. *The Chairman.*] He did not say he had made a mistake?—He did not. He simply said it was "Mick the Slipper."

475. *Mr. Lee.*] Did you tell Hannon that Condon had been summoned?—I said it was Condon the information had been laid against.

476. Did he not ask how the information had been laid against Condon?—He did not.

477. He expressed no surprise at all?—No; he did not express any surprise. He simply said it was not the man, and he would see the sergeant.

478. How long have you been in the Force?—Since 1891.

479. Any matters which come under your notice, where you think the probability is the police will act, to whom do you report them?—The sergeant in charge.

480. By what method?—The usual method.

481. What is that?—On foolscap.

482. Do you report sometimes by word of mouth?—I am situated somewhat different to the foot men. When I am sent out to make inquiries by the sergeant, on my return I mention the facts to him. He will say, "Make a report of it," if he thinks it is necessary.

483. Have you ever known the police to start proceedings in cases when you have not made a report?—I cannot say I have.

484. Will you swear the police have not started proceedings in such an event?—I would not; because I do not think there was a written report made when an information was laid against Condon.

485. Have you known of the police taking proceedings before you had made a report?—Yes, I think there is one case. In the last case I had before the Court I do not think I made a report.

486. What case was that?—It was the case of Peebles.

487. Peebles's Hotel?—Yes.

488. It was a case of gambling?—Yes.

489. You made no written report?—I gave the information to Sergeant O'Grady. He took a note of it. After I arrested the prisoners and returned to the station I mentioned to Sergeant O'Grady verbally the circumstances of the case.

490. *The Chairman.*] When you give information verbally, you would supplement it by a written report?—As a rule.

491. *Mr. Lee.*] But not always?—In trifling cases, where the sergeant does not think it necessary to act, he does not ask for a report.

492. There was no written report in that case?—I did not make a written report. Sergeant O'Grady made notes of it.

493. Do you know anything about stationery—whether it is obtainable easily by the constables?—It is kept in the sergeant's office.

494. When the sergeant is away that room is locked?—Yes.

495. Do you know any other place where you can get stationery when the sergeant is out?—The gaoler has a key to the sergeant's office.

496. If the gaoler and the sergeant are away you cannot get in?—No.

497. *The Chairman.*] Is it kept, as a rule, in the drawer?—I do not go to the watch-house. I usually go to the weights and measures office, and do my work there. I get foolscap from the sergeant's office when I require it. Sometimes he is there, sometimes he is not.

498. *Mr. Lee.*] Have you had to wait sometimes?—Yes. If I have to report on any matter when the sergeant is absent, and the Courthouse is open, I walk in there and get a sheet of foolscap. If it were not an important matter I would wait for the sergeant's return.

499. *Mr. Tunbridge.*] Who did you understand made a mistake as to the man's name?—I could not say. I was not present when Hannon made his report to the sergeant.

500. When you spoke to Hannon on the Sunday night, did he tell you at once who the right man was?—No, he did not. He said it was "Mick the Slipper."

501. He had no doubt as to who the man was—the man he meant?—No; he had no doubt himself as to the man he meant.

502. What is "Mick the Slipper's" name?—Michael Connelly.

503. And the other man who was summoned was Michael Condon?—Yes.

504. From what you know of the case, Hannon had never confused these two men?—I could not say. As far as I know he did not. The reason I spoke to him was on account of Condon protesting he was not the man, and could prove he was not there, and, that being the first opportunity of meeting Hannon, I mentioned the matter to him, and he said it was "Mick the Slipper," and, of course, I knew then the wrong man had been summoned.

505. As regards making reports: if you had to report a matter, would you wait twenty-four hours simply because you were not able to get foolscap?—If it was urgent I would get it somewhere, I think. I would find some if it was an urgent matter, I think.

WILLIAM CHRISTIE, examined on oath.

506. *The Chairman.*] What is your rank in the Force?—Second-class constable.

507. *Mr. Lee.*] Did you come home from the races on the night of the 4th with the sergeant?—Yes.

508. Did you meet Constable Greene, either of you, while you were together?—No.

509. Where did you leave the sergeant?—At the station.

510. Where did you go then?—I went to my tea.

511. Can you say, as a matter of fact, whether the sergeant saw Greene on that occasion or not?—No, I do not think the sergeant saw Constable Greene at all.

512. Why do you think that?—Greene was out at his tea when I went there.

513. It is possible then, if the sergeant saw him, it would be later in the day than that?—Yes.

514. Was Greene on duty that evening?—He was on night duty.

515. On at 9 o'clock?—Yes.

516. You are on night duty sometimes, and when anything crops up during the night that is not in your opinion of a very serious nature, when do you report it to the sergeant?—I tell the sergeant in the morning when I get up.

517. Do you put it down in writing and leave it for the sergeant before you go to bed, or do you wait till you get up?—I wait till I get up.

518. *The Chairman.*] What time do you get up?—About 11 o'clock.

519. *Mr. Lee.*] I suppose at 11 o'clock on the 4th the sergeant would have been away at the races?—The sergeant and I went out together about 11 o'clock to the races.

520. Was Greene up before you left?—No.

521. How do you report these little things that occur during the night—by writing, or word of mouth?—I have had hardly anything to report since I came here on night duty. Things are very quiet at night here. I reported a fire.

522. Have you reported anything else to Sergeant O'Grady in writing except this fire?—No.

523. Have you reported anything by word of mouth?—If the sergeant met me during the day he would say, "Anything fresh during the night, Christie"? I would say, No.

524. Have any cases arisen out of any reports you have made?—No.

525. When you went to report, where did you get foolscap paper?—From the sergeant.

526. Is there any other paper procurable without getting it from the sergeant?—No.

527. *The Chairman.*] You are not aware of any being kept in the drawer of the watch-house table?—No.

528. *Mr. Tunbridge.*] As a matter of fact, since you have been here you have had no occasion to make a written report to the sergeant?—No; only one morning.

529. Did you go to bed and report that when you got up?—I went up to the sergeant's house, and told him.

530. That is the only occasion you have had to make a written report?—Yes.

531. *The Chairman.*] On the only occasion that you had anything to report you did report it before you went to bed?—I went to the sergeant's house, and told him there was a fire.

532. *Mr. Tunbridge.*] What do you mean by saying you would wait till you got up in the morning?—The sergeant would ask me in the morning if there was anything startling during the night. I would say, No.

533. Do you remember what the weather was on the night of the 3rd?—It rained on the night of the 3rd.

534. Do you remember up to what time it was raining?—It was raining in the afternoon, and up till 6 o'clock.

535. Do you remember whether it was raining late at night?—I have no distinct recollection of what time it cleared off.

536. *Mr. Lee.*] Were you in the station that night when Hannon came along for Greene—were you sleeping there?—Yes; I was sleeping in the next room to Greene.

537. Did you hear any conversation, or anything going on?—No.

538. Are you a light sleeper?—I am pretty easily wakened up at times.

539. Did you see Constable Greene that night at all? When did you see him last?—I could not say.

540. What time do you think it was?—About 9 o'clock.

541. At that time was Greene sober?—Yes, perfectly sober.

EDMUND CHARLES TREHEY, examined on oath.

542. *The Chairman.*] What is your rank?—Third-class constable.

543. *Mr. Lee.*] How long have you been in Oamaru?—About two years and a half.

544. Can you speak as to the system of reporting matters which occur during the night—what has been your practice here? Supposing, for example, you were called upon during the night to arrest a man, and you found no cause to arrest him, and promised to have the matter seen into by the police, what would you do next morning?—When I got up, I would explain to the sergeant, and ask him if it was necessary to make a report. If it was anything important, I would make a report.

545. Say, a matter of that kind?—In a matter of that kind, I suppose I would make a report. I would go into the sergeant's office when I arose in the morning, and explain the matter, and ask if it was necessary to make a report.

546. You would not write a memorandum of that before you went to bed at night, and leave it for him. No, unless I thought it was an important matter.

547. A man clearing out, or anything of that kind, I suppose you would leave a note for him, or see him?—Yes.

548. Do you know of any case where the police have prosecuted on your report to the sergeant by word of mouth?—No, I cannot call to mind any case.

549. Have there been any such prosecutions without any written report?—I do not know of any. I cannot speak for other constables. I am speaking for myself. Personally, I do not know of any.

550. You cannot say one way or the other—whether there have been, or have not?—No.

551. Have you had many cases in which you have given written reports since you have been here?—I think I remember two cases.

552. You remember only two cases in which you have supplied written reports?—Yes.

553. There must have been a number of other cases in which you have not supplied written reports?—Yes, but there have not been many cases since I have been on duty here.

554. *Mr. Tunbridge.*] Did these two reports arise out of your night duty?—No. I think one arose when I was on day duty.

555. And the other?—The other case, was, I think, a case of fire. I am not sure now whether it was day or night duty.

556. Do you wish it to be understood if this fire had occurred during the night you would have waited till you got up next day and then report it?—No, I would have reported a case of fire.

557. Since you have been here you have not had occasion to report a matter that has arisen during night duty?—No, I cannot call to mind any occasion. I may have, but I cannot call to mind reporting anything. In this case I am not sure whether it was on night duty.

558. What duty were you on on the 3rd March?—I was on day duty.

559. Do you remember what the weather was that night?—No, I cannot call to mind what the weather was.

PATRICK COTTER, examined on oath.

560. What rank do you hold in the Force?—Third-class constable.
561. *Mr. Lee.*] You were on duty with Constable Greene on the night of the 3rd March, on the No. 2 beat?—Yes.
562. Did you see Greene on and off during that night?—Yes.
563. Was he drunk or sober?—Sober.
564. Did you see him and Sheard together that night?—I saw them about from a quarter to half-past 2.
565. What is Sheard's occupation?—A barber and tobacconist.
566. Was Greene the worse for liquor at all?—Not at all.
567. Did you know that anything had cropped up at the White Hart Hotel that night?—Not till then.
568. When?—At half-past 2 o'clock.
569. When you met Greene?—Yes.
570. He told you then what had occurred?—Yes.
571. Do you know when he reported this matter to the sergeant?—I was with him at the time.
572. When?—At 9 o'clock, going out.
573. The following night?—Yes.
574. What took place between them?—He asked the sergeant if Hannon had spoken to him about what happened at his hotel that morning.
575. Had you seen the sergeant that day?—Yes.
576. When?—I saw him out at the races.
577. What did the sergeant say to that?—The sergeant said: Yes, he had seen Mr. Hannon, and that the less said about it now the better.
578. Was Greene reporting to the sergeant then, or what?—Yes; he asked the sergeant if Hannon had spoken to him about it.
579. You say he was stopped then from saying anything further about it?—Yes.
580. Have you had any cases arising while on night duty—any matters for report to the sergeant?—No.
581. On day duty?—Yes.
582. How have you reported those—by writing?—I spoke to the sergeant, and he told me to make a report.
583. You speak first to the sergeant, and then he tells you to make a report?—Yes.
584. Have you ever made a report in the first instance to the sergeant, before you have spoken to him?—No.
585. How many cases do you think you have had in which you have given written reports?—I have only had one report.
586. I suppose you have had a good many verbal reports?—No, very few.
587. And on these verbal reports have cases come before the Court?—No.
588. On only one occasion has a case come before the Court on your report?—No; I just reported the matter to the sergeant.
589. Was there any case?—No.
590. Have any cases ever arisen out of your reports at all?—None.
591. Did you see Greene that night earlier than when he told you about Hannon?—Yes.
592. Did he say anything to you at all?—About a quarter past 1 o'clock he said he was going to the station to change his boots, as he was wet.
593. What sort of weather was it that night?—All day it was very wet, and the roads were very mucky and bad.
594. From the time you went on at 9 o'clock was there any rain at all?—It was just ceasing when we went on at 9 o'clock.
- 594a. Do you think the state of the roads would be such that he would be likely to get his feet wet that night?—Yes, if he had not very strong boots.
595. *The Chairman.*] Did you find it necessary to change your boots that night?—No.
596. *Mr. Poynton.*] You had strong boots?—Yes.
597. *Mr. Tunbridge.*] Where did you meet Greene at the time he said he was going to the station to change his boots?—At the Bank of New Zealand corner.
598. How far is that from the police-station?—About five minutes' walk.
599. Did Greene go towards the police-station when he said that?—Yes.
600. That would be a quarter past 1 o'clock?—A quarter past 1.
601. When did you next see Constable Greene that night?—About half-past 2 o'clock.
602. Did you hear the evidence taken by Inspector Cullen—Hannon's evidence?—No.
603. Where was Greene when you saw him next?—At the corner of Coquet and Thames Streets.
604. When he spoke to you about Hannon's affair, what did he say?—He said there was a light in the place, and I had better go with him.
605. That it was just over?—Yes, I understood it was just over.
606. It would be about one hour and a quarter from the time you saw him coming to the police-station to change his boots, and the time when he said there had been a disturbance at Hannon's?—Yes.
607. How long would it take to go from the police-station to the White Hart Hotel?—I suppose about twelve minutes.
608. You say it was not raining after you went on duty?—No, it was just ceasing.
609. The streets here are well paved, are they not?—They are very muddy when it is raining.

610. But the pavements?—Oh, no; the pavements are dry.
611. Policemen do not usually walk on the streets?—Occasionally you have to walk across the road.
612. Is a man likely to get his feet wet walking on the pavements?—Oh, no.
613. Do you swear Greene ever made any such statement as this at all to you on this particular morning?—Yes; I swear on my oath he said he was going to the station to change his boots.
614. Had he any occasion to change his boots?—I do not know.
615. Had you any occasion to change your boots?—None whatever.
616. Do you think that any man on duty four hours would have had occasion to change his boots?—I do not know. I did not have to change mine.
617. Do you think any other man would?—Not if he had such strong boots as I had.

JAMES ALBERT SHEARD, examined on oath.

618. *Mr. Lee.*] You are a hairdresser at Oamaru?—Yes.
619. Were you out and about on the race-night—the night of the 3rd, or say, the morning of the 4th?—Yes.
620. Do you remember seeing any police-officers that night?—Yes, I saw Constable Greene.
621. No other?—No. I did not see any other constable, not just then. I saw one later on, a few minutes after Greene walked along the street. I think there was one came up and walked along the street then.
622. Do you know him by name?—I could not tell which one it was.
623. Was Greene drunk, or the worse for liquor, when you saw him?—No, he was quite sober as far as I could see.
624. And you were too?—Oh yes, I had been working up till 2 o'clock.
625. What time was it when you saw Greene?—About 2 o'clock.
626. And the other constable, was he the worse for liquor?—I could not say. I never spoke to him.
627. *The Chairman.*] How many of you were together at a time?—Myself and Constable Greene; and this other constable came up just as I was turning to go home.
628. *Mr. Tunbridge.*] Where did you first see Constable Greene that night?—Just crossing Thames Street opposite my shop.
629. Which way was he going?—He was going on to the other side.
630. From the White Hart way?—No, he was somewhere near the Girl's High School corner.
631. Was he alone?—Yes.
632. Did you hear anything of the disturbance at the White Hart?—No.
633. Did Greene say anything to you about it?—He said he had been called to the White Hart to take a man into custody; and he said he was called to take a man who was quite sober, and he could not do so.
634. You are not able to fix the time he was down at the White Hart?—No, I could not say.

EDMUND CHARLES TREHBY, examined on oath.

635. *The Chairman.*] Your rank is that of a third-class constable?—Yes.
636. I believe you have some suggestion to make on behalf of the members of the Force stationed at Oamaru?—Yes. These are the suggestions: "As the present compulsory insurance only affects one class of the New Zealand Police Force, we are of opinion that it is arbitrary and unfair, and recommend that it be abolished, and that in its stead the Government bring in a pension scheme as in the other colonies. That the rate of pay as at present—viz., £10 per month—be dispensed with, and that the old rate of 7s. per day be reverted to. That house-allowance be granted to married constables. That police uniforms be provided free. That the present relieving-allowance is insufficient, as married men only receive 3s. a day, and single men 1s. 6d. That some uniform system of promotion similar to that existing in the colonies of Victoria and New South Wales be introduced into the New Zealand Police Force. That the present system of long-service pay extended to certain members of the New Zealand Police Force be made applicable to all men in the Force."
637. Do you as a body express a preference for the pension system as against the present compulsory insurance system?—Yes.
638. Are you prepared to support a pension system which involves deductions from your present pay?—Yes.
639. Do you realise that in order to secure a pension system the whole of the funds might have to be derived from the pay of the members and other sources within the Force?—Yes.
640. Such as rewards; do you think you would approve of that—that all the present money rewards should go into a pension fund?—I have not talked the matter over with my fellow constables. I do not know what their opinion is on that subject.
641. Have you considered to what extent their pay would bear charging for the pension fund?—No, we have not.
642. You say the pay should be raised to 7s. a day?—Yes.
643. Do you mean that as the standard pay for one class, or all classes, or what?—No; I mean that constables joining should start at 7s. a day.
644. In addition to that, you think there should be long-service pay?—Yes.
645. To what amount?—On the same conditions as the constables who joined some years ago—6d. a day, and 1s. a day after ten years.
646. That is the extent to which you ask long-service pay?—Yes.
647. Have you any suggestion to make or any opinion to express with regard to the different classes in the Force? I will put it to you in this way: Have you considered whether it would be to

the advantage of the Force to do away with the system of classes, and, say, fix a rate of pay for all constables joining the Force, with annual or periodical rises of pay. How would that be received?—Yes, that would do.

648. Suppose you start at 7s. a day?—Start at 7s.

649. With a rise at certain intervals?—With a rise of 6d. after twelve months. I have not gone fully into this. I think it should be something after the Victorian style. I think there, after the first twelve months, they get 6d., and—though I am not sure—then they go on for two or three years.

650. When you refer to the system of promotion, is that independent of the question of pay?—Well, pay goes with the promotion, I think. We are in favour of something on the lines of the Victorian system. When a constable joins he should get 7s. a day, and after he has been in the Force, say, twelve months, 6d. a day extra; and after he has been in a further stated period he should get a rise of 1s. a day—say, after ten years he should be getting 1s. a day extra; so that a third-class constable, after ten years' service, would be drawing 8s. a day; whereas now a constable with £10 a month gets no long-service pay, and until he gets promoted he is only drawing not quite 7s. a day.

651. *Mr. Poynton.*] Do you think the Police Force should be removed entirely from political control—that the heads should be made independent: has that been considered?—No, we have not considered that matter. I have a suggestion of my own. The suggestion was that all constables joining the Police Force should do at least six months' duty in large centres, and no constable on joining the Force should be sent straight away to a small town.

652. *The Chairman.*] How long have you been in the Force?—About two years and a half.

653. What training did you have before you were put on street duty?—As regards the police, I had no training whatever.

654. No training in police duties?—No training in police duties. Oamaru was my first station.

655. How have you acquired any knowledge of your police duties?—What knowledge I have is what I have read out of my regulation book, and little "ins and outs" I have gathered from men who have been in large centres.

656. Have you attended any lectures on police duties?—No. I have had no lectures here on police duties.

657. Do I understand you to say that immediately you were appointed you were sent to Oamaru and put on street duty?—Yes, sent to Oamaru and put on street duty. That is why I make the suggestion, because I think it is unfair for a constable to be sent straight on street duty, especially in a small town. It is unfair he should be put on duty without any instructions whatever. If he gets into trouble he is responsible himself. If a constable is in a large centre, he has the Inspector and the sergeant to instruct him on his beat, and he would not be so liable to get into trouble. In small towns there is a lot of responsibility on you. The sergeant is not always at hand, and therefore I would suggest that a constable on joining should have at least six months in a large centre.

658. There has been no system of lectures here?—No, no system of lectures.

659. Have you had any training in first aid to the wounded?—No.

660. *Mr. Tunbridge.*] Do you know during the last twelve months of any other constable who has been taken on and sent direct to a country station, like you were sent?—No, I do not know of any. There have been none sent here.

661. Do you know to any other part of the colony?—No, I cannot call to mind any case.

662. *Mr. Taylor.*] Have you made any reports to the sergeant since you have been here?—Yes; I remember reporting a fire at Smyth's stables when I was on night duty.

663. Have you been very heavily worked since you have been here?—No.

664. It is a pretty quiet town?—Yes; fairly quiet.

665. And the police duties are light?—Well, you cannot call them heavy.

666. Where are you boarding?—I board at the Queen's Hotel.

667. Have you boarded there ever since you came here?—No; I boarded at the Globe Hotel first.

668. Did you not board at a private boarding-house when you first came here?—Yes.

669. Why did you leave it?—The reason why I left the boarding-house was that I found the hotel closer to the station for me. The boarding-house was too far away from the station.

670. Did you discuss it with any of your officers?—No.

671. Are you the only police-officer at that house?—No, there are three of us.

672. Did you not have a conversation with the sergeant before you shifted?—No, I had no conversation with the sergeant.

673. Have you made any suggestion that you should have a mess at the police camp?—Yes; I sent in an application to the Police Commission, pointing out the cost of living here compared with Christchurch.

674. The cost between being compelled to live at an hotel and boarding at the camp?—Yes.

675. Have you not suggested to your officers you should be allowed to mess at the camp?—We have just talked the matter over, and said it would be better if we had a mess here.

676. You came from the Permanent Artillery?—Yes.

677. Has it not been a matter of common talk amongst the men that political influence is necessary if they wish their interests served in the Force?—I have heard in some places of political influence, but I cannot say I have heard of it in all places.

678. In some places amongst the men?—Yes.

679. That political influence was necessary if they wished to get favours?—Yes.

680. Have you ever known of a case?—I cannot call to mind a case.

681. Has there been any change of feeling amongst the men during the past six months—any improved feeling in the Force?—Yes. The men seem to think that things are on a better footing

They seem to be better satisfied with things. They do not growl so much, and they look to the future as bringing better results than there have been in the past.

682. Have you had any licensing prosecutions since you came here?—No.

683. Have you had any since you have been in the Force?—No.

684. How many cases have you had altogether since you have been here?—If I said six I do not think I would exaggerate.

685. Six cases in two years and a half: does that include “drunks”?—No, that does not include “drunks.”

686. You have arrested a number of “drunks”?—I suppose I have arrested about thirty here.

687. Has it ever been a matter of conversation between yourself and any other policeman in the town that the men scarcely know how to put in their time?—I have heard the men say their duty was very small compared with large centres.

688. There has been a general feeling that they have been over-manned for the work that is done?—I have heard some of the constables say the station is over-manned.

689. *The Chairman.*] You desire to call the attention of the Commission to the fact that there is no police mess at Oamaru, and in consequence you have to board at an hotel?—Yes. I wish to point out there are no boarding-houses—I do not know if I should say respectable boarding-houses—but there are no boarding-houses fit to live in convenient to the station. There are some places where I do not think they would care to have a constable living.

690. Is there no restaurant?—There are some places of that kind, but I should not care about living in some of them.

691. *Mr. Tunbridge.*] Do you know what the mess costs at Christchurch?—I am under the impression it runs to about 10s. 6d. a week, sometimes less.

692. Have you formed any estimate as to what it would be likely to cost you here in Oamaru with four or five of you?—No, I have not formed an estimate.

693. Do you think if you had a mess instituted here the men would be prepared to do their own cooking, or provide a cook?—I do not know. With our small body of men, I may say now I do not think it would be possible to make any saving by having a mess here.

694. Do you think if you had the necessary conveniences here you would be able to provide a mess at less cost than you are paying now at the hotel?—I do not think so. I do not think we could live any cheaper, with our small staff, than we do now at the hotel.

695. *The Chairman.*] Having regard to the question of cost, is it still your feeling there ought to be a police mess here?—It would be more convenient. It would be on the station. It would save dressing, and then it would not be necessary for you to board at an hotel. Some of the outside public take objection to policemen boarding at hotels. Of course, we have to board there. It is the only place we can get, convenient and respectable. What I wished to point out was that a constable sent to a country station was under more expense than a constable in a large centre.

696. *Mr. Tunbridge.*] What do you suggest should be done to remedy this?—Well, I do not know. The only thing I can suggest would be that Government should make an allowance to constables on country stations. When there are so few men on a station it would not pay to run a mess.

697. *Colonel Hume.*] When you were in the Permanent Artillery did you ever do temporary police duty?—No.

698. You say you think there is a better feeling in the Force now. Can you account for that in any way?—The only way I can account for that is, the men seem to think there is better hope for them in the future. They think the Police Force is on a better footing, in the first place, and they think it will be on a far better footing in the future. There seemed to be some complaints—that a lot of promotions were very unfair in the past, and that in the future things will be on a more uniform scale, and men will be treated more on their merits.

699. Is not one of the reasons that they think there will be some good result from this inquiry?—That is one, but it is not all.

700. Is not another reason that they think they have now got a political friend in Mr. Taylor?—No, I have not heard that. I do not think all policemen are friends of Mr. Taylor.

701. But they think they have got a political friend now in Mr. Taylor?—I do not know if you would call Mr. Taylor a friend. Some of them think they have got somebody to expose them, I think.

GEORGE DASH, examined on oath.

702. *The Chairman.*] What are you, and where do you reside?—I am a coachbuilder, living at Waimate.

703. *Mr. Taylor.*] How long have you lived in Waimate?—Roughly speaking, about twenty-two years.

704. How many licensed houses have you there?—Four.

705. Do you think the licensing law is enforced there by the police?—By no means.

706. Have you any prohibited men in Waimate?—Yes, several.

707. Have you ever seen any of them drunk on the streets?—I have seen them drunk on the streets on more than one occasion.

708. Whilst the orders have been current?—Whilst the orders have been current. One prohibited man came into my own premises within the first month of his prohibition order so intoxicated that he could not articulate.

709. *The Chairman.*] Within what period?—Certainly within a year back. The order is still in force.

710. *Mr. Taylor.*] Was that in the day-time?—In the day-time: in the afternoon. He had a bottle in the cart in which he drove to my place.

711. Have you seen other prohibited men in a state of drunkenness?—Yes. I have seen two prohibited men standing in the street within sight of the police-station, drinking from a black bottle, both apparently under the influence of liquor.

712. Have you known of any prosecutions of any persons in Waimate for supplying prohibited persons with liquor?—There have been a few.

713. Recently?—To the best of my belief, not recently.

714. Can you remember any cases within the last two years of prosecutions for supplying of prohibited persons?—Yes; I think I remember only one case.

715. How many prohibited persons have you in Waimate, about?—Well, I could not say exactly, but roughly speaking, about six now.

716. *The Chairman.*] You are confining your statements to what period?—Within the last twelve months.

717. And you say this prosecution was within the last twelve months?—Yes, I think it was within the last twelve months.

718. *Mr. Taylor.*] You think the police authorities take little or no action in regard to these prohibited persons?—I think so; and I base my opinion on the fact that they are very often seen drunk on the streets.

719. With regard to Sunday trading, do you think Sunday trading goes on to any extent in Waimate?—I think so, to a considerable extent.

720. Can you tell the Commission on what facts you arrived at that conclusion?—I base my opinion on the fact that I myself saw no less than seventy persons enter one of the licensed premises—enter by the side door and the side gate. Twenty-eight of those persons were to my knowledge residing within two miles of the house; thirty of them I did not recognise. It is quite possible for some of them, none the less, to be residents, because I do not undertake to recognise all residents. I recognised four legitimate boarders, and I did not count the publican, or his family, or the barman. One man went in in the morning, and made five trips during the day, and the last trip he was in the house a considerable time—I should say from half an hour to an hour—and he staggered in passing up the street. That man lives within a quarter of a mile of the house, and is as well known to the publican as I am.

721. Did any other residents show signs of drinking?—Yes. One other individual made three trips, and on the last trip, from the way in which he acted when he came out, I considered he, too, was under the influence of liquor.

722. He was a resident?—He was resident within a quarter of a mile, I think—certainly not half a mile—of the place.

723. And you base your opinion that the police are negligent, so far as enforcement of the licensing law is concerned, on these facts?—On these facts. I may say on other Sundays I have noticed, without taking any special pains, people entering hotels—people who were residents.

724. With little or no restraint?—Little or no restraint.

725. *The Chairman.*] What was the date of your observation, when you counted these people?—It is within the last month.

726. *Mr. Taylor.*] Have you any other grounds for thinking there may be reason for the inactivity of the police?—I think the police are—how shall I put it?—too friendly, or too much mixed up with the publicans. I may say one constable, on his arrival in Waimate—the constable is there now—was for some months living with his family in the upper storey of a publican's sample-rooms, while the house at the police-station was vacant. On several occasions I have seen constables driving about in a publican's buggy. I have seen a constable taking his wife and family out in a publican's buggy, and the same constable paddocked his cow in a publican's paddock while he had a cow. These things tend to show there was undue intimacy—intimacy that would not tend to the carrying out of the law.

727. Do the police enforce the law in regard to the larrikin nuisance in Waimate?—Yes. I may say they are very energetic in that matter, particularly in the matter of moving persons on.

728. *The Chairman.*] How many constables are there at Waimate?—Two.

729. Are their quarters near to the hotel of which you have been speaking?—About 100 yards, roughly speaking.

730. Do you see any constable about on Sundays or any other time?—Oh, yes; I see them about.

731. On Sundays?—I cannot say with regard to Sundays, because I am not very often in the streets on Sundays. On the Sunday in question I may say I only saw one constable once—not in uniform.

732. *Mr. Tunbridge.*] Can you give me the date of that Sunday?—It was last Sunday—Easter Sunday.

733. The name of that house?—The Waimate Hotel.

734. Between what hours?—Between the hours of 8 in the morning and 5 in the afternoon.

735. Were you watching from the street?—No.

736. Where were you watching from?—From a building adjoining the street.

737. What building?—A store.

738. What building?—It has no particular name. It belongs to Mr. Manchester.

739. Is it a house?—No, it is a shop.

740. What kind of shop?—It is now used as a saddler's shop.

741. Has Mr. Manchester any other shop?—He owns all the building down that street.

742. You say it was a saddler's shop from which you were watching the hotel?—Yes.

743. Which door did those people enter and leave by?—The side door in High Street. I think I also said that some of them entered by the gate. I may say, too, that some of those persons came out of either the side door or the side gate without going in. There are other approaches to

the hotel, and I want to make it plain to you that all those people did not go in at the side door, but certainly either went in or came out of the side door or the side gate.

744. *The Chairman.*] You have given the numbers of those people you saw enter?—Enter, or leave.

745. There may be some persons counted twice then?—No; I knew the people.

746. If you did not see them enter they must have entered before 8 o'clock in the morning?—Oh, no; there are other entrances.

747. Which entrances had you in view?—The High Street entrances.

748. *Mr. Tunbridge.*] Does this gateway lead you to a back entrance of the house?—Yes.

749. About what number do you suppose entered by the side door as against the gateway?—According to the notes I took, there were twenty-one persons entered or left at the gate, but did not enter or leave the side door—twenty-one separate persons.

750. Twenty-one persons left by the gateway?—Entered or left by the gateway.

751. And how many by the side door?—Twenty-seven whom I knew to be residents; add to that, nineteen strangers.

752. How many?—Forty-six, by the side door.

753. You say one man went in five times during the day?—Yes.

754. And was visibly under the influence of liquor?—Yes.

755. What was that man's name?—McLeod.

756. Christian name?—William.

757. Where does he live?—He lives at the back of a butcher's shop, which faces on Queen Street, and on a street the name of which I do not know.

758. He is the proprietor of this shop?—Yes.

759. The name of the man who entered three times?—George Johnson.

760. Where does he live?—He lives, I think, in Maud Street.

761. Do you know his occupation?—He is a horse-trainer.

762. Will you give us the names of some other people who were going in and out? Were there any who entered twice on this particular day?—There was a man named Larry Thyne who entered twice.

763. Have you anything to fix about the times of these visits?—Yes. In the case of the first man, McLeod, the five times were distributed, I think three times before dinner and twice after, or thereabouts. His first visit was made early in the morning, I should say about 9 o'clock, and his last visit was made between 4 and 5 o'clock.

764. Another name of a person who entered twice?—Another man's name was Sole. His Christian name I am not so sure about. There are several brothers.

765. Do you know this man's occupation?—I think I should call him a labourer. There are three brothers; and it is not John, and it is not William.

766. Where does he live?—I think he lives in High Street. He entered twice in company with George Johnson.

767. Any other who entered twice?—I have no further note of any others who entered twice.

768. Will you give us the names of some who entered once, if you please?—I did not make any notes of them, but I could tell you all the same. One man's name was Hobbs. He entered three times in the morning. He lives about a mile from the hotel.

769. Do you know his Christian name?—I cannot bring it to mind for the moment, although I know it.

770. What is he?—His name is Charles. You might call him a foreman of County Council labourers. I think he ranks as a sort of foreman amongst labourers.

771. Now, I would like to know the names of about half a dozen?—A man who left the side gate without my seeing him enter at all was named Finn. He is an accountant.

772. Is there a watering place down this side gate?—I believe so.

773. These persons whose names you have given me, did they enter by the side door or did they enter this gateway only?—All with the exception of the last one went in at the side door.

774. Is there more than one Finn in this place?—Yes. He is the senior. I do not know his Christian name.

774A. Did you observe signs of liquor on others?—Only on the two I have mentioned.

775. I think you have given us six names. Do you know the names of the others?—I could bring some of them to mind.

776. Twenty-eight persons lived within two miles of the place to your knowledge?—Yes.

777. Do you know the names of those twenty-eight persons?—I do not know the names of the twenty-eight persons. I could bring to mind, with a little thinking, the names of some of them.

778. Can you remember any more just now?—Not just now. I have been trying to think them out.

779. Now, as to these prohibited persons, the two men who were drinking in the presence of the police?—I did not say in the presence of the police. I said within view of the police-station.

780. They were drinking from a bottle. Of course, you had no means of knowing where they had procured this drink?—None.

781. And in the case of the man who came to your shop under the influence of liquor?—There was a bottle in his dray—in his cart.

782. And there again you had no means of knowing from whom he had obtained this drink?—None.

783. Were you watching with any other person?—No.

784. Did the owner of the premises from which you were watching have any knowledge you were there?—No.

785. Is he also occupier as well as owner?—No.

786. The occupier had a knowledge of your presence there?—He knew I might be there, but he did not know I was there.

787. Does he live on the premises?—No.

788. Simply uses the place as a shop?—Yes. He is a brother of mine. I may say, in a small town like that the publicans have so much influence, that I desire to say he was not aware of the purpose for which I had gone there, and would hardly have allowed me to be there.

789. Have you ever reported to the police about these prohibited persons being supplied with drink?—No.

790. Why have you not done so?—For one thing I did not think it would be much good. I thought if I saw them, and I so seldom on the streets, they must know of it.

791. But one came to your place of business, I understand?—Yes. I am not positive from this distance he had a son with him. If the boy was with him there on that occasion I do not exactly remember.

792. How old would the boy be?—I should suppose about ten.

793. Capable of driving the dray in the event of his father being drunk?—Yes.

794. Did you see him go away from your place: was he driving the dray?—That I do not remember. I am inclined to think the boy was.

795. How long ago was this?—I should say about nine months ago.

796. What was his name?—Alick Price.

797. Does he live in Waimate?—Yes. He is an expressman.

798. The names of the other two?—George Johnson was the name of one. The name of the other I do not know.

799. *Mr. Poynton.*] Was that the same George Johnson you saw going into the hotel?—Yes.

800. Is he prohibited now?—No, I think not.

801. *Mr. Tunbridge.*] How long ago is it since you saw these men drinking from a bottle?—I should say about nine months.

802. For all you know it may have been tea they were drinking?—Yes; but men of that class do not usually stand in the street and drink tea from a bottle.

803. Are you a teetotaler?—Yes.

804. Supposing I saw you drinking out of a black bottle, would it be fair for me to suggest or suppose you were drinking spirits?—No, I should not say it would be fair, provided you knew me as well as I knew them.

805. *Mr. Taylor.*] Were not the men referred to under the influence of liquor?—That I could not say. They were distant from me a matter of 300 yards perhaps.

806. Could not all this information elicited from you have been collected by the police in the same way as you have collected it?—Oh yes, much more easily than I could.

807. *Mr. Tunbridge.*] Do you think your brother would be inclined to lend his shop to the police to watch there?—I have no hesitation in saying, if the police asked for the loan of his shop they would get it.

808. *Mr. Taylor.*] You have no personal fear of the consequences of coming here?—None; but I do not want to involve anybody else. If they could have done me any harm, they would have done it long ago.

THURSDAY, 14TH APRIL, 1898.

DAVID HANNAFIN, examined on oath.

1. *Mr. Lee.*] What is your rank?—I am a third-class constable, stationed at Port Chalmers.
2. You were stationed in Dunedin about Christmas time?—Yes.
3. What is the date of this day of which you are going to speak?—The 25th December last—last Christmas Day.
4. You went on duty at 1 o'clock, mid-day?—At a quarter to 1, mid-day.
5. Who went on duty with you?—Constables Hickey, McDonald, Ferguson, and Sergeant Conn, who was in charge of the section.
6. Before you left the station you all stood to "Attention"?—Yes. Sergeant O'Neill inspected the parade.
7. And who inspected you?—Sergeant O'Neill.
8. And passed you out?—Yes.
9. The four of you, with Sergeant Conn?—Yes.
10. That was, from the Dunedin Police-station?—Yes.
11. The sergeant then dropped each officer at his respective beat?—Yes.
12. Who was the first officer dropped?—Constable Ferguson.
13. He was dropped where?—Close by the station.
14. The next constable was who?—Constable Hickey.
15. Then the next?—Constable McDonald.
16. Where was he dropped?—At the corner of Rattray Street and Princes Street, near the Grand Hotel.
17. Where were you standing when he left you?—I was standing in Princes Street, at the Bank of New Zealand corner.
18. McDonald had to go across the road to the Grand Hotel?—Yes.
19. And where was your beat?—Princes Street.
20. How long would have elapsed from the time you left the station until McDonald was sent on his beat?—About five minutes.

21. Did Sergeant Conn draw your attention to anything?—Yes.
22. When?—He drew my attention to Constable McDonald, as McDonald was crossing over the intersection of Rattray and Princes Streets to go to his beat by the Grand Hotel.
23. What did Sergeant Conn say to you?—He said, "Hannafin, what do you think of him? I think he is drunk."
24. Speaking of McDonald?—Yes.
25. Well?—And I replied and said, "I should not like to say he was drunk."
26. What did Sergeant Conn say to you then?—He said then, "You b——, I thought that was what you would say."
27. Did you notice whether McDonald was, in your opinion, drunk?—I would not swear him drunk.
28. Did you notice him staggering in his walk, or anything of that kind?—No.
29. Then, did Sergeant Conn allow McDonald to go on his beat in that condition which he said he was in?—Yes.
30. And you went on your beat?—Yes, in Princes Street.
31. Was that the only occasion on which Sergeant Conn drew your attention to McDonald?—Yes, the only time.
32. Shortly after that some man came up and spoke to you in the street?—Yes.
33. Was he a stranger to you?—Yes, quite a stranger.
34. Did he express some surprise about the language which the sergeant had used towards you?—Yes.
35. Have you found out since who he is?—Yes.
36. What is his name?—Mr. Robert Gowie, baker, in Russell Street, Dunedin.
37. You say he was unknown to you at the time?—Yes.
38. How did you happen to find out his name?—I saw him a couple of days afterwards in the street, and asked him his name.
39. What time of day was it when your attention was drawn to McDonald's state?—About eight minutes to 1 o'clock.
40. Were you called off your beat that afternoon?—Yes.
41. About what time were you called off the beat: can you fix it definitely?—About 2.30 p.m. I was called off the beat.
42. Where were you called to?—To the station.
43. Did you see McDonald there?—Yes.
44. What state was he in then?—He was drunk.
45. In a very different state to when you left him on the beat?—Yes, quite a different state altogether.
46. Do you think from the condition McDonald was in that he could have stood to "Attention," and walked up the street then, without anybody noticing it?—No, certainly not.
47. You say, then, he had taken liquor after leaving you?—He must have, from the appearance of the constable.
48. There was some inquiry before Inspector Pardy?—Yes.
49. And what was the result of that inquiry?—He asked me what state McDonald was in when Sergeant Conn drew my attention to him, and whether he was drunk or sober. I answered that he was not drunk. The Inspector then accused me of being untruthful, and told me to make out a report as to what state Constable McDonald was in when Sergeant Conn drew my attention to him.
50. You made out a report?—I went into the watch-house and wrote out a report. I saw Constable McDonald there drunk when I went in to write out the report.
51. Since then you have spoken to Sergeant Conn about this in the presence of some other constables, have you not?—After writing the report out I handed it to Inspector Pardy, and I was marched back to my beat again under Sergeant Conn. Going along lower High Street, Constable McKenzie overtook us.
52. What time would that be?—About a quarter to 3 in the afternoon.
53. How long had you been in the station then?—I may have been a quarter of an hour or twenty minutes.
54. What conversation was there?—I said to Constable McKenzie, "I have been up before the Inspector"; and Sergeant Conn then said, "I know the b—— I have to deal with now. I shall make him do his whack in future." I answered and said, "I always do my duty, sergeant." Constable McKenzie was close by at the time, and he left then.
55. You noticed a report in the *Star* of some evidence given before the Commission by Sergeant Conn?—Yes.
56. And I believe you asked for an inquiry in Dunedin?—Yes.
57. How long before the Commission left did you ask for an inquiry?—I applied the next morning, after seeing it in the *Star*.
58. How many days would that be before the Commission left Dunedin?—The Commission closed the following day, in the morning.
59. So your case did not come on there?—No.
60. Where were you when you saw this report in the *Star*?—At Port Chalmers.
61. Where you were stationed?—Yes.
62. *The Chairman.*] Did you make any report as to the conversation that passed between you and the sergeant?—Yes; I spoke to Sergeant O'Neill about the matter. I reported it to him.
63. *Mr. Poynton.*] Did you report it to him in writing?—No.
64. You only spoke to the sergeant?—Yes, verbally.
65. *Mr. Lee.*] Sergeant O'Neill was one of the witnesses you were asking for to-day?—Yes. When I went off duty that day I went and saw Sergeant O'Neill, and I asked him to

take me before the Inspector to lay a charge against Sergeant Conn for making use of the language mentioned. The sergeant said, "I will take you before the Inspector; but you lay a serious charge against Sergeant Conn, and if you are not able to prove this charge you will be dismissed. Your word against Sergeant Conn's is no good." I then saw Sergeant O'Neill the next morning, and told him I would let the matter drop.

66. At that time you had not dropped across Mr. Gowie, the witness?—No.

67. Subsequently to that you met Mr. Gowie?—Yes, and ascertained his name.

68. *The Chairman.*] You believe the witness Gowie heard the language of the sergeant which you complain of?—He asked me why the sergeant made use of such language towards me, when he saw me afterwards.

69. Do you suggest that Constable McKenzie heard the second sentence which you complain of?—He was close up, and could have heard it.

70. Has he communicated with you as to whether he did hear it?—Yes, he said he heard it.

71. You have reason to believe he did hear it?—Yes.

72. *Mr. Tunbridge.*] You have a pretty distinct recollection of what took place that day?—Yes.

73. You still say there was no sign of drink on McDonald when he marched out?—I admitted he had had drink when I was before the Inspector.

74. Do you still say the constable displayed no signs of drink when he marched out on duty?—I said he was not drunk.

75. Did you not say, in answer to your counsel, that Constable McDonald could parade and march out without attracting any attention?—I did not notice him.

76. You say in going out at 12.45 he stood to "Attention" and marched out without attracting attention; is that what you still say?—He attracted my attention, and I noticed he had had a drink or two; but the man was not drunk.

77. You noticed he had been drinking, but he was not drunk?—No.

78. Now, as regards your report to the Inspector: what did you say in your report to the Inspector?—I said the man appeared to be under the influence of drink; that he had had some drink.

79. At what period?—When marching out on duty.

80. This is your report, I believe:—

Central Police-station, Dunedin, 25th December, 1897.

REPORT of Third-class Constable D. Hannafin, No. 694, *re* Constable McDonald.

I respectfully beg to report that I went on duty at 1 p.m. this date. I noticed Constable McDonald stagger going out when going towards his beat. He seemed to be under the influence of drink. He was under the influence of drink at the time.

DAVID HANNAFIN, Third-class Constable, 694.

Yes, that is my report; but I am not swearing to that on my oath now. I was not on my oath when I wrote that report.

81. You mean, when you wrote that report it was not true?—It is true so far, that I noticed the man had signs of drink on him. He did not stagger.

82. *The Chairman.*] Now, you say he had been drinking when he went out on duty, but you did not had consider him drunk?—Yes; I noticed he had had a drink or two.

83. Was the man staggering?—No, I did not notice him stagger. I put that in the report because I was threatened with dismissal, and I did not want to show any leniency.

84. *Mr. Tunbridge.*] Do you mean to say you reported in this form within an hour or an hour and a half of the occurrence, and that you then reported what you knew to be untrue?—I mean to say that when I put in the report that he staggered, I am not prepared to swear that he did stagger.

85. At this period you are not prepared to swear that?—Yes.

86. But, within an hour or an hour and a half of the occurrence you were prepared to write he did stagger, and you did write?—Yes, the man was absolutely drunk then.

87. You wrote this report within an hour of the occurrence, and you then reported you saw the man stagger going out to his beat; now, four months afterwards, you come here and say the man did not stagger?—He may, for all I know, but I could not swear to it.

88. You report, "I noticed Constable McDonald stagger going out when going towards his beat. He seemed to be under the influence of drink. He was under the influence of drink." Now, this report you made on the afternoon of the occurrence: is this a true report, or is the statement you are now making a false one?—The statement I make at present is correct.

89. And this is a false report?—Not what I stated, that he appeared to be under the influence of drink.

90. But as to staggering?—That is incorrect, so far as I know. He may have done so, but I cannot swear to it.

91. Now, Sergeant Conn, according to your statement, had used this improper language towards you before you made this report?—Yes.

92. Why did you not mention that in the report?—I did not. I thought I would wait until I came off duty. I was detailed off to make a report on the state of Constable McDonald, and I intended to make out another report in regard to the language Sergeant Conn made use of towards me. I did not want to connect the two reports together.

93. Were you brought from the Artillery to the police?—Yes.

94. And are your reports when not on oath generally made as this one was?—Yes.

CHRISTOPHER CONN, examined on oath.

95. *Mr. Lee.*] You are a sergeant, stationed in Dunedin?—Yes.

96. And you were on duty there on Christmas Day last?—Yes.

97. You took out the men on duty at 1 o'clock—the four men mentioned by the last witness?—I did.

98. Amongst them was Constable McDonald?—Yes.
99. Had you any knowledge then, when you took the men, as to what had been McDonald's state during the morning?—I had.
100. What did you know then as to McDonald's state during the morning?—When coming off duty at 9 a.m. I called Sergeant O'Neill's attention to McDonald, who was then under the influence of drink.
101. That was to say, he was under the influence of drink while on duty?—Coming off duty.
102. Then, of course, he would have been under the influence of drink while on duty?—I noticed him in Princes Street and took him down a back way.
103. That was early in the morning?—Yes, about a quarter to 8.
104. What did you report to Sergeant O'Neill?—I said he was under the influence of drink.
105. Did you say drunk?—He was not exactly drunk; he was under the influence of drink and staggering.
106. You draw a bit of a line yourself between drunk and being under the influence of drink?—A little.
107. Did I hear you say just now he was drunk?—Yes.
108. Did you report him as drunk?—Under the influence of drink. He was so drunk that Sergeant O'Neill found it necessary to send one of the constables home with him to his private house. Sergeant O'Neill took off Constable Hickey to take him home.
109. If you found him drunk, can you explain why he was not arrested and charged with drunkenness?—There are degrees of drunkenness as well as anything else. Another thing, placing a man under arrest causes a scene, and I did not want to make a scene.
110. And when he got to the station he was sent quietly home to recover himself?—Yes, and I reported the matter to the Inspector.
111. Notwithstanding that, at 1 o'clock McDonald was trotted out on beat again?—Yes.
112. Was that usual, where a man had been found drunk a few hours before on beat, to be sent out again at 1 o'clock?—I cannot say.
113. Have you ever known of such a thing before?—I do not think that such a drunken constable has come under my notice for many years, and I have been twenty-six years in the Force.
114. Knowing that, and seeing you had charge of the beat, you would take some notice of McDonald's condition before you took him out on beat?—Well, the man was loitering about the watch-house before going on beat, and I could not very well tell until I got them on the march in front of me.
115. But there was a special reason to see whether McDonald was sober or not, seeing he was drunk at 9 o'clock; did it not strike you as necessary to see whether that man had sufficiently recovered himself?—I took particular "stock" of him; but he was sitting down on a bench in the station, and I could not very well tell.
116. I suppose you would not knowingly take him out under the influence of liquor and put him on beat duty?—I would not.
117. What would you do in such a case?—Every case has different circumstances.
118. If you had thought McDonald was under the influence of liquor then, would you not have reported him to the sergeant?—I would have called the sergeant's attention to him.
119. You did not do that?—No.
120. I take it you thought him sufficiently sober to go on beat?—Yes, until I watched him on the march out.
121. Was he in a worse state, when you say he was under the influence of liquor in the morning, than when he went out on beat?—He was much improved when we were going out on the beat.
122. If you say he was under the influence of drink in the morning, he was not so much under the influence of drink when he went out on beat?—No, he was a good deal sobered up.
123. And he was not absolutely drunk in the morning?—He could walk after a fashion.
124. When you took him out on the beat, when did you first notice any signs of his being under the influence of liquor?—I noticed on the way up the street he was staggering, and I called Constable Hannafin's attention to him. He was marching immediately before me.
125. Where was this?—About Sargood, Son, and Ewen's.
126. And had you dropped any officers up to that stage?—Yes, Constable Ferguson.
127. And there were three officers left—McDonald, and two others?—Yes.
128. You drew Constable Hannafin's attention to McDonald then?—Yes.
129. Who was the other officer on the beat with you then?—Constable Hickey. He was in front.
130. Did you draw his attention to McDonald's state?—No, he was in front.
131. What did you think yourself? Did you think McDonald was fit to go on the beat or not?—I did not think he was fit to be on the beat.
132. Would not Constable Hickey have heard you calling Hannafin's attention to his state?—No, because McDonald was between Hickey and Hannafin, and I spoke in an undertone and said, "Do you see the condition of that man?" and Hannafin made no answer then.
133. Did you ask him again?—I did. I said, "He will be down directly," and Hannafin then told me he thought the poor man was right enough.
134. You went on then and dropped Hickey, did you not?—Yes, he went off at his own beat.
135. That leaves you with McDonald in front, and Hannafin?—Yes, alongside of me.
136. And you go on to the Bank of New Zealand corner?—Yes.
137. Then, McDonald made across the street towards the Grand Hotel?—Yes.
138. Did you notice anything about McDonald then?—He was not walking steady.
139. In your opinion, was he fit to be on beat?—No.

140. What did you do?—I watched him for some time.
141. But before Hannafin went off on his beat?—I spoke to Hannafin about it.
142. What did you say?—Well, so far as my recollection serves, the exact words I used were these, "This is a nice state of matters, seeing the way we have been shown up lately."
143. How "shown up lately"?—There was a bit of an inquiry into the working of the police, and there was some talk about this Commission being set up.
144. And what did you then say to Hannafin?—He told me he thought the man was right enough.
145. Did you ask him?—Yes.
146. What did you say then?—I do not know that I replied to him at all. I walked away towards the telegraph office, I think, and I told him to go on his beat.
147. Did you see Hannafin again?—Yes.
148. Is this the first time you have said you spoke to him on two occasions?—No.
149. When did you say otherwise?—I cannot tell. I made a report, and my report is there.
150. Does your report show that you mentioned these two conversations?—I cannot say.
151. Would you mind looking at your report to see what you did say?—I did not mention twice.
152. In your report do you mention twice?—No.
153. Then, in your report you did not mention that you had two interviews with Hannafin about McDonald's state?—I do not think so.
154. You have heard what Hannafin said you replied to him in the presence of this witness, Gowie?—Yes.
155. Is that true or not?—It is a falsehood; and there was no one near us if I had used the words. But I never used any such language in my life.
156. And you mean to say you did not use the words complained of?—Certainly not.
157. At that stage you expressed no surprise that Hannafin refused to say McDonald was drunk?—Not at all, because I knew what he would say before I asked him.
158. You did?—Pretty well.
159. Why?—There were other circumstances.
160. What are the circumstances?—Perhaps it would be better not to hear them.
161. *The Chairman.*] What did you know before that?—Previously, when I first spoke to him, he cut me very short, and said the man was right enough. I wanted some one to substantiate as to whether the man was drunk or sober, and as he was there I thought he was the best witness to ask. I never like to ask any outsider as to any matter affecting a policeman.
162. You say, then, he cut you very short: when was this?—At the first interview.
163. I do not quite distinguish between the two interviews?—The first was when we were coming up from the station. The other was afterwards, when Hannafin had been a little time on his beat. His beat comes down to McDonald's beat.
164. What interval was there between the first conversation on the march up to the section?—Perhaps fifteen or twenty minutes.
165. That was when you said, "This is a nice state of things"?—Yes.
166. *Mr. Lee.*] You parted with Hannafin then, and McDonald went to his beat; where did you go?—I hung about in sight of him. I went down to the telegraph-office, and I think I went down as far as the Terminus Hotel.
167. In your opinion, at that time was McDonald in a fit state to be on his beat?—Certainly not. I was taking steps to take him off it.
168. And you say you wanted to get a witness to bear that out?—Yes.
169. Did it not occur to you that you could better do that by walking McDonald down to the station and letting the sergeant see him?—The sergeant was not there.
170. Was no one there?—The watch-house keeper.
171. When you found him to be drunk on his beat, why did you not walk him back to the station where some one else could see his condition?—I used my own discretion.
172. Do you think it was a proper thing to allow a man to be on his beat under the influence of liquor?—There was no use taking him away when the man would swear he was not drunk.
173. What would be the value of that evidence, against the evidence of the officers at the station that the man arrived back under the influence of liquor?—It was half an hour afterwards.
174. You could have walked him back in five minutes?—There was no one there.
175. Was there no one in the Dunedin watch-house at 1 o'clock?—Only the watch-house keeper.
176. Where was Sergeant Shirley?—In bed.
177. Was the matter not important enough just to rouse him to have a look at McDonald?—I had my own reasons for that.
178. What were your reasons?—I had better not tell.
179. You have given it to us this way: that you left McDonald on the beat under the influence of liquor?—I did not leave him; I was taking steps to have him removed.
180. When did you next see Hannafin: how long afterwards?—About twenty minutes. I went for the Inspector and brought him down, and I then took McDonald to the station. The Inspector then sent me on beat again.
181. This occurred before you saw Hannafin again?—Yes.
182. How do you explain, if you did this and took the man down to the station, that you drew Hannafin's attention to him on a second occasion?—This was afterwards.
183. I asked you when did you next see Hannafin?—About twenty minutes after going out.
184. Where did you see him?—At the corner, a little above the Bank of New Zealand.
185. How far had Hannafin gone before you got back again?—Down to the corner of the Octagon, and back again.

186. And when he comes back to the corner of the Bank of New Zealand again you have a second conversation with him?—Yes.

187. Where was McDonald at that time?—Standing against the corner.

188. Which corner?—Corner of Rattray and Princes Streets.

189. Was he standing erect, or how?—He was leaning against the wall.

190. It so happened that just as McDonald is at his corner Hannafin gets back again to his corner?—McDonald stood there some little time.

191. What did you say to Hannafin again?—I asked him what his opinion was.

192. Did you point him out across the road?—Yes.

193. And again asked Hannafin what his opinion was?—Yes, and he said he could not say. I said, "Now, I want an answer—Yes or No. If you were on your oath would you swear that man was drunk or sober?" He said, "If you swore he was drunk I would swear he was sober."

194. What was McDonald's condition then? Was it worse than when he left Hannafin?—Yes, he was worse.

195. You would say, then, that McDonald in the interval had obtained liquor somewhere?—I think so; or he had taken liquor immediately before leaving the station, and it had not taken effect.

196. But his condition was worse than when he left Hannafin on the first occasion?—Yes.

197. Was he at that stage drunk?—Yes, to my mind.

198. Had you been near McDonald at all or close to him?—No.

199. Did you watch where McDonald went to in the interval?—I tried to.

200. Do you know where he went?—Yes.

201. Where?—I found him in the office of the Grand Hotel.

202. Was this before Hannafin saw him?—No, afterwards.

203. I mean in this period, between the first and second conversations with Hannafin; did Hannafin know whether McDonald had been in the hotel?—I cannot say.

204. Had you been watching him?—I had been down to the Terminus Hotel, and that was the only time I was out of sight of him.

205. What did you do after the second conversation with Hannafin?—I was waiting until Hannafin would go out of the road towards the Octagon, so that I could get round to the Inspector's house without Hannafin seeing me.

206. Why?—I had an object.

207. What object?—I had an idea that if I lost sight of McDonald he would be spirited away in the meantime, and that I would not get him when I came back.

208. You really thought Hannafin would go and spirit McDonald away in a state of drunkenness?—I had that idea.

209. What was your reason for that?—I do not know.

210. Why did you not order Hannafin to take him into custody and take him to the station?—Not under the circumstances.

211. But there would be no doubt, when you got McDonald to the station, as to his condition?—How did I know what they would give him to sober him, when my back was turned at the station.

212. You thought that when you got him to the station they would have drugged him to make him sober?—Yes.

213. Then, you went away for Inspector Pardy?—Yes, as soon as I saw Hannafin out of the road.

214. What time do you think it was when Hannafin saw McDonald again at the station?—It might be ten or five minutes to 2 o'clock. I cannot tell exactly. It was somewhere between 1 and 2 o'clock. Between them, they had given me so much trouble that I did not look at the time.

215. You deny that you made use of that language in the presence of Gowie or McKenzie?—Yes, undoubtedly. It is an utter falsehood.

216. *Mr. Tunbridge.*] Immediately you got Hannafin's back turned you went to the Inspector's house?—That is so.

217. How long did it take you to get to the Inspector's house?—About three minutes. I do not think more.

218. Did you find the Inspector there?—I did.

219. Did you return at once with him?—Yes.

220. How long was it, from the time you left the neighbourhood of the Grand Hotel to fetch the Inspector, to the time you returned with the Inspector?—I do not think more than five or seven minutes elapsed, because the Inspector said, "Let us go on quick."

221. When you arrived there, did you see Constable McDonald?—Yes.

222. Immediately you arrived there?—He was in sight as we came down the street.

223. Then, what did you do?—The Inspector ordered me to get a cab, and I got one, and put McDonald into it.

224. When was he in the Grand Hotel?—I left him in it after my conversation with Hannafin. McDonald went out of my sight, and went round the corner, and I knew he had gone nowhere else, and I went into the hotel and found him hiding in the office.

225. Did you frame a report against Constable McDonald?—Yes, I made a report of the whole circumstances.

226. Will you look at this report on the defaulter's sheet, and say if it is correct, namely: "Being drunk on duty, and found secreting himself in the Grand Hotel, Dunedin, at 1.30 p.m. on the 25th December, 1897"?—I did not frame that.

227. *The Chairman.*] What interval of time was there from your last seeing McDonald on his beat and your going with Inspector Pardy and seeing him in that condition outside the hotel?—Probably about twenty minutes.

228. *Mr. Tunbridge.*] Look at your own report, and tell me what time you state there that McDonald was drunk, or under the influence of drink?—1.30 p.m.

229. Was that the time?—That would be about the time.

230. And then how many minutes after that was it that you had the constable down at the station?—I should think about twenty minutes might have elapsed.

231. That is, the whole thing was over and the constable at the station before 2 o'clock?—Yes, I think so.

232. When you submitted your report against Constable McDonald, did you consider it necessary to repeat in that report the number of times you had spoken to Hannafin on the matter?—Not at all.

233. And therefore you did not report that?—No. I only reported Constable Hannafin verbally to the Inspector. My mentioning the matter to the Inspector occurred in this way: He said, "You should have called the attention of the man on the next beat to him," and I said I did so.

234. Were you present when Constable Hannafin was brought down to the station and placed in the presence of Constable McDonald?—I was. The Inspector sent me for him.

235. Did the constable then deny that McDonald was not drunk?—Yes. He still persisted he was not drunk.

236. And it was only after the Inspector had cautioned him to be careful of what he was saying that he then admitted McDonald was drunk?—Yes.

237. And then did the Inspector tell him to go and make out a report?—Yes, of the whole thing, and he was away in the office until he had finished it and submitted it.

238. Where did the constable go to to make out the report?—To the watch-house.

239. There was no one with him to coerce him in any way?—McDonald was there, and the watch-house keeper.

240. No non-commissioned officer?—No.

241. And you have seen the report which he handed in?—Yes.

242. *Mr. Lee.*] Was that report, do you say, made out by Constable Hannafin without any coercion or suggestion of any kind?—No suggestion in any shape or form that I know of.

243. Were you not in the Inspector's office when the Inspector asked Hannafin to add something to his report?—Yes.

244. Then, how do you make out that the report was written without a suggestion of any kind?—He did not finish it. After the Inspector wanted him to say something more he still persisted in saying the man was not drunk.

245. *The Chairman.*] While he was writing that report?—He had finished all but the last line, but he would not say even in the report that Macdonald was drunk, and the Inspector said, "You must know whether the man is drunk or sober"; and Hannafin said, "Well, he is under the influence of liquor now." Then, the Inspector said, "Well, sit down and add that to the report." That lower line of the report, namely, "He was under the influence of liquor at the time," was not in Hannafin's report when he brought it into the Inspector's office. When he brought the report in Inspector Parry said, "This is unsatisfactory; I must insist that you say whether he is drunk or sober." He still, at that stage, persisted in saying the man was sober.

246. *Mr. Lee.*] That the man was sober when?—Any time.

247. *The Chairman.*] Do you say actually that whilst writing this report, and before he handed it in, he still persisted in saying McDonald was not under the influence of liquor?—Yes; Hannafin reported, "I noticed Constable McDonald stagger going out when going towards his beat. He seemed to be under the influence of drink."

248. And do you say the Inspector said, "I must insist on having it from your own lips and having it in this report what you think of him now," and then Hannafin added, "He was under the influence of liquor at the time"?—Yes, the Inspector required a direct answer from him.

249. *Mr. Lee.*] Did he require Hannafin to say whether the man was drunk then in the station, or whether the man was drunk when you spoke to Hannafin up the street?—I cannot tell you.

250. Do you say that Hannafin said the man was not drunk after he had seen him at the station?—He still persisted in saying the man was right in the station.

251. At that time, in the station?—Yes, he persisted in saying that, till he was almost forced into saying the man was drunk.

252. *The Chairman.*] You say Hannafin still persisted in saying the man was not drunk until he was forced into saying he was drunk?—Yes, after the Inspector threatened him.

253. *Mr. Lee.*] And this is the report that was made without any coercion of any kind?—Yes; you may call it coercion, but it is only true.

254. What did the Inspector threaten him with?—He said he would suspend him if he did not tell the truth.

255. *The Chairman.*] What did the Inspector threaten the constable with?—He said he would suspend him. He said, "If you swear the man is sober you are liable to a punishment for perjury."

256. Are those the words the Inspector used? He said he had a good mind to suspend Hannafin?—Those are the words he used. He said, "You see the state the man is in now?" and Hannafin said "Yes."

257. The whole question in my mind is this, as to Hannafin's conduct in describing the condition of the man on the beat; I gather from your last answer that he persisted up to the last moment in saying that, so far as his opinion went, McDonald was not drunk?—He would not admit he was drunk in the station.

258. *Mr. Lee.*] But the Inspector really never asked him if he was drunk; what the Inspector wanted to get out of Hannafin was whether McDonald was drunk on the beat at the time you spoke to him?—I cannot say what the Inspector thought.

259. What did he ask?—He asked his opinion.
260. As to the man's state when he was on the beat?—And in the watch-house at that time.
261. But, so far as that report is concerned, all the Inspector asked to have inserted in the report was that McDonald was under the influence of liquor at the time he was on the beat?—The Inspector said the report was unsatisfactory.
262. In so far as it did not state that the man was under the influence of liquor on his beat when you spoke to Hannafin. Did that report satisfy the Inspector as altered?—Yes, by the addition.
263. Did the addition satisfy the Inspector?—Apparently.
264. He did not ask for anything more?—No.
265. You first heard about this witness Gowie this morning?—Yes.
266. Were you told what he was coming up to say?—No. I know nothing about it.
267. Who spoke to you about Gowie? Did Commissioner Tunbridge speak to you about Gowie?—No.
268. Did he tell you Gowie was going to be called as a witness?—He said some one was coming up to be called, but did not say who.
269. Did he say that this witness was going to give evidence as to a conversation that passed between you and Hannafin; and did you not think it was then necessary to have two interviews?—I do not care how many witnesses he brings. There was no man heard me speak, not even the constable who marched up in front of us to the beat, because I spoke in an undertone so that McDonald would not hear me; and Hickey could not have heard, because McDonald was between him and Hannafin.
270. But there was no reason for an undertone when McDonald was across the road by the Grand Hotel?—Certainly there was. I do not speak at the top of my voice in the street about police matters.

HENRY RICHMOND, examined on oath.

271. *The Chairman.*] What are you?—I am librarian of the Oamaru Athenæum.
272. *Mr. Taylor.*] Have you had occasion at various times to complain of the larrikin nuisance in Oamaru?—Yes.
273. Kindly tell the Commission how and when?—A great nuisance is created in the front of the Athenæum by the congregation of youths and elderly persons in the day-time, and especially in the evening. I have asked them to remove; and they have done so, by going a few paces along the pavement away from the building. This has been going on now, I may say, for a number of years. Finding that I could not suppress the congregation of these men, I have applied to Sergeant O'Grady to assist me in the matter, by taking the thing in hand himself. He has done so in a manner that has only given temporary relief, for say, two or three days or evenings. The crowd would be perceptibly smaller than previously; but after that they would commence to congregate as usual. I may say, the nuisance arising from this is in this manner: the language from these people is not of a very nice character, and complaints have been made through me by both males and females of the language used when they have been passing the Athenæum. Well, this state of affairs has been going on now for a number of years, without any definite result until Monday, the 4th of the present month. I then went down to the crowd that congregated there, and told them to "move on." Some of them then commenced jeering at me, and not having time to bandy any further words with them, I retired, and reported the matter to my committee.
274. When did you see the police about it?—I cannot tell the last time, but I may say that for this ten years past I have complained at least twice or thrice, or four times.
275. *The Chairman.*] When did you complain last?—About six months ago.
276. *Mr. Taylor.*] Did you not write letters on behalf of the committee of the Athenæum?—No.
277. Did you see Inspector Cullen about it when he was down here?—I did not.
278. Do you know whether anybody saw him from the Athenæum?—Yes.
279. Who saw Inspector Cullen?—The president and secretary.
280. Now, you know of your own knowledge that the Inspector from Christchurch was interviewed?—Yes.
281. What has been the result since?—The result has been that the place has been free both by day and evening since.
282. *The Chairman.*] When was this?—Monday, the 4th April.
283. And you say during the last ten days the nuisance has been removed?—Perfectly so.
284. *Mr. Taylor.*] What results followed your previous complaints?—Only temporary relief.
285. Have you ever had so much relief as you have had now?—Never.
286. Have other citizens complained to you about the larrikin nuisance in Oamaru?—Yes.
287. The language you refer to was an annoyance to your lady subscribers?—Yes.
288. *The Chairman.*] You say, on former complaints you had only temporary relief for a few evenings, and now you have had relief for ten days; is that a longer period than you ever had before?—Yes.
289. *Mr. Taylor.*] Have you ever had complete relief before?—Never.
290. *Mr. Lee.*] How many days would this previous relief, after your complaints, extend to?—Three or four days.
291. Did these complaints you made to the sergeant appear in the public prints, or would you just go to the sergeant yourself?—They appeared in the public prints.
292. When you went and saw the sergeant would it be notified in the newspapers?—No.

293. But this fact, that the committee had gone before Inspector Cullen was notified in the newspapers, was it not?—Yes.

294. And do you attribute a cessation of the nuisance to the fact that it appeared in the papers at all?—I attribute a great deal to the notice in the papers, because any comments that have been made upon that subject in the papers have always been of great service in clearing away the crowd.

295. Then, it may be said that on account of the papers having taken the matter up the larrikins have been away for such a lengthened period as ten days?—Yes.

296. When speaking on this question of larrikinism, you are confining yourself to the larrikinism outside the Athenæum, and not speaking generally of larrikinism all round the town?—Oh, no.

297. Do you remember on how many occasions you have brought this matter before Sergeant O'Grady?—I cannot tell. A great many.

298. You do not know the dates at all?—No.

299. Are you aware recently of a case in the Police Court brought against a larrikin for loitering about the street-corners?—Yes; we received relief then.

300. What was the result of that case, do you remember?—I think the decision went against the police, so far as my memory goes.

301. From the fact that the case was on you received a little relief?—Yes.

302. Without any complaint at all?—Yes; I found it a relief in this way: that, after that case, when I moved the crowd on, they did not jeer, inasmuch as they moved one-third away from the building, and then said they had as much right there as I had.

303. *The Chairman.*] When you speak of a crowd, is it a large crowd?—Sometimes I have counted as many as twenty-five, smoking, spitting, and using very peculiar language.

304. What is the particular attraction in that locality?—I do not know, I am sure.

305. Do they use the library?—No.

306. *Mr. Lee.*] There is a free reading-room?—Yes.

307. *The Chairman.*] Do some of the men use the free reading-room?—Yes.

308. *Mr. Lee.*] The Athenæum is straight on to the footpath, is it not?—Yes.

309. A good wide footpath?—Yes.

310. Generally speaking, how many larrikins would there be about there; twenty-five is an exceptional number?—The average would be about ten or twelve. On special occasions they increase in numbers.

311. Have you any record of any obscene language used? Can you particularise any incident?—No.

312. You are speaking generally?—Yes.

313. You are pretty zealous in keeping the place clear?—Had I not been so I do not believe patrons would have been able to get into the Institute at times.

314. In these conversations you had with the sergeant, has he undertaken to attend to the nuisance?—He has; and I have also seen him on one occasion order them off, and seen him also threaten them on another occasion.

315. Some of these people are pretty tough customers?—Oh, yes, very tough cases indeed.

316. *Mr. Taylor.*] As a matter of fact, has it not been notified in the public prints on more than one occasion that the Athenæum Committee made complaint about this nuisance?—Yes.

317. *The Chairman.*] At what time of the day is this nuisance greatest?—In the evening it is greatest. They commence to gather from 6 to 6.15 p.m., and by 7 p.m., when I return to duty again, there is a crowd around.

318. *Mr. Poynton.*] How long do they stay there?—Until 10 o'clock; until the lights are out.

319. *The Chairman.*] You are in the institution, I suppose?—Yes, unless I go down, which I do specially when a complaint is made. I very often go down and move them away.

320. Do you think the police can do anything more than they have done to keep this particular spot free from gatherings of this sort?—Yes; I think if the police on duty, when they see a crowd congregated there, would cross over and move them on, I think in due time we should get rid of the nuisance. The police on duty usually walk along on the other side of the street.

321. That is, the shop and populous side of the street?—Yes; the Athenæum is on the less frequented side.

322. Do you know how many men are on duty in the town during the evening between 6 and 10 p.m.?—Two, I think.

323. And do you think two men are sufficient to parade the streets and to prevent the gathering of groups of lads and men?—I do not. I believe firmly it would take one man to keep that Athenæum corner clear.

324. Knowing what you do of the town, and that only one man is on duty between 6 and 10 p.m., do you think that one man could keep the streets clear?—No, I do not.

325. Do you attribute the state of things you describe to negligence on the part of any police officer?—I would not say direct negligence; but I say if, when a constable was passing down the street and saw a crowd, he passed over and moved them on, it would relieve the nuisance very much.

326. But you do not allege it as negligence on the part of any officer; you see, it is alleged as neglect of duty on the part of Sergeant O'Grady?—No, I do not. I believe myself, according to the force he has at his command, he has done his best in the matter, because he has asked me after I have made a complaint if I had any trouble with the crowd, and I have said, "No, not at present." He said, "Well, I have put them off time after time, and they are back again as soon as my back is turned."

327. *Mr. Taylor.*] Have they come back during the last ten days?—No.

328. Has there been a policeman there during the past ten days?—No.

ERNEST PAGE LEE, examined on oath.

329. *The Chairman.*] What is your profession?—I am a barrister, practising at Oamaru.
330. *Mr. Taylor.*] You are secretary of the Athenæum?—Yes.
- 330A. Has the question of the nuisance referred to by the last witness been discussed by your committee?—Yes.
331. What was the result?—The result was that it was brought before the committee when Inspector Cullen happened to be in town, and it was the opinion of the committee that if a deputation there and then waited upon Inspector Cullen and brought the matter before him, and gave publicity to the thing in the papers, it would have a tendency to abate the nuisance.
332. Did you wait upon the Inspector?—I did, with the president.
333. What did you complain of?—We drew Inspector Cullen's attention to the fact that the librarian complained of the larrikins congregating outside the building, and we asked him if he could do anything in the matter, and he said he would give it his attention. We were in his company I should say about a minute.
334. Did you tell him that you had previously made an application for an abatement of the nuisance?—No.
335. No reference made to it at all?—Not that I remember.
336. Did he not tell you it would be attended to?—Yes.
337. Has it been attended to?—I cannot say at all, any more than the librarian reports.
338. Have you previously made complaint to the police yourself?—No.
339. Has the committee?—I do not think so. I may say the matter is brought up sometimes in the committee for the purpose of getting it in the papers.
340. Has it been previously reported in the public press?—I think it has, but I cannot say positively.
341. Do you write the reports of your meetings for the newspapers?—No, I do not write the reports for the newspapers.
342. Your committee had not previously communicated with the sergeant of police about this matter?—I cannot tell you. I have not been on the committee indefinitely.
343. How long have you been on the committee?—Eight or nine years.
344. You did not complain to Sergeant O'Grady at any time?—We may or may not. My recollection does not serve me. I did not know I should be called to-day or I might have tried to refresh it.
345. Have you taken any steps to ascertain whether the nuisance has been abated since you went to the Inspector?—None.
346. You relied entirely on the Inspector?—We did not rely at all on the Inspector. We did what the committee wanted us to do.
347. Was it reported to your committee that Sergeant O'Grady had been complained to by the librarian on any occasion?—The committee were aware that the librarian had spoken to Sergeant O'Grady.
348. Did you think you would get more attention by applying to the Inspector than to the sergeant?—It was considered, when the Inspector happened to be in the town, it would be well to go to him for the sake of the publicity. I may say if Inspector Cullen had not been in the town the matter would not have come before him but Sergeant O'Grady.
349. Has not publicity been given to the matter before?—Occasionally, and I understand the nuisance has abated.
350. But you got no permanent relief?—No; and there is no guarantee of it at present.
351. *Sergeant O'Grady.*] You know the Athenæum fronts on the footpath?—It does.
352. And the main frontage is on the footpath?—Yes.
353. The library and librarian's rooms are a considerable distance away from the front?—Yes, upstairs.
354. Could expressions used by young fellows in the street be heard either in the library or librarian's office?—They would have to be very loud to be heard upstairs. I should say in the free reading-room they could not be heard.
355. The Volunteer Hall is a short distance away from the Athenæum?—Yes, it might be a matter of 150 yards—round by the cricket-ground.
356. And the Volunteers going there have to go round by the side of the Athenæum?—Yes.
357. And when returning pass again?—Yes.
358. Now, are you aware of your own knowledge whether Volunteers actually stand at that corner before going to the Volunteer Hall?—I have seen Volunteers standing about there.
359. And bandsmen?—Yes.
360. It is immediately before proceeding to the hall?—Yes.
361. I think Mr. Richmond, the librarian, is pretty jealous of his position?—I think he is a good officer, and he endeavours to keep the boys away.
362. What is the width of the footpath there?—I suppose about 12 ft. or 14 ft.
363. *The Chairman.*] I would like to know whether the committee has expressed any opinion on the conduct of the local police in connection with the matter?—It has not.
364. Have you any opinion to express yourself?—No. Of course, speaking professionally, I know the difficulty of the law in the matter.

THOMAS EDWARD TAYLOR, examined on oath.

365. *The Chairman.*] You are a member of the House of Representatives?—Yes, representing Christchurch.
366. *Mr. Lee.*] What is your occupation?—I am a land and estate agent.
367. Have you stayed in Oamaru before this occasion?—I have.

368. Have you ever resided here?—I think I stayed here for a week once.

369. In what part of the town did you stay when here?—I stayed at the Criterion, and Star and Garter, and with two or three friends, amongst whom were Mr. Milligan and Mr. Dewdney.

370. Speaking personally, have you any knowledge yourself of this larrikin nuisance of which you lay the charge?—I think for a town of its size there are a great many larrikins on your streets.

371. You think so?—Yes. On the first occasion I was in Oamaru I saw a most disgraceful exhibition of larrikinism on the part of scores of young men at a public meeting.

372. *The Chairman.*] How long ago?—It will probably be the first occasion I stayed in Oamaru. It may be six years ago. There was practically a riot at the meeting of the Salvation Army. Rotten eggs, and stones, and other missiles were thrown.

373. *Mr. Lee.*] Were you on the platform?—No, among the audience.

374. Have you ever been on a public platform when there have been similar scenes and rows anywhere?—No. I was never on any platform when such an exhibition of larrikinism occurred.

375. Everything perfectly quiet?—There have been the ordinary vocal interruptions.

376. Eggs about?—I think I have seen a few eggs inside the building.

377. Do you know that as a matter of fact there was a conviction in this case you spoke of?—I do not.

378. Would you say there was no conviction?—I would not.

379. Do you not know that a man named Morgan was convicted?—No.

380. You keep a fatherly eye on these things?—No.

381. When you say there is more larrikinism in Oamaru than other towns, what towns do you speak of?—Ashburton, Timaru, Balclutha, Clinton, Tapanui, and a number of towns in the North Island.

382. You have resided in all of these towns?—I have stayed in them all.

383. For what length of time?—In some cases one night, and in some two and three nights.

384. Although you laid this charge, that the sergeant failed to suppress larrikinism, all the evidence you could fish up was that of Mr. Richmond's?—I did not fish any evidence up. It was a matter of public notoriety, and Mr. Richmond was a man of public repute and I called him.

THOMAS O'GRADY, examined on oath.

385. *Mr. Lee.*] You are the police sergeant in charge at Oamaru?—Yes.

386. You have heard all this evidence in reference to larrikinism?—Yes. I may say, first of all, that the population of Oamaru proper is very nearly six thousand, and the larrikin element is probably no worse nor as bad as in many other towns of its size.

387. They are not a particular product of Oamaru in any way?—No. The youths of the town are amenable, and as soon as they are spoken to they move away. They work in factories during the day, and after tea they go out on the footpaths and walk and talk together in groups of four, five, or six, as the case may be. At one time the practice was for them to congregate at the doors of the post-office and old post-office, the Church of Christ, and Athenæum, and various other localities where the doorways afforded them shelter. It then was a matter of some importance, as they spat on the footpaths, and used, no doubt, language that was not proper. Immediately that was discovered, I took prompt steps by instructing the men on every parade when going out to be sure to pay attention to it, and especially to the Athenæum. I pass the place three or four times a day going to my home and returning to my office at 8 o'clock every evening. I often find a number of the bandsmen—young fellows of twenty, and some of them more—waiting and talking at the corner of the Athenæum. As soon as I approach they move on and walk away. I invariably speak to them, and point out how wrong it is for them to be congregated on the footpath. As they are sons of respectable people I always give them a word of advice. On special occasions men have been employed in plain clothes with a view to preventing the nuisance. I have had three cases brought under the Police Offences Act before the Stipendiary Magistrate, Major Keddell. The evidence of the police was that they saw loiterers on the footpath for some time before approaching them, and that on approaching them and telling them to move off the footpath they went to the side of the footpath, immediately off the concrete portion, and stood there. Viewing that report, I considered it loitering, in my mind, and I brought the case before the Stipendiary Magistrate. The case was dismissed on the ground that if they moved on when requested by a proper officer they complied with the law. The law was defective. I know of no law in force in Oamaru to enable me to bring a case before the Court for standing on the footpath and moving off when requested to do so. Mr. Richmond has complained to me, in some instances, of these youths congregating in front of the Athenæum, and on all occasions I have promised him to attend to it; and I have done so by instructing the police to pay attention to it. The principal time of the offence is when these young fellows are going to the Volunteer Hall, and that would be only of short duration. They stand at that particular corner. The same force and the same efforts have been made by me for some years past as has existed within the last fortnight. Mr. Cullen spoke to me about it when these gentlemen interviewed him, and I told him I had made the same efforts for some years, with a view to preventing it. I do not think that the larrikin nuisance is any worse than in other towns, or as bad.

388. *The Chairman.*] With regard to the language used by these people on the footpath, has it come to your knowledge that offensive or obscene language has been used?—It has not. Had it come to my knowledge I would have taken steps to prosecute, and bring the matter before the Court. There have been no special instances reported to me of any particular offence being committed in the vicinity of that building.

389. You have had no complaints brought to your knowledge by the librarian of obscene language in front of the Athenæum?—No, I have not. I have not heard it until I heard Mr. Richmond say so just now. He has mentioned spitting.

390. *Mr. Taylor.*] Did you parade the men after Inspector Cullen spoke to you about the matter?—Only the usual parades.

391. Did you speak to the men about the matter on parade?—I have.

392. When?—I think the night after the Inspector was interviewed.

393. You spoke to the men on parade about this larrikin nuisance?—Yes.

394. What did you tell them?—I said that a complaint had been made about the larrikins congregating at the Athenæum, and my instructions were to the effect that larrikinism should not be allowed in the vicinity of the hall, or any part of the footpath, and that if they saw anything of the kind they would stop it. The men all know very well that I have given these instructions repeatedly.

395. Do you know whether the nuisance has been abated during the past ten days?—I do not think it is any different than it has been for years. If you ask my opinion, I do not think the nuisance there is as bad as Mr. Richmond suggests.

396. Have you always held the opinion that Mr. Richmond exaggerates?—I hold the opinion that his duty is upstairs in that hall; and it is only when he gets cross with the boys that they turn round on him. I know he loses his temper sometimes when speaking to them.

397. Do you find them congregated at the Athenæum?—In front of the Athenæum. But Mr. Richmond will not allow them to stand in front on the footpath even.

398. Did you tell Inspector Cullen about the difficulties of the law?—Mr. Cullen had a conversation on the subject of the law in reference to larrikinism, and the Police Offences Act, and the Borough by-laws were considered.

DAVID SMART, examined on oath.

399. *The Chairman.*] Where are you living?—I am farming down at Ardgowan.

400. *Mr. Lee.*] You are an ex-constable?—Yes.

401. Stationed in Oamaru under Sergeant O'Grady, for how long?—About four years.

402. You would be on duty in Thames Street on and off?—Yes.

403. Can you speak of your own knowledge as to whether there was more larrikinism about Thames Street than in other places during that time?—No. I did duty in Wellington, Christchurch, Timaru, and Ashburton; and Oamaru is just similar to other towns as regards larrikins.

404. *The Chairman.*] Up to what time were you in the Police Force here?—Two years last November.

405. *Mr. Lee.*] Have you ever received instructions from Sergeant O'Grady about larrikins?—Yes.

406. What would they be?—He would tell us, when parading to go out on duty, to look after these places.

407. Any special reference to any place in particular?—As regards the Athenæum, the worst time for larrikins was from 6 to 8 o'clock, and I used to go and chase them away. I never heard complaints from Mr. Richmond during the four years I was here. He never complained to me.

408. You did not look upon the larrikin nuisance, while here, as anything particularly serious?—I did not.

409. Did you ever lay a charge against any, or apprehend any?—No. If I told them to go away they went away.

410. *Mr. Taylor.*] Were you in the Police Force in Ashburton?—I was.

411. What did you leave Ashburton for?—I was transferred from Ashburton to Timaru.

412. For what?—I had a dispute with the jockey club, at the races there.

413. Did you refuse to arrest some men there?—I did.

414. Do you hold peculiar views as to what constitutes larrikinism?—I hold that a policeman must use his own discretion.

415. As a matter of fact, did the department think you were wrong in that case?—They did not.

416. Why did they shift you?—It was brought before the Court, and the case was dismissed.

417. And you were shifted?—I was eleven years and a half in Ashburton.

418. And you were transferred soon after that?—It was eight months after that.

419. You have never laid a prosecution for larrikinism against anybody?—Yes.

420. Here?—I do not remember; but I have in Ashburton.

421. Did you win the case?—Yes, I got a conviction.

MICHAEL GREENE, examined on oath.

422. *Mr. Lee.*] You are a police officer, stationed at Oamaru?—Yes.

423. Have you been here long?—A little over twelve months.

424. Have you noticed since you have been in Oamaru that larrikinism is worse than it is in other towns?—I have not noticed anything unusual, more than in Invercargill or Dunedin. I never thought larrikinism bad here. I have heard the sergeant mention on parade that complaints had been made of the crowd about the Athenæum, and instructing us to get rid of them. I do not think the nuisance is as bad as it used to be. They do not seem to congregate there as much as they used to do.

425. Do you notice if they have any particular spots for assembling up and down the streets?—At one time they used to assemble near the Athenæum, but I have not noticed them so much lately as on former occasions, since they have been spoken to.

426. When you are on duty do you keep an eye on that side of the street as well as the other?—Yes.

427. Have you at any time had particular instructions from the sergeant about the Athenæum?—Yes.

428. Recently, or from time to time?—From time to time, and also recently. In fact all the men in the station have been spoken to by the sergeant to pay particular attention on Saturday nights and Sunday nights, to see that larrikins are removed, and not allowed to congregate.

429. *Mr. Taylor.*] When did you receive your last instructions?—Close on a week ago, or thereabouts.

430. After the Inspector's visit?—Yes.

431. What were the instructions?—That we were to pay particular attention to larrikins, and to see that they did not congregate about the Athenæum or street corners.

432. What have you done since then?—I have done my part. If I saw them while on night or day duty I spoke to them and warned them away.

433. Have they gone?—I have not seen many about. In fact, my opinion is that larrikinism is not very bad here. I have seen them worse elsewhere.

434. Were they worse before the sergeant spoke to you last?—No, they appeared to be pretty well the same. About six months ago I think they were far worse than they have been since.

435. Was it mentioned to you on parade?—Generally on parade.

436. Was it mentioned this last time on parade?—I think both on parade and in conversation.

437. Since the Inspector was here you have been instructed on this matter: how long before that was it last mentioned to you?—I cannot say exactly, but I know it has several times been mentioned to the men on the station since I came here during the last twelve months.

438. Have you always had a keen eye on larrikinism?—Yes; and very often they have a keen eye on us, when in uniform.

439. Have you not got into trouble yourself through larrikinism?—I cannot say that I have.

440. Have you been fined for it since you have been in the Force? Have you not been fined for striking your superior officer in the Force?—There was a charge to that effect in Dunedin.

441. You were convicted for it?—Yes.

JANE ISABEL YOUNG, examined on oath.

442. *The Chairman.*] Are you married?—Yes.

443. What is your husband's name?—Alexander Young.

444. Where do you reside?—North Street, Oamaru.

445. *Mr. Taylor.*] Did you report the loss of a watch to the police?—Yes.

446. About when?—The 13th, last month.

447. When did you discover the loss of the watch?—On the 4th March.

448. Who did you see about it first?—I think it was the gaoler. I do not know the police very well. I saw the man to-day, Constable Madden.

448A. *The Chairman.*] Was it a constable you reported the matter to?—Yes.

449. *Mr. Taylor.*] Did he take your complaint down in writing?—Yes.

450. Did you give the number of the watch?—Yes.

451. What is the number of the watch?—3,763.

452. Did you hear anything from the police about it?—Yes.

453. Did they come and see you immediately after that?—I had to go to them.

454. Who did you see the next time you went?—I saw the gaoler again?—I met him on the street.

455. What did he say to you?—I asked him if he had heard anything of my watch, and he told me it was in a pawnshop in Christchurch, and the number.

456. Did you tell the police whom you suspected of taking it?—Yes.

457. Did you give them the name?—Yes, they know the name.

458. Did they tell you who put the watch in the pawnshop?—I do not mind if they did.

459. You are sure they said it was in a pawnshop?—Yes; Sergeant O'Grady told me.

460. Where did you see him?—I went to his office after I was told that by the gaoler.

461. What conversation took place between you and Sergeant O'Grady; do you remember the date you saw him?—No; it was some days afterwards, when they told me it was in the pawnshop.

462. Well now, what happened after you saw the sergeant?—Well, he said he had written up about it, and that there was another girl with her. Sergeant O'Grady told me that a friend of the girl whom I suspected of stealing the watch had seen her in Christchurch, with the watch on her.

463. Now, what next took place?—That is all the information I got from Sergeant O'Grady.

464. Was that at his office?—Yes.

465. What took place after that: did the girl come back to Oamaru?—Yes; I saw her getting into the train with me for Dunedin.

466. How long after you had reported the loss of the watch to the police?—It was the day before the Otago Jubilee, the 22nd March.

467. Have you seen the girl since then?—I saw her here one night.

468. Here?—It was before the Jubilee, in Oamaru, after she had returned from Christchurch.

469. After you had reported the matter to the police?—Yes.

470. And after the police told you the watch was in a pawn-shop in Christchurch?—Yes. But they told me afterwards the watch had been taken out.

471. Who told you that?—Sergeant O'Grady.

472. What did he say to you then?—I told him it would be found out through this girl who was with her in Christchurch; and I said she would destroy the watch because her friend would most likely write down to her and tell her it was known to the police.

472A. And you thought that to get rid of the police she would get rid of the watch?—I have heard no more about it. The sergeant told me there was a girl watching her on the street.

473. With a view to finding out something about the watch?—I suppose so.

474. When did you see anybody else about it? Did you see the police after that?—No. I have not seen any to speak to since.
475. Did you not say that if the police did not act promptly you would take some steps?—Yes.
476. What steps?—I told the gaoler I would put the matter before Mr. Taylor, and before the Commission.
477. Do you mean before the Police Commission?—Yes.
478. What happened?—I have heard no more about it.
479. After you told the gaoler that would happen?—The sergeant came up the next day.
480. To where?—To my house.
481. Had he been to your house before?—No.
482. What did he tell you then?—He said there was a girl looking after her on the street, and he asked me if I had seen her since; and I said, No, that I was not much out.
483. Did you tell him you had seen her on the streets of Oamaru before that?—Yes, I told him about that. That was at the time of the Jubilee.
484. Have you got the watch yet?—No.
485. *Mr. Lee.*] When do you say you first gave information to the police?—I told you before, on the 13th March.
486. Where would the gaoler get his information from on the 11th about it?—I cannot say about the date of the 11th.
487. Why do you say the 13th? What makes you fix on the 13th?—That is the day I gave the information.
488. What day of the week was it?—On a Friday, the 13th March.
489. The 13th March was a Sunday; was it a Friday, or Sunday?—They will have the dates themselves if I have made mistakes.
490. *The Chairman.*] Was it Sunday?—No, on a Friday.
491. *Mr. Lee.*] You think you have made no other mistakes in this statement you have just made to the Commissioner?—I do not know if I have made any mistakes, but I do not think I have.
492. What was the last day on which you saw the sergeant?—I do not know. I have not looked at the dates.
493. Was it on Good Friday? Do you remember him going to you on Good Friday?—It may be; I cannot remember.
494. Now, the last time the sergeant called upon you, did he not say something about your laying an information in order that a search warrant might be issued? Was not something said about that?—He asked me if the girl had had a box; and I said she had no box in my house.
495. Did he say something about a search warrant?—He said he would go and see her box in her father's house.
496. But did he say nothing about a search warrant?—I do not mind.
497. Did he ask you to lay an information?—Before that, of course.
498. But on Good Friday?—No, no more was said.
499. You are quite sure he did not ask you to lay an information?—No.
500. Did not the sergeant say you were to go down to the Court after the holidays were over; that you were to go when the Court was opened again on Wednesday?—No, he never mentioned such a word.
501. But did he say anything about the Court being closed?—He spoke of the Clerk of the Court being away on his holidays.
502. Did he say nothing about your going to the station to see him again?—No.
503. Are you sure about that?—Yes.
504. What did he say: that he was going to let the matter drop?—It looks very like it.
505. Was anything said by you about the girl's parents being respectable people?—Yes.
506. Something was said by you to the sergeant about the girl's parents being respectable people?—Yes.
507. And was not something said by you that, on account of that, you did not wish to prosecute?—I said that at the very first. They said they had found the watch in a pawnshop, and had got the number of the watch.
508. Did you not say something to the sergeant on Good Friday, that you did not care to prosecute because the girl's people were respectable people?—No, it was before that. I told them I wanted the watch.
509. When did you make up your mind that you would prosecute?—When I was told about the watch being in Christchurch.
510. Do you say the police told you they had found that the watch had been pawned, and taken out of pawn again, in Christchurch?—Yes; the sergeant told me after the Jubilee that it had been taken out of the pawnshop.
511. And they told you that a friend of the girl's had seen this particular watch in the girl's possession?—Yes.
512. Or was it that some friend of the girl's had seen her with a silver watch? Which was it?—That was what the sergeant said.
513. That a friend of the girl's had seen her with a silver watch in Oamaru?—No, in Christchurch.
514. Did not the sergeant tell you that some one had seen her with a silver watch?—Yes.
515. Did he say that some one had seen her with the exact watch that was lost?—He read a letter to me that he had received from Christchurch, saying this girl had been in company with her, and saw her with a lady's silver watch.
516. Did you not raise an objection to laying an information against the girl on Good Friday?—I never mentioned it.

517. Supposing you were asked by the police, would you lay an information against her now?—Yes; I want the watch.

518. Will you lay an information against the girl charging her with the theft, so that a search-warrant may be taken out against her?—Yes; I did that before.

519. But will you lay a sworn information, so that the girl may be arrested and searched?—I would never have given an information if I had not mentioned it.

520. Did not Sergeant O'Grady tell you that you would have to go down to the station and lay an information—that is, sign a paper, so that he might proceed to search the girl?—Yes, they told me so; but that was all said before.

521. Did you not understand you would have to go back to the station again?—He did not tell me so.

522. Are you sure you did not refuse to sign anything like that because the girl's people were respectable?—I never refused.

523. Do you remember telling the sergeant to hold the matter over until after the Jubilee?—I asked him if I could get away down to the Jubilee, and he said "Yes," and I called again when I came back, and he said the watch had been taken out of the pawn-shop.

524. Well now, understand this: that the girl may be arrested and searched if you would sign a written information: now are you prepared to do that, so that the girl may be arrested and searched?—Yes. I would not bother about it if I had not wanted it done.

525. You did not call at the police-station after the Easter holidays?—I ran after them until I was tired.

526. I suppose you thought it was quite sufficient to tell them that you had lost the watch, and get it back again the next day by telegram?—Oh, no; quite different.

527. What grounds have you for thinking that this girl in question had stolen the watch?—Well, she was in my house, and no one was in it but her.

528. Did you wear that watch out of doors?—No; the chain was taken off the watch and left behind.

529. Used you both to be out of the house together?—No, never.

530. When you missed the watch the first day did you say nothing about it to the girl?—No, I was warned about her.

531. How long did you keep her in the house after you missed the watch?—She went away the next day, on the 5th March.

532. You did not report the loss till Friday, the 11th March?—No.

533. When she left your house on the 5th did you suspect her?—Yes.

534. Why did you not go to the police there and then?—I think it is time enough, after all they have done so far.

535. Why did you not go to the police there and then when you suspected her, and she had left your house?—I do not know.

536. You did not want to prosecute her, did you?—I told them if they could possibly find it without prosecuting the girl I would prefer that; and they said they could not do that, and I told them to go ahead.

537. *Mr. Taylor.*] You are quite clear that you did not decline to sign a search warrant?—No, they never asked me.

538. Are you perfectly clear when you say there was a letter in the possession of the police stating that the watch was in Christchurch?—Sergeant O'Grady read me a letter saying he had a letter from a friend of the girl's, who had been in company with her, and had seen a silver watch on her.

539. When you went to the Jubilee, you did not ask the police to wait until you came back, but simply asked if you could get away?—Yes; and when I came back the sergeant said the watch had been taken out of the pawnshop.

540. *The Chairman.*] When you went away to the Jubilee you did not say the matter should be held over?—I asked if there was any objection to my going.

541. *Mr. Taylor.*] And they told you when you came back that the watch was out of the pawnshop?—He did, and he had a letter from this girl in Christchurch, saying she had seen this girl wearing it.

542. Was not the delay due to your husband? He did not want the matter pushed?—Yes.

543. But you were determined, after you had reported the matter to the police, to see it through?—Yes.

544. *The Chairman.*] What was your reason for not laying this information for a week after you missed the watch, and after you suspected the girl? Why did you not give the information at once?—Well, I was acquainted with her people, and I did not like to summon them.

545. That was your reason for not taking action?—Yes.

546. And you waited until she was away for a week before laying an information?—Yes. I did not know she was away until I was told she had gone to Christchurch, and then I told the police.

547. *Mr. Poynton.*] You said you wanted the watch found without the girl being prosecuted?—Yes.

548. Did you inform the police that you wanted the watch back without her being prosecuted?—Yes, when I first went to them; and during the next two or three days they told me they could not.

THOMAS O'GRADY, examined on oath.

549. *Mr. Lee.*] When was this matter first brought before your notice?—By this report, which was made on the 11th March. It is as follows:—

H.M. Prison Gaol, Oamaru, 11th March, 1898.

REPORT of Second-class Constable Michael Madden, *re* the theft of a watch.

I respectfully state that at 3.30 p.m. on this date a woman named Mrs. Young informed me that on the 18th of last month a young woman came to stay with her, and remained until the 4th of this present month. A couple of days before she left, Mrs. Young missed her watch, which is a ladies' open-faced Geneva watch, No. 3763, value £3 10s. When _____ left she stated she was going to service at _____, of _____, but did not go, and went to Christchurch instead, at which place she was seen wearing the watch, and is now believed to be back in Oamaru again, as her people reside here, and her father works at _____.

M. MADDEN, Second-class Constable No. 552.

On the receipt of that report I wrote the following memorandum on the 12th: "Constable Hunt.—Please try and locate this girl, so that a search warrant to search her box may be obtained.—T. O'GRADY, Sergeant of Police." Constable Hunt reported on the 13th March, and it was he who informed me about the watch having been pawned in Christchurch, and the name of a young lady residing about four miles from Christchurch is mentioned as having been with the suspected girl when she pawned the watch. That was the nature of Constable Hunt's report.

550. What did you do on receiving that?—On receiving that I sent the following telegram the same day:—

Inspector Cullen, Christchurch.

Mrs. Jane Young, of Oamaru, reports an open-faced Geneva watch, No. 3763, stolen from her house between the 14th February and the 4th March of this year; _____ a domestic servant, who was in the house, suspected. This girl is said to have recently pawned a watch in Christchurch, a _____ attendant at _____ being present. Please cause inquiry with a view of ascertaining if the watch pawned is Mrs. Young's. The suspect is here.

T. O'GRADY, Sergeant of Police, Oamaru.

That is the girl who was supposed to have stolen the watch. She has returned from Christchurch to Oamaru.

551. What is the date of that telegram?—The same date as Constable Hunt's report—the 13th March.

552. What was the outcome of that telegram?—It was referred to the detectives in Christchurch for a report, which is dated the 21st March, and is as follows:—

REPORT of Detective Fitzgerald *re* attached telegram.

I beg to report that on this date I went to _____ and saw _____ there, the person referred to in the attached telegram. She states that she knows _____ of Oamaru, but that she never saw her in Christchurch, and she was never present at any place when _____ pawned a watch; but she is just back from spending her holiday at Oamaru, and while there she called on _____ who is living with her parents. She then saw a lady's silver watch in _____ possession, but cannot say if it was a Geneva watch, neither can she say whether _____ has pawned it.

GARRETT FITZGERALD.

553. Now, is that the report you read to Mrs. Young?—Yes.

554. Do you recollect when you gave that information to Mrs. Young? Was it before she came back from the Jubilee or after?—It was before she went to the Jubilee I read that report to her. I may say that the Inspector, not being satisfied with the detective's report, sent the matter to the Detective Department again, and asked, "Have inquiries been made in Christchurch as to whether the watch was pawned there?" And Detective Fitzgerald replies on the 23rd March: "I have made inquiries in all the pawn and second-hand shops, but can find no trace of the watch."

555. Mrs. Young says you told her that the watch had been pawned in Christchurch, and that you had found out that it had been taken out of pawn again?—I never uttered such an expression in my life.

556. She must have misunderstood you?—Yes, certainly.

557. What did Mrs. Young wish done at that stage?—She reported to me that the family of the girl were friends of hers, and that the father was an intimate friend of her husband's; that he was a respectable man, working in a certain place in Oamaru. She said she wanted to get her watch back again; and I said, "Well, Mrs. Young, we will have some difficulty in finding your watch, and in order to obtain it we will require a search warrant. It is evident from the correspondence I have just read to you that it has not been pawned. It is quite possible she may be hiding it or have it in her possession, in which case it will be necessary for you to lay an information and obtain a search warrant to search her box." Mrs. Young then said, "She had no box." I said, "Oh, well, she has a room, and she will have the watch in her room, or amongst her clothes, and a warrant must be obtained in order to make a search." She "hummed and hawed" for some time, and talked about the respectability of the girl's parents, and subsequently said, "I want to go to the Jubilee, and will it do when I come back?" I said, "I do not know whether the girl has gone to the Jubilee or not; but if you are disposed to lay an information you can do so, and the police will make a search for the watch." She said she did not like to lay an information, because of the girl's father being a respectable man and a friend of her husband's, and she said she would wait until she went to the Jubilee, as the girl might be down there at her brother's wedding, which was to take place at that time, and she might see if the girl had the watch there. She went to the Jubilee; and the next thing I heard of the matter was that she had called at the station in my absence, and had asked if anything had been done. This was reported to me by the gaoler, and I went down the following morning to her house and saw Mrs. Young, and told her I was sorry she did not let me know she was back. She said she was just back. I asked her if the girl had been at Dunedin; and she said she had heard that the girl was at her brother's wedding. I said, "You have not seen her?" and she said, "No." I then said, "You cannot state whether she has your watch?" and she said, "No." I said, "Are you quite sure she has the watch; are you sure you have not made a mistake?" and she said she did not think she had. "Well," I said, "the Court is closed now for the Easter holidays, but Mr. Ralfe, the Registrar, will be back again on Wednesday, and we will lay an information and have a search warrant executed with a view to obtaining your watch if the girl has it." That was so arranged on Good Friday, and the next I heard of the thing was the charge laid by Mr. Taylor before the Commission in connection with Mrs. Young's watch. That

is my whole connection with the matter, and I am satisfied that if Mrs. Young had signed an information in the first instance the watch would have been discovered before this. Now, I am quite satisfied that since Mrs. Young has talked about the matter there will be a little trouble in discovering the watch. I may say I told all the pawnbrokers not to take the watch. I warned them by means of stop notices.

558. *The Chairman.*] When did she say she would not lay an information?—Shortly after I received the reports—about the 22nd or 23rd March.

559. Has she laid an information up to the present?—No.

560. *Mr. Lee.*] The Court was closed until the 13th instant?—Yes, until yesterday; but as the woman had been summoned as a witness before this Commission I did not speak to her. I have refrained from speaking to any witness brought into the Court.

561. In the meantime the conduct of the prosecution has been handed over to Mr. Taylor?—I understand so. The first intimation I had of the matter having gone to Mr. Taylor was when the gaoler told me that Mrs. Young said she would go to Mr. Taylor when he came here.

562. And you had this charge laid against you yesterday for neglect of duty?—Yes.

563. I suppose it is needless to ask you whether you have been guilty of any neglect?—I certainly say I have done what I think a police-officer should do under the circumstances. I may say at once I would not, on the evidence of the theft of the watch from Mrs. Young, lay an information myself for a search warrant.

564. *Mr. Taylor.*] After you heard that Mrs. Young threatened to go and see Mr. Taylor about it what did you do?—The following day I saw Mrs. Young, having heard she was back from Dunedin.

565. Did you go to her house?—Yes.

566. Had you been to her house before?—No; she had been to see me.

567. But you had not personally been to her house?—No.

568. You moved pretty promptly after that?—No.

569. The next day is not prompt?—No; nothing more than ordinary zeal was displayed.

570. Yet she reported the loss of the watch on the 11th March, and you did not go to see her before Good Friday?—I had several conversations with her. She came to my office.

571. But you found it necessary to go to her house on Good Friday?—I found it necessary to see Mrs. Young, with a view to seeing whether she would lay an information or not.

572. Were you certain up to that time?—No; and I am not now.

573. As a matter of fact, when did she point-blank refuse to lay an information?—In the first instance, when she came to my office. I am not sure whether it was on the first or second visit—they were pretty close to each other; but she refused to lay an information on the ground that she and her husband had known the girl's father for many years, and that he was a respectable man and working in a respectable position in Oamaru.

574. Do you remember Mrs. Young being told that the watch had been in a pawnshop?—The information that I have read to the Commission was read to Mrs. Young. She being the person complaining nothing was reserved from her.

575. Then you did tell her the watch had been in a pawnshop?—I told her I had information that the watch was in a pawnshop. I could not tell her it was in a pawnshop.

576. Who said that?—Constable Hunt, in his report.

577. Have you investigated that?—It has been investigated by the detectives in Christchurch.

578. Was Constable Hunt misinformed?—He may have been.

579. Do you know if he got his information locally?—I really do not know.

580. Yet he reported on the 12th, and the information was laid on the 11th?—His report is dated the 13th.

581. He did not go to Christchurch in the meantime?—No.

582. Did you investigate the correctness of the statement he made?—Yes, by sending it immediately to Christchurch.

583. When you read this report to Mrs. Young, did she not say then that the matter was to be proceeded with, and the watch recovered?—No, she did not. Even if she had said so, I would have had to use my own discretion in the matter.

584. Have you ever laid an information on your own motion in matters of this sort?—Sometimes. A good deal depends on the antecedents and character of the person suspected. I do not lay an information unless I am thoroughly satisfied that the suspect is a bad lot, and that the ground for my acting so is perfectly genuine. Otherwise I would not lay an information. I would throw the responsibility on the person complaining.

585. If Mrs. Young says she gave you instructions to prosecute when you read Constable Hunt's report to her she is saying what is untrue?—Mrs. Young, like many other people unversed in law, would go to a policeman and report the loss of her property and think that was all she need do in the matter. A policeman is guided by facts and circumstances as to the mode of procedure to be followed.

586. I am asking you whether, if she says she gave you instructions to proceed in the ordinary way to recover that watch, when you read Constable Hunt's report, is that true?—She is not right.

587. I would like to ask Sergeant O'Grady whether he has a conviction against him on his defaulter's sheet for lying?—The reference that is made to my character is that I am a "bad Irishman." A charge of that nature was made against me in the Grey district some years ago, and investigated by Major Keddell, but whether it is entered on my defaulter's sheet or not I cannot say. The charge in its infancy was that I had stated that the Land League had given £150 to Mr. Guinness for the purpose of defending a man named Donoghue whom I had arrested for murder, and who was subsequently hanged in Hokitika. I denied that I had done so, and the inquiry resulted in Major Keddell recommending my removal from the Coast on the ground

that my countrymen and myself could not agree. If that charge was entered against me as a charge of lying, it is false. I have made a statement of what occurred, and I will stand by it till I die.

588. What is the second conviction on that sheet: is that not for making false statements?—It reads: "Oamaru, on various dates between 1st and 21st April, 1887: Neglect of duty in not parading the 9 a.m. day-duty reliefs; falsely certifying that he had paraded the foregoing reliefs." This is one of the peculiar instances of police administration that has forcibly come under my notice for many years. I admitted the charge, when Mr. Thompson said I had not paraded the relief, because there was only one man going out. Mr. Thompson came into the station just as the relief constable was going out of the door, and he called the constable back. He immediately met me and asked me if I had paraded that man, and I said, "No." I said, "Do you wish me to parade one man?" and he said, "Yes." I said, "I have not been in the habit of doing so. The constable, as you will observe, is properly clothed and neatly dressed for duty." That was the end of the matter so far as I knew, and I never knew until this moment that such a charge had been entered up against me; and Major Gudgeon is the very man who allowed the thing to be put in my charge-sheet without me knowing anything about it. The second charge is, "Falsely certifying that he had paraded the foregoing reliefs." I said I had paraded the reliefs; and I certified that the parade went out in the morning at the usual time. And I say so now.

589. Now what is this next conviction?—It reads: "Greymouth, about April, 1884: Circulating false reports regarding the Greymouth Irish National Land League, and general mendacity as officer in charge of police at Greymouth; making certain false statements regarding one Samuel Gilmer, and one Felix Campbell, in his explanation of the above." This was the charge I referred to, and Mr. Gilmer was one of the parties who reported me to the Government. Mr. Gilmer was keeping a hotel in Greymouth. I may say these are incidents in my life which I hoped I would never have to refer to again; but as they have been mentioned, I will be glad to take this opportunity of explaining them. Mr. Gilmer was keeping a hotel in Greymouth at the time, and during my time, and I looked upon him as a very respectable man. He went to Wellington, and his brother William managed the house. About this time a constable named, I think, Palamontain reported to me finding a lot of men playing "yankee-grab" at 2 o'clock in the morning in the house, and amongst them was a cab-driver, whose wife also made a complaint. I laid an information against Gilmer for allowing gambling to be conducted in his house, and the Inspector in charge of the district wished me to withdraw it, but I refused. I had three or four letters and telegrams from him, asking me to withdraw the information, as the Gilmer family were very useful, and good friends of the police. I acknowledged that, but I declined to withdraw the information; and the Inspector attended the Court, and gave the Gilmers an excellent character, which I supposed they deserved, and Gilmer was fined 10s. When this case of arson cropped up at Maori Gully, when I arrested two men named Malloney and Hughes for burning a store, the matter was investigated before two Justices at Hokitika. A second investigation was held, and his Honour the Chief Justice decided that if the insurance companies wished to go on with the case they could do so, but that the Government would not go on with it; and the prisoners were admitted out to come up when called upon. When they were released, they brought an action against the insurance companies, and Mr. Girdwood represented one company, and Mr. Bonar the other, in Hokitika. The action was heard before the Chief Justice in Hokitika, and £700 was the amount sued for, and I had to proceed to the trial with the paraphernalia that I had dug up in the vicinity of the burnt store, and which I had retained in my possession for over two years, pending these inquiries. The result of the case was that his Honour the Chief Justice gave a decision in favour of the insurance companies. Shortly after my return to Greymouth this charge was brought against me, that I was a "bad Irishman," and that I stated that the Land League had given £150 to Mr. Guinness to defend Donoghue. I immediately resented it and denied it, and I was suspended—and suspended for a month on the *ipse dixit* of a grocer, a shoemaker, and a carter—well-known men in Greymouth. I was then reinstated, and a Royal Commission was applied for to inquire into these statements. The Royal Commission was appointed, and consisted of Major Keddell. He then decided that the Court was to be closed, and that we should be allowed to retain lawyers. The matter was threshed out for four or five days, and I succeeded in showing that I had simply done my duty in the arson and murder cases referred to. However, Major Keddell reported to the effect, as I have already stated, that it would be more satisfactory to myself and for my countrymen that I should be removed from the Grey on the grounds that we did not agree. I replied to that, and said I had every confidence in being able to do my duty with my countrymen, against whom I had no ill-feeling, and I asked that I should not be removed. I was left there for about six or seven months and then I was removed. These are the charges, and I am very thankful to the Commission for giving me this opportunity to explain them, as I never had an opportunity before. I say now, I simply did my duty; and if I returned to the Coast to-morrow, I am quite satisfied there is no respectable man on the Coast but would say, "Well, O'Grady, you did your duty honestly."

590. I would like to ask whether on the 6th September, 1886, at Napier, you were not degraded to the position of second-class sergeant for "being untruthful, unreliable, negligent, and careless of your duties"?—I now find, for the first time, that these charges are entered upon my defaulter's sheet, and I will explain the circumstances. The charges were made by a madman named Bullen, who was in the service, and who died in an asylum, and whom I had reported as being insane while in charge of the police at Napier. In 1886 I was removed from the Grey—first of all to Masterton, and on arrival at Wellington the order was changed and I was sent to Napier. I asked and begged the then Commissioner of Police not to be sent to Napier, as I did not want to come in contact with Inspector Bullen, whom I had previously known. However, I went to Napier, and three or four days after my arrival there Mr. Bullen thought proper to keep a black-book against me. He amalgamated fifty-one charges against me in six months, and then referred these charges to Colonel Whitmore, and, without calling upon me for any explanation, I was reduced from senior

sergeant-major in the service to the rank of second-class sergeant, without being allowed to defend myself in any way. Of course, immediately after receiving that intimation I went into Mr. Bullen's office and asked him if he had the charges or a copy of the charges which he submitted to Colonel Whitmore. He said, "I do not want to hear anything more about it." I said I would take other steps to get them, and I requested that I should be supplied with copies of the charges made by Mr. Bullen to the department, but my request was refused on all occasions. I then asked for an inquiry, either before a Justice or a Commission, and I was refused that. The public of Napier, finding, as they generally do, what was the matter, took the matter up and held a very big meeting in the Town Hall and passed resolutions asking the Government to give me an inquiry. I got an inquiry before Captain Preece, as Commissioner, with certain conditions, namely: that if Mr. Bullen proved his charges against me I would be dismissed from the service, and that if I did not substantiate the charges that I made or based my inquiry upon I should also be removed from the service. I accepted the inquiry under those conditions, and I asked for some witnesses; and I was refused them by Mr. Fox, who was then Clerk in the Commissioner's Office in Wellington. The refusal was not even signed by the Commissioner himself, but by Mr. Fox, the Clerk, on each and every occasion. It ended in this: that I had to bring witnesses, at my own expense, from Gisborne, and from Christchurch, and from Wellington to Napier. At the first examination—and I think it will be shown in the evidence—Mr. Bullen applied to have forty-nine out of the fifty-one charges made against me withdrawn, leaving standing one charge of going into the side door of a hotel on a Sunday, instead of going in by the back-door, to catch any Sunday trading, and another charge of failing to collect fines sent from Masterton to Napier for collection. I distinctly cleared myself in both of these cases. I caught the publican, a man named Waterworth, for supplying liquor to two men whom we saw standing in front of a window drinking. However, these two men went into the box and swore that they had never ordered any liquor, and that Mr. Waterworth had made them a present of it; and the case was dismissed. In the other charge, I proved that Mr. Bullen had £1 of the £3 fine to be collected in his safe in the office, and I proved this by a man named Donovan, and that the Inspector had forgotten about it. And that was the second charge preferred against me. The outcome was that I was removed to Oamaru, but I was never restored to my rank, nor given the slightest satisfaction during the whole of this period. I applied to Colonel Hume, but he said, "I have nothing against you, further than that I disapprove of the rank of sergeant-major." I said I did not care for the rank so long as I got the pay. The pay was my consideration. I reported Mr. Bullen for being out of his mind. At dinner in Napier one day he threw two glasses at two well-known people in a hotel. Both came up to the station and reported the matter to me, and it was submitted to the Government, but there never was any investigation. And this is the man who brought these charges against me—a man who died in a lunatic asylum, and was insane for years! There is no man in the Police Force worse off than I am; but I would not have uttered a word about it had I not seen these charges now.

591. Then, I understand all these three convictions are false?—I say so unhesitatingly.

592. And no man in the Police Force has been so badly treated as you have been?—That is my opinion, and I give it for what it is worth.

WILLIAM SMYTH, examined on oath.

593. *The Chairman.*] What are you?—A baker by trade.

594. Where do you reside?—Thames Street, Oamaru.

595. *Mr. Taylor.*] You know Sergeant O'Grady?—I do.

596. How many years have you been in Oamaru?—Twenty-four, I think.

597. Do you remember seeing him at any time during the past six months?—Yes, every day.

598. Did you see him at your shop once?—Yes.

599. Under what circumstances?—I saw him pass the door the other day.

600. Did you see him on any particular day in any particular condition that attracted your attention?—Yes; I suppose you refer to the case before the Court, of drunkenness. I see him pass by from time to time.

601. Did he ever call at your shop on a particular Saturday, for instance?—Yes.

602. Can you fix the date? Was it within the last year?—Twice within the last six months.

603. What did he call about?—He called on two Saturday nights—say, the first Saturday in November, and the last—that would make a month between.

604. *The Chairman.*] Was it in November?—I cannot say.

605. Were the two calls within a month?—About a month apart.

606. *Mr. Taylor.*] What did he call about?—I was sent for to my bakehouse, as I was absent from the shop when Sergeant O'Grady called. I was informed on going into the shop that the persons then in the shop could not understand what he said.

607. Did you go in?—Yes.

608. Did you see him?—Yes, he was standing outside the door and I went out to see him.

609. What passed?—Sergeant O'Grady could not make himself understood.

610. *The Chairman.*] By you?—Yes; he could not make me understand anything, except—

611. What time was this?—10 o'clock at night.

612. *Mr. Taylor.*] What night?—Saturday night.

613. You said he could not make you understand anything except?—Except that I should not have the lights burning, as the Early Closing Association would take action against me for having my shop open.

614. On Saturday night?—Yes.

615. Is there any law to prevent you keeping your shop open on Saturday night?—I am not aware of it. As a matter of fact, it was not open.

616. What was his condition?—His condition was absolutely drunk, as far as I understand it.

617. He was not incapable?—Incapable of doing anything except standing up.
618. Did he talk nonsense of any kind to you?—Yes. I saw him leave there.
619. Which way did he go?—He went across the street diagonally to some empty sections.
620. Did you see him go on to the empty sections?—I saw him bundle himself through the fence in a helpless state of drunkenness. He became lost to my view there.
621. *The Chairman.*] Explain what you mean by bundled through the fence?—He got through it somehow. It was a loosely drawn wire fence.
622. *Mr. Taylor.*] You did not follow him?—No.
623. On the second occasion you refer to, what passed?—He came again to me about having a light burning on Saturday night.
624. *The Chairman.*] A second time?—Yes; the same person was in the shop who reported to me he could not understand him on the first occasion.
625. *Mr. Taylor.*] Who was that?—Mr. Cross.
626. What was his condition on the second occasion?—I would not say there was anything wrong with him then, and he was able to talk intelligently.
627. What did he talk about then?—About the shop being lit up at that time of night.
628. Did you discuss the question of your right to keep your shop open with him?—I told him he was evidently giving me trouble through his nonsense and incapacity; that he had troubled me before, and that if he repeated it I would certainly send the item on to Mr. Taylor, Prohibitionist.
629. Has he troubled you since?—I never saw him again.
630. *The Chairman.*] How long is it since this last visit?—I cannot speak with certainty, but I would say the first visit was about six months ago, and the other about five months or thereabouts. I only spoke of it as a joke.
631. *Mr. Taylor.*] You are very clear of the facts though?—Yes.
632. You had no occasion to make a note of the dates?—No.
633. Had you any thought that it would ever come before a Court?—No.
634. *The Chairman.*] You say he was all right on the second occasion, in regard to his sobriety?—Yes.
635. *Mr. Taylor.*] You have not volunteered to come here?—No.
636. I forced you?—Yes.
637. *Mr. Lee.*] Mr. Taylor forced you here on summons?—Yes.
638. You had a little interview with him before you came here?—He came and had a little interview with me.
639. And a little conversation?—Yes.
640. And you told him all this?—Yes.
641. Did he force this out of you?—Not exactly.
642. You knew he was here on the Police Commission business: but you did not think of the Police Commission business when talking of that?—We talked jocularly over the counter.
643. When was he in your shop?—Just a few nights ago.
644. When?—I have never thought of it since.
645. *The Chairman.*] Yes; but if it was a few nights ago, you can fix it?—I should say since Sunday.
- 645A. *Mr. Lee.*] Mr. Taylor came on Tuesday?—I should say the night before last.
646. You have a very good memory about six months ago, but not about two nights ago?—I did not say even six months ago; I could not fix the exact date.
647. Did you know before you saw Mr. Taylor that the Police Commission was coming to Oamaru?—Yes.
648. And did you know that Mr. Taylor would be here on Police Commission business?—Yes.
649. Then, you had this conversation with him in your shop?—Yes.
650. And told him these facts about Sergeant O'Grady?—Yes, the facts were known to him before he came. He told me the facts.
651. You had forgotten them, I suppose?—I had dropped thinking of it as if I had never known it.
652. Had you any correspondence with Mr. Taylor that he was coming here?—No.
653. No letter?—No.
654. Did you know he was coming to your shop?—No, I did not.
655. Did you know who he was when you saw him?—No, he had to be introduced.
656. Are you a Prohibitionist?—In principle I am.
657. In practice?—I do not know what you mean by practice.
658. Well, are you a Prohibitionist?—If it came to a vote between license and no license I would vote "No license."
659. Have you had any little bother with the sergeant about registering your factory?—No.
660. You have had no bother with the sergeant about your bakehouse?—None at all.
661. *The Chairman.*] Have you had to make any alterations at his direction?—No.
662. *Mr. Lee.*] Did he, as Inspector of Factories, instruct alterations to be made?—Not as an instruction to me. He pointed out that certain things would be an improvement, and I recognised that what he suggested was correct, and had them done.
663. Have you had any disagreements at all?—No.
664. Have you had no disagreements with him over the question of your observance of the half-holiday?—Never of any kind. He spoke to me about it.
665. Has not the sergeant spoken to you once or twice about breaches of the Act, and if you kept your shop open?—Yes.
666. And did you take any notice of the instructions he gave you?—Yes, in so far as I replied that, while a certain shop near mine remained open, mine would also remain open until it closed.

667. You had some little disagreement with the sergeant about the question of shop-closing?—This was not a disagreement, so far as I was concerned. Since that I have closed, although the other shop has remained open.

668. This first Saturday night you speak of, was the Sergeant in uniform?—If I must answer Yes or No, I would favour Yes.

669. When you say he was drunk?—Yes.

670. How far were you from him on that occasion?—As near him as his breath would allow.

671. Were you outside the shop or inside?—Outside the door.

672. Did you see him inside the shop that night?—No; I cannot say whether he was in before I came up.

673. You did not see him in?—No, I did not.

674. Were you able to understand him, do you say?—I could not understand “association,” and “early closing,” &c.

675. How was it supposed that you had a special faculty for understanding the sergeant when other people could not? Why did they send for you?—I could understand his complaint against me, and those in the shop would not decide for or against without bringing me on the spot.

676. There was a complaint against you?—Yes; he was complaining, and they could not understand what he was driving at. That is what I understood from them.

677. Did you understand?—Oh, yes; he made himself intelligible to me.

678. About this crossing over the road when he left your shop: how long was he in your company before he crossed the road?—I should say not more than two minutes altogether.

679. Had he a stick in his hand?—I believe so, but I cannot say exactly. I am not sure about it.

680. What sort of a section did he go over?—The section has a large lagoon in it, and the sections are usually known as “Sidon’s sections.”

681. How are they fenced?—Wire-fencing of some kind.

682. Barbed wire?—I cannot tell you.

WILLIAM CROSS, examined on oath.

684. *Mr. Taylor.*] What are you?—A salesman.

685. How long have you been in Oamaru?—About fourteen years.

686. Do you remember being in Mr. Smyth’s shop on any occasion?—I do.

687. Did Sergeant O’Grady call there?—Yes.

688. How long ago do you think it is?—About the end of the year, some time; I cannot exactly say when.

689. It is certainly within the last year?—Oh, yes.

690. Were you in the shop when Sergeant O’Grady called?—Yes.

691. Did he come into the shop?—No.

692. What happened?—He knocked at the door.

693. Did you see him?—I just opened the door a little, and he asked for Mr. Smyth, and I called Mr. Smyth out.

694. Where from?—From the back.

695. Sergeant O’Grady asked for Mr. Smyth?—Yes.

696. Did he say anything to you at all?—No; just asked for Mr. Smyth, and they went outside together on to the street.

697. Was any one else in the shop with you?—Not that I remember.

698. Why did you call Mr. Smyth?—Because the sergeant asked for Mr. Smyth.

699. Did you ask him inside?—No.

700. What was the sergeant’s condition?—I really cannot say, because I was some distance away from him. I was at the counter, and he was outside, and I could not see him very well. The door was half ajar, and I really could not see him.

701. What exactly passed between you? You were close to him when you opened the door?—I had to reach over to the door.

702. Was the sergeant sober?—Well, I cannot say very well whether he was or not, because I was not near enough to him.

703. *The Chairman.*] Were you in a position to see his condition as to sobriety?—I cannot say whether he was sober or not, because I was not near enough to him.

704. *Mr. Taylor.*] Have you not expressed an opinion on the matter previously?—No.

705. Did you see him on any other occasion?—Yes, something similar occurred.

706. Did he come into the shop on that Saturday night?—No.

707. Where was he?—Just at the door, as on the other occasion.

708. What was his condition then?—He was no better.

709. What exactly happened on the second occasion?—The sergeant came to the door as on the first occasion and asked to see Mr. Smyth, and I called Mr. Smyth, as I did on the first occasion.

710. What were the exact words he used?—I really cannot say; I never expected to hear anything of this again.

711. So far as you can remember, what were the exact words?—The sergeant asked for Mr. Smyth; and I called Mr. Smyth, and he went out to him.

712. Where did the sergeant stop while you were going for Mr. Smyth?—Outside the door.

713. On the first occasion where did the sergeant stay?—Outside.

714. Did you shut the door while you went to call Mr. Smyth?—It was not wide open.

715. Has it not a spring?—No.

716. Does it close of its own accord?—No.

717. Exactly where was the sergeant standing?—Just outside the door.
718. Tell us exactly what words passed between the sergeant and yourself?—He asked, “Is Mr. Smyth in?” and I said, “Yes.”
719. Could you understand all he said?—That was all he said, and I understood that.
720. Anybody else there?—No, not that I am aware of.
721. Has your memory got bad since yesterday morning?—No.
722. Can you remember what you said yesterday morning?—Yes.
723. A week ago?—I think so.
724. You are perfectly clear, supposing you had a conversation yesterday morning, you could remember the details of it?—It all depends on what it was.
725. Had you a conversation about this matter yesterday morning?—Yes, with yourself and Mr. Dewdney.
726. Where did you go to call Mr. Smyth?—On the first occasion I had to go to the second door. There is a door leading down to the bakehouse. The second time I had not to go out of the shop, because he was just going through the door.
727. How did you call Mr. Smyth?—I said the sergeant wanted to see him.
728. About what?—I had nothing to do with it.
729. What did you tell him?—I said the sergeant wanted to see him.
730. On what?—The sergeant did not tell me what he wanted to see him about.
731. Do you remember what you said about that yesterday morning?—I said nothing about that.
732. Did Mr. Smyth go out at once?—Yes.
733. What did you do then?—I was standing at the counter waiting to be served.
734. How long was Mr. Smyth outside?—I cannot say.
735. An hour?—No.
736. Two hours?—No. I would not say more than a quarter of an hour or twenty minutes.
737. Might he have been outside only five minutes?—Possibly.
738. Or a quarter of an hour or twenty minutes?—Yes.
739. You cannot remember?—No.
740. What time was it?—Between nine and ten at night.
741. Have you discussed this matter with anybody during the last twenty-four hours except myself?—No.
742. Did you have a chat with Mr. Mollison?—No.
743. Nor anybody else?—No.
744. *Mr. Lee.*] Is it a fact, Mr. Cross, that on the occasion of the first Saturday night that you called Mr. Smyth to see Sergeant O’Grady, you could not understand what Sergeant O’Grady was saying to you, or what he wanted?—No. He just called me and said he wanted to see Mr. Smyth. That is all, and I understood that.
745. And you did not tell Mr. Smyth that you could not understand what he said?—No.
746. Can you recollect whether the sergeant was in plain clothes or in uniform, or was carrying a stick?—I cannot say that.

JOHN BARCLAY, examined on oath.

747. *The Chairman.*] Where do you reside?—Eden Street, Oamaru.
748. What are you?—A stonemason.
749. *Mr. Taylor.*] How long have you been in Oamaru?—About thirty-six years.
750. Do you know Sergeant O’Grady?—Yes.
751. Do you remember seeing him on any night three years ago, that you remember particularly?—I remember seeing him one night about three years ago.
752. Where was it?—I was walking up Eden Street towards Thames Street, and when I got to the corner of the two streets, Sergeant O’Grady was at the opposite corner coming up from the south. I made a little bit of a sketch-plan of the locality in case there might be any confusion.
753. Were you close to the sergeant?—Yes, quite close.
754. Did you speak to him?—Yes.
755. What did you say to him?—I asked him a question about a dog.
756. Had one of your tenants complained to you about a nuisance caused by a dog?—Yes.
757. And were you looking out for it?—Yes.
758. You heard it that night and went out to see if you could locate it?—Yes.
759. You asked about a dog?—Yes.
760. What did he reply?—He said he had not seen it.
761. About what time at night was this?—12.30 o’clock.
762. What was the sergeant’s condition?—Well, I would consider his condition was that he was drunk, but not incapable.
763. You mean he could walk?—Yes.
764. Did you consider him in a condition to discharge his duty?—Well, if he was going to do heavy manual labour; but for the position of a man in trust, I would not consider he was in a proper condition.
765. Are you certain he was under the influence of liquor?—I was thoroughly convinced then, and I am thoroughly convinced now.
766. Did you talk to him long?—No, not above a minute.
767. Then what happened?—Sergeant O’Grady went up the street.
768. Which way?—To the north.
769. Did you see him stop?—After he went up about a chain he stopped, with his face up to a fence. I do not know what he was doing, or whether he was looking over the fence.

770. What did you think he was doing?—I thought from the position he was making water, but I cannot say for certain.

771. Did you return to your home then?—Yes.

772. Is that the only occasion you saw him in that condition?—Yes, and I was very much surprised when I did see him.

773. *Mr. Lee.*] What is this dog business you were down about?—Well, a lady, whose husband was away, came to me and complained about a dog which was annoying her the night previous, and she came and asked me if I heard the noise, and to see if I could put it away. That is what fetched me out of bed. I could see no dog. It was clear moonlight, and after looking round about where this house was, I walked up to Thames Street, and that is where I met the sergeant.

774. Is this house where this lady lives next to yours?—No, the second house from where I live.

775. Is she a married woman?—Yes.

776. Was her husband at home?—No.

777. What was it got you up in the middle of the night? Did you hear a noise?—Because I heard the dog making a noise.

778. Did the dog annoy you in any way?—It did not particularly annoy me. It was a considerable distance away from my place, but I could hear it.

779. And you wish to say you interested yourself sufficiently to get up in the middle of the night in order to get rid of a dog that was annoying your neighbours?—Yes.

780. What month was it; winter or summer?—About April or May, but I am not sure.

781. What did you expect would be the result of your getting hold of a police-officer? Did you expect he was going to catch this dog?—I did not look for a police-officer. It was the dog I was looking for. I was quite able to manage the dog myself.

782. But you could not manage the sergeant?—No; but he was pretty well able to manage himself too.

783. Were the lamps lighted?—Well, it was such clear moonlight that there was no occasion for the lamps to be lighted at all.

784. Then, when you got down to the corner of the street, Sergeant O'Grady was on the opposite side?—Yes.

785. Was he in uniform?—He had a cloak on—an overcoat.

786. Had he his helmet on, or a plain hat?—I cannot exactly tell.

787. Had he a stick in his hand?—I could not be sure. When he saw me he made a halt, then turned down Eden Street a few paces; then he altered his mind, and came across the street to me.

788. *The Chairman.*] To see who you were, standing there at that time of night? Did he know you?—Yes. I think he knew me.

789. *Mr. Lee.*] He might have been surprised to see you at that time of night?—Quite possibly.

790. You are not often out at that time of night?—No.

791. After you left the sergeant where did you go?—I went to bed.

792. Did you not go after the dog?—I was not going to hunt all over the place for a dog. So long as the dog did not make a noise, that was sufficient for me.

793. Why did you not go through the fence to try and get the dog?—Because I could see through the paddock where the dog was in the habit of going, and I was not going through strange sections hunting after a dog.

794. What was your object in going out of your house?—I was going to hunt the dog away.

795. You were not going to shoot it. Had you a gun?—No. I had nothing in my hand at all.

796. Are you a Prohibitionist?—Well, I prohibit myself; but I am not very violent in prohibiting other people.

797. Do you take liquor at all?—As a medicine.

798. Do you take it as a beverage?—No.

799. Did you at that time?—No.

800. You had none on that evening?—Not for about fifty years. I joined a Band of Hope in 1849 as a boy.

801. You were quite wide-awake?—Yes, just as much as I am now.

802. When did you first make a report to any one of seeing Sergeant O'Grady like that?—I told some private individuals.

803. Who were these private individuals you told?—I told the lady who asked me to look for the dog.

804. What is her name?—Mrs. Dewdney.

805. The wife of the Rev. Mr. Dewdney?—Yes.

806. Living at the back of you?—In the same street.

807. You told Mrs. Dewdney you saw Sergeant O'Grady in this state?—Yes.

808. When?—Immediately after the occurrence.

809. Did you tell anybody else?—I told Mr. Richards, the fruiterer.

810. When, the next day?—Not exactly the next day, but within a few days.

811. Did you tell anybody else?—There are a few more I told occasionally. I was not going to make any particular noise of it.

812. What did you tell them?—Just the same as what I told the Commission now—that I had seen the sergeant the worse of liquor, in my estimation.

813. Are you a member of the Rev. Mr. Dewdney's congregation?—No; I am a member of no congregation at all.

814. Not any?—No.

816. You have known O'Grady ever since he has been here?—Yes.
817. Have you ever seen anything of this kind of thing before or since?—No; and he resided in the same street with me for a considerable time, during which I never saw anything of the kind.
818. Were you surprised to see him in this state the other night?—Yes, I was, because I was not aware that he took liquor to excess.
819. You know, I suppose, what a serious charge this is to make against a police-officer?—I do. I thought I made a very serious charge too, because at that time I saw a local in the newspaper when I was up-country to the effect that there was going to be a libel case with two individuals in the town, and I thought Sergeant O'Grady had got hold of my statement and was pulling me up for libel.
820. You thought there was a chance of an action for libel against you?—Yes, at that time.
821. You would not like a verdict for damages against you?—No, I would not. It is very hard to prove a thing like that.
822. If your story was not true?—But it is true.
823. At one time, you say, you anticipated there was going to be an action for libel against you?—I thought it might be this case that was referred to.
824. Why did you not report the state of Sergeant O'Grady's condition to the police authorities?—It was not my business.
825. Why was it your business to report the matter to Mrs. Dewdney?—I told her I would look after the dog; and it was quite natural, when telling her I could not find the dog, to tell her I found the sergeant.
826. Have you been having a conversation recently with Mr. Taylor about this?—He just merely asked if I had seen the sergeant.
827. He called on you?—Yes.
828. When?—One night this week.
829. Who was with him?—Mr. Dewdney.
830. And then there was a conversation about this case?—Very little conversation.
831. Did you know the Police Commission was sitting here?—I knew by the papers it was going to sit.
832. Did you know they were questioning you so that you might give evidence before the Police Commission?—I did not want to go before the Commission.
833. Did they tell you they were going to bring you?—He told me he would issue a summons for to fetch me.
834. You say the sergeant was able to walk upright?—I told you he was drunk, but still he was capable of getting along.
835. Did you have a conversation with him?—Yes; he was as close to me as you are now.
836. What did you ask him?—I asked him if he had seen a dog.
837. What did he say to that?—He said he had not seen a dog.
838. What did you say then?—I took it from his tone of voice and his speech that he was under the influence of liquor.
839. Sergeant O'Grady did not say anything about you being drunk, in asking if he had seen a dog in the middle of the night?—No; I do not think he asked that.
840. *Mr. Taylor.*] si Mrs. Dewdney a tenant of yours?—Yes.
841. She occupies one of your houses, and you busied yourself because you did not want to lose a good tenant?—I would have busied myself whether she had been my tenant or not.
842. Was Mr. Dewdney away at a conference?—Yes.
843. And Mrs. Dewdney said she was ill, and that this dog annoyed her, and she asked you to abate the nuisance?—Yes.
844. *The Chairman.*] Do I understand you to say that it was the tone of his voice which led you to think Sergeant O'Grady was in a state of intemperance?—Both the tone of voice and his general appearance.
845. You are hard of hearing?—Yes; I can hardly hear at all sometimes.
846. Do you think you were suffering from anything of that kind on the night in question?—I could hear quite well at the time.
847. Can you say whether he was unsteady in his gait or walk?—He was not particularly unsteady.
848. Kindly be particular, because here is a man whom you have known for years, and whom you say you have never seen in a condition to suggest intemperance before or since, and you say on that occasion, at 12.30 midnight, you met him, and his voice was such as led you to believe he was intemperate; and what else did you notice?—Unless there had been something very unusual about Sergeant O'Grady I would not have paid any attention to him.
849. What was unusual?—It is very hard to describe what was unusual. I have seen a good number of drunken men in various stages of intoxication, and I should be able to give an opinion as to whether a man was intoxicated or not, even though I would not exactly say whether his walk was not straight. All the same, in my opinion, he was intoxicated.
850. *Mr. Tunbridge.*] Was he staggering about the street?—No, he was drunk; not staggering about the street, but I think he was that sober that he was aware that he was "pretty tight."

MICHAEL MADDEN, examined on oath.

851. *The Chairman.*] What is your rank?—I am a second-class constable, and I am gaoler at Oamaru during the past thirteen months.
852. *Mr. Taylor.*] How long have you been here?—Since November, 1889.
853. Have you a clerk in the office here?—No.
854. Who acts as clerk?—Sergeant O'Grady.

855. So that any complaint as to the sergeant's intemperance would not be made to any one but himself?—I do not think so.
856. Have you seen the sergeant every day you have been on duty since you came?—Not every day.
857. How often have you seen him?—Almost every day.
858. Have you seen him at different times, day and night?—Yes.
859. Late at night sometimes?—Up to 11 o'clock.
860. What is his condition usually?—Sober.
861. On any special occasion, when have you seen him under the influence of liquor?—I remember none.
862. Has he always been absolutely sober when you have seen him?—In my opinion he has been.
863. You have not noticed him under the influence of liquor sometimes?—I have already expressed my opinion on that matter.
864. I do not ask whether you have seen him incapable, but whether you have seen him in such a condition as to know he was under the influence of liquor?—No; I may state this: that the night Detective O'Brien left Oamaru for Dunedin the men on the station made him a small presentation of a silver-mounted stick, and there was a bottle of whiskey in the room and some ginger ale, and the sergeant had a couple of glasses of whiskey that night. He may have had two or three.
865. I suppose he was jolly, the same as the others?—I had no whiskey on that night.
866. He had two or three glasses?—I said he might have had two or three.
867. You cite that, then, as a case where you noticed he was under the influence of liquor?—I would not say he was under the influence of liquor through having a couple of glasses of whiskey.
868. Did you notice on any other occasions any signs of his having had two or three whiskies?—When I come to recollect, I think when he got promotion some time ago, and when I was in plain clothes on the street, about 9.30 or so in the evening, I met him, and he told me he had got promotion, and I congratulated him on the fact, and we went in and had a whiskey together.
869. Where?—At the Club Hotel.
870. What time?—About 9.30 p.m.
871. Was he in uniform?—No.
872. Were you in uniform?—No.
873. Would Sergeant O'Grady be on duty then?—A policeman is supposed never to be off duty.
874. Did he seem then as if he had had two or three whiskies?—No.
875. How many did he take?—One glass.
876. *The Chairman.*] The question was, whether you had seen signs of his having had two or three glasses of whiskey?—I cannot remember.
877. Do you mention this one occasion, when he had this glass of whiskey?—Yes.
878. *Mr. Taylor.*] What other sergeants have you served under before Sergeant O'Grady?—Sergeants in the Armed Constabulary.
879. None in the Police Force?—No.
880. You cannot say whether it is customary for sergeants to drink with their men in public-houses? What does Regulation No. 55 say?—It says, "On no pretence will any member of the Force frequent publichouses except in the execution of his duty, nor will he accept drink from any person when on duty or in uniform."
881. Was Sergeant O'Grady on duty?—He was in plain clothes.
882. Was he on duty? Did you regard him as being on duty?—I regarded myself that if anything cropped up, I was bound to act.
883. Do you often wear uniform?—Not for the last twelve months I have not.
884. During the last twelve months how often have you had it on? You had it on when the new Commissioner came down?—Yes.
885. But you may be in plain clothes and still be on duty?—Yes.
886. You cannot remember any similar instance where you have gone into a hotel with the sergeant to drink?—No.
887. The sergeant has never shown any signs of liquor when he has come into the police-station at night?—No.
888. These are the only two instances you can clearly remember?—Yes.

PATRICK COTTER, examined on oath.

889. *The Chairman.*] What is your rank?—Third-class constable, stationed at Oamaru.
890. *Mr. Taylor.*] How long have you been here?—Three months.
891. Have you seen the sergeant every day since you came?—Yes.
892. Were you here when a presentation was made to Detective O'Brien?—No.
893. Have you ever seen the sergeant with signs of intoxication on him?—No.

THOMAS MAYNE, examined on oath.

894. *The Chairman.*] What is your rank?—Third-class constable, stationed at Oamaru.
895. *Mr. Taylor.*] How long have you been here?—Since the beginning of December, 1897.
896. Were you here when Detective O'Brien went to Dunedin?—No.
897. Have you seen much of the sergeant since you came?—Yes.
898. Pretty well every day?—Yes.
899. Do you see him much at night-time?—Yes; up to 11 o'clock.
900. Have you been with him in any hotels at night-time?—Yes.

901. Which hotel?—I was in the Royal with him one night. That is the only hotel I have been in with him.
902. What happened there?—He went in to have a look at the house, and he met me in the street before going in, and asked me to go in with him.
903. What time was that?—About 11 p.m. It might be a few minutes after 11 o'clock.
904. Did you stay in there long?—We just walked through the place and went out.
905. Had you any refreshments?—None whatever.
906. Have you, during the four months and a half you have been here, noticed any signs of liquor on the sergeant at any time?—Never.
907. Were you here when the sergeant got promoted?—No; I think not.

EDMUND CHARLES TREHEY, examined on oath.

908. *The Chairman.*] What is your rank?—Third-class constable, stationed at Oamaru.
909. *Mr. Taylor.*] How long have you been in Oamaru?—Two years and a half.
910. Do you see Sergeant O'Grady pretty well every day?—Yes, every day.
911. Have you ever visited any hotels with him?—Yes, I have, one or two.
912. What time would it be?—It was in the evening, after 9 o'clock.
913. What happened?—We went into the hotel to inquire about a man's swag which the larrikins had been knocking about. We took the swag inside, and the sergeant told the landlord to look after it until he found an owner for it.
914. You put the swag in charge of the publican until the publican found an owner for it?—Yes.
915. What hotel was that?—The Royal.
916. Do you know if an owner was found for it?—I do not know.
917. Did you leave together?—Yes.
918. What other hotel?—I think I went into the Criterion one night.
919. What time would that be?—I was on night duty too. There had been a ball or something on that night.
920. After 9 o'clock?—Yes. Some fellows were knocking about, and I think the sergeant went in to see if the hotel was closed.
921. Did you leave together?—Yes.
922. Did the sergeant have any refreshments?—No.
923. Were you here when a presentation was made to Detective O'Brien?—Yes.
924. Were you present?—Yes.
925. Had you any refreshments?—Yes, there was some lemonade and ginger ale and a bottle of whiskey.
926. Did the sergeant have some drinks of whiskey?—I think he had a couple. I cannot say how many.
927. *The Chairman.*] Where was this festivity held?—In our bedroom in the police-station.
928. *Mr. Taylor.*] Have you ever noticed any signs of liquor on the sergeant?—I do not remember seeing signs of liquor at night.
929. Well, on what days?—Nor in the day-time.
930. *The Chairman.*] Have you ever seen any signs of liquor on the sergeant?—No.
931. *Mr. Taylor.*] Have you ever noticed signs of liquor upon him?—A man would have to be intoxicated, in my opinion, before he would show signs.
932. Has the sergeant always been absolutely sober when you have seen him?—Yes, to the best of my knowledge he has always been absolutely sober. I cannot say otherwise.
933. How often have you been in doubt about the matter?—I have never been in doubt. I think I am a pretty good judge of when a man is under the influence of liquor. I have had a little experience of hotel life.
934. What experience?—I was born in a hotel pretty well; and I have been employed in hotels.
935. You are a good judge?—I think I can tell with any outsider, barring a medical man, when a man has liquor in him. Of course, I know the sergeant, and I think I would be able to tell.
936. You never saw any liquor in him?—No. Of course, on that night of the presentation I knew he had a little in him, but he showed no signs of it.
937. Have you ever had any complaints about the sergeant drinking?—No. I cannot call to mind any complaints. I think if any had been made to me officially I would have remembered them.
938. "Officially" do you say?—Yes.
939. Then, you have had complaints?—No.
940. Neither officially nor unofficially?—No.

MICHAEL GREENE, examined on oath.

941. *The Chairman.*] What is your rank?—First-class constable, stationed at Oamaru.
942. *Mr. Taylor.*] How long have you been here?—A little over twelve months.
943. Were you here when Detective O'Brien was shifted to Dunedin?—Yes.
944. Do you remember the presentation?—Yes.
945. Was there any liquor at the celebration?—Yes, there was some small quantity of liquor—a bottle of whiskey and some lemonade.
946. Did you see the sergeant take any refreshment?—Yes.
947. Have you seen him take refreshment at any other time?—No; that is the only time I have seen him taking any refreshment in my company.
948. Have you seen signs of liquor on him at any time?—Never.

949. Have there been any complaints from citizens about him?—No.
 950. He has always been absolutely sober when you saw him?—Yes.
 951. Would you consider a man intoxicated if he was capable of looking after himself and of walking upright?—If I noticed any signs of drink on him, of course I would.
 952. What do you call a sign of drink?—A man who smelt of drink, or a man who staggered about, or appeared incapable in any way.
 953. Under that definition you have never seen Sergeant O'Grady in that condition?—I have not.

GEORGE WILL, examined on oath.

954. *The Chairman*] What are you?—A grocer.
 955. *Mr. Taylor*] Have you been in Oamaru long?—Twenty years.
 956. You know Sergeant O'Grady?—Yes.
 957. See him pretty often?—Yes, about the street.
 958. Do you see him at night-time sometimes?—Yes, if I happen to be about.
 959. Has his condition ever attracted your attention?—I cannot say that it has.
 960. Well, now, how often have you seen him at night-time?—I would not like to say.
 961. Do you remember seeing him at the police-station one night?—Very possibly I have.
 962. Did you see him?—Not at the police-station; No.
 963. Did you see him near the police-station any night?—Yes, repeatedly.
 964. Did you see him inside the police-station, or gaol, any particular night?—I cannot say; you must bring the occurrence to my memory.
 965. Do you remember seeing him one night when you were in company with James Milligan, of Ngapara?—Yes.
 966. Where was he?—I believe he was inside the gate of the police quarters.
 967. Had you any conversation with the sergeant that night?—Yes, I believe we spoke to him going past.
 968. Did you talk about fishing?—Very likely.
 969. Now, as a matter of fact, did you not talk about fishing?—Quite probably.
 970. *The Chairman*] Can you call to mind what your conversation was?—We simply stopped a moment or two, and fishing was mentioned.
 971. *Mr. Taylor*] What was the conversation that you remember?—It was so long ago that I do not recollect anything of it. I forgot about that until it was brought to my mind.
 972. By whom?—By you, yesterday.
 973. You were very reluctant to come here?—Certainly I was.
 974. You did talk about fishing?—Yes, I believe it was mentioned.
 975. Who mentioned it?—I would not say; we were all speaking of it.
 976. Did the sergeant mention it?—Yes, I believe so.
 977. What was the nature of the conversation?—Just what I have referred to—about fishing, possibly.
 978. And who talked about fishing first?—That I cannot say. I cannot remember who it was.
 979. Did you make any contradictory statement to that yesterday?—I cannot tell.
 980. You say you cannot remember who opened the conversation about fishing?—No.
 981. Any boasting as to the expertness of any of them?—It is like any conversation; every one is a good fisher and shooter.
 982. Did the sergeant say he was a good fisher and shooter?—Possibly he may have done so.
 983. Did he say anything else?—I cannot tell.
 984. What was his condition at that time?—I cannot exactly tell.
 985. Did you think he was exactly sober?—I would not like to swear he was.
 986. *The Chairman*] Would you swear that he was not?—I would not.
 987. *Mr. Taylor*] Did you consider him sober?—Well, in my opinion, he may have been a little merry, but I would not say anything else.
 988. Was he maudlin?—Not at all.
 989. Was he a bit merry?—Yes.
 990. Do you think he would appear in Court in that condition?—I have no opinion on that.
 991. *The Chairman*] When you say "a bit merry," will you suggest the cause of his merriment?—No.
 992. *Mr. Taylor*] Did you not tell me yesterday that he was drunk?—No, I did not do that; I contradict that.
 993. Did you say yesterday it would injure your business to come here?—Possibly I may have done.
 994. Did you say it?—Yes. I made the remark that I was very reluctant to come, and that I did not like to be mixed up in the thing at all.
 995. If you knew nothing about the sergeant's condition, why were you reluctant to come?—Does any one want to come?
 996. Who was with you on the occasion referred to?—Mr. Milligan.
 997. What time?—I cannot tell.
 998. Was it after 8 o'clock?—Yes.
 999. Was it after 10 o'clock?—I think so; but I would not say within an hour what time it was.
 1000. Did you think the sergeant could have appeared in Court to take charge of a case?—I would not say that.
 1001. Would you be surprised to see him in Court in that mood?—I have no idea how he should appear in Court.

1002. Did you see him on any other occasion at night-time when he attracted your attention?—No, not to attract my attention.
1003. Did you ever speak to him on any other occasion at night-time?—Yes. I have passed the sergeant and bid him "good night."
1004. He never attracted your attention?—No.
1005. Did you not make a contradictory statement to me yesterday?—No.
1006. Will you swear that?—I will swear nothing.
1007. Did you not tell me yesterday, in the presence of other persons—Messrs. Dewdney and Milligan—that on another occasion the condition of the sergeant attracted your attention?—I believe I did.
1008. *The Chairman.*] Did you or did you not?—Yes.
1009. *Mr. Taylor.*] Did I see you this morning?—Yes.
1010. Did you on any other occasion than the night you were with Milligan see the sergeant in a condition that attracted your attention?—I cannot say that he attracted my attention. I saw him one night and spoke to him in passing.
1011. What was his condition then? Was he merry then?—I simply spoke to him.
1012. Was he merry?—Well, of course, being alone, he was not merry.
1013. What causes you to remember that special occasion amongst all the other times you have seen the sergeant?—Well, I cannot altogether tell you what caused it.
1014. If not altogether, tell me a little bit of what caused you to remember?—I thought within my mind he had a little drink.
1015. Was that because of his manner?—Just the way he spoke to me.
1016. Did you think it was not the way he would speak to you if he was absolutely sober?—I do not suppose I would think so, or I would not have taken any notice of it.
1017. Do you remember what time of night?—I cannot tell.
1018. How long ago?—About twelve months ago; I cannot say.
1019. Where had you been that night?—At work.
1020. On that other occasion, where did you see the sergeant?—Inside the gate.
1021. Was he leaning across the fence?—Not at first.
1022. Afterwards, what was he doing?—He came forward to the fence.
1023. And then did he lean over the fence?—He leaned on the fence.
1024. In a very merry mood?—Pretty merry, that was my impression.
1025. Was he very drunk on that occasion?—No, I would not say very drunk.
1026. Would you say he was drunk?—Just in the state I refer to, in a sort of happy condition.
1027. Was he in a state that you would expect to find a police-officer in in a public place?—I do not know if I am a judge of what they should do.
1028. Are you not a judge?—No.
1029. Do you think, for instance, his condition was one that you, as a citizen, would expect to find a police-officer in?—No.
1030. Have you discussed this matter over with Mr. Milligan to-day?—I have just mentioned it.
1031. Did you talk to many people about the condition of Sergeant O'Grady on that particular night when he was inside the fence talking about fishing and shooting?—I cannot say I did. It was a good while ago—from three to five years.
1032. You had no occasion to make a noise about it at the time?—No.
1033. Did you ever think it would come up again in a Court?—No; certainly not.
1034. What else did you talk about?—Nothing else that I am aware of.
1035. Did you make any special remark to him or to your companion about the matter?—I do not know. I may have remarked to my companion that I thought the sergeant was merry, or something like that.
1036. *The Chairman.*] The conversation with the sergeant when Milligan was present was three or five years ago?—Yes, somewhere thereabouts.
1037. When was the other occasion when you passed him in the street?—About twelve months ago. I cannot say definitely at all.
1038. *Mr. Lee.*] This time you speak of—about three or four years ago—were you all laughing and talking together over the fence?—Yes.
1039. You joked with one another, as a matter of fact?—Yes.
1040. You were all jolly together, you may say?—Yes, we were, I believe.
1041. Would you say that the sergeant's happy expression was entirely due to liquor, or to the fact that you were having a jolly conversation between yourselves?—My impression for the moment was—in fact, I made the remark—that the sergeant had had a little liquor.
1042. What led you to talk to him?—Well, going past, Mr. Milligan heard somebody, and thought it was Sergeant Dwyer, and spoke, and Sergeant O'Grady came forward to the fence.
1043. How long did the conversation go on?—I cannot tell.
1044. Was it a rational conversation, so far as the sergeant was concerned? Was he joking and talking rationally?—Yes.
1045. It was not the conversation as a drunken man?—No.
1046. You could understand each other?—Perfectly.
1047. Was the sergeant staggering about, and falling off his feet, or anything of that kind?—No.
1048. Was he in uniform?—I would not swear to that.
1049. And on the second occasion, was he in uniform?—I would not swear he was, because it was a dark night.

1050. Do you remember whether he had a helmet on?—I would not swear.
 1051. What has caused you to think of this again after this length of time?—It has been brought to me.
 1052. How brought to you?—By people speaking to me about it.
 1053. Who?—Mr. Taylor and Mr. Dewdney.
 1054. When was this?—Yesterday morning.
 1055. Were you aware they were coming in to talk to you about this matter?—No, I was not.
 1056. And you gave them your recollection of it, so far as you are aware?—Yes, I may have.
 1057. Was it fresh in your memory, or had you to look to think how things were?—It was not fresh in my memory; it is not even now.
 1058. You had to consider for a minute or two what really took place, and what did not?—Yes; I have thought a good deal over the thing since.
 1059. Since yesterday?—Yes.
 1060. I suppose Mr. Taylor put you under a very severe examination yesterday?—No; I would not say that.

FRIDAY, 15TH APRIL, 1898.

JAMES COATES MILLIGAN, examined on oath.

1. *Mr. Poynton.*] What are you?—A grocer, residing at Oamaru.
2. *Mr. Taylor.*] Have you been in the district long?—Yes, I suppose about thirty years.
3. Do you know Sergeant O'Grady?—Yes.
4. Have you seen him on many occasions?—Yes.
5. Night-time as well as day?—Yes.
6. Do you remember seeing him any night he specially attracted your attention?—No, nothing remarkable.
7. Do you remember seeing him one night when in the company of Wills?—I do.
8. How did he strike you then?—Oh, nothing remarkable at all.
9. Where were you?—I was coming home, about half-past 11 o'clock.
10. Where did you see the sergeant?—I think it was in the Courthouse grounds, as far as I can remember.
11. Did you accost him?—Yes, I spoke to him.
12. Have a conversation?—Yes.
13. What was the nature of it?—About fishing and what not—ordinary conversation.
14. Did shooting come into it?—I think it did. I could not say exactly.
15. Was the sergeant in the same condition then as he usually was when you saw him?—I think so. There was nothing remarkable about his condition.
16. Have you not remarked upon his condition to a number of people?—No.
17. What made you stop that night?—I do not know. I sang out. I thought it was Dwyer. I wanted to speak to him, and O'Grady came over.
18. Did you have a merry conversation?—We had a conversation. Yes; as I told you, it was about fishing and shooting.
19. Was it you who was boasting about fishing and shooting?—Yes. I had a talk to him about fishing and shooting.
20. Did he also boast to you about it?—Yes.
21. Claimed that he was an expert?—I cannot remember that.
22. What was his attitude on that occasion? Was he standing erect, or leaning on the fence, or on the grass?—I could not say. I think he was standing erect.
23. Was he not leaning over the fence part of the time?—He may have been, part of the time.
24. Was he?—I cannot remember whether he was or not.
25. Have you made a different statement to this on other occasions?—No.
26. Did you very frequently see the sergeant on other occasions?—Yes.
27. Very frequently talked to him?—No.
28. Did you ever talk to him before?—I dare say I have had conversations with him before; just casual conversations.
29. How many?—I could not remember.
30. Did you talk to him twenty times?—Possibly I did.
31. Can you be certain as to how many times?—No, I could not.
32. Is it a common thing for you to talk to him?—No, it is not.
33. Is it a fact that conversation with him was sufficient to impress it upon your memory?—I told you I thought it was Dwyer. It happened to be O'Grady.
34. *The Chairman.*] Have you ever seen him in a state of intemperance?—No, I have not.
35. *Mr. Taylor.*] Have you ever seen him when he was not absolutely sober?—No, I think he has been sober when I saw him.
36. Did you consider him absolutely sober on that occasion?—Yes, as far as I could judge.
37. *Mr. Lee.*] It was a long time ago when this conversation took place?—I suppose it would be about from three to five years ago.
38. Have you had any reason for thinking of the conversation since then?—No, I have not.
39. Are you quite certain the sergeant spoke to you about fishing—that he fished at all? I suppose you do not recollect exactly what the conversation was?—I think it was fishing and shooting. We had a sort of competition between Dwyer and myself, and we were talking over that matter.
40. O'Grady is not a fisher, but he shoots?—Yes.
41. And Dwyer is a fishing man?—Yes.

JAMES ALLAN, examined on oath.

42. *The Chairman.*] What are you, and where do you live?—I am a carpenter, living in Halse Street, Oamaru.

43. *Mr. Taylor.*] Have you been here many years?—About thirty-four years and a half.

44. Do you know Sergeant O'Grady well?—Well, I have seen him and spoken to him some-times.

45. Do you remember any particular occasion when his condition attracted your attention?—It attracted my attention once, I think it is over twelve months ago, coming up Severn Street.

46. What was his condition then?—Well, I saw him staggering on the street as I met him coming towards his own home.

47. Did you consider him intoxicated at the time?—I did.

48. Which direction were you coming in?—I was coming down towards the town.

49. And which direction was he coming in?—He was going towards his own home, I suppose.

50. *The Chairman.*] What hour was it?—I could not be positive as to the hour. It was in clear daylight.

51. *Mr. Taylor.*] Were you very surprised to see him in that state?—Well, I took particular notice.

52. *The Chairman.*] Can you fix the date at all more exactly?—It is over twelve months ago, I could not fix any date.

53. Can you fix the period of the year—summer or winter?—I could not say any particular date.

54. Can you fix it within how many months?—I should say about eighteen months, as far as I can recollect.

55. Not more than eighteen months ago?—I do not think so.

HUGH McLAREN, examined on oath.

56. *The Chairman.*] How long have you been in Oamaru?—I have been thirty-three years on the 16th June coming.

57. Tell us what you are?—Well, I have been a contractor, and different things.

58. *Mr. Taylor.*] Do you know O'Grady well?—Yes.

59. Were you the contractor for lamplighting in the borough for some years?—Yes, for three years.

60. Did your work take you about the streets late at night?—Yes. I was sometimes up till 2 and 3 o'clock in the morning. Of course, I would not be so late every night.

61. Did you see O'Grady very often?—No, not very often.

62. Sometimes?—Yes, sometimes.

63. Did his condition ever attract your attention on any of these occasions?—Oh yes, more than once.

64. Let us have one occasion?—The first I remember was when he commenced to ask me, when I was putting out the lights, what time I should put them out. At the time my instructions were to commence at 12 o'clock to extinguish them. I told him my instructions were to commence at 12 o'clock to extinguish them. That was in 1895. They were altering the time.

65. Did you express any surprise that he should put such a question to you?—There was one night I was coming down putting them out, and I saw him coming, walking backward and forward on the street over to the Empire, and he called me back.

66. Was he staggering?—Yes. He said, "Now, you have put those lights out, and it is only half-past eleven o'clock." I thought a little, and then I said, "You see, there are all those lamps to put out yet, and my instructions are to put them all out by 12 o'clock."

67. Was the sergeant under the influence of liquor?—Well, he looked like it. From all appearance I believe he was. He was staggering backwards and forwards all the while he was speaking.

68. On any other occasion have you seen him when his condition attracted your attention?—There was another night. I was going to put out the lights about 12 o'clock, and when I came to the bridge on the Oamaru Creek he was leaning against it, and he spoke to me and asked me how were the lamps doing—were they breaking them? I said, "No."

69. What was his condition that night?—He was leaning against the bridge, and I do not think he could walk right. He was leaning against the bridge when I met him, and I left him in that position.

70. Do you consider he was under the influence of liquor then?—Well, in my belief he was.

71. *The Chairman.*] What reason have you for thinking so?—Well, he was standing all the while he was speaking. I spoke to him, "Good night," and I saw a lady coming down the road. I said, "I am going away." He said, "Do not go yet." She went 2 or 3 chains towards the mill. Then she turned back again, and she commenced at him. Of course, I can believe she was his wife. She commenced to ask why he was so late, and I walked away. Then, when I was 3 or 4 chains up, I heard a female's voice crying "Coo-ee," three or four times, and I went on. I said to myself, "I will have nothing to do with it."

72. *Mr. Lee.*] You say you are a labourer and contractor?—Well, I tried everything; I was a farmer, and I was a butcher.

73. And amongst other things you have tried letting houses of ill-fame?—I did not know whether they were or not. I had a lot of houses, and I was letting them.

74. To all and sundry?—To any one that would give me good rent.

75. Will you say on your oath you have not been in the habit of letting houses to persons of ill-fame?—There was one that came, and said she was married, and I let the house to her; and any one I ever let a house to, it was only in that way I let it. When any one came to me for a house, I would inquire what they were, and when I got satisfaction that they were good I would let

the house to them. One woman came, and said she was married, and I let her the house. She paid a month's rent in advance.

76. Did you not go to Dunedin on one occasion and bring up two women named Clarinbould?—No.

77. Have there been any convictions against you?—No; not since I came to New Zealand.

78. Not since you came to New Zealand?—Not since I came into the world.

79. Was there not a case before the Court here, in which you undertook to have them cleared away, and Mr. Newton was appearing for you?—No. There was a case I was summoned for here—for letting a house to one, but not in that style you were saying.

80. You say you did not undertake to clear her away from the town?—No. They were away before that.

81. Why did the police prosecute?—Well, of course, I was summoned by the police.

82. Sergeant O'Grady has had a great deal of trouble with you in this matter of letting these houses from first to last?—I do not think it, unless it was coming from himself.

83. Has he not had several conversations with you about it?—Not that I know of. Of course, there was one conversation. That was the first woman up there. There was another house let before that, and when she got in I could not let the houses so well, and she said to me that O'Grady had said if I would fence the place with 6 ft.-palings she could stop there. She asked me to come down and see O'Grady about it, and I did.

84. Was this in South Oamaru?—No.

85. Where was it?—In Isis Street.

86. Who took your house in South Oamaru—Clarinbould and Turnbull?—Well, they were in it, but I do not know what time you mean.

87. How long were they there?—I forget how long they were in.

88. Who turned them out?—They went away themselves.

89. Did not the sergeant turn them out of that house?—No.

90. He had nothing to do with turning them out?—Not to my knowledge. I consider neither him nor any one else put them out.

91. You say the sergeant did not interfere in the matter?—No.

92. Did he interfere with them?—I do not think so.

93. You cannot say he did not?—To my knowledge he did not. He did not speak to me.

94. Do you drink at all?—Well, I will not take more than one glass at a time. I think for ten years I would not take from any man but one glass.

95. Just limit yourself to one glass?—Yes, and very seldom I would take that. Neither you nor any one saw me drunk.

96. You know what it is to be drunk?—No, I do not. I am telling you I was never drunk.

97. *Mr. Taylor.*] Did you see O'Grady about fencing that house round?—Yes. I went to him, and I told him that I would fence it that way. He said he would go up and see, and if he was satisfied they could stop there.

98. Did you fence it?—I fenced it, and he came up and had a look at it.

99. And he allowed this woman to stop?—Yes. As long as I did not sell it, he did not interfere with it.

100. After you had fenced this property to the sergeant's satisfaction, this woman of immoral character was allowed to remain?—Yes.

101. Did he withdraw the prosecution against you?—There was no prosecution.

102. Was there not a charge laid?—Oh, yes; but that was a long time after.

103. What was done with the case?—As far as I know it was dismissed.

104. Was it tried: did it go into Court?—Well, I was standing there, but there were no questions put to me.

105. Was the case called?—Yes, it was called.

106. *Mr. Lee.*] Did you bring the Clarinboulds to Oamaru yourself?—I am saying I did not.

107. You did not?—I did not.

WILLIAM SMYTH, further examined on oath.

108. *Mr. Lee.*] Do you say that you could see from your shop-door what the sergeant did across the road?—Yes, I said that.

109. How far is it across the road?—I understand Thames Street is 2 chains.

110. Then, he went across the road diagonally?—Yes, slightly.

111. That would be more than 2 chains?—It would be, of course.

112. You say that frequently you saw the sergeant and spoke to him: did you come to the conclusion he was under the influence of drink?—When it was forced upon me I did.

113. What do you mean?—When I could not understand him, and I knew I could understand him if he was all right.

114. It was after conversation with him?—Yes; he began it.

115. But you said yesterday that you got as near as you could to him, seeing he was under the influence of liquor: one would understand from that there was a terrible smell of liquor about him?—That is correct.

116. Did you not smell that immediately you got in front of him, before the conversation?—The conversation, as far as the sergeant was concerned, commenced immediately I opened the door, and before I got on the street.

117. How far off was he?—Just the steps down. The sergeant was waiting outside the door, and I stepped out to him to see what he wanted.

118. Did you understand from the witness Cross that the sergeant was under the influence of liquor when he called you?—I cannot remember exactly what he said in respect to that, but that he could not understand him.

119. Did he say why he could not understand the sergeant?—If I were asked to decide between the two questions—whether he did or whether he did not say that—I believe he did say the sergeant was drunk. I would not swear he actually did say it.

120. Was there any conversation between you and Cross after the sergeant had gone, as to the sergeant's condition?—There may have been some words passed, and a little chaffing regarding his condition.

121. Supposing Cross says he cannot say the sergeant was under the influence of liquor, what would you say to that?—I would say Mr. Cross says what he believes to be absolutely true, no matter how you would examine him.

122. You have every confidence in Mr. Cross's statement?—Yes.

123. Notwithstanding the fact that you and Mr. Cross talked about the sergeant's condition afterwards?—Yes.

124. Can you account for the fact that Mr. Cross did not consider the sergeant under the influence of liquor?—I do not know anything about it, any further than that.

125. Seeing a man had been in conversation with O'Grady and had not understood the sergeant, should not that person have known the sergeant was under the influence of liquor?—You and I would think so.

126. Would you not have thought, seeing the sergeant was in the condition that you describe, and the sergeant having spoken to Cross as he did to you, Cross must necessarily have known as well as you the exact condition of the sergeant?—He may not have addressed himself to Cross, but come into the shop.

127. But, it was Mr. Cross who came to you and said he could not understand him?—I beg your pardon, it was not: it was my son.

128. Do you say O'Grady was in the shop?—That was the statement they made, but I did not see him in the shop.

129. But you said just now, not a minute ago, that you saw O'Grady in the shop later on?—I beg your pardon, I could not have said that. I did not see him in the shop. It was opposite the door that I saw him.

130. Was he in uniform, or was he not?—I could not tell you; I do not remember.

131. Do you not remember saying yesterday he was in uniform?—If I said that he was in uniform yesterday I would certainly have forgotten myself, for I cannot remember whether he was in uniform.

132. And, I suppose, you have forgotten yourself in one or two other things?—I do not think I have.

133. *Mr. Taylor.*] Mr. Cross was in the shop on both occasions when the sergeant called, was he not?—Yes.

134. Did your son call you on both occasions or only on one?—I do not remember whether I was called on the second occasion, or whether I was in the shop, at the time the sergeant called.

135. You saw the sergeant both times?—Yes.

136. Did you hear Mr. Cross's evidence yesterday?—No, I did not; and, further, I wished to avoid hearing it.

ELIZABETH ELLEN DEWDNEY, examined on oath.

137. *Mr. Taylor.*] Do you remember Mr. Dewdney being away from home some time ago, at Conference?—Yes, about Easter, three years ago.

138. Was it a short time before your child was born?—About nine or ten weeks.

139. Were you annoyed during your husband's absence by the howling of a dog on the section adjoining?—I was very much annoyed by the howling, not only on the adjoining section, but on our own section.

140. Is Mr. Barclay your landlord?—Yes.

141. Did you complain to him?—Yes.

142. Did you ask him to stop the nuisance?—Yes.

WILLIAM CHRISTIE, examined on oath.

143. How long have you been in Oamaru, Constable Christie?—About sixteen months.

144. Have you visited any of the Oamaru hotels on inspection since you have been here?—Yes, with the sergeant once or twice.

145. What were the hotels you visited?—I visited the Queen's Hotel, for one.

146. Who is the landlord of the Queen's?—Mr. Johnston was landlord when I came here.

147. Who is now?—Mr. Kelly.

148. What time did the visits usually take place?—Oh, about 11 o'clock.

149. Night or day?—Night.

150. Do you remember going into the Queen's on one occasion and finding any men playing cards in a room there?—No, I never saw any men playing cards in the Queen's Hotel.

151. Do you remember any men complaining about being disturbed when they were playing?—No. The sergeant went into the hotel one night, and he came out again. Mr. Moss was there, and I forgot the other gentleman's name.

152. Was there a man named Probert in there?—I do not remember.

153. What happened with Mr. Moss?—He came out to me and told me the sergeant had told him to go out of the hotel.

154. Did he say anything else?—No.

155. *Mr. Lee.*] Was the sergeant present?—No.

156. *Mr. Taylor.*] Where was the sergeant?—He was in the hotel.

157. Where were you?—Outside.

158. Were you not inside the hotel that night?—I was in the passage.
 159. Is that where you spoke to Moss?—No, I was outside.
 160. Did the sergeant leave the hotel with you?—No.
 161. Where was he?—He was talking to Mr. Kelly in the passage.
 162. Did they stay in the passage, or did they go into a room?—He stopped in the passage talking to Mr. Kelly.
 163. What time would that be?—About ten minutes past 11 o'clock.
 164. Have you been frequently visiting in a similar way?—Yes.
 165. With the sergeant?—Yes.
 166. What times?—After 11 o'clock.
 167. Has the sergeant always been in his usual condition?—Yes.
 168. You never saw him drunk?—No, I never saw him drunk.
 169. When have you seen him under the influence of liquor?—I never saw the sergeant under the influence of liquor.
 170. What do you call under the influence of liquor: how do you regard it? Do you make any distinction between being under the influence of liquor and being drunk?—I could not say as to that.
 171. You cannot say as to whether you make any distinction between a man being under the influence of liquor and being drunk?—When a man is drunk he staggers about the street, and when he is sober he will not stagger at all.
 172. Were you present at any presentation to Dwyer?—Yes.
 173. Any refreshments there?—Yes, I believe there was.
 174. What was it?—A bottle of whiskey.
 175. Did you have any of it?—Yes.
 176. Did the sergeant?—I believe he did.
 177. How many?—I think one.
 178. You cannot say?—I cannot say.
 179. If any police-officer said he had two or three you would not contradict him?—No.
 180. Were you here when the sergeant got his promotion?—No.
 181. Have you ever noticed signs of liquor on him?—No. I could not say I have.
 182. Have you had any cases since you have been in Oamaru?—Yes.
 183. Arrested any drunks?—Yes.
 184. Were they always staggering?—Yes, staggering or lying down.
 185. Have you not made a different statement to this to-day?—No, I have not.

HUGH McLAREN, further examined on oath.

186. *Mr. Taylor.*] Did you take a contract from the Oamaru Borough Council for lighting the lamps?—Yes.
 187. When?—On the 14th March, 1895.
 188. Did you employ any labour?—One boy.
 189. Did you engage him under misrepresentation from himself?—Yes. He represented himself to be one Morrison, who was lighting lamps for the previous contractor.
 190. You did not know him personally?—No, I did not. I knew the name of the other boy.
 191. What did his name turn out to be?—Barry.
 192. Did he start with you in March, 1895?—He started on Thursday the 14th.
 193. How long was he with you?—I think about six weeks.
 194. Did you dismiss him then?—He went away and left me.
 195. Had you any lamps broken during the time he was with you?—No, not many during the time he was with me.
 196. Had you any?—I do not remember that I had one.
 197. What happened soon after he left?—The first night there was another boy named McGregor went on in Barry's place there was one lamp broken.
 198. Any other breakages?—There were breakages pretty often. My day's wage would not pay for the breakages.
 199. How long did that extend over?—I think about four or five months.
 200. You were annoyed the whole time?—Yes.
 201. Did you report it to the police?—To both O'Grady and Detective O'Brien.
 202. Did you go to the station to report it?—I went on a Monday to O'Grady; and then he said to me, "Did you sack Barry?" I told him he took the sack himself.
 203. What did O'Grady say to you?—O'Grady said, "But did you sack Barry?"
 204. Did you see him again about it?—I saw Detective O'Brien about it.
 205. Did you see O'Grady again about it?—I did not go straight to him, but I have seen him, and spoke to him on the streets about it.
 206. Did you get any satisfaction?—No, not from him.
 207. What did you do ultimately?—I was advised to go to the priest.
 208. Did you go?—I did.
 209. Were there any more breakages after you saw the priest?—Very little.
 210. Did the breakages practically stop?—Well, so far as they were working against me they stopped.
 211. You had no further complaints to make?—No, not for breaking the lamps.
 212. Have you made written complaints to O'Grady about the loss of property?—Yes.
 213. You complained in writing about the loss of poultry and other property?—Yes.
 214. Did the police discover it?—They did not attempt to discover it. There were six fowls poisoned, and I went to see O'Grady about it. He promised to come, but he did not come.

215. Had you any fowls stolen?—Yes, they were stolen at different times; but there was one night, the 2nd May, 1896, there were over forty stolen.
216. Did you report it to the police in writing?—Yes.
217. Did they come to see you about it?—No.
218. Who did you address the letter to?—Sergeant O'Grady. I registered the last letter, which was dated 22nd July, 1896.
219. *The Chairman.*] Was that about the forty fowls?—Yes.
220. And registered it?—Well, I registered one after that one.
221. *Mr. Taylor.*] You wrote other letters complaining about this?—Yes; I wrote one on the 16th May, about the fowls that were stolen.
222. And in spite of these complaints there was no attention paid?—No attention, No.
223. *Mr. Lee.*] Had you any idea at all who stole these fowls?—Yes, I had.
224. Some of the women living in these houses?—Well, not in my house.
225. Just around your place?—A little bit away from my place.
226. You do not think any of your tenants took some of them?—No, I do not think they did. There was one thing: there were none of that kind about me at the time.
227. What kind?—The women you alluded to.
228. What makes you think these other people took them?—I was told so by the neighbours.
229. Did you give to the police the names of the parties you thought had taken them?—Yes, to O'Grady, but not in writing.
230. Why did not you put them in writing?—I am not a lawyer, and I could not put everything in.
231. You say O'Grady took no notes of it at all?—I considered it was his place to find out the names of the people.
232. You would not assist even if you did know the names?—I would, as much as I could.
233. You say O'Grady did nothing at all in the matter?—No.
234. You are quite sure?—I am certain of it. When I spoke to him and told him the names, he said, "I suppose the girls cooked them."
235. When did you report these lamps as being broken—when was the first time?—When the first lamp was broken I went on the Monday morning.
236. What year was it?—1895.
237. What month?—About April, I think it was.
238. When was the next time?—Well, there were many times afterwards.
239. You can give me no dates when you went to him at all?—I said about April, 1895, was the first time, and that was the only time I went direct to him. He was not my friend.
240. After that you never went to O'Grady at all?—I met him more than once on the street.
241. Did you speak to him at all about the lamps?—Yes; I spoke to him about the lamps at different times.
242. How long after this April was it before you went to the priest?—It would be about four or five months.
243. About August, 1895?—Somewhere about that.
244. After that you never complained to the police at all?—The breaking of the lamps stopped then.
245. Since you went to the priest have you complained to the police?—I told you already I did not go straight to him, but I spoke to him in the street.
246. Since you went to the priest have you gone to the police?—Well, I was speaking to O'Grady.
247. Since then?—Yes.
248. How is it, if the breakages stopped after you went to the priest, you had to complain to the police afterwards?—They were lighting them on moonlight nights, and putting them out sometimes.
249. *The Chairman.*] The matter of which you complained to the police, after you went to the priest, was not the breaking of the lamps but the lighting of them?—They were lighting them in the moonlight.
250. Some unauthorised persons were lighting them?—Yes, they were. There was one lamp which was regularly lighted for a full week, and the police could have caught them if they liked. The larrikins, too, were throwing stones at me, and they were stopped too.

THOMAS O'GRADY, examined on oath.

251. *Mr. Lee.*] I will examine you first with reference to Mr. Smyth's evidence: you heard the evidence given by Smyth and Cross?—Yes. I may say I am Inspector under the Factories Act, and I had occasion about two years ago to visit Mr. Smyth's premises in Thames Street. He has a baker's shop. I found the bakehouse in a very dirty condition, and ordered certain alterations. Mr. Smyth was very indignant on the subject, at having to do anything of the kind, and I had a good deal to do to convince him that the law was such that he would require to do it.
252. Mr. Smyth is a very obstinate man, is he not?—He is.
253. Particularly obstinate?—Yes.
254. Have you had difficulties on other occasions with reference to his bakehouse?—I had two or three visits after that, and though he made some improvements he had to do a little more. I had two or three difficulties with him on the subject of the bakehouse.
255. Any difficulties with him in reference to the registration of the place as a factory?—After some considerable time he registered the factory. It was only a shilling. He threw it at me on the street one day. I refused to take it, and told him he would have to come to the office with it.
256. Any difficulties with him in reference to closing?—He has two shops—one in Arron Street near the show-grounds, and one in Thames Street. I occasionally visited both shops,

especially on the half-holiday. I have had complaints that his shop in Arron Street is kept open, and I had to visit him two or three times, and on approaching his place I found the door slammed to. I would not be admitted. In respect to his shop in Thames Street, the Early Closing Association had reported to me—some of the members—that Mr. Smyth was keeping his shop open till 11 and 12 at night, especially on Saturday night, and they had written and requested him to abide by the rules of the association. I saw Mr. Smyth on the subject, and he declined to do anything of the kind. This was other than the half-holiday, Thursday being the half-holiday.

257. Do you look upon Mr. Smyth as a man opposed to you in any way?—I look upon him as opposed to the law, especially with regard to the Factories Act and Shops Act. He was very indignant when spoken to on either of the subjects.

258. And seemed annoyed with you personally?—His grievance seemed against me, not against the law—my trying to enforce the law.

259. Do you remember going to his shop on a Saturday night?—Yes, I do; about twelve months ago.

260. Was Cross there?—Cross was sitting inside the shop. The shop was alight, and the front door was ajar.

261. Were you in uniform?—I was not.

262. As a matter of fact, do you wear your uniform in the evening?—I do not.

263. Never?—Never.

264. From what time?—I reach the office at 8 o'clock.

265. And you are not in uniform then?—I am not.

266. Did you speak to Cross?—I asked Mr. Cross where Mr. Smyth was. He said he was at the back, and he would go and call him. When Mr. Smyth arrived he commenced by saying, "What do you want? What are you bothering me for?" I said, "I came to tell you about your shop being open. I saw some people coming out of it a while ago." He said, "What the devil has that got to do with you?" I told him I was Inspector of Factories, and complaints had reached me about his keeping his shop open. This was about a quarter to 11 o'clock.

267. What time do the shops close on Saturday night?—Nine o'clock. I reasoned with him for a time. He then said, "Well, you mind your own business, and I will mind mine. I close my shop when I like. I am compelled only to close it on factory day."

268. He says you were under the influence of liquor so much that he could scarcely understand you?—I paraded the men at 9 o'clock, and I walked about the town, and to the best of my belief I had a glass of beer between 9 o'clock and the time I visited Mr. Smyth's place—the only one during the day.

269. When you left Mr. Smyth's where did you go?—I reasoned with Mr. Smyth in my usual way. I said to him, "Well, Smyth, there is no use your fighting against the law. The best thing you can do is to abide by the law in the same way as the others do, and close at 9 o'clock. I hope you will think better of it." With that I walked across the street and down the other side of the street to the station. He threatened me on the second visit by saying if I came near his place again he would report me to Tommy Taylor. It would be about eleven months ago. I cannot positively say.

270. Coming to Barclay's matter: Mr. Barclay says he saw you one night on the corner of Eden street, about half-past 12 o'clock. Did you see Barclay?—I remember seeing Mr. Barclay, and the occasion is fresh in my memory.

271. What were you doing that night in particular?—I may say, your Worships, the Charitable Aid Board were issuing aid to certain persons living in the immediate vicinity of where I met Mr. Barclay, and they had requested me, or their secretary had, to discover if the place was frequented by people who were supporting her otherwise than by charity. I was loitering about the place at the time, and Mr. Barclay came along, and as near as I can remember—it is about three years ago—Mr. Barclay is not very far wrong in his statement of the conversation in what he said. He did mention to me about a dog, and asked me if I had seen the animal. I said, No, I had not. I asked for a description of the dog, and he said it was a retriever. He did not mention who it was annoying. He asked me if the police would look it up and let him know. I said, "If the police find a strange dog, they will let you know." I said further to him, "It is rather a remarkable thing that you should be out at this hour of the morning." He is a very respectable man. Knowing his habits, as I did, I thought it was extraordinary he should be on the street. I then said, "Good night; if I hear of the dog, I will let you know." I went on to the front of the road across the fence, and stood there for some four or five minutes, perhaps, and Mr. Barclay went home. That was all the conversation I had with him. I gave him nothing to understand that I was either drunk or mad, or anything else.

272. Were you under the influence of liquor at all?—I may have had a glass of drink. I could not say: it is a long time ago.

273. Had you taken drink so as to be under the influence of liquor?—Certainly not. I specially laid myself out for the duty I had on hand—the discovery I was going to make.

274. From that day to this have you heard anything of such a charge?—I never heard a word uttered about the thing until I heard it yesterday from Mr. Barclay. Only for knowing Mr. Barclay, and the particular incident of the dog, I would not know anything about it now. I was there more than one night, and later than half-past 12 in the morning.

275. Had you a uniform or a cape?—I was in plain clothes; I had a cape on, and my stick.

276. Was there any light there at all?—No light at that time.

277. Was it moonlight?—No, it was not. It was a starlit night.

278. How far would you be from Mr. Barclay before you recognised him?—I did not recognise Mr. Barclay until I got right up to him and spoke to him.

279. *Colonel Pitt.*] What month was it?—I think it was in February.

280. *Mr. Lee.*] You recollect having a conversation with Mr. Milligan and Mr. Wills over the police fence?—I have no recollection whatever of the conversation. I have no doubt it did occur, in view of the respectability of the parties. Mr. Wills is a very respectable man, and so is Mr. Milligan. The only thing I can say I remember at all is the fact that I was somewhat surprised to hear of fishing, because I never fish. I occasionally do shoot, but I never fish. Dwyer, the sergeant in the gaol at the time, is a fisherman.

281. Coming to the second occasion when Wills says he met you, some years ago?—I have no recollection of it. I know Mr. Wills very well. He has been employed in various places where I am usually brought into contact with him. I have known him for a long time. I do not believe Mr. Wills would wilfully trump up anything against me.

282. Have you spoken to Mr. Wills on and-off, and Mr. Milligan too?—I have, daily almost, and I never heard a word uttered about this matter.

283. You do not recollect any particular instance?—I do not. I may say I do not pose as a Prohibitionist or a teetotaller. I am neither. I take my glass of liquor as long as it is necessary, and I hope I will do so as long as I live.

284. But you do not take it to excess?—No.

285. Do you know Mr. Allan?—I know Mr. Allan very well. He is an epicure. He is a man who lives entirely by himself. He is a bachelor, living all alone, and he is considered a very peculiar man in his living.

286. He is known to be of eccentric habits?—He is, particularly so with reference to church matters and that sort of thing. He will have his own way. If there were hundreds against him, he would still believe he was doing the correct thing.

287. Is he a quiet-going sort of man?—Oh, yes, a very good citizen, but peculiar in his habits.

288. Do you remember seeing him any particular time?—I have no knowledge of seeing Mr. Allan; but if he says he saw me staggering in the daylight he must be perfectly wrong, because I make it a rule not to take anything during the day.

289. Your house is at the head of Severn Street, and to get to your house you do not walk up the road?—I do not.

290. You walk up over the bank?—I do.

291. That bank that you walk up is very irregular?—It is irregular, because the footpath is not formed; but it is the shortest way to my place, and I use it.

292. Would it not be so that a person walking up there would not walk as steadily as when walking up Severn Street?—Quite so. I say distinctly I would be very glad for Mr. Allan to afford me the opportunity of convincing him he is wrong, because I look upon Mr. Allan as a respectable man. If he says I staggered from the effects of liquor in the day-time I say he is positively wrong, because I never drink in the day-time.

293. This is the first you have heard of such a thing, and you know nothing whatever about it?—That is so.

294. You had no notice of these charges particularly?—No notice—nothing of dates, or years, or anything else.

295. With regard to McLaren?—I have known McLaren for the last eleven years as living on the proceeds of prostitution. He has been a propagator of prostitutes in this district since I have been here.

296. And a perfect source of trouble to the police?—He owned a section on the junction of Severn and Isis Streets, one portion of which he sold to a woman named Bendall, or Jane Lawson, a prostitute, for years known to everybody. He then occupied a section in South Oamaru. He had a cripple of a son. He let the house he was living in to prostitutes—known prostitutes—and he and his boy lived in a tent on the section.

297. *The Chairman.*] What period are you referring to?—That would be about eight years ago.

298. *Mr. Lee.*] In what manner has he appeared before the Police Court?—At South Oamaru, after some time, I received several complaints about his place, and I then went and told him that if he did not get the women away from the place I would have to bring him before the Court. I went, always accompanied, and visited the house several times, and discovered without doubt it was a brothel. I then cautioned the girls who were there, gave them a month's notice, and they left. It was before the Criminal Code came into force. Subsequent to that he built a house on the section next to Mrs. Bendall, or Lawson, which he let to a woman named Grace Henderson, a prostitute. That house was occupied by several women for a number of years, and several convictions were recorded against them for sly-grog selling. Two prosecutions took place, in which Mr. Pender came down from Christchurch against these women for keeping brothels, over this house of McLaren's. The Magistrate held the law was defective, and they got out of it, but promised to leave the house. There have two convictions against women named Andrews who occupied the house McLaren is living in now.

299. *The Chairman.*] Did it belong to him at the time?—He had some control over it. I do not know whether it was his property. She was fined in one case £20, and in another case £40.

300. *Mr. Lee.*] When he says his occupation is a labourer, or a contractor, what do you say to that?—I never knew him to do a contract other than the lamplighting since I have known him.

301. *Colonel Pitt.*] Have you taken proceedings against himself?—He was charged on the 10th November, 1894, with being the owner of certain premises, to wit: a disorderly house, situated in Severn Street, in the Borough of Oamaru. Mr. Newton represented McLaren. He visited my office some days before, and told me McLaren was anxious that the prosecution should not be gone on with, as he would remedy the nuisance. I said to Mr. Newton, "Well, the object I have in view is to prevent the existence of brothels in Oamaru. I will have a talk to the Magistrate (Major Keddell) about it. I will not promise, but I do not suppose I will

force the matter." I had a talk with the Magistrate, and he said if the nuisance was removed, probably it would be all right. However, the case came on before the Court, and I left the matter to the Magistrate. Having this promise from Mr. Newton, on behalf of McLaren, the Magistrate dismissed the case, McLaren promising he would remove the nuisance. On the same day a woman named Clarinbould was summoned, charged that she was on the 10th November, at Oamaru, the occupier of a certain disorderly house, to wit, a common hawdy-house. This was the same house in which McLaren resided, and his own property. She was convicted, and fined £5 and costs.

302. *Mr. Lee.*] Anything else?—There were several convictions against other women who lived in the house. I may say McLaren went to Dunedin shortly before these Clarinboulds entered the house in Severn Street, and on returning from Dunedin the two Clarinboulds came up in the same train that he did at night, from Dunedin, and occupied his premises the same night. He has been a source of annoyance to the police all the time he has been here, and every person in the town at all who knows him knows he has been living on prostitution.

303. *Colonel Pitt.*] Can you say how many prosecutions there were in reference to these houses of ill-fame in which he was concerned altogether?—The houses were his property at the time.

304. Well, either against him or the tenants?—There were four. There were two women committed for trial. With reference to the time he met me, I admit at once that McLaren did report to me two lamps being broken, and that he reported to me on one occasion that the lights were lit when they should not have been. Myself and Detective O'Brien made inquiries, and in one instance we, no doubt, sheeted the case home to some children who were about five years old—a lamp broken in Reid Street. The reference to the matter of the priest would apply to the children who were attending the Catholic school. Detective O'Brien made particular inquiry himself, and he will, no doubt, be able to inform the Court of the exact circumstances. The other lamp was in Chelmer Street. I made inquiries into that myself, and failed to discover who was the culprit. I believe it was broken by children. There were only two occasions on which he mentioned to me anything about lamps, except the occasion of mentioning the fact of lamps being lit when they should not have been.

305. *Colonel Pitt.*] Did you make any inquiries to see if you could prove any offence against the boy Barry?—When he mentioned the matter he said he suspected the boy Barry of having done it.

306. What did you do on that?—I may say Barry and his family have resided here for, I suppose, seventeen or eighteen years, and were as well known to McLaren as I am. I went to Barry and I talked to him myself, and Barry positively denied ever having anything to do with McLaren's lamps.

307. Did you get any evidence at all?—I got no evidence. I believe Barry was a decent lad.

308. *Mr. Lee.*] Did you get a registered letter?—No. I do not remember getting a registered letter.

309. About the fowls?—The prostitutes' houses I have referred to were in the immediate vicinity—on the same section where McLaren put up the fowl-house, and his fowls were running about there. The prostitutes also kept fowls, and McLaren's fowls mixed with them. When he reported the matter to me, I went to the place myself and saw Mrs. Lawson, and she showed me the whole surroundings, and how the fowls mixed together. She said, "Whether they are stolen or not, we may have eaten them, as well as we have eaten our own"—apparently admitting they were common property between them—and, she added, "McLaren knows it, too." I saw McLaren afterwards, and said there was no doubt these fowls had been eaten by these women, but the difficulty was to prove it. I told him then he should repair the fence, and keep his fowls in a proper place and condition. I told him he should keep them in a place where these women could not get at them. He subsequently removed them to the house he is at present living in.

310. You say, then, you could get no information on which you could take proceedings?—I could not.

311. You have heard what McLaren has said against you: that on one occasion he saw you under the influence of liquor, and on another occasion you were leaning against the bridge, and he seems to think you were then under the influence of liquor?—On both occasions I spoke both distinctly and accurately, and I remember distinctly what occurred.

312. And you were not under the influence of liquor?—I was not. I do not say that I had not had a glass of grog.

313. It did not affect you in any way?—It did not. I may say, further, I went to the Council, knowing this man, and the way in which the larrikins used to run after him and pull his horse's tail, and that sort of thing, and asked them not to let the house to him which he is at present living in, because I knew he was intending it for the purposes of prostitution. Some of Council decided, however, that they would rent the house to him, as his offer was the best.

314. Since Mr. Taylor has been proceeding with this charge, I understand a number of citizens have come to you and expressed a wish to be called to give evidence as to your general character, have they not?—That is so.

315. Have you gone out to see them, or have they called on you and offered their evidence?—They have offered their services.

316. *Mr. Taylor.*] Have you ever had a prosecution against Mr. Smyth in your capacity as Inspector of Factories?—No.

317. Then, he never did anything that brought him within the pale of the law?—He remedied the neglect he had been guilty of, at my suggestion.

318. You say he was opposed to the law?—I say he is like the proverbial Irishman—"agin it."

319. Did he not comply with the law?—After a time.
320. Did he comply with the law?—He did.
321. You say Smyth's grievance seems to be more against you than against the law?—I attribute that to the fact that he is an ignorant man, and does not understand the law, and he thinks that I, in carrying out the law, am tyrannising over him. That is my impression.
322. Coming to that particular Saturday night you refer to: you paraded the men at 9 o'clock?—I did.
323. How long ago is it?—I think it would be twelve months. I always parade the men at 9 o'clock.
324. You had a glass of beer that night?—Yes.
325. You remember it?—Yes.
326. What makes you remember that particular glass of beer?—I remember the conversation I had with Mr. Smyth; in fact, there is very little that occurs between myself and Mr. Smyth that I do not remember. It is not very often it does occur. When I heard of this charge I brought my memory to bear on the occasion, and especially with reference to the intemperance portion of the charge.
327. And you remember the glass of beer?—Yes.
328. You are sure it was not a glass of whiskey?—On the night in question it was not. I do take a glass of whiskey.
329. You remember it was a glass of beer on that particular night?—To the best of my belief it was a glass of beer.
330. You detailed the whole of the conversation that night?—As far as I remember.
331. You remember exactly in what direction you went across the road?—I went across the road from Smyth's corner to the opposite corner.
332. Have you ever had occasion to take Smyth before the Court on any charge?—I have not.
333. Is he an honest man?—I look upon him as such.
334. The second visit to Smyth was about eleven months ago?—I think so.
335. Did you ever threaten to sue him since as Inspector of Factories?—Yes. He has not registered his factory yet, and I spoke to him about it some three weeks ago.
336. Where?—On the street.
337. Have you ever been to his shop since?—It was close to his shop that I met him.
338. Have you ever been to his shop as you went before?—No, I do not remember it.
339. On the second occasion he said he would refer the matter to me?—He said he would report me to Tommy Taylor.
340. And you have not been since?—I may have. I cannot remember it.
341. You know Mr Barclay?—Mr. Barclay is a very respectable man.
342. You met him three years ago, or thereabouts?—Yes, about three years ago.
343. That family whose premises you were inspecting, what was their name?—Well, the woman is alive and her children are living in the town, and, I may say, in receipt of charitable aid at present, and I do not think it would be wise to mention the name.
344. Where were they living then?—In Eden Street.
345. In the same street as Mr. Barclay?—Yes, a portion of the street.
346. Is that between Thames Street and the bridge?—No.
347. In the other part of the street?—Yes.
348. How far away from the house were you when you saw Mr. Barclay?—About 200 yards.
349. It was not a moonlight night?—No, as far as I remember it was starlight. I will not swear positively.
350. If he says it was Easter week, and a moonlight night, you will not deny it?—I do not think it was Easter week. To the best of my recollection it was February.
351. Did you promise Barclay if the police came across a stray dog they would tie it up?—They generally do that sort of thing, especially if they are of any value.
352. Do you say it is customary to tie up stray dogs?—I do not say it is customary; it is the usual practice of the police if a dog is brought to them, and the owner is not in the immediate vicinity of the station.
353. When do you think you had one tied up in the yard last?—About a month or six weeks ago.
354. *The Chairman.*] Was your recollection of the conversation sufficient to say what took place, or are you prepared to admit what Mr. Barclay says?—I am prepared to admit what Mr. Barclay says, for I do not think he would misrepresent it; but I am under the impression the dog was loose.
355. *Mr. Taylor.*] You may have had a glass of liquor that night?—I might.
356. You cannot recall that so vividly as the other?—No.
357. You have no recollection of the conversation with Mr. Wills and Mr. Milligan?—No recollection whatever.
358. If you were talking of fishing and shooting, it would be an uncommon thing?—Fishing, I never did.
359. If they both say you talked about fishing and shooting?—I will not contradict them, they are both respectable persons.
360. You said you did not take liquor to excess?—No, not that I know of.
361. Have you never been fined for drunkenness?—Never.
362. Have you been charged with it as a police-officer?—I may have had a charge against me at Oamaru by Mr. Thompson, the Inspector of Police, and I am not at all reluctant to give you full explanation.
363. *Mr. Lee.*] Was this matter investigated by Inspector Thompson?—Yes.

364. You were charged by Inspector Thompson?—I was. I was never fined one penny during the whole of my career in the Government service.

365. Was that charge investigated that you referred to?—Mr. Thompson inquired into it. It was a visit to my own house when I was ill—an unmanly, unwarranted, and ungentlemanly visit ordered by Mr. Thompson to my private house when I was ill in bed, and Detective O'Brien and Sergeant Dwyer, who saw me, reported I was not drunk. I have never seen an entry in my defaulter's sheet.

366. Come to Allan's case: you say if he saw you in the day-time staggering he must have been mistaken as to your condition?—I should say positively he must be mistaken, because I do not touch anything in the day-time.

367. You do not drink at night-time?—I do not say that.

368. Do you remember McLaren coming to see you about the fencing of some property belonging to him?—I do not, and I do not think he ever did.

369. *Mr. Taylor.*] Will you swear he never came to see you about the fencing of the property?—I swear that what he has stated here to-day with reference to the fencing of that property is utterly false.

370. You say you never knew McLaren to do any contract work except lamplighting?—Yes.

371. Do you remember a contract for fencing: there was some question about the loss of a cheque over it?—I do not.

372. Do not you remember McLaren reporting the loss of a cheque?—He never reported the loss of a cheque to me.

373. Do you remember some fencing contract he had involving a sum of about £16?—I do not.

374. Never came to your knowledge?—No.

375. No record in your office-books about it?—No, not in my books, not about fencing.

376. You say McLaren lived with some of these women at the time they were convicted?—Yes.

377. In the house with them?—Yes, and up till recently he has been living with a prostitute. Every one in the town can tell you that.

378. Do you remember his seeing you at the bridge that night?—I do; and I remember the conversation with McLaren with reference to the lights being lit.

379. Do you remember the woman he refers to speaking to you?—Yes, I met my wife.

380. At that time, half-past 12?—It was not half-past 12. I was in bed before 12.

381. Were you leaning up against the bridge?—I was filling my pipe with tobacco, and my side was up to the bridge as it is now to this box. You will find me very often, if you travel the same road, in the same position late at night.

382. *Mr. Poynton.*] You say there was some talk between yourself and Mr. McLaren about fencing—about keeping his fowls in?—I stated that I recommended McLaren to fence his section and build a proper fowl-house, and not allow his fowls to be going amongst the others.

383. Is that the only talk you had about fencing?—I do not know anything of other fencing.

384. *Mr. Taylor.*] Do you not remember an action in this Court between McLaren and Parker in regard to a fencing contract?—I remember a civil action that occurred. I was not present in the Court, but I have heard it from others, and I saw in the paper that he sued for a cheque.

385. In connection with a fencing contract?—I could not tell you what it was for. I could not remember.

386. Do you remember it was Parker that was summoned?—Yes. Which Parker do you mean—there are several Parkers?

387. Do you know a station-holder named Parker?—I may say McLaren sued a Mr. Parker in this Court for a cheque that was supposed to be sent to Oamaru, and the Court was satisfied the cheque was cashed in Oamaru, and McLaren knew more about it than he liked to tell the Court.

388. Had that to do with a fencing contract?—If you ask me, my impression is it had to do with a contract, but I do not know of my own knowledge.

THOMAS BROHAM, examined on oath.

389. *Mr. Lee.*] You are Inspector of Police at Christchurch?—Yes.

390. You have control of this district?—Yes.

391. How long have you known Sergeant O'Grady?—For nearly thirty-five years.

392. How long would he have been under your control—about?—He was for some years under my control in Christchurch, and he has been for the last five years under my control here.

393. You have heard these various charges against him for intemperance and general neglect of duty?—Yes.

394. Will you tell the Bench what has been your opinion and knowledge of the officer during the time he has been under your control?—I have never heard him accused of drunkenness before. During the five years I have had charge of this district he has conducted his duties in a most satisfactory manner. The station is a model of cleanliness and order. Everything is properly attended to here, as far as I can see from visiting the station.

395. Any one complaining of crime have had their complaints properly attended to?—I would be inclined to accept that, most decidedly.

396. From your knowledge of communications received from O'Grady—telegrams, correspondence, returns, and that sort of thing—would you say he was a prompt officer?—Yes.

397. And in your opinion is an officer well qualified to have the position he holds at present?—He has always shown himself as such.

398. Is that Mr. Pender's statement?—It is his writing.

399. His signature?—Yes.

400. Who was Inspector Pender?—He had charge of this district before I came here. The document reads as follows :—

New Zealand Police Department, Inspector's Office, Christchurch,
5th January, 1893.

Memorandum for Sergeant O'Grady.
I REGRET to say that I shall not have time to visit Oamaru before leaving for Wellington. I therefore wish to convey to you and the members of the Force in your sub-district my appreciation of the manner in which the duties have been performed since I took charge, and the very excellent conduct and discipline maintained throughout.
P. PENDER, Inspector in Charge,
Canterbury and North Otago Districts.

401. That was Inspector Pender's opinion up to the time he left the district; and up to the present it is yours?—Yes, it is mine.

402. *Mr. Taylor.*] How often do you come to Oamaru?—Every three or or four months.

403. About four times a year?—Yes.

404. Do you stay here long?—Sometime three or four days, sometimes two days.

405. Not more than two or three days on the average?—No.

406. Then, these are the only opportunities you have of personally observing the sergeant's habits?—Personally; that is so.

407. Has there not been a general reluctance in any department—say in the Police Department—for one officer to bear testimony against another?—What do you mean?

408. I mean there is a feeling of comradeship that prevents one officer giving evidence against another?—I am not aware of it in connection with any superior officer being called on to give an opinion with regard to his subordinate.

409. With regard to the rank and file, do you not find the rank and file hold with each other?—In favour of each other, Yes.

410. *The Chairman.*] Have you ever had any complaints as to the conduct of Sergeant O'Grady in the performance of his duties?—No.

411. Never?—No, Sir.

412. *Colonel Pitt.*] I take it, from your evidence, you have had frequent opportunities of observing how the sergeant performs his duties?—Yes.

413. Are you satisfied he performs them efficiently?—Perfectly satisfied.

JAMES CRAIG, examined on oath.

414. *Mr. Lee.*] You are a timber merchant, and also a Justice of the Peace at Oamaru?—Yes.

415. You have been in Oamaru a good many years?—Yes.

416. You know Sergeant O'Grady?—Since I came here.

417. You have met him often?—Very often.

418. At night-time?—At night-time.

419. Are you out sometimes at night, say between 11 and 12 o'clock?—Yes. I may say my business place and my residence are right opposite the Court door, and there is no business-man in Oamaru has better chances of seeing O'Grady than I have.

420. Have you ever seen him about at night-time?—Very often.

421. Continually?—Yes.

422. Have you ever seen him at all the worse for liquor?—Never.

423. Speaking as a Justice here, would you say he is an efficient officer?—I should say there is none more so.

424. I suppose you are surprised to hear of these intemperance charges being brought against him?—I must say I am.

HEBER NEWTON, examined on oath.

425. *Mr. Lee.*] You are a barrister, practising in Oamaru?—Yes.

426. You are the senior member of the bar here?—Yes.

427. Have you known Sergeant O'Grady since he has been in Oamaru?—Yes.

428. There have been various business matters between you and him?—Naturally.

429. And you have seen him from time to time about the streets?—Practically every day.

430. What would you say from your knowledge of him as an officer?—I have always found him courteous, and civil, and attentive to his duties.

431. You volunteered to give this evidence for him, seeing the charges made against him?—I did. I had seen the charges, and I volunteered to give evidence.

432. You have seen him conducting cases in Court, and his method of working up cases?—Certainly.

433. And you say that the sergeant is an efficient officer?—I should say so.

434. *The Chairman.*] Will your own observations enable you to say whether his duties are energetically or negligently performed?—I should say his duties have been efficiently performed, as far as my knowledge extends, and that is considerable.

435. *Mr. Taylor.*] Do you know Mr. Barclay, of Eden Street, stonemason?—By sight, yes.

436. Do you know his reputation?—No.

437. How long have you been in the town?—Nineteen years.

438. You move in different circles?—Exactly.

439. As far as the sergeant is concerned, do you know him socially?—No.

440. Ever had any refreshments with him?—I have.

441. Where?—It would be difficult to say; not very often—once or twice.

442. Some hotel? It would probably be in Oamaru?—I could not say for certain, but I think not in Oamaru. I think once or twice I had refreshments with him.

443. In a hotel?—It would probably be in a hotel.

444. He would probably be there on duty?—I cannot say that. I should think not.

445. You cannot remember any particular instance?—No.

446. You are pretty friendly with him any way?—I would not say that—no more friendly with him than I am with any other member of the Police Force.

447. You cannot call to mind any particular instance in Oamaru when you had refreshments together?—I cannot.

448. Or how many times you have had them together?—I should say, at the outside, three times since he has been here.

HENRY HAWTHORNE GRANT RALFE, examined on oath.

449. *Mr. Lee.*] You are Clerk of the Magistrate's Court at Oamaru?—Yes.

450. And as such you have business dealings with Sergeant O'Grady?—I have.

451. How long have you been in the department?—Twenty-one years.

452. Have you had an opportunity of seeing other sergeants in their work?—Yes.

453. Numerous sergeants?—Yes.

454. In Dunedin and elsewhere?—Yes, I was thirteen years in Dunedin.

455. What would you say of O'Grady, as to the manner in which he carries out his duties, as compared with other sergeants?—I should say he carries out his duties very efficiently.

456. Have you ever seen him the worse for liquor?—Never on any occasion.

457. Have you seen him frequently?—Several times a day during the last two years.

458. In the evening?—Yes, in the evening.

459. *Mr. Taylor.*] Did you volunteer this evidence?—I was asked if I would come in this morning.

460. Who asked you?—O'Grady asked me if I would come in.

461. *Mr. Lee.*] What was the message to you just now?—He asked me if I would kindly come into the Court.

462. Not another word?—That is all.

THOMAS YOUNG DUNCAN, examined on oath.

463. *Mr. Lee.*] You are a member of the House of Representatives for this district?—Yes.

464. Do you know Sergeant O'Grady?—Yes.

465. Thoroughly well?—Fairly well.

466. You have had a good deal of dealings with him in the matter of the labour question, have you not?—Yes.

467. As member?—Yes.

468. How has he carried out any duties which he did, as far as you know?—I considered he carried them out most excellently.

469. Worked hard?—Worked hard; and I always found him night or day when I came to the office.

470. Ready for duty?—Ready for duty.

471. Have you seen him about continually at night, and by day?—Yes; I have seen him frequently.

472. To your knowledge, is he a man of intemperate habits at all?—No.

473. Would you be surprised to hear it alleged against him that he was a man generally of intemperate habits?—I have heard these charges, and I have been surprised to hear them.

474. *Mr. Taylor.*] Do you know Mr. Barclay?—I do.

475. Known him long?—For twenty years, I think.

476. Is he a man whose word you would accept?—Yes.

477. Do you meet O'Grady often in a friendly way?—Well, generally on business. I have not much time for anything else when I come to town; and since this Labour Bureau has been established, I have been constantly meeting him on business connected with that.

478. Have you ever met him socially?—No.

479. Never had any refreshments with him?—Not that I am aware of.

480. Cannot remember?—I do not think so.

481. Will you swear you have not?—Well, I do not know if I can, because I have met him in so many places outside the town; but I can swear, as far as the town is concerned, I have had none with him.

482. Will you swear you have not had refreshments with him outside the town?—Not that I remember. I may have. If we were away on the road or coming home I may have. That would be with others, but not specially with him.

483. How often do you come in at night?—Not very often.

484. Once a month?—Yes; perhaps more sometimes. I may be in two or three times a week on special occasions.

485. Many things might happen at night-time that you know nothing about?—Oh, yes.

TERENCE O'BRIEN, examined on oath.

486. *Mr. Lee.*] You are a detective, at present stationed at Dunedin?—I am.

487. You were in Oamaru for a number of years?—I was.

488. Both when Mr. Thompson was Inspector, and afterwards when Mr. Pender took charge?—Yes; and Mr. Broham afterwards.

489. O'Grady was sergeant during that time?—Yes.

490. You saw the witness McLaren here to-day?—I did.

491. What sort of a man is he?—Well, he is a rather eccentric man in the first place.

492. Did you hear the statement made by him about the Clarinboulds—that he did not bring them up—is that a fact?—All I can say is this: the two prostitutes, Clarinboulds, and McLaren, arrived in Oamaru by the same train from Dunedin. On arrival of the train here McLaren helped

the two women with their luggage from the railway-carriage to a cab. That cab proceeded to South Oamaru, conveying the two women and their luggage, and they went to live in a house owned by McLaren.

493. Does the sergeant go out in uniform at night, or plain clothes?—I do not think I have ever seen the sergeant in uniform after 8 o'clock in the evening. He generally goes home to tea about 6 o'clock, returning to the office about 8 o'clock, in plain clothes, and continues then in plain clothes till bed-time.

494. While you were here, did you find he carried out his duties properly?—Yes, as far as I could see. I have never known him to fail in the execution of his duty in any way.

495. And as to those matters that McLaren has complained about—the loss of these fowls and things?—I know nothing about the loss of fowls. I know something about the complaint as to breaking lamps.

496. Did the police take all the necessary steps to ascertain the offenders?—I did so myself.

497. Would you say there had been any neglect of duty on the part of the sergeant in this respect?—I do not think so.

498. I suppose you cannot always find the offenders?—Not always, No.

499. You brought this matter of the lamp-breaking home, did you not?—The only two cases of lamp-breaking brought under my notice were one in Chelmer Street, into which I made inquiries and failed to discover by whom it was committed; and the next one was in Reid Street. I immediately inquired into that, and discovered that two boys had been seen in the vicinity of the broken lamp throwing stones. I saw one of the lads. He was very young; I think about seven years old, and he told me he had been at the place with another boy, who threw a stone and broke a pane of glass in the lamp. I saw the boy that he named, and questioned him about the matter. He denied having done it. The only proof I could get was the evidence of this little boy of between six and seven years, which I considered was insufficient to bring the case into Court. I told the accused boy's father of what I had learned in connection with the matter, and advised him to question the lad himself, and if he found he had committed the damage to pay McLaren for the glass, which would be somewhere about 6d. or 9d. for the pane. He told me afterwards the boy still persisted in denying that he had committed the damage. I may state that at that time the shanghai nuisance was somewhat prevalent about Oamaru, and a complaint reached me that three boys had been shooting at a horse with their shanghais. I had these three boys brought before the Court, and they were each fined 10s., and that nuisance discontinued after that period.

500. *Mr. Taylor.*] Do you remember a case in which McLaren sued a person named Parker?—I do.

501. Did he construct a certain amount of fencing for that man Parker?—I do not know. Parker lives at a place called Elephant Hill, in the Canterbury District.

502. Do you know whether McLaren did any fencing for Parker?—I do not, of my own knowledge. I know he was supposed to have done some fencing, and he sued Parker for some balance.

503. Do you not know the action was in connection with a fencing contract?—I do.

504. If Sergeant O'Grady says the only contract McLaren ever had was the lamplighting contract he is in error?—I should say so, Yes.

505. Did you see the sergeant very often during the time you were here?—Very frequently.

506. And he was always sober?—He has been, Yes.

507. Night and day?—Night and day.

508. Never saw him with signs of liquor on him?—I do not know that I have.

509. Have you ever had refreshments with him?—I have.

510. Where?—At the Globe Hotel.

511. Where else?—At the Imperial Hotel.

512. Where else?—I think at the Star and Garter.

513. Where else?—And at the police-station.

514. Who paid for it at the hotels?—Well, I could not tell you exactly who paid for it on each occasion. I know one of us paid for it. Myself, on one or two occasions, and the sergeant at other times.

515. Would he be in uniform?—No.

516. At night-time?—At night-time.

517. He would be on duty?—This was between the hours of 10 and 11 o'clock. When the hour of 10 o'clock arrives I consider the duties of the day are done, unless something special crops up. I should say the sergeant was virtually off duty after 10 o'clock at night. Of course, if he was called upon to act in relation to anything it would be his duty to act.

518. You mean to say you never had refreshments with him except between 10 and 11 o'clock?—That is so.

519. Could not possibly be between 9 and 10 o'clock?—No.

HENRY AITKEN, examined on oath.

520. *Mr. Lee.*] You are agent for the Union Steamship Company in Oamaru?—Yes.

521. And you are Mayor of the borough?—Yes.

522. You have been Mayor for how many consecutive years?—I am on my third term.

523. Previous to that you were councillor for many years?—Two or three years before that.

524. You know Sergeant O'Grady?—Yes.

525. Would you say he is a good officer?—As far as I know, I should judge him to be so.

526. You have several matters that the Council wished to be investigated by the police from time to time?—Not exactly investigated.

527. He would have to give attention to matters connected with the Council from time to time?—Yes.

528. Always done these things properly?—Yes.
529. Have you seen him about day and night?—Yes.
530. Have you ever seen him the worse for liquor?—No.
531. You have come across him on the question of the Labour Department?—Yes.
532. Done all his work in connection with that properly?—I think he does. He appears to take great pains to pick out the most needy men.
533. Speaking generally, he is a respected officer in the town?—Oh, yes.
534. *Mr. Taylor.*] Did you volunteer to come?—No, I was sent for.
535. Just now?—Yes.
536. How often do you see the sergeant at night-time—once a month?—I really could not tell you. I see him often. How often I could not tell you.
537. Do you see him on the average once a month after 8 o'clock?—I fancy, more often than that; but I really could not tell you how often.
538. You say he has always been without any signs of liquor on him?—I have never seen him the worse for liquor.
539. Have you ever noticed signs of liquor on him?—I do not know. What would you call signs of liquor?
540. In any other than an absolutely normal condition?—I have always found Sergeant O'Grady, whenever I saw him, perfectly right.
541. Intelligible?—Perfectly.
542. Have you always considered him to be absolutely sober?—I cannot tell you that. You give me a definition of sobriety.
543. *The Chairman.*] The man's ordinary appearance was such as to lead you to the conclusion that he was able to perform his duties thoroughly?—I have no hesitation in saying that his appearance was such that he was able to attend to his business.
544. *Mr. Taylor.*] Did you ever meet the sergeant socially—in the way of having refreshments with him?—Yes.
545. Where did you have refreshments?—In a hotel.
546. Which hotel?—I cannot tell you, I am sure.
547. A number of them?—No, not a great number.
548. Who paid for the drinks?—Generally myself.
549. Would they be whiskey?—Well, sometimes.
550. Would the sergeant be in uniform?—Sometimes, sometimes not.
551. Where was this—in Oamaru?—Yes.
552. Do you know Mr. Barclay, the stonemason?—I do.
553. Would you accept his word ordinarily?—I think he is an honest man.
554. Do you know anything about the evidence that has been given here during the last day two?—What I have seen in the paper.
555. Could not all these things have happened without your knowing anything about them?—Oh, they may.
556. *The Chairman.*] Are you aware that Barclay is deaf?—I am not aware of the fact.

THOMAS YOUNG DUNCAN, further examined on oath.

557. *The Chairman.*] You are a member of the House of Representatives?—Yes.
558. *Mr. Taylor.*] Do you know a constable named Foley?—Yes, I believe I do, in Wellington.
559. Did he write to you some time ago about a matter?—No; he has not written to me about any matter.
560. Did he not write to you about an injustice he thought he had done him in connection with the Manners Street Police-station in Wellington?—He did not.
561. If he says he did he is wrong?—Yes.
562. You never had any letter from him on any matter at all?—Not on any matter at all. I had interviews with him.
563. Where did the interviews take place?—In Wellington.
564. Do you remember the nature of them?—I do.
565. Was it in connection with some matter that he had got on his defaulter's sheet?—Yes.
566. Did you see the Minister of Defence about it?—I did.
567. What did you arrange with him?—I did not arrange anything. I simply said if Foley did not get an inquiry I would bring the matter before the House.
568. Did you bring it up in the House?—No.
569. Why?—Well, I understood that the thing had been gone into with Foley in some way, and the matter was settled between him and his officers.
570. Foley told you that?—Foley told me that.
571. Who settled it?—It was settled as far as the scoring out of this matter.
572. Did you see the Commissioner of Police about it?—I did not.
573. You went straight to the Minister?—I did.
574. Did you not think it was a matter for the Commissioner to deal with?—I did not. I thought if I wanted an inquiry I should go to the Minister I knew best.
575. As a general principle, do you think the Minister should deal with these matters, and not the Commissioner?—I do not think he would act on his own motion. It would be his place to see the Commissioner, and get an explanation of the matter from him.
576. In what other instances have you had to act on behalf of police-officers?—None that I can recollect.
577. Were you consulted about the removal of O'Grady last year?—No.
578. Not interviewed by any person about it?—Well, it was general talk in the place that he was going to be shifted.

579. Do you know if there were any steps taken to stop it?—I do not know if there was. I can tell you this: I wrote to the Minister on my own responsibility—it was settled, I believe, at that time—but I did write, and I stated this: that I saw O'Grady on the matter, and I knew personally and from what he told me that his son, with his money and his support, had taken up a farm at Maerewhenua, and it would be inconvenient for him at the time to leave. I stated that his savings for years were invested in this property, and if he went to a distance it would perhaps prejudice his interests very much, and, further than that, in a very few years from now he would possibly retire; and if they would only leave him alone a little while it would suit him very much.

580. Have you never been appealed to by policemen at other times in connection with removals or transfers?—I think on one occasion, yes.

581. What was that?—Constable Lemm.

582. That is the only other instance you can remember?—Yes, that I remember.

583. *Colonel Hume.*] Mr. Duncan, as far as Constable Foley's case is concerned, you knew, of course, from what he told you that I was the person that had dealt with the case?—Yes. He had copies of the correspondence.

584. Which he showed you?—Yes, and I showed them to the Minister.

585. And consequently, you considered, as I had dealt with the case, the Minister was the proper person for you to go to?—Yes.

586. As regards the removal of O'Grady, you merely, I suppose, as member for the district, considered that you ought to put this fact of the son having taken up land before the Minister?—Yes. Of course, I would do that for any one. I consider it my duty to do so.

587. *Colonel Pitt.*] Is it not a fact that members of the House consider that it would be *infra dig.* for them to consult the head of the department, and that they have a right to go straight to the Minister?—Most certainly. It is the Minister that a member should go to.

588. And a member always does go to a Minister?—Yes. In my case, at any rate, it is so.

589. *The Chairman.*] Do I understand from you that in no other case have you been appealed to for political support or interest to be used on the part of any officer of the Force?—I believe there was one case about a constable mentioning to me casually, in conversation with two or three others about police matters, that he had been a long time without getting any promotion, and I wrote to inquire why.

590. Have you been asked to use this influence as a member, or has the fact of your using that influence been used in any way either to your benefit or prejudice as a politician?—I do not believe it has been to my benefit or prejudice in any way. I consider it my duty, if any one in my district has a grievance, to hear what they have to say, and if it is a proper thing to represent to the Minister I do so.

591. Have you at the time of elections used this influence, or have you been applied to to use it?—Never.

WILLIAM McLEOD, examined on oath.

592. *Mr. Tunbridge.*] Are you a master butcher, residing at Waimate?—Yes.

593. Do you remember last Sunday?—Yes.

594. Were you at the Waimate Hotel last Sunday?—I was.

595. What were you doing there?—I was there having my dinner. I usually go there for my dinner on Sunday.

596. How many times were you there last Sunday?—I might be on business once or twice there on Sunday. People from the country come there, and I go to see them.

597. For what purpose?—Buying stock, and paying them money that I owe them.

598. On matters of business in connection with your butchering business?—Yes.

599. Do you remember how many times you were there last Sunday?—No, I do not.

600. Were you there five times?—No, I do not think I was over twice there on Sunday.

601. How many meals had you in the hotel?—I had my dinner there.

602. Only?—Only, on Sunday.

603. Are you in the habit of having your dinner there on Sundays?—I am, and sometimes tea too.

604. Do you take your meals there any other day in the week?—No. My men are married, and they go home on Sundays.

605. Had you any drink in the hotel?—Only a glass of beer for my dinner.

606. On any other occasion that day had you any drink?—No.

607. Can you tell me the names of any persons who were there?—I went with Larry Thyne. I went there to settle about a mare for the horse that he was travelling with.

608. Why did you go to the hotel to see him?—Because I wanted to square up with him for this mare.

609. Was he at the hotel?—Yes.

610. Why was he there?—That I do not know.

611. Why did you go there to see them?—I followed him up there. I caught him before he went there.

612. You went to the hotel with him to settle this business?—Yes.

613. Why go to the hotel to settle business?—Because it is the most convenient place.

614. What did you do when you went to the hotel door: were you admitted or what?—Yes, we were admitted at the side door.

615. Were you asked any questions?—No.

616. What did you say?—Said nothing, but squared what we had to do and then left.

617. Who did you see when you went to the hotel—any one connected with the hotel?—No.

618. The landlord, or any of his servants?—No. We went into a by-room.

619. Will you swear that you had not something to drink there?—Yes.
 620. You had nothing to drink that day except a glass of beer at dinner?—Yes.
 621. What did you pay for your dinner?—1s., as I always do.
 622. And you were only at the hotel twice?—That is all I can remember—only twice that day.
 623. Did you see any other persons in the hotel while you were there besides Thyne?—No.
 624. What time was it when you went in to settle this business?—As far as I can remember it would be between 2 and 3 o'clock. I would not swear to that.
 625. Were you in there at 9 in the morning?—No.
 626. You say the only times you were there were when you went in for your dinner? At what time was that?—Between 12 and 1 o'clock.
 627. And again at what time, when you settled about the horse?—Between 2 and 3 o'clock.
 628. Those were the only times you were in that hotel during the day?—Yes.
 629. Were you under the influence of drink at all on Sunday last?—No.
 630. Not towards the evening?—No, not towards the evening.
 631. *Mr. Taylor.*] How far from the hotel is your shop?—About 200 yards.
 632. And yet you swear the hotel was the most convenient place to meet your customers?—Well, I met this gentleman at Dooley's stables, and we had only to go across the road to do this business.
 633. What part of the house did you see the landlord in in the morning?—I did not see him at all.
 634. Did he not follow you in at 10 o'clock?—No.
 635. Did anybody go in with you at 10 o'clock?—No.
 636. Who did you go in with at 10 o'clock?—I did not go with anybody at 10 o'clock. I did not go in till I went to my dinner.
 637. Did you lodge there that night?—No, I did not.
 638. You do not lodge there?—No, I do not.
 639. Did you see the landlord outside the house?—That I could not say.
 640. Was he not on the footpath?—No.
 641. You swear he was not on the footpath?—No.
 642. *The Chairman.*] You did not see him?—No.

GEORGE JOHNSON, examined on oath.

643. *Mr. Tunbridge.*] Are you a horse-trainer, living at Waimate?—Yes.
 644. Were you at the Waimate Hotel last Sunday?—Yes.
 645. How many times during the day?—Once or twice.
 646. Once, or twice—which?—I would not be sure on that point.
 647. At what hours were you there?—Different hours. I would not answer the hours like.
 648. You would not, or cannot—which do you mean?—Well, I can.
 649. Do please?—I was in in the forenoon.
 650. What time?—Between 9 and 10 o'clock.
 651. What were you there for?—On business.
 652. With whom?—No one.
 653. What kind of business?—It was private business.
 654. *The Chairman.*] Who was it with?—Well, if it comes to that, for a glass of beer.
 655. Did you get it?—No, Sir.
 656. *Mr. Tunbridge.*] You are sure you did not get it?—I am sure.
 657. Who did you see in the hotel?—I saw Mr. Dooley.
 658. The landlord?—Yes.
 659. Where did you see him?—In a private room.
 660. What did you say to Mr. Dooley?—I asked him if he would give me a drink.
 661. What did he say?—He said, No, not to-day.
 662. He refused to give you a drink?—Yes.
 663. How long were you inside the hotel on that occasion?—No time. I walked out after those words.
 664. Did you see any one else going into the hotel while you were there?—Not at that time.
 665. What time were you there again?—I think it was later on in the afternoon.
 666. Some time in the afternoon?—Yes.
 667. Can you fix it nearer?—Some time in the afternoon; I could not say the time.
 668. What did you go there on that occasion for?—Oh, the same.
 669. You went there to get a glass of beer?—Yes; and he again refused.
 670. How did you get inside the house?—At the entrance going to the dining-room. It is always open, I think.
 671. Was the side door of the hotel open?—I opened it.
 672. And walked in?—Walked in the house.
 673. Was there any person watching at the door, or keeping guard over the door?—No. I walked in myself.
 674. The second time, you say, you saw Dooley?—Yes. I met him, and he asked me what I wanted. I asked him for a glass of beer. He said, "No; I have refused you once, and that is quite enough."
 675. Did anything take place in the hotel?—Not to my knowledge.
 676. Did you see anybody else?—I did not.
 677. How long were you in the hotel?—I was no time, once I was refused.
 678. Any other time did you go to the hotel?—No, not that day.

679. Did you see the witness McLeod at the hotel that day?—I did not.
680. You were twice only in the hotel; you went on each occasion to get a drink, and it was refused by the landlord?—Yes.
681. Was it your habit to go there Sunday after Sunday?—I do not make it a habit. I was out at work, and I did not feel very well overnight as I came in on the Saturday, and I thought of getting a glass of beer.
682. Were you under the influence of liquor at all during last Sunday?—No, I was not.
683. You are sure of that?—Not to my knowledge. I was not.
684. *Mr. Taylor.*] “Not to my knowledge,” what do you mean?—Well, that is quite enough. I say I was not.
685. Did not you use the expression, “not to my knowledge”?—Not to my knowledge. Well, a man might be. I did not get a chance to be the worse for drink.
686. Did you use those words—to your knowledge?—Well, I say I was not.
687. Who was the swagger that you went in the back gate with on Sunday afternoon: what was his name?—I could not say. I never went in with a swagger.
688. Did you go into the back gate?—I never did, with a swagger.
689. I do not say swagger: he might be a labouring man?—I never went in the back gate. I went in by the side door.
690. Did you see the landlord on the footpath walking up and down?—Well, he may have been.
691. Did you?—He may have been. I could not say; but he was in a private room when I went in. I do not know that I did. At least, I did not look. I went in on business.
692. You did not go into the back gate with anybody?—No, not to my knowledge.

LAURENCE THYNE, examined on oath.

693. *Mr. Tunbridge.*] Are you a groom?—Yes.
694. Do you live at Waimate?—Yes.
695. Where?—I live in the Town of Waimate just now.
696. Where?—In Leonard Street.
697. How far from the Waimate Hotel?—About a quarter of a mile or so.
698. Where were you living last Saturday night?—At Makikihi.
699. How far is that from Waimate?—Twelve miles.
700. When did you come into Waimate?—On Sunday morning.
701. Have you been working at Makikihi?—Yes.
702. What time did you arrive at Waimate from Makikihi?—To the best of my belief, 9 o'clock.
703. Were you at the Waimate Hotel on Sunday last?—Yes.
704. How many times?—I think about twice.
705. What did you go there for?—I went there once to get my dinner, and I happened to be going across the street down to another part of the town when I met Mr. McLeod, and we had some business to do, and he asked me if I would mind going over into Dooley's to settle the business with him in regard to some mares I had off him for a horse that season. We went over into a private room and settled the business.
706. What was the nature of the business: had any papers to be signed, or anything of the kind?—He was giving me some money.
707. Did you give him a receipt for it?—No.
708. Where was the necessity to go into a hotel?—He thought it was the best thing, being Sunday, to go over there.
709. Did you have any drink?—No.
710. Were you questioned by any one when you entered the hotel as to why you were going in?—No.
711. *The Chairman.*] You did not go into the bar at all?—No.
712. *Mr. Tunbridge.*] What time was this, when you went in on the second occasion?—I cannot remember what time it would be.
713. Roughly?—I could not swear. It might be 3 o'clock or so.
714. Did McLeod have drink?—No; not when he was in my company.
715. You are sure of that?—Yes.

EDWARD SOLE, examined on oath.

716. *Mr. Tunbridge.*] Are you a cook?—Yes.
717. Have you been working at Bluecliffs?—Yes.
718. How far is that from Waimate?—About twenty miles.
719. Is your home in Waimate?—Yes.
720. When did you go to Waimate—on Sunday last?—Yes.
721. Were you there on Saturday night?—Yes.
722. Where were you living on Saturday night?—At my own place.
723. Were you at the Waimate Hotel on Sunday?—I was in the backyard, not in the hotel.
724. What were you doing in the backyard?—I went to the private place—the urinal.
725. Are you sure of that?—I am sure of it.
726. Did you see anybody else there?—No, I did not look for other people.
727. How many times were you there, on those premises?—Twice in the backyard.
728. At what time were you there?—I never kept what time. I think it was in the morning.
729. Both times in the morning?—I think so.
730. Did you not go there in company with George Johnson?—I went there, but I never went into the house with him.

731. Which way did Johnson go into the house?—He went in the back gate, I think. I am not sure whether he did or not.

732. You are sure you were never in the house during the day?—Yes.

733. You had no drink on the premises?—No, not at Dooley's.

734. *Mr. Taylor.*] You say you went to the hotel twice with Johnson?—Only once.

735. Where did you pick Johnson up?—In the main street of Waimate. He picked me up, and he said he was going into the backyard of Dooley's. He never asked me to have a drink with him or anything. I left him at the gate. He never followed me.

736. He did not go into the urinal with you?—No, he did not.

737. Was that in addition to the twice you went in the side door with Johnson on Sunday?—I never went in.

738. Did you see the landlord at all on Sunday?—I did not see him.

739. Did you see him on the footpath?—No. He was outside, I dare say.

740. Was he outside?—I could not say. I did not watch the man.

741. Did you see him outside?—I may have seen him. I am not sure.

742. *The Chairman.*] Did you see him or did you not?—Well, I did see him.

743. *Mr. Taylor.*] Were you speaking to him?—No.

744. Did you pass him?—I did not pass him. I was on the other side of the road.

745. Are you in the habit of speaking to him?—Oh, I know him. If I want a drink I go in.

746. You did not have a drink on Sunday?—No, I did not.

747. *Mr. Lee.*] Is this backyard open to the public?—Yes.

CHARLES HOBBS, examined on oath.

748. *Mr. Tunbridge.*] Are you road foreman for the Waimate County Council?—Yes.

749. Where are you working?—I was working at the Otaio, thirty miles out of Waimate.

750. Last Saturday?—Yes, and yesterday.

751. Did you leave your work on Saturday and go into Waimate?—Yes.

752. What time did you arrive in Waimate?—About 5 o'clock in the evening.

753. You slept at Waimate on Saturday night?—Yes.

754. Were you at the Waimate Hotel on Sunday last?—Yes.

755. How many times?—Twice.

756. What times?—I do not know. Perhaps the man that informed will tell you.

757. You do not remember?—No.

758. How many times were you there?—I think I was there twice. I went for a letter, and Mr. Dooley was not home.

759. The first time you went, you say, you went for a letter?—Yes.

760. For whom was that letter?—A man named McCarty. He asked me to go and see if there was a letter for him.

761. How long has McCarty been working with you?—On and off for about twenty years.

762. Has he been in Oamaru some time lately?—I do not think so. I do not know that he ever was in Oamaru.

763. Did you get the letter?—No.

764. Whom did you see?—I saw the barman first. Mr. Dooley was not there, and I had to call again and see Mr. Dooley.

765. What took place between you and the barman?—Nothing. I asked him if there was a letter there, and he said he did not know, and that I should see Mr. Dooley.

766. Did you have any drink in the house?—No.

767. You are sure of that?—Well, I should think I ought to know whether I had a drink or not.

768. Did you see any other persons in the house besides the barman?—I did not.

769. The second time?—I went in and asked Mr. Dooley if the letter was there. He told me, No.

770. Did you have any drink that time?—No.

771. Did you see any other persons drinking there?—No.

772. Which way did you enter the hotel? By the door. Which way would you go—down the chimney?

773. Which door?—There is only one door open that I know of.

774. Is it the side door?—I do not know whether you would call it the side door or the front door.

775. You did not go round the back?—No.

776. You were not in the third time?—No, I was not. I went twice.

WALTER FOSTER FINN, examined on oath.

777. *Mr. Tunbridge.*] Do you live in Waimate?—Yes.

778. Are you clerk to Mr. McLeod, butcher?—Yes.

779. Were you in the Waimate Hotel last Sunday?—Yes.

780. What time of the day?—Some time in the morning; I could not say.

781. What were you doing there?—I was looking for a friend of mine that stops there occasionally.

782. What was his name?—Gunn. I transact business with him occasionally.

783. Did you find him there?—No.

784. When did you last see Gunn at the hotel?—I could not say that. I might see him every time he is in town perhaps.

785. Give us some idea: a year ago or a week ago?—I generally see him every week.

786. You generally find him there every week?—I could not say. It may be a fortnight sometimes.

787. Where does Gunn live?—About five or six miles in the country.

788. What is the name of the place?—I do not know that it has a name.

789. What is Gunn?—A farmer.

790. In which direction does Gunn live from Waimate?—Above the bush.

791. Is it a place called the Hook?—Yes, it is in the Hook district.

792. What brings Gunn into Waimate on a Sunday?—His own business, probably; I do not know.

793. Is he in the habit of coming in on a Sunday and stopping at the Waimate Hotel?—He stops there; when he is in Waimate he usually stops there.

794. You thought he might be in Waimate last Sunday?—Yes; I wanted to see him on business.

795. What business did you want to see him on?—A matter of business.

796. What business?—Perhaps have a yarn with him.

797. You did not see Mr. Gunn?—No.

798. Whom did you see in the hotel?—No one; the bar was locked up.

799. Did you not see any one at all?—No. There may have been some servants about.

800. How did you know Gunn was not in the hotel?—Because I could not see him in any of the rooms. I looked in two or three rooms.

801. You had no drink there?—I did not.

802. You were only there once?—I think I looked in twice; I am not sure.

803. Still looking for Gunn?—Just so.

804. Could not find him?—No.

805. Had no drink?—No.

806. Nor saw any one else drinking there?—I saw no one drinking; the bar was locked up.

GEOFFREY SELWYN MATTHIAS, examined on oath.

807. *Mr. Tunbridge.*] Are you a bank manager, living at Waimate?—I am manager of the Union Bank, living at Waimate.

808. Is your bank immediately opposite the Waimate Hotel?—Yes, directly opposite it.

809. Were you at home last Sunday?—Yes, I was at home all day on Sunday.

810. Were you in a position during the day to see what was going on at the Waimate Hotel?—I was about the corner of the street, and also in the upstairs rooms, and could see everything that was going on, off and on. I do not say I was there the whole day.

811. Did you see many people going in and out?—No, I did not.

812. Did you observe any people under the influence of drink about the hotel?—I did not.

813. Any sign of drinking at all going on, as far as you could see?—As far as I could see there was not. I saw people going into the hotel in the morning, but the majority of them were people from the country who came in to attend the Catholic Church in the morning, and who lived a big distance off.

814. You know most of the people of Waimate?—Yes.

815. You can say, from your own knowledge, the people you saw going in and out were country people?—I can confidently say that.

816. Living what distance away from Waimate?—From five to six or seven miles. From Waihao to the Hook.

817. You saw no sign of drinking going on?—No.

818. Or any sign of people under the influence of drink?—No.

819. Have you, from your observations, any reason to believe the law is infringed?—No, I have not.

820. Have you ever seen people under the influence of drink about the place on Sundays?—I have never seen people under the influence of drink coming out of the Waimate Hotel on Sundays.

821. I mean inhabitants of the town?—No. I do not think I have ever seen a drunken man on Sunday in the street, but if I have it is a very exceptional thing; in fact, I can say I have not seen one for a long time.

822. *Mr. Taylor.*] Last Sunday were you at home all day?—Yes, I think so. Perhaps I was out for a walk for an hour or so in the afternoon.

823. Were you out in the morning?—No; I was at home all the morning.

824. How long were you walking round the corner of the bank?—I was walking up and down the footpath for some time.

825. How long were you on the footpath?—I was walking up and down, having a smoke.

826. For half an hour?—More than that. I was walking round the corner before breakfast, and also up till half-past 11 o'clock.

827. After breakfast?—Just after—in and out.

828. Those people were country residents?—What people I saw were country residents.

829. Did you see a man named Sole go in?—I did not.

830. Did you see McLeod go in?—I did not.

831. Thyne?—No.

832. Johnson?—No.

833. They might have gone in without you knowing?—Yes, it is possible.

834. Scores of people may have gone in without you knowing?—Not that number, because I would have noticed them.

835. Did you see Dooley that day? Was he not walking up and down the footpath?—I could not say.

836. Was he not on the footpath opposite your place? Did you see him walking up and down?—That I could not say. I could not say whether he was walking up and down or not. As a rule, he walks up and down.

837. Do you generally see him there on Sundays?—I generally see him on Sundays.

838. Do you know what the expression means: "A man on the door," in connection with public-houses on Sundays?—Yes. I believe it means on the lookout for a person.

839. Do you think it has the appearance of the landlord being on the lookout for anybody on Sunday?—No; I do not.

840. Just walking up and down?—Yes, probably for the same reason that I am walking up and down on the street at the corner—just to have a smoke.

841. Probably the same motive?—Probably.

842. *Mr. Lee.*] How long have you been in Waimate?—Very nearly seven years.

843. I suppose you know most of the people by sight, and the country people especially?—Yes.

844. There are a number of Catholics in and around Waimate?—Yes.

845. And a great many come in on Easter Sunday?—Yes.

846. Apart from the country people, who would be in and out of the Waimate Hotel on that day, do you think there would be something like twenty-eight or thirty people in and out on that day?—No. I should be bound to have seen these people going in, if they had been going in, or anything like that number.

847. Would you say, in your knowledge, the licensing law is badly administered in Waimate?—No, certainly not. There is very little drunkenness to be seen in the streets of Waimate.

848. Do you see many men about under the influence of liquor, or is it a rare thing?—It is a rare thing to see them about, for the simple reason that, I believe, when they are under the influence of liquor they are taken up to the police-station straight away, and not allowed to be seen in the town.

849. You think the police-officers, as far as you know, do their duty there?—Yes, I think I can say that.

FRANK STANLEY PARKER, examined on oath.

850. *The Chairman.*] What are you?—Second-class constable, stationed at Waimate.

851. *Mr. Lee.*] Are you the senior constable stationed at Waimate?—Yes. There are two constables, and I am the senior one.

852. How long have you been there?—Two years and nine months.

853. You are not a Catholic, are you?—No, I am not.

854. Speaking on the question of the administration of the licensing law there, have you had any cases under the Licensing Act since you have been there?—Yes; there have been in two years and nine months twelve prosecutions, and, I think, either eight or nine convictions.

855. Is that the list of them?—This is the list of them:—

Oamaru Police Station, 15th April, 1898.

REPORT of Second-class Constable F. S. Parker, No. 415, *re* breaches of "The Licensing Act, 1881," and amendments:—

I respectfully report that during the time I have been in charge of the Waimate Police Sub-district—two years and nine months—the following prosecutions have taken place:—16th January, 1896: Henry Middleton, Sunday trading, two informations; dismissed. 27th February, 1896: James Tutter, fined £10 and costs, for supplying a prohibited person (Philip Richards) with liquor. 27th July, 1896; Patrick Reid, a prohibited person, being on a licensed premises; dismissed with a caution, the order only having been taken out that day. 17th December, 1896: Walter Wilson, fined £2 and costs, for supplying George Johnson, a prohibited person, with liquor. 17th December, 1896: F. P. Harris, charged with supplying George Johnson, a prohibited person, with liquor; case dismissed. 18th March, 1897: William Watson, licensee, Makikihi Hotel; fined £5 and costs, for permitting an unlawful game in his house. 18th March, 1897: William Watson, licensee, Makikihi Hotel; fined £5 and costs, for serving drunken man with liquor. 28th October, 1897: Edwin Burrell, fined £5 and costs, for serving George Johnson, a prohibited man. 28th October, 1897: Edwin Burrell, fined £5 and costs, for serving Thomas Hogan, a prohibited man. 28th October, 1897: Thomas Hogan, being a prohibited person, did procure liquor; dismissed. 6th January, 1898: Alexander Price, a prohibited person, found on licensed premises; fined 10s., and 7s. costs.

I beg to state that for two years and nine months previous to me taking charge of the district three prosecutions for breaches of the Act took place: (1.) Publican charged with trading after hours; fined £5 and costs. (2.) Publican keeping open after hours; withdrawn. (3.) Publican charged with trading after hours; case dismissed.

The Commissioner of Police, Oamaru.

F. S. PARKER, Second-class Constable 415.

856. Do you keep an eye on the hotels?—Yes. I visit them when I think it is necessary.

857. With your junior officer?—Yes, we accompany each other, especially on Sunday.

858. On Easter Sunday there are a number of country people who come in to Waimate, are there not?—Yes. They come in to the Catholic Church there.

859. And the Catholic Church is nearer to this hotel than any other, and they make that their headquarters, and stop there?—Yes.

860. And the landlord is a Catholic?—Yes.

861. You might say it is a Catholic community?—Yes, it is pretty well a Catholic community.

862. Were you about last Easter Sunday?—Yes. From 9 to 10 I went through the main streets; and from 10 to 1 o'clock I was at the Hook, making inquiries about a fire.

863. Where was the other officer?—He was on duty from 7 to 8, and from 2 till 5 o'clock and I was also on duty from half-past 2 till 5 o'clock. He went on duty at 6, and remained on duty till 10, and I joined him from 8 to 10 o'clock.

864. Do you know the backyard of the Waimate Hotel?—Yes, there is a galvanised-iron fence round it. It has a urinal in it. It is largely used by the public. There is no public urinal in Waimate to my knowledge.

865. Were you past the Waimate Hotel at all on Sunday?—On the opposite side of the street. I passed Manchester's and went down to a yard where there was a search going on with some other police-officers from Timaru. I saw nothing unusual—just two or three country people standing

there. There was a man named McMorris, who resides about four miles away, and who met with an accident in connection with a bicycle, which ran into him, and he was complaining about it to me. I saw him right opposite Dooley's Hotel underneath Manchester's verandah.

866. When you have complaints handed in to you by any one, do you pay attention to them?—I always do.

867. Do you know Mr. Dash?—Oh, yes.

868. Is he a sort of figure-head in Waimate—is he an important person there?—Yes.

869. Is he a Prohibitionist?—Yes.

870. A leading one?—Yes.

871. Has he ever made any complaints to you about licensed houses?—Never, neither in writing nor verbally.

872. Never a word?—No.

873. If he made any complaints to you would you attend to them?—Certainly I would.

874. Did he tell you he was coming down to this Commission to make these statements?—No, he never told me. It is not their custom to tell people beforehand what they are going to do.

875. Do you know this shop Mr. Dash was in?—Yes, it belongs to his brother. It is about 100 paces from the back of Dooley's Hotel.

876. The sort of place you would select for a hiding-place on a Sunday to keep an eye on an hotel?—No, I would not. As a police-officer I would not think of doing it.

877. *Mr. Tunbridge.*] Do you know George Johnson, who is a prohibited person?—I do. He is not prohibited now.

878. When was he prohibited?—From the 16th October, 1896, to the 16th October, 1897.

879. During the time he was prohibited were any persons prosecuted for supplying him with liquor?—Yes. On the 28th October, 1897, Edwin Burrell was fined £5 and costs for supplying George Johnson, a prohibited person, with liquor; on the 17th December, 1896, W. Wilson was fined £2 and costs for supplying George Johnson, a prohibited person, with liquor; on the 17th December, 1896, F. P. Harris was also charged with supplying Johnson with liquor, but the case was dismissed.

880. Alexander Price was also a prohibited person?—Yes.

881. Was he prohibited from the 24th March, 1897, to the 24th March, 1898?—Yes, that is so.

882. Was any one prosecuted for supplying him during the period of his prohibition?—He was prosecuted himself on the 6th January, 1898, for being found on licensed premises, and fined 10s. and costs.

883. *Mr. Taylor.*] Was Price found on licensed hotel premises or wholesale premises?—Wholesale premises.

884. Where did you come from?—Tapanui.

885. As a matter of fact, how often have you had the loan of Middleton's buggy?—I never had the loan of it yet. I have hired a buggy. He lets it on hire.

886. You used to hire his paddock?—Twelve months ago he had a paddock in which he used to take stock. I placed my cow there; and after he got rid of the paddock I had to get rid of my cow. It was the only convenient place for me to have it, and Mr. Dash used to feed it over the fence for me. I was not the only one that ran stock there. There were others.

887. You know Mr. Dash very well?—Yes.

888. Have you ever had any charge against him?—No, there has been no charge against him. There was a charge against the brother.

889. Have you got "a down" on Prohibitionists generally?—No, I have not.

890. *Mr. Tunbridge.*] You paid Middleton for grazing your cow in the paddock?—Yes, I paid him, with others. It was used by others besides myself.

891. Is Middleton a publican?—Yes.

892. And his paddock was grazed by your cow and others, and you paid for the grazing of your cow?—Yes. That was over twelve months ago.

893. In each case in which the buggy of the publican has been engaged have you paid for it?—Either myself or the Police Department. If it was on police business the Police Department would pay for it. Dooley and the other publican keep livery-stables, and have done so for years.

894. And they are the only people you can get a buggy from?—Yes, they are the nearest to the station.

JOHN MANCHESTER, examined on oath.

895. *Mr. Lee.*] You carry on a general store business in Waimate?—Yes.

896. You are in a large way of business at Waimate?—Yes, pretty large.

897. You have lived in Waimate many years?—Yes.

898. Are you a Justice of the Peace?—Yes.

899. Do you know Constable Parker well?—Yes.

900. Speaking generally as to the administration of the law in Waimate by the police, would you say it is properly administered; do the police do their duty there?—I think Constable Parker is a very good officer. It seems to me he discharges his duties with ability and intelligence.

901. And gives satisfaction generally?—I would not say he gives satisfaction to everyone.

902. Have you noticed any improvement in police matters since Parker has been there at all?—I think he is as good an officer as has ever been stationed in the district.

TIMARU.

THOMAS LIVINGSTONE, examined on oath.

1. *The Chairman.*] What is your rank?—I am a second-class detective, stationed in Timaru.
2. You are temporarily in charge of the sub-district?—Yes, of the South Canterbury sub-district.
3. How long have you been in charge?—About two months.
4. What is the ordinary local Force?—The strength of the Force in Timaru is one first-class sergeant, one second-class detective, two second-class constables, and five third-class constables.
5. Of these, how many are married and how many are single?—Eight are married and one single.
6. How are the married men housed?—Four of the married men—the first-class sergeant, myself, the mounted man, and the gaoler have free quarters.
7. Which rank is the mounted man in?—Second-class constable (Robert Crawford).
8. How are the other married men housed?—They are paying house-rent.
9. And the single man?—He is living in the barrack-room.
10. Have you any mess?—No.
11. Are any amongst the present Force here new recruits?—There are three of them have two or three years' experience each, and one has nine months. The single constable has not been in the service more than nine months, but he was previously a district constable in an outlying district of North Canterbury.
12. Do you find this Force sufficient for the working of the district?—At present it is about sufficient to carry on the police work the public require in Timaru.
13. *Colonel Pitt.*] Including escort duty?—Yes, with prisoners to the Lyttelton Gaol.
14. *The Chairman.*] What do you say as to the efficiency of the men stationed here under you?—The men stationed here at present are respectable, sober men, with whom, so far as I know, the public are thoroughly satisfied. I have been stationed here over eleven years myself. I have twenty-three years' service, a broken period of five days excepted. I joined the Otago Police in provincial times, and our pay commenced in Dunedin as second-class constables, because there was no such rank as third-class constables then. We had 8s. per day, and 1s. per day house-rent for married constables, and 8d. per day for clothing for all ranks. When the General Government came into force on the 30th June, 1877, the 1s. per day and the 8d. per day were taken away from the members of the Force, and a few men in Otago left on account of that.
15. *Colonel Pitt.*] The single men, I suppose, were messed in barracks?—Yes. Since I have been in the Police Force I have been transferred eleven times.
16. *Mr. Poynton.*] Had you a family?—I have now a considerable family, but I have been left here for a very long time.
17. *The Chairman.*] During the first twelve years of your service you were transferred eleven times?—Yes. In provincial times I may state we had only one head, and that was the Superintendent of Police. My experience was that it was useless to speak to anybody else when we wanted redress. I have got on satisfactorily in the Police Force since I have been in it. I was always content to do what I was told, and took an active interest in my work, knowing that I was paid for it. I was appointed detective in 1879, and was stationed in Oamaru for some considerable time, until I took an attack of typhoid fever, and I was advised to shift. I was appointed second-class sergeant in 1884, after two years as acting-sergeant, previous to coming here. There are one or two matters I would like to mention. I think we ought to have some kind of pension scheme instituted for the benefit of the men who have devoted their whole life to the police.
18. *Colonel Pitt.*] Have you formulated a scheme?—No, I have not.
19. *The Chairman.*] Do you think that a pension scheme would commend itself more to the men than a retiring-allowance?—I think it would. For my part, I think it would.
20. What is your idea as to the opinion of the Force generally on the point?—So far as I am aware, members of the Force who have any service are in favour of a pension.
21. And would be prepared to contribute towards it?—Yes, I am prepared to contribute my long-service pay of 1s. per day towards it.
22. That would not support a pension fund? Do you think the men in the Force would be willing to suffer a deduction from their pay for the purpose of a pension fund?—I can speak for two other members of the Force here besides myself. We would be satisfied to contribute towards a pension fund.
23. Do you think it would be a good thing for the Force generally that all members should contribute?—It would be very satisfactory for members of the Force to think that if they are seriously hurt when on duty they have a small pension to fall back on.
24. But would they be prepared to sacrifice some of their pay to secure that; say, instead of a compulsory insurance, would they be willing to contribute a certain percentage of their pay towards making a pension fund?—Any members of the Force I have spoken to who have a number of years of service are satisfied to contribute towards it. There are six out-stations attached to Timaru, namely: Temuka, two constables, first-class and second-class; Geraldine, one first-class constable; Waimate, two second-class constables; Pleasant Point, one first-class constable; and Fairlie, one second-class constable. There are troop-horses at each of these stations.
25. Each of these are mounted men?—Yes, there is a mounted man at each place. Some years ago, when I was a mounted man, I often thought that more care should be exercised in the purchase of troop-horses. I used to think that a veterinary surgeon should make a periodical inspection of Government horses, and all horses that might be selected to be purchased by the department for the use of the police.

26. How are they purchased now?—On the recommendation of the local police, after being carefully examined by the Inspector in charge of the district.

27. You think a veterinary surgeon should be employed to purchase horses?—I think so. I could give instances of carelessness, and things which occurred through inexperienced persons purchasing horses. Some years ago the sergeant of police at Ashburton came down and selected a horse at Studholme Junction. The horse was only four years old, and he was purchased for the mounted constable at Geraldine, and was sent there. I think £30 was the price. The bones of the horse on account of his youth were not properly set, and he got a heavy man on his back, with the consequence that his limbs shrunk, and for a time he was apparently useless. The sale of that horse was ordered by the department. He was sold for £8, and now that horse is worth £40. He is thoroughly sound. I was vexed to see that horse leave the department. We have a district order in reference to horses having their rations reduced during the summer where there are paddocks. There are a number of paddocks in South Canterbury, but the paddocks during the last two years, owing to dry seasons, have had very little grass upon them, and it is rather neat work to make the forage-allowance for the horses do.

28. What is the forage-allowance?—I have not got the amount. I think it is not sufficient, on account of the shortness of grass in the summer months. What I maintain is that this order should not be permanent, and that it should not always be in force through dry seasons. The rations are not altogether stopped, but are cut down to half.

29. *Colonel Pitt.*] If there is no grass for the horses, do you give rations?—Yes. The district order is that where there are paddocks they should go on half rations during the summer; and sometimes the constables have to make up the rations themselves.

30. Are the rations reduced to one-half during a fixed period of the year?—Yes, I think so. There is another matter I would like to mention that I experienced some years ago. I think some efforts should be made to induce the local authorities to provide morgues for the reception of dead bodies. The practice of bringing bodies to hotels is, I think, objectionable.

31. Is there no morgue here?—No; there is a morgue at the hospital, for the use of the hospital only. It is not a public morgue.

32. And you find there is an inconvenience in the practice of taking dead bodies to hotels?—Yes. I have seen great difficulty in the back country in getting the thing conducted with any kind of decent order.

33. Do you suggest that there should be morgues up country?—I think there should be a morgue wherever there is a police-station.

34. In the vicinity of each police-station?—Yes, or Courthouse. Very recently a constable had a dead body in a lockup in this district; and I consider that is very objectionable. There is just one little matter further. I think that it should be compulsory on the part of sergeants and constables for them to attend a place of Divine service as often as possible. I do not find any section in the Police Regulations compelling members of the Force to attend a place of Divine service. In the Irish Constabulary it is compulsory for the members to attend the different places of worship to which they belong. That is my opinion.

35. *Mr. Tunbridge.*] Will you read paragraph 159 of the regulations in reference to forage for horses?—It is as follows: "At every station where practicable the officer in charge will turn out the horses to graze, issuing only half rations, or such other forage, if any, as may be necessary, due regard being had to their being kept in serviceable condition."

36. Do you not think that paragraph meets everything you have put forward here to-day?—Yes, I should think that would meet it.

37. Well, to your knowledge, has not that regulation been carried out?—There is a district circular in the books in reference to turning them out, and it says distinctly only half rations are to be given.

38. It says that at every station where practicable the officer in charge shall turn out the horse to graze, issuing only half rations, or such other forage, if any, as may be necessary, due regard being had to their being kept in serviceable condition?—That is carried out.

39. Do you know of any case where a constable has had to provide forage out of his own pocket?—Constables have complained to me, but whether through ignorance of that police regulation or not I cannot say.

40. Has not every constable a copy of these Police Regulations?—Yes.

41. You said you have no police morgue in Timaru; do you know of a police morgue anywhere else in the colony?—There was one in Christchurch.

42. A police morgue?—A morgue, I understand, which was the property of the police in Christchurch.

43. I suppose you know that the local authorities are the persons who have to provide morgues?—I am aware of that. That is why I said I think some efforts should be made to induce the local authorities to provide morgues.

44. Where was this body put in the lockup?—In Geraldine.

45. Was there no other place in which it could have been put?—In the hotel.

46. Was there no shed or other place?—There was a hotel close by.

47. *The Chairman.*] Why was the body not taken there?—I understood the constable to say that the publican refused.

48. *Mr. Tunbridge.*] Do you not know he is liable to a penalty if he did? The law compels a publican to house a dead body if brought there?—Yes, I understand so.

49. *Mr. Poynton.*] Have you given any instructions to constables about their duties?—I do not give them instructions. I walk our streets with them, and I think that is the best instruction they can get. I talk matters of duty over with them, search the town, fossick the rights-of-way, and teach them general police duties. I think, if the sergeants throughout the colony did the same

thing the men would become good watchmen and good public servants. They want a sergeant to go with them; that is my opinion.

50. *The Chairman.*] You think street training is better than depot training?—I think a sergeant of police with recruits is better than depot training. I know it from experience. I was in charge of a night-duty section in Dunedin from 1882 to 1884. I had nine or ten recruits there, and through working them hard at night for the first twelve months in the service, I found that all, except one or two, turned out well. There is one in this Court now, and there is one at Waimate. They turned out good useful public servants.

51. *Colonel Pitt.*] Do not you think it would be a good thing to have a central depot for the whole colony for training recruits?—Well, if you crowd young men who are going to join the Police Force together, one bad man will make a dozen others bad also.

52. *Mr. Poynton.*] Will one good man improve the same number?—Yes; but young men generally yield to bad advice.

53. *Colonel Hume.*] Do I understand you to think there should be a veterinary surgeon attached to the Force?—No. I think the Government veterinary surgeons pay periodical visits throughout the various districts to examine cattle and such like, and I do not see why they should not examine horses as well as other stock.

54. Then, you think that would have prevented this particular horse you mention being sold?—I do not say that, but I think they would be able to instruct constables, and make suggestions as to how to treat horses.

55. Well, then, do you happen to know that this particular horse was inspected by a veterinary surgeon before being sold?—I cannot say.

56. Do you know it is the custom wherever a veterinary surgeon can be got in the colony always to get a veterinary surgeon's certificate where we buy horses?—I know instances, some years ago, where it was done.

57. Do you know what the custom is at the present time as regards veterinary surgeon's certificates being got for horses purchased for the Force?—I do not know the custom.

58. Are you a Prohibitionist?—I am not.

59. Are you in the habit of attending Prohibitionist meetings at all?—No. I have been in Prohibitionist meetings on duty. As a detective I attend every place I can possibly get into where there is a public meeting or anything in the nature of it.

60. Well, then, has the Licensed Victuallers' Association said you were taking a prominent part with the Prohibitionists against them, and said you were not fair?—I have answered that charge on two occasions. I have been reported by the secretary of the South Canterbury Licensed Victuallers' Association for being a Prohibitionist, but I denied the charge.

61. That was my object in bringing the matter forward; that you might deny publicly what you were accused of?—Yes.

62. *Colonel Pitt.*] Have you anything to do with the enforcement of the licensing laws?—While in temporary charge of this station I consider I have to do that, but I have seen no reason to take action against a publichouse during the last two months.

63. Do you mean that is the time you have been in charge?—Yes; as a detective I have not taken an active interest in the enforcement of the Licensing Act.

64. Can you say whether the licensing laws are satisfactorily observed here or not?—They are, so far as I can see. We have as licensed publicans in Timaru some men who are as respectable as any in New Zealand. They could not be better; but there are a few houses that are perhaps not up to what they ought to be. There are twelve licensed houses in the borough, with the railway refreshment-rooms.

65. Do many of the police in this district hold offices outside their police duties, such as Clerks of Court, and anything like that?—Yes, the constables at Waimate, Fairlie, Temuka, and Geraldine hold offices outside of the ordinary police duties.

66. Do you think the constables generally in the Force holding such offices as these would be willing to surrender the emoluments attached to these offices in order that they might go towards the establishment of a pension scheme?—I cannot say. Most men in the Police Force—I think all the men in the Force—have their lives insured. I have my life insured for £500 and pay £1 3s. 4d. out of my salary into the Government.

67. *The Chairman.*] What is your pay?—12s. per day.

68. *Mr. Tunbridge.*] Are you willing to allow your long-service pay to go towards a pension fund?—Yes.

69. And do you know that the men drawing long-service pay on this station are also willing to do so?—They are; they have signed a document to that effect in my presence.

70. *Mr. Taylor.*] You say, during the past two months you have had no occasion to find fault with the hotels in Timaru?—I have had no reason to summon them. I have seen nothing to cause me to issue a summons against them.

71. What did you see at all?—I saw that they observed the law satisfactorily so far as I was aware.

72. You do not often go into them on Sundays?—If there was any cause I would.

73. Do they keep men on the watch here on Sundays?—I have not noticed any.

74. At none of the hotels?—I cannot prove that they did. I have noticed men walking in front of one or two hotels, but I cannot say for what purpose.

75. Will you swear it is not customary for some one to be on the watch at hotels on Sundays?—I would not say it is not customary for one or two of them, but there are very few of them would resort to anything of the kind.

76. How many hotels are there in Timaru?—We have fourteen licensed places, including the railway refreshment-room.

77. And you say only one or two keep a watch on Sunday?—That is all I have noticed.
78. How long have you been in Timaru?—Over eleven years.
79. Have the members of the Force who have been with you during that term been sober men?—Well, they have been fairly sober.
80. How many have been fairly sober?—I cannot exactly say. I have not been in charge of the place all the time.
81. But still you have been here, and can see what is going on, and can say what percentage of the men have been addicted to drinking so that you could see it on them?—There have only been one or two members of the Force addicted to drink.
82. Have you ever seen a sergeant here noticeably under the influence of drink pretty often?—Well, of course, I cannot charge any one with having —
83. I am not asking you to charge any one; have you not seen a sergeant of police here frequently under the influence of liquor?—No, I have not seen him frequently.
84. I mean not drunk, but under the influence of liquor so that it was observable?—I do not remember seeing any sergeant of police incapable through liquor.
85. I do not ask a question as to incapability; have you not seen a sergeant of police here who has been frequently under the influence of liquor?—I have not seen a sergeant of police who has been frequently under the influence of liquor. I have known a sergeant of police here to take a little drink, but not very frequently, to my observation.
86. Have you ever instituted any prosecutions against hotels?—I have, upwards of twenty.
87. As a detective?—Yes, during the absence of the sergeant, and while I was in temporary charge some years ago.
88. When doing purely detective duty you take no notice of hotels?—Very little notice. Of course you have to go in and out of hotels, but I do not think it is to the interest of the Detective Department to enforce the Licensing Act. We live by these people, in the way of getting information, and it is not to the interest of detectives to be continually quarrelling with them.
89. Do you mean the police generally get information from hotelkeepers?—No; the detectives depend on the publicans for a certain amount of information to carry on the work of the department.
90. Why is that? Do the criminal classes frequent hotels largely?—They do. The drunken portion of the criminal class frequent hotels.
91. Have you had any instructions as to your duty in this matter since the new Commissioner came?—I have seen instructions, but not directly from the head of the department.
92. What instances of political interference have you known since you have been in the Force?—I cannot prove I have known any instances at all.
93. Has there been a general feeling that political interference was rife?—There has been a sort of idea in the minds of some members of the Force that they could gain by having a little political influence.
94. Has it not been common talk?—Yes, it was common talk, of course, some years ago; not during the last six or twelve months.
95. Now, as a matter of fact, has there not been an improvement in that respect during the past six months, since the change in control?—There has been an improvement; the men have lost the feeling that it is any good trying it on, so far as I can see.
96. Do you remember Constable Weathered being ordered for removal from Timaru?—Yes.
97. Did the men regard his remaining here as being due to political influence?—I was not here. I was up on duty in Christchurch at the time.
98. *Mr. Tunbridge.*] If you observed any breaches of the licensing law, would you consider it your duty to report it?—I would.
99. You do not consider it your primary duty as a detective to search for breaches of the licensing law?—No.
100. *Mr. Taylor.*] Have you always reported breaches of the licensing law that have come under your observation as a detective?—Generally I have.
101. How is it, then, that you said you did not consider it advisable to take notice of these things?—Except that it was a very extreme case. There are very few men in the colony who have paid as much attention to the licensing law as I have. Detective or no detective, I take action and report when I think it necessary, and the records will show my action in reference to licensed houses where I have been stationed.
102. *Colonel Pitt.*] You say you have instituted twenty prosecutions; how many convictions have you obtained?—I have upwards of twenty in Timaru, but I cannot say the number of convictions except I look up the records. There are a considerable number.
103. Have you any opinion as to the appointment of permanent police surgeons to the Force by the Government?—I cannot express any opinion as to that. I think members should retire from the Police Force at the age of sixty. I am under the impression that no man should do active detective duty after he is fifty-five years of age. I consider a man's memory for faces and names becomes defective after fifty-five years of age. I forgot to state the fact that in South Canterbury, between the Rangitata and Waitaki Rivers, the population would be something like twenty thousand, and there are sixteen constables stationed in that district.
104. You think that sufficient?—I think they are sufficient to cope with the work in the meantime.

MARTHA GILMOUR, examined on oath.

105. *The Chairman.*] What are you?—Wife of Adam Orr Gilmour, licensee of the Gladstone Hotel.

106. Where are you living?—Fairlie.

107. *Mr. Taylor.*] Have you been there very long?—Yes.

108. How many years?—Fourteen years.
 109. Have you been in the hotel very long?—Yes.
 110. Are there other hotels in Fairlie?—Yes.
 111. What is the name of the other one?—Fairlie Hotel.
 112. Do you remember the constable who was there before Constable Mullany?—Yes, Constable Hilliard.
 113. Was there any prosecutions against your house by Hilliard?—Yes, one.
 114. Did you take any steps to get him moved?—No.
 115. Has there been any prosecution of your house by Mullany?—No.
 116. Do you hold dances at your hotel sometimes?—No, I do not think so.
 117. No private dances?—Very rarely.
 118. But on some occasions you do?—If it was a birthday, or a case of a wedding, we might.
 119. What was the last occasion when Constable Mullany was at your place at a dance?—I never knew him to be there at all at a dance.
 120. Are you about the hotel always?—Yes.
 121. What other social gatherings have you there?—Not any, I do not think.
 122. No district meetings of that kind on any occasion there?—No, they hold them at the hall generally.
 123. Not at your hotel?—Very rarely.
 124. Do you remember the date of the last general election?—No.
 125. You know there was a general election in December, 1896?—Yes.
 126. What did your "boots," Fleming, take across to the police-station that day?—Nothing that I was aware of.
 127. How often does Constable Mullany come to your house?—I do not know, indeed. I am sure I do not notice him at all.
 128. Does he come once a week?—I do not know. He comes in inquiring and asking after one thing and another, but I do not take any notice.
 129. You do not take any notice of him?—No; perhaps he inquires for Mr. Gilmour, or somebody else.
 130. Do you know if there has been any prosecution of any hotels since the constable has been up there?—Yes, of the Fairlie Hotel.
 131. *The Chairman.*] Do you know how long he has been there?—I cannot say how many years.
 132. Has he been there more than one?—Oh yes, three or four years.
 133. Since that there has been one conviction against the Fairlie Hotel?—Yes.
 134. And the one against your house was prior to his arrival, by Constable Hilliard?—Yes.
 135. *Mr. Taylor.*] Do you remember Fleming being in your employ?—Yes.
 136. Do you swear you have no knowledge of his taking a case of grog to the police-station on election day?—I am quite sure he never did.
 137. How are you quite sure?—Not from me, nor anybody in my house.
 138. How often does the constable come to your house?—I do not take any notice of when he comes. He is always welcome to come.
 139. How often have you personally served him with liquor?—Never.
 140. You have never given him drink in the house?—Never.
 141. Have you ever seen him getting drink there?—Never.
 142. Do you visit his house at all?—Very rarely.
 143. Do you visit his house?—Yes.
 144. *The Chairman.*] Has he got a wife?—Yes.
 145. *Mr. Taylor.*] Have you at any time driven out together with his family?—I do not think so.
 146. Try and remember?—No; I never drove out with them.
 147. Do you think he has been in your hotel once a month since he has been there?—I think oftener than that.
 148. And you never saw him having refreshments there?—No, never.

MARGARET JANE HAMILTON, examined on oath.

149. *The Chairman.*] You are a married woman?—Yes, wife of James Hamilton.
 150. What is he?—A carpenter, at Fairlie.
 151. You are a daughter of the last witness?—Yes.
 152. *Mr. Taylor.*] Did you live at your father's hotel before your marriage?—Yes.
 153. Did you help in the business when there?—I did a little work.
 154. Sometimes serve in the bar?—No, never.
 155. How often did Constable Mullany come to your house when you were there?—I very seldom saw him there.
 156. Did you see him once a month?—I cannot say; he may have been.
 157. How often did you serve him with liquor?—Never.
 158. You never served him?—No.
 159. Did you ever see him having refreshments in the house?—No.
 160. What part of the house would he usually be in when you saw him?—In the hall.
 161. Always?—Yes.
 162. You never saw him anywhere else?—Not that I remember.
 163. You never saw him anywhere but in the hall?—I do not think so. No, I did not.
 164. Have you seen him in the house fifty times?—I suppose I have.
 165. Always in the hall?—Yes, each time I saw him.

166. Do you remember him being at any social gathering there?—No; I never saw him there.
 167. At no birthday party?—No.
 168. No dance?—No.
 169. Never saw him there?—No.
 170. Did you ever have a social dance there?—Yes.
 171. Did the general public go to it?—No; just a few invited guests.
 172. Will you swear Constable Mullany was not there?—No, he was not there.
 173. And you never served him with drink in your life?—Never.
 174. Did you ever see him being served with drink?—Never.
 175. Did you ever have any conversation with him in the house?—I may have said, "Good morning," or whatever time of day it was.
 176. That was all; you never went beyond that?—No.
 177. Do you remember the general election of 1896?—Yes.
 178. Do you remember a case being sent over to the police-station from your hotel?—No.
 179. Do you remember anything being sent across?—Not to the police-station; no.
 180. Where did it go to?—I do not remember anything being taken away. I just remember the election.
 181. Who used to serve in the bar when you were at home?—Sometimes my brother and sometimes my father.
 182. You never served?—No.
 183. *Mr. Tunbridge.*] Used the constable to visit your house on Sunday mornings?—No.
 184. To see if any illegal trading was going on?—I was never at home on Sunday mornings.

ADAM ORR GILMOUR, examined on oath.

185. *The Chairman.*] You are a hotelkeeper at Fairlie?—Yes.
 186. *Mr. Taylor.*] How long have you been there?—Fourteen or fifteen years.
 187. Have you ever had a conviction against your hotel?—Yes; I was once fined.
 188. What constable was there at the time?—Constable Hilliard.
 189. Have you had any convictions since Constable Mullany came there?—No.
 190. How often have you been in the habit of seeing Mullany?—Twenty times a day sometimes.
 191. In your house?—No.
 192. How often in the house?—I cannot tell you.
 193. Once a day?—No.
 194. How often?—Four or five times a week. He might come in one door and go out at another. I cannot tell.
 195. What does he go for?—I do not know. It is not very nice to have to go and ask him his business.
 196. Do you remember the day of the last general election?—Yes, very well.
 197. Did you send anything over to the police-station that day?—No.
 198. Who was your "boots" then?—That I cannot tell you.
 199. Was there a man named Fleming?—Quite possibly; I had a man named Fleming.
 200. Do you remember sending anything to the police-station by him?—No, I do not.
 201. Have you ever served the constable with refreshments in your house?—I do not remember having served him. I may have done so; but it will be a long time ago. I do not remember.
 202. What took place, as a rule, when he came into your house?—He walks in one door, and out of the other. Perhaps he comes to ask me some questions. I do not know.
 203. Can you tell us how often he visits your house? Once a day on an average?—No; if you like I will keep a tally.
 204. I ask you what he has done?—I have not kept a tally.
 205. I will ask whether you would see him twenty times a day?—If I like to look at him as often as that I could see him, when he is passing to and from the railway-station.
 206. You could see him twenty times a day if you liked to look for him?—Yes.
 207. He is very much on the street?—He is there pretty often.
 208. How often does the constable attend social evenings at your house?—I do not understand what you mean.
 209. You have sometimes a reunion or social gathering at your place; how often has he been to your parties?—I do not remember ever having seen him there on an occasion of that sort.
 210. Do you ever visit his house?—I cannot remember that I have. I may have been once or twice on different matters. I have been to his garden, and looked over his fence; but I never was locked up, or anything like that.
 211. Do you ever visit his private dwelling-house?—I cannot remember that I have ever been there. I may have been there once or twice, but I do not think I have been there oftener. I was only there about five minutes, and then out again.
 212. You say on all occasions when the constable has visited your house he has come through one door and gone out at another?—Yes, pretty well.
 213. Have you ever seen him in the rooms?—Yes.
 214. Have you ever seen him sitting down?—I may have.
 215. Have you ever served him with refreshments?—Never, so far as I remember.
 216. Have you ever seen any one else do so?—I do not think so.
 217. Do you know?—I know pretty well that it is impossible; he does not drink.
 218. Have you ever seen him served with refreshments in any room in your house?—I do not remember.

219. But you cannot swear you have not seen him?—I do not remember ever having seen him. if it was, it was a long time ago. You cannot keep a tally of every man you serve.

220. You would have occasion to remember a policeman, as compared with an ordinary customer?—No, I do not say I would. I would take a sixpence from a policeman as often as any one else.

221. Have you ever taken a sixpence from this constable?—I do not remember a single sixpence, or threepence either.

222. When was he last in your house?—I do not know. He might have been in this morning, but I cannot remember.

223. Did he go in through one door and out at another this morning?—I do not know. I did not see him.

224. Was he in yesterday?—I do not know.

225. Was he in the day before?—Quite possibly he was; and I think I saw him go through the house.

226. *Colonel Pitt.*] When did you last see him in the house?—I cannot tell. I met him the day before yesterday.

227. *Mr. Taylor.*] Did you talk this matter over with him?—No.

228. Have you discussed this charge against the constable with the constable?—I asked him what was the meaning of my being summoned.

229. *The Chairman.*] Did he give you the summons?—No, I met him and asked him what was the meaning of it.

230. *Mr. Taylor.*] What did he tell you?—He said he did not know.

231. Was that all that passed?—No, it was not all that passed.

232. What else passed?—I told him I was very anxious to know, because I did not know what to say.

233. Did he tell you what to say?—No, he did not. He said he did not know.

234. Has the constable ever found any fault with your house since he has been there?—You must ask him yourself for that. He has never brought any charge against me. He has complained of some little irregularities once or twice, but I do not remember what.

235. Cannot you remember the character of any of them?—No, I cannot.

236. Would it be in connection with the hour of closing?—It might have been. I cannot remember.

237. In connection with a drunken man?—No, I do not remember anything of that either.

238. Would it be in connection with alterations to the building?—It might have been that.

239. Did you make any alterations to the building?—No alterations that I remember.

240. Do you think the constable is a very vigilant officer?—Yes, I think so.

241. You have had no occasion to find any fault with him?—I do not know. I suppose he knows his own business.

242. *The Chairman.*] So far as you know, have you had any fault to find with him as officer in charge of the district?—No.

243. *Mr. Taylor.*] He has complained about odds and ends, but has never prosecuted you?—No.

244. *Constable Mullany.*] Have I ever visited your house on Sundays, or after closing hours on other days?—No; I do not remember ever seeing you.

245. In connection with my duty, have I called at your house for the purpose of calling your attention to anything irregular?—I can remember you speaking to me several times of particular things, but I cannot particularise what they were.

246. Have I ever visited your house on Sundays, and had a look through the house to see what was going on there?—It is possible you may have walked through on Sundays. I fancy I have seen you there within the last week or two.

247. Do not you remember me ever walking through the house and having a look through generally?—Yes, I see you very often.

248. *Mr. Taylor.*] Do you remember a prosecution against a publican named Sullivan up there?—Yes.

249. How long ago was that?—I cannot tell.

250. Five years?—No; about two years, or four years.

251. You can tell pretty nearly. Did you discuss that with Constable Mullany?—I do not remember ever speaking to him on that subject. I never talk to him on the subject of the opposition man.

252. Then, you did not discuss it with him?—I do not think so.

253. You do not know?—I am almost certain I did not.

254. Did Constable Mullany never tell you that complaint had been made about his drinking and dancing in your house?—He may have. Quite possibly he did; I cannot remember.

255. Can you remember what he said about it?—No, I do not; my memory is not that good.

256. Try and tax your memory. As a matter of fact did not the constable say that complaints had been made to headquarters about his drinking and dancing in your house?—He may have done.

257. Did he not tell you complaints had been lodged against him on that very score?—I cannot answer that. I cannot remember whether he did. I fancy that he did say something like that once, but of the particular time or occasion I cannot remember.

258. Cannot you remember what he said to you?—No.

259. Would you not consider that a strange complaint to lodge against him, in view of your sworn testimony that he was never at a dance in your house?—No, I would not.

260. You would not think it strange?—No, I would not.

261. You would not think it strange to charge him with drinking and dancing at your house if he had never been there?—There are men capable of doing anything.

262. You would not think it strange?—I would not.

263. Can you fix the last occasion when he was at a dance at your house?—I never saw him at a dance there or anywhere else.

264. Did you ever see his wife at a dance there?—I never saw her at a dance there or anywhere else. I do not know whether she can dance, and I do not know whether he can dance. I am not a dancing man myself.

265. You do not remember discussing Sullivan's prosecution with the constable?—I am quite certain I never did.

266. Before or after?—I never did before; I am certain of that part.

ELLEN GILMOUR, examined on oath.

267. *The Chairman.*] What are you?—Daughter of Adam Orr Gilmour, of Fairlie.

268. *Mr. Taylor.*] Can you remember on any occasion when Constable Mullany has been at your house at any social gathering?—No.

269. Never saw him there?—No.

270. Cannot you remember any dance at your house at any time?—Yes.

271. How often?—Not very often.

272. Once in three months?—No, I do not think so.

273. Do you have them in the winter time?—Sometimes.

274. Two or three in the winter?—About one or two, I think.

275. Was Mrs. Mullany there?—On one occasion, I think, she was there.

276. Do you think only on one occasion?—I think so; that is all I can remember.

277. Was the constable there at the same time?—No, I do not think so.

278. Was she by herself?—Yes.

279. How often have you seen the constable at your house?—I cannot say.

280. Have you seen him twice a day?—He may be in, but I would not see him.

281. How often have you seen him?—I do not know; I may see him once a day.

282. Where would he be usually when you saw him?—In the hall, I suppose.

283. In any of the rooms?—I have never seen him in any of the rooms.

284. You never saw him in any of the rooms?—I do not think so; I cannot remember.

285. How often have you seen him getting refreshments in your house?—Never.

286. He has never been served with drink in your house?—No.

287. *The Chairman.*] You have not served him yourself?—No.

288. *Mr. Taylor.*] Have you ever seen any one else serving him with liquor?—No.

289. Do you remember the last general election, in December, 1896?—Yes.

290. Do you remember a case being sent over to the police-station?—No.

291. Have you ever visited the constable's house?—Sometimes.

292. The two families are on pretty friendly terms?—I do not think very friendly.

293. *The Chairman.*] You have visited the house?—Yes.

294. *Mr. Taylor.*] Is the constable ever at the hotel on Sundays?—Yes, sometimes.

295. Where did you see him on Sundays? Standing in the hall?—Sometimes in the hall.

296. Sometimes where on other occasions?—I do not know.

297. On Sundays, where else have you seen him besides in the hall?—I have not seen him anywhere else.

298. Always in the hall?—Yes, I think so.

299. *Mr. Poynton.*] And about the front?—Yes, and about the front.

300. *Mr. Taylor.*] You say you do not remember the constable being at any social gathering at your house on any occasion?—No.

301. Has he ever come to fetch his wife away?—He may have come to fetch his wife away, just for a few minutes.

302. For a few minutes?—Just to take his wife away.

303. He did not bring her?—No.

304. But he may have come to fetch her away?—Yes.

305. Have you ever seen him in the bar?—No.

306. Never?—No.

307. Have you ever seen him in the room adjoining the bar?—I have not.

308. *Mr. Tunbridge.*] You say you have occasionally visited the constable's house to see his wife?—Yes.

309. Do you ever visit the minister's house?—Yes, I have been there.

310. And other people in the town, I suppose?—Yes.

311. *The Chairman.*] There is not a large number of people in the town?—No.

312. *Mr. Tunbridge.*] Your sister, I believe, plays the organ in the church?—Yes.

WILLIAM JAMES COMRIE, examined on oath.

313. *The Chairman.*] What are you?—Licensed Presbyterian minister at Fairlie.

314. *Constable Mullany.*] You have been there four years?—Yes, nearly.

315. During that time you have had ample opportunities of judging whether I frequent licensed houses, and whether I discharge my duties efficiently, or whether I conduct myself in a manner as to interfere with the efficient discharge of my duties. Will you kindly state to the Commission your own opinion on the matter?—During the time I have been in Fairlie I do not recollect ever seeing Mr. Mullany in a licensed house, and I never saw him the worse for liquor, and I never saw him taking any liquor. So far as his conduct has been concerned, I have seen nothing inconsistent with the right discharge of the duties of his office there.

316. Do you think it would be possible for that state of things to exist without your having some knowledge of it, or hearing of it in one way or another?—I think it is exceedingly unlikely.

317. Now, do you think, speaking generally, that the hotels in the Fairlie district are as well conducted as in any other district you know?—Well, it is not an easy thing to make comparisons; but I think the hotels in the Fairlie district are not worse, to say the least of it, than the hotels in other districts I have been acquainted with.

318. Well, then, have you had any occasion to think that I have favoured any one hotel more than another in the district?—No.

319. *Mr. Taylor.*] How often are you in the hotel?—I cannot say how often. I may be in it twice in a week and not in for the next month.

320. Is the average about once a month do you think?—Possibly once a month.

321. Have you any knowledge of your own as to how often the constable goes there?—I have no direct knowledge of my own, but if the constable had been in the habit of going there it is exceedingly likely I would have known of it. I pass the hotel very frequently. I pass the constable's residence every day when I am at home, and I see him frequently.

322. *Colonel Pitt.*] Are the Gilmour family members of your church?—They are adherents of the Presbyterian Church, that is, using the strict term. Mrs. Hamilton is a member.

323. Do you go there to visit them?—Occasionally.

324. *Mr. Taylor.*] To the Gilmour's?—Yes, and also to the Hamilton's.

325. Never had occasion to find fault with the way the house is conducted, yourself?—No.

326. *Mr. Poynton.*] Is Constable Mullany a member of your church?—No, he is not.

327. *Mr. Taylor.*] Have you ever had occasion to feel that the house is not properly conducted?—My own opinion is that the house is conducted better than the average publichouse is conducted.

FRANCIS ROBERT GILLINGHAM, examined on oath.

328. *The Chairman.*] What are you?—A farmer, residing at Fairlie.

329. *Constable Mullany.*] You are also a Justice of the Peace?—Yes.

330. You are also a total abstainer?—Yes, I am a Prohibitionist.

331. During the time I have been at Fairlie you have had ample opportunities of seeing how I discharge my duties, in your capacity as a Justice of the Peace and otherwise, and you have had also plenty of opportunities of judging of my conduct generally speaking?—Yes, that is so.

332. Will you kindly state to the Commission what is your opinion as to the way I discharge my duties, and also as to my general conduct?—Well, my opinion is that Constable Mullany is an exemplary constable. I have heard no complaint whatever against him. I have never seen him in a licensed house, and I know for a fact that he is a teetotaler. I have heard him refuse to take a drink when invited, and I have always understood he was an absolute abstainer. So far as I know, nothing can be said against him. I frequently see him. I am frequently in the township, in and out, and I do not think it is likely anything could be going on without my hearing something about it, if it was anything that would compromise the constable.

333. Do you think I favour any one hotel more than another in any way?—No, I have no reason for thinking or saying so.

334. I suppose if such was the case you would be bound to hear something of it?—Yes, I think so.

335. *Mr. Taylor.*] How do you know the constable is a total abstainer?—I only know from his own statement.

336. When did he tell you that?—I heard him say so soon after he was stationed at Fairlie.

337. Did he tell you so since then?—Not since then.

338. Was that statement made yesterday or to-day?—No.

339. If one of the Gilmour family says that the constable has probably been in there on an average once a day, would you contradict that?—I would not contradict it, because I have not sufficient knowledge to do so, but I question it very much. I am in and out of the township very often myself, and I have not seen the constable going in or out of the house.

340. Still, you would not contradict the people who are in a position to know?—No, certainly not. They are living there, and I am not.

341. *Mr. Poynton.*] What is the total population there?—Not being a borough we have no knowledge of the exact number in the township. I would say about three hundred people within a radius of a mile.

ALLAN HUGH McLEAN, examined on oath.

342. *The Chairman.*] What are you?—I am a sheepfarmer, and Justice of the Peace at Fairlie. I am also a Prohibitionist.

343. *Constable Mullany.*] During the time I have been at Fairlie you have had ample opportunities of seeing how I conduct myself and discharge my duties; will you kindly state to the Commission your own opinion on the matter?—I consider Constable Mullany is a perfectly satisfactory constable; a very exemplary man, straightforward and upright in all his actions.

344. *Colonel Pitt.*] Have you had ample opportunities of observing him?—Yes; I am in the township nearly every day.

345. How long?—I have been in the township before he was, and I am in the hotel about twice a week.

CHARLES FRASER, examined on oath.

346. *The Chairman.*] You are sergeant of police, stationed at Timaru?—Yes, in charge of this station and sub-district.

347. What rank do you hold?—I am a first-class sergeant, and at present I am on leave of absence.

348. How long have you been here?—About thirteen months and a half at this station.

349. In your opinion, is the Force at your disposal sufficient for the requirements of this sub-district?—I hardly think it is sufficient.

350. In what respect do you consider it wanting?—I think some of the outlying places of this town should be patrolled occasionally; but at present that can hardly be done, as the Force at my command is only about sufficient to patrol the town, and very frequently there is always a constable going on escort duty. Frequently a man is away through sickness, and sometimes a man is on leave of absence. For the purpose of patrolling the outlying places, and making provision for the contingencies I have mentioned, more men are wanted. With the present Force it would be almost impossible to patrol properly the outlying suburbs, which contain a very large population—a large scattered population.

351. You think you have sufficient men for town duty—for ordinary day and night beat duty?—Yes, I have about sufficient.

352. How many men are on beat duty during the day?—There is always one man on beat at one time during the day. It commences at 5 in the morning and ceases at 9 at night.

353. Is he on duty the whole time?—Oh, no. He does eight hours.

354. What is the beat?—All over the town, with instructions to visit the railway-station on the arrival and departure of trains. It extends from the one end of Stafford Street to the other end.

355. What is the length?—Almost half a mile long; and then he has got to also take in some of the back streets, and the railway-station, and all other places where there might be a crowd. At night-time there are two men on beat from 9 p.m. to 5 a.m.

356. Have you any representations to make to us in connection with the local Force, or the Force generally?—No, I have nothing very particular. I have for a long time considered that if there was a pension fund provided it would in a variety of ways be a very good thing, because at present we have nothing whatever to look forward to when we go out of the service. I may here say I have been in the service over thirty-two years, and I believe if I should be invalidated out now, or be discharged, or got rid of in any way, it would be only a matter of grace that I might receive a year's pay. I do not think there is any right in the matter, because I have heard it said—and I do not know anything different—that it is merely a matter of grace.

357. *Colonel Pitt.*] You believe in a pension scheme?—Yes.

358. And do you approve of it being a charge against the pay?—I think a portion of it might be, and the other should be supplemented by the Government.

359. What percentage of the pay?—I should say up to 4 per cent, or 5 per cent. I do not think that would press heavily against any member of the Force.

360. Is there any further suggestion you would like to mention besides the pension scheme?—No, I do not think so.

361. Do you consider that the men having to find their own uniforms is a hardship?—Yes, I think it is.

362. Or attended with any disadvantage?—Yes, I think it certainly is. The uniform is a livery, and is a badge of servitude; and I hardly think the members of the Force should pay for their livery.

363. As to the rate of pay, what do you think is a reasonable rate of pay for the Force?—I believe the present pay is about the ordinary pay of the other colonies.

364. You have never given it your attention?—No, I have not taken any great trouble to ascertain the pay existing in any other colony.

FRANK STANLEY PARKER, examined on oath.

365. *The Chairman.*] What is your rank?—I am a second-class constable, stationed at Waimate.

366. You were formerly at Tapanui?—Yes; I was four years and a half there, during the time licenses were in force. During the first twelve months of Prohibition there were four convictions obtained for sly-grog selling.

367. *Mr. Poynton.*] Had you anything to do with those cases?—Colonel Hume and Inspector Pardy visited the district in 1895, and they acted on suggestions made by me. I proposed the thing, and men were sent into the district as detectives, and these four convictions were obtained. The paragraph I complain of is a statement in Dr. DeLautour's evidence, where he said that a rumour went about that I had informed one ex-publican of the intended raid by the police. That was set forth by Dr. DeLautour, whose son I had occasion to prosecute for putting night-soil in a tank.

368. Do you know of your own knowledge that he set the rumour afloat?—I cannot say that.

369. Is there any truth in the rumour, so far as you know?—No; it is absolutely false.

370. *The Chairman.*] Did you ever hear the rumour at the time?—Yes; and I asked Inspector Pardy to go into it.

371. And you say there is no foundation for it?—Absolutely none whatever.

372. Do you swear on your oath that you did not in any way communicate that information?—That is so. And I would draw your attention to the fact that Inspector Pardy said in evidence he was not in the habit of trusting anybody. And if he was not in the habit of trusting anybody, how was I in a position to know what was going on.

373. Dr. DeLautour refers to a rumour, and now we want the facts; what are the facts?—I say I did not inform; and I say he is biased against me.

374. *Colonel Pitt.*] Did you inform Simmonds, the ex-publican, or anybody else?—Never.

375. *The Chairman.*] Did you ever put him on his guard in any way?—No, in no way. I think the conviction I obtained against Dr. DeLautour's son just previous to my leaving the district biased him against me.

376. You do not know he set the rumour about?—No.
377. You said he said there was a rumour?—Yes.
378. *Colonel Pitt.*] Can you give the Commission any information as to how the knowledge travelled about Clutha that detective officers were being sent from Dunedin?—Yes, in connection with the first raid that was made. On that occasion six or seven police constables, with a detective and the Inspector of Police, left Dunedin for Balclutha and Tapanui and Wyndham on the one day. There had been races in Dunedin the day before, and there were three publicans returning from the races at Dunedin by the same train; and when they got off at Balclutha, seeing the Inspector of Police there, and all these constables and detectives, they thought something was wrong, and I was informed that the wires were set going then, and when the police got out to the various districts there was nothing to be found. That was on the first day.
379. You heard that yourself?—Yes, and I have reason to believe it.
380. There were six men?—Yes, and a detective and Inspector of Police.
381. In the one train?—Yes.
382. And you say three publicans were returning from the races at Dunedin at the same time?—Yes; travelling with them.
383. *Mr. Taylor.*] Who were the publicans?—I think McCann, Collins, and Dunnett.
384. Who told you of it?—It was common rumour.
385. Which of these men told you?—Neither of the three.
386. Who did tell you?—It was common rumour. I was told by the people who came up in the train.
387. You do not remember who it was?—No; it was common rumour. They seemed to brag about it.
388. *Colonel Pitt.*] That is on one occasion?—Yes.
389. It was stated at Balclutha that it was always known when any person was coming up to try and detect sly-grog selling: can you give the Commission any idea as to how such information as that would be obtained?—No; I cannot. I only know of the one occasion.
390. Not generally?—No.
391. *The Chairman.*] It was suggested that when a constable went up, even in plain clothes, the people could always pick him out: have you heard that?—They watch very carefully every stranger that comes into the district.
392. Do you know how the information came from Dunedin?—No; I cannot tell you that.

JOHN JOSEPH WEATHERED, examined on oath.

393. *The Chairman.*] What is your rank?—I am a second-class constable, stationed in Timaru for the past seven years and five months. I am also gaoler, and watch-house keeper.
394. How long have you been in the Force?—Fourteen years and eight months. I would suggest an improvement in the recruiting of the Force. I think that the taking of married men into the Police Force should be the exception—that is to say, there should be some special recommendation for their being taken on.
395. Do you know of any Force where married men are not taken on?—Oh, yes. In the Royal Irish Constabulary they take single men only.
396. *Mr. Poynton.*] What is your reason for objecting?—He wants more pay than a single constable. I think members of the Force should have at least three years' service before having permission to marry; also that they should be stationed in one of the four centres of population, or some town of importance, to learn their duties prior to being allocated to a small town for duty. They should have training in a depot.
397. *The Chairman.*] How long?—Not less than three months for drill and school instruction. I think there should be a lecture master in charge—an experienced member of the Force who could speak and illustrate to the men cases that had come under his notice, and how detections were made. I think this master should be subject to the Commissioner of Police, and responsible for how he turns the men out.
398. You suggest then, a course of lectures at a depot by a qualified man?—Yes, and physical drill too, of course. I think that these men should be examined personally by the Commissioner of Police before being allocated to a station for duty.
399. *Colonel Pitt.*] What about the Inspector?—I think the Commissioner is the best man. He is on the spot, and most capable. The recruits would be responsible to the instructor, and eager to learn. They would be practically probationers. I think there should be a Police Manual for them to learn and be examined on.
400. Is not the present Manual sufficient?—No, it is not. It is not lucid enough. The Manual should be like questions and answers.
401. If the men are trained at a depot properly, will they still require a Manual?—Yes, as a part of their training, and that Manual would be a subject of their examination. The Manual, of course, will consist of police duties, and how to detect crime, and so forth. I think men should not be sent to a county or district where they have immediate relatives. It is a risk that these relatives interfere with the performance of their duties.
402. Do you not know that is the present rule—that men should not be sent to stations where they have relatives?—I do not know; it is not in the regulations.
403. But you know that is the practice?—I know of one case recently where a constable was stationed near to where he was brought up.
404. *The Chairman.*] What is your next item?—I think more careful inquiry should be made regarding the character of the woman and her immediate relatives whom a constable applies to marry.
- 404A. Who is going to report on the subject?—The police in charge of the district where the woman resides.

405. Who do you mean by the police?—The constable, sergeant, sergeant-major, or Inspector, as the case may be.

406. Then, you say the officer in charge of the district should inquire into the character of a woman whom a constable applies for permission to marry?—Yes; at present such inquiry is not sufficiently particular.

407. What is your opinion as to the rate of pay?—I think the rate of pay should be 6s. for a recruit when in the depot, and 7s. per day when allocated to duty. Of course, then, a recruit would read up, and make himself efficient to get a rise in pay.

408. What is the present rate?—You join at £10 per month. I think the reduction was a ridiculous piece of cheeseparing, and the pay is quite insufficient. There are many details in connection with this school which I have not entered into.

409. *Colonel Pitt.*] What, in your opinion, ought the pay to be?—I think it should start at 6s. per day, and remain so while the recruit is in the depot, and then 7s. per day when he is allocated to duty.

410. *The Chairman.*] Do you say the pay should rise from 7s. per day?—Certainly. At present the number of ranks I think very proper.

411. What is the pay to rise to, from 7s. per day?—7s. 6d. to second-class constables and 8s. to first-class constables; and I think the long-service pay, instead of going to the constable, should go a pension fund. I think a man should be made a second-class constable whose conduct is respectable after six years' service, and first-class after twelve years' service. Some suggestion has been made about a pension scheme brought in by Mr. Hutchison. I disagree with his method of excluding old men, say, after fifty-five years of age. I think all men in the Force when the pension scheme is brought in should be included.

412. Do you think the Force would be willing to give up the long-service pay to go to a pension?—I would.

413. Do you think the Force generally would?—I do not think you would get the Force generally to agree to anything.

414. Do you think the majority would?—I think the majority would, but it is "grab-all" with some of them. This pension scheme I think is of greater importance than any subject that can be brought before the Force.

415. You say you believe a majority of the men who draw a shilling a day as long-service pay would forego that shilling a day and let it go into a pension fund at their present rate of pay?—I do, if there were alterations made in other respects.

416. What other respects?—I should suggest that members of the Force should get house-rent—7s. per week house-rent, and in each of the four large centres 10s. per week—no matter what his rank. You will see now if a man is given free Government quarters he is practically in the same position as those who have long-service pay, and he is just able to pull through. He will be no worse off. These free quarters are a great cause of discontent in the Force, and of wrangling and scrambling, and are a temptation to work outside influence to push a brother officer out of his station. Another matter I would bring under your notice is the question of compensation to widows and families of members of the Force. I would hand in a copy of a circular, No. 24, of 1897, as follows:—

Circular No. 24/97. Police Department (Commissioner's Office), Wellington, 2nd December, 1897.
INSPECTORS in charge of districts are directed in future, before recommending the payment of a compassionate allowance to the widow and family of a deceased member of the Force, to ascertain as accurately as possible the pecuniary condition in which such widow and family are left, with the object of assisting the Government in coming to a decision.
J. B. TUNBRIDGE, Commissioner of Police.

I should say, irrespective of the position of the deceased's widow, the compensation should be given as a right, not as a matter of compassion at all. The word "compassionate" should be put out of it.

417. You think it should be a right?—Yes. I think this compassionate allowance should extend to a month's pay for each year of service, up to fifteen months' pay as a maximum. In the matter of pensions, I think a pension should commence at fifteen years' service. If retiring before fifteen years' service I think the retiring-allowance should be on a similar scale; that is, one month's pay for each year of service up to fifteen months' pay. I think a reasonable pension for members of the Force under the rank of Inspector should commence at 2s. per day, with a rise at eighteen years, twenty-one years, and twenty-five years' service, which would make a maximum of 3s. 6d. per day. I do not advocate asking a large pension, or to live in affluence after retiring, but to keep them from want. I may state that I am in favour of the present ranks, except that of acting-sergeant.

418. You would have that abolished?—Yes.

419. What is your next item?—I think the retiring age after a pension is granted should be sixty—that is to say, compulsory retirement.

420. For all ranks?—Except Inspectors; and I do not think any limit should be put on that rank provided they are able to do their duty properly, and it should be left to the opinion of the Commissioner of Police and the Government. Now, in respect to fines, I think that is a source of heart-burning to the police. I think after ten years' service, with five years clear of a fine or reprimand, a man should have a clean sheet; at twelve years' service, four years clear; and at fourteen years' service, three years clear.

421. Supposing a man after ten years' service has five years with a clean sheet, you think all his defaulter's sheet should be rubbed out?—Yes.

422. Fines and everything else?—Yes. I wish to suggest in regard to awards for merit, that instead of money awards you should substitute a record of merit—first, second, and third class—in accordance with the merits of the case, and these should be reckoned with amongst other things for promotion, also it might be taken as a counter effect in the case of a man who has the misfor-

tune to be fined for a trivial offence. Now, as to promotions, I think all promotions should be gazetted. It is provided by the regulations that promotions should be gazetted where merit is shown, and where promotion is under exceptional circumstances; but what I want is that all promotions should be gazetted, so that the whole Force will know when a man is promoted. I think a seniority list of the Force should be gazetted annually, as is done in connection with non-commissioned officers. Section 61 of the Police Regulations provides for this exceptional gazetting as at present, but it is not always done in accordance with that regulation. I think the Armed Constabulary service should not count in the police service. I know a sergeant who left the Armed Constabulary and was made a first-class constable in the Police Force, although he had never done any police work, and he was placed over my head, although I joined for the Police Force exclusively. Speaking of political influence, I had ample opportunities of working that, but I do not say if I had tried I would have been successful. I was well acquainted with Colonel Whitmore's intimate friends, but I never approached them for promotion or any other advantage.

423. *Colonel Pitt.*] Do you know any one who has?—No.

424. *Mr. Taylor.*] What were the circumstances of your being ordered for removal last year, and the cancellation of that order?—On the 3rd February, 1897, I was going to Christchurch with a prisoner on escort duty, and just when leaving Timaru the sergeant-major informed me he had received a telegram stating I was transferred to Methven. I had made an application for forty-eight hours' leave in Christchurch, and while down there I saw Inspector Broham, and informed him that I was utterly unfitted to take charge of a troop-horse, not being able to ride, and that I intended placing the matter in writing as soon as I returned to the station. He advised me to do so before I left for Timaru, and I did so, and he said he would telegraph to the Commissioner of Police what I stated, that I was unable to ride a troop-horse, and wanted to stop in Timaru. I received notice a few days afterwards from the sergeant-major that the transfer was postponed until further notice.

425. That is all you know of the reason?—I understand your question is this, Did I use any other means besides that of the department? and I say I did. I do not say that I was successful, or that that was the means of my being stopped.

426. *Colonel Pitt.*] What did you do?—I wrote a letter to the Hon. William Hall-Jones, from Christchurch.

427. Was that before you got notice that the order was suspended?—That was on the following morning after arriving in Christchurch. I told him I was transferred to Methven, and described to him in ordinary language how unfitted I was for this work, and that I preferred the office I held at the present time. I said I would certainly run the risk of breaking my neck on a troop-horse.

428. When were you ordered for transfer?—On the 3rd February, 1897.

429. Did you get any reply from the Hon. Mr. Hall-Jones?—That letter was never answered.

430. *The Chairman.*] After you wrote the letter, you were informed that the order was suspended?—Yes, some days afterwards. When I was so well received by Inspector Broham I was sorry I had written a letter. Those are the circumstances in connection with that. In continuation of my evidence, I should like to say I do not approve of the competitive examinations, so called, which attracted so much attention in the Force, and I do not approve of Inspector's clerks putting their fingers into criminal investigation cases. I also want to refer to an entry in my defaulter's sheet, which reads, "Neglect of duty in failing to provide and have in attendance the necessary witnesses at an inquest upon the body of one Joseph Williams, at Clive, causing the coroner and jury to wait an hour in consequence." That was put in, and I was fined, at the instance of the late Inspector Bullen. I regret to have to speak about a dead man, but it was a well-known fact that he was not responsible for his actions at the time. I was not to blame, as the papers will prove; and I wish to draw the attention of the Commission to the fact that the Inspector makes a false entry when he says I pleaded "guilty." I did nothing of the sort. I lay my papers before you because I want that record erased, and, if erased, then I ask to be put in my proper place in the list which that record has kept me from.

431. *Mr. Taylor.*] Are you in charge of the gaol here?—I am.

432. How long have you been here?—Seven years.

433. Can you remember how many occasions your attention has been called to police-officers who have been in a state of intoxication?—I cannot.

434. Can you remember any of them?—I cannot.

435. Do you remember a police-officer being brought into the gaol drunk one night?—No.

436. Did you not see him?—I never remember any such incident since I have been gaoler.

437. Can you remember any police-officer being under the influence of liquor?—Yes.

438. When was that?—I do not know the date.

439. Within the last three years?—It might be. It is not within the last twelve months.

440. What were the circumstances?—The circumstances were that I saw signs of intoxication; that is all, and I thought no more about it.

441. Was he brought in by two gentlemen?—No, he was not.

442. Where did you see him?—At the police-station.

443. In one of the rooms?—He was in the watch-house and out again. The man was walking about; he was not lying down.

444. He was not incapable?—No, not physically.

445. On other occasions have you seen him in a similar condition?—I saw him two or three times, I believe.

446. The same man?—Yes; I did not think it concerned me in any way.

447. He was your superior?—He was.

448. He was not bad enough to warrant you in making a report?—I would not report him if he was lying in the street.

449. Too big a risk?—Other men might, but I would not; I would mind my own business.

450. How many times have you seen him like that? Half a dozen times?—I never took any notice of the number of times.
451. Have you seen him half a dozen times?—I would not say I had not.
452. *The Chairman.*] Is he in the Force now?—He is.
453. Is he in the local Force?—He is not.
454. *Colonel Pitt.*] You say he is not in the district now?—No, nor in Canterbury. I may say I feel very indignant at being dragged in to give evidence as to the condition of my superior officer.
455. *Mr. Taylor.*] On other occasions where did you see this man?—Mostly about the police-station. I never saw him in such a state but that he could conduct his correspondence, if he had any.
456. But if he had been drunk to prostration you would not have reported him?—I would not.
457. *Colonel Hume.*] In addition to gaol duties, you act as watch-house keeper, and do various police duties?—Yes.
458. You do not go on street duty?—Not since Sergeant Fraser came.
459. Did you ever go to Oamaru?—Yes.
460. Did you see the gaoler there?—Yes.
461. Did you have a talk together?—Yes.
462. Did you talk anything about promotion?—Yes, I congratulated him on rescuing a man from the harbour, and he said he had had a conversation with you about it, and that you had asked him what he wanted, and would he go on duty and take the confirmation of his rank as acting-sergeant, and he said he would prefer the money reward, and to stop where he was. He told me you told him that at any time you would confirm his rank as third-class sergeant, but you would not while he stopped as gaoler.
463. You are perfectly positive that conversation took place?—Yes.
464. You cannot have made a mistake?—Not the slightest, and I thought it a most remarkable thing when I saw in the papers that Sergeant Dwyer was laying a claim to further promotion.
465. *Mr. Tunbridge.*] You say promotions have not always been gazetted. Have any promotions been made by me without appearing in the *Gazette*?—No.
466. *The Chairman.*] But promotions used to be made without appearing in the *Gazette*?—Yes.
467. But it has not been so during the last six months?—Not since Commissioner Tunbridge was appointed.
468. *Colonel Hume.*] Will you put in the report you are going to furnish to the Commissioners, the names of the men who have not been gazetted?—Yes.

WILLIAM GILLIES, examined on oath.

469. *The Chairman.*] What are you?—A Presbyterian clergyman, stationed at Timaru.
470. What is it you wish to bring before us?—I wish just to state that, during twenty-three years' residence in Timaru, I have very strong grounds, I think, for saying that until quite recently there was no attempt to enforce the licensing laws.
471. What do you mean by quite recently?—Since, perhaps, the last five or six years. About five or six years ago there was a considerable agitation, and since then that there has been an attempt, but only an attempt, to enforce the licensing laws. I suppose I had better give some facts in support of that statement.
472. Of course you will understand that our attention is more particularly directed to the existing state of things than to past history, so that if you can give any evidence that will be valuable in that respect we shall be pleased to hear it?—Yes, the facts I have will lead up to that. I may state that one of the facts I have to bring before you, for instance, is that, in despite of the law, a gentlemen's club was maintained in one of the hotels, and allowed to exist for nearly twelve months, until I myself brought the matter before the public, although it was well known to the police. It was not until I took the matter up that it was declared illegal, and stopped, but that was not by the police.
473. How long is that since?—About six years ago. At a more recent date, about three years ago, there existed a door communication between a licensed house and a public sale-room, and I believe that place was used on some occasions, and drink was carried through contrary to the Act. That went on for several years until I discovered it, and reported it. I brought it up at a licensing meeting, and before the police could get down from the licensing meeting the door was barricaded up. Another door was opened after that at a different place, and that also was reported upon, and I think Inspector Broham came down and looked at it, and ordered it to be shut up. Another matter that shows how things went on in this district is, that when there was an illicit manufacture up in one of the country districts, and when the police had made up their minds to make a raid, that fact was quite well known in town before the raid was made, and a man rode out ahead of the police, and warned the people concerned.
474. Do you know that, or is it only a report?—I know it.
475. How long since?—About five or six years ago. I took no notes, and therefore have no dates. I know further, there were common rumours and reports of policemen being drunk upon their beat; and at a public meeting, I, myself, made a statement which was never challenged, and which was printed in the public prints at the time, that a policeman who should have been off his beat at a certain hour did not turn up until two hours later, in a printing-office, where he made a lot of "pie."
476. Was this within your own knowledge?—It was common report. I personally did not see it, but I made this statement at a public meeting, and it was never challenged.
477. Did you make any report to the Inspector, or officer in charge of the police?—The Inspector of Police was in town at the time of this meeting.

478. Did you bring it under his notice?—Not personally; not that case. The man had to be taken to the station in a cab.

479. Do you know if it was brought by anybody under the notice of the officer in charge?—It was the office of the Chairman of the Licensing Bench the policeman entered, and made "pie" out of a lot of type. A report of the affair appeared in the public print of the 23rd June, 1892, as a statement made by me at a public meeting, when the whole of the Police Force was present, and Inspector Pender was outside the building at the time. I was never made aware that any notice was taken of this case at all.

480. A meeting was held here?—Yes. It was often reported to me, by parties, of policemen being drunk; but I never could get the parties to come forward, because they said they would be marked in the community. There is another matter: There is not one hotel in this town but has more than one bar, although they only pay for one bar. It is, of course, a question as to the definition of "bar."

481. The question of what constitutes a bar is a matter for the Courts to deal with. Do you suggest that the police have not taken a case of that kind into Court with a view to testing it?—Yes; and I am going to tell you of a case where they did not, although I brought it under their notice, and which brought me into correspondence with the Inspector and the Commissioner of Police. It was the case of one hotel—the Criterion—where there was a door opened out of the end of the hotel on to a staircase which opened on to the pavement. Up that staircase there was access alone to that bar, and to no other place in the hotel; and that was the second bar opening to the street. I brought the matter under the notice of the police, but they would do nothing.

482. You say the staircase led only to the upstairs bar?—Yes; I brought the matter under the notice of the Licensing Bench. They made an examination and stated that decidedly it was a breach of the law. That was a place where selling had gone on for over a year.

483. What was the year in which you brought it before the notice of the Committee?—I suppose in 1893 or 1894. It had been opened up to that time. The police took no notice of it. I wrote to Commissioner Hume upon the matter, and he wrote in reply, promising me a prosecution, or that he had ordered a prosecution. I did not keep the papers, unfortunately, so I am speaking from memory as to these details. I waited a long time for this prosecution, but heard nothing of it; and I wrote again, and Commissioner Hume said he had received a report from the Inspector that it was not a case for prosecution, or something to that effect. I cannot pledge myself to the literal words, because I destroyed the correspondence.

484. *Mr. Taylor.*] You remember the purport of the correspondence perfectly well?—Yes, perfectly; and I remember it waxed very warm between us, almost to threatening me with a prosecution for libelling the police. These are the facts in regard to the correspondence, and I suppose the correspondence can be produced in Wellington. That state of matters exists in the hotel to the present day, with the simple addition of two swing doors which the Licensing Committee say puts it within the Act; but it has never been tested by the police before the Court.

485. You have not thought it worth while yourself to bring it forward?—No. I did not think it my duty. I think it is the duty of the police, most decidedly.

486. *Colonel Pitt.*] You say the Licensing Bench say it is all right?—But they are not judicial authorities to decide that. I wish also to state that the manner of conducting cases here by Sergeant McDonald—

487. *The Chairman.*] If this is a charge against Sergeant McDonald, he must have notice of it?—It is not a charge. I wish to state that I brought this matter under the notice of the department, that he was utterly unfit to conduct such cases. So far as that charge is concerned it is in writing in the hands of the police. The Commissioner got it, and the Inspector got it. I think legal assistance should have been provided in these cases when there was such a strong Bar on the opposite side. As an illustration of how these things were done, I may say I wrote to the department offering to provide legal assistance for the police in some cases, but the offer was declined.

488. Can you say in what case that was?—I cannot exactly say which case. They, no doubt, have my letter, because I was told that the terms in which I had written concerning this case were almost libellous; and I told them they had better prosecute me.

489. *Mr. Taylor.*] You feel pretty sure of your facts?—Yes; and to show how in other cases much easier than this legal advice was provided, and not in the one I have mentioned, I may say I was present in this Court when the police were provided with legal assistance for the prosecution of a butcher for not giving a pig a drink in the yard.

490. *The Chairman.*] Perhaps the Society for the Prevention of Cruelty to Animals provided it?—Well, I want to bring that out—that they were allowed to provide legal advice, and I was not.

491. Cannot you remember the title of the case, and the name of the house in which you were so interested that you were prepared to provide legal assistance?—There were several cases, but rather think it was the case against the Timaru Hotel.

492. *Mr. Taylor.*] That will be in the correspondence?—Yes, the correspondence with Inspector Broham. He will remember the matter. I do not know whether I am in order in saying it, but I would like just to say that I do not lay the whole blame upon the police in these matters, for public conscience for many years did not support them, and neither did the Bench. They were discouraged rather than encouraged; though still, at the same time, they ought to have done their duty.

493. *Colonel Hume.*] Can you give us the name of this man who rode out ahead of the police when they went to find the illicit still?—No. I know it, but I am not at liberty to give his name.

494. Well, can you go any further, and tell us how he got the intelligence?—No, I cannot get behind that, but he must have got it from the police.

495. But you tried to find out, but could not?—I did a little, but not much. It was not my duty to act as a detective.

496. Then, you made a statement, which was published in the papers, you say?—Yes.
497. And that was taken no notice of?—Yes.
498. And I suppose that is not the only statement published that has not been taken notice of?—Most of mine on that subject have been taken notice of, and very much taken notice of.
499. You then wrote letters, which almost amounted to libel?—So I was told. I did not think so. I thought it was the honest truth.
500. Then, you did not want to be prosecuted for libel?—I did not care.
501. But you did not want to be, and you did not write that letter with that object?—No; not at all. I simply wrote with the object of bringing the truth before the authorities.
502. Then, did the Licensing Bench close that second bar after you drew their attention to it?—No; they advised the publican to put on two folding-doors to evade the law.
503. Then, in another place, they had a door that led into a sale-yard, and they used to take liquor through?—Yes.
504. How do you know they took liquor through?—It was a matter of common report.
505. Is that all you have to go on?—But perfectly true, nevertheless.
506. Even you do not blame the police altogether, notwithstanding these tremendous letters you wrote?—Not altogether, because the public was partly to blame.
507. And I think you will admit that if the police lose a case, it does a great deal more harm than if they won two or three?—Not at all.
508. You believe in going for them whether there is a case or not?—But if you have a case, go for it; and if you lose it, that will not do any harm. It will do good, and has done good—every prosecution.
509. But still, you say, do not go for a case until you have got one?—Yes; but get up your evidence properly.
510. *Mr. Taylor.*] Have you any reason to think the licensing laws are enforced now as thoroughly as they should be?—I do not think as thoroughly as they should be. But they are decidedly better enforced than previously.
511. Do you see any drunkenness on Sundays in Timaru?—Not recently, from my own knowledge, but I used to see plenty of it.
512. Do you think the improved state of affairs is due to improved public opinion, or the activity of the police?—Both.
513. *Mr. Tunbridge.*] You state that the second bar still exists in this hotel?—Yes.
514. Of course, as a minister of religion, you have a very strict regard for truth?—Yes.
515. And you will be exceedingly surprised to hear that that bar has ceased to exist for close on twelve months?—I am very much surprised. I have seen people going in.
516. Do you know the house changed hands some years ago?—I know it changed hands after a prosecution.
517. How long ago?—I cannot give the date.
518. Roughly?—Within the last twelve months, I suppose.
519. Do you not know that the new landlord at once cleared the place away, and the bar does not exist even in the imagination of a clergyman?—If he did, that only proves my contention that it was illegally there. But I know people are going in and out at the present time.
520. You do not know the bar has been abolished for nearly a year?—No.
521. You said the bar was still in existence?—The door is still there, and I always understood the bar was there still. It is news to me to know it is closed.
- [At this stage the witness, having completed his evidence, retired from the Court. He returned shortly afterwards, and asked permission to tender further evidence.]
522. *Witness:* I have been down to the Criterion Hotel, the hotel referred to in my evidence in chief, and I find that bar is open, and there is a table there at which was purchased this bottle of spirits. The bar is not closed.
523. *Mr. Tunbridge.*] Do you know when it was reopened?—I have no knowledge when it was reopened.
524. Did you know it was reopened last Wednesday week?—No. I know it is open now, and I know that within the last few days I saw parties going in and out.

ARTHUR HUME, examined on oath.

525. *Constable Weathered.*] During the time I have been gaoler in Timaru have I discharged my duties satisfactorily?—Yes, very satisfactorily.
526. Do you consider it an important office which I hold?—Yes.
527. It reflects credit on the department, I suppose, to select men of integrity and ability who faithfully discharge their duty and do not allow prisoners to escape?—If I said “Yes,” I suppose I would be reflecting credit on myself.
528. *Colonel Pitt.*] You were satisfied he was fit to do his work?—Yes.

ROBERT CRAWFORD, examined on oath.

529. *The Chairman.*] What is your rank?—Second-class mounted constable. I have been fifteen years and a half in the New Zealand Police Force, and I had a year's previous experience in the Armed Constabulary. I have never been brought before my officers, nor been found fault with for any misconduct. My defaulter's sheet is as clean as the day I joined the service. I wish to bring before the Commission the fact that I was stationed in Dunedin in 1884, and I was there recommended by the late Inspector Weldon for the rank of second-class constable, as a reward for the arrest of a man for theft. If the Commission does not mind, I will just read a copy of his recommendation:—

SIR,—

Police Station, Dunedin, 17th September, 1884.

I beg to bring under your notice Constable Crawford for favourable consideration. Not alone in his conduct is he most exemplary, but the lively interest he takes in the performance of his duty and the ability he exhibits in the discharge thereof is such as in my opinion to call for special reward. Hence I recommend his advancement to the rank of first-class constable. Attached hereto are briefs showing in a most marked manner an example of what I refer to. Thus, without any information, but through vigilance, judgment of character, or, in a word, perspicacity, the constable overhauls two men in the street at 11 o'clock at night, detains them, and finds they have committed a theft, arrests them, and finally they are each convicted and sentenced to seven days' imprisonment. Although the theft is inconsiderable, yet on the part of the constable is manifested thorough police ability worthy of imitation.

T. K. WELDON,

Inspector of Police, Dunedin.

This is minuted: "Constable Crawford will be promoted to second-class constable the first vacancy that occurs in the Dunedin district.—H. READER, Commissioner of Police, Wellington." Well, from the year 1884 till four years ago several men who were not in the Force at that time have been promoted over my head to second-class, and I never got this expected promotion.

530. You were a third-class constable at the time of the recommendation?—Yes. After my transfer from Clinton to Timaru, on the 9th June, 1891, I made an application for the rank of second-class constable, and I reminded the department of the promise made to me by the late Colonel Reader. Well, the reply that was sent back to Inspector Pender, and which was shown to me, was, "Please inform Constable Crawford that there are forty men on the list senior to him for promotion."

531. Are you still a third-class constable?—No; I got second-class rank four years and a half ago, and I am getting on for sixteen years' service. Considering that the Commissioner of Police in 1884 had promised me the first vacancy of second-class constable, I consider I have been defrauded out of 6d. a day for about five years.

532. What was the date of your promotion to second-class?—In October, 1893. I consider, gentlemen, when Colonel Reader, the then Commissioner of Police, promised me the rank of second-class constable for meritorious conduct in 1884, that after he left office his successor should have given me that rank. There are men who were not in the service then who were promoted to second-class constable before I was; and I consider it is a great hardship on me, considering I distinguished myself, and the Inspector saw his way clear to recommend me, and the Commissioner to promise me the rank of second-class constable. There are men junior to me by years in the service who are senior to me in the seniority list of second-class constables. I served under the late Inspector Weldon, Inspector Thompson, Inspector Pender, and I am now serving under Inspector Broham.

533. *Colonel Pitt.*] Have you brought these facts before your Inspector or the other Commissioners of Police since Colonel Reader was Commissioner?—I did not bring the facts forward until June, 1891, when I represented the matter to Colonel Hume. I may say I have been stationed in the City of Dunedin seven years and a half, and I was then sent in charge of the Clinton Station. As Clinton did not agree with me, I changed with the mounted constable here by mutual consent, and I paid my own expenses to Timaru. Since my arrival in Timaru I have had 265 convictions for theft, vagrancy, and so on.

534. Do you mean prosecutions instituted by you?—Arrests effected by me. I have eight convictions under the licensing law, and I have only three hotels to look after. In addition to 265 convictions on arrest, I have had 260 convictions on summons; making 525 in all. I have also received numerous rewards for meritorious conduct since my arrival in Timaru. I would like to say that in the provincial days, I understand, a mounted constable got 6d. or 1s. a day more than a foot constable.

535. *Mr. Poynton.*] Do you think a mounted constable ought to get more than a foot constable?—Yes; and my reason for stating so is this: a mounted constable's uniform and total outfit is about three times as expensive as a foot constable's. It costs about £15 for a proper turn-out to start with; and it is a well-known fact to all horsemen that a mounted man wears out more uniforms than a foot man.

536. You are in favour of constables getting their uniform free?—Yes, I am.

537. And in the event of your not getting them free you think you should get an allowance for them?—Yes.

538. *The Chairman.*] How much will it cost a year?—It will cost about £10 a year. At the very least in riding trousers I wear out two pairs a year.

539. How much do you pay for riding-boots?—£3 per pair. That is the only grievance that I have. I have been unjustly treated, and I think when Colonel Reader promised me promotion I should have got it, and I should now be senior constable on the list of second-class constables for promotion. In fact, if I had my rights, I should have been first-class constable years ago. I do not know of any other service where a man with a clean record as I have would be still a second-class constable after sixteen years' service.

540. *Mr. Taylor.*] Has there been considerable discontent in regard to slow promotion in the Force?—There has been.

541. Has there been a general feeling that political influence was necessary to secure any particular justice or attention?—Yes; it has been the feeling until the new Commissioner took office.

542. Are you about the township much?—No; my work is principally in the suburbs and country.

543. How frequently are you at the police watch-house?—Not there very often. Sometimes I am away through the night, and sometimes from 9 o'clock in the morning until 7 and 8 at night.

544. Have you on any occasion seen a police-officer under the influence of liquor?—No, I have not.

545. Has it been common talk, to your knowledge, that such has been the case in Timaru?—No, it has not.

546. Have you not heard it?—No, I have not.

547. Has it not been common talk?—No. I am not much about with the other men, because my work is principally in the country. Probably I do not have a conversation with them for a week at a time.

548. *The Chairman.*] With regard to the change of control, you say there has been an improvement since the arrival of the new Commissioner?—Yes.

549. What I want to get from you is this: do you attribute the fact of an improvement in the feeling of the Force to the fact that the new Commissioner shortly after his arrival made a large number of promotions?—Probably that had something to do with it.

550. After promotions had been stagnate for years he promoted sixty men straight away?—Yes.

551. Do you attribute the improvement to that fact?—Yes, it has something to do with it, but I heard it said in Dunedin it was no use constables trying to use outside influence because it had been knocked on the head.

552. *Colonel Pitt.*] Do you patrol the country?—Yes, for a distance of about twenty-eight miles.

553. How often do you patrol the suburbs and country about Timaru?—As frequently as my duty permits. I would like to say, in regard to the pension scheme, that I for one am quite willing to forego my long-service pay. I think it would be a splendid thing for the Force if a pension scheme were started.

CHRISTCHURCH.

MONDAY, 18TH APRIL, 1898.

THOMAS BROHAM, examined on oath.

1. *The Chairman.*] You are the Inspector of Police at present stationed at Christchurch?—Yes, Sir.

2. How long have you been stationed here?—For five years.

3. What force have you under your control?—The total strength of the district is 105, all told.

4. How many of those are in the city and how many in the country?—There are forty in the city, exclusive of the suburbs, and the remainder are at the outlying stations, of which there are thirty-six.

5. Will you name the stations?—Oamaru, Timaru, Ashburton, Lyttelton, Sydenham, Sheffield, Kaiapoi, Rakaia, Papanui, Southbridge, Rangiora, Hampden, Phillipstown, Geraldine, Little River, Temuka, Leeston, Addington, Lincoln, Woolston, Oxford, Amberley, Pleasant Point, Kaikoura, Akaroa, Bingsland, Waimate, St. Albans, Kurow, Culverden, Fairlie, Ngapara, Methven, Coalgate, and Cheviot.

6. How many district constables are there?—One, who is stationed at Cheviot.

7. Have you anything to say with regard to the subdivisions—are they sufficient for the efficient working of the district?—The subdivisions are not sufficient.

8. What do you recommend?—I have already recommended to Mr. Tunbridge the formation of several other sub-districts. I think, for instance, that there should be a northern sub-district with its headquarters at Rangiora.

9. Where are they now?—At present everything is directed by myself. I further recommended that a sub-district should be formed at Lyttelton—that Lyttelton should be united with Little River and Akaroa, under the charge of a sergeant at Lyttelton. I also recommended that the stations at Sheffield and Coalgate should be added to the charge of the Ashburton sub-district.

10. With regard to the numerical strength of the Force, is it sufficient for the efficient control of the district?—I think it is totally inadequate.

11. Where is it weakest?—The Police Force of this district has been starved for years. When I first came here twenty-one years ago there were fifty men stationed in Christchurch, and the population then was just half what it is now.

12. Was that force beyond the requirements of the place?—I am not prepared to say that it was. I know that the present Police Force is totally insufficient. Six of the forty men I now have been added within the last eighteen months; before that, I had only thirty-four men.

13. *Mr. Poynton.*] Are they recruits of only eighteen months' experience?—They are six additional men who have been sent to Christchurch.

14. *The Chairman.*] To what extent is it necessary, do you think, to increase the town Force?—I think it should be up to the strength of fifty, which would be equal to the Police Force in other towns in the colonies, so that it might deal effectually with crime and disorder. Twenty years ago there were five police-officers in the district of which I have charge now.

15. With regard to the efficiency of the men, as to knowledge of their work, ability to perform it physically, and so on, what have you to say?—During the whole five years I have had a large number of men physically weak. They had often to go on the sick list. A large number were not of sufficient intelligence to satisfy me, and a large number were in no way fitted for the police duties they had to perform. There were men, too, who had no sense of duty, and in them there was no spirit of obedience. The powers of Inspectors have been very much curtailed of late years. Formerly Inspectors had authority to remove within their own districts all sergeants and constables from station to station. That power was taken from them. They have not been consulted of late years regarding promotions, nor as to the transfer of men under their charge. They know nothing whatever of the transfers until the men were told to go to different places, everything being controlled from Wellington. The constables knew that the

Inspectors' powers were largely curtailed; they knew that it was not by steady attention to their duty that promotion was to be obtained or advancement given, and they sought promotion and advancement by political influence. This system directly bred insubordination and the spirit of disobedience throughout the Force. The men ceased to look to their officers for advancement. The men are now appointed to the Force without the Commissioner of Police or any officer of the police seeing them. The Commissioner of Police knows nothing of the men he appoints to the Force. He does not see them, and no inquiry is made by anybody connected with the police regarding the character of the men who are appointed to the Police Force. It seems to me that there is nothing required more, than that the men should be seen by the Commissioner, or by some person deputed by the Commissioner, before they are appointed to the Force. I believe retrenchment has been carried out in the Police Force more than in any other branch of the Government service. Eighteen years ago, out of a Force of twenty-three officers, twelve were either discharged or reduced to the rank of sergeant. The Superintendents—the senior officers of the Force—were reduced to the rank of Inspector, and £100 a year was taken off their salaries. The sergeant-majors were reduced to first-class sergeants, the first-class sergeants to second class, the second class to third class, and the third class to constables, and a large number of constables were dismissed. Reductions on a large scale have been carried out once or twice since. The colony has gone in for having the cheapest Force in all the colonies, and the colony has got that. By the last returns I see that the Colony of Victoria has thirty-three officers, forty-nine first-class sergeants, fifty second-class sergeants, and 141 senior constables, who rank with our third-class sergeants, with a total strength of 1,403. New Zealand has seven inspectors, twenty-three first-class sergeants, twelve second-class sergeants, and nine third-class sergeants—against 141 in Victoria—and the total Force is 500. The population of Victoria is 1,200,000, and of New Zealand 740,000.

16. *Mr. Poynton.*] Can you tell us the proportion of police to the population in the colonies?—New Zealand has 1 to 1,461 of population, Victoria has 1 to 832, New South Wales 1 to 692, South Australia 1 to 1,041, and Queensland 1 to 579. I believe the New Zealand is the only Police Force in the colonies that receives no pensions. Formerly, the men in New Zealand received a free issue of clothing, and when ill a medical man attended them free; but they were deprived of these advantages. Clothing comes hard on some of the men, and so does medical attendance when they have to go on the sick list. The first step necessary to the improvement of the Police Force is, as I have already stated, that the candidates should be seen by the Commissioner of Police before enrolment, or by some officer deputed by him, and, further, that the Commissioner should have complete control of the Force.

17. *The Chairman.*] What do you mean by complete control?—No Ministerial interference. It seems to me that the police districts as at present constituted are far too large. I have already said that I have charge of a district which was once under the care of five officers.

18. What is the length of the district?—It is between two hundred and fifty miles and three hundred miles long. I think that wherever two constables are stationed one should have a stripe on his arm, and should either be called senior constable or third-class sergeant. That is the case in Victoria, and I believe in all the other colonies except New Zealand.

19. *Colonel Pitt.*] When the five Inspectors were in the district was the railway service the same as it is now?—It was.

20. *The Chairman.*] When there were five officers was the district divided into five?—There were not five districts, but there were five officers.

21. And how many districts were there in the district that is now one district?—There was one sub-district at Kaiapoi, Timaru was another, and there were two officers in Christchurch, and a Sub-Inspector was stationed at Oamaru. I was the Inspector, and in addition there were four Sub-Inspectors.

22. What is your opinion as to the rank of Sub-Inspectors being re-established?—I think that in the large centres there should be Sub-Inspectors.

23. Would you give them the charge of the sub-districts?—Yes. I also look on the reward system now in force as most demoralising to the men. I believe this is the only colony that has such a system. It induces the men to go for the money, and it breeds jealousy and dissension and all manner of disagreement among the men. For doing the most trifling things men are now continually applying for rewards. I think the pay the men are receiving is far too low. I would be glad to see the men entitled to pensions after spending their lifetime in the Police Force.

24. Do you think it would have a beneficial effect on the Force?—Yes, I am satisfied it would have an excellent effect.

25. *Colonel Pitt.*] At what age do you think the men should retire from the Force?—I think sixty is quite old enough. In Victoria, until lately, they retired at fifty-five, but they have now extended it to sixty.

26. Do you think they should be allowed to remain till they are sixty?—I think so.

27. *The Chairman.*] Do you think that as a rule men are efficient up to that age?—I think so. I think sixty should be the age.

28. *Colonel Pitt.*] What is your opinion as to the appointment of a central depot for training?—It is absolutely needed. I have felt the want of it very much. At present men are brought here and go straight on duty without any training whatever. The wonder to me is that things go on so smoothly, considering the want of training on the part of the men who are sent to do police duty.

29. What instruction do the men get in the district?—The new men are under the charge of the sergeant on the beat all the time, and there is weekly instruction given to them—a school.

30. Does that school apply to the old members of the Force as well as the new?—At the headquarters they are nearly all new third-class constables; the older hands are sent to the out-stations.

31. *The Chairman.*] Do you consider that the depot training would be better than the present weekly training that they get?—Well, the number of men we have is so small that they are absolutely necessary; we must have the men. The depot, I think, is absolutely necessary to teach them some knowledge of their duties before they go on the street in uniform.

32. You spoke about the Inspector having power to transfer men?—Yes; up to within six or eight years ago the Inspector had the power of removing all the men in his district.

33. Under that system, is there not a chance of junior men getting stations, unless men from outside are transferred to the vacant stations?—At that time transfer outside a district was very unusual. Men were kept pretty much within their own district. I know it is heresy to say it, but I am very much opposed to the frequent removal of men. I think it places the police out of touch with the public. Formerly, when the provincial Force existed, there is no question that the men were of a higher standard than they are now. As it is now, the men are like so many shadows—they come and go—and nobody knows who they are. They are not in the district for any time. The public require to be familiar with their men and to know them. I think the transfer of a detective is a serious matter. A detective should never be transferred unless there is absolute and very pressing need for it.

34. You think that the information acquired by a detective in a district is greatly lost when he goes to another district?—Yes. He has to commence anew, and it will take him at least a couple of years before he gets hold of the threads of things.

35. *Mr. Poynton.*] You say that the constables knew that the Inspectors' powers were largely curtailed, and that it was not by steady attention to duties that they would get promotion and advancement; and that they sought promotion and advancement by political influence. Is that generally the case, do you think?—I cannot cite a particular instance, but it is a matter of public notoriety in the Police Force.

36. Many of your men have other offices—Clerk of Court, and so on?—Yes.

37. Do you think that detracts from their efficiency?—I think that the less duty they have outside their police duties the better it is for the Force, and the more efficient constables they are likely to be.

38. Have you had instances of that effect, or is it just a general idea?—I cannot say that I have any particular instances to quote.

39. Some of the outside offices take up but little time?—Well, the office of Inspector of Factories takes up a considerable time.

40. *The Chairman.*] Is there not something beyond mere time—does it not give the constable a wrong impression of his duties?—Yes.

41. *Mr. Poynton.*] On the other hand, does it not make him more familiar with the people?—He is likely to come into very disagreeable contact with the public, especially as Inspector of Factories.

42. But, as Clerk of the Court, will he not get information that he would not otherwise get?—Yes; but I would prefer to see the police constables merely, and not Clerks of Court.

43. But you cannot give an instance of where it interferes with his duties?—No, but I know that a Clerk of the Court is often inclined to think he is above police work.

44. Would you substitute anything in lieu of special activity and zeal?—Yes, promotion.

45. Would you give promotion by a system of marks, or what?—I would give advancement in rank. The present system is the worst possible system. It has a most demoralising effect on the men, and I have condemned it during all the years of its operation.

46. What do you think would be a fair rate of pay?—I think the old rate of pay with a pension added would be fair—7s., 7s. 6d., and 8s.

47. Would you recommend that married men get house-allowance in towns?—That would amount to a considerable sum. I should be glad to see it done, but I know it would be a considerable sum; and if these expenses are multiplied to any great extent it might tend to prevent the establishment of a pension fund, which I would like to see.

48. *The Chairman.*] When you say that the men should start at 7s., do you at the same time recommend an increase of pay on length of service without regard to merit?—No. I believe in the advancement to rank. I believe a man likes to see himself advanced in rank.

49. It has been suggested by some witnesses that the ranks of constables should be abolished, but that there should be an increase of pay, rising with seniority?—Well, I think there should be at least two ranks of constables—perhaps three are not necessary.

50. Would you give the same pay to all the members of each rank, or would you increase the pay with length of service?—I would give the same pay to all members of the same rank.

51. *Colonel Pitt.*] Irrespective of service?—No.

52. *The Chairman.*] Then, there would be no long-service pay?—No. I am now supposing that the men would be entitled to pensions.

53. *Mr. Poynton.*] What about leave?—Formerly the men were not entitled to leave at all; now they get twelve days a year.

54. Do you think it should be allowed to accumulate, to give the men an opportunity of visiting their friends in Australia or other places?—I would be very glad to see that.

55. *The Chairman.*] Do you think it would be injurious to the service?—I do not think so.

56. *Colonel Pitt.*] What should be the maximum of accumulated leave?—A couple of months, I think, should be the restricted limit.

57. What do you consider should be the minimum standard of height?—5 ft. 9 in. at least, and not exceeding thirty years of age. It is forty now, which is too old. I think a man is quite stale at forty.

58. *Mr. Poynton.*] What is your opinion about recruiting from the Artillery?—I think the most woeful mistake was made in recruiting from the Artillery.

59. Do you think the training is not suitable?—It is utterly unsuitable.

60. You will get a better body of men if you select them from the whole colony?—Yes, naturally; you have a wider field.

61. *Colonel Pitt.*] In your experience, and in your opinion, has there been much malingering among the Police Force in your district?—I cannot say much of malingering. I have had a number of men of weak physique, and the duty here in winter time is very severe on a delicate man. From 9 at night till 5 in the morning is a great strain on a man's constitution, and some of them have succumbed to it.

62. *The Chairman.*] Can the hours of night duty not be reduced?—No. The only thing I can recommend is that stronger men be employed for the night duty—the stamp of men who were in the Force in the provincial days.

63. What do you think about the advisability of appointing a medical officer for the Force in each centre?—That was the custom formerly, and I should be glad to see it revived. It is a very important matter, and I have more than once recommended it to the head of the department.

64. Is there any training given to the men in first aid to the wounded?—Yes; nearly all the men have gone through it.

65. Do you find it beneficial?—Yes; certainly.

66. What is your opinion as to the Force exercising the franchise?—I think it is highly injurious. It makes politicians of the men.

67. *Colonel Pitt.*] If you take the vote away from the men, you would have to take it from their wives too?—That opens up a new question. I presume that would have to be done too.

68. *The Chairman.*] In the course of your experience have you had reason to form the opinion that the exercise of the franchise in any way interferes with the efficiency of the men, or their mode of doing their work?—In every way it has been injurious to the efficiency of the Police Force. Formerly the police had no politics at all, but now most of them are politicians.

69. *Colonel Pitt.*] Have you any views as to a necessary amendment of the licensing laws to enable the police to more efficiently enforce them?—I think it is absolutely necessary that the law should be amended, so that the New Zealand law should be the same as the English law, with regard to persons found in licensed houses on Sunday, and after hours.

70. What is the practice in your district as to police-officers cautioning or not cautioning persons before they are actually accused of a crime when seeking for information?—When a crime is committed the police make all the inquiries they can.

71. But is it the practice to caution them before they are actually charged?—They are never cautioned, not even after they are arrested. Some of the men make it a practice to caution, but it has been held by some Judges that it is not necessary. The men listen to a voluntary statement without cautioning the person who makes it.

72. *The Chairman.*] You have probably seen it stated that a certain police-officer considered it within his course of duty to suggest a falsehood, with a view to arriving at what he thought was the truth. Do you think that is legitimate?—Certainly not.

73. *Mr. Tunbridge.*] You have advocated the appointment of Sub-Inspectors. Where do you think they are absolutely indispensable?—I think that if Invercargill is to be constituted into a district it should have a Sub-Inspector; and I think there should be one at each of the four large centres; but, as I have already stated, the districts are too large.

74. If you had a Sub-Inspector in Christchurch it would give you a free hand to go about the district?—Yes, it would lighten my labours very materially. At present I cannot see some of the stations more than once a year.

75. Owing to the duties that keep you in the station at Christchurch?—Yes.

76. Do you know that at present recruits are recommended by at least two responsible persons?—I do not know who are responsible persons. Members of the House?

77. Ministers of religion. At any rate, you do not consider those recommendations sufficient?—I know that one can get recommendations for nearly everything in this colony. No matter what you want, you can get people to recommend anything in the world. I look on those recommendations as utterly worthless.

78. As regards the strength of the district here, you say you ought to have fifty men?—It was that twenty-one years ago, and there was then only half the population.

79. Do you think fifty is the minimum number?—I should be glad to see it. We would not be over-manned.

80. At present the strength is forty?—Yes.

81. Is that Christchurch proper?—Yes.

82. Not the suburban stations?—No. And you have always to take some men off. There may be two on Court duty, two on escort, and one on leave, and there may be others on special duty. Nearly every week there are some men away, so that you may reduce the number I have given you by five.

83. You would want a reserve, then, of about five men?—Yes.

84. To keep the beats full?—Yes.

85. *The Chairman.*] Are the beats of proper size?—If you reduce the number of men you have to extend the beats.

86. Are they too large?—The number of men I have now are insufficient for the number of beats.

87. *Mr. Tunbridge.*] You think the beats are not too large?—No.

88. Provided they each had a man?—That is so. They are laid out for ten men on night duty, but as a matter of fact we have more frequently five than ten.

89. You consider that an augmentation of five men at least is indispensable?—It is absolutely necessary.

90. You also spoke of the powers of Inspectors having been curtailed by taking away the right of transfer?—Yes, and they are not consulted about promotions and advancement.

91. Do you think the Inspectors should have power to transfer men in their own district?—The Inspectors were able to do formerly what Ministers of the Crown are not able to do now. When the Inspectors removed sergeants and constables nobody interfered; but now, the Commissioner of Police and the Minister at the head of the department are unable to do it, apparently. I am judging now of the reports that have appeared from time to time.

92. Have you read the proceedings of the Commission, so far as appearing in the newspapers?—I have read a good many of them.

93. Have you noticed that serious complaints have been made as to the arbitrary action of Inspectors, prior to the time when they were deprived of the power of making transfers?—Yes. I have noticed that, and complaints will also be made of what is being done now.

94. Do you think there was no foundation for those complaints?—On the whole, I think things were managed very well.

95. Speaking more particularly of Southland, have you read in the papers the accounts of the proceedings there before the Commission, in which it was alleged there was a serious abuse of the power?—I have not seen that in the papers.

96. You say you were never consulted with reference to promotions and transfers. Does that apply to the present time?—No, it does not apply to the present time; but it was the rule in the Force for some years, and until a few months ago.

97. Were you consulted about the last promotions?—Yes. What I have stated was the rule until within the last six months.

98. What do you consider the minimum pay of a constable should be?—I think the pay should be 7s., 7s. 6d., and 8s., and a pension in addition.

99. And at what period of service should a man attain his maximum pay?—I think he should receive it within fourteen years.

100. Would you have fixed periods of service when a man should receive advancement in class?—I think that within the first five years he should get a step up, if he has conducted himself properly.

101. At that rate he would get the maximum in ten years?—Yes.

102. Do you think the men would be satisfied to continue on from, say, ten years' service up to thirty years—as it would be in some cases—without advancement in pay?—Well, if he was a smart man he would get promotion.

103. Your experience tells you that at ten years a man is as good as at any other time?—Yes.

104. And when he is ten years in the Force he should receive the pay of a first-class constable?—Yes.

105. Do you not think that sixty is too high?—It is the age in other Forces.

106. Can you point to any men under you of the age of sixty who are competent to fill the rough-and-tumble duties of a constable?—It used to be the rule that the young men were kept in the towns, and the stale men went to the country. A constable, if a strong man, would do well in the country up to sixty years of age.

107. Have you any men in your Force now who are sixty years of age?—I know I have one, at any rate.

108. Where is he stationed?—He is now the watch-house keeper.

109. Do you consider him fit to go out on a beat?—No, he is not.

110. And what is the age of the man next to him in years?—There are a number of men up to fifty.

111. Does not that rather go to show that at sixty a man is past doing constable's work?—Of course, there are many places where a man of sixty would be useful. The more active and bustling a district the more youthful a man must be. I suppose the sergeant-major of the Force is sixty, and he is a man fit for any duty—strong and vigorous.

112. You say that uniforms should be provided by the Government?—Yes.

113. Do you think that men not provided with police-quarters should be given lodging allowance?—Yes; I would like to see them get it.

114. Is it not the cause of a good deal of dissatisfaction on the part of men who are not receiving house-allowance?—Yes.

115. And that anomaly would still exist if there was a pension?—Yes; but I am anxious to see the pension.

116. *The Chairman.*] If single men are provided with lodging, and married men are not, does it not tend to discourage marriage?—Well, I find that the men in the Force get married very quickly.

117. *Mr. Tunbridge.*] You think that the present reward system is demoralising?—Yes.

118. Will you explain that fully?—For years now I have had men making application to me for rewards. A man in a petty larceny case thinks he is overlooked if a man in Auckland has got a reward for a case of the kind, not knowing anything of the facts. I have complained to the Commissioner of that state of things.

119. If you do not recommend the reward, does the man get it?—No; and then he appeals to the Commissioner.

120. And has the Commissioner acceded to the request?—No; that has not been my experience. This sort of thing, then, creates dissatisfaction and a sense of injustice, and for years and years I have condemned the system. Men look for rewards, instead of doing their duty from a sense of duty.

121. You would recommend that the rewards should go to the pension fund?—Yes.

122. And that no money reward should be given at all?—That is so. I would give promotion to a man if he did anything deserving of special recognition.

123. Is it not a fact that men who are lucky enough—as it is considered—to get good stations are the cause of a great deal of dissatisfaction among the men who are not so fortunate?—Yes.

124. If the salaries and emoluments gained by men for performing extra offices were paid into a pension fund it would do away with jealousies?—Yes, and that is what I would like to see done.

125. Do you think the men would be inclined to give up their long-service pay to the fund?—I do not know. The long-service pay is, of course, becoming smaller year by year, as the men are leaving the Force. I really would not like to express an opinion on the point. I should be sorry to see the men deprived of it. I suppose that in ten years all the men who are now getting it will be out of the Force. In other colonies the Governments have made grants for the purpose of establishing pension funds, and that is what I would like to see the New Zealand Government do. In New South Wales they gave £80,000 for the establishment of such a fund, and there the police at thirty years' service are entitled to retire on full pay. Here all that the men get after thirty years' service is £150 or £160.

126. *Colonel Pitt.*] Can you make any suggestions to the Commission as to the improvement of the Detective Force?—No; I think the Detective Force should do its work well and properly.

127. *The Chairman.*] One suggestion you have made is that they should not be frequently removed?—That is so. I think they should not be removed except in very special cases.

128. *Colonel Pitt.*] Should the office of chief detective be retained?—There is no need of the office. I do not know why it was ever established.

129. *Mr. Poynton.*] Do you think there are sufficient detectives in your district?—I think it is short. There were six detectives here twenty-one years ago.

130. How many would you recommend?—It was reduced to two, but now it is increased to three. I do not think it would be over-manned if we had six.

131. *The Chairman.*] What ranks would you have in the detective branch?—I think they are right as they are.

132. Would you have ranks at all?—Yes.

133. How does the first-class detective rank with the first-class sergeant?—He is under the sergeant-major.

134. But if there is no sergeant-major?—The sergeant would be in charge of the station, and in the case of a difference, in the absence of the Inspector, the detectives are under the direction of the sergeant in charge.

135. *Colonel Pitt.*] Is any amendment of the law relating to gambling desirable?—There is a clause in the Gaming Amendment Act with reference to "tote" betting, and I think it is unfortunate that it makes the person betting punishable as well as the man who induces him to bet. I think that stands in the way of convictions.

136. *The Chairman.*] It creates secrecy on both sides?—Yes, exactly. We have found that very much in the way of getting convictions under the clause.

137. *Colonel Pitt.*] Is there any other amendment in reference to gambling that suggests itself to you?—No, I have nothing else to suggest.

138. *Mr. Poynton.*] Is there much Sunday trading going on in Christchurch?—No, I do not think so. The hotels are as well conducted here as in other places in the colony.

139. Are there any other classes of Sunday trading?—I think that, altogether, Sunday is well observed here by the public.

140. Do you think the licensing law requires amendment, to strengthen the hands of the police?—Yes.

141. Are you familiar with the provisions of the English Licensing Act?—No, but I have seen it referred to, and I should like to see it the law here.

142. Would it strengthen the hands of the police?—Most materially.

143. *Mr. Tunbridge.*] You say you think the office of chief detective is unnecessary?—Yes.

144. Do you not consider that there should be a detective in charge of the other men?—Well, at first there was a detective for the colony, and then it came to be the chief detective for each centre.

145. But, do you not consider that the detective office should be in charge of the chief detective?—Naturally the first-class detective would be in charge.

146. You would put him in charge?—Yes.

147. So it is merely a matter of title that you would alter?—Yes, it is the title; it crept in somehow. I remember the man who was first given the title. He is not in the Force now.

148. The chief detective gets no extra pay?—No.

149. And if he lost the title of chief detective he would still have the same functions to perform?—Yes.

150. Would you advocate that plain-clothes men should receive an allowance?—Yes; they did so long ago.

151. They are out of pocket a good deal?—Yes. I have often represented that to the head of the department.

152. What should they receive?—2s. a day more than they are getting, I think.

153. *The Chairman.*] That would bring them up to the rank of third-class detectives?—Yes, I really think they should get some allowance.

154. What is the pay of a fourth-class detective?—9s.

155. *Mr. Tunbridge.*] Do you not think that the laws with reference to street betting are rather defective?—I do not think we have much in that way here. We see nothing of it at all worth mentioning.

156. At present the police cannot take action against a person in the street for betting "tote" odds unless that person causes an obstruction?—That is so.

157. Does not that require remedying?—In some places I have seen swarms of men on the street, but I have not seen that here.

158. You have had experience of Auckland as well?—Yes.

159. And do you think that in places where the evil exists the law is not strong enough to cope with it?—That is my opinion.

160. And that it requires strengthening?—Yes, I think so.

161. *Colonel Pitt.*] Do the police do their duty in Christchurch in reference to houses of ill-fame?—I think so. It is specially attended to here. Since the passing of the Indictable Offences Summary Jurisdiction Act the police have no difficulty at all with such a matter as that.

162. *The Chairman.* Do you consider that the evil is kept well under control?—Yes, thoroughly. It is not a growing evil here.

163. *Colonel Pitt.*] Have you any reason to suppose that there is much undetected crime in your district?—There is more than I could wish.

164. To what do you attribute that?—To the fact that the police and the detective branches are numerically weak. They have always been so here, which must directly result in the immediate increase of crime.

TUESDAY, 19TH APRIL, 1898.

ALFRED STANTON, examined on oath.

1. *The Chairman.*] Your name is Alfred Stanton?—That is my name.

2. Your present rank is what?—First-class constable, New Zealand Police Force, stationed at Christchurch.

3. You are district clerk, are you?—I am, Sir.

4. I have the letter you have addressed to the Commission, making reference to certain matters that you wish to bring before us. Will you state them now?—The letter states as nearly as possible what I wish you to consider.

5. Then I will read the letter. Before I do that, tell us how long you have been in the service?—I joined the service for the second time in June, 1885, having been out of the Force then for about eight or nine months.

6. Now, you say in your letter :—

In January, 1896, I was appointed district clerk, which appointment I have held continuously since. In 1890 I made an application for the same clerical allowance as other district clerks were in receipt of. I was told by the then Commissioner (Colonel Hume) that it was his intention to remove the district clerks in the large centres who were sergeants—three of them first-class, and the fourth second-class—and replace them with constables, who would not be granted clerical allowance. This was not carried out in any part for a long time afterwards, and has never been carried out in its entirety, as one first-class sergeant is now a district clerk. I was satisfied with the Commissioner's explanation, and thought no more of the matter. In March, 1893, I was sent to Christchurch as district clerk, *vice* First-class Sergeant Lanauze, retired on compensation. To my intense astonishment, I found, on taking over the duties in Christchurch, that the second clerk in the district office, and my subordinate, was drawing clerical allowance, having been awarded it in September, 1891—over twelve months after the refusal of the Commissioner to grant me the same consideration for fulfilling a much more responsible office—*i.e.*, chief clerk—on the grounds hereinbefore stated. The reason I did not bring my grievance before the department is this: I thought it probable that if I did it might have the effect of causing Constable McClelland's allowance to be discontinued, and I would rather do without the allowance, to which I consider I am justly entitled, than be the cause of an injury to a comrade. The present Commission, having been set up to inquire into and redress all grievances suffered by members of the Force, I think I may safely approach the Commission without any danger of being an instrument of injury to a fellow-constable.

Does that really embody your complaint?—Those are the straightforward facts.

7. Have you anything to add to what is contained in the letter?—Nothing, Sir.

8. *Colonel Pitt.*] Have you made any application to the Commissioner since you have been appointed to Christchurch, in reference to this allowance?—I have not, for the reasons stated in my letter.

9. Do you know of any other stations where first-class constables are doing duty as district clerks?—I cannot say. I do not know whether the district clerk in Auckland is a first-class constable or not.

10. Do you say that at all other places the clerical allowance is paid?—It was at that time.

11. But is it now?—I cannot say. I know it is in Dunedin.

12. *Colonel Hume.*] You stated that there is a first-class sergeant a district clerk somewhere?—Yes.

13. Where is that?—In Dunedin.

14. Do you know of anything special about him? Has he always been in the police?—Yes, I think he has.

15. You do not know that he was taken over from the Provincial Government as a Civil servant?—I know that he was a constable in Dunedin years ago.

16. But you do not know that he was taken over as a Civil servant, do you?—I do not.

17. Do you get clerical allowance now?—No.

18. Do you get house-allowance?—Yes.

19. Do you know the district clerks in the other places in New Zealand beside Auckland?—I knew Constable Hendry, when he was at New Plymouth.

20. Was he a sergeant?—No.

21. Is the district clerk now in New Plymouth a sergeant?—No.

22. The district clerk at Napier?—No.

22A. At Greymouth?—No.

23. Then, in fact, there is just the one sergeant, and the man recently promoted in Wellington—Wright?—When I was refused there were Sergeant Bulford, Sergeant Ellison, Sergeant Bell, and Sergeant Lanauze.

24. They are all dead or removed now except one?—Yes.

25. Have I not visited Christchurch a good many times since you were appointed district clerk here?—Yes.

26. I have seen you on each occasion?—Yes; I think so.

27. And you never represented to me anything about this?—I did not.

28. Who is the assistant clerk here?—Constable McClelland.

29. Does he get any special allowance?—He gets a clerical allowance of 6d. a day.

30. Any house-allowance?—No.

31. Then, if anybody came before the Commission and said he was getting 1s. a day clerical allowance, he would be stating what is not the fact?—Yes.

32. You pay him, I suppose?—Yes.

33. *Mr. Poynton.*] What house-allowance do you get?—10s. a week.

34. *The Chairman.*] Do you get anything beyond your payment as a first-class constable?—Nothing, except house-allowance. House-allowance has been granted to district clerks for years past; and at the time sergeants were drawing a clerical allowance of 1s. a day they were also getting a house-allowance. I consider that 10s. a week is not sufficient for house-allowance.

35. In what cases is clerical allowance granted to clerks?—I do not know, but probably the only one now getting it is Sergeant Bell, of Dunedin.

36. *Colonel Pitt.*] There is Constable McClelland?—Yes, that is two.

37. *The Chairman.*] You feel dissatisfied at not receiving this clerical allowance?—Not so much that, Sir; but there is the fact of another constable being granted clerical allowance after I was refused.

38. That is the grant to McClelland?—Yes.

39. *Mr. Poynton.*] What is McClelland's rank now?—He is a first-class constable.

40. *The Chairman.*] And at the present time you, as chief clerk, are receiving a less wage than the assistant clerk, excepting only the house-allowance?—That is so.

41. *Colonel Pitt.*] You have always had house-allowance?—Yes.

42. *Colonel Hume.*] You say that McClelland gets 1s. a day?—No, I did not say that. I said it was 6d.

43. Do you remember the circumstances of his getting it?—I was not here at the time.

44. Why do you say it is given to him as clerical allowance?—He said so, and it goes down to that in the pay.

45. What rank did you hold when you were transferred here?—I was a third-class constable.

46. You got a rise of 1s. a day by coming here as district clerk?—Yes.

47. What rank do the men hold now who joined when you did—in June, 1885?—Most of them are second-class constables. I may say that the men who are now second-class constables are doing beat duty, and do not hold the responsible position that I do.

48. *Mr. Poynton.*] I suppose you have to live near the station?—About a mile from it. A decent house costs 14s. a week, but I am getting one cheaper than that. I am living a long way out.

49. *The Chairman.*] Are you a married man?—Yes.

50. As a first-class constable, you are not entitled to house-rent?—No.

51. If you held the rank of sergeant you would be?—Yes. The district clerks have always received house-allowance. I may mention that, though I have been in the Force only twelve years, I have five or six years' previous service. I may also say that I joined the Colonial Forces when I was sixteen years of age, at the time active service was going on. I am a native of New Zealand.

52. *Colonel Hume.*] Why did you leave the Force at the end of five years?—For private reasons.

53. You were not reduced?—No.

54. *The Chairman.*] Apart from your complaint, have you any suggestions to make to us with respect to the position of the Force, and the conditions under which the men serve in the Force?—Yes, I have.

55. We would be very glad to hear them?—In the case of recruits, I think the educational standard of the ordinary recruit is far too low. I am certain that a great many of them could not pass the Fourth Standard, or anything like it. The reports of some of the members of the Force are absolutely painful to read. I also think there should be some scheme for a pension.

56. At the cost of the men's pay?—To a certain extent; they might contribute something. Perhaps the outside emoluments, which now go to individual constables, might be put into a fund, which would in the aggregate amount to a good deal.

57. You refer to rewards, and the pay attached to extra offices?—That is my idea.

58. In expressing that opinion, do you give it as your own individual opinion, or do you feel justified in giving it as the opinion of any section of the Force?—I think the Force are unanimous in thinking there should be a pension, but a good many of them would object to give up anything. Of course, I cannot say that positively, but it is natural that they should.

59. At present there is a compulsory system of insurance?—Yes.

60. Assuming it was abolished, would the contributions to it be willingly or unwillingly given to the pension scheme?—I could not say.

61. What is the amount of premium on his life insurance paid by a man who joins at thirty?—Most of them join at less than thirty. A man joining at thirty would pay about 13s. a month, I think. I am estimating that at the monthly deduction from some of the men here. But, now I come to think of it, for £200 I do not think it would be that amount. I think it would be about 11s. a month.

62. That would be a little over 5 per cent. Do you think the men would be willing to contribute to the pension fund from their pay to the extent of 5 per cent.?—I do not think they would. A constable on £10 a month has as much as he can do, if he has a family, to scrape along and pay his insurance.

63. *Colonel Pitt.*] Do you think the rate of pay is sufficient?—I do not.

64. What should it be, do you think?—I think that, on joining, a constable should not get anything under 7s. a day, and then the class promotion should be more rapid than now, so that a man might get a rise within a reasonable time, say within four or five years. As a matter of fact, there are men now in the Force with twelve or fourteen years' service, who are only third-class constables.

65. *The Chairman.*] Your remark, that the men would not willingly contribute 5 per cent., applies to the present pay, and not to the pay if fixed at the rate you have named?—I think, if the pay is fixed as I suggest, they would contribute the 5 per cent. Under those circumstances, I would pay myself.

66. Then you are speaking for yourself?—Yes.

67. Do you think the increase of pay should depend on the class a man is in, or his length of service?—All things being equal, it should go by seniority; but if that rule was rigidly adhered to the Force would become a mass of useless men.

68. You were present on parade yesterday when I intimated to the men our desire that they should appoint delegates and consider these questions, and express their opinions to us?—Yes.

69. Probably we are anticipating too much, then, in taking your individual evidence until you have held that meeting and made your selection of delegates?—As a matter of fact, the meeting was held some three weeks ago, but these questions, as we are now going into them, were not discussed. There were four delegates appointed, of whom I was one.

70. May I take this from you as suggestions made by you in your capacity as delegate?—No. I would like to confer with the other delegates before I appear in that capacity.

71. You heard me say yesterday that we wanted not only to hear the opinions of the majority through delegates, but also the opinions of the minority in the same way?—Yes.

72. We will leave your evidence now until you can speak as a delegate?—Very well.

73. *Colonel Hume.*] You stated that you do not think a good many of the recruits have passed the Fourth Standard? Will you give me the name of a single recruit who has joined within the last seven years who has not passed that standard or a higher one?—I do not know one; but I would like to see them pass it now. I did not know that it was compulsory on them to pass.

74. *Mr. Poynton.*] Do you base your opinion on the nature of the reports?—Yes.

75. *Colonel Hume.*] Can you name a single man who has joined in the last ten years who has not passed the Fourth Standard or a higher one?—I do not know whether any man has passed the standard.

76. Can you name a man?—No.

77. You would be surprised to find, then, that the men have passed that examination?—I should be intensely surprised to find that they had.

THOMAS BROHAM, examined on oath.

78. *The Chairman.*] Your name is?—Thomas Broham.

79. You are the Inspector stationed at Christchurch?—Yes, Sir.

80. *Mr. Taylor.*] Have you a record of the beats occupied by the men on various duties?—Yes.

81. Can you tell me who was on duty on the night of the 12th August on the beat between the Bank of New Zealand and the Cashel Street and High Street corner?—That is, the Triangle?

82. Yes?—Constable Barrett was on that beat. It is called "No. 1," or the "Triangle beat."

83. Who was on the beat running from Walker's corner down to Black, Beattie, and Co.'s?—Constable McKenzie. That is called "No. 3 beat."

84. *Mr. Kippenberger.*] Had you any complaint about anything that these two constables are supposed to have done on the night of the 12th?—I had a complaint, but I cannot say the exact date. It was about that time.

85. What did you do?—I made all the inquiries I possibly could.

86. Through what channel?—In the ordinary official manner.

87. Who was your medium?—Sergeant Wilson made the inquiry.

88. Did you have any complaint about Sergeant Wilson not doing his duty in that inquiry?—No, he is a very careful sergeant.

89. Did you get a report at the time?—Yes.

90. Have you got the reports?—They were sent to the Commissioner's office.

91. Have you not seen them since?—No.

92. Do you know if they are in Court?—I do not know. I might say it was not a report with special reference to these two constables. It was surmised that these were the two constables. It was really a complaint made against two constables without naming them.

93. The complaint originated with Mr. Taylor, did it not?—Yes.

94. And now that he substitutes the names of two constables, have you any reason to suppose that there were others?—No, I have not. Mr. Taylor did not name any constables.

95. But you hear now that he names these two constables?—Yes; I have not heard him name them before.

96. And you know that his complaint at that time had reference to these two?—I do not know what he meant at the time. He refused to mention the names of the constables. He said he did not want to injure them, and he refused to name them; so it was represented to me by Sergeant Wilson.

97. Were you satisfied in your own mind at the time, after full inquiry, that the charge was not sustained?—Perfectly.

98. *The Chairman.*] You did not make any personal inquiry?—No, I did not.

99. *Mr. Kippenberger.*] You had also the reports of others before you?—Yes, I had the statements of different individuals whom Sergeant Wilson saw. I had statements of all that they could prove.

THOMAS EDWARD TAYLOR, examined on oath.

100. *The Chairman.*] Your name?—Thomas Edward Taylor. On the night of the 12th August, 1897, I came into Christchurch from my home. It was the night following a race-meeting. In consequence of information received I met several friends in town about half-past 10 p.m., and we strolled round the streets for about three hours altogether. There were large crowds on the streets up to half-past 11. Just before 12 o'clock Sergeant Wilson spoke to two constables near the corner of High and Cashel Streets. He then passed up the town towards the Bank of New Zealand. These two men were standing on the footpath at the corner near Myers, the dentist's. They were both smoking for some time after Sergeant Wilson left them.

101. And at the time he was speaking to them?—No; at the time he was speaking to them they were not smoking. Just before the clock struck 12 they left the corner of the street together, and passed over to the cabstand opposite the D.I.C., where they spoke for a second or two to some cabmen, whom I could not identify. They then passed down Cashel Street until they came to the entrance to the Café Hotel. They stopped there close up to the door, and a few seconds afterwards the door opened, and they passed inside. I remained on the footpath opposite the Café entrance, on the opposite side of the street, with a friend, and I posted another man at the back door of the hotel. About a minute before half-past 12 by my watch one part of the door of the Café opened, and a man in his shirt-sleeves, apparently one of the servants, stepped out on to the footpath. He looked up and down the street, and then turned round and made a motion to some one inside the house, and the two constables came out.

102. You were on the opposite side of the street?—Right opposite the door. Between 12 and half-past 12 Detective Maddern came down Cashel Street towards the police-camp, and I bade him "Good morning." He stopped and I spoke to him. A few minutes after the men came out of the hotel I met Sergeant Wilson, and a constable, whose name I am not sure of, near Ballantyne's. I spoke to the sergeant. After the men came out of the hotel they went to the corner of High and Cashel Streets, to the crossing between Walker, the tobacconist's, and Myers, the dentist's. I passed up there with those who were with me, and the men were then talking to Detective Benjamin and Acting-detective Fitzgerald. Constable Barrett went up High Street and was standing opposite Shaw, Robinson, and Co.'s old premises—the Hall—when my two companions and myself passed him. Constable McKenzie had turned in the direction of south High Street. Detective Benjamin and Acting-detective Fitzgerald moved away from the point after the conversation. There was no disturbance at the hotel so far as one could see from the outside, either before or after the men were there.

103. *Mr. Kippenberger.*] Who were your companions?—Mr. Robson and Mr. Hoddinott.

104. What is Mr. Robson?—He is a bootmaker.

105. And Mr. Hoddinott?—I think he is a blacksmith. He works at a foundry as far as I know.

106. Are they like you, Prohibitionists?—Yes.

107. Had you remained in Cashel Street, opposite the Café, for any length of time?—Do you mean prior to the men entering?

108. Prior to the occurrence you speak of?—We brought up there when the men went in.

109. Then, of course, your man stationed at the back knew nothing. He could see nothing?—He went there after the men had gone in.

110. Where were you when the men went in?—As near as I can remember, I was opposite the entrance to the Bank of Australasia—perhaps the space of a chain and a half away.

111. You had not passed the men there?—Yes, I had.

112. In walking round?—Yes; in walking about the town.

113. What kind of night was it?—A very fine night.

114. A moonlight night?—So far as I can remember, it was; but I would not be positive. My impression is that it was a very fine night—very pleasant.

115. With the moon shining from a northerly direction?—I cannot say. I will not say that it was shining at all. I was not studying astronomy that night.

116. You will not say it was all moonshine, will you?—No, I will not.

117. I suppose you were determined on a conviction of some sort that night, if you could get it?—I was not. I was there as a citizen, as I had every right to be; and I will do it again if I wish. The police are the public servants, and as a citizen I have a perfect right to know what they are doing in their hours of duty.

118. What races were on the day before?—I am not a racing man, but I think it was a steeplechase meeting. I am not sure. I remember it was a race-day, and there was a good deal of noise and horse-play in the town that night.

119. Had you any other time about this period watched constables on the beats?—On one occasion, subsequently, I was in town for an hour and a half for the same purpose.

120. With the same companions?—No, different ones.

121. Do you mean to say, then, that it is only on two occasions that you have been indulging in this spirit of espionage?—It is only on two occasions that I took means to satisfy myself as to the truth of certain charges made against the Force, as to their habits at night.

122. It is only on two occasions that you have taken means to have personal satisfaction?—Yes, that is so.

123. And on those two occasions of hearsay, you base your general charges?—On those two occasions I gained a great amount of accurate knowledge.

124. There are only two occasions on which you were spying, and the rest must be hearsay; and I suggest it is on what you saw on these two occasions that you base your general charges?—No, you are quite wrong. I have a tremendous amount of information, apart from those two occasions.

125. But you did not see it yourself?—I have seen a great deal that warrants me in making the charges.

126. But it was only on two occasions that you have watched personally?—For the specific purpose of seeing whether the constables frequented bars at night.

127. Did you on the second occasion find that they had visited this bar?—Yes.

128. They did?—Yes.

129. But you made no charge?—No. The evidence was not conclusive. There were not sufficient witnesses.

130. Were you not sufficient yourself?—That is a matter of opinion. I think I have a shrewd idea of what evidence is required.

131. You do not think your own evidence is sufficient?—No; not where two or three other men are concerned.

132. You have found it so before now?—No. My evidence I think is pretty keen.

133. At any rate, you cannot say it was moonlight or from what quarter the moon was shining?—I am under the impression it was a moonlight night, and I suppose it was shining in the usual direction that night.

134. You will not contradict me if I say that the shade of the Café fell across Cashel Street?—I think it is almost certain it did.

135. Now, the bank entrance is not quite opposite the hotel, is it?—No.

136. Is it about 50 or 100 yards away?—It is from 20 to 50 yards.

137. And in that event, does it not appear to you that it would be doubtful whether you could tell who it was that went into the Café from where you were standing?—I know the men perfectly well.

138. If that is so, then, why did you not disclose their names at the time? You refused to tell Sergeant Wilson who it was?—Yes.

139. You said you did not want to do them an injury, did you?—I gave no sentimental reason at all for not disclosing the names. I told Sergeant Wilson about the matter, and it was then the duty of the police to look after their own men. They could investigate the matter themselves.

140. You did not distrust Sergeant Wilson?—No. I have no particular reason for saying I distrust him.

141. You found him rather assiduous in his suppression of drink, and obtaining convictions against licensees?—I am not prepared to say that.

142. He was not assiduous enough, to your mind?—I would not describe my knowledge of his action in licensing matters in those terms.

143. He would not be so keen as you would be?—I do not know sufficient about him to answer that.

144. You made a complaint without mentioning names, although you knew the names, then?—Yes.

145. Did you find that Sergeant Wilson went immediately and made inquiries?—He left me and went towards where we had left the men.

146. Did you find afterwards that what Inspector Broham said is correct—that his inquiries satisfied him that there was nothing in your charge?—I do not think the Inspector made inquiries himself.

147. Well, that Sergeant Wilson's inquiries satisfied him that you were mistaken in your charge. You found that, did you not?—No. What I found was this: I saw the Inspector about it subsequently, and some of the men were paraded for inquiry as to their movements that night. Inspector Broham said, in conversation with me, that the report was to the effect that Sergeant Wilson could not ascertain who the men were, and that Detective Benjamin and Acting-detective Fitzgerald said they had not spoken to them at the corner; and he also said, in reply to a remark of mine, that "the men would swear anything." Speaking of Detective Benjamin, and Acting-detective Fitzgerald, I understood him to say that these men would swear anything.

148. Did he mean to say that these men would commit perjury?—He referred to Detective Benjamin and Acting-detective Fitzgerald. He said it in a jocular manner, as if it was a common thing to find that wrong statements were made by the men.

149. Are those his words?—I said to him, "It is impossible for them to say they did not speak to the two constables at the corner of the street." And in reply to that he said, "Oh, they will swear anything." I am prepared to swear that he said there were men in the Force who would swear anything. It afterwards turned out that it was another corner that was in question.

FREDERICK ROBSON, examined on oath.

150. *Colonel Pitt.*] What is your name?—Frederick Robson.

151. What are you?—A bootmaker.

152. Where do you live?—Montreal Street, Sydenham.

153. *Mr. Taylor.*] Do you remember being in town on the night of a race-meeting in August, last year?—Yes.

154. Whom were you with?—With yourself.

155. Do you remember seeing two police constables in High Street?—Yes.

156. Were they smoking?—Yes.

157. What did they do after the sergeant spoke to them at the corner of the street?—They stood there for a while smoking, and then crossed over to the cabstand.
158. And from there, where did they go?—They stood talking to the cabmen for a moment, and then went towards the Café Hotel.
159. Did they go into the Café?—Yes.
160. How long did they stop there?—Nearly half an hour.
161. Did you see them after that?—Yes.
162. Where were they standing?—At the corner of High Street and Cashel Street. They came out of the hotel and went there. Then they parted—one of them going up High Street towards the bank, while the other, I think, went down High Street.
163. To whom were they talking at the corner of High and Cashel Streets?—They spoke to some one, who was not in uniform, and I do not know who it was.
164. Do you know Detective Benjamin well?—No.
165. Do you know Acting-detective Fitzgerald well?—No.
166. Did some one come out of the Café door before the men came out?—Yes.
167. Was he fully dressed?—He had his coat off. One could see his white shirt-sleeves.
168. How long after he stepped out did the men come out?—Just a moment.
169. Where was Mr. Hoddinott while they were in the hotel?—He had left us and gone down the right-of-way at the side of the hotel.
170. Did you see Serjeant Wilson after the affair?—Yes.
171. Where was he?—In Cashel Street, near Ballantyne's.
172. What constable was with him?—I do not know.
173. Did he take a statement down?—Yes.
174. Did he take the names and addresses?—Yes.
175. *The Chairman.*] Was any one with you when he took the names down?—Mr. Taylor and Mr. Hoddinott.
176. *Mr. Taylor.*] Do you remember speaking to any one while the men were in the hotel?—Yes, to Detective Maddern.
177. Were you interviewed by the police afterwards?—No.
178. *Mr. Kippenberger.*] Where did you first meet Mr. Taylor that night?—At his office.
179. By appointment?—Yes.
180. For detective purposes?—No, Sir.
181. What for?—To look round the town.
182. What were you going to look at?—The people in the streets, and what we could see.
183. Did Mr. Taylor tell you what you were going to try to see?—I do not know what you mean.
184. Did Mr. Taylor tell you what you were going out to try to see?—We had arranged to go out and see the town, and see what it was like on a race-night.
185. In a general way?—Yes.
186. Merely for educational purposes?—More than that.
187. What was the rest, if there was anything more?—We went for the purpose of looking round the town, and to see if the police were in any way connected with the hotels.
188. If they ever took a drink?—We could not tell whether they took drinks or not.
189. But you wanted to find out?—We wanted to know if they visited the hotels.
190. That was arranged beforehand, and that was what you went to Mr. Taylor's office for?—Yes.
191. What time did you get there?—Between 10 o'clock and half-past, I should think.
192. Do you know the two constables, Barrett and McKenzie?—I did not know them before that.
193. You never knew them at all?—I had seen them in the street, but I did not know them.
194. There were a great many people about that night?—Yes.
195. Walking in twos and threes, and in crowds?—Yes.
196. Were you standing with Mr. Taylor at any particular spot opposite the Café?—Yes. We were under the grocer's verandah on the other side—Taylor's, I think.
197. Where were you when the constables are supposed to have gone into the hotel?—By the bank, or between there and the grocer's—somewhere near the D.I.C.
198. Who was the third member of your party?—Mr. Hoddinott.
199. What is he?—An engineer, I think.
200. A Prohibitionist too?—Yes.
201. What are you?—A bootmaker.
202. Where do you work?—At Mr. Duckworth's.
203. Have you been there constantly?—Yes.
204. How long?—Three years or more.
205. How long did you stand with Mr. Taylor nearly opposite the hotel?—Nearly half an hour.
206. Was there much drinking going on in the town that night?—I should judge so by the state of the people as they were going home.
207. Did you see other people go into the hotel that night?—No.
208. There was a lot of drinking going on, and it was a race-night, and yet you saw no one go into the hotel?—They were all going out of the hotel, and this happened after the hotels were supposed to be closed.
209. Was there not a soul went either in or out of the hotel except these two men?—That is all I noticed.
210. How were they dressed?—In uniform.

211. What do you call uniform at night? Had they overcoats and mantles?—They had overcoats and shakos.
212. Were there other people about with overcoats?—Yes.
213. I suppose the men went in at the front door?—Yes.
214. There is a right-of-way leading from Colombo Street?—Yes.
215. Supposing these two constables going down the street passed two other men at the right-of-way, so far as you could see, might you not be mistaken in thinking that these two men were the constables you had previously seen?—No.
216. You understand the position? You know the right-of-way?—Yes.
217. Is that the only time you have been watching?—No.
218. You have been watching at other times?—Yes.
219. With whom?—I was out one evening with Mr. Hoddinott.
220. Anybody else?—We saw Mr. Thompson during the evening.
221. Did you see anybody else?—No.
222. This is the only occasion on which you were out with Mr. Taylor?—Yes.
223. You meet in the Prohibitionists' rooms and arrange these little things?—I said we met at Mr. Taylor's office.
224. Now, you see the position. Cashel Street runs east and west. You were on the east of the Café. On the east side of the Café there is a right-of-way running from Colombo Street?—Yes, just so.
225. If you were near the Bank of Australasia you would be how far away?—Between 50 or 100 yards, or less than that.
226. What kind of night was it?—Moonlight.
227. Then, as I say, if they passed two men coming through the right-of-way, or if they went through the right-of-way themselves, might you not be mistaken as to whether these two men went into the hotel or not?—I was not mistaken on this occasion.
228. You say positively that you were not?—Yes.
229. Do you mean to say it was impossible for you to be mistaken?—On this occasion, yes.
230. Though you were 50 yards away and you were in the shade? You must see yourself it was possible for other men to pass them at that spot?—But I watched the two men go right along.
231. And you went there with the predetermination to convict, if you could?—No.
232. What did you go out for—not for fun?—No; but we did not go out for a conviction.
233. Did you see them come out?—Yes.
234. Where were you?—With Mr. Taylor.
235. Was any one else there besides Mr. Taylor?—In the street?
236. You say you saw a lot of people; but did you see anybody whose duty it was to see what was going on?—What do you mean?
237. Did you see Mr. Paget, the night-watchman?—Yes.
238. Where?—I think he was in High Street.
239. Where about?—I think it was near Lichfield Street. That was earlier in the evening.
240. Did you not see him in High Street?—I may have.
241. You do not remember whether you saw him in High Street, near Cashel Street, or in Cashel Street?—I do not remember.
242. What kind of man was it you saw come out in his shirt-sleeves? Would you know him again?—No.
243. Why not?—I only saw him for a moment.
244. But you saw him as closely as you saw the constables?—Oh, no.
245. You saw him come out and look about, and it was a bright moonlight night?—I did not say it was bright moonlight.
246. Do you say it was not a bright moonlight night?—No, it was not.
247. It was a dull moonlight night, then?—Yes.
248. Does it not strike you that 50 yards away it would be difficult to tell who was going in and out of the door?—Not on that occasion.
249. Your eyesight was pretty clear on that night?—We watched the men go right along.
250. And you saw no one else you knew but Paget?—We saw Detective Maddern.
251. But any one else beside Maddern and Paget?—That is all.
252. How long have you been in Christchurch?—I was born in Christchurch.
253. And, of course, you know a great many people in Christchurch?—A fairly good number.
254. And on that night how do you account for seeing so few people you know?—Perhaps it is because my friends do not keep such late hours.
255. As you do?—Quite so.

ALFRED THOMAS HODDINOTT, examined on oath.

256. *Colonel Pitt.*] What is your name?—Alfred Thomas Hoddinott.
257. What are you, and where do you reside?—I am a machinist, residing in Christchurch.
258. *Mr. Taylor.*] Do you remember being in town on the 12th August, 1897?—Yes.
259. What time did you come in?—Just before 9 o'clock.
260. Were you subsequently with Mr. Robson and myself?—I was.
261. Do you remember seeing police constables in High and Cashel Streets that night?—Yes.
262. Did you see them report themselves to the sergeant?—Yes.
263. Where were they standing afterwards?—At the corner of Cashel and High Streets, opposite the concrete tank.
264. Were they smoking?—Yes.

265. Chatting and smoking?—Yes.
266. They were in uniform.—Yes.
267. Had they overcoats on?—I would not be positive.
268. Do you remember what they did after the sergeant left them?—Yes.
269. What time would it be?—A little before 12. They walked directly to the cabstand, opposite the D.I.C., where they spoke to one or two cabmen. They waited there half a minute. They then went to the Café, and stood outside the door for a second or two, and the door was opened and they went inside.
270. Were they near enough for you to hear them make any sound on the door?—Yes.
271. Did they make a sound on the door?—Yes.
272. *The Chairman.*] Where were you standing at the time?—At Walker's, the tobacconist's. I had crossed over from Inglis's buildings.
273. *Mr. Taylor.*] It was a pretty loud sound?—Yes, quite loud enough to hear from Walker's.
274. A quiet night?—Yes.
275. Were there many people about at that time?—Not so many people as there had been previously. It was a busy night after the races.
276. Was the door closed after the men went in?—Yes.
277. What did you do then?—I went across to you, on the other side of the street. You were under the verandah of Mr. Taylor, the grocer. From there I went to the right-of-way, to the back entrance of the Café, to watch it. I remained there about five minutes, and then went back to Mr. Taylor. He suggested that I should find the sergeant, and I went to Colombo Street for him, but I did not get him there. I returned to Mr. Taylor and told him the result. From there I went to the Colombo Street corner, and from there watched the back and front entrances of the hotel.
278. How can you watch both entrances? Are both exits of the right-of-way visible from that point?—Yes.
279. You cannot see the front door from there?—No; it is let in a bit, but you can see where it is.
280. Then, what happened?—About a minute before the half-hour some one came out of the hotel in his shirt-sleeves.
281. You saw him plainly?—Yes. He was followed by the two constables. They then walked to the Grain Agency building, and I went to Mr. Taylor. The three of us then went to Walker's, the tobacconist's. One of the constables was then talking to Detective Benjamin and some one in plain clothes. I lost sight of the other constable after passing the Grain Agency building. After that we walked to the Beehive corner, and down High Street to the Bank of New Zealand. We then saw the other constable in front of the old hall. He was standing close under the building.
282. Do you know him by sight?—Yes; I know them both.
283. Did you see Sergeant Wilson after that?—We went about two shops further on than where the constable was, and then returned to Walker's and down Cashel Street. We then agreed that, as we had not seen the sergeant, we should try and meet him; and we met him in front of Sandstein, the jeweller's. We there laid the charge, and Sergeant Wilson took the names of the witnesses.
284. Sandstein's adjoins Ballantyne's?—Yes.
285. Did you come into town that night by arrangement?—Yes.
286. Was the object of your visit in town to ascertain whether there was any truth in the statements as to the police frequenting hotels?—Yes.
287. And you satisfied yourself of that?—Yes.
288. *The Chairman.*] How long were you on the watch?—From 9 o'clock, when the police came out, till half-past 12.
289. *Mr. Taylor.*] And did you see anything else to confirm you in that opinion, except in the visit of these two men?—Nothing particular—not on that night.
290. *Mr. Kippenberger.*] I understand you were at Walker's corner at the time you heard the knock on the front door of the Café?—I was.
291. That must be at least 100 yards away?—I could not say the distance.
292. You know the width of the street is a chain?—Yes.
293. And Taylor, the grocer's, is directly opposite?—Yes.
294. And you pass the Bank of Australasia, the D.I.C., and Wardell's?—Yes.
295. And several other shops?—No.
296. And then, near the corner of Walker's building, there is a draper—it used to be Barker and Tribe?—Yes.
297. It must be about 100 yards?—I do not think it is.
298. They must have knocked loud and fearlessly then?—It was a very quiet night.
299. Notwithstanding all the people about, you heard it?—There were not many people about.
300. What was the time?—The town clock struck 12 o'clock as the door opened.
301. You went there for a particular object?—Yes.
302. And you thought you had accomplished it?—I did.
303. Now, the right-of-way would be only 5 yards or less from the front entrance?—I could not say the width of the building. The door is in the centre.
304. We will take it that you were standing at the corner of Cashel and Colombo Streets, or about 100 yards away?—I would not say the distance.
305. The right-of-way is a thoroughfare from Colombo Street?—Yes, and from Cashel Street.
306. You have gone through yourself?—Yes.
307. How can you tell that the persons you saw did not come through the right-of-way?—It was such a bright night there was no mistaking it.

308. Was it a very bright night?—Yes, it was almost full moon. There was a slight shadow on the Café side of the street.

309. The moon would be shining from a northerly direction to throw the shade of the building into Cashel Street?—Yes, it was a very slight shadow.

310. How long were you away from the time that Mr. Taylor directed you to find the sergeant?—Five minutes at the outside. I ran all the way.

311. How do you know the men did not come out in the meanwhile?—I could not answer that.

THOMAS BROHAM, recalled.

312. *Mr. Taylor.*] You remember my seeing you a week or two after this affair; I was in company with Mr. Thompson?—I remember you saw me once or twice about it, I think the next morning.

313. At your office?—Yes.

314. You remember Mr. Thompson being with me on one occasion?—No.

315. *The Chairman.*] What Mr. Thompson?

316. *Mr. Taylor:* Mr Frank Thompson; he will be a witness. (To witness): Do you remember getting Detective Benjamin and Acting-detective Fitzgerald in your room to interrogate them as to whether it was at the Grain Agency corner or at Walker's corner they had spoken to the men?—Yes.

317. Prior to that, do you remember saying they denied speaking to Barrett and McKenzie?—Yes, at the Grain Agency corner. You said then, "If Detective Benjamin said so, then he is saying what is absolutely false."

318. And what did you reply?—I acquiesced in what you said; at least, I said nothing. You alleged that I said he was capable of committing perjury, and that he would swear anything, but I never said anything about any detective under my charge.

319. I took it for granted that you meant Benjamin and Fitzgerald. Did you not say, without mentioning names, "Oh, they will swear anything"?—You said I referred to Benjamin and Fitzgerald.

320. I said I understood you to refer to those two men. Did you say that they would swear anything?—I may have said that the men would say anything. I told Mr. Taylor that the constables denied having been in the hotel; and I may have said that they would say anything. That is, referring to the charge made against them.

321. Did Benjamin and Fitzgerald admit speaking to the men at Walker's corner?—I believe they were asked about the Grain Agency corner.

322. But they admitted speaking to them at Walker's corner?—They said they saw them at Walker's corner. I believe the papers in connection with the case are in Court.

323. *Mr. Kippenberger.*] You produce the reports made at the time, including Sergeant Wilson's report?—Yes.

324. *The Chairman.*] What is the date of Sergeant Wilson's?—The 13th August.

The report was read by the Chairman, as follows:—

At twenty minutes past midnight this morning Detective Maddern informed me that Mr. T. E. Taylor, M.H.R., wanted to see me at once, and that he was waiting my arrival in Cashel Street. In company with Constable Cotter I proceeded to the place, and, when near Mr. Bishop's chemist shop, met Mr. Taylor and two men named Alfred Hoddinott, Railway Fire-brigade, and Fred. Robson, Montreal Street, Sydenham. Mr. Taylor stated that he and his two companions saw two constables enter the Café at midnight, and they stayed in the hotel until twenty-seven minutes past that hour. They then came out and spoke to Detective Benjamin, who was at the corner of the Grain Agency buildings. Mr. Taylor or his companions could not name the constables, but state they can identify them. I went to the Café, and after ringing the bell was admitted by Mr. Beauchamp, licensee. The bars were all in darkness, and there were only two young men, boarders, on the premises. I told Mr. Beauchamp that I was informed that two constables had been in the hotel from midnight till twenty-seven minutes past. I asked their names. Mr. Beauchamp stated that there had been no constables in his house at the time stated. He subsequently stated that there were two young men from the country who came in about midnight and claimed to be travellers, but he would not serve them. They were both very tall and, he thinks, wore overcoats. I beg to state that I saw Mr. Taylor at twenty-three minutes to 1 a.m., Mr. Beauchamp sixteen minutes to 1 a.m., and Detective Benjamin at five minutes to 1 a.m., in lower Madras Street. I also made inquiry from Constables Barrett, McKenzie, and Andrew, but they deny being in the hotel; and Detective Benjamin states that he was not at the Grain Agency corner at the time stated, and did not see or speak to Constable Barrett, who was on No. 1 beat, before 1.20 a.m.

GARRETT FITZGERALD, examined on oath.

325. *The Chairman.*] What are you?—I am a detective, stationed at Christchurch.

326. *Mr. Taylor.*] Do you remember 12th August of last year—race-night?—Yes.

327. Do you remember speaking to Constable McKenzie on the crossing near Walker's, the tobacconist?—Yes.

328. Who was with you that night?—Detective Benjamin.

329. Was Constable Barrett standing there?—No, he was not.

330. Do you know where he was?—I afterwards saw him in front of Kenneth Matheson's shop.

331. That used to be Shaw, Robinson's, known as the Hall?—Yes.

332. *Colonel Pitt.*] I understood you saw McKenzie at the corner?—At the corner of Cashel and High Streets.

333. *Mr. Kippenberger.*] That would be on the junction of No. 1 and No. 3 beats—Constable Barrett's beat?—Yes.

334. Were you about there for any considerable time?—No, we were not—just came there.

335. You and Detective Benjamin?—Yes.

336. Did you see Constable Barrett and Constable McKenzie together at all?—No, I did not.

337. You were asked about this almost immediately after the alleged occurrence, were you not?—Some days afterwards we were asked something about it. I cannot say how many days afterwards.

338. By whom, do you remember?—By the Inspector.
339. Did you see Constable McKenzie at all that night?—I saw him at the corner of Cashel and High Streets.
340. That would be on his beat also?—Yes, No. 3 beat.
341. Do you remember the time at all?—It was after 12 o'clock. I should think it would be 12.15 or 12.20.
342. And what was Constable McKenzie doing, do you remember?—Simply standing at the corner.
343. Did you see him do anything after he stood at the corner?—He went away with Detective Benjamin.
344. Did you see him later?—No, I did not. I then came to the station.
345. Did he perform any duty immediately after you saw him, to your knowledge?—Well, he went away to lock up a drunken man that was lying down the street.
346. That is to say, about a quarter past 12, when you saw him, he went away for that purpose?—Yes; Detective Benjamin and myself saw this drunken man lying there.
347. Was it in consequence of what you told him in relation to some drunken man he did go away?—Yes.
348. Do you remember he was the prosecutor and witness against some drunken man next morning?—He was.
349. *Mr. Taylor.*] It was a quarter-past 12 o'clock?—As far as I remember.
350. If any other witness swore it was twenty minutes later, you would not contradict that?—No, I would not.
351. *Mr. Kippenberger.*] You are not absolutely sure about the time?—No, I am not. I know it was after 12 o'clock. I cannot say how much.

FRANK THOMPSON, examined on oath.

352. *The Chairman.*] What are you?—House and land agent.
353. *Mr. Taylor.*] In business in conjunction with myself?—Yes.
354. Do you remember on one occasion being in my company when I saw Inspector Broham?—On several occasions.
355. Do you remember one occasion when I made reference to certain constables having been in Arenas's hotel?—Yes.
356. Do you remember the question cropped up as to certain statements these men had made?—Yes.
357. Do you recollect my saying the men could not possibly be telling the truth?—I do not recollect you saying that.
358. Do you remember any special remark Mr. Broham made which struck you at the time?—The conversation was relating to the position of the two constables after they were supposed to have left Arenas's hotel. I think they were talking to a detective at the time, and there was some confusion as to the position they were in, and Mr. Broham said, "They will swear anything." But it subsequently transpired that the men were correct—that there had been a misunderstanding as to the position.
359. Whether it was the Grain Agency corner or Walker's corner?—Yes.
360. They had denied being at the Grain Agency corner?—Yes.
361. *Colonel Pitt.*] It transpired that the constables were correct as to where they had been?—Yes.
362. *Mr. Kippenberger.*] Have you any clear recollection yourself as to what took place between Mr. Taylor, Mr. Broham, and yourself?—I have a fairly clear recollection of the conversation.
363. "Fairly clear," what do you mean?—Well, I recollect the remark distinctly which I have already mentioned, because it struck me at once as being a peculiar admission for an Inspector of Police to make as to his men.
364. It would strike you that it was rather an admission, indicating mental weakness?—On the part of whom?
365. On the part of the Inspector?—No.
366. Iniquity, I suppose, then?—It struck me his opinion of the men under him was not very high.
367. And yet he was unwilling to do anything to displace them—that would strike you also, I suppose?—I do not know that he expressed any unwillingness: there was no definite charge at that time.
368. What date was it you went to see him?—I do not recollect the date.
369. Were you not in partnership then with Mr. Taylor?—If I was not in partnership with him I was working at his office.
370. You were thinking of the partnership?—No, I was not.
371. Try and be a little more particular, and give us in the first person the detailed account of the conversation?—I think the first part of the conversation was relative to "tote-shops," and then the other question cropped up subsequent to that.
372. It was "tote-shops" you were after, then?—That was one of the objects of the visit.
373. Tell us then, particularly, in the first person, what the conversation was: in this way, who said one thing, and who said another?—I cannot recollect the details of the conversation to that extent. I did not anticipate it was ever coming up again, or else I might have taken full notes.
374. You did not attach very much importance to it?—Except as to that particular statement of the Inspector.
375. Have you had any conversation with Mr. Taylor about it since?—Yes, I have.
376. More than once?—Yes.

377. Of course, Mr. Taylor's statement is the same as yours?—I do not know what his statement is.

378. You do not know what he said?—I was not in the Court-room when he gave his evidence.

379. Have you not been in here all the morning?—I came in while Mr. Robson was giving his evidence, and Mr. Taylor beckoned me up. I did not know I was wanted in this case.

380. In the course of further conversation with Mr. Taylor, you say he never stated to you that Inspector Broham said, "Oh, they will swear anything." Mr. Taylor never said that to you?—Never repeated the statement?

381. Yes?—He did. When we came out of the Inspector's room he referred to the statement.

382. Not since?—Not to the particular statement—to the incident.

383. Tell us the conversation. What led to it? Try and tell us particularly, in the first person?—I cannot swear to a statement in the first person. The general impression of the conversation I recollect distinctly, and I recollect the statement of Mr. Broham.

384. Was it, then, from your general impression of the conversation that you arrived at the conclusion that the Inspector thought the men would swear anything?—I recollect almost his exact words.

385. Then you mean deliberately to say the Inspector said that; and when he denies it he is committing perjury?—I say distinctly that he said it.

386. Do you remember the men about whom he said this?—No. I did not know the names of the men then. The Inspector asked Mr. Taylor to mention the names, and Mr. Taylor said that the sergeant in charge of the relief must be perfectly aware of the names of his men, and at that stage he declined to make prosecution of the men. It was not individual members of the Force he was aiming at.

387. You are quite sure, if the Inspector made use of such a phrase, he did not refer to Mr. Taylor or yourself?—No, he referred distinctly to the policemen.

388. Any two policemen whom Mr. Taylor might mention—there was no names mentioned, and, as far as the Inspector knew, he did not know what men he was speaking about?—No. We were referring to the two men who were supposed to have come out of Arenas's hotel.

389. But the Inspector did not know what men you were referring to, because Mr. Taylor refused to let him know who the men were?—But the Inspector knew, I think, from the report of his men as to that night. He evidently had had conversation with both the detective and the two men.

390. So far as you know now—you know, in fact, Mr. Taylor refused to tell the Inspector the men whom he was talking about?—He did at that time.

391. And Inspector Broham asked him, otherwise Mr. Taylor's refusal would not have come out, would it?—I think he had asked him.

392. Did that not imply, to your mind, the notion that Inspector Broham did not know what two men Mr. Taylor was talking about?—No. The impression on my mind was that Inspector Broham wanted Mr. Taylor to father the charge against the two men, instead of the department taking it up.

393. Instead of the department at large, I suppose?—Instead of the Police Department, and the authorities. Mr. Taylor would not father the charge at that time. He said he was not proving charges against individual members of the Force at that time. He said the sergeant must have known perfectly well who the men were.

394. Mr. Broham asked who the men were; Mr. Taylor refused to tell him; and then you tell us that the Inspector asserted that they—whatever two men it might be—would swear anything?—The two men whom the Inspector and Mr. Taylor were talking about.

395. You have already told us that Mr. Broham asked who they were, and Mr. Taylor refused to tell him: was that a false suggestion on Mr. Broham's part, that he did not know what men they were talking about?—I repeat that they were talking about the two men that were supposed to have come out of Arenas's Hotel.

396. Was it they, then, who would swear anything?—The two men who were supposed to have come out of the hotel, and the detective at the corner.

397. Then, the whole lot would swear to anything?—According to Mr. Broham, they would.

398. Are you a Prohibitionist?—Certainly I am.

399. Do you meet at Mr. Taylor's office at midnight?—When?

400. On any occasion—to see what you can find out?—I was not out with him on the occasion that is at present being investigated.

401. Have you been out on other occasions?—Yes, I have.

402. How many times?—Once.

403. What night was that?—It was subsequent to that. I do not know what night it was.

404. Where did you meet—at the office?—No, we did not meet at the office.

405. At midnight?—No, it was not at midnight.

THOMAS BARRETT, examined on oath.

406. *The Chairman.*] What are you?—Third-class constable, stationed at Christchurch.

407. *Mr. Kippenberger.*] How long have you been at Christchurch?—A little over seven years.

408. Do you know Mr. Taylor?—Yes, I know him very well by sight.

409. How long have you known him?—These last five years.

410. Do you remember the night of the 12th August last?—Yes.

411. Did anything happen to draw your attention to it particularly?—Yes. A report that Sergeant Wilson gave to me. He asked me if I had visited any of the hotels that evening, or had gone into any of the hotels.

412. Do you remember what time that would be about?—About twenty minutes past 1 o'clock.
413. Had you been in a hotel?—No. I replied to him that I had not.
414. You say, as a matter of fact, you had not been in a hotel?—I had not been in the Café.
415. Were you in Constable McKenzie's company?—No, not that evening.
416. Did you see Constable McKenzie anywhere that night, and if so, when?—I saw Constable McKenzie at 1 o'clock, in High Street. He was then in company with Detective Benjamin.
417. And did you see what he was doing?—Yes, they were arresting a man for drunkenness.
418. *The Chairman.*] Was that the first occasion you had seen McKenzie that night?—That was the first occasion.
419. You are quite clear about that?—Yes.
420. From the time you went on duty?—From the time I went on duty.
421. *Colonel Pitt.*] You saw him when you went on duty at 9 o'clock?—Yes, we marched out together.
422. *Mr. Taylor.*] Did you see nightwatchman Paget that night?—Yes.
423. Where?—In High Street. It would be about midnight the first time I saw him.
424. Whereabouts in High Street?—Near the Hereford Hotel corner.
425. What is your beat? What was your beat that night?—No. 1 beat.
426. What is the extent of it?—It starts from the Cathedral, along Colombo Street to Cashel Street, along Cashel Street to High Street, and then up High Street to the starting-point—the Cathedral.
427. When you came on that night, which street did you come down?—Colombo Street.
428. Then you went up Cashel Street, to what corner?—High Street and Cashel Street corner.
429. What constable were you talking to at High Street corner?—I did not meet any constable that night.
430. Did not meet any constable at all?—No.
431. Did you come from the Armed Constabulary into the Police Force?—Yes.
432. *The Chairman.*] You say you did not meet any constable at High Street corner?—No, I met no constable that evening.
433. *Colonel Pitt.*] Can you say what time it was when the "drunk" was being arrested?—Close on 1 o'clock.
434. Do you know the time nearer than that at all?—Not within half-an-hour—between 12 and 1 o'clock. It might be nearer 1 o'clock—probably was nearer.

DONALD MCKENZIE, examined on oath.

435. *The Chairman.*] What is your rank?—Third-class constable, stationed at Christchurch.
436. *Mr. Kippenberger.*] How long have you been in Christchurch?—About fifteen or sixteen months.
437. Did you go, as is alleged, into the Café with Barrett on the night of the 12th August last?—No, I did not.
438. Do you remember the date?—Yes, I remember the date referred to.
439. Did anything occur to draw your attention to it?—Early the following morning, or the following night, Sergeant Wilson mentioned the matter to me—about Mr. Taylor's report.
440. So that your attention was particularly drawn to what occurred that night?—Yes.
441. Had you been in company with Constable Barrett?—No.
442. *The Chairman.*] Not during the night?—Not during the night. I remember seeing Constable Barrett going along his beat about 11 o'clock.
443. Where?—In High Street, going along towards the Cathedral.
444. Where were you then?—I was at the corner of Cashel and High Streets.
445. *Mr. Kippenberger.*] On your beat?—Yes.
446. And he was on his?—Yes.
447. Were you wearing overcoats, do you remember?—Yes.
448. Both of you?—Yes.
449. *Mr. Taylor.*] Do you remember speaking to Detective Benjamin that night?—Yes.
450. What time would that be?—It would be after 12 o'clock—about a quarter past 12, I reckon.
451. Where did you report yourself to Sergeant Wilson that night?—I do not remember where it was. I remember where I reported to him once.
452. At midnight?—I think it was on High Street, near Tuam Street.
453. Will you be certain of that?—No, I will not be certain.
- 453A. *Colonel Pitt.*] Do you know the time?—It must have been twenty minutes to 1 o'clock. Judging from the time I was at the police-station afterwards, it must have been twenty minutes to 1, or half-past 12.
454. *Mr. Taylor.*] Where was Barrett standing when you saw him about 11 o'clock?—He was not standing at all.
455. Where was he?—He was walking along near the hall.
456. Where were you?—I was at the corner of Walker's, the tobacconist.
457. And you saw him near the hall: how far is the hall away?—I could not say exactly; it would be about 80 yards.
458. Will you swear that the hall is not 120 yards away from Walker's corner?—I will swear nothing of the sort. I never measured it.
459. You saw him about 11 o'clock?—I do not know what hour it was. I do not remember.
460. Do you not remember it was race-night?—No; not particularly.
461. Would there be many people about at 11 o'clock?—Not on an ordinary night.
462. On that particular night were there many people?—I could not say. I do not recollect.

463. Do you not remember the night, seeing your attention was called to it afterwards?—Yes; but as to the number of people I do not remember.

464. Could you distinguish Barrett from Walker's corner as far away as the hall?—I could not distinguish Barrett, but I could see it was a policeman.

465. Do you think you would be able to distinguish a policeman at the entrance to Arenas's hotel if you were under the verandah opposite?—Yes, I might.

466. Where were you when Benjamin spoke to you that night?—At the corner at Cashel Street.

467. Were you on the footpath or the road?—I cannot say exactly whether I was on the footpath or the road to an inch. I was about that corner.

468. What did he say to you?—He told me there was a drunken man lying in Tuam Street.

469. Did you go and arrest him?—Yes.

470. Would that be about twenty-five minutes to 1?—It would be hardly that time, because when I got to the police-station it would be about 1 o'clock.

471. What part of Tuam Street was the man in?—Between High Street and Manchester Street.

472. Did you walk him up, or take him in a cab?—I walked him up.

473. It would take a quarter of an hour, perhaps?—It would take more than that with a drunken man.

474. Twenty minutes?—More than that.

475. Would that make up the time between twenty minutes and half-past 12, when you were speaking to Benjamin?—Well, going down there would take ten minutes or a quarter of an hour.

476. *Colonel Pitt.*] Does the watch-house book show that the man was arrested at 1 a.m.?—Yes.

477. *Mr. Taylor.*] Did you happen to be standing at that corner when these two men, Benjamin and Fitzgerald, came up?—Yes, I was standing there about a minute or two before they came up.

478. What direction did you come from?—Up High Street.

479. How many minutes would it take you to walk from there to where this drunken man was?—Between five and ten minutes.

480. From Walker's corner to Tuam Street?—Yes.

481. How long would it take you to walk to the station from the corner—ordinary walking—five minutes?—No, about ten minutes.

482. Is that point half-way to the station?—More than that.

483. How much more?—I did not measure it.

484. Is it five yards more?—More than that.

485. Do you say that you could not go from Walker's corner and pick that man up and put him into the lockup within half an hour?—No, I could not, the state that man was in that night.

486. Did you have any assistance?—Yes, part of the way.

487. Who helped you?—Detective Benjamin helped me part of the way.

488. *Colonel Pitt.*] What does the time entered in the lockup book refer to?—The time when the man was locked up.

489. Does that refer to the time he gets to the station, or the time you arrested him in the street?—The time he is brought to the station.

490. Do you smoke?—Yes.

491. Does Barrett?—Yes, I think he does.

492. *The Chairman.*] Do you smoke on beat occasionally?—I do, late at night.

493. *Mr. Taylor.*] Do you know of a list having been sent round to defray the expenses of this defence?—The first I have heard of it.

494. Has a list gone round the barracks?—No, not to my knowledge.

495. Never been presented to any of the men?—No, not that I know of.

496. If any constable says a list has been presented to him to defray the expenses of this defence, is he stating what is untrue?—I do not know.

497. *The Chairman.*] It has not been presented to you?—Never been presented to me.

CLAUDE ALFRED MANNING, examined on oath.

498. *The Chairman.*] What are you, and where do you live?—My address is Opawa; I am an assistant barman.

499. *Mr. Kippenberger.*] In August last you were, I think, assistant barman at the Café?—Yes.

500. Do you know the two constables, Barrett and McKenzie?—Yes.

501. Did anything occur to draw your attention particularly to the night of 12th August? Do you remember inquiries being made about constables being in the house that night?—Yes.

502. Did any one see you about it?—No.

503. But you heard of the inquiries?—Yes.

504. It has been said that Constables Barrett and McKenzie were in the hotel about midnight on the 12th August. Is that true?—No, not to my knowledge.

505. *The Chairman.*] Were you about the house that night?—Yes, I was on duty that night.

506. *Mr. Kippenberger.*] What was your duty, after 11 o'clock, we will say?—My duty after 11 o'clock was to see that all boarders were in. Those who were out I was to wait up for them.

507. And at what door did you admit them?—The front door always.

508. Did you admit Barrett or McKenzie, or both, that night?—No, I did not.

509. Do you remember any people coming in after 11 o'clock, or about 12?—Yes, I do. There were two gentlemen came in—came to the door rather.

510. *The Chairman.*] What time?—I cannot exactly say the time. It was a little after 12 o'clock.

511. *Mr. Kippenberger.*] You are quite clear they were not Barrett and McKenzie?—Oh yes, I can swear that.
512. *The Chairman.*] Did you say the two men came into the house?—They rang the bell. I went to the door, and Mr. Beauchamp admitted them.
513. *Mr. Taylor.*] How long after 12 was it when these two men came in?—It was a little after 12 o'clock when they came in.
514. Did you not say just now they came to the door?—Yes.
515. Do you intend, then, to say they came in further?—Yes, they were admitted, but not by me.
516. Where does that bell go to from the front door?—It goes nowhere: just above the door.
517. Where were you when you heard it?—In the hall.
518. Do you stay in the hall?—Yes.
519. Until what time in the morning?—Until such time as all boarders are in the hotel.
520. What time do you start in the morning?—Half-past 6.
521. And what time do you finish?—According to what time they are all in.
522. On the average, what time do you finish?—Sometimes at a quarter-past 11, and at other times it is 3 o'clock. There is no night porter.
523. Were you there long?—I was there nine months.
524. Are you there now?—No; I left.
525. When did you leave?—New Year's morning.
526. Where was Mr. Beauchamp that night?—He was in the office.
527. Anybody else in the house?—At that time they were all in bed.
528. No one up except yourself and Mr. Beauchamp?—No.
529. What time was it?—A little after 12 o'clock.
530. Would it be half-past 12?—I would not swear to it. I would not swear to a few minutes.
531. Were you in and out of the house that night?—No.
532. For no purpose?—No.
533. You had your coat on?—Yes.
534. Did Mr. Beauchamp have his on?—Well, I could not say whether he had his coat on or not.
535. Will you swear that Mr. Beauchamp was not in his shirt-sleeves?—No, I will not.
536. What became of these two men when they came in: where did they go to?—They went nowhere. They were simply admitted by the door, and they stayed for about three or four minutes, I suppose, and then they went out again. They were in company with another gentleman at the time. When they came to the door the bell was rung. I answered the door. There were three of them. One gentleman said, "I have brought these two; they want beds." With that I called Mr. Beauchamp. He admitted the two gentlemen. Mr. Beauchamp sent me upstairs to see if there were any vacant rooms, as two beds were required. I came down, and said there were no spare rooms at all, and they went out again.
537. How do you know it was after 12 o'clock?—I heard the clock strike myself. I am generally watching the time.
538. Before or after these men came in?—Before the men came in.
539. You are sure it was not 11 o'clock?—I ought to know, when I shut the hotel myself.
540. When did you first hear of this question of Barrett and McKenzie?—The same night.
541. Who from?—Mr. Beauchamp.
542. Where?—At the Café.
543. Had you been to bed?—No, I had not been to bed.
544. Do you know it is contrary to the regulations for policemen on duty to go into hotels except in the execution of their duty?—Yes.
545. Supposing they had been there, would you be reluctant to state the fact?—Well, if they had been there, of course, it would be my place to say so.
546. Were you there when Sergeant Wilson called?—No, I was upstairs taking the numbers of the rooms.
547. What time would that be?—Well, it was about a quarter of an hour or twenty minutes after these gentlemen went out. It would be about twenty minutes. I would say about a quarter to 1 o'clock.
548. Do you think it would be about 1 o'clock when you were taking these numbers?—No, it would be about a quarter to 1, as far as I can remember.
549. Did you see Sergeant Wilson there?—No, I did not.
550. How long after he came was it, do you think, before you saw Mr. Beauchamp?—They had not gone above three or four minutes when I came downstairs. Mr. Beauchamp spoke to me then.
551. He told you that the sergeant had been in inquiring about two constables that were supposed to have frequented the house?—Yes.
552. You always admit lodgers by the front door?—Yes.
553. Admit anybody by the back door?—Never.
554. No one ever comes in by the back door?—Never. There is no back entrance at all.
555. *The Chairman.*] Is there a side entrance?—Yes.
556. Is that in use?—No; it is locked up at five minutes to 11.
557. And it is not used during the night?—Never. All boarders come in by the front door. I may say I left Mr. Beauchamp with the two gentlemen. He spoke to them for one or two minutes, informed them there were no rooms, and he opened the door and let them out.
558. What became of you then?—I was in the passage-way.
559. Where were you when the sergeant called?—Upstairs.
560. How did you come to go upstairs?—I was round taking the numbers of the rooms.

561. *Mr. Taylor.*] What does that consist of?—It consists of this: there is no night porter in the house, and before we can retire to bed, we have to see what boarders are in and what are out. The only way we can find out whether the boarders are in or not is by trying the doors.

562. What was the result of your visit that night?—There was one out—No. 29.

563. Was every room in the house occupied that night?—There was a large double room.

564. You did not offer that to these gentlemen?—No. They wanted single rooms.

565. Did you stop up for that one boarder?—Later on we went to bed. He rung the bell at a quarter-past 2, and Mr. Beauchamp got up and let him in.

566. You do not always stop up?—Yes, always.

567. How was it you did not stop up on that occasion?—One of us stops up.

GEORGE BEAUCHAMP, examined on oath.

568. *Mr. Kippenberger.*] What is your occupation?—Manager of the Café, Christchurch.

569. Are you now manager of it?—Yes, now. I was licensed at the time of this complaint.

570. You were manager last August?—Yes.

571. Do you remember the night of the 12th of August?—I do.

572. I think your attention was particularly drawn to that night because of the inquiries of Sergeant Wilson?—That is so.

573. Do you know the two constables, Barrett and McKenzie?—I do.

574. Were they in the hotel that night?—They were not.

575. Did any two men come to the hotel on or about the time it is alleged these constables came?—What time would that be?

576. Did any two men come to the house about midnight?—Yes, a little after midnight, I think.

577. What kind of men were they?—They were tall, stalwart men—tall in appearance, rather stoutish. They were men of bigger stature than myself.

578. How were they dressed, do you remember?—There was one of them, as far as I remember, dressed in an overcoat. I could not say whether they were both dressed so, but one, I noticed, had an overcoat.

579. What did they come for?—Accommodation for the night. They came from Mr. Warne's, fishmonger, by whom they were introduced.

580. *The Chairman.*] Did Warne accompany them?—Yes, he rang the bell.

581. *Mr. Kippenberger.*] Did they get any accommodation at the hotel?—No.

582. How long, do you remember, did they remain?—Well, I had to ask them inside until I ascertained whether there were any vacant rooms or not.

583. You found there were none?—I found there were none, and I told them I could not accommodate them. I suppose the time would be about ten minutes or a quarter of an hour.

584. During which they were there?—Yes; they were inside in the hall of the house that time, with closed doors.

585. Of course, you know these two constables, Barrett and McKenzie, very well, do you not?—Well, I cannot say I know them very well; I know them personally.

586. But I mean, as constables on their beats?—Oh, yes.

587. There can be no mistake in your mind as to whether they were there or not?—There is not the slightest mistake.

588. They were not there?—They were not there.

589. *Mr. Taylor.*] Were all your rooms full that night?—Yes, they were.

590. All of them?—All of them.

591. With no exception?—No exception whatever.

592. *The Chairman.*] Is that a fact within your own knowledge—that all the rooms were occupied?—Quite so.

593. You examined them?—Oh, yes; they were examined that night before retiring.

594. By yourself on that occasion?—By myself, also my assistant.

595. Are you swearing it as a matter within your own knowledge, or was it received only from your assistant?—From my assistant in the first case; from my own afterwards.

596. He has told us there was a double-bedded room not occupied?—I think not, because all the rooms are numbered before we retire. There was no room vacant to my knowledge. Had there been any rooms vacant these gentlemen would have got them.

597. *Colonel Pitt.*] Suppose they wanted separate rooms?—If they wanted separate rooms they could not possibly have got them.

598. *The Chairman.*] Can you say if there was any conversation as to this being the class of room they wanted?—I could not say.

599. *Colonel Pitt.*] Can you say whether a double room was offered to them or not?—I could not say that.

600. How many double-bedded rooms have you?—Six.

601. *The Chairman.*] So far as you know, there was no unoccupied room?—No unoccupied room in the house.

602. And you have no knowledge of a double-bedded room being offered to these men?—No, Sir.

CLAUDE ALFRED MANNING, further examined on oath.

603. *The Chairman.*] You told us, Manning, that one of these double-bedded rooms was unoccupied?—Yes.

604. And you have said, further, that these visitors desired single-bedded rooms?—Yes.

605. Did you yourself hear any conversation on this subject?—I told them myself that there was a double-bedded room, I think. I could not swear to that. I said to Mr. Beauchamp, "There

is a double room ; I opened the door." He said, "I do not think so." "Well," I said, "I opened the door. There is no one in it." Doors are generally locked.

HENRY PAGET, examined on oath.

606. *Mr. Kippenberger.*] What are you?—I am a nightwatchman in Christchurch.
607. And have been?—For five years nearly.
608. Do you remember the night of the 12th August last?—I cannot remember the date.
609. Do you remember a race-night—I suppose it would be the Grand National meeting?—I remember the incident of this inquiry.
610. Do you remember some complaint against the two constables, Barrett and McKenzie?—Yes.
611. Did you see Mr. Taylor that night?—I did not.
612. Were you in Cashel Street?—I was, at various places.
613. *The Chairman.*] Is the night clear in your memory?—Yes.
614. *Mr. Kippenberger.*] Were you anywhere near the Café about 12 o'clock?—A few minutes past 12. At five or ten minutes past 12 o'clock I was at the boot-shop corner at the intersection of Cashel and Colombo Streets.
615. And were you there for any length of time?—Two or three minutes, perhaps.
616. Did you see any persons going into the Café?—No, not until some time afterwards I saw Sergeant Wilson going there.
617. Did you pass along opposite the Café, past Taylor's, the grocer?—Not on that side.
618. Were you on the Café side then?—Yes.
619. Did you see anybody at Taylor's, the grocer?—I have no recollection of it.
620. Were there many men about?—No. For race-night, or anything like that, it was a remarkably quiet night.
621. Can you say how long, with some degree of accuracy, you were within view, say, of the front door of the Café?—Oh, perhaps only a few minutes. I went round the Triangle.
622. Do you remember where you saw Barrett that night?—I saw him just about 12 o'clock. It would be about two or three minutes of 12. I could not say whether it was before or after the clock struck.
623. Do you remember where he was?—He was then standing immediately opposite the Hereford. I met him just by Kenneth Matheson's. That would be a quarter of an hour afterwards.
624. In High Street?—Yes; immediately at the back of the Triangle.
625. That would be on his beat in the ordinary way?—Yes.
626. Did you see Constable McKenzie arrest a man?—Oh, some time previous to that he took in a prisoner.
627. *The Chairman.*] Previous to you seeing Barrett at the Hereford?—Yes, Sir; it would be a good bit before that, because I saw him coming out again.
628. Was Detective Benjamin with McKenzie when you saw him?—No; he was by himself when I saw him returning after taking the prisoner. That was some time previous—an hour, I should think.
629. Prior to you seeing Barrett at the Hereford?—Yes.
630. *Mr. Kippenberger.*] Who did you see first—Barrett at the Hereford corner, or McKenzie returning from having taken a prisoner to the lockup?—I saw Constable McKenzie returning to his beat some time previous to Constable Barrett being at the Hereford corner.
631. Do you know whether Constable McKenzie arrested more than one man that night?—Oh, yes; I saw him taking in some one some time after that—perhaps, two hours: it may have been an hour afterwards.
632. You kept no record of the times?—No.
633. What you do say, then, is that for a very considerable time during that night and early in the morning you saw both constables in the ordinary way, and doing their duty?—Yes. I next saw Constable McKenzie at the top of his beat. I was very near the bank. That would be just previous to my seeing Constable Barrett in High Street, the second time.
634. Were any inquiries made of you soon after?—Yes; by Sergeant Wilson.
635. You told Sergeant Wilson what you have told us here to-day?—Yes, something similar. He asked me more questions.
636. *The Chairman.*] You say you saw Constable McKenzie on two occasions, going to or returning from the lockup?—No, Sir. I saw him returning from taking a prisoner, and the next time he was taking some one in.
637. Was he alone on the second occasion?—No, there was some one with him.
638. It appears by the records that he locked up a woman at half-past 10, and a man at 1 o'clock?—Yes, that would be about the time.
639. *Mr. Taylor.*] Do you remember where you were when the clock struck 12 that night?—As near as I can say, immediately opposite Mr. Gunderson's. I was going up High Street when I saw Barrett at the Hereford corner.
640. If any person was at the front door of Arenas's hotel could you see them?—Oh, no.
641. Do you remember where you were at twenty-nine minutes past 12?—I was standing close on the half-hour near the bank—Wardell's right-of-way.
642. Exactly on the half-hour where were you?—I could not say precisely. I did not take the time.
643. Might you not, within three or four minutes of the half-hour, have been round the corner at the White Hart?—Oh, no, because Sergeant Wilson asked me the question.
644. What time did you see Sergeant Wilson?—I saw him come down and go into the hotel.

645. How long were they there?—Not many minutes—three or four minutes. I saw some men some time previous to that.
646. At half-past 12 exactly, can you swear where you were standing?—Not to a minute or two.
647. How long would it take you to get round the corner to the White Hart?—I did not go round the corner. I went across to the big lamp.
648. How long would it take you to get to the big lamp?—Well, it is only about 66 ft.
649. Would you get there at an ordinary pace in one minute?—Oh, yes.
650. Could you remember to the minute, when Sergeant Wilson asked you, where you were the hour before?—I go by the time it would take me to go to the various places.
651. Could you remember exactly where you would be at any minute during the hour previous to Sergeant Wilson speaking to you?—I did not take the time. I could not swear to positive time, within a minute or two.
652. How long would it take any one to walk from Arenas's to Walker's corner?—If it would take me a minute to walk to the big lamp, it would take me three or four to walk the other distance. If I was walking on business I could walk it in a minute and a half.
653. Is it not possible for a person to have come out of the front door of Arenas's and gone as far as Walker's corner about midnight, without you having seen it?—They may have done, but not at the time specified. I may state, I saw Detective Maddern hurrying down Cashel Street, and looking back, and I thought there was something on, and I hung about there.
654. Where were you?—At the boot-shop corner.
655. Where was he at the time?—He passed the A 1 Hotel and along by Lonargan's.
656. You could see him all that distance?—Oh, yes; the moonlight was on that side of the street.
657. How far is it from the A 1 to the boot-shop corner?—The width of the street, a chain.
658. Where did you come from at that particular moment?—I came from High Street.
659. Did you see any one between the A 1 and the Bank of Australasia?—I did not. I do not remember.
660. A good many things might happen between 12 and 1 o'clock that you would have no cognisance of at all?—Oh, yes.
661. *Colonel Pitt.*] Did you pass the Bank of Australasia that evening on the footway?—No, I stood there.
662. Which way did you go after?—I went across to the big lamp. I saw two men come from the Café, and I crossed to see who they were.
663. If you were standing opposite the Bank of Australasia, could there be any one on the footpath within 20 yards each side of you without your seeing them?—Oh, in the doorway, or anything like that.
664. *The Chairman.*] Did you know these men?—I did not know them.
665. Were they constables?—No. I thought they were at first.
666. *Colonel Pitt.*] What made you think that?—They had big black coats on, but I found they were wearing waterproofs, if I remember aright.
667. *The Chairman.*] Will you swear they were not constables?—Oh, yes. I was as close to them as I am to you when they passed me.
668. And about what time was this?—It must have been close on the half-hour, I think—about twenty minutes past 12.
669. *Mr Taylor.*] What time would that be?—It must have been well on for the half-hour.
670. Was it a fine night?—A beautiful night.
671. Had it been raining?—I do not think so. It was a beautiful night. The shadow was on that side of the street, and the moon shone very brightly on the other side. I think it was just about its height, as far as I can say.
672. Are you an ex-policeman?—I am.
673. When did you leave the Force?—I cannot remember just now.
674. Was in the New Zealand Force?—Yes.
675. Did you resign?—I did.
676. *The Chairman.*] Are you a constable now?—No, Sir.
677. *Mr Taylor.*] Had these men shakos on?—No.
678. *The Chairman.*] How long since you left the Force?—It must be sixteen years; I could not say precisely.
679. *Mr Taylor.*] Will you swear they were waterproofs these men were wearing?—They wore dark coats. I believe they were waterproofs.
680. Were they cape coats?—Yes.
681. Did you see any other men with cape coats on?—Yes, plenty of them; I had one on myself.
682. Did you see any other men with them on?—I could not say; I cannot say from memory.
683. Try and think?—It was simply through Detective Maddern's actions, and seeing Sergeant Wilson going there, I wondered what was going on. Detective Maddern was walking very quickly and looking back, and that is what led me to go along there.
684. *Colonel Pitt.*] After 12 o'clock that night did you patrol the footpath, on the side on which the Bank of Australasia is, from corner to corner?—Not from the A 1 to the bank. I went along Arenas's side, and I crossed over to the bank, and stood there.
685. When you were walking down on Arenas's side from corner to corner did you see any one on the other side of the road?—I did not notice any one in particular.
686. Did you notice any one by the boot-shop?—No; I had just left there.
687. Did you notice any one standing there between 12 and half-past 12?—No. There was some man standing at the other corner. I have no recollection of seeing any one there.

688. Could he be there without your seeing him?—I may not have noticed him. I would not swear there was not a man standing there, but I did not notice any one.

689. *The Chairman.*] Where did you cross when you met these two men whom you assumed to be constables?—From the bank, or Wardell's right-of-way, to the big lamp.

MAJOR CUNINGHAM, examined on oath.

690. *Mr. Kippenberger.*] You are a life-insurance agent, and reside, and have for many years resided, in Christchurch?—Yes, I have resided here for forty-two years.

691. Do you know the two constables, Barrett and McKenzie?—Yes, I know them.

692. What can you say as to their general reputation for sobriety and steadiness?—I look upon them as two very excellent constables—men of the first water, I should say, in their particular line of business. I am not intimately connected with them, mind you.

693. Do your observations lead you to that conclusion?—Certainly, beyond a doubt.

694. *The Chairman.*] What opportunities have you of knowing?—My business leads me into the street. I am always in the street. I have little official work to do beyond canvassing, and I am continually running against constables; and not only that, I have insured a great many of their lives for the Government. I know them all fairly well, but I am not on intimate terms with them.

WILLIAM ROBINSON, examined on oath.

695. *Mr. Kippenberger.*] You are a business-man in town; you have a shop in High Street: what is your business?—Boot and shoe shop.

696. You know Constables Barrett and McKenzie?—Yes.

697. How long have you known them?—I have known Barrett between five and six years, and the other constable about twelve months.

698. I think where your shop is you have a very good opportunity of observing the movements and doings of constables?—Yes, I have seen every constable for the last fourteen years passing my shop-door.

699. What can you say as to their character: you heard what the last witness said? Can you support what he says?—Well, I have known Barrett intimately, passing by the shop every day when he has been on the beat, and for my part I think he is one of the best there is in the Force for sobriety, steadiness, and straightforwardness, and I think the same of the other gentleman. I have never seen them the worse for liquor, or anything indicating that they took intoxicating liquors. I have always seen them obliging in every way to the people passing by the shop. They are never offensive to any one to my knowledge, and I think the two men are a credit to the Police Force in Christchurch—and I have the opportunity of seeing these policemen as much as any tradesman in the city, and that is my opinion of the gentlemen in question.

GEORGE BEAUCHAMP, further examined on oath.

700. *The Chairman.*] In the report furnished by Sergeant Wilson, he says: "Mr. Beauchamp stated that there had been no constables in his house at the time stated. He subsequently said that there were two young men from the country who came in about midnight, and claimed to be travellers, but he would not serve them. They were both very tall, and, he thinks, wore overcoats." Is that a correct report of what you said to Sergeant Wilson?—Well, possibly it may have been. I could not remember so far back as to the actual words—about being young men from the country.

701. But here you appear to have stated that these young men from the country represented themselves as travellers, and that you would not serve them. Now, you say, they were men introduced to you by Mr. Warne?—That is correct.

702. And you could not give them beds?—They did not ask for anything to drink.

703. How do you reconcile your present statement with this?—I would not be responsible for the sergeant's report.

704. *Colonel Pitt.*] That is a note the sergeant made at the time, when it would be fresh in his memory?—Quite so. I would not swear as to the words being used by myself.

705. *The Chairman.*] You have an opportunity now of corroborating your statement by calling Mr. Warne, who, you say, introduced these young men?—I do not think he has been subpoenaed on the case at all.

706. Where is he?—He lives at Sumner. He has sold out of his business. My assistant could prove Mr. Warne rang the bell and introduced these gentlemen.

STEPHEN MAITLAND KELSO, examined on oath.

707. *The Chairman.*] What is your rank?—Second-class mounted constable, stationed at Christchurch.

708. When did you join the Force?—I joined in July, 1881.

709. When did you get your first promotion?—I was not promoted to second class until March or April, 1892.

710. Where were you stationed when you first joined?—In Wellington.

711. Then?—Then at Hokitika, Greymouth, Westport, Reefton, Wellington again, and Christchurch.

712. How long have you been at Christchurch?—I have been at Christchurch seven years and six months.

713. You say in your letter to the Commission that seventeen constables, your juniors, were promoted from second-class to first-class in February, 1897, and February, 1898?—Yes.

714. And you ask for reasons for these men being promoted over your head?—Yes.

715. Did the reasons not appear in the *Gazette*?—None of the promotions appeared in the *Gazette*, with the exception of one man, Patrick Joyce, who was promoted on the 6th August, 1885, for extinguishing a fire. That is the only one that is gazetted. He is a junior to me.

716. Have you your defaulter's sheet here?—No. There is only one fine of 5s. against me.

717. *Colonel Pitt.*] How long ago?—About fifteen or sixteen years ago.

718. *The Chairman.*] Anything on your merit-sheet?—Yes. It is as follows: "18th June, 1890: Awarded £2, in recognition of services in connection with the prosecution of John Sterling, fined £20 and costs for sly-grog selling; and of John Smith, fined £2 and costs, and the forfeiture of three casks of beer, for keeping liquors for sale on unlicensed premises. Smith was also fined £10 and costs for withdrawing beer from a cask without destroying the duty stamp. 16th July, 1890: Award £1 10s., in recognition of services in connection with the prosecution of John Smith, convicted for a breach of 'The Beer Duty Act, 1886.' 11th February, 1891: Awarded £3 in recognition of sagacity and exertions in obtaining convictions for sly-grog selling at Reefton. 20th May, 1891: Awarded £1, in *re* conviction of Ellen Harding for sly-grog selling. 29th July, 1891: Awarded £4, for arresting a deserter from Her Majesty's ship "Curaçoa." Awarded long-service medal for good conduct in July, 1895." I would like to mention that I have been recommended for promotion on three different occasions: On the 26th August, 1884, by Inspector Emerson; on the 20th November, 1886, by Inspector Emerson; and on the 15th October, 1890, by Inspector Goodall. I will read what the Inspector wrote on that occasion: "In accordance with your verbal promise of to-day, I beg leave to submit this application and to recommend it to your most favourable consideration, the constable being a thoroughly good, energetic, and intelligent man, and well deserving of promotion." That was on the 16th October, 1890.

719. *Colonel Pitt.*] How do you explain these promotions never being gazetted?—The promotion from third to second class was never gazetted. The only promotion that has been gazetted was second to first.

720. *Mr. Tunbridge.*] You admit now, do you, that the promotions I made were gazetted?—Certainly—the ones made in February of this year.

721. And you think you were passed over by a certain number of the men then promoted from second to first class?—Yes; there were twenty-five second-class constables promoted then to first-class, and out of those twenty-five fifteen were junior to me.

722. You were advanced from third to second class on the 15th March, 1892, were you not?—Yes.

723. Are you aware that the junior man in the second class who was promoted on the date your name was advanced from third to second class on the 1st September, 1886?—I believe that is so. I believe they had been longer second-class than I have.

724. The difference between 1st September, 1886, and 15th March, 1892, is six years, is it not?—Yes.

725. As a matter of fact, then, the junior of those men that were promoted this year was six years in that second class before you were?—Yes, I believe that is so.

726. And yet you think you were passed over?—Yes.

727. If a passing-over took place, it took place in the promotion from third to second class, not from second to first?—That is so.

728. *Colonel Hume.*] In other words, your grievance is in 1886?—Yes, when these men were made second class before I was.

729. Do you happen to know who was Commissioner then?—I could not say now.

730. You do not know?—I could not say from memory.

731. You say these promotions were not gazetted: you are certain of that?—Yes, with the exception of one man, Patrick Joyce.

732. You have let twelve years elapse since an injustice has been done to you, and you have never said a word until now?—No, I have not; I had no means of knowing these men were made my seniors.

733. How did you find it out?—Because I saw their numbers in the *Gazette*.

734. And yet, with all these transfers you have had, you have never come across one of these men: you did not know there were some sixteen or seventeen men who had been improperly promoted over you? Is that what you say?—Well, I have come across men my juniors according to length of service—an odd one here and there—that has held the rank of second class, though my junior in the service; but for one or two I did not think it was worth while taking action, but when it came to such a number as this I thought it was only right that I should bring the matter forward.

735. There may be a great many more, for all you know?—Certainly, there may be.

736. This is the first complaint you have made about this?—Well, I made it officially in a report here.

737. To this Commission?—I reported here on the 15th October, 1890: "In submitting this application, I would most respectfully bring under the notice of my officer the fact that many men, my juniors as regards length of service, have held the rank of second-class constable for some time past." This went to Inspector Goodall, and was then forwarded to Colonel Hume.

738. What was my answer?—"Please inform Constable Kelso there are a considerable number of third-class constables before him on the list for promotion, and I can see no special grounds for promoting him over the heads of his seniors."

739. There you let the matter rest?—I did not see that I could do any more.

740. It did not strike you the next time I came round you could see me, and ask me how these men got over your head?—No, it did not strike me, certainly.

741. Is not that the proper way to act, if you have got a grievance? What do you think the Commissioner goes round for? Is not that one of the things he has got to find out—whether a man has a grievance or not?—I reported the thing in the usual manner.

742. Have you heard I was in the habit of jumping on people when they came to me?—No, I have not heard that.

743. Have you heard I was always prepared to listen to any fair grievance?—Yes, I have heard that.

744. And yet you did not think it was good enough to come to me?—I certainly thought that would end the matter. I did not see it would be any good going further with it. The principal reason that makes me come up now is that I see so many men going over me.

WEDNESDAY, 20TH APRIL, 1898.

JOHN JOYCE, examined on oath.

1. *The Chairman.*] You are a member of the House of Representatives?—Yes, for Lyttelton.

2. *Mr. Taylor.*] Have you been often applied to in connection with police matters as a member of the House?—I do not think any more than before I entered the House. I think I made more recommendations before I entered the House, because I was at one time a member of the New Zealand Police Force.

3. Have the men in the Canterbury District not seen you pretty often on police matters? I do not suggest any unfair recommendation, but simply if the men have gone outside the recognised channels in order to get attention in police matters?—That has been my experience, I have not noticed it.

4. How many men have seen you, since you have been a member of the House, on police matters?—I could not tell you.

5. Can you form any idea as to the number?—No, I cannot.

6. Have they pretty frequently interviewed you?—No.

7. Cannot you recollect any particular case?—Nothing out of the ordinary.

8. Did you ever have any interview with Detective Fitzgerald about a complaint he had?—Yes.

9. What was the nature of the matter?—He had been reprov^d, and removed from Lyttelton to Christchurch, and he thought he had been unfairly dealt with.

10. Was that in connection with a dispute between his sergeant and himself?—Yes.

11. Do you remember if he complained of the treatment he had received at the hands of the Inspector?—Yes.

12. Did you make any representation to the Minister of Justice in connection with his case?—I am not sure; but I recollect seeing Mr. Broham about the matter, and I went to him more because I had been an ex-police-officer, pointing out that I thought he had been unfairly dealt with, and I afterwards told Fitzgerald to wait patiently and no doubt the trouble would work out, that the officers would see he was a good constable and that he would get back his service and his position.

13. When did you join the Police Force in New Zealand?—1861.

14. And retired?—I resigned in November of 1862, and I was not relieved until May or June of 1863.

15. You retired to enter your present profession of law?—No, I was transferred into the law-courts. I had previously been in the Victorian Police.

16. Do you remember the case of a man named William Haydon?—Yes.

17. Did you recommend him for the Police Force?—I did.

18. How long ago is that?—I suppose two or three years ago.

19. Has he been in the Force all that time?—No.

20. When did he get in?—He joined either about the end of December last or the beginning of January this year.

21. Did you make any representation to the Minister of Justice on his behalf?—Only in a general way.

22. Did you see the Minister about him?—Very likely I did.

23. Did you know what his character was before he joined?—I did not, but I know he is a first-class constable in conduct.

24. Did you know what his character was before he joined?—No, except that it was good.

25. Had he a Police Court record?—I should be surprised to hear it.

26. Now, generally speaking, have men, so far as you know, by force of circumstances been compelled to seek political assistance?—Well, I will answer you in this way: I think the whole system of the Police Force is imperfect.

27. And of your own knowledge have not the men been under the impression that their only course to get recognition was to get political assistance?—I do not know that, but I imagine it would be so, because of the imperfect organization of the Force.

28. Would you approve of the suggestion that the Commissioner of Police should be independent of the Minister of Justice, and responsible to Parliament?—Yes, only to Parliament.

29. You approve of that suggestion?—Yes.

30. That the power of the Minister of Justice should be limited?—Yes.

31. You think that would put the Force in a better condition?—I think so. If that had been adopted under Colonel Hume's management there would be no necessity for this present Commission.

32. Have you inquired into the character of all the men you have recommended for the Force?—Yes.

33. Always?—Yes.
34. Do you remember a man named Michael Cassin?—I do not remember the name.
35. Do you remember any other particular instances where you made recommendations?—No, not unless you bring them to my memory.
36. They have been fairly numerous?—As numerous before I entered Parliament as since, simply because I am an ex-police-officer.
37. Have you any suggestion to make to the Commission as to ways by which you think the Force could be improved?—I think there should be a system of cadets, the same as in Victoria in the early fifties; that young men of good physique, moral character, and well educated should enter at the age of about seventeen. Their duties for the first two years should be clerical, and they should have technical training, and have a knowledge imparted to them of their police duties, and then legal knowledge; that for some time they should not be alone on the streets, but they should be in company with an experienced officer. I think there should be a pension; no money awards for any particular act of bravery or any marked ability shown in any case. There should be some honorary reward. Prior to the abolition of the provinces the police management throughout the provinces of the colony was very much superior than that since abolition. I think the efficiency of the service throughout the colony has degenerated in consequence of the militarism imparted through men coming from the Armed Constabulary and from the Permanent Artillery—not that the men were bad in themselves, but the system of their training militated against their police duties. I also think a police constable should be so instructed, that his conduct should be such that he should receive as much respect in carrying out his duties as the highest legal functionary in the colony. I do not know that I have anything else to say.
38. *Colonel Pitt.*] Can you give us any ideas about a pension scheme?—I thought it out some years ago, but I have not the papers with me. I think the pay of the police is not sufficient.
39. *The Chairman.*] Up to what standard would you fix the pay?—Not less than 8s. per day. That should be the minimum.
40. Would you fix it in respect to any other rates of wages paid for other classes in life?—I entered the police service in Victoria in January, 1855, so it is a long range from that time to the present, and I think 8s. per day as a minimum is as little as a police-officer can manage to keep himself on, free from any monetary difficulties, and there should be a hope that he would get higher pay, with good conduct and attention to his duties.
41. In expressing that opinion of 8s. per day, are you governed by any such principle as that to which I have referred—the rate of wage paid for other manual or skilled labour?—No, it is only what it would cost a man to live decently and pay his way. I know what it is to keep a family. I have had 8s. per day in the police, and I have had 10s. in Victoria, and I received my appointment from New Zealand to organize the branch of the service at Port Chalmers, in 1861.
42. Do you think that married men in the Force are entitled to any special consideration?—Yes; I think they should have a house-allowance.
43. Do you think, with a view to the efficiency of the Force, that marriage should be encouraged or discouraged?—Encouraged. The married men attend to their duties much better. They feel the responsibilities of the position, and are generally more reliable.
44. With regard to uniform: do you think that the men should provide their uniform, or that it should be provided for them by the State?—I think that the men should pay for their own uniform, but there should be a contract, and they should pay the minimum amount for the cost of the production and making.
45. *Colonel Pitt.*] Do you know of any Force outside New Zealand where the men pay for their own uniform?—In Victoria we paid for our own uniform; and before the abolition of the provinces the police also paid for their own uniforms.
46. Did they not get an allowance for uniform?—They did not when I was a member of the Force in 1861. Of course, in that answer you must take it that they should have a pay that would enable them to provide uniform like an ordinary civilian. Having a fair pay, they would have to provide their own clothes in any service, and, therefore, the uniform should not be provided for them in the police service.
47. *The Chairman.*] There is a new matter, arising from the present condition of things, on which I should like to have your opinion: do you think that the use of bicycles should be encouraged amongst the men?—I think so.
48. And do you think the department should provide the machines?—Most certainly. Any means of locomotion that will enable a constable to get to the nearest point of his duty should be provided by the Government.
49. Would you suggest the use of bicycles in all out-stations where they can be conveniently used?—Yes.
50. *Colonel Pitt.*] How long have you lived in Christchurch?—I have been here over nineteen years—that is to say, in the suburbs of Christchurch for six years, and the rest of the time at Lyttelton.
51. Having regard to that, and your former police experience, can you give us your opinion as to whether the force of Police in the Christchurch district is sufficient?—Well, I do not think it is, and my reason for giving that opinion is that for two years I was Mayor of Sydenham—from 1882–83 to 1883–84—and complaints were frequently made as to the insufficiency of the police protection, and in later years the people of Sumner have frequently complained of the want of police protection, and I have made representations to the Government on that question.
52. *The Chairman.*] Is there no police constable resident at Sumner?—I think, during the last twelve months, a man has gone down there during certain hours of the day. I know Colonel Hume, when Commissioner, tried his best to send men there, but I do not think the Government favoured the proposition on the score of economy.

53. You are not aware of any one being stationed there permanently, nor at New Brighton?—No.

54. *Colonel Pitt.*] What age do you think men should retire from the Police Force at?—Well, that depends. Some men are unfit at sixty, and others may go on till seventy-five. I know if I were a police-officer I should reckon to go on till seventy-five.

55. Do you think there should be a maximum age in the interest of the Force?—I do not think it. I am nearly sixty now, and I think I am as good in physique as I was at thirty.

56. *The Chairman.*] Putting questions to you, Mr. Joyce, and assuming you take a special interest in the Force from your earlier connection with it, do you think that depot training for youths and young constables is a desirable thing?—I think it is an absolute necessity.

57. You think a central depot for the training of youths or young constables would be in itself beneficial?—No, I would have one in each of the four large centres of the colony.

58. Would that not involve considerable additional expenditure?—No, it would not, with the technical instructors as we have them in each of the four centres. The expenditure would not be increased.

59. Do you consider that first aid to the wounded should be one of the subjects of instruction for constables?—Yes; and, as you are on the question of technical knowledge, I think upon entering the service a constable should look forward to some day attaining to the highest position, at any rate, on the Magisterial bench, as well as any position in the Civil Service.

60. *Mr. Poynton.*] You say you have been in the Court work?—Yes, I was Clerk of the Bench from 1863 to the end of 1867.

61. You know that a number of our constables throughout the colony hold such positions as clerks, bailiffs, &c.?—Yes, and they did so in Victoria in the early fifties.

62. Do you think it detracts from their efficiency in any way?—It does, owing to the dual authorities. I think it is a mistake that the Police service is under the Minister of Defence.

63. You think it should be under the Minister of Justice?—Yes.

64. I mean to say, as to the efficiency of a policeman: do you think it interferes with his duties as a policeman?—No, it does not, supposing there is no dual authority.

65. You think the dual authority is objectionable, but not the extra duties?—No, they are an aid to his efficiency.

66. Do you think that the increased knowledge of the inhabitants of the district that he gets, through being Clerk of the Court, and bailiff, &c., adds to his efficiency as a policeman?—Yes.

67. And would you be in favour of taking the emoluments away from him, and putting them, say, to a pension scheme?—Yes, I think all a constable should receive should be just the rate of pay of the grade to which he belongs, and any emoluments should go towards a pension fund.

68. Do not you think that would discourage him?—Nothing should discourage a constable in the discharge of his duty. He should look forward to attaining a higher position in the service of the colony.

69. Do not you think it would interfere with the civil business, supposing a constable got nothing for serving a summons, if the £1 which would otherwise go to him went to a pension fund?—That is one of the things which I think has tended to destroy the efficiency of the service: the fact that a constable can make 5s. or 10s. outside his ordinary pay, brings about jealousy and discontent amongst the various constables. I think, if a constable has certain hours for duty, it does not matter what he has to do, he should do it as his duty, and for the love of it.

70. Do you think a summons would be served as quickly and efficiently without the emolument as with it?—I think so. It is my experience of the men when I was in the service. It was simply a matter of duty, and how quickly the same could be discharged.

71. *The Chairman.*] If there was a neglect of duty it would be a subject for punishment or dismissal?—Yes; only in the present case it is a dual authority that destroys that part.

72. *Mr. Poynton.*] What about transfers? Do you think there should be periodical transfers?—Yes, absolutely.

73. What period, roughly, would you give?—I think constables about five years, and officers seven years. I think all the officers in the colony should have periodical transfers. It would tend not only for their own benefit, but for the benefit of the colonists generally.

74. *The Chairman.*] Do you extend that remark to the detective branch?—To all branches. I think the detectives should be transferred every seven years.

75. With respect to pay, you have given us an expression of opinion which I should like to get developed: do I understand you to say that the minimum should be 8s. per day?—Yes.

76. What should govern the rate of pay? Would you give a progressive pay for length of service?—No; I would not. The pay should be governed by rank.

77. Would you give the right to promotion after a certain period of service, provided always there was a clean defaulter's sheet?—Well, promotions, of course, must be governed first by efficiency and qualifications.

78. You think efficiency first, and not seniority?—No. I would assume that under a new management justice would be done to all the men: that if a man was senior in the service, and some one else was promoted over his head, he would feel that it was a right thing to do. I have known some men who were good constables, but who would never make good sergeants; and, referring to that question put to me just now, as to length of service governing the pay, I have been associated in the same service with men, some receiving 8s. per day and some receiving 10s. per day; and there was great discontent and dissatisfaction. Of course, under the cadet system that difficulty would not arise, because when a cadet passed his cadetship he would then become a constable and receive the minimum pay of 8s. per day, and rise up the scale as his merit entitled him, and, as I previously suggested, after a course of years he would grade into the law-courts, and so on.

79. *Mr. Poynton.*] Do you think the present number of ranks too many?—I think they are insignificant. I cannot understand this one stripe, and two stripes, and so on; and senior constable, and third-class detective, and so forth. I think it is unnecessary. It is cut up into too many classes.

80. How many ranks and classes would you have?—Simply constable and senior constable, and second class sergeant and sergeant. That was found to work very advantageously in Victoria in the fifties.

81. About Inspectors, would you have any officer between the rank of Inspector and sergeant?—Yes, a Sub-Inspector. There should be a Sub-Inspector for a district like Canterbury. It is too much to ask one officer to do all the duties.

82. Do you think one Sub-Inspector would be sufficient in this district?—I think so.

83. Would you have competitive examinations amongst the men?—Yes.

84. After becoming officers?—Yes, periodically. I should like to see the organization of the Police Force such that it would be an honour for any one to get into the service, and, when, in the greatest honour to remain in the service. And if I were a member of the Force I would head a petition to ask to have the parliamentary franchise taken away.

85. *The Chairman.*] Do you suggest competitive examinations for promotions from class to class?—Yes, and that would do away with the feeling of favouritism.

86. *Colonel Pitt.*] Is it a bad thing, in your opinion, for the police to have parliamentary franchise?—No. I simply give you what I would do if I were a member of the Force.

87. *Mr. Poynton.*] Not being a member of the Force, you do not care to give your opinion?—Quite so.

88. Did you give any attention to the competitive examination system when it was in force?—It was not brought under my notice, but I have always looked upon the organization as so imperfect. In fact, I have been trying to get a Royal Commission upon that subject for some years past.

89. You know it mainly broke down owing to jealousy amongst the men themselves, because those men on beat in the towns had not the leisure that the country men had, and had not the same access to books, and so on?—I can quite understand that.

90. Can you suggest a way of getting over that difficulty?—The whole question would disappear if there were cadets. It would take some time to work out the matter in a way that would be advantageous.

91. You think that could be got over?—Oh, yes; easily.

92. *The Chairman.*] There have been some suggestions made that I should like to take your opinion on: do you think that the efficiency of the Force would be assisted by placing it under local control instead of general control; that is, really falling back to a certain extent to the principle of the old provincial control, and making each separate police district complete in itself under its own immediate superintendent?—I should oppose that, for this reason: that after a few years the local bodies would have to pay for the cost of the police, as in England.

93. Would you not put them under the municipal authorities?—No; for the reason that the cost, ultimately, would fall upon the municipalities.

94. Then, another suggestion I would like to take your opinion on is: If the Force were placed under the Justice Department instead of the Defence Department, do you approve of the suggestion that the local Stipendiary Magistrates should be placed in a position to control it?—Well, from experience, I found it advantageous to be able to consult the Magistrate upon matters of detail and the ministerial work of his office—of course, not in regard to any individual case, but on matters of details—and it worked admirably in Victoria, as well as in Otago, when I was in the Police Force there.

95. *Colonel Pitt.*] Do you not think it would weaken a Magistrate's position, and give rise to his decisions being misinterpreted, if it was understood that the police had a right to consult him specially in connection with a case coming before him?—I can only speak from experience. Such a difficulty did not occur either in Victoria or in Otago in my own experience.

96. What is the minimum age at which you think a man should be allowed to go on active police duty?—I do not think a constable should be allowed to have charge of a beat until after he has attained to the age of twenty-one years. They should enter at seventeen, and do certain duty, say, from 8 to 12 at night, at certain times in company with an experienced officer or constable, so as to learn their duties; that after being in the service four years they would have sufficient knowledge and judgment to take charge of a beat. I was only twenty-two when I was appointed to take charge and organize a branch of the service in Otago.

97. You would put men on police duty as early as twenty-one?—Yes; and that is assuming he had been a cadet for some time before that, and had been in company with an experienced officer on beat duty.

98. *The Chairman.*] You would give them four years' training, from seventeen to twenty-one, before putting them on street duty?—Yes.

99. Have you thought that matter out, and has it not occurred to you that it is a very long preliminary training?—No, because there are times at night when two men are necessarily together, and therefore the cadet could be one.

100. I mean, training as from seventeen years of age?—But they are on duty the whole time. They have work to do; there is plenty of work in police-offices in districts like Auckland, Wellington, Christchurch, and Dunedin.

101. They could be out on beat?—No, there are office duties—they should learn everything. For instance, there are duties performed by constables now, and these constables could do other duties. You will know from Inspector Broham that I suppose he has two or three men, and sometimes four men, such as watch-house keepers and clerks. Well, all these duties the cadets would

learn; and then there would be a certain amount of patrol duty in company with an experienced police-officer.

102. Referring again to your experience as a police-officer: we understand that the hours of night duty are from 9 p.m. until 5 a.m., that is, eight consecutive hours, no matter what the weather is?—It is too long.

103. Can you make any suggestion to improve that matter?—I think not more than six hours' continuous duty should be done.

104. We are informed that eight hours' night duty is the system even in London; do you think that conditions are at all similar in that respect?—Well; I do not know anything about the police duties in England, but I may tell you that the gloomiest part of my police experience in Victoria was, once in every three months, having to discharge twelve hours' night duty for a week, from 6 at night until 6 in the morning. It came to my turn once in every three months, and that experience I shall never forget—those long wretched hours. Of course, we had to do eight hours pretty frequently; but, I do not think a constable should be asked to do more than six hours continuous duty. There is this further reason, that a man on night duty is frequently called out through the day to attend the Court, or some ceremonial parades, or inspection parades, or other things. The hours are, therefore, too long at present.

105. As a matter of fact, is it necessary for constables who have been on duty for eight hours during the night, and who go off at 5 in the morning, to attend the Court frequently at 9.30, or earlier, for Court purposes, and to keep in attendance until the case has been disposed of?—Yes; and, if the case is at all difficult, he would have to be at the police-office before 9.30, so as to give the information necessary to secure a conviction, or to have the case properly tried.

106. *Colonel Pitt.*] Could that night duty be reduced from eight hours to six without materially increasing the strength of the Force?—Very easily, with the cadet system.

107. *Mr. Poynton.*] About how long do you think the leave should be accumulative? At present a constable has twelve days in the year only, and if he does not take that one year he is not allowed to take it the next: do you think it should be cumulative up to a certain number of years?—I think so. Of course, it would have to be under proper regulation.

108. It has been suggested that the leave should be allowed to accumulate up to twenty-eight days?—I was going to say thirty-six days—three years' leave.

109. *Colonel Hume.*] You stated you considered the whole system of the Force imperfect, and that, I take it, is of some years' standing?—Yes, from 1875, from the time when the Force became amalgamated with the Armed Constabulary.

110. Can you point to any case where you think this imperfection has been aggravated, say, within the last ten years?—Well, yes, in the case of the men taken out of the Permanent Artillery. I think good men have been spoilt. They would have been splendid men to have remained in the Permanent Artillery, but their training in the Artillery unfitted them for police duties. This artillery spirit has got right through the service, and so unfitted them for police work.

111. You stated that men sometimes went to you with complaints, and that you recommended men sometimes for appointment to the police: is that exceptional in the police? Supposing a railway man had a grievance, would he go to you?—Certainly.

112. And you do not think it exceptional in the police?—No.

113. And do you know of any service it is not done in?—Well, it was done in Victoria when I entered the service, in January, 1855, and it has been my experience ever since. As I said to Mr. Taylor, I think I made more recommendations before I became a member of the House than since.

114. And if you thought a man in a Government department had a genuine grievance you would not hesitate to bring it before the Minister?—No, indeed, I would not.

115. I would like to get your opinion as to how you think defaulters' sheets ought to be treated?—Well, of course, that would depend upon the offence committed. I have known men to be punished for the most trivial things.

116. Should Inspectors, first of all, have powers to punish?—For certain offences, certainly.

117. And then the next power, in your opinion, would be only the power of the Commissioner?—I think the only reference to the Commissioner should be in the case of dismissals. All other punishments should be meted out by the Inspector in charge.

118. It has been suggested to the Commission that there should be a Board: do you agree with that?—No, I do not. In fact, a Board would not be required under the suggestions I have made. The education and training of the men under the cadet system would be such that the offences would be very few. Education would step in, and so save a lot of trivial grievances.

119. Well, you have seen a good deal of the Force at both Christchurch and Lyttelton: do you consider that at the present moment the Force is an efficient Force?—Well, I consider its organization is bad. The men themselves are a fine lot of men, and I think they have tried to do their duty, but, with our imperfect licensing laws, and other conditions, they have not a chance. Of course, you must bear in mind my opinion is that it is due to their imperfect training; and all the years I have been in the colony constables have generally had the idea that they must not do very much with the licensing laws. That, of course, I have disagreed with.

120. As you have touched upon the licensing laws, you and I have had a good many conversations from time to time on the licensing laws?—Yes.

121. And, from any remarks that have ever fallen from me, have you gathered that I was not most anxious to carry out the liquor laws?—I believe you have ever been anxious to do your duty to the colony generally and to the Force under your command.

122. Did you ever think there was a power above me that was trying to prevent me?—No.

123. No remark I have ever made would have induced you to think that?—No.

124. There was once an examination: did you ever see the paper of questions that were submitted to the constables to answer on that occasion?—No.

125. *Mr. Tunbridge.*] Speaking about cadetships, I think in Victoria that system of cadets applied to young men about to become officers in the police?—That is all.

126. Not to the constables?—No.

127. *The Chairman.*] Do you suggest it in the same restricted way?—Oh, no. That is why it was so imperfect in Victoria and broke down.

128. You know it has been abolished for many years in Victoria?—It was abolished before I left.

129. Do you not think if there was a central depot in which young men could go for a period of training, that would meet the requirements?—No, absolutely. I should fight against it tooth and nail.

130. Why do you think one depot would not be sufficient?—Because there is technical knowledge required here that cannot be had in Wellington, and, in the same way, certain knowledge can be obtained in Auckland and Dunedin not to be procured here or in Wellington.

131. Do you think in the four centres of population the conditions are so very different that the constables would require to be trained specially for each particular district?—Yes; and in the rotation of removals they would acquire a knowledge of the various centres of the colony.

132. Do you not think, if that were so, it would very much hamper the action of the police authorities in moving the men from place to place?—No.

133. Do not you think it would render it almost impossible to remove a man from one place to another?—They would only be trained here in a knowledge of this place, and then they would acquire general police duties in Wellington. It is technical knowledge I mean. They would get better technical knowledge in Christchurch than in Wellington; there are greater advantages, scholastic and otherwise, here than in Wellington, and the same may be said of Dunedin. Indeed, there are greater advantages in Dunedin in some things than in Christchurch.

134. But the laws of the colony are the same all over the colony?—Quite so.

135. The only variation is the by-laws of the different places?—Yes, the technical instruction to be obtained. I think Wellington is ten years behind Christchurch in technical knowledge. But you have some advantages in Wellington we have not in Christchurch.

136. Do you think that applies to the duties of a police constable?—Oh, the mere duties of a police constable may be learned in about a month.

137. Do you not think all the constables might be properly taught in one depot and not in four?—I do not see the advantage. They could be taught here without any extra expense.

138. But you would require an extra staff at each place?—I do not think so, for police duties. I think Mr. Broham could set papers for each day in about five minutes for cadets, and he could train them without any additional staff. But it is technical knowledge I most refer to in my previous evidence.

139. What do you consider the maximum age should be for men joining the Force?—Thirty.

140. At present are you aware it is forty?—I am not aware, but I should not be surprised, because at present the whole thing is so imperfect.

141. As regards monetary rewards, you would abolish them?—Yes.

142. You would have some record of merit?—Yes.

143. Would you give the men what are termed "merit badges"?—Well, whether merit badges, or something engrossed on vellum, it should be something they would be proud to look upon.

144. Are you aware there are such things as merit badges in some Forces?—I am not aware.

145. Do you think it would be acceptable to the men?—It depends on the form. It should be something that would look nice.

146. *Mr. Tunbridge.*] You advocate competitive examinations?—Yes.

147. Well, now, has not your experience as an old police-officer, and your experience of the law since, proved to you that the man who can express himself on paper is not in practice the best police-officer?—Well, a part of the competitive examination would be oral.

148. But is it not known that a man who can express himself on paper can generally also express himself orally?—Yes, but the examiners would be experienced in police duties, and would take all the conditions into consideration.

149. Have you not realised that a man who had not the advantage of a good education might be all his life a third-class constable?—That would not arise under my system. They would start at seventeen years, and I would have it a condition that they should have a certain standard of education before they entered; and they should look forward some day to taking the highest positions in the colony. The constable should look forward to taking as a reward the highest position in the department.

150. Do I understand you to say that Stipendiary Magistrates should have power over the police?—No, certainly not, but that the police should be under the same department as the Stipendiary Magistrates.

151. As a matter of fact they are now?—I understand not.

152. They are under the Justice Department?—I thought under the Defence.

153. You say you think the hours of night duty too long?—I am sure of it; that is, bearing in mind the hours a constable may have to give the next day attending the Court, and ceremonial and other parades.

154. Do you know of any other Police Force where the night duty is not done in one term of eight hours?—No, I do not, but I always thought it too long.

155. You do not think the climatic conditions are any more telling on a constable here than in Australia?—No, but I think we could improve on the other colonies. I do not think that the Government should see how many hours and how much work they can get out of a man, but that they should try and elevate every constable into such a position that they may get the best possible work out of him, mentally, physically, and otherwise.

156. Do not you see if you were to break up what might be termed the hours of night, you might rather be inclined to create a difficulty in fixing the responsibility?—Not the slightest.

157. Of course, you are aware that the hours of burglary are from 9 at night until 5 in the morning; if you were to put various constables on the same beat during the hours of night, would you not find some difficulty in fixing the responsibility, assuming a burglary had been committed at a place, it would be a question as to the time when the burglary took place?—Yes; but as you regulate the hours now for beat duty, so you would under the new system.

158. When do you think night duty should begin and end?—I think at 10 p.m., and end at 4 a.m.

159. Well, throughout the greater part of the year there are several hours of darkness after 4 o'clock in the morning?—Yes; and therefore you would have these young cadets patrolling under experienced police constables up to 10 o'clock.

160. Briefly, you think eight hours too long?—That is, if you want to have a first-class constabulary, and to get the best possible work in every sense of the word.

161. Of course, you realise that to carry out your ideas it would mean a tremendous increase of expenditure?—I do not think that should be considered; and I do not think there would be such a tremendous amount of expenditure. I know thousands are thrown away in every colony on objects far less worthy of consideration than that of which we are now speaking.

162. You consider the provincial Forces were very much superior to the present one?—Yes.

163. And, as a matter of fact, it was very much more expensive?—I do not think so. The rates of pay for working-men were higher in the sixties than they are to-day.

164. For instance, in this province there were in those days no less than five or six officers?—I do not know.

165. At present there is one?—I do not know.

166. Well, take in Otago: what is now the Otago district, with but one officer, there were five or six officers?—Yes; there were three or four officers.

167. Well, that, of course, would mean increasing the expenditure up to 200 or 300 per cent.?—Well, if you apply that to other departments, I think law and order should be the first consideration for the government of a country.

168. As regards transfers, you are advocating periodical transfers of ranks?—Yes.

169. Do you not think it is a mistake to transfer detectives?—No, I do not, and I will give you this reason: they become too well known for one thing. A detective is supposed to move about, and not be generally known.

170. Do you not think that a detective is practically useless unless he knows the people to whom he can go for his information?—I have known a lot of the detective service. I have had detectives under my control, and they cannot do very much without information; and, no matter where they are, they have to fossick it out, and they can do it in a new district as well as an old one.

171. But until they know the persons from whom to get information they are not of much use?—Supposing, there are three detectives in Christchurch. Well, at the end of seven years, the time for a removal, you are not going to remove the whole three of them at once. You would only shift one at a time, and then the remaining two would have all the information necessary, and could impart what information was necessary to the new arrival.

172. You think they would do it in a mutual spirit?—I am assuming that the Police Force under the new organization would think of duty first and themselves last.

173. *The Chairman.*] According to your system, jealousy between the individuals would pass away?—Yes; there would be a spirit of emulation, with each one trying to get into a higher grade of the service.

174. That is the ideal?—Yes. Why should they not look forward to becoming Police Magistrates? They would make splendid Police Magistrates.

175. *Mr. Tunbridge.*] You think the present licensing laws are not sufficient to enable the police to cope with the evil?—It is impossible.

176. Have you any suggestion to make in which way they could be strengthened?—I could talk about that in another place.

177. Do you know the Imperial Act, where it makes it an offence for a person to be found on licensed premises during prohibited hours?—Well, I think a man who enters a licensed house should be punished quite as much as a publican.

178. Are you familiar with the Alcoholic Liquors Sale Control Act Amendment Act of 1895?—I know something about it.

179. I will read you the last part of section 22, subsection (5a): "It shall be lawful for but not obligatory upon a licensee to sell liquor at any time to any person being really a lodger living or staying in the licensed premises, or a *bona fide* traveller seeking refreshment on arriving from a journey: Provided that the liquor so sold is personally consumed on the premises by such traveller and by no other person." Do you not think it would materially strengthen the law if the words "or lodger" were inserted, after the words "by such traveller," so as to make the clause read, "Provided that the liquor so sold is personally consumed on the premises by such traveller or lodger and by no other person"?—I think I had better give an opinion upon that idea when I get to the House.

180. Still, you know, the question as to lodgers is a very serious one?—Yes, the licensing laws are very imperfect.

181. *The Chairman.*] You have expressed the opinion that persons found on licensed premises at illegal hours should come within the law?—Yes.

182. With regard to defaulters' sheets: we have had many instances of constables complaining that, after a lapse of ten or twelve years, some record for a minor offence is brought

up against them: do you suggest that it is desirable that records on defaulters' sheets for minor offences, such as absence from parades, or late on parade, should be cleaned off after a period of clean service; that is to say, if nothing is marked against him for five years, should he have a clean sheet?—Yes, I should have suggested five years; and, further, that no record should be made without notice being supplied to the constable.

183. *Mr. Tunbridge.*] Then, if your idea with reference to five years were carried out, do you not see that a constable who had been the whole of his service a well conducted man, with no report against him, would be placed on an equal footing with a man who, perhaps, had been reported several times?—A man who had been reported several times would, I think, be unfit for the service.

184. I mean for trivial offences?—Then, probably, you should have something against the officer, because the officer is as much to blame as the man.

185. Do you not see that a well conducted man might very well complain that he was in no better position than one who had been reported on several occasions?—I think that after a number of years a man who had committed a trivial offence should be able to redeem his character absolutely.

186. *Mr. Poynton.*] You say that an Inspector should punish for all offences, and that only in cases of dismissal should the matter be referred to the Commissioner?—Yes.

187. Would you give a constable the right to have his case tried before a Stipendiary Magistrate instead of his Inspector, if he wished it?—I have always thought that that procedure was not only a reflection upon the police administration, but also on the police generally. I think he should have the right of appealing to a Magistrate.

188. I do speak of an appeal; but when a charge is brought against a constable, would you give him the right to have that tried by a separate tribunal?—I would have it that it should not be heard in open Court, because I think it is a reflection upon the police administration to have the administration made public.

189. Well, it could be heard by the Magistrate in *camera*?—Quite so; I think that would be an improvement.

190. *The Chairman.*] Would you give that, as a right of appeal from the decision of the Inspector?—Yes; but to be heard in *camera*.

191. Would it not tend to create a very unsatisfactory feeling, as between the officer and the constable, if the constable was called upon at once and said, "I decline to be tried by you; I shall be tried by somebody else"? Would it not be better for a constable to submit to be tried by his officer, and then, if he felt aggrieved at the decision, to elect to be tried by some other tribunal?—That amounts to the same thing. He could elect to have his case tried afterwards.

192. But the election would amount to a suggestion that he would not receive justice from his officer, and that would necessarily create a bad feeling when there was no occasion for it?—The colonists of Australia have been educated up to this right of appeal, and to take it away at the present time would, I think, be very unwise. I think it was a pity it was ever introduced; but, as it has been in force so long I think it would be a great pity to alter it at the present time. I think in the course of years with a different organization there would be no necessity for it. Of course it never existed when I was in the service, either here or in Victoria.

193. I am not asking you about taking away the right of appeal, but whether it would not be better to have his case tried by the Inspector first, and give him the right of appeal afterwards?—That is what I intended to say; to be tried first by the Inspector, and then the right of appeal *in camera*.

194. *Mr. Tunbridge.*] You know the men have the right of appeal at the present time from the Inspector to the Commissioner?—Yes; but that is only from "Philip drunk to Philip sober." I would not put the Commissioner in that position, because he is bound to stick up for his officers.

195. Do not you think it is going to undermine the authority of the Commissioner?—Not a bit.

196. Where would you let the Commissioner come in?—He would remain outside altogether; and if he thought the Inspector travelled beyond his bounds he could "sack" him.

197. You know the Commissioner has no power to "sack" an Inspector?—Well, under the new arrangement you would have all power.

198. Would you say the Commissioner should have power to stop an appeal to the Stipendiary Magistrate?—Certainly not.

199. Assuming the Commissioner was dissatisfied with the decision of the Stipendiary Magistrate, would you give the Commissioner power to review that decision?—Not a bit of it.

200. Then, I see, you shut out the Commissioner altogether?—Not a bit of it; you could discharge the man if you liked.

201. That would be reviewing the decision?—No, because Parliament might come down and "sack" you. What I should like to do is to raise the status of the Inspector between himself and his men.

202. *The Chairman.*] We have had cases before us showing that, where appeals have been made from the Inspector to the Commissioner, the Commissioner has over and over again said, "I will take the opinion of the Inspector as against that of yours, or twenty like it"?—Yes.

203. And to avoid that you suggest the right of appeal should be given to the local Stipendiary Magistrate?—Yes. I have not been unfortunate enough to be a delinquent in that respect, but I have worked with seventy or eighty comrades in the Water Police service, and I have known men to be punished, and apply to the Inspector for a rehearing, and the Inspector has upheld the decision of the intermediate officer.

204. *Mr. Tunbridge.*] You referred to minor offences: would you consider drunkenness a minor offence?—It just depends. I should consider drunk on duty a very serious offence.

205. Then, you would not give the Stipendiary Magistrate power to deal with that case?—That would depend on your instruction to your Inspectors. If you told your Inspectors there were certain offences they might deal with, and other offences which they must report to you; and if drunk on duty was one of the offences they must report to you, you would have the control.

206. Do you not think that would be likely to cause very great dissatisfaction with the men?—I should not think it, because I am assuming you will do justice to all men.

207. Do not you think there would be a good deal of force, if a constable were to reply to this effect: If I am caught gossiping on duty—a minor offence—I have the right to go to the Stipendiary Magistrate, an independent authority altogether, to have my case heard; but, if I am being charged with being drunk, which is practically the most serious charge which can be brought against a policeman, I have not the right of that independent appeal: do you not think there is a good deal in that argument?—Of course, drunkenness is a crime under the statute.

208. But there are degrees of drunkenness: a man may be under the influence of liquor so as to render him incapable of police duty, but not drunk enough to be locked up?—In any answers I have given I have assumed you are going to do justice to all parties, and that in issuing your instructions to the Inspectors you will do so advisedly, so that there may be no friction between constables and Inspectors. Of course, you could raise fifty questions as to what may happen, but is not likely to happen.

GEORGE BOWRON, examined on oath.

211. *The Chairman.*] What are you?—A leather merchant.

212. *Mr. Taylor.*] Do you remember an incident in connection with a policeman in July, 1896, which happened in Manchester Street?—Yes. During one day in that month I was going home at dusk, and I saw a policeman reel about the street from one side to the other.

213. *The Chairman.*] In what street?—In Worcester Street, near Manchester Street. When I came opposite to the constable he accosted me, and talked a lot of nonsense, and finally wound up by threatening to run me in. I wanted him to do that, but he cried off. I then went to the police depot and reported the matter to the officer in charge, and I believe that the matter was dealt with by the authorities here. I was called to give evidence at some inquiry.

214. *Mr. Taylor.*] Did you act as chairman of a committee in 1895 with a view to ascertaining whether the police were enforcing the licensing laws, or keeping an eye on the conduct of the business generally?—I did not act as chairman; I was a member of the committee.

215. Comprising various citizens?—Yes.

216. Can you remember the names of any others on the committee?—The Rev. Mr. Watson, and Rev. Mr. Erwin.

217. Did the committee collect a considerable amount of evidence?—We had several meetings lasting one or two hours each, and had a good many witnesses in.

218. Do you remember any immediate result of the inquiry?—No; I cannot say.

219. Was not one result of the inquiry that a petition was lodged against the renewal of the license to Coker's Hotel?—Yes, that possibly would be a direct result of it. I did not remember that.

220. Do you know if the evidence taken was brought before Bishop Julius in any way?—Yes, and I think as a result he either headed or signed the petition in reference to closing Coker's Hotel.

221. What opinion did you form, as to the way the police inspected and controlled licensed houses in Christchurch, as a result of that investigation?—The only conclusion any man could come to would be that the supervision by the police was extremely lax, both as regards the hotels and brothels in the city. I think quite as much as regards brothels as regards hotels, if not more so. The evidence given as regards the conduct of brothels and some two or three constables was simply abominable. Of course, this was not given as evidence against the Force as a whole, but simply against two or three constables.

222. One direct result was that there was strong representations made by prominent citizens to the Licensing Committee in reference to a number of hotels?—Yes, and Coker's Hotel specially.

223. *Colonel Pitt.*] Is that hotel still licensed?—It is.

224. *Mr. Taylor.*] Do you think the enforcement of the licensing law is any better than it was then?—That is rather a big question. I have not been taking any active part in the matter, so I would not like to express an opinion.

225. *Colonel Pitt.*] Within your own knowledge, were any of the licenses of any of the hotels complained of taken away in consequence of representations made to the Licensing Bench?—Not that I am aware of.

226. *Mr. Tunbridge.*] Representations were made to the Licensing Bench, I presume?—Yes.

227. Not to the police?—No, not as regards these complaints.

228. And you are aware, of course, that the police have no control over the Licensing Committees? I am perfectly well aware of that.

229. *Colonel Hume.*] You gave us to understand that this constable who accosted you in the street was not altogether sober?—I said he was drunk.

230. Is he now in Christchurch?—That I cannot say. I do not keep an eye on all the constables in Christchurch.

231. Do you happen to know whether he was punished for that at all?—I cannot say. I only know it by hearsay, and I am told hearsay is no good.

232. Your committee came to the conclusion that the police neglected their duty as regards hotels?—Yes.

233. Can you tell us how they neglected their duty?—What I know myself is this: I am passing about through Christchurch in the ordinary course of my business, and I am constantly seeing drunken men going into hotels, and if I take the trouble to wait I do not see them come out again.

234. *Mr. Taylor.*] You are speaking of the present time?—Yes; it is a thing I am constantly seeing. The men have been absolutely drunk, and they go in and stop in these hotels, and I have waited sometimes ten minutes with friends to see if they came out.

235. *Colonel Hume.*] Then, you are in the habit of doing a little bit of detective work yourself?—No.

236. Then, why wait at these hotels for ten minutes?—I am a member of the public, and I like to see if these laws are enforced.

237. Well, then, it was on account of the committee hearing that drunken men were in the habit of going into hotels and not coming out again, that led to this petition being set up?—I did not say that. It was in consequence of evidence which this committee took, and which they considered probably as correct, that this petition was got up.

238. Now, so far as your own particular knowledge is concerned, the only irregularities you have seen have been drunken men going into hotels and not coming out again?—That is so.

239. You cannot give us any information about Sunday trading?—Not of my own personal knowledge, except that I often see drunken men about on Sundays, and you can form your own conclusion about that.

240. Nor can you give us any information about the sale of liquor after hours?—No.

241. As regards brothels, can you give us any information about them of your own knowledge?—No; I do not frequent them.

WILLIAM WILCOX TANNER, examined on oath.

242. *The Chairman.*] You are a member of the House of Representatives?—Yes, for Avon electorate.

243. *Mr. Taylor.*] With regard to the alleged political influence in connection with the Police Force, can you tell the Commission anything in connection with that?—Of my own knowledge, I am not really aware of political influence being used. It is a subject to which I have paid very little attention.

244. You have not personally been troubled much by men in that connection?—Not by policemen; but I have by applicants who wished to enter the Police Force, or the Permanent Artillery.

245. You have had numerous applications of that kind?—I should not say numerous. I suppose during the last six or seven years the total number may be possibly a dozen.

246. Have any men, or has any man, applied to you with a view to getting exceptional treatment?—Yes, a member of the Permanent Artillery and a member of the Police Force—one of each.

247. Have you declined to interfere?—Most certainly. I ignored the request, and burnt the letter.

248. In regard to the enforcement of the licensing law? Of your own knowledge, can you say anything on that score?—Well, I am in a peculiar position in regard to that. I have made given statements in my place in the House, under a sense of public duty, on matters of which I made myself cognisant at a given time, but I had no idea of ever giving publicity to that statement, and I should not have done so had not things in the House been somewhat strained and exceptional.

249. On that occasion you mentioned that you visited certain hotels on Sunday night, and saw the licensing law openly defied: I think that is the character of your statement?—I am not prepared to renew that statement here at the present moment.

250. I propose to ask you what hotels you visited on a Sunday night in Christchurch?—In that case I decline to give evidence which recapitulates what was stated in the House.

251. I will ask you whether the statement you made in the House is correct?—Most certainly.

GEORGE JOHN SMITH, examined on oath.

252. *The Chairman.*] You are a member of the House of Representatives?—Yes, for Christchurch City.

253. *Mr. Taylor.*] Have you had any applications from members of the Force with a view to securing exceptional treatment for-themselves through political influence?—I have had applications both for transfers and promotion.

254. How did you deal with them?—As a rule I saw Colonel Hume, to see what the position was.

255. Have you ever used your political position specifically for the purpose of getting exceptional treatment for any man?—No.

256. Have you had any applications from men who desired to enter the Force?—Yes, a number.

257. Have you recommended them?—In general terms. If I have known the man to be of good character I have stated so, but I have not attempted to use any political influence to get him into the Force.

258. Have you taken no special steps?—Not beyond a letter of recommendation, the same as I would give to any other employer of labour.

259. Have you known them?—Yes.

260. Have you any personal knowledge as to whether the licensing laws are efficiently administered in Christchurch?—I would like to know what would be considered personal knowledge. I do not frequent bars.

261. The result of your own observations?—My own observation has led me to believe that the licensing laws are not as stringently enforced as other laws.

262. Do you think the laws in regard to the Gaming and Lotteries Act have been enforced in Christchurch?—No, I should say not.

263. Have you waited on the police in connection with the licensing or gambling laws?—Yes, I saw the Inspector in Christchurch in reference to the licensing laws, and once in connection with the gambling evil.

264. When you waited in connection with gambling, what was the question?—"Tote-shops." As a matter of fact, I was asked to wait upon Inspector Cullen—who was in charge of the district then—quite recently, within the last fortnight. I knew, from hearsay evidence, of course, that there existed one or two "tote-shops" in Christchurch, and we waited upon the Inspector and urged him to take steps to cope with the evil. I see by a report in the newspaper that a raid has been made since then on two "tote-shops."

265. Has a raid been made on either of the shops named to the Inspector?—On one. I do not know the other one by name.

266. Then, the assumption that it was a "tote-shop" would appear to have been pretty well founded?—Yes.

267. Have you on any previous occasions urged that the "tote-shops" should be dealt with by the police of Christchurch?—I do not think I have made special representations on the matter.

268. Do you think there is any reason why the Licensing Act should not be enforced by the police, if vigilant?—No reason why it should not be. I believe there is an opinion in the Force that the licensing laws are not to be administered with "undue harshness." In fact, that was stated by the Premier in the House, and the members of the Force will understand what a statement of that kind from the Premier means.

269. You think a statement of that kind from the Premier would influence members of the Force?—Undoubtedly.

270. Do you feel that the Commissioner of Police should be made amenable to Parliament only, and not to the Minister of Defence?—I think it would be a distinct improvement if the Police Force were taken out of the control of the Government altogether. This applies to all Government departments.

271. You would make the head of each Government department subject to Parliament finally, rather than to the Minister?—Yes. So far as the administration of the licensing laws is concerned, it may interest the officers of the department to know that on several occasions, so far as houses in Christchurch are concerned, I have seen men going in and out of hotels on Sundays.

272. *The Chairman.*] You are aware that that is not an offence?—Yes, I am quite aware of that. That is one of the difficulties, of course, of proving breaches of the law.

273. Do you think it is desirable that the law should be amended to meet those cases?—Yes. I was going to add that if I volunteered a statement, or endeavoured to get evidence, Colonel Hume might suggest I was acting as a private detective.

274. I understand your remark with respect to Ministerial control to apply to all the departments; that you would take all the departments out of Ministerial control?—Yes, and appointments to them.

275. You would make the heads of the departments immediately responsible to Parliament?—Yes.

276. *Colonel Pitt.*] Without the intervention of any Civil Service Commissioners?—I would prefer the intervention of a Board of Commissioners and the appointment of a Board of Appeal. I suppose you would term them Civil Service Commissioners.

277. *The Chairman.*] You told us that, as a result of your own observation, you think the licensing and gambling laws are not enforced as strictly as they might be?—That is so.

278. Are you able to give us any instance beyond what you have already given us in respect to gambling, where the law has been flagrantly broken in respect to either licensing or gambling?—I cannot give evidence as to my own knowledge, and therefore a matter of opinion I have gathered from conversations is not evidence the Commission could accept.

279. *Mr. Taylor.*] Do you know the Empire Hotel?—Yes.

280. Does anything special happen there on race-days?—There is the usual congregation of betting-men.

281. Is the footpath absolutely blocked on race-days by betting-men?—Yes.

282. *The Chairman.*] Do the police not keep the people moving?—These men do not move. I recognise it is a very difficult thing to keep them moving.

283. *Mr. Taylor.*] As a matter of fact, do they not overflow on to the road, and form a solid block there?—Yes, on the footpath, and half-way across the road. I think these men are of the racing fraternity.

284. *Mr. Poynton.*] You know it is not an offence to bet in the street?—So I understand.

285. Do you not think the law should be altered, to get at that?—I think it is of great importance.

286. *The Chairman.*] You think it is not the fault of the police?—I think it is not the fault of the police that the men do the betting on the street, but I think it is the fault of the police that they are not kept moving on. I have seen officers of the Force coming out of hotels in uniform, but they may have been there in the execution of their duty.

287. Is that a matter of frequent occurrence?—No, not frequent. I have seen one or two coming out of the same Empire Hotel by a back door.

288. In uniform?—Yes.

289. *Colonel Hume.*] I suppose, as a member of Parliament, you have had applications for advancement, and transfers, and appointments, in other departments than the police only?—I do not think to the same extent.

290. But you have had them?—Yes.

291. For the Customs, and young ladies for the Telephone?—Yes, lots of applicants for the Telephone.

292. And I suppose you treated them in the same way as you did the applications for the police?—Yes.

293. You say you think that the opinion of the police is that the licensing laws should not be too rigorously enforced?—Yes; amongst the men and through the Force generally. That is my impression, practically gathered, as I say, from the statement made by the Premier, that the law was not to be enforced with undue harshness. I think those were the words used.

294. Can you tell me of any Act you would advocate being carried out with undue harshness?—I would advocate it being enforced.

295. Would you advocate carrying it out with undue harshness?—If you enforce a law, you enforce it. If a man commits a theft, I think it is the duty of the police to arrest him, and have him punished if possible; and, if the licensing law is broken, I think it is the duty of the police to enforce that law, and obtain a conviction if possible.

296. Then, you can only explain the expression as to not using undue harshness by saying it is the Premier's statement?—The Premier made that statement in the House, and that is the only reason I can see for the licensing law not being so strictly enforced as other laws.

297. You and I have talked about this before?—Yes, frequently.

298. Did I point out to you how that difficulty could be got over?—Yes.

299. Did I go so far as to give you a particular section of the English Act?—Yes, I think so.

300. And I asked you to use your endeavours to get it passed in the House?—You did, and the amendment was submitted to the House, I believe.

301. *Mr. Tunbridge.*] You stated that you saw Colonel Hume on one or two occasions, in reference to complaints received from constables?—Yes.

302. Have you ever used your influence to approach the Minister of Defence in the interest of a police constable?—No.

303. Do you know of any instance where it has been used?—Not of my own knowledge. It is a matter of common repute that political influence is used.

304. You recognise the distinction between political influence and Ministerial influence?—Ministerial influence and political influence are both bad. For instance, I get a complaint from a constable in Canterbury who thinks he has not had fair treatment. If I happen to be in Wellington I go and see the Commissioner, and ask him to let me have a look at the papers, and to tell me the position; and I find two or three men are his seniors. I write back and state so, and tell him he will have to wait his turn.

305. You recognise there is a distinction between political and Ministerial influence?—Yes, but they are both bad.

306. You have no evidence of anything which you could properly classify as Ministerial influence?—No, not of my own knowledge.

307. As regards not carrying out the licensing law: are you aware that last year there were twenty-three prosecutions in Christchurch?—I was not aware of the number.

308. Fourteen against publicans, and the remainder against prohibited persons?—I was not aware of the number.

309. That, of course, shows you there is not an absolute neglect on the part of the police to enforce the laws?—I would not make that statement at all.

310. If the police have been influenced by the words of the Premier, how is it, then, that some of them have taken action?—Because some cases are so flagrant that the police could not overlook them. That is my opinion.

311. Will it surprise you to hear that out of those fourteen prosecutions only seven convictions have resulted?—It would not surprise me at all.

312. If these were all flagrant cases you would naturally suppose convictions would follow?—It depends whether there is a desire to obtain a conviction on the part of the police.

313. But you do not suggest that the police have not put forward all the evidence available?—I do not think they are as keen in hunting up evidence in regard to liquor cases as in other cases. That is only my opinion, of course.

314. You recognise the difficulty?—Yes, under the existing law.

315. And you know, of course, that the fact of seeing a person going into a hotel is not sufficient to justify a prosecution?—That is so.

316. The police have practically to prove a sale?—I think they are required to prove too much. There is another thing I would like to say. For instance, while the Inspector of the district for the time being may desire to make a raid on the hotels to see whether the licensing law is being observed, unfortunately the fact that he is going to make a raid very often leaks out. That is only hearsay, but I have been frequently told that has happened.

317. Information leaks out from where?—I cannot say where it comes from.

318. *Mr. Poynton.*] Do you think solicitors should be employed in prosecutions against hotels? You say you do not think the police get up the cases with sufficient energy?—I do not think the employment of a solicitor would get over the difficulty.

319. Do not you think the police should have the benefit of a solicitor, seeing that a solicitor is always engaged on the other side?—I think the Inspector should have the discretionary power to employ them whenever he thinks necessary.

FRANK WHITMORE ISITT, examined on oath.

320. *The Chairman.*] You are a minister of the Wesleyan Church?—Yes.

321. *Mr. Taylor.*] Have you taken any steps, at any time, to ascertain whether the licensing laws and the laws affecting gambling are enforced in the city?—I do not remember any specific attempt to find out about the gaming laws, but specific action in regard to the licensing laws dates back from 1886.

322. Do you consider it your duty and right as a citizen to do that?—Quite so; and our first effort, speaking of 1886 or 1887, was to prove to the citizens that there was every reason to suppose that the laws were flagrantly violated.

323. What steps were taken?—We appointed people who would watch a large number of hotels on a given Sunday.

324. Have you that evidence in detail now?—It was printed in detail in the various daily papers. My memory would serve me to say that there was, striking an average, reason to suppose that at least four thousand breaches of the Licensing Act occurred on a given Sunday. We assumed in this way, that if a couple of hundred people visited a hotel on a Sunday, it was not probable they went for milk.

325. *The Chairman.*] You think they all went for something to drink?—Most of them did; that was the assumption. I would like to say we were careful not to disclose the names of the hotels when we reported the matter to the Licensing Committee. We did not want to institute prosecutions, but to draw general attention to the law-breaking.

326. *Mr. Taylor.*] Now, on any other occasion have you assisted in obtaining specific information regarding Sunday trading?—Never personally, except by arranging with those willing to do it.

327. Do you remember the committee of investigation referred to by Mr. Bowron?—Perfectly well. I submitted to them a great deal of the evidence of other people.

328. Can you remember who was on that committee?—I think the Rev. Doke, Rev. Watson, and the Rev. Scorgie, although I am not perfectly sure about the latter. We tried to get the whole of the ministers to have evidence submitted to them to show them the necessity for action, and a very large number responded.

329. Was a protest against the renewal of Coker's license a result of that committee's investigations?—Yes, distinctly.

330. Was a deaconess of the Church of England a witness before that committee?—Yes, Sister Edith.

331. Did the Bishop consider the evidence sufficient to warrant him taking action?—He did not attend, but the petition to the Licensing Committee was submitted to him and he signed it. The petition was signed by Bishop Julius, Canon Knowles, Dr. Elmslie, and many others.

332. Of your own knowledge, are the licensing laws in Christchurch enforced?—Well, I have a good deal of knowledge that is not evidence. I see a great many persons visiting hotels during prohibited hours, but that is not evidence.

333. Have you at any time taken steps to have your suspicions confirmed by prosecutions?—Yes.

334. Do you remember interviewing the authorities in regard to the reported flagrant defiance of the law by the Central Hotel?—Yes.

335. Did they act?—Not at first.

336. Well, then, what followed?—So far as my memory serves me, the Central Hotel was the one that was named to Inspector Broham.

337. Did any prosecution follow that?—No.

338. What subsequently took place?—Some of us then took advantage of Commissioner Hume's presence in the city to interview him.

339. Was any action suggested to him as likely to secure a conviction?—Yes; he suggested difficulties which we tried to meet.

340. Did the department ultimately work upon the suggestions you gave them?—Yes.

341. With what result?—They secured convictions. I think they secured two convictions against one hotel if I remember aright.

342. Have you as good grounds for thinking the law is defied by other hotels as in connection with the Central Hotel?—Undoubtedly.

343. Do you think, if the police were as vigilant in that as in other matters, convictions would follow?—Yes, unless there was a great amount of deliberate falsehood a great many hotels would be convicted. I would like to mention a conversation I had with a constable. I told Inspector Broham that one of his men had said to me that if he had a free hand he would run in a dozen publicans any Sunday.

344. What followed that interview with Inspector Broham?—He swore for many minutes.

345. Did he give the information that he desired the men to enforce the licensing law?—He said if he knew the man he would have him out of the Force. He told me that.

346. Where did that interview take place?—In Inspector Broham's office.

347. Was the Inspector very passionate?—He was in a very violent rage indeed.

348. You say the Inspector swore: do you mean that he used ordinary coarse or obscene language?—Well, he said, "D— and b— him; I would have him out of the Force if I knew who he was. I would have him out." I replied, "You will most certainly not know who it was from me; and no one else knows."

349. Did you ever interview Inspector Broham in regard to the lax administration of the licensing laws anywhere else; at Cheviot, for instance?—Yes.

350. What preceded that interview?—I think it was in 1894. I may say so many of these things come to my knowledge that it is very difficult to specify correct dates. A series of Methodist ministers were visiting the Cheviot at intervals to hold services, and on their return they told me, one after another, of circumstances which rendered them suspicious that there was sly-grog selling both at the Cheviot and at the stopping-place, Te Papa.

351. As a result of these representations did you wait on the police?—I waited first on Inspector Broham, on my own responsibility, in consequence, I think, of what the Rev. Dawson told me. He said he could do nothing.

352. Did he complain that he had no man he could entrust?—Not at that time.

353. Did he say so subsequently?—I had a second interview, after conversation with another minister, and urged the Inspector; and he said he had neither men nor money for the work.

354. What did you understand, when he said he had neither men nor money? How did you understand the reference to the men?—I think it arose through the difficulty of employing men who were not well-known constables. He had no money, nor men who could do the work.

355. Did anything follow that interview?—Yes, I reported it to the League, and they determined that the matter should be laid before the public, and before the House of Representatives, that there was reason to suppose there was sly-grog selling at Cheviot, and as to the inaction of the police.

356. Well, now, was that decision of the Prohibition League conveyed to Inspector Broham?—Yes, you were appointed to convey it to Inspector Broham.

357. Were you present?—I urged that first he should be given another chance to do his duty. I was deputed to accompany you.

358. What took place at that interview?—I told the Inspector exactly the position; that the League were growing impatient, and would not stand this sort of thing any longer, and I urged him to take action.

359. Did you get the same answer as before?—No, he promised it should be done, and it was done.

360. Do you mean convictions followed?—Yes, prosecutions were instituted, and convictions followed.

361. Was there any successful prosecution for perjury arising out of that sly-grog case?—Yes.

362. You think Inspector Broham was apathetic in regard to the enforcement of the law at Cheviot?—Well, he was inactive prior to that time.

363. Have you ever successfully applied to him in regard to the enforcement of the licensing law in Christchurch?—I have applied to him, when he seemed to be very cordial over the matter; but I never remember any instances in which prosecutions resulted.

364. Except in connection with the Central Hotel, which was suggested by yourself to Colonel Hume, and Cheviot, where a certain amount of pressure was used?—That is so.

365. Have you any reason to think that the licensing laws are being enforced to-day in Christchurch?—I have every reason to believe they are not; not from my own immediate knowledge, except from the numbers I see frequenting hotels as I pass them on Sundays.

366. *Inspector Broham.*] You referred to this constable whom you mentioned to me: did I not tell you most clearly and distinctly that every constable had as free a hand as they possibly could have to carry out the Licensing Act?—I think you told me that before I told you.

367. Did I not reiterate that every constable had a perfectly free hand in the enforcement of the Licensing Act in Christchurch?—Yes.

368. And I repeated it to you?—Yes.

369. Have I not on several occasions told you that?—I do not remember more than one occasion.

370. Have you not on more than one occasion told me that certain statements were made to you by police constables who reported they had not a free hand?—I do not think so. I do not remember doing so on more than one occasion.

371. You say I used strong language about it. Was I not incensed with the constable for telling you what was a gross untruth?—You were very much incensed with him.

372. *The Chairman.*] A gross untruth?—In reference to what the Inspector called an untruth. He was very much incensed with me for repeating to him a statement the truth of which he denied.

373. *Inspector Broham.*] Was there not a strong feeling amongst the Prohibition party that the police were not doing their duty about licensed houses?—There was, and is.

374. Did I not assure you that everything I could possibly do was done to enforce the Licensing Act?—You did.

375. Did I not impress it upon you, and assure you everything was being done?—Yes, you said so.

376. Everything about me led you to believe that I, at least, was doing all in my power to enforce the Act?—So far as promises were concerned; but we waited for the fulfilment.

377. You thought the promise was one thing, and the performance another thing?—There was no action in Cheviot.

378. You think I did not do all in my power with the men at my command to enforce the licensing law at Cheviot and Christchurch?—Yes.

379. You believed the policeman, and not me?—I believed you could get a conviction.

380. And that his hands were tied, and that he could not act?—I did not know what the difficulty was. I believed he could get a conviction; yet for some reason he could not, and I do not know what the reason was.

381. Do you believe that the man had a free hand, or do you disbelieve that the man had a free hand?—Well, so many men in the Force told me that they were not allowed to act that I did not know what to believe.

382. You were inclined to disbelieve the Inspector, then?—I was; Yes.

383. I believe that, last year, you and your party have done all you possibly could to persecute me in my official position here?—No; my feelings were ever most friendly.

384. Have you not said publicly, at open meetings, that your party would prosecute me for perjury?—I have not.

385. Did you not complain to the Premier at Wellington, at a deputation, in reference to my conduct in connection with licensing cases here, and did you not tell him your party was going to prosecute me for perjury?—I did not. I was a member of a deputation which waited on the Premier in regard to general police matters, and the question of your having committed perjury in

the Coker's case was brought up, and I asked whether it was not better that a Police Commission should be set up than that such steps should be taken. I said it in friendship to you. I was very much annoyed at your conduct in the Coker's case.

386. You did mention to the Premier that your party was going to prosecute me?—The prosecution was mentioned to the Premier, but not by me; and I said, Would it not be better to have a Commission than to allow the prosecution to take place.

387. But you know it has been stated in a public meeting here, not personally by you, but at least by one of the leaders of your party, that I should be prosecuted for perjury?—It was suggested. It was a result of your absolute denial at the Coker's trial that we had interviewed you three times concerning Cheviot.

388. You say I have a strong bias against all Prohibitionists?—Undoubtedly, you showed it at Coker's trial. You asked the most trustworthy men if they were Prohibitionists, as if that discredited their whole evidence.

389. Did I conduct the Coker's Hotel case?—Mr. Wild did, but you examined witnesses.

390. I examined witnesses?—Some witnesses.

391. In the Coker's Hotel case?—Before the Licensing Committee. Mr. Wild conducted the case for the licensee, and Mr. Broham asked witnesses questions; and I asked him if he assumed that no Prohibitionist could tell the truth, because of his offensive attitude towards witnesses.

392. *Mr. Tunbridge.*] Did the constable ever tell you in what way his hands were tied?—No, his expression was, "If I had a free hand I would get a dozen convictions."

393. And beyond that they never expressed themselves?—No; the one I refer to never expressed himself.

394. You said other constables?—Other constables over the colony have told me they were not expected to prosecute publicans.

395. *Colonel Hume.*] Was there any delay in the Central Hotel case after you saw me?—There was no delay after you had been seen.

[The Commission at this stage adjourned for luncheon.]

396. *Witness:* I wish to amend my evidence in one detail, with regard to Inspector Broham at the Coker inquiry reflecting discredit on the Prohibitionists. It was not, I believe, in the examination of witnesses, but in his own evidence, that he so distinctly assumed that every Prohibitionist was biassed, practically biassed beyond belief. With regard to the inactivity of the police I do not know whether you would take a statement concerning the King-country from me here.

397. *Mr. Poynton.*] Were you there?—I visited that country.

398. If it is anything that refers generally to police administration we will hear it?—After receiving many reports I visited the King-country in company with the Rev. Mr. Gittos, missionary, I think, in March or April, 1897. The statements of several prominent Natives satisfied me that sly-grog selling was being pursued there, and nothing was done, practically, notwithstanding representations to the police, until we waited on the Minister of Justice (Mr. Thompson).

399. Can you give the time of that deputation?—I think it was as early as June. We had to stir up the minds of the people throughout the colony to the facts before anything was done. I should like to say that I believe the local constable was doing his utmost, but that a man wearing uniform, whose movements were watched by the sly-grog people, had not the slightest chance. Although he did succeed in securing some convictions, he had no chance to grapple with the thing vigorously and effectively. It was not until after pressure had been brought to bear on the department, through the Minister at the head of it, that any really vigorous action was taken.

400. *The Chairman.*] You attribute that vigorous action to the employment of constables outside the local Force?—Yes. Of course, my whole contention is that the Police Force as a whole has not taken action until pressure has been brought to bear upon them with regard to breaches of the licensing law. I should like to add the unfairness of this, as bearing on the private citizens. When they take action they are sneered at as "detectives." The legal profession habitually address them as "Prohibitionists," with a suggestion of unreliability.

401. *Mr. Tunbridge.*] That does not reflect on the police?—I am pointing out that the inactivity of the police subjects the citizens to unfair reproaches, and that we have reason to complain of it. The police have not done the work, and when private people have done it they have been subjected to this contempt. They have even been subjected to contemptuous reference from the Christchurch Bench.

402. *Mr. Poynton.*] You think the police ought to do the work?—Yes, and so save private people from the contempt that they incur when they do it.

403. *Colonel Hume.*] Are you certain that it was in June that the deputation waited on the Minister?—No, but I could fix the date by turning up correspondence.

[Further examination adjourned.]

THOMAS BROHAM, examined on oath.

404. *Mr. Taylor.*] In giving evidence the day before yesterday, you said it was a woeful mistake to recruit from the Permanent Artillery. Will you explain why?—It introduced into the Force men who are in no way fit for police duties.

405. Does that refer to their educational or their moral training?—To their training in the Artillery. A number of them seem to be men with no sense of duty and no spirit of obedience.

406. As to their moral character, were they all high-class men, taking the average, or have they been a source of trouble?—They have been a source of trouble to me.

407. Do you know that from 1890 to 1896 the recruiting from the Artillery was approved of year by year by the Commissioner in his annual report?—I believe that at the time it was introduced it was approved by the Commissioner.

408. And did he not approve of it year by year?—I do not recollect that.

409. What has been your policy in regard to "tote-shops" in Christchurch? You are reported as saying, "He did not know if we had much street betting." Is that an accurate report?—It is.

410. Do you know the Empire Hotel?—Yes.

411. Do you know the condition of the street there on race-days?—Yes.

412. Are there not scores of betting-men lounging about there when race meetings are on?—The 'buses start from there, which is a thing I have continually complained of. It is a place where 'buses arrive and start, and that causes a large number of people to gather there.

413. The Riccarton bus only?—They come and go, and people gather there.

414. Have you not seen the footpath and the road practically blocked on the occasion of race meetings?—The attention of the police has been drawn to the matter again and again, but I have never seen it blocked to any great extent, except on occasions like the Jubilee, or on Saturday night, when the whole place is blocked with people.

415. I refer to the day immediately preceding race-day, and race-day itself. Is that not the condition of the street?—Not to any extraordinary extent—not for a town like this, with thirty or forty thousand people.

416. Who has complained?—The local shopkeepers have complained.

417. Have they had relief?—Yes, so far as I could give it.

418. What did you do?—I told the constables, and they take the names of people, but it is often found that the name has been given wrong. A man will say he is John Smith, of Sydenham, and it is subsequently found that he does not reside there at all. The only power the police have is to take the names.

419. Has a prosecution for loitering there ever been laid?—Repeatedly.

420. I should like a return, then, for a period of five years?—The return would be for loitering in the public streets in Christchurch, and I do not know that it would show that particular place. But I know that repeated prosecutions have taken place in Christchurch. Of course that return would not show the number of persons against whom proceedings have been taken, because, as I say, a number of them could not be found.

421. In the crowd opposite the Empire Hotel, on ordinary race-days, do you think that your men do not know a large number of them personally?—I think that a large number of my men know very few of them. As I have already said, a number of my men are here for not more than a few months sometimes. I have already mentioned the fact that the police are continually being changed.

422. How long has Constable Barrett been here?—He is one of the few who have been here for a long time—five years, to my knowledge. Three-fourths of the men have been here for only a few months.

423. How long was Constable Christie here?—For some years.

424. How long was Constable McCormack here?—He was before my time.

425. How long has Detective Benjamin been here?—He has been here five years, to my knowledge.

426. And Detective Marsack, prior to his late removal?—Five years. He also is engaged on detective work.

427. There are a number of officers who have been here, then, for a period of five years and upward?—Yes.

428. And you still say that your men have frequently been deceived by false names?—Certainly. It occurs in a third or a fourth of the number, certainly a fourth.

429. Have you ever recommended the removal of a constable on account of his gambling habits?—I am not aware of it.

430. Have not a constable's gambling habits come into consideration when recommended for removal?—I have not been in the habit of recommending removals. They are made from Wellington.

431. As a matter of fact, have you not found fault with the gambling habits of any of your men?—I do not recollect.

432. Have you had any of them reported to you for frequenting "tote-shops"?—No.

433. Do you know of any "tote-shops" in Christchurch?—Yes.

434. How long have you known of them?—One reputed one has been there for two years.

435. Have you done anything in the direction of suppressing it?—Yes.

436. Did you succeed?—Yes, I think so.

437. When?—I think I succeeded nearly the whole time in shutting it up effectually.

438. What shop do you refer to, and where is it situated?—It was reported to me about two years ago and I took steps, and I believe it has been closed until lately. I have had no evidence until lately that it is open.

439. Is it in the Triangle?—Yes.

440. Is it the shop facing Shaw, Robinson's?—If the Commissioners desire it I will give the name.

441. Do you know a shop kept by Mr. Martin Taylor in the Triangle?—It has been reported to me frequently.

442. Have you taken any steps?—There is a prosecution pending now.

443. Has complaint been made to you about that shop?—Yes.

444. For how many years?—Not many years.

445. Two years?—No, in the last six months.

446. Did you personally take any steps?—Yes.

447. Was the recent raid not arranged by Inspector Cullen, who is at present in charge of the district?—It was done during the time I was absent on leave.

448. Has complaint ever been made to you about 79, Hereford Street?—No.

449. Did you not know there was a betting-office there?—No.

450. Is it one of the places raided recently?—No.
451. What was the location of the second place raided?—In High Street.
452. In the Triangle?—Yes.
453. Do you know of the existence of an office next to Kinsey and Co.'s?—No.
454. None of the officers ever reported it to you?—No.
455. Were the present prosecutions the result of your own individual motion? Were they not arranged while you were away holiday-making?—The detectives had instructions with regard to these places—Taylor's within the last six months, and the others within the last two years.
456. When I and others have waited on you, have you not said that you had the greatest difficulty in getting convictions?—Yes.
457. Do you know of any other "tote-shops"?—No.
458. Do you know any tobacconists' shops which are "tote-shops" in disguise?—No.
459. None have been reported to you?—No.
460. Do you remember seeing Mr. Louisson about one of his bars at any time?—Yes.
461. It was said to be an illegal bar?—Yes.
462. What was the point in dispute?—It was reported that it was an illegal bar. I think you reported it.
463. Probably. And what was the result?—I was informed that the bar had been used for ten years.
464. Was the bar closed?—Yes.
465. Did you prosecute?—No. I believe that fact has been made public for the last four years again and again. It promises never to die.
466. Do you consider that you had power to interfere with a prosecution of that kind?—Yes, under such circumstances. I believe the man was acting in ignorance of the law.
467. Do you remember a series of prosecutions against grocers in Christchurch for selling ginger wine?—Yes.
468. Do you think they had been in ignorance of the law for over twenty years, and that they had been selling it in ignorance of the law?—No.
469. Did you prosecute?—Yes.
470. Get convictions?—Yes.
471. Why did you prosecute in the one case and not in the other?—It was virtually selling sly-grog in the one case, and prosecutions for the same thing have been instituted over and over again. It is well known to the public that ginger wine is a spirituous beverage.
472. Do you remember a charge against Sergeant Mulville?—Yes.
473. Did you investigate it?—The Court investigated it.
474. What part did you take?—I investigated it myself.
475. What officer did you employ to make a report?—Chief-detective Henderson.
476. And, on the strength of that report, what was your decision?—The charge was not sustained.
477. You did not suspend Sergeant Mulville?—No.
478. Was the case taken to another Court?—Yes.
479. And what was the result?—Sergeant Mulville was punished.
480. And subsequently transferred?—Yes.
481. Was Chief-detective Henderson's report upheld in the Magistrate's Court?—No.
482. It was successfully impeached?—Yes; but I do not hold the detective in any way responsible for that. I found that the witnesses stated one thing to the detective, and swore another thing in the Court. We often find that.
483. Was the statement not made in the Court that suggestions had been made to the witnesses as to what they should say to the detective?—No.
484. With a view to screening Sergeant Mulville?—I am not aware of it.
485. Do you know Constable Murray in Christchurch?—Yes.
486. How long was he on street duty before he was made a plain-clothes constable?—A few months, I think.
487. How long has he been in the Force?—Not many months.
488. Did you make him a plain-clothes constable on your own motion?—Yes.
489. Without consulting headquarters?—Yes.
490. You had no suggestion as to employing him in that capacity?—Certainly not.
491. Had he any experience of police duties before coming into the Force?—I am not aware of it. I found him a smart man. I may say he was only temporarily employed in the capacity.
492. What is he now?—Watch-house keeper.
493. Is he the most entitled to the position?—Yes, by his intelligence. We do not go by seniority.
494. Who was displaced to make way for him?—No one.
495. Who was acting prior to him?—Constable Cummings, who is now on the sick-list.
496. Who acted before Constable Cummings?—Constable Leahy, who is now at Oxford.
497. How long was he in the position?—About eight or ten years.
498. Did any of your men ask for the position when Murray was appointed?—I have no recollection. I chose the best man.
499. Is it regarded as being better work?—Some of the men would not have it at any price.
500. And some men covet it?—I am not aware of that. It is not a pleasant office.
501. How long has Constable Cummings been in the Force?—Not long.
502. How long has he been on the sick-list?—About four months.
503. Has he not been on nearly six months?—I am not aware of it, but he has been on about four months.

504. Is he incapacitated by accident?—He was kicked by the prisoner.
505. Was the prisoner prosecuted?—No.
506. Why?—Because the constable only discovered the injury some time afterwards.
507. He discovered he had been kicked?—No, he discovered the injury. He did not feel the injury at the time.
508. Have you medical certificates in connection with the case?—Yes.
509. Are they forwarded to headquarters every month?—Yes.
510. What is the nature of the illness?—I cannot tell you, but the man received serious injuries on the upper part of the thigh.
511. If a man has been sick for six months, what is the rule?—If a man is sick for twenty-eight days it is reported to the Commissioner.
512. And, if sick for six months?—That is in the discretion of the Commissioner.
513. Is it not customary to discharge him?—I am not aware of it.
514. Is there any regulation on the matter?—I am not aware that it is compulsory to discharge him at any time. Particular cases require to be dealt with in particular ways.
515. He is drawing full pay?—Yes.
516. Have you any idea when he will return to duty?—I have been told he will be back in a month.
517. How long will he have been away then?—That will make it five months or more.
518. Have you made any effort to prosecute the man who kicked him?—No.
519. Why?—There is correspondence about it; but, so far as my memory serves me, the constable could not tell positively that the man did it deliberately. The man struggled when being searched, and kicked out right and left, and the constable believes that this was the time he received the injury.
520. Do you know the man?—I do not remember him.
521. Did you know him at any time?—I think I saw the name, but I cannot tell it to you.
522. What is the duty of the police so far as the compilation of the jury list is concerned? Are you responsible?—It is done under my direction every year.
523. What is the method of compilation?—The most intelligent of the constables are chosen to get the names.
524. How does he do it?—By visiting the premises.
525. Of certain businesses?—Of the people within the locality.
526. Take Christchurch. How is the list compiled here? Is it absolutely within the discretion of the constable whom he will put on and whom he will keep off?—The constables receive specific instructions, and a clause of the Act is quoted in connection with those instructions. All good men and true under sixty years of age who have a legal right to be put on the jury list are taken. We do not find that the people are at all anxious to go on the list; on the contrary, they do all they can to keep off it.
527. Do you remember an inquest at the Star and Garter Hotel some years ago?—Yes.
528. Do you remember making a statement as to any class of the population that you thought should be disqualified from going on the jury list?—One of the jurors summoned was not there, and Mr. Wake, one of the leaders of the Prohibition movement, wanted to force himself on the jury.
529. He was on the jury, was he not?—He may have been, but he wanted to force himself on it.
530. What is the position you took up in respect to it?—The Prohibitionists object to any one connected with the liquor trade appearing in such a case as that, and I thought the same rule should extend in both directions, and that pronounced Prohibitionists like Mr. Theo. Wake should not be summoned on coroners' juries; and I also held that a man like that should not be put on a jury where a possible charge against a publican was involved.
531. Should that apply to all juries?—Certainly not.
532. Do you remember an inquest at the Caversham Hotel on the bodies of two men who were burned?—I was not there, but I remember there was an inquest.
533. Do you remember the foreman?—I cannot recollect him.
534. Was it not Mr. McGaffney, the licensee of the New Zealander Hotel?—I do not remember; but if it was, it was a stupid blunder to put him there.
535. A blunder by the constable?—By the constable who summoned the jury.
536. Did any correspondence pass over your attitude over coroners' juries and Prohibitionists?—There was, in connection with the Star and Garter Hotel.
537. What was the result of the correspondence?—No result, that I remember.
538. Did the Commissioner not tell you that you were in the wrong?—I am not aware that he did, and I may say that I hold the same opinion on the matter now as I did then.
539. Do you still hold that no Prohibitionist should go on a jury?—Not where a possible charge against a publican is involved. The publicans, by direction of the authorities, are not allowed to appear on coroners' juries in such cases.
540. And if a Magistrate happened to be a Prohibitionist, would you disqualify him from dealing with a licensing case?—I do not know of any Magistrate being stopped.
541. Would you disqualify him?—Certainly not.
542. Do you regard your conduct as consistent in the two cases?—Certainly. I draw a wide line between a well-trained Magistrate and a man of a class who has no advantage, and who has received no education.
543. Do you remember an article in the *Lyttelton Times* of the 23rd April, 1897, having reference to the men under your control?—I do not remember.
544. Do you remember that it was stated that some of the men were little better than the chronic "drunks" they were supposed to look after?—I remember those terms.

545. As a result of that article appearing, did you not investigate the whole matter?—I do not remember.

546. Did you make any inquiry about it?—Of course, in all cases where there are accusations against the police of drunkenness I have made most particular inquiries.

547. In that case, what inquiry did you make?—I do not remember the particular case you allude to.

548. *The Chairman.*] Was your attention called to the paragraph?—I do not remember. Was any charge made against a particular constable?

549. *Mr. Taylor.*] It was in reference to a state of drunkenness among your men in barracks?—I remember that.

550. Did you wait on the newspaper editor in regard to the matter?—I believe I did.

551. Did you have an investigation afterwards?—Yes.

552. What did you find?—I could not find any proof at all.

553. Was there any correspondence with the Commissioner over the article?—I think there was.

554. Then I ask for the correspondence. Can you remember what followed your investigation?—I could not prove anything.

555. Did you not find there had been drunkenness in the barracks?—I was led to believe there had been, but I could not prove it.

556. Did you not mention some names to the Commissioner in connection with the article?—I believe I did.

557. What names were they?—I could not tell you.

558. They will be in the correspondence?—Yes.

559. Did you recommend any man for removal last year, because of his drunken habits?—A body of men?

560. Any one or more?—I do not think so. The removals and transfers have been made from Wellington, without consulting me.

561. How many men were there implicated in the charge of drunkenness made by the *Lyttelton Times*—four or five?—Oh, no, I believe there was only one I thought was guilty of the charge.

562. And it was not proved against him?—No.

563. Was Constable Howell moved on your suggestion last year?—No.

564. Where did the suggestion come from?—I have no idea.

565. Was Constable Sinclair moved on your suggestion?—No.

566. Constable Macdonald?—No.

567. Sergeant-major Mason?—No.

568. Were they mixed up with this suggested drunkenness at the barracks?—I do not know. I think one of the constables would be.

569. Did you discover that any constable had tried to hush the matter up, by making presents to other constables?—I did not find that out.

570. Have you ever had complaints from Oamaru about the habits of the sergeant there?—I never heard anything detrimental to the sergeant at all, as far as the charge preferred against him the other day is concerned, until the charge was made.

571. You never had a report of any kind?—I never had anything to show that the man was given to drink.

572. Did you recommend the removal of Constable Denis O'Leary?—No; but I reported him for his conduct.

573. Have you any malingering in Christchurch?—I am not aware of it. I had a number of men who were not very strong—men who were often on the sick-list.

574. How frequently was Constable Koster sick between 1894 and 1897?—I see by the returns that in 1896 he was sick for two days in September, two days in July, nineteen days in June, and three days in January. He was also sick in December of the same year, but the number of days is omitted.

575. Was Constable Macdonald on the sick-list in 1896?—He was sick for thirteen days in November.

576. What was he sick from?—Influenza.

577. Was he sick at any other time in the year?—From the 26th October to the end of the month.

578. What was the matter with him?—Influenza.

579. Was he sick any other time that year?—That is the lot.

580. Do you remember Constable McGill being sick for many months?—Yes, he was sick for a long time.

581. What was the nature of his illness?—Influenza.

582. Had you a knowledge of his condition yourself?—Yes, I know he was wasted to a shadow.

583. Do you think that the medical certificates in respect to the men's sickness are always reliable?—I must accept them.

584. But do you think they are reliable? Have you had suspicions of them at any time?—I have not always been satisfied with them.

585. Would not a police surgeon be an improvement?—I have always recommended that. It was so, long ago; and I would be glad to see the appointment made now.

586. Have you ever had a suspicion that the men were malingering?—I have told you I have had a number of weak men, and I could not be sure whether it was malingering or not. The night duty is too much for some of the men in the winter time.

587. You would not think of trying to get behind the certificate?—I would if I could, but I do not see how I could. If I could show clearly that the men were malingering I would do so.

588. What is the rule with the detective officers? Do they report all matters to you in writing?
—Yes, on all matters touching crime.
589. Do they give a report of their doings day by day in writing?—Their diary shows that.
590. Do they show it to you every morning?—I inspect the diary every week.
591. How long does it take them every day to write their report?—Do you mean to describe their duties?
592. Do they make out a written report?—They enter their duty every day in a diary, which is under the supervision of the chief detective, and I examine it every week.
593. Do you see the men every morning?—I see the chief detective every morning.
594. Not the other men?—No.
595. Do the other detectives and the acting men report in writing?—Yes, and submit it through the chief detective.
596. Do you find that there is jealousy existing in the Detective Force, as to the priority in making investigations?—I have not found a difficulty in that way.
597. Is there a regulation or instruction that the men are to see the Inspector every morning, to save the necessity for lengthy written reports? Is there correspondence on the matter?—From whom?
598. From the Commissioner?—Yes.
599. There is a circular?—Yes.
600. What is the purpose?—It is with the view of curtailing the correspondence as much as possible.
601. How long ago was it issued?—I think it would be about seven or eight years ago.
602. Has it been observed in Christchurch?—In most instances it cannot be observed. In several matters it can be observed, but in others it cannot. Where crime is concerned it has to be written.
603. An undue portion of the time of the detectives is not taken up in making reports?—No.
604. Is your detective staff capable?—I think so.
605. Thoroughly efficient?—So far as they can be in a small number, but I think that three men are quite insufficient to deal with the crime of the place.
606. Do you think that if all the men were thoroughly capable you would require more men?—I think that even with thoroughly competent men they are numerically weak. We have been so for years.
607. Do you think they are first-class men?—I think, as detectives go, they are very competent men. I do not say they are Sherlock Holmeses, but I do not know if any other men in the Force would be an improvement on them.
608. Have you many complaints of sheep-stealing?—Not many of late. I think the police are dealing very successfully with it.
609. Have you had prosecutions?—Yes.
610. When?—There are a couple at Timaru now.
611. Any in North Canterbury?—In the last few years there have been several heavy cases there.
612. Have you had any complaints from Mr. Fleming, of Port Levy?—Yes.
613. Any from Mr. Buchanan?—I do not know of any.
614. How many cases of horse-killing have been reported here in the last year or two?—There have been nineteen cases within the last three years reported. For fifteen months of that not one was killed.
615. Has there been any conviction of the offenders?—No, not of the offenders, but we believe it to be the one offender all the time.
616. The Detective Force has not succeeded in arresting any one?—No.
617. Do you remember making a report to the Commissioner with respect to Detective Henderson's habits?—There was a charge made against him, and in reporting on it I made some remarks on his general habits.
618. Did you report him as being of drunken habits?—No, I did not.
619. What did you say?—I said he was addicted to drink.
620. Is that not equivalent to saying he was of drunken habits?—No, they are very wide apart.
621. How do you define that?—I have seen many a man in a responsible position addicted to drink, and yet able to carry on his work.
622. Did you say this in the nature of a suggestion that he was not fit for the position he was then occupying?—No. It was to let the Commissioner see that he still continued the habits that I was led to believe were notorious in him. It was a matter of notoriety that he was addicted to drink before he came here, and I expressed regret that I saw no improvement. He had been a good officer in the Force, and I was sorry to have to report in those terms.
623. It was a matter of notoriety that he was addicted to drink before he came here?—So I was told.
624. You do not consider that it interfered with the discharge of his duties in any way?—I never saw him in an unfit state to do his duties. I saw him at 9 in the morning and at the same hour at night, and in the day-time too.
625. Were his habits such as were likely to make him an inefficient officer?—If continued they would, no doubt.
626. How many years was he under you?—About two years and a half.
627. And he had been of those habits the whole time?—Most of the time. I spoke to him about his habits. He had a wife and a family, and I urged him to give these habits up, and after I spoke to him he would abstain for a time.
628. This report was separate from the charge dealt with by the Magistrate?—The Magistrate afterwards made an inquiry into the same charge. My report was made long before that.

629. Mr. Beetham heard the charge?—Yes, he was deputed to hear it.
630. *Colonel Pitt.*] But what Mr. Beetham inquired into is not what you have been telling us about?—No.
631. *Mr. Taylor.*] Did you not think that the presence of a man of such habits in the Force was likely to demoralise the other men?—Certainly, his influence would not be for good.
632. *Colonel Pitt.*] Did you say that Henderson was a good officer?—I said he had been a good officer. When he did his work with me it might have been better done.
633. *Mr. Taylor.*] Was the report you made apart from the report in connection with the Provincial Hotel?—No, it was part of the same report.
634. What is the practice with men doing night duty? They go on at 9 o'clock and do duty till 5?—Yes, eight hours.
635. Do they get refreshments during that time?—No.
636. Does the sergeant in charge come into the barracks?—He has instructions to come into the barracks to see that all is well at the lockup, and the constable on his post at the lockup.
637. Does not the sergeant invariably get refreshments at the barracks, or at his own home?—He must not go to his own home.
638. Is there anything provided in the barracks?—The men may have refreshments there.
639. Do the men not get refreshments there at 5 in the morning?—I think the men coming off duty get coffee at 5 in the morning.
640. Do you ever see the men at that hour?—No.
641. Have you ever seen them at that hour since you have been in charge?—I do not know that I have, except in the case of fires.
642. Would it be impossible to make provision for the men to come in to get refreshments?—It would be impossible. The men must not leave their beats.
643. Is not a long beat like that calculated to make the men infringe the regulations?—I have heard it suggested that the hours at night should be less, but that would give more to the day men. It often happens that there are only five men on night duty.
644. Would it not be possible for the sergeant and the watch-house keeper to relieve them?—The watch-house keeper must not leave the watch-house.
645. But the other men would then be in the watch-house?—It could not be done, and I do not think the men would approve of a change of hours—nine in the day-time and six at night. I think the men would vote against that.
646. When the men come in at 5 o'clock they go to bed?—Yes.
647. When do they get up?—If they have to attend Court in connection with an arrest they have made they must rise at half-past 9, to be in the Court at half-past 10 o'clock.
648. Have they to make a written report?—Yes.
649. Does that arrangement not make the men defiant of the regulation not to take refreshment in hotels?—That rule has been observed here all the years I have been in Christchurch, and it is the rule in Victoria, and at Home.
650. What is your opinion as to the effect on the men? Is it not a big inducement to them to go to the hotels?—I am not aware that it is.
651. Do you think it is?—I have not heard of it before. Formerly we had stronger men in the Force, who could bear the work better than can many of the men we get now. I have always looked on the night duty as heavy.
652. Do you think the policemen physically are deteriorating?—I think we are getting a weaker class of men now.
653. Did you recommend the recent promotions of sergeants?—Some of them I did.
654. Did you recommend Sergeant Scully?—I did.
655. Was he the officer who was before the Court within the last fortnight in connection with a charge of soliciting prostitution?—He was.
656. Did the Magistrate severely reprimand him?—I saw it stated so.
657. Did you not have a report?—I was not in charge then.
658. *Mr. Poynton.*] How long have you been away from Christchurch?—I have been away three months on leave.
659. *Mr. Taylor.*] You do not know anything about Sergeant Scully in that particular prosecution?—No.
660. Do you remember Constable Sinclair being ordered for removal about three years ago?—He was ordered for removal.
661. Was the order cancelled?—Yes.
662. Do you know why?—I do not.
663. Does that pretty often happen?—I do not know; it has happened several times in the five years I have been here.
664. Orders have been cancelled without your being acquainted as to the reason?—Yes.
665. Do you remember a circular about instruction in classes for the men?—Yes.
666. Has it been complied with?—Yes.
667. Since it was issued?—I believe so.
668. Have you taken any steps to ascertain whether the weekly classes are held?—I give my instructions to the sergeant-major, and I have no reason to believe that he disobeys me.
669. You have not attended any of them on week-days?—Yes.
670. Besides the monthly classes?—No, not on week-days; I have not time.
671. You have simply given instructions regarding the weekly classes to the sergeant?—To the sergeant-major.
672. Have you taken any steps to ascertain whether they have been carried out?—I am satisfied they are carried out.

673. You expect them to be carried out?—Yes. I have not time to look after the classes.
674. And sometimes you cannot find a day a month on which to hold your monthly class?—That is so.
675. In that event, the class would not be held that month?—No.
676. It would be held only once in two months?—Yes.
677. Have you any idea as to the nature of the instruction given at the weekly classes?—Yes.
678. How do you learn that?—From the sergeant-major.
679. He has to report to you?—Yes. Several times I have spoken to Sergeant-major Ramsay and Sergeant Mason about it.
680. Are you an Inspector under the Licensing Act?—Yes.
681. Are any of your men also appointed?—All above the rank of constable.
682. Do you ever personally inspect any licensed houses?—Yes, every year, until the last year.
683. As a rule, do you find all the provisions of the Licensing Act complied with?—As a rule, I do.
684. Do you remember the prosecutions at the Central Hotel?—Yes.
685. Were they on your motion?—No. Of course, efforts had been made to detect those people, and they were unsuccessful. Two men were sent from Wellington to Christchurch in connection with them, but the men had to stop at the place a week before they were successful.
686. Were you in charge of the Force in Christchurch last Sunday?—I was not on duty. I came back on Saturday night.
687. Inspector Cullen would know what happened on Sunday, then?—Yes.
688. Do you remember the licensee of the Star and Garter dying—Mr. Touvey?—Yes.
689. Do you remember that a temporary transfer was granted to Mr. Storey?—I do not remember.
690. What is the usual practice when a transfer is granted? Is it confirmed at the next licensing meeting?—As a rule, it is.
691. Would it be the duty of the police to see that it is confirmed?—Before a man can get a temporary license, the police report on his fitness to hold it, and if the report is satisfactory he gets it. As a rule, any objection by the police is made before the temporary transfer is granted.
692. Can you remember the details of this case?—No.
693. The matter was not brought before the Bench?—I think so.
694. I would ask the Inspector to find out whether Storey's temporary transfer came under the notice of the Licensing Bench at all. Was Storey not allowed to hold a temporary license for a time, until the owner put a man into possession, to avoid trouble and expense?—That is, that they did not comply with the law, to save trouble and expense?
695. *Witness*: I would like to make a remark concerning the statement of Mr. Isitt, that when he came to me I got terribly angry when he said that a constable had stated that if he had a free hand he could run in twelve publicans every Sunday, and that if I could find out who that constable was I would get him "sacked" at once. I wish to say that, so far as my memory serves me, I have told Mr. Isitt over and over again, and told him most earnestly, that I had done all in my power to put an effectual check on Sunday trading.
696. *The Chairman*.] At that interview?—At several interviews. He has seen me frequently about the matter. Over and over again I have instructed the men to use their best efforts to put a stop to Sunday trading. When Mr. Isitt told me that the constable had told him such a thing, I did not for a moment suppose that Mr. Isitt could think I was in league with the publicans, and that I would do all in my power to dismiss a man who would do his duty if he could. I was angry at the time to think that any constable should make such an abominable statement, and I said I would use my best efforts to put a stop to Sunday trading. I also said that every constable in the Force knew that I had done so. If I were capable of doing what Mr. Isitt imputes to me, I would be utterly unfit for the Police Force, and should not be a single day kept in the Force.
697. You wish to remove an impression that people might have gained from Mr. Isitt's words?—Yes. Mr. Isitt led you to believe that I was angry with the constable because he would do his duty if he could; but I was angry with the constable because he had stated a gross and wilful falsehood.
698. *Mr. Tunbridge*.] In the watch-house book, under the date of the 10th August of last year, is there a charge against a man named Guest?—Yes. It was a case of theft.
699. Is he further charged on the same date?—Yes, with resisting Constable Cummings in the execution of his duty.
700. And there is a still further charge?—Yes, of wilfully destroying a shako.
701. Is that the man who caused the illness of Constable Cummings?—I believe it is.
702. You produce a report from Sergeant-major Ramsay on the injuries received by Constable Cummings?—Yes, at the hands of William Guest. It is as follows:—

Christchurch, 6th December, 1897.

On the 10th August last a man named William Guest was arrested by Constable Fitzgerald on a charge of theft, and while he was being searched in the lockup by Constable Cummings (who was watch-house keeper) he attempted to escape. Constable Cummings closed with him, and in the struggle the constable got kicked in the groin. He did not feel much hurt at the time, and said nothing about the matter, but a couple of weeks after he felt a pain in the right leg, and a small lump appeared on his right groin. This lump grew and spread till it became as large as a saucer. The constable consulted Dr. DeRenzi and Dr. Stewart, who ordered him to go to bed at once, and the constable, who is a married man, went home on the 26th October and remained at home attended by Dr. DeRenzi till the 1st December, when he was removed to the doctor's private hospital in Bowen Street, where an operation was performed upon him by Dr. DeRenzi and Dr. Stewart on the 3rd instant. Since the operation was performed the constable has been getting on very well, but Dr. DeRenzi states that it will be three months before the constable will be in a fit state to resume his duties.

On the 5th March, 1898, the Commissioner wrote to Inspector Cullen: "I suppose nothing can be done but wait. Please report at the end of the month, or sooner, if the constable resumes." On

the 7th April, Inspector Cullen wrote to the Commissioner: "I have seen Constable Cummings to-day, and find a great improvement in his condition. He is now able to walk about, and the wound, although still open, is healing up rapidly, and the discharge from it is greatly diminished. I think he will be in a fair way towards being able to resume duty in another month's time." Then, from the Commissioner, on the 14th April: "Please report again in a month, or sooner, if the constable resumes duty."

703. Have you any doubt that the constable was suffering from a very serious injury?—Not the slightest. The man is an excellent constable.

704. Is it customary to discharge a man from the Force if he is ill for a long period from injuries received in the execution of his duty?—I am not aware of any case of the kind.

705. If the man is likely to resume after a period he is allowed time?—Yes. I do not remember any man being discharged under those circumstances.

706. Do you think it would be right, or wrong?—I think it would be very wrong.

707. I should think so. Now, did you hear the evidence of Mr. Bowron in reference to a constable whom he reported for being under the influence of drink?—Yes.

708. Was not the result of the report the sending of the man out of the service?—Yes.

709. Immediately?—Yes, and I think he was fined as well.

710. Mr. Bowron said there was an inquiry, and that he was examined. Was that an inquiry before you?—Yes.

711. With reference to the men on night duty, the hotels are not open at 5 in the morning?—No.

712. Therefore, the suggestion that the constables are likely to go to the hotels through their long hours of night duty does not stand good?—I have not found the constables so inclined.

713. There would be no difficulty in the way of constables getting refreshments on coming off duty?—No.

714. The police cook would give it to them?—Yes. I believe they all get it now—the men going out and the men coming in.

715. *Mr. Taylor.*] Was a prosecution instituted against Guest for the injuries received by the constable?—He was charged with resisting.

716. But, was he charged with resisting the police constable?—I do not think he has been charged since; but he was up for resisting, and he was discharged.

717. *Mr. Tunbridge.*] The charge against the man was resisting a constable?—Yes.

718. As a matter of fact, the assault was not a serious one?—No.

719. But the after effects were?—Yes. It was a fortnight after that the constable discovered the nature of the injury.

720. It is not usual to charge a man with assaulting a constable unless it is a violent assault?—That is so.

721. *Mr. Poynton.*] Was the case dismissed because the constable stated that it was not intentional?—I do not know, but I presume that was the reason.

FRANCIS WHITMORE ISITT, recalled.

722. *The Chairman.*] Have you the date now, Mr. Isitt?—Yes. It was on the 3rd October, 1896, that I went to the King-country. On the 25th June, 1897, a deputation waited on the Minister of Justice, and between those dates a considerable agitation at public meetings had taken place, demanding that action should be taken in the King-country. I think I am right in saying that it was in September or October, 1897, that the raid on the sly-grog sellers in the King-country was made. It was not until three or four months after the deputation waited on the Minister of Justice.

723. *Colonel Hume.*] You said that you interviewed the Minister of Justice on the 25th June, 1897?—Yes.

724. And you said on your oath that nothing was done until after that interview?—Nothing to my knowledge.

725. Did you say "to your knowledge"? Did you not say that nothing was done until the deputation waited on the Minister?—I cannot recall my exact words, but I meant to my knowledge.

726. You knew of nothing that was done. Do you think it would add in any way to the likelihood of our getting convictions in that locality if you or any one else had been told what we were doing?—I think you had better not press that question.

727. You complained that you were not told what was being done?—I complained that things were not done.

728. You say at one time that nothing was done; and at another, that as far as you knew nothing was done?—I mean, no prosecutions. I was aware that Inspector Hickson sent some Armed Constabulary men, but it would not be evidence for me to say what I know about that ridiculous fiasco. I would be prepared to go into that, however, if I could. I do not call that anything. It was worse than nothing.

730. If I can prove to the Commissioners that I had people travelling in the King-country for a considerable time before you went with this deputation to the Minister, you will admit that you are wrong?—I will admit that something was being done.

731. *Mr. Tunbridge.*] Are you aware who it was that was successful in getting prosecutions in the King-country?—From general information, I know it was Sergeant Cullen.

732. Where did you get that information?—From the newspapers. Cullen has never told me anything about it himself.

733. You are aware, then, that Cullen carried out the raid?—Yes.

734. Did he display any ability?—I think he displayed admirable ability.

735. Did well?—Yes.

736. He is not in league with the sly-grog sellers at all?—No.

737. Do you think that Cullen is a good police-officer?—I should dub him first-class. It may not be an expert opinion, but that is my impression.

738. You do not think he is likely to wink at any breaches of the law?—I think he is an efficient, straightforward officer.

739. You also know that Cullen has had charge of the Christchurch Station for the past three months?—Yes.

740. How do you reconcile your statement of this morning about the police neglecting to carry out the laws with your present statement about Sergeant—now Inspector—Cullen?—I know from general information that the publicans are breaking the laws on Sundays. Inspector Cullen may have been too busy to look after the matter, or he may have had difficulties that I know nothing of; but, while he did display great efficiency in the King-country, the other fact remains that the law is being broken here. I cannot reconcile the two facts.

741. You admit that Inspector Cullen was an exceedingly good officer in the King-country, but not in Christchurch?—I have seen him in various parts of the colony, and I have formed a good impression of him; but I do not know why the law is not enforced in Christchurch. He may have had difficulties with his subordinates for all I know.

742. Or with the law?—Yes, he might have a great deal of difficulty with the law.

743. You say that private citizens are placed at a disadvantage through acting as detectives, and that they are subject to a great amount of ridicule?—Yes, and worse than ridicule.

744. By the other class of citizens?—Yes, and by the newspaper press, and generally.

745. I suppose you think the other citizens have a right to some police protection?—Yes, quite so.

746. Do you not think that at present and for some time past a very great deal of police attention has been paid to breaches of the licensing laws?—I could not say that. My point is this: that informations laid against publicans for breaches of the law involve private citizens in reproach, but catching "the horse fiend" would bring them great honour.

747. But do you not think that that feeling on behalf of the public has a great deal to do with what you call the violation of the law?—It may have.

748. Do you not think it also hampers the police very much?—Doubtless it does. The people want educating.

749. But you are only able to get at the police, and you do it as much as you can?—We have had very grave reason for getting at the police. We have had grave cases of neglect of duty.

750. You are not bringing any grave cases, are you?—Well, there is a difficulty about it. At any rate, my general point is that we have an immense amount of information, which is not actual legal information. We know of many cases of careless or ineffective attempts to deal with the publicans, sometimes indicating sympathy with the publicans on the part of the police; but these things are not evidence unless I produce the men. So it is difficult to answer the question.

751. You mean the police-officers?—The persons who can give the information.

752. What is the difficulty?—We could not get a policeman to say he gave a publican notice, and we know how useless it is to produce publicans and their witnesses.

753. You admit that it is difficult to get at the truth?—Yes.

754. In cases where publichouses are concerned?—Undoubtedly.

755. You have had that difficulty yourself?—Yes.

756. And, do you not think the police experience an equal difficulty?—Yes; but the police authorities frequently attempt to secure convictions through men in uniform, and fail. Inspector Broham has said, according to the newspapers, that he could not catch a publican because the publican had sentinels. With all respect to him, I wish to say that if I were the Police Inspector I should try to be smarter than the man who has a sentinel. I think the police might contend with the cunning of the publican and outwit him, and not depend on the men in uniform.

757. That is your recommendation?—That is my attempt to answer your question.

758. Do you not know that that has been resorted to—that men in plain clothes have gone round to the publichouses?—Yes. We have sometimes had to suggest means that have been adopted.

759. But, I mean, without your suggestions?—Quite so; but in some cases we have had to suggest it, and it is not creditable to the Force that we should have to suggest.

760. Some attempts have been made?—Yes, undoubtedly, a section of the police are trying to do their duty.

761. *The Chairman.*] You know there are many other crimes on the statute-book which are equally difficult to put down?—Some.

762. What about smuggling? Will that ever be stamped out, although there is a special body of police devoted to it?—So far as my observation goes, smuggling is not in it with sly-grog selling—selling during illegal hours.

763. But the ingenuity of the evaders of the law make the bringing home of the offence equally difficult in both classes of cases?—Yes. Probably there would be more ingenuity on the part of the drink-sellers. My reading lies in this direction: that all over the world the liquor traffic is defying the law. I do not know any English-speaking country where that is not the case, judging by the newspaper reports, and there are great difficulties for the police to contend with.

764. If so, do you press your indictment against the police as far as indifference in enforcing the law is concerned?—I say that a section of them are doing their duty, but we are compelled to the conviction that a large number are not.

765. Looking at it as a large question, do you consider that the Force as a whole is doing its duty fairly well in the matter of enforcing the liquor laws?—I could not say it is.

766. Do you impeach the whole Force?—A very large proportion of the Force; and I am glad the conviction has grown up that reform is needed. Policemen have told me here and in the other colonies that the way to bar their promotion was to touch the liquor trade or the gamblers.

767. You have been told that by policemen in this colony?—Yes.

768. *Mr. Tunbridge.*] You believe that assertion?—I think the men who told me told the truth.

769. Can you point to any case where a constable, or any police-officer, has been debarred in promotion through activity to the liquor trade?—They have told me repeatedly they have been removed, but I cannot point to a case where they have been barred.

770. You know that Inspector Cullen was very active in the King-country?—Yes.

771. He was sergeant, and now he is Inspector?—Yes.

772. Has it barred his promotion?—No. We were delighted to see there was one case where a man went up when he did his duty.

773. In your speeches, which are very many, you attribute the inactivity of the police in a great measure to the capital at the command of the drink party, and the influence they exert in politics?—Yes.

774. To the inactivity of the police?—Yes.

775. That is frequently the thing you hold up more particularly?—Yes.

776. Perhaps you would tell the Commissioners what proof you have of it? It is a serious allegation to bring against the police. It means that the police-officers are either directly bribed for not performing their duty, or that some other power is brought to bear on them to prevent them from doing their duty?—I have made it a rule to talk to every policeman I can talk to, and I am satisfied there is an impression in the minds of the rank and file of the Force that if they vigorously enforce the licensing law they would be subjecting themselves to the disapproval of the very highest authorities in the land.

777. *Mr. Poynton.*] Can you suggest a remedy?—It would very largely be cured by the removal of political influence. I have never heard anything said that indicated that the men meant their Inspectors, at least not of late years. I have been told by a constable that his instructions were to take no notice of what went on in any publichouse unless there was an absolute row. That does not refer to any one now in office. All recent communications with policemen tend to the belief that influence would be brought to bear on them if they touched the trade actively.

778. Do you think the Force should be removed from political control?—I should recommend it, and I would like to see the whole control of the Police Force removed from the absolute control of the Minister.

779. *Mr. Taylor.*] Do you mean that Parliament should be a final tribunal?—Parliament, instead of the Minister of Justice, or the Defence Minister.

780. *The Chairman.*] Do you suggest that the head of the department should be responsible only to Parliament?—I am out of my depth. I have never tried to determine what should be done to reform the police. I have found it more than enough to expose the abuses of the liquor trade and the Police Force. I should like to see the Force removed from the present position of Ministerial control.

781. That is, apart from the individuality of the Ministry?—Yes.

782. As a representative Prohibitionist, familiar with the provisions of the licensing laws, can you suggest any amendment whereby the police could more effectually deal with offences?—I have not much hope. I find that the liquor traffic is not controlled in any part of the world, and it deepens my conviction that the only thing to be done with it is to get rid of it. I have no doubt it would help them somewhat if it was an offence for persons to be in a house in prohibited hours, or if, as in New South Wales, the man who drinks in illegal hours was prosecuted as well as the publican who supplies him. But though they have that law there, there is probably more illegal sale in New South Wales than here. From all my reading and observation I have never yet seen a possibility of controlling the traffic.

783. You think there is no possibility of controlling the traffic?—I think so; but I think some of the flagrant abuses might be checked.

784. *Colonel Hume.*] You said that the party to which you belong do not think it is their place to make suggestions to the police?—That was, as to the whole mode of controlling the Force.

785. *Mr. Poynton.*] You said it was degrading to the Police Force for you to make suggestions to them?—If the suggestion made were an obvious one, I felt it would not be creditable to the Force that we should have to make it, instead of it originating with themselves.

786. *Colonel Hume.*] You have made several suggestions to me?—Yes.

787. And they have always been well received?—Yes.

788. And some good has come out of it?—Yes.

789. Do you not think that if there was a confidence established between the head of the police and the prominent members of the party to which you belong, something good would come out of such advice?—I think it would be an admirable thing if the Commissioner of Police were a member of the Prohibition League. We want more sympathy between the Prohibition party and the police than we have had, and the indication of the reverse has seemed to us a very serious thing.

790. Do you think that that can possibly be established by constant meetings of the Prohibition party at which it is said that the police are not doing their duty, and that they will not do it?—We think we have had too much reason for it. First rebuke a man, and then help him up. I am sure there is no unfriendly feeling towards the police in the mind of the Prohibition party.

JOHN CULLEN, examined on oath.

791. *Mr. Taylor.*] Do you remember Mr. G. J. Smith and myself waiting on you about a fortnight ago in regard to "tote-shops"?—Yes.

792. Did you promise to take some action in the matter?—Yes; I promised to try what could be done.
793. Have you cases pending in the Court now in connection with "tote-shops"?—I believe so. I may say I had spoken to the detectives on the matter some time before that.
794. Since you relieved Inspector Broham?—Yes. We had discussed the matter.
795. Was the matter of the reprimand administered to Sergeant Scully sent to the Commissioner?—Yes.
796. In connection with your recent visit to Oamaru, do you remember a deputation waiting on you from the Athenæum?—Yes.
797. What was their complaint?—About larrikins congregating at the Athenæum corner.
798. Did they say they had previously complained to the local police?—They said they had mentioned the matter to Sergeant O'Grady, but that, although the nuisance complained of was abated for a while, it appeared again to come back to the old state.
799. Did you give special instructions about it?—I told Sergeant O'Grady what the representations were that had been made to me, and I told him to see that the nuisance was abated.
800. Can you tell the Commission anything about the extent to which political influence has been used in connection with police matters?—No, I cannot. I have no personal knowledge on the point.
801. Can you tell the Commission anything of the way in which publicans have threatened the police for doing their duty? Have you any instance in your mind where a police-officer has been threatened by the publicans with removal?—I have heard of it.
802. Within your own knowledge, do you know a case?—There is an instance in which I was concerned myself. I was transferred from Timaru at the instance of a section of the publicans there. That was in 1886.
803. *Mr. Poynton.*] Who was the Commissioner of Police then?—Colonel Whitmore.
804. *The Chairman.*] What rank did you hold then?—I was a second-class sergeant, and I was in charge of the station, under Inspector Broham.
805. *Mr. Taylor.*] Had you any doubt as to the direct influence they brought to bear on your removal?—It was pretty well known that they were the cause of it.
806. Was that the result of your endeavours to enforce the licensing laws?—Yes; Inspector Broham and I were trying to suppress Sunday trading.
807. Were you successful?—Pretty successful.
808. *The Chairman.*] What reason have you for saying you were removed at the instance of a section of the publicans?—I was told by the solicitor who was acting for one of the parties moving in the matter that they had approached the Commissioner of the Police to remove me. I was told of that in confidence.
809. *Mr. Poynton.*] Was it long before your removal?—About three weeks.
810. Was there any other cause for your removal?—No.
811. How long had you been there?—Four years and a half.
812. *Mr. Taylor.*] What towns have you served in since joining the Force?—Blenheim, Havelock (Marlborough), Dunedin, Timaru, Christchurch, Napier, Wanganui, and Greymouth, where I am stationed now.
813. Have you been uniformly successful in your efforts in enforcing the licensing law in the different places?—I have done my best.
814. On the average, have you found that the publican was more than a match for you, personally?—Of course, one will bring cases that will not be successful.
815. You succeeded very well?—I think I did, on the whole.
816. Have you ever known of any open sympathy on the part of police-officers with law-breakers?—How do you mean?
817. For instance, in prosecutions under the Licensing Act, or under the Gaming Act? Have you ever noticed any open sympathy as between the officer in charge and the accused?—No open sympathy.
818. How long did you serve in Hawke's Bay?—Three years.
819. Who was the Inspector?—There were several.
820. Did you serve under Inspector Emerson?—Yes.
821. Do you remember the prosecution of certain spielers in the Napier Court?—We had several times prosecutions against spielers.
822. Do you remember a man named Robinson?—A man known as "Murrumbidgee," do you mean?
823. Yes?—He was the man who took action against the Town and Suburban Racing Club.
824. Well, in connection with the prosecutions, do you remember an Inspector showing open sympathy with the accused—sympathy that could be remarked by the public?—I think if this is a charge against Inspector Emerson it is not fair that I should be asked about it.
825. I ask as a general question: have you ever seen an Inspector prompting an accused man's counsel as to what his defence should be, and openly prompting him?—Do you mean that to refer to Napier?
826. I will leave Napier out of the question?—I drew an inference myself, and I know that others have drawn the same inference, as to what occurred on a certain occasion.
827. *Mr. Tunbridge.*] With reference to Sergeant Scully, since you have been here have there been numerous complaints respecting prostitutes in the streets?—Yes, frequent complaints; particularly from Manchester Street.
828. Complaints from the citizens?—Yes.
829. Have you endeavoured to do all you can to abate the nuisance?—Yes; I gave instructions on parade on several occasions, especially to the night-duty men.

830. Have several prostitutes been charged with soliciting there?—Yes.
831. And convicted?—Yes.
832. Has Sergeant Scully been active in trying to suppress the nuisance?—Yes, very much so.
833. What is your opinion of Sergeant Scully generally, besides his action with reference to suppressing this particular nuisance?—He has done his duty well while I have been here. He has been an energetic man.
834. With reference to the charge which brought about the complaint from the Bench, you do think the sergeant acted indiscreetly?—Yes.
835. He showed a want of tact?—Yes, that was it.
836. Do you think that, beyond the want of tact, there was anything to complain of in the sergeant's conduct?—No, nothing.
837. As a matter of fact, the woman who was charged was a prostitute?—Yes, a noted prostitute.
838. You know that the department has considered the matter?—Yes, it has been dealt with by the department.
839. By punishment being inflicted?—Yes.
840. Which punishment has not taken effect yet?—No.
841. *Colonel Hume.*] Who was Commissioner when you were transferred from Timaru?—Colonel Whitmore.
842. *Mr. Taylor.*] Have you given special instructions for the inspection of hotels on Sunday since you came here?—They were in existence when I came here, and they have been carried out in my time.
843. Were there inspections last Sunday?—Yes.
844. Who were the constables?—Sergeant Mackay, and a constable. The sergeant, in his report, gives the number of hotels he visited. I can say that, during the three months I have been here, the hotels have been as well conducted as they are in any other town in the colony.
845. *Mr. Tunbridge.*] With reference to the state of the Force, you say that in 1886 you were transferred from Timaru owing to the action of the publicans?—Yes.
846. What is your opinion as to the condition of the Force during the past seven years, and their condition prior to that period?—I do not see much alteration for the last eighteen or twenty years.
847. Prior to 1890—the system of dealing with constables and so on—were they not practically at the whim of the Inspectors?—They were to some extent. Do you mean for transferring them about?
848. Transferring, and inflicting punishment?—Yes, the Inspectors had greater power than they appear to have now, and I think it was a great mistake to take away those powers. They have lost power, and their influence with the men is not so great as it was.
849. Then, your opinion is that the state of affairs that began prior to 1890 was calculated to undermine the authority of the Inspectors?—It began long before 1890, in my opinion.
850. You think the undermining of the Inspectors' powers began before that?—I think it began when Major Gudgeon came into office.
851. Would you prefer going back to the state of affairs that has been proved before this Commission to have existed in the last decade?—I do not know what has been proved before the Commission, but I know there is little difference in the Force now in the matter of organization to what there was ten or fifteen years ago.
852. *Mr. Poynton.*] Is it as efficient as it was ten or fifteen years ago?—I do not think there is such a good class of men coming in.
853. Is that due to recruiting from the Artillery?—I think it is recruiting from the wrong direction to recruit from the Artillery.

WILLIAM JARVIS HARKER, examined on oath.

854. *The Chairman.*] What is your name?—William Jarvis Harker.
855. What are you?—An independent gentleman.
856. Where do you reside?—Holly Road, Papanui Road, St. Albans.
857. You desire to give evidence as to the general organization of the Police Force?—Yes. I wish to say that I came to Christchurch seven years ago from Hawke's Bay. When I first came here the police were disorganized, and naturally the hotel-keeping was also disorganized. At that time, with the exception of two or three publichouses, you could get drink on any Sunday or at any time after hours.
858. Is that within your own knowledge?—Yes.
859. *Colonel Pitt.*] Did you ever get it?—Yes, seven years ago; but that state of things has been entirely reversed since that time. At present, so far from being able to get it at every house but two or three, it is at only two or three houses that it can be got. The police at that time were frequently in the habit of going to publichouses, but it is a very rare thing to see a constable in a publichouse now.
860. Did you ever see them in the publichouses before?—Scores of times. I take the *Prohibitionist*, and I vote prohibition. I have no interest in the liquor trade, and whatever I say is merely in the cause of justice. I have only the cause of truth to serve. On my arrival in Christchurch the police had fallen into a state of disorganization, and they were not a thoroughly capable body of men, and reliable men. I say this from my own knowledge.
861. *The Chairman.*] What facts have you to support it?—I knew all the men. They were in the habit of going into all the hotels, and they would smoke on their beats. What I desire to do is to point out the difference between then and now. At the present time they are as fine a body of men as you will find anywhere in the world; indeed, they have been

brought to such a state of perfection that the Prohibitionists have no need to quarrel with them. What I say of the Christchurch hotels applies to the other hotels throughout Canterbury. I travel about, and I say that from my own knowledge. I would also say that what I say of the Christchurch police applies also to the police of the Canterbury District. Regarding the whole question, I wish to say that I think a wrong perspective has been put on it. Too much has been made of little things; molehills have been made into mountains.

THURSDAY, 21ST APRIL, 1898.

EDWARD MACKAY, examined on oath.

1. *The Chairman.*] What is your rank?—Second-class sergeant, stationed at Christchurch.
2. *Mr. Taylor.*] Where have you been stationed since you joined the Force?—In various places. I have been round the Hawke's Bay District.
3. *The Chairman.*] Where were you stationed when you first joined?—Wellington.
4. And then?—I went to Lake Taupo, from there to Tarawera, and from there to Auckland.
5. When did you join?—I joined the service on the 14th May, 1877.
6. Is that the Police Force?—Well, it was police duty I was doing there. I was taken on for the Armed Constabulary. but I was doing police duty up there.
7. When were you taken on to the strength of the Police Force?—I was transferred from Taupo about seventeen or eighteen years ago. I joined the Armed Constabulary in 1877.
8. When were you first in the Police Force?—I was sent to Auckland about seventeen years ago. I cannot recollect the date exactly. It was on the 5th September, 1881 or 1882, that I was sent to Auckland and put into the Police Force.
9. *Mr. Taylor.*] What was your next station?—From Auckland I was sent to Dunedin.
10. And after that?—Lawrence.
11. And then?—Christchurch.
12. Have you within your own knowledge any information as to outside influence being used in connection with the police for securing transfers or promotions or removals?—I have heard a good deal of it. I have heard that influence has been used.
13. Of your own knowledge? Can you tell the Commission any instance where political or other influence has been used to secure the removal of a man for the performance of his duty?—Well, I really could not answer that question, further than that I have been threatened by the publicans of Dunedin that I would be removed, or that they would have me removed.
14. *The Chairman.*] You were actually threatened in Dunedin?—I was told that they had influence, and that they would use it on me.
15. *Mr. Taylor.*] Did you have a prosecution of the Shamrock Hotel in Dunedin?—I did.
16. Was it successful?—Yes.
17. *The Chairman.*] When was this threat made?—I could not give the exact date. It would be in the year 1896.
18. *Mr. Taylor.*] Who did you hear that from?—Several of them had threatened me, but Mr. Palmer, of Wain's Hotel, in particular. He used to stand at the door; in fact, every time I passed his house he would threaten me. He was the licensee of Wain's Hotel.
19. Did Palmer not make a boast in the City of Dunedin he would have you shifted?—That would be hearsay. He did not tell me that. I did hear so.
20. How long after that before you were shifted from Dunedin?—I should think about three weeks or a month. I think it would be about that time. I did not take any particular notice of it.
21. Where did you go to?—I was transferred to Lawrence.
22. *Mr. Poynton.*] How long had you been in Dunedin then?—One year and eight months.
23. *Mr. Taylor.*] Did you remain in Lawrence long?—Just about the same period—one year and eight months.
24. Did you have any licensing prosecutions in Lawrence?—No.
25. Have you had considerable success in connection with licensing prosecutions since you have been in the Force?—Yes. I have been very successful in those brought before the Court.
26. Did any such experience happen to you in any other station?—As regards my removal?
27. Yes?—Yes.
28. Where was that?—Lawrence.
29. *The Chairman.*] What happened there?—I was told when visiting hotels that I had been shifted from Dunedin for being too meddlesome at the hotels, and that I would be shifted again.
30. Who told you that?—Mr. Webb, licensee of the Masonic Hotel.
31. *Mr. Taylor.*] How long after that statement did you leave Lawrence?—I should think about sixteen months.
32. Has any similar experience happened to you anywhere else—in Auckland?—No. I was not threatened in Auckland in any way.
33. Do you think the laxity in administering the licensing laws is at all due to the supposed political power of the liquor party?—It has not interfered with me personally. I carry out my duties in every town I go to.
34. Do you think it has any influence on the actions of other constables?—Well, no; I would not think so, as to the manner in which they perform their duties when with me.
35. Is there a feeling in the Force that the liquor party do use political power, and use it freely? As a matter of conversation have you heard it?—No, I have not heard that conversation.

36. Have you known at any time of refreshments being supplied in the barracks to men on night duty—upon their coming off night duty, by the cook at the barracks?—What sort of refreshments are you referring to?

37. Coffee, tea, or anything of that sort—I do not mean alcoholic liquors?—In Dunedin, the men had coffee coming off in the morning.

38. Who provided it?—Themselves.

39. Did the cook at the barracks provide it?—He did not. The watch-house keeper made the kettle boil, and the coffee was ready for the men when they came in.

40. Is that the practice in Christchurch?—I do not know much about the practice in the Christchurch barracks, because when my duties are done I go straight home.

41. Do you know whether the men coming off night duty have had refreshments of that character?—Well, the last fortnight I have noticed when they came off they would go into the mess-room—whether for refreshments, or not, I could not say. I did not watch to see.

42. Prior to that, have you known they got refreshments after coming off night duty?—Well, no; I do not take any notice when they come off night duty, because I am anxious to get home myself.

43. Have any men complained to you about the strain of the long night duty without refreshments?—Yes, there were one or two spoke about it—that they thought them rather long hours without having something to eat.

44. Do you think a spell of eight hours is not calculated to induce men to take refreshments from outsiders?—I would not think so. I do not feel it so much.

45. You are a particularly strong man: to the average policeman is it not an inducement—a stretch of eight hours in all weathers—to take refreshments from outsiders?—Eight hours at a stretch is a long time, but I can only give you what I do myself when I was doing it. I used then to take a piece of bread in my pocket, and have that.

46. Do you think it is possible to have a break with the view of letting the men go in by detachments to have refreshments?—No; I do not think it could be done, because it would leave so many beats vacant, and offences might be committed in their absence.

47. Did you accompany officers on Sunday last in visiting Christchurch hotels?—I did.

48. What hotels did you visit on Sunday?—I visited a great number—some twice. I would like to say when I was first promoted to the rank of acting third-class sergeant I received instructions from Mr. Broham, in Auckland, when going on duty, that I would have to visit these hotels during my hours, and to submit a report giving the times I visited these hotels. I have continued to do that since I have been in the Force up to the present date.

49. *The Chairman.*] Did you have any special instructions last Sunday?—That is the standing order.

50. Did you have any special instructions last Sunday?—No. I had no special instructions. It is a standing order. I understand, if I do not do that, it would be disobedience of orders.

51. *Mr. Taylor.*] Were you in uniform last Sunday?—I was.

52. Was your fellow-officer in uniform?—Yes.

53. Did you enter by the front or the back doors of the hotels?—Mostly by the front. There was one I went in at the back one visit, and the other visit I went in at the front.

54. Which hotel was that?—That was Tattersall's Hotel.

55. Do you intend laying informations in connection with your Sunday visit?—No. I do not think it necessary. My report would not justify doing so.

56. Do you think there is much Sunday trading going on in Christchurch?—Well, it is no worse than other cities, as far as my experience goes.

57. Tattersall's Hotel on Sunday: did you find any visitors there?—Yes. I found four men in a sitting-room, and they were represented to me as boarders by the licensee. I asked them personally whether they were boarders. They told me they were. I had no reason to doubt them. They were sober and quiet.

58. Did you visit the Railway Hotel in Manchester Street?—I did.

59. When you say you do not think Sunday trading is any worse here than in other cities, that does not quite answer my question. Do you think there are numerous breaches of the licensing law as far as Sunday trading is concerned?—That I could not say, because I have not seen any. I visit the hotels, and I have not seen any. I could not say there was not.

60. When you were stationed in Dunedin were you in charge of the night relief at all?—Yes.

61. Did any of the men frequent Speight's brewery to your knowledge?—I never saw any of them near it. I heard when I first went there some of the men frequented the place, and when I got them on night duty I cautioned them against it, and I never found any of them going there—not to my knowledge.

62. Was it not a matter of common talk in the barrack-room that such was the practice?—I am not in a position to say whether it was or not, because when my duties are done I go home. I do not stop about the station.

63. *Colonel Hume.*] When were you transferred from Dunedin to Lawrence?—I was transferred on the 24th February, 1896.

64. When were you transferred to Christchurch?—I landed in Christchurch on the 3rd November last.

65. Your being transferred from Dunedin to Lawrence was promotion, or, rather betterment?—I would not think so.

66. You got a free house?—I did, such as it was.

67. And you had charge of a station?—I had.

68. No beat duty to do?—Yes, I had. I would consider it unsafe on account of the larrikins in the place for a policeman to be off duty on the street. I made it four hours for myself and four hours for the constable.

69. You made it yourself?—Had I not done so I would not have been able to keep peace and order in the township.

70. Does not a sergeant or a constable consider it betterment to have charge of a station and be his own master?—I would not think so. I am just as pleased to do my duty under a master as being my own.

71. You were promoted out of your turn?—No.

72. Made third-class sergeant out of your turn?—No; you represented I was, but I was not.

73. Were you at the top of the list when you were made acting-sergeant?—I knew there were other constables promoted over me who were junior to me, so that I could not consider I was promoted out of my turn if that was done to me.

74. Were you at the top of the list of first-class constables when you were promoted?—That I could not say. I saw juniors passed over me, and I made application for promotion.

75. If other constables came up and said you were promoted over their heads, that is not correct?—I would not say that. When I see juniors promoted over my head then I reckon it is my turn for promotion. I have cause for complaint then in my mind.

76. You do not know whether you were promoted out of your turn or not?—I could not say. All I can say is, there were junior men promoted over me, and I applied for promotion.

77. You do not know you were promoted over men?—I may have been.

78. How were the hotels conducted in Lawrence?—Very well.

79. When you first went to Lawrence, were they well conducted?—They did not close at proper hours. The first night I went round I found them open at 10 o'clock, and I cautioned them. I explained to them, if they committed a breach of the Act, I would report them to my superior.

80. And when you came away they were closed at proper hours?—They were.

81. We may conclude you had done the duty you were specially sent to Lawrence for? Specially sent?—I was not sent specially for that.

82. You do not know what you were sent there for? At any rate, when you went there the licensing laws were not properly carried out, and when you came away they were?—They were open when I went down the first time. I do not know whether they were taking advantage of me as a stranger, or whether it was customary for them to do that when the other sergeant was there.

83. When you came away they were closed at the proper hour, and the liquor laws were properly carried out?—Yes.

84. How long were you third-class sergeant?—About four years—going on for five.

85. That is fairly quick promotion, is it not?—I would not consider so, the way I was harrassed about.

86. *The Chairman.*] Where?—Shifted from Auckland to Dunedin, from Dunedin to Lawrence, and then down here.

87. When were you removed from Auckland to Dunedin?—I am not sure, but I think it was on the 18th May, 1894.

88. And from Dunedin to Lawrence?—24th February, 1896.

89. And from Lawrence to Christchurch?—3rd November, 1897.

89A. Which is the particular period you refer to as being harrassed?—The whole way I was shifted about. While others were allowed to remain at stations I was shifted away, and it smashes one's furniture to such an extent that it is next to useless to one.

90. *Colonel Hume.*] If the promotion-book shows that you went over the heads of upwards of sixty constables when you were promoted to third-class sergeant, would you deny it?—No, but it would show there had been junior constables promoted over me.

91. I asked you just now if you were promoted out of your turn?—I do not think so, according to the way promotion was given.

92. *The Chairman.*] Do you think you had a right to promotion simply on the ground of seniority?—No.

93. *Colonel Hume.*] Is it not rather a short time to be third-class sergeant, four years?—Others have had promotion.

94. But has not the average been for the last fifteen years much longer than four years for a third-class sergeant before he is promoted to second-class?—Yes; at least, I think so. With regard to the promotion spoken of by Colonel Hume, I was stationed in charge of the Water Police for a time in Auckland. During the time I was on the wharf I saved a number of lives—swam into the harbour and rescued them. I had saved six or eight. Those I never took any notice of until I found out that promotion was given to every man who had performed this duty—that they were promoted immediately. It was then I made application, after saving life, for which I hold certificates from the Humane Society. I then applied for promotion. Commissioner Hume was then in charge of the Force. He went against my promotion, and I reported and asked him to reconsider his decision in the matter, and pointed out that others had got it. He wrote back and told me his decision was final. There were a large number of people on the wharf at the time I performed this duty of taking this boy out of the water. When they found out that I had not been recompensed in the same way that others had been, they interested themselves on my behalf, I believe, with the result that I was promoted to acting-sergeant. My promotion was confirmed on the 1st February, 1894, and I was transferred to Dunedin. It was only because others had been promoted for performing the same duty that I thought I had a right to this.

95. *The Chairman.*] When were you promoted from third to second class?—On the 15th February last. I am quite satisfied within the last six months with the way I have been treated.

96. What made you not satisfied with your position before that?—I did not feel altogether safe in my position in the Force, because of the manner in which I was treated by Colonel Hume

on parade in Dunedin. He came on parade, and walked up and down through the men, and when he passed me he said, "Yes, a lot of men have been promoted out of their turn for jumping into the water, the same as any of us would do if we had been there." I took it as a slur on myself, because, as far as I knew, I was the only one that had done anything of the sort.

97. In consequence of that, you felt your position was imperilled?—I asked to see the Commissioner in the office, and when I went in he said, "What do you want?" Well, I could see there was an ill-feeling, and I fancied if there was a possible chance of my making a slip it would be taken notice of.

98. Do you claim to have made special effort to bring persons guilty of breaches of the licensing law before the Courts?—I have made no speciality of it. Any breaches of the law I see I deem it my duty to make a report, and submit it for the consideration of my superior officer.

99. Do you feel you have any reason for supposing activity in that respect has in any way prejudiced your position in the Force?—No, I have no reason to believe that.

100. You referred to two threats made to you by hotelkeepers. The last, you say, was at Lawrence; and you mentioned you were there for sixteen months after that threat was made?—Do you connect your removal with that threat?—No, sir, I do not.

101. In the other case, you say a threat was made by Mr. Palmer, of Wain's Hotel, Dunedin, and you were removed; about how long after that?—Three weeks after.

102. Do you in your mind associate your transfer to Lawrence with the threat made by Mr. Palmer?—Well, it may have been. I would not say it had anything to do with my removal.

103. Have you any reason for associating one with the other?—I think that was the cause of my removal. That is my opinion. Whether it is so or not I could not say.

104. In connection with that, you consider your transfer to Lawrence and being placed in charge of a station there, with a free house, was not promotion?—I do not consider it so.

105. Had you ever before been placed in charge of a station?—No, further than having charge of the Water Police in Auckland.

106. *Mr. Tunbridge.*] You were made acting-sergeant on the 1st January, 1890?—Somewhere about that time, I think. I am not quite sure on the point.

107. Do you consider yourself to be senior to Sergeant Dwyer?—Yes, I do.

108. Have you read the evidence given by Sergeant Dwyer before the Commission at Dunedin?—No, but I heard Dwyer made use of my name.

109. If it should be decided that Dwyer should be placed before you on the list, should you consider that you had been fairly dealt with?—No, I should not.

110. You were promoted to third-class sergeant on the 1st January, 1894?—Somewhere about that date.

111. Do you remember when Dwyer was promoted?—Never knew he was promoted at all. Never heard anything of it.

112. Do you not know he was promoted on the 1st February, 1897, to third-class sergeant?—I remember his promotion was confirmed then.

113. Do you claim, then, that you are senior to Sergeant Dwyer by just over three years?—Yes, I do.

114. As regards Sunday trading, owing to your being transferred from Dunedin, has that in any way influenced your conduct with reference to breaches of the Licensing Act?—In no way whatever.

115. It has not been the means of making you lukewarm in that respect?—In no way whatever. I do my duty wherever I go, independent of what they may do.

116. Have you, since you have been in Christchurch, been as energetic in that respect as you were in Dunedin?—Yes.

117. *Colonel Hume.*] As to this remark you say I made on parade at Dunedin, about jumping into the water, who did I say it to?—Mr. Pardy was walking behind you.

118. I was walking by myself?—Yes.

119. What did I say?—You said "There are a lot of men who have been promoted out of their turn just for jumping into the water, which any one of us would have done if we had been there."

120. Who did I say this to?—I could not say. I thought you were speaking at me.

121. *Mr. Broham.*] How long have you been on duty here?—I have been on duty here since November last.

122. In your experience, as far as breaches of the licensing laws are concerned, have the same exertions been put forth here as in Dunedin—the suppression of trading after hours and on Sunday, and so forth?—Yes.

123. Just the same?—Just the same.

124. You were under my charge also in Auckland?—Yes.

125. Were the same exertions used there to detect Sunday trading?—Yes.

126. Just the same?—Just the same. Every effort was used to suppress it.

127. Do you know whether other men had a free hand to report cases of the kind if they wished, or if they had any cases to report against the publicans?—Yes. There is only one thing: Constables were warned not to go in by themselves in case they would be outdone. Those were the instructions.

128. There were very good reasons for these instructions?—There were indeed.

129. Every constable must have been aware of the fact that he had a free hand in such cases?—Well, if they were to say they had not, I would not believe them.

ARTHUR CASTRIOT DERENZI, examined on oath.

130. *Mr. Tunbridge.*] You are a fully qualified medical practitioner, practising at Christchurch?—Yes.

131. I believe Constable Cumming has been under your charge?—He has.
132. Since October last?—Yes.
133. Will you kindly tell the Commissioners the cause of his illness?—He was suffering from extensive disease of the back part of the hip and the joint, where the hip joins with the spine. He was admitted to the hospital, and an operation was performed upon him, after consultation with Dr. Stewart. A large abscess near the spine was opened.
134. *The Chairman.*] Without going into full details, will you kindly tell us what was the cause of this trouble?—It was due to injury, probably some violent injury.
135. Of what character?—A fall, or a blow.
136. Could it have been brought about by any other cause?—No other cause whatever. There was no mark on the surface of the body to show there was anything the matter with him whatever. The abscess, which contained about a gallon of matter, was deep down on the spine.
137. *Mr. Tunbridge.*] Might the condition you saw the constable in have been brought about from injuries received a few weeks before?—Yes.
138. Injuries that at the time might have escaped anybody's notice?—Yes.
139. Is it possible that this man's case has in any way been aggravated by vicious habits, or any other cause?—Not the slightest. There is no mark, or appearance, or suggestion that such a thing could possibly have anything to do with it.
140. Is the constable still under your charge?—Still under my charge.
141. His condition at the present time?—Very much improved, but, of course, from the nature of the case, progress is slow. His life was in very serious jeopardy at the time he came under my care first. After consultation it was thought he would not recover.
142. Is he likely to be able to resume duty within a reasonable period?—It is impossible to say, from the nature of the case, how long it will be, or whether he will ever be able to do police duty again.
143. Would you be able to form an opinion as to whether he would soon be fit to resume duty?—It would be hazarding an opinion, which nobody can venture with any degree of confidence.
144. Do you remember, in 1895, attending Constable McGill at Addington?—I do.
145. You gave certain certificates as to the constable's condition at that time?—I did.
146. The certificates I now show to you are those?—Yes.
147. The certificates you then gave, did they correctly describe the cause of the man's indisposition?—Absolutely.
148. Was he under your charge for a long period?—For several months, I think; I saw him off and on.
149. What was the cause of his indisposition?—He was suffering from the after effects of a very severe attack of influenza, which had completely shattered his nervous system.
150. Was his illness in any way brought about, in your opinion, by vicious habits?—I could not say that it was brought on by vicious habits. It would be impossible to say that.
151. Did you observe anything at the time he was under your charge?—I heard at the time that he was addicted to drink, and I cautioned him as soon as he came under my care against drink in any shape or form.
152. And throughout his illness?—Throughout his illness I saw no effect of drink on him whatever—after he came under my care.
153. *Mr. Taylor.*] How often did you see Constable McGill whilst he was under your charge?—It would be impossible to say how many times.
154. Once a fortnight?—Sometimes every day in the first part of the illness.
155. He was ill for very nearly six months: do you think on the average you would see him once a week?—The first month, especially, I saw him a great deal more often than that. After that period, not very often. Towards the end of the time he used just to come and see me in the consulting-room.
156. You really do not know what his habits were in between?—When I visited him at his house, I came at times he could not possibly know I was going to call, and I never saw then any effect of liquor at all on him.
157. Would the space of a fortnight elapse sometimes between your visits?—Well, latterly, as the case went on, it would have; but in the first part of the case, when he was actually ill, I saw him much more frequently.
158. If he was ill for six months, during the last four months you would not see him so frequently?—Not so frequently.
159. You had no means of observing closely what his habits were, for, say, some three months?—If I did not see him I would not know what he was doing.
160. Would not drink aggravate his complaint?—Excessive drinking would.
161. Would it not have induced it to some extent?—No, it would not have induced it. It would have made the attack worse when it came on him.
162. Do you attend many policemen?—I attend some of them.
163. Do you know there is a suggestion that the men should be deprived of the right of choosing their own medical man?—I have heard that.
164. *The Chairman.*] Do you approve of that?—No, I do not. I approve of everybody having their choice in that matter. I think, perhaps, it might be well for a Government purpose to have some one to give authorised certificates, but I do not think that ought to preclude choice of treatment.
165. Do you think that would stop in a measure malingering?—It would tend that way.
166. *Mr. Poynton.*] Was Constable Cumming's condition, when you first saw him, consistent with his having received injuries during trouble with a prisoner—a kick?—Yes, it was—quite.

JAMES GANTLEY, examined on oath.

167. *The Chairman.*] What is your rank?—Third-class constable, stationed at Christchurch.
168. *Mr. Kippenberger.*] How long have you been in Christchurch?—About fourteen months; two years next February.
169. Where did you come from when you came here?—Oamaru.
170. How long had you been in Oamaru?—About ten months.
171. Where were you prior to that?—Stationed at Wellington.
172. How long had you been in Wellington?—About six years.
173. Do you remember the date when you were shifted from Wellington to Oamaru?—I was shifted in 1896—about two years ago.
174. Why were you shifted, do you know, from Wellington to Oamaru?—I do not know.
175. Was any reason given to you at all for being shifted?—No. I made application afterwards, but I got no satisfactory reply.
176. *Colonel Pitt.*] Made application as to what?—I made application to know why I was transferred from Wellington to Oamaru. I sent it through Inspector Broham.
177. *Mr. Kippenberger.*] That would be after you reached here?—After my arrival in Oamaru.
178. You received no intimation as to the reason for your removal?—No intimation whatever.
179. Before leaving Wellington, were you called upon to answer a charge of exhibiting filthy or indecent pictures?—No; never heard of such a thing.
180. We are informed by a witness who has given evidence on this Commission that “my recollection is that Colonel Hume wrote a memorandum asking why Constable Gantley was showing a photograph in a public bar; and the constable explained it was the photograph of a criminal, and the matter dropped.” Tell the Commissioners if there was any suggestion of your misconduct in that connection at all, or of any misconduct?—I distinctly deny ever having done anything of the sort.
181. Were you charged with that?—I never heard of it.
182. And you also deny having done it?—I distinctly deny it.
183. That suggestion, as far as you are concerned, is entirely false?—Untrue—positively untrue. I am prepared to prove it is untrue.
184. Did you ever have in your possession or show to any one any pictures, filthy or otherwise?—I never had an indecent picture in my possession in my life but once, and that was when I arrested a man for that offence in Napier with Inspector Cullen.
185. And to this date?—And up to this date I never had such a thing.
186. And to this day you really do not know the reason why you were shifted from Wellington to Oamaru?—No, I do not.
187. *Colonel Hume.*] Is it usual to tell constables why they are shifted from one place to another?—No.
188. You asked, did you not?—Yes.
189. Do you remember the date of your application to know why?—Yes.
190. Was it the 26th June, 1896?—Yes.
191. You got an answer, did you not?—Yes.
192. Do you know what is the date of the answer?—I think it was about a week after I put in the application. I know what the answer was.
193. Have you any complaint to make about your being shifted, or what is the complaint?—I never made any complaint.
194. If you knew it was not usual to inform constables the reasons for their removal, why did you make the application?—The reason I made the application was I was performing plain-clothes duty in Wellington. When I received intimation of transfer to Oamaru, I was never told whether I was to be transferred in uniform or plain clothes, and on my arrival at Christchurch Mr. Broham was the first to inform me I was transferred to Oamaru to replace Constable Marsh. I felt aggrieved at that, without being charged with any offence, or any complaint against me. I consider I was harshly treated. I consider that I should have been charged, or reported, or complained of; but without anything of that sort, or without any reason being given to me, I was shifted. I was simply told I was transferred to Oamaru by the first boat, not knowing I had to revert to uniform. That was all my grievance as far as that was concerned, and I consider I had a perfect right in asking for the reason. If they had any complaint against me, they should have charged me with it; and if I could not have vindicated myself, I would have suffered the punishment the department would give me.
195. *Mr. Taylor.*] Was there no inquiry in Mr. Pender's office, in Wellington, in connection with your removal?—Not to my knowledge.
196. Just immediately preceding your removal?—Not to my knowledge.
197. If Sergeant Wright says he has a distinct recollection of such an inquiry before the Inspector, would he be stating what is incorrect?—Perfectly.
198. Quite incorrect?—Yes.
199. What was the nature of the reply you got from the Inspector?—I do not think I am bound to tell you that.
200. I think the Commission would like to know?—“Inspector Broham.—Constable Gantley was employed as a plain-clothes constable in Wellington, but I considered it advisable to transfer him away, and to give him a turn at beat duty. I cannot see that he has any just cause for complaint. The fact of a constable doing plain-clothes duty gives him no right of tenure to that office.—A. HUME, 25/6/96.”
201. Did you join the Police Force from the Armed Constabulary?—Yes.
202. Do you remember what officer received orders to leave Wellington the same day as you did?—I do not.

203. Do you not remember if there was an officer who left the same day as you left?—I do not remember any one going. I came South.

204. If Inspector Pender said there was some question in connection with your removal that you had been exhibiting photographs in the hotel bars of Wellington, would he be wrong?—Yes.

205. Quite wrong?—Yes; and you are wrong, too, for saying it.

206. Photographs of criminals—that would be wrong?—Yes, perfectly wrong.

207. How long elapsed between your getting orders to leave and your leaving Wellington?—I think it was three or four days. I got two or three days' leave.

208. You say there was no inquiry of any kind, and no charge of any kind made against you?—No, there was not.

209. All the time you were doing duty?—No.

210. Your record is perfectly clean?—Yes.

211. And you were not present at any investigation of any charge against you in the Inspector's office?—No.

212. If the Inspector and the clerk say so, they are wrong?—Yes.

213. *Colonel Pitt.*] Do you say, during the time you were in Wellington, you did not exhibit the photograph of a certain criminal who was wanted for arrest, or had been wanted?—No.

214. I do not suggest it was an indecent picture in any way: if any one has said you exhibited the photograph of a criminal, not an indecent picture, would that be right?—No.

215. Or any man wanted for arrest?—No.

216. That would not be right?—No, it would not.

217. *The Chairman.*] You know, perhaps, it was said it was not an indecent picture, but the portrait of a criminal who was wanted?—I did not know until I saw it published as evidence given before the Commission.

218. Do you deny ever exhibiting a photograph of a criminal who was wanted?—Positively, I deny ever showing the photograph of a criminal who was wanted outside the police-station.

219. *Colonel Pitt.*] And there was no inquiry in Wellington as to its having been alleged that you had exhibited indecent pictures, and it was found it was the photograph of a criminal who was wanted?—No.

220. You did not attend or hear of any inquiry in connection with such a charge?—No.

221. You have no knowledge of anything of that kind at all?—No, no knowledge.

222. *Mr. Kippenberger.*] The only knowledge you have of such a charge is what you have gathered from the report of what has taken place before this Commission?—That is so.

223. Is it an unusual thing for a constable, without complaints against him, to be removed at a couple of days' notice?—Well, I could not say. They might deem it advisable to transfer a man away at any moment. I was five years and three months stationed in Napier, and I was only given a day's notice to leave there.

224. Is it within your knowledge that constables are frequently removed without any substantial notice to them?—I could not say that. I speak for myself.

225. *The Chairman.*] I understand you are aware that men are moved without any notification being given to them as to the reason?—Yes. We can always get leave for two or three days before we leave.

CHARLES HENRY PRATT, examined on oath.

226. *The Chairman.*] What is your rank?—Third-class constable, stationed at Christchurch.

227. *Mr. Taylor.*] Were you in company with Sergeant Mackay last Sunday visiting hotels?—Yes, I was.

228. How many houses did you visit?—If I remember rightly, I think we visited somewhere between twenty-five and thirty in the morning.

229. Some more in the afternoon?—And more in the afternoon.

230. You were in uniform?—I was.

231. Did you make the usual signal at the front door: when you entered by the front door, did you knock?—Yes.

232. The same at the back door?—In some cases.

233. Did you find any one apparently on the watch?—No, not last Sunday.

234. Nobody on the door of the hotels?—No, not last Sunday. I did not notice anybody last Sunday.

235. Did you find anything to cause you to institute a prosecution for breaches of the law?—No. I think myself—in fact I made the remark—that during my time I had never seen the houses so well conducted as they were last Sunday. I think in only one house out of all that we visited were there any persons on the premises at all.

236. Supposing you knocked at the front door, do not you think people in the house would have time to get out by the back-door before you got through the house?—In some cases last Sunday the doors were open, and we had not to delay at all, but walked straight in.

237. Do you think constables in uniform are likely to obtain information as to breaches of the Sunday-trading clauses of the Act? Do you not advertise yourselves hundreds of yards sometimes before you reach the house?—Yes, that is so.

238. Did you go into Tattersall's Hotel?—I did.

239. How many people did you find there?—There were four men, I think it was, in the front room.

240. Were they travellers or lodgers?—Well, they were represented to us as lodgers, and Sergeant Mackay asked the men themselves if they were, and they said, Yes. There was no sign of Sunday trading, and, of course, we believed what we had heard.

241. Do you think there are many visitors to hotels on Sunday in Christchurch?—I cannot speak from experience for the last few months, because I have not been doing street duty.

242. Last Sunday, do you think there would be many at the average hotel?—As I said before, I think last Sunday was an exceptionally good Sunday.

FRANK THOMPSON, examined on oath.

243. *The Chairman.*] What are you?—House and land agent, at Christchurch.

244. *Mr Taylor.*] Were you collecting information last Sunday as to the number of visitors to a certain hotel?—I was.

245. What house?—Tattersall's Hotel.

246. Who was with you?—Mr. Hoddinott was with me in the afternoon. I was by myself in the morning.

247. From what hour did you start in the morning?—Twenty-five minutes to 10.

248. Until what time in the evening?—I was about half an hour off in the middle of the day for lunch. I think I went away at about half-past 1. I was there up till twenty-five minutes past 5.

249. How many people entered the house during that time?—Two hundred and fifty-five.

250. Does that exclude the half-hour?—That excludes the half-hour, Yes.

251. Could you command a view of the urinal?—Yes, I could. I should explain I did not see them actually enter the house. My point of view was obstructed at a certain point. I saw them leave the right-of-way, and then for a short while my view was obstructed by a building, and then they appeared again, and came towards the back entrance of the house.

252. Did you see them walking: did they stand in the yard at all?—Very few.

253. How many went into the urinal?—I did not count any more than a dozen.

254. Did many go in by the front door?—I did not see any. My view did not command the front door.

255. Did you see the police enter?—I did.

256. What time?—It would be about 11.40 by my watch.

257. Were there two officers in company?—Yes.

258. How long were they in the house?—About five minutes.

259. Did they go in by the back way?—Yes, they did.

260. What did they do when they came out?—They apparently entered on a piece of paper the result of their visit, and went away.

261. Did they stand in the right-of-way to make the entry?—Yes, they stood in the right-of-way, and made the entry, and then, as they came towards Cashel Street, they met two men going in the right-of-way, and they turned round and watched the two men, but the men went on to Hereford Street, and waited at the end of Hereford Street, and, when the policemen had gone, they came back again and went in.

262. Did the police approach in the ordinary way—no secrecy, no attempt at concealment?—Yes.

263. No precautions to prevent their being seen in their approach?—No, as far as I could see. I would not be able to see them until they came nearly opposite the house. My attention was attracted by a young fellow who preceded them by about two minutes. He ran down the right-of-way and gave the warning to the person stationed at the gate.

264. *The Chairman.*] Did you see anybody stationed at the gate?—There had been persons stationed at the gate on and off throughout the day.

265. *Mr. Taylor.*] At the back gate?—At the back gate, Yes, and the right-of-way—sometimes a male and sometimes a female.

266. You saw the person?—Yes, I did. At the time the young fellow went towards the gate the sentry had stepped inside the gate—he was not in view, but he beckoned with his hand.

267. Did any one come to him?—No, they did not come to him, but they ran across the yard.

268. You could not see them enter the house?—No, I could not.

269. How long after that before the police came?—I suppose about two minutes.

270. Did the majority of these people seem to be different persons? Did the same person enter time after time?—The majority of them were different persons, but some of them entered more than once.

271. Did you know any of them?—Yes, I did.

272. Did you see signs of liquor on any of them?—I did not see signs of liquor on any one who came out of the hotel.

273. On any one who went in?—No. I saw a drunken man come out of the stable—the stable entrance on the right-of-way. A considerable number of the visitors to the hotel had come from the stable gate.

274. *The Chairman.*] Did you see an exodus of persons from the hotel, after the signal was given which you referred to?—Yes, and after the police entered one young fellow ran out.

275. *Mr. Taylor.*] Into the right-of-way?—Yes.

276. You could not see the front door of the hotel?—I could if I had wished. They had that door locked.

277. *The Chairman.*] You tell us your position did not command the front door?—If I had wished I could.

278. It was not in your view?—I could if I had wished. If I had shifted my position I could have seen it. My attention was particularly centred on the back portion of the house.

279. *Mr. Taylor.*] Did the police seem rather amused when they came out—were they laughing?—One of them smiled a bit.

280. *Mr. Tunbridge.*] I do not quite understand your position: were you standing or sitting, or where were you?—I was sitting in a room in Inglis's buildings.

281. In whose occupation is this room?—I think it is rented by various societies.

282. Which floor is it?—The top floor.
283. Are there any other windows in this particular room than the one you were looking out of?—Several.
284. Which one were you looking from?—I was looking from the one nearest the east corner of the building.
285. Of the room in which you were?—Yes. It was a double window, and I was looking out of the second portion. It was the first window from the eastern side, and I was looking out of the second portion of it. I was looking from the portion furthest away from the eastern end of the room.
286. Are there any other rooms occupied by various persons in this particular building? Is this room easily identified?—There are various offices in this particular building. The room is easily identified.
287. By what means?—It is the room at the eastern corner on the top floor.
288. You say you could see the people before they got on to the licensed premises?—I could.
289. Where were these people at that time?—Sometimes they came from Cashel Street, and passed down the right-of-way, and at other times they came from Hereford Street.
290. How far from the entrance to the yard would the people be when they were lost to your view?—The distance from the entrance of the licensed premises to the point referred to would be about half a dozen yards.
291. *The Chairman.*] You had a view right down the right-of-way?—Yes.
292. *Mr. Tunbridge.*] Are there any buildings between the hotel and the corner of the right-of-way?—There are; but I could see over the top of those buildings.
293. You could see over the top of those buildings: and how far could you see what was going on?—I could see over the top of them into the yard; but, as I said before, one of the buildings obstructed my view for a short distance.
294. And you could see over them?—Yes.
295. Is there a second right-of-way leading out from the right-of-way running from Cashel Street to Hereford Street?—I do not think so. I think it is just an entrance into the back of the hotel; but it may be a right-of-way, for all I know.
296. You could distinctly see people from your point of view, when they passed to the back of the hotel premises?—Yes, I could.
297. Could you see the hotel back-door?—No, I could not.
298. What you say is, then, you saw the people go on to the hotel premises, not enter the house?—That is so.
299. You have a return there: can you say if you saw any persons enter the hotel about the time of the police visit?—You mean, enter the premises?
300. Yes?—At 11.30 according to my watch, which I found afterwards was ten minutes fast, making it actually 11.20, four men went in together, and then they were followed by two.
301. Was that before the police came on the scene, or after?—Before the police came.
302. How long before?—Well, the police came at 11.50 by my watch; that would be 11.40.
303. Had you seen six persons leave before the police came on the scene?—I could not say. There were eight had gone out after 11.20, and before the police went in.
304. Can you form any idea of the number of persons that were on the premises at the time the police entered?—I should imagine there were two or three.
305. If the police say there were four men in the room when they went there, would you be inclined to dispute that?—No, I would not. There might have been four.
306. Up to the time of the police going there, how many people had you seen?—A good many.
307. Can you say what number had entered the premises before you were accompanied by Hoddinott?—Yes, I think so.
308. *The Chairman.*] When did he join you?—About twelve minutes past 2 o'clock by the right time. There were eighty-two up to that time.
309. *Mr. Tunbridge.*] Between that and 5.25 would be the difference of the 255?—Yes; it ought to work out at that.
310. Those numbers that you have there include all persons who went on the premises?—They do.
311. How did you count them?—I had two columns—one of those who went in, and one for those who came out.
312. How do those columns compare?—They compare exactly. I was surprised when I totalled up, because I was absent for about half an hour, and when I went some were just coming out, and when I left some had just gone in.
313. You have no means of ascertaining how many times the same person passed in or out?—I know of some persons the number of times they went in.
314. At what point did you count these persons—when they were passing the long building which obstructed your view, or when they entered the right-of-way?—I entered them as a rule when they left the right-of-way, but I waited to see them pass the buildings and go towards the back portion of the hotel, generally speaking.
315. And when they left, where did you count them?—I counted them as they entered the yard from the back portion of the hotel, and, of course, as they came out of the gate, I checked them again.
316. *The Chairman.*] No risk of their being put down twice?—Absolutely none.
317. *Mr. Tunbridge.*] In one case only did you see any sign of drink?—Yes.
318. And that was a man who came from the stable?—Yes.
319. Had you see him pass into the hotel at all?—Not that I could recognise him.
320. Did you keep that list yourself?—I did.

321. After Hoddinott came did you continue to keep the list?—Yes.
322. Did you count the police among the persons who entered on the premises?—I did not.
323. You do not know where this second look-out was stationed, I suppose?—Which second look-out?
324. Where the one who ran down the right-of-way gave the alarm was stationed?—No. He came from the intersection of Cashel and High Streets.
325. And did the policeman come from that direction also?—Yes.
326. You saw one person only leave the premises at the time the police came?—He had followed the police. He entered just after the police had gone in, and he ran out again.
327. You did not see any other persons come out from the hotel, apparently alarmed by this young man running down?—No, I did not.
328. You say you knew some of these persons?—Yes, I did.
329. By name?—I think I knew one by name.
330. What was his name?—I think his name is Frank Reeves.
331. Do you know what he is?—He was at one time a grocer's assistant, I think.
332. That is the only one you knew by name?—That is the only one I knew by name. I recognised several of the young men, whose names I have tried to ascertain since—men whom I know to be Christchurch men.
333. *Mr. Taylor.*] How far from the back-door of the hotel would these people be when you lost sight of them in approaching the hotel?—I have never been into the yard. I should imagine about half a dozen yards.
334. Did Hoddinott not make any of these notes?—No, he did not.
335. He simply assisted in the observations?—He made his own notes.

ALFRED THOMAS HODDINOTT, examined on oath.

336. *The Chairman.*] What are you?—A machinist, living at Christchurch.
337. *Mr. Taylor.*] Were you assisting last Sunday in getting information as to the number of visitors to Tattersall's Hotel?—Sunday afternoon I was.
338. Did you see the police enter in the afternoon?—No.
339. How many people went into the house while you were there?—Seventy-eight; and 116 came out.
340. *Colonel Pitt.*] What time did you go on?—At 2.10. I left again at 5.30 p.m.
341. *Mr. Taylor.*] Did you know any of the visitors?—Only one, by sight.
342. You do not know his name?—I do not know his name: he is a tailor.
343. Could you see the back-door of the hotel?—Not the back-door. We could see the back-yard only from where we were.
344. You made your own notes?—Made my own notes.
345. Did you notice liquor on any of the visitors?—One only.
346. Was he going in?—No, he was coming out. That was about 5 p.m., or shortly afterwards.
347. Was anybody on the watch at the hotel?—There were the three daughters, and Mrs. Conway, I believe.
348. At intervals?—One was at the back gate, and the other two daughters were at the top windows at the front of the building. They took turn about. One daughter would be at the back, while the others would be at the window at the front.
349. Could you see the front door from the window you were watching at?—Quite distinctly.
350. Did you pay special attention to the back entrance?—The back entrance, yes.
351. *Mr. Poynton.*] Did you keep a record of the times when they were watching at the particular places?—No, I did not. The only record I got was when Mrs. Conway came from the front door and went round the back with one that went in at 4.47 p.m.
352. *Mr. Taylor.*] Did Mr. Thompson take a note of any that went in that you did not see?—I believe there were one or two he did not see. He was away at the library for a minute or two.
353. What is the total on that sheet: add the figures up carefully?—One hundred and three, I make it, going in.
354. Did you not miss twenty odd out?—I must have missed twenty; that is so.
355. *The Chairman.*] You were in error in saying seventy-eight?—Yes.
356. Is the number you have given as coming out correct?—One hundred and sixteen is correct.
357. With regard to the watching, you say there was a system of watching, and it was carried on by Mrs. Conway and her three daughters: how was it carried on?—Well, the only time I saw Mrs. Conway was at the front door. She came to the front door three or four times, opened the front door, closed it again, and bolted it after her. I never saw her outside, with the exception of once going down the right-of-way. She followed a man down the right-of-way, and went round the back with him.
358. What about the girls?—As to the girls: there was one, I believe, almost all the time at the back gate. The other two were at the front bedroom windows and at the front door—a portion of the time at the windows, and a portion of the time at the door.
359. From their position at the windows, did they appear on the watch?—Yes. They were looking up and down the street, first one way and then the other.
360. *Colonel Pitt.*] Were the windows shut or open?—Open at the bottom.
361. From where you were, you could see the front door?—Quite distinctly.
362. And Mr. Thompson?—Yes, he was sitting within a yard of me.
363. *The Chairman.*] Did you see anybody enter or leave by the front door?—Nobody.

FRANK THOMPSON, further examined on oath.

364. *Mr. Taylor.*] With regard to the numbers you have given, you wish to make a correction?—There were 149 up to the time Mr. Hoddinott joined me going in, and 106 I counted after Mr. Hoddinott joined me. You will find the total will be practically the same, but I had one sheet in its wrong place.

365. *Mr. Tunbridge.*] What number going out?—One hundred and forty-two.

366. Was that before Hoddinott joined you?—Yes.

367. And after?—I make it 112.

368. Will you tell me how you know these sheets are in the right order now?—By the time.

369. Have any of these pencil-marks been added since you left the place on Sunday?—Yes, the additions in indelible blue pencil.

370. No others?—No others, with the exception of a ring round one entry.

371. *Colonel Pitt.*] How many people left the hotel between, say, a quarter to 2 and a quarter past 2?—I was not there at a quarter to 2 o'clock.

372. What time did you leave?—I got back about twelve minutes past 2. I was away for lunch. I left at twenty-seven minutes to 2 o'clock.

373. How many went in between a quarter to 1 and a quarter past 1?—I have divided up my sections into hours—from 12 to 1 o'clock, and from 1 o'clock to twenty-seven minutes to 2 o'clock.

374. From 12 to 1: give us that, then?—From 12 to 1 there were forty went in and thirty-four came out.

375. *Mr. Taylor.*] Did they stay long on the average between 12 and 1?—No. Some of them stayed perhaps ten minutes, others fifteen minutes.

376. *The Chairman.*] That is an average for the day, is it?—Yes, Sir.

ALFRED THOMAS HODDINOTT, further examined on oath.

377. *Colonel Pitt.*] You say Mr. Thompson could see the front door from where he was sitting with you?—Yes.

378. Can you say whether he was watching the front door or not?—He was at times.

379. Were you watching the front door?—At times. We could not be off seeing both the right-of-way and the front door from where we were.

380. Can you say Mr. Thompson's position was such that he could not be off seeing it?—Well, he was more sheltered than I was.

381. But you say at times he was watching the front door?—Yes.

382. He did not tell you he was watching the front door?—Well, he called my attention to Mrs. Conway at the front door.

383. *Mr. Tunbridge.*] You were not able to see the people actually leave the building?—No.

384. You saw them crossing the yard?—Crossing the yard.

385. And the same applies to entering?—Yes.

386. You are pretty clear as to the number who went in—you took them down at the time?—Took them down at the time.

387. Would it be possible for you to have made a mistake at all?—No. I may have missed one or two when I was away from the table just for a moment. I do not suppose I was away two minutes altogether.

388. You might have missed one or two?—Or a few. I am not certain as to the number.

389. You saw the landlady and her daughters?—Yes.

390. Do you know the daughters?—No; Mr. Thompson told me who they were.

391. You say there was one watching at the gate: would she be the oldest, or the youngest daughter?—The youngest daughter, I should say; the shortest one of the three.

392. Is Mrs. Conway licensee of the hotel?—I believe so.

393. Were there any men about the place, apparently employed there?—There was one man a good portion of the time about the back gate, with a straw hat on. I thought he was employed there. I would not be sure.

394. Was that the only man who seemed to be employed about the place?—That was the only man.

395. Any other women besides the four you have mentioned?—No, none whatever.

CHARLES ROSE, examined on oath.

396. *The Chairman.*] What are you?—Head stableman in Mr. Delamain's employ.

397. Are Delamain's stables next to Tattersall's Hotel?—Yes.

398. *Mr. Conway.*] Will you tell the Commission what you are in the habit of doing on Sunday, and every day in the week?—My business is this: I am employed taking charge of people's horses and traps when they are left in the stable.

399. How many men are employed at the stable?—About four men in the yard, and three cabmen.

400. Does that include yourself?—Yes. Of course, there is the clerk; there are five in the stable with the clerk.

401. There are two Mr. Delamains?—Yes.

402. You have no conveniences—water-closet, urinal, &c.—in your stables?—No.

403. When you wish to go to a water-closet where do you go?—We always go to Mrs. Conway's, Tattersall's Hotel.

404. How many people do you put up as a rule on a Sunday, from the country?—They vary a great deal; sometimes there might be fifty, or thirty, or twenty; and sometimes three or four people come in the same conveyance.

405. Last Sunday, about how many were there?—Last Sunday, speaking roughly, I suppose there were about thirty or forty. It was not an extra day, but just a medium sort of day. Of course, I did not count.

406. If they wished to go to a water-closet where did they go to?—I always referred them to Tattersall's Hotel.

407. I suppose a lot of them go in and have refreshments?—Yes, people from Kaiapoi and Rangiora.

408. Have you ever been in with them?—On occasions I have been with them.

409. Have you been served?—I have been refused.

410. In what other ways do you use our house, on Sundays as well as on week-days?—On several occasions we use it for hot water and such like things, in case of a horse being sick, or a bran mash being wanted, or something of that kind. In fact, two or three Sundays ago we had four horses sick, and Mr. Brown, the veterinary surgeon, sent me in half a dozen times for hot water.

411. *The Chairman.*] Do you refer to last Sunday?—No.

412. *Mr. Conway.*] Last Sunday, how many times were you on our premises yourself?—Perhaps three or four times. I cannot say for certain. I do not think any more than that.

413. You know if hot water or anything else is required for a bran mash, or for horses under the care of Mr. Brown, you or some of your stablemen come to our place, and you also recommend any travellers or people driving into your stables who wish to use the water-closet, or to obtain refreshment, to our place?—Yes.

414. *The Chairman.*] Did you refer any of the people who came to the stable with horses last Sunday to Tattersall's Hotel for any purpose?—Yes, I probably did. I think I referred some people from Kaiapoi and Rangiora there.

415. Did you refer any in there last Sunday?—Yes.

416. Why did these thirty or forty people come to the stable?—That is not my business. They may have come in from the country for a drive, or to see their friends, and they come with their horses to the stable for accommodation.

417. *Mr. Conway.*] Have you two drags plying on the Fendalton Road?—Yes. On occasions, too, I get my meals at the hotel when I have no time to go home for them.

418. And usually on Sundays; and last Sunday, were there not about eight or nine passengers came by one of the coaches to the stables?—Yes, I think there are sometimes twenty or thirty from Rangiora.

419. I mean on the Fendalton coach last Sunday?—Yes, I think there were.

420. You came with them to the back door, and did I refuse you liquor?—Yes, I was refused.

421. *The Chairman.*] How many, with you?—I think four, altogether.

422. *Mr. Tunbridge.*] From your stables, you can overlook the yard of this hotel?—If we go to the back door of the stables, we can see into the yard.

423. Now, you are there every Sunday?—Well, I am there as a rule perhaps seven or eight Sundays running. I am supposed to be there about three Sundays, and then one off, but generally there is something at the stables that brings me there every Sunday. I am away perhaps one Sunday in ten.

424. You have a good chance of observing the yard going into this hotel?—Of course, I can see what goes into the yard near the hotel, but I cannot see unless I go to the door.

425. You were there last Sunday three or four times?—Yes, not more than five.

426. That gives you an opportunity of seeing what is going on?—Yes.

427. From what you know of the hotel, is there an extensive Sunday trading going on?—I cannot say.

428. Have you seen it?—I have not seen it. When I go in I go on business; I go in for accommodation, and the like of that. I have taken people in there, either for the conveniences or for whatever they might want to drink as travellers. I have never taken any one else except travellers in.

429. You went there last Sunday with three or four people with the idea of getting them drink?—Yes; they were travellers.

430. But they were refused?—Yes.

431. You believed these people were travellers, and you took them there with the idea of getting them something to drink?—Yes, and the place was closed.

432. Did they knock?—Yes; at the gate.

433. What time of day was this?—After 9 o'clock in the evening.

434. But during the day?—Well, it was in the day that I was there.

435. What is your experience in the day-time?—My experience is this: I simply go in for the conveniences, as I have said, for hot water and such like.

436. Hot water takes you inside the house?—Into the kitchen.

437. And, from your observations, what do you say about Sunday trading?—I know nothing about Sunday trading.

438. You have never seen it?—No.

439. If it had been going on to any great extent would you have seen it?—I think I should.

440. I mean, people who are neither lodgers nor travellers; have you seen them get drink?—I have not—only those I have been in with.

441. And they have been travellers?—Yes; I have always asked them that question before taking them there.

442. *Mr. Taylor.*] How often did you go in with the other men working in the stables last Sunday?—I do not know that I went in with any one working in the stables.

443. You went in three or four times—up to five times, I think you said?—Yes.

444. Did you go alone each time?—No.
445. Who did you go with the first time?—Well, I am not prepared to say who I went with the first time.
446. I want to know?—Of course, this has come very suddenly on me.
447. *The Chairman.*] Do you remember going in with anybody the first time you went to the hotel on Sunday last?—I cannot remember if anybody was with me.
448. Can you remember if nobody was with you the first time you went in the hotel on Sunday last?—I cannot remember anybody in particular.
449. Did you not go in on some of the three or four times with some of the men with whom you work?—I do not remember. I remember going in with people who came to the yard to put up their traps. I do not remember going in with any one with whom I was working.
450. How often did you go in with people who came into your yard?—About four or five times.
451. Did you go in with one, or two, or three or more, the first time?—It might have been two; it would not be more than two.
452. And what happened; did you go into the closet, or the bar?—I believe into the closet first.
453. Did they go in?—I do not remember them going in; they might have.
454. Did you go into the house with them afterwards?—I went into the house.
455. Well now, what happened; did you go into a room at the back of the bar, or into the bar?—I went into the kitchen.
456. No further?—No.
457. Did they go into the kitchen too?—Yes.
458. Did they stop there?—As long as I did.
459. What happened?—Nothing.
460. Did you get any liquor?—I had a glass of beer.
461. Did they have liquor?—Well, I was in a hurry to get back again. I think they had some.
462. Do you remember who they were? As a matter of fact, were they not men working in the stables with you?—No.
463. Did not one work in the stable with you?—I do not remember one coming in with me.
464. Did not one of these men work in the stable?—I do not think any man from the stable went into the kitchen and had a glass of beer with me.
465. Did they go into any other room?—I did not notice any one going into another room.
466. You had a glass of beer?—Yes.
467. Who paid for it?—The travellers with me.
468. Who were they?—Some gentleman from Kaiapoi; I do not know his name. I know the customers casually by sight.
469. Do they put up at your stables?—Yes.
470. Do you keep a record of the customers?—Of course, we know some of them. We do not take any notice of those who pay cash, but we put down the people who book, and we know them.
471. Did they pay cash?—Yes.
472. Now, the second time, was that liquor paid for before you left?—I do not know whether it was paid for or not.
473. You took no notice whether it was paid for or not?—I swore it was paid for by the travellers because they asked me to have the drink with them.
474. *The Chairman.*] You assumed that?—I supposed they would; but they might have been friends of Mrs. Conway's.
475. *Mr. Taylor.*] The second time, who went in with you?—I do not remember who went in with me.
476. Where did you go the second time?—I am not prepared to answer all these questions. I went in for hot water, I know.
477. What did you want it for?—For a sick horse.
478. Did you have a veterinary surgeon to it?—No.
479. Not on this occasion?—No.
480. What people went in with you on the second time?—I do not remember any one going in with me.
481. Who did you see when you went in the second time?—I think Mrs. Conway.
482. How many of the daughters did you see during the day in the course of your visits?—I saw one of the daughters.
483. No others?—Of course there were the domestics there, I remember seeing.
484. Now, on the third visit paid, who went with you then? Any man from the stables?—I do not think so. I do not remember any man with me.
485. Did none of your fellow-workmen go in with you that day?—I do not remember.
486. Will you swear they did not?—No, not with me.
487. Did one of them follow you in?—I never noticed; one might have followed me in.
488. Did you see him inside?—No; I do not remember seeing him inside.
489. What happened the third time you went in; what did you go in for?—I went for my lunch too. That might have been the second time or the third time; I am not positive.
490. Were many people having lunch that day?—Yes, several.
491. How many, three or four?—Yes. I think more than that.
492. Would there be five, perhaps?—Yes, quite five.
493. What time was that?—I cannot say the time.
494. How long does it take you to get luncheon?—It does not take me more than half an hour as a rule.

495. How many was the table set for?—I should think about twenty could sit down there comfortably.

496. It was only partly used that day?—That I do not know anything about.

497. After luncheon, who did you go in with?—I do not remember going in with any one after luncheon.

498. Had you your coat on or off when going into the hotel?—Generally, it is my habit to keep it off. I may have gone in with it on that day on one or two occasions.

499. After lunch, who did you go with?—I do not think I went in with any one.

500. What did you go in for after lunch?—I went into the closet again after that.

501. How long elapsed between these two visits to the public conveniences?—Well, I do not think I went in again until the evening.

502. At 9 o'clock?—Yes.

503. Who went in with you then?—I do not think any one was with me then.

504. Where did you go to—inside the house?—Into the kitchen.

505. What did you go for?—For some hot water.

506. For the same horse?—No, for a mash.

507. Did you go again later on?—I went about 9 o'clock, I know that.

508. With some people?—Yes.

509. Did you try the front door?—I went round to the front door afterwards. I referred them to the front door, but they could not get in.

510. Neither back nor front?—No.

511. How many traps came into your place on Sunday? Will you swear that more than five traps came into your place on Sunday?—Yes.

512. I mean outside your own vehicles, how many came into your place on Sunday?—I could not tell you. You could inquire at the stables; they would probably tell you.

513. Is there a record kept there?—Yes.

514. Were you in charge all day?—Yes.

515. And you do not know how many came? How many were there?—More than five I should say.

516. Will you swear there were more than six?—I would not swear there were more than six; but I should say there were probably more over six than under.

517. The number might be over or under six?—Yes.

518. And might be under?—No, I do not think so.

519. How many put up their traps on an average?—The clerk will be better able to inform you on that question than I can.

520. Where does your Fendalton coach start from?—From the stables.

521. What is your public starting point?—I think they go from the stables to the Square.

522. Is the Square not the recognised starting-point for the Fendalton coach?—I believe it is. It is marked on the time-table from the Square.

523. Where does the Fendalton coach drop its passengers according to the time-table?—I do not know anything about the stopping-places.

524. *The Chairman.*] The time-table gives the time of departure from the Square?—Yes, and from Fendalton.

525. *Mr. Taylor.*] Does your time-table give the time of the arrival of the coach at the Square from Fendalton?—No, it does not; it only gives the time it starts from the Square and Fendalton.

526. How many vehicles came in after 5.30 p.m.?—I could not tell you.

527. Were there any?—Yes, some.

528. Out of the number you quoted some came in after 5.30 p.m.?—Yes.

529. *The Chairman.*] Some half-dozen you named?—Yes; I think one or two came in after 5.30 p.m.

530. *Mr. Taylor.*] The clerk can give a record of those who came into the yard that day?—Oh, no. Sometimes four or five would come in one trap, and sometimes two. It is not my business to know who the persons are, but I generally look after the man who pays the cash.

531. Do I understand you to say you always recommend customers to Tattersall's Hotel if they want refreshments, or anything?—Yes, if they ask.

532. Is that done with the knowledge of Mr. Delamain?—Of course, Mr. Delamain never gave me any privileges to recommend people to hotels, or anything of the kind. They simply ask me for a place of accommodation, and I refer them there.

533. What do you pay for lunch at the hotel?—If Mrs. Conway chooses to give me lunch it is her business. I have paid her a shilling on different occasions.

534. But sometimes it is a gift?—I did not say anything about gifts.

535. Is it sometimes a gift?—No; she has never given me one.

536. What do you mean by saying, "If she chooses to give you?"—I have had lunch there all the same; not on a Sunday, though.

537. Was Mr. Delamain senior at the stables on Sunday?—Well, he was for a short time. He looks in there occasionally. I remember he was there.

538. For a short time?—He is in and out. He might come in several times, and I would not see him.

539. Did you say there are no conveniences at your building in the way of closets?—No.

540. At Pine and Co.'s?—I do not know.

541. How long have you been there?—I have only been in Pine's office once.

JAMES ARMISHAW, examined on oath.

542. *The Chairman.*] Where are you living now?—In Wellington.

543. What are you?—Kilnman, in Tonks's brickyard, Wellington.

544. You were engaged as assistant at the A 1 Hotel?—Yes; I started on the 23rd September, 1896, and left on the 1st June, 1897.
545. *Mr. Taylor.*] I will ask you whether, whilst working at the A 1 Hotel, it was customary for police constables to frequent the house?—Yes.
546. Do you remember the men?—Yes.
547. What was some of their names?—Tom Barrett; McKenzie was another one, and others.
548. How many other names can you remember besides those two?—Four others.
549. Can you remember whether Barrett came in occasionally or frequently?—Occasionally.
550. How often should you think?—I cannot say. The others used to come in as well.
551. Would there be one on an average a night?—It was not in the night.
552. When was it?—The 6 o'clock relief in the morning.
553. Would they be in uniform?—Yes.
554. Were they in plain clothes on any occasion?—I have seen them in plain clothes.
555. *The Chairman.*] At that time, at 6 o'clock in the morning?—No.
556. At 6 o'clock in the morning they came in uniform?—Yes.
557. *Mr. Taylor.*] Have you seen any in between 9 p.m. and 6 o'clock the next morning?—I would not like to swear.
558. Was after 5 o'clock in the morning the usual time?—Yes. I do not know whether they were on duty or not.
559. I will ask whether you remember what class of refreshments they used to have?—Tom Barrett and McKenzie generally had a cup of tea.
560. No alcoholic refreshments at all?—No, not that I saw.
561. Where did they go for it?—Into the kitchen.
562. The other men used to have spirits?—Some of them.
563. Did Barrett or McKenzie ever visit this house without your seeing them?—I cannot say. I used to give them a cup of tea, and go away again to my work.
564. Did they sit down for it?—No; they would stand and drink it and go out.
565. Did they seem to have much nervousness about going in?—No; they walked in the same as anybody else.
566. Are any of the other men you remember in the Force now?—Two are in the Force, I believe.
567. And two have been dismissed?—Yes, two are out.
568. Did the landlord know they used to frequent the house?—I cannot say.
569. Had you any instructions from the landlord in regard to giving these men refreshments?—I was always told not to take any money from them.
570. Was there some mistake in the evidence you gave in Wellington which you wish to rectify?—I rectified it, and sent it back to the Commission.
571. Before you signed the evidence?—When I signed it.
572. Have you been in any other hotels except the A 1?—I was at the Grosvenor Hotel at Timaru.
573. Used the police to visit there?—No.
574. Would Barrett and McKenzie go in sometimes together?—Sometimes, and sometimes not together.
575. Can you remember distinctly if they ever came in together?—I cannot remember that.
576. *Colonel Pitt.*] Where is the A 1 Hotel?—At the corner of Cashel Street and Colombo Street.

EMMA GORDON, examined on oath.

577. *The Chairman.*] Are you married?—No.
578. Where do you reside?—Springfield Road, St. Albans.
579. *Mr. Taylor.*] Were you engaged last Sunday in ascertaining how many people visited the Railway Hotel in Manchester Street?—Yes.
580. What time did you start in the morning?—About 7 a.m.
581. What time did you finish?—We left about 8.30 in the evening.
582. Who was with you?—Miss Roberts.
583. Did the position you occupied command a view of the main entrance?—Yes, a perfect view.
584. Could you see the back entrance at all?—The side entrance I could see.
585. You could not see the back door?—No.
586. How many people visited there during the day?—One hundred and eighty-three.
587. Have you your notes with you?—Yes; one hundred and thirty-three before 5.30, and fifty afterwards.
588. How could you see after 5.30; it was getting dark?—There was a lamp right opposite the door.
589. A very fine lamp opposite the door?—Yes, and it was left burning all day.
590. Did these people enter by the front door or side door principally?—By the front door, almost every one. There is a bar door, but they did not enter by that. That was perfectly closed, and I never saw a soul go in by it.
591. They went in by the private door leading to the residential part of the hotel?—Yes.
592. Did you know any of the people?—I know one by name; I know him personally.
593. Did any of the visitors show any signs of intoxication?—One later on in the day did; he had been there so often he was getting excited any way.
594. Do you know his name?—No, he is a cabman.
595. Is there a cabstand quite close to the hotel?—Just round the corner.
596. *The Chairman.*] You say he entered more than once?—About half a dozen times.
597. *Mr. Taylor.*] Where was the point of your observation?—Right opposite the hotel.

598. There is a boarding-house there?—Yes.
599. Did you engage rooms there?—I did not myself.
600. Did a friend of yours?—Yes, and paid for them.
601. Did you see the police enter the house during the day?—Yes, I did.
602. One or more?—Two policemen.
603. How long were they in?—About five minutes.
604. Did they go in by the door you refer to?—Yes.
605. Did they ring the bell?—No, the door was open.
606. Was any one on the watch outside the hotel?—In the morning, a person whom I took to be the woman of the house came out and looked about; and several times a man whom I thought was the publican came out and looked about.
607. *The Chairman.*] You do not know them personally?—I thought they were the woman of the house and the publican.
608. What time was this?—A little after 7 in the morning.
609. *Mr. Taylor.*] And in the afternoon the man whom you took to be the landlord?—Most of the customers came to the door and knocked three times. I got to know that knock very well, and we noticed unless the people knocked in this particular way they did not get in so quickly. Once this man came and looked out of the bar parlour window. After 8 o'clock the people knocked, and withdrew to the kerb, and they seemed to look up at one of the upstairs windows. We saw some movement at one of the windows as though somebody was there, but we could not see who it was.
610. The door was usually open after that?—No.
611. You suspected this was part of a signal?—Yes.
612. *The Chairman.*] Was not the door open?—When anybody came and knocked, the man would go to the door and open it and let them in, usually about five at a time, and he would lock the door very carefully after them.
613. *Mr. Taylor.*] It was kept shut except when the people knocked to be let in?—Yes, nearly all the time it was.
614. How did you know the door was locked?—I could hear it; it seemed to make a good noise. It made quite a noise down the street.
615. *The Chairman.*] Do you mean to say you could hear the key in the lock, or the bolt go to?—I believe it was the key.
616. *Mr. Taylor.*] You could hear the movement of the lock?—Yes.
617. Was any one refused admittance that day?—There was some one who came up just as the police were crossing the road from the hotel, and he was not admitted. He was the only man I saw who was not admitted.
618. Was the door closed after the police left?—No. This man stood about and had a good look.
619. Was the door closed after the police left?—Not until after the next customers came.
620. Then some customers went in, and the door was closed?—Yes.
621. *Mr. Tunbridge.*] Did you keep any memorandum?—I did not; my friend did.
622. Have you it?—Yes.
623. *Mr. Taylor.*] Were you present when the entries were made?—Yes.
624. You are prepared to certify to the correctness of them?—Yes.
625. *Mr. Tunbridge.*] You say the people knocked at the door before they were admitted?—As a rule.
626. Did any conversation appear to take place after the door was opened?—Yes, sometimes. Sometimes a man would peep out of the door, and then shut it.
627. Not always?—No; not when they knew the knock, I thought.
628. Usually, or not?—A good many times he peeped out.
629. Was there any conversation before they were let in?—Sometimes there was.
630. Was it usual?—No.
631. Would he shut the door before the people were admitted?—He did once or twice. He looked out, and shut it, and then waited a minute or two, and let them in.
632. Did he appear as if he asked them something?—We thought the people upstairs were looking; that is what we thought they were doing.
633. The man was not upstairs and down at the door too?—No.
634. I am asking you about the man at the door; did the man at the door who admitted the people into the house appear as if he asked them something when he opened the door?—I do not think he did.
635. You cannot say if he did not?—No, I did not hear.
636. You could hear the bolt shut?—Yes, it made a great noise.
637. *The Chairman.*] Do I understand you to say there was a conversation?—Sometimes there was. The publican sometimes came out and spoke to them.
638. *Mr. Tunbridge.*] You say you saw two police-officers enter the hotel?—Yes.
639. What time?—Half-past 12 o'clock.
640. Were any outside people in the hotel when the police entered, so far as you know?—I do not know. I saw two men whom I thought were lodgers come behind the police and look out after the police, when they went out.
641. Did you see any enter the hotel just before the police entered?—Yes.
642. Did you see these people leave again?—I do not remember.
643. What is the name of the man you knew?—Charles Armstrong.
644. What is he?—A blacksmith.
645. Do you know where he lives?—Yes.
646. Where?—He lived in Peterborough Street.

647. What time did he enter?—About 9 a.m.
648. Was he alone?—Yes; his name was not put in our notes, but just a note to show he was recognised.
649. What was the note by which you recognised him?—Just a note, "Recognised."
650. Is he the only man you know as a resident of Christchurch whom you saw going in?—I cannot swear to any names, but I know a number of the men by sight. I have seen them since.
651. This entry in your book, "Young man admitted by girl; three minutes; recognised," is the one that refers to Armstrong?—Yes; a young girl let him in.
652. A girl of about what age?—She looked about seventeen; I cannot tell, really.
653. A young women, then?—Yes.
654. Did there appear to be any commotion before the police arrived?—No, I do not think there was.
655. No one watching?—Two women returned to the hotel just after the police, and the door was open, and they walked in.
656. *Colonel Pitt.*] Returned or came?—They returned; I think they were boarders.
657. *Mr. Tunbridge.*] Did you see them at the hotel before?—I think so. We thought they were boarders, because when they entered like that the man did not go in with them.
658. People like that, he admitted, apparently, without asking any questions?—Yes.
659. This hotel is very close to the railway-station?—Yes.
660. Trains were arriving at pretty frequent intervals from Lyttelton and other places?—Not many on Sundays.
661. During the day, about how many trains were there?—Four or five. I do not know really. There was less trade at the hotel when trains came in than at any other time. There was less people going in then.
662. Have you got the time in your book when the people entered?—Yes, pretty well; each hour was put down.
663. Did this man, the blacksmith, enter more than once during the day?—No, not that I saw.
664. Did you observe the same people going in and out?—Yes, one man went in five or six times.
665. He would not be a lodger?—No.
666. Do you know he was not a lodger?—He was a cabman.
667. He went in five or six times during the day?—Yes.
668. Of course, you counted him as many times as he went in?—Yes.
669. Can you give us any information which would lead to that man's identity?—Yes. I can give you another man—a cripple—who went three or four times. I think I would know him anywhere. He is a man with a crutch, and a stick, and a short leg.
670. Where do you usually see him about?—I never saw him before this day. He is a youngish man, who seemed to bring other customers to the hotel.
671. A sort of tout?—That is what he gave me the idea of being.
672. You say the lamp was alight all day?—It was not turned up strong, but it was alight.
673. Was it turned up at 9 at night?—Yes.
674. And that enabled you to see quite plainly?—Yes.
675. Can you tell me from your book, now, the number of persons who entered the hotel between 1 and 2 p.m.?—About twenty-one.
676. How many entered between 10 and 11 a.m.?—Not so many; five or six, I think.
677. How many entered between 6 and 7 p.m.?—We did not put the numbers down when they entered then. We counted up till 5.30, when 133 had entered, and then we stopped taking notes.
678. Did you not say you watched up till 8.30 p.m.?—We just counted them, and did not put them down.
679. And between 5.30 and 8.30 there would be fifty persons?—Yes.
680. *The Chairman.*] You have no record of these?—No detailed record.
681. *Mr. Tunbridge.*] Will you give the number who went in between 2 and 3 p.m.?—We do not seem to have put down 3 o'clock; so far as I can see it is between 2 and 4 p.m.
682. What was the number then?—An awful lot. My friend added up the numbers between each hour.
683. *Colonel Pitt.*] Where were you and your friend stationed?—In a boardinghouse opposite the hotel.
684. How far from the front door?—Just across the road.
685. Is the road pretty wide there?—I think one chain wide.
686. Were you indoors?—Yes.
687. Were you looking through a window?—Part of the time we were looking through a window, and part of the time we had the window up.
688. How long was the window up?—Some hours in the evening, mostly because we thought they might see us in the day-time.
689. Do you remember what time you opened the window?—It was open at the top all the time.
690. And what time did you open it at the bottom?—Some time in the evening; I cannot be quite certain of the time.
691. You could hear the lock or key of the door a chain away?—Yes; it was quite amusing to see the effect the turning of the lock had down the street.
692. What do you mean by the effect?—As soon as they heard the lock turning, the people came up, and once or twice there was quite a regular rush for the door.

693. And you could hear it?—Yes, it made a lot of noise; and the man must have opened and shut the door a lot of times.

694. You say you could hear the key and lock turning in the door at that distance plainly?—Yes.

695. *The Chairman.*] Which floor of the house were you on?—The second floor.

JANE ROBERTS, examined on oath.

696. *The Chairman.*] Are you married or single?—Single.

697. Where do you live?—No. 17, Livingstone Road, Linwood.

698. *Mr. Taylor.*] Were you assisting last Sunday in ascertaining how many people visited the Railway Hotel?—Yes.

699. What time did you start in the morning?—We started about 7.15 a.m.

700. And what time did you finish?—8.30 in the evening.

701. Did you take details the whole time, or up till 5.30 only?—I took details from about 7.15 until 5.30. I took none after that. I wish to state that when I mention times I should say about, because I had no means of ascertaining the time exactly, except when the town clock struck.

702. Is that the memo. book you used?—Yes.

703. How many people entered the hotel during the whole time you were making the observations?—One hundred and eighty-three; that is under the number. There were two or three who entered, or more, that I did not take count of.

704. Why?—Well, there were two women who entered who are not down there, and I think there were a few men entered after it became dark that I did not enter, because I was not positively certain.

705. Was there not a very fine light over the front door?—It was dim; it was not a bright light.

706. Was that lamp lit in the day-time?—Yes, all the time.

707. Was it turned up higher at night?—I should say so a little, but very little.

708. If you had some doubt as to some who entered after 5.30, how do you know that any entered?—I could tell they entered; but sometimes, when men were coming out and men were going in, and one or two were passing by, you could not be quite sure whether some of those passing entered or whether they did not. But I could be quite certain of every one of the fifty that entered between 5.30 and 8.30 p.m.

709. Did you notice any signs of intoxication on any one visiting the hotel that day?—Yes, on one particularly I noticed it.

710. Did there appear to be any watch kept on the hotel by the landlord or any other person?—I think they were watching in the morning.

711. Who were watching?—I cannot tell. There was somebody watching from one of the upper windows, and sometimes from one of the lower ones, and from the lower window I concluded it was the man who kept opening the door.

712. You do not know what his position in the house was?—I cannot say.

713. *The Chairman.*] You observed some one at the window continuously?—Yes, at the upper window; there were faces coming and going, but I could not say if they were there always.

714. *Mr. Taylor.*] Could they see who was down below?—Yes; but they did not see them if they stood close to the door.

715. If the people outside went away to the kerb, could they?—Yes; and some of them, after knocking, did that, and looked up at the upper windows.

716. *The Chairman.*] From this window they could see down below?—I should say so; I cannot say positively.

717. *Mr. Taylor.*] You think at that angle a person standing on the kerb would come into view of the upstairs window?—Yes, I think so.

718. What time did the police enter?—At 12.30.

719. Did they stay long?—About three or four minutes; hardly five.

720. Were any apparent lodgers about there that day?—Yes, I should say there were half a dozen; I cannot be quite sure of the number.

721. How did you judge they were lodgers?—There were four or five who left the hotel between 9 and 10 a.m., and they seemed to return about dinner-time, and they stayed in the hotel for about half an hour, and then went out again, and I concluded they were boarders.

722. *Mr. Tunbridge.*] Can you tell me from your book the number of persons who entered the hotel between 2 and 4 p.m.?—I cannot tell you between 2 and 4; I can tell you between 2 and 5 p.m. I did not mark the hours from 2 till 5 p.m.

723. Have you counted them up?—Yes.

724. Can you tell me from memory?—No.

725. Will you from your note?—From 2 to 5 the number who entered was fifty-seven.

726. Well, perhaps you can give me the numbers during the various hours throughout the day?—Yes, from 8 to 9 there were ten entered; from 9 to 10, nine entered; from 10 to 11, five entered; from 11 to 12, twenty-one entered; from 12 to 1, eighteen entered; from 1 to 2, thirteen entered; from 2 to 5, fifty-seven entered, and from 5 o'clock up to 8.30 we counted fifty.

727. Then, from 11 a.m. there was a pretty steady stream, and there was very little difference between the various hours?—Very little.

728. So, if the last witness says at the time when the trains arrived there were fewer people entered the hotel than at other times, she is not correct?—I cannot say what time the trains arrived, but we noticed sometimes cabs passing, and we concluded the trains were in then.

729. Did you know any of the people yourself?—I did not know any one; but I would recognise some of them if I saw them now.

730. Was the door kept shut generally?—Yes.

731. When a person came to the door, can you give us an idea of what took place?—They generally came to the door and knocked, and most of them gave a peculiar knock.

732. What was the peculiarity?—They gave three distinct knocks. There were two or three who came and knocked loudly; there was nothing peculiar about their knock. They knocked just as if they wanted admission, and did not mind if anybody heard them or not. Then I concluded they were travellers.

733. But they were quite the exception?—Quite.

734. After the knock, what took place?—The landlord opened the door generally, and as he admitted one lot he let another lot out. That was general all through the day.

735. Did they appear to scrutinise the people at the door before they let them in?—Only a couple of hours before the visit of the police; he did then. He opened the door cautiously, and looked at them, but admitted them at once.

736. You are not able to say whether he asked them any questions?—I cannot say, but I was under the impression he did not.

737. What was the difference between the landlord's behaviour before the police arrived and after? You say throughout the whole day the door was kept locked, and these people were admitted in batches when other people were let out?—That is so.

738. Was that the system pursued throughout the whole day?—Yes.

739. Well, what was the difference between the action of the landlord before the police entered and after?—He opened the door more cautiously before the police entered, and looked out for a second before admitting any one, and, on one or two occasions, before he let them in he looked up and down the street before he let the people out.

740. Did he continue to do that throughout the day?—No.

741. What did he do afterwards?—He let them in and out with a great deal less caution in the afternoon.

742. Did you see him refuse to admit any one through the day?—I only saw him what I thought refuse admittance throughout the day to one man. He would not allow him to enter the hotel, and I think the man wanted to go into the hotel.

743. Was there anything peculiar about this man?—There was nothing peculiar about him that I noticed. He carried a horse's head-stall on his arm.

744. Is your eyesight pretty good?—Fairly good.

745. When the door was opened or closed did any peculiarity about the door strike you in any way?—No, nothing struck me as peculiar about the door. During the day it was opened and closed slightly; that was all I noticed.

746. Did anything seem to attract the attention of the people standing near the door as soon as the door was opened?—There was one occasion on which that happened. Some men had been knocking at the door for admission, and were going away, evidently thinking they would not get in; and three more came up and knocked, and the door was opened, and as they were entering one of them whistled to the other men who were going away, and they returned and entered together. That was the only time I saw anything to attract one's attention.

747. So far as you know, not one person entering the hotel that day were not what is known as *bonâ fide* travellers?—One man who entered the hotel knocked at the door, and knocked loudly, and he looked like a traveller. He was admitted, and stopped an hour. Another man came whom I should say was a traveller too. He returned a second time; I saw him in the hotel twice.

748. From your own knowledge you do not know that any of the persons entering the hotel last Sunday were not *bonâ fide* travellers?—I cannot know of my own knowledge, because I knew none of them.

749. You are quite sure there was nothing about the door that attracted your attention?—No.

750. Nor the opening or shutting of it?—No, it was opened and shut very quietly during the day.

751. Very quietly?—Yes.

752. *Mr. Taylor.*] I would like to ask whether your hearing is good?—Fairly good.

753. Would you hear with your eyesight or ears?—With my ears.

754. Did you hear the door close or open?—I heard it close more at night. There was a kind of bolt or chain attached to it at night. I could always hear the sound of it.

755. Could you hear the sound of the bolt during the day?—Not so much during the day. I noticed it more particularly at night.

756. Why were you and Miss Gordon elected to observe the Railway Hotel? What was the special reason?—Well, one reason was because we could get a room that had a full view of the hotel.

757. What do you think about the general administration of the licensing laws in Christchurch; do you think it is lax or rigid?—I think it is exceedingly lax.

758. *The Chairman.*] Was this your first actual watch?—Yes.

759. Had you any opportunities of forming an opinion as to how the law is observed?—Yes; that is, from general observation.

760. *Mr. Taylor.*] And your opinion is that the administration is lax?—Exceedingly lax.

761. Have you seen evidences of drunkenness on the streets on Sundays?—Yes, several times.

CHRISTINA CAVERHILL, examined on oath.

762. *The Chairman.*] Are you married or single?—Single.

763. Where do you live?—Linwood, Christchurch.

764. *Mr. Taylor.*] Did you assist in getting information on Sunday last as to the visitors to certain hotels?—Yes.

765. What houses?—The White Swan Hotel, and afterwards the Royal George.

766. Is the White Swan in Tuam Street?—Yes.

767. How long were you there?—About ten minutes.
768. Standing on the street?—Yes, on the opposite side.
769. How many people visited the hotel in that ten minutes?—Six men, one woman, and two policemen.
770. What time?—11 o'clock.
771. Were you there from 11 a.m. until ten minutes past?—Yes.
772. Were any of these people there at the time the police were in?—Yes, some of them were.
773. Was the woman inside, do you know, when the police were there?—I really do not remember.
774. But some of them were there?—Yes; I think the woman must have been in.
775. How do you come to that conclusion?—I remember the policemen came out just as we turned away, and the woman had not come out.
776. Did you know any of these people?—No.
777. Did you see any signs of intoxication on any of them?—No.
778. Did there seem to be anybody watching the hotel?—Two lads were watching.
779. How did you gather they were watching?—Because they looked up and down the road as though expecting somebody.
780. Did they make any signs when the police approached?—No.
781. Did they not go inside?—I do not remember noticing that they did; but I know that a man gave them to understand that we were watching the hotel, and they went in then.
782. How do you know?—Because he came and motioned across the road, and pointed to us.
783. How long was that before the police came in?—That was after the policemen had been and gone.
784. How long did the police remain in the house?—About three minutes.
785. When did you go to the Royal George?—About twenty-five minutes past 11 a.m.
786. It is on the East Belt?—Yes.
787. How long were you there?—We watched that hotel from 12.15 till 2.25 p.m.
- 787A. How many people entered the Royal George?—Thirty-three went in; and eight came after the gate was shut and locked.
788. Did anything attract your attention before the gate was closed. They went in without any hindrance before the gate was closed. The gate was left open.
789. And did not the eight you refer to, get in?—No.
790. Did they try?—Yes.
791. Any response to their knocking?—No.
792. Have you any idea why the gate was closed and locked?—I cannot tell you.
793. Did you see the police at that house?—No.
794. Was there any sign of intoxication on any of the customers?—No; the general run of them seemed to be such men as usually loaf about hotels.
795. And you took them to be residents?—Yes.
796. You have no proof of that, of course?—No.
797. Was there any watch kept on the house?—Yes, there was a man standing at the corner of Queen Street all the time watching, and another stood at the gate with a man whom we took to be the owner of the hotel.
798. Did the men you thought were watching pass in and out?—Yes, constantly, but most of the time they were standing in the gateway.
799. Did they speak to people going in?—Yes.
800. Were you watching from the street on that occasion?—Yes.
801. Were you not observed there?—Yes, they seemed to think we were watching them. They kept watching us all the time.
802. *The Chairman.*] Where were you standing?—On the opposite side of the East Belt; we walked up and down.
803. *Mr. Taylor.*] Do you think your being there had anything to do with the gate being closed?—It may have; I do not know.
804. Did any of these people carry any vessel, or bottle, or kit?—No, not that I saw.

HARRIET FIELD, examined on oath.

805. *The Chairman.*] Are you married?—Yes.
806. What is your husband's name?—John Field.
807. Where does he live?—Lower High Street, Christchurch.
808. *Mr. Taylor.*] Were you in company with Miss Caverhill last Sunday?—Yes.
809. What time did you visit Tuam Street West?—About 11 a.m.
810. How long were you there?—About ten minutes.
811. Were you watching the White Swan Hotel?—Yes.
812. How many people did you see pass in?—I was speaking to a man at the back, and I did not see any one go in. I saw two policemen come out.
813. You saw no one enter during that time?—No.
814. Did you subsequently go with Miss Caverhill to the East Belt?—Yes.
815. What hotel did you view there?—The Royal George.
816. Did you see any persons pass in there?—Yes.
817. What time were you there?—About 11.25. While standing between Barbadoes Street and the Belt we saw six men enter.
818. How long did you remain there?—Just a few minutes. We saw some come out while standing there.
819. What time did you leave?—We then walked on down St. Asaph Street, and then turned along into Creek Street.

820. When did you cease making observations in the afternoon?—It was nearly 3 o'clock when we left off.
821. How many people altogether entered the hotel during that time?—Thirty-two.
822. You said just now that you stood there just a few minutes?—We went further down the street, and came on to the Belt.
823. Was anybody watching the hotel, apparently?—Yes.
824. Did the person seem to watch the entrance to the house directly?—He seemed to stay at the gate, and to be on the watch; and he was a man, I suppose, of about twenty-eight years of age, and he had a fawn-coloured Chesterfield coat.
825. Did any other person appear to be on the watch?—Yes, two others. One seemed to be watching at the end of Queen Street.
826. Did he go into the house at all?—He seemed to go back and forwards to the gate.
827. Did any police visit there?—No.
828. Did any people carry kits or bottles?—No.
829. What class of people were they?—They appeared to be residents.
830. How did you judge that?—One man in particular we noticed going back again. He was one we saw going out at 11.25, and he came back again between 1 and 2 o'clock. We could tell him by his suit of clothes.
831. Have you had opportunities of noticing whether Sunday trading is carried on extensively in hotels in Christchurch?—Yes.
832. Which hotels?—The New Zealander, and the Caversham.
833. You live near these houses?—Right opposite to them both.
834. Your house is on the junction of two streets?—Yes.
835. And these hotels are on the opposite corners?—Yes.
836. Do you think the Sunday-trading clauses of the Licensing Act are observed in Christchurch?—No, I do not; I think they are broken every Sunday.
837. Have you seen much drunkenness in the streets of Christchurch on Sunday?—I have seen several occasionally.
838. And from your opportunities of making observations you think there are breaches of the licensing laws on Sundays?—I am sure there are round where I live.
839. If the Inspector of Police says that generally the law is well observed, do you think he knows anything about it?—I cannot think he does if he says that. I have seen one policeman walk down to the corner of our street, but he does not enter the hotels. He just looks round to see if everything is quiet. I do not see how they can say there is no Sunday trading going on unless they enter.
840. *The Chairman.*] You know it is not a breach of the Licensing Act for a man to enter a hotel on Sunday?—I suppose it would be a breach if he went in to get drink.
841. You are aware it is not a breach for a man to enter a hotel on Sunday?—Yes.
842. When you say you consider the law is broken, do you mean by people going into the houses?—Yes.
843. And what else?—I conclude they go in to get drink.
844. You conclude they get it?—Well, I often see them coming out wiping their mouths. Men are frequently there whom I do not think would consider ginger-ale strong enough for them.
845. *Mr. Tunbridge.*] You say you live opposite the two hotels?—Yes.
846. The police do nothing to check Sunday trading there?—I have not seen them do anything. I have repeatedly seen them just go down to the corner and look round and go back again.
847. Do you happen to know that the licensee of the New Zealander Hotel was convicted on a charge brought up by the police?—Yes, I read of it.
848. Does not that rather alter your opinion, that the police have done something?—I did not see them go in.
849. You say you read of that conviction; and yet, just before, you said you did not believe the police were doing anything?—I have seen men go in since on a Sunday.
850. Yes; and these men, so far as you know, may be *bona fide* travellers, or have been lodgers, or represented themselves to be such?—They may.
851. How long had you been watching this second hotel?—It was twenty-five minutes past 11 when we first saw six men go in; and it was nearly 3 o'clock when we left.
852. You were watching all the time?—We left about twenty minutes.
853. You saw these six men, you say, since you were in the neighbourhood of the hotel?—Yes.
854. Are these six part of the thirty-three?—Yes.
855. Then, if Miss Caverhill says she saw twenty-three enter the hotel between 12.15 and a little before 3, she is not correct?—I suppose Miss Caverhill meant those going in to the White Swan. It was twenty-five minutes past 11, first of all, because I looked at the watch.
856. *The Chairman.*] Did you see the gate shut?—Yes.
857. What time was that?—About 1.30 p.m.; and then men came and knocked at the door several times, but it was not opened for them; but we saw three or four let out.
858. Did any one go in after 1.30 p.m.?—Not to my knowledge.
859. *Mr. Tunbridge.*] Really, then, these thirty-three people entered before 1.30 p.m.?—Yes.
860. By what means did they enter?—The back gateway.
861. And left in the same way?—Yes.
862. This back gateway opens where? On to St. Asaph Street?—Yes.
863. The front of the hotel—where?—It faces the Belt.
864. You were standing on the Belt, looking down St. Asaph Street?—Yes.
865. Where were you standing when you saw these six men?—In St. Asaph Street.
866. Did anything appear to be said to the people going in?—No.

867. You do not know, of course, if they were going to the back premises in the yard, or where they went?—No.

868. *The Chairman.*] Could you not see any door leading into the house?—No, because it opens into the back-yard.

869. *Mr. Taylor.*] Do you think that fourteen convictions in the year for sly-grog selling on Sunday will deter the forty odd publicans from breaking the law on the other fifty-two Sundays?—I do not think so.

870. *Colonel Pitt.*] You complain, apparently, that the police do not do what they ought to suppress Sunday trading?—I think if I were a policeman I should get some one else to go with me, and I am sure I could have got a conviction against the Caversham Hotel before now.

871. Would you be prepared to help the police?—Both my husband and myself when we first went to live there four years ago, saw the law being broken, and we went and spoke to the landlord about it.

872. In what way, in your opinion, should the police go to work to get a conviction?—If two men could not do it I think four should go.

873. *The Chairman.*] How much better would four be than two, if there was a man watching on the gate to give the signal: how could they cope with that?—If they went in they would find men in the house.

874. But that is not breaking the law?—Well, I think the law should be amended. I think the only way to cope with this breaking of the Licensing Act is to have women policemen. I think a woman would do it better than a man.

875. Supposing if you had women hotelkeepers, then?—I think we could manage the women hotelkeepers too.

JOHN CONNELL, examined on oath.

876. *The Chairman.*] What is your rank?—I am a third-class constable, stationed at Lyttelton.

877. *Mr. Taylor.*] How long have you been in the Force?—Over four years.

878. Where have you been stationed?—In Christchurch and Lyttelton.

879. Have you had any prosecutions under the licensing law?—Yes.

880. In Christchurch, or Lyttelton?—In Lyttelton.

881. Have you ever known of any political influence or other outside influence to interfere with a policeman in the discharge of his duty?—On the 11th May last I was interfered with.

882. Who by?—By the Rev. Father Salvadore.

883. *The Chairman.*] How interfered with?—It was a case in which I laid three informations against Mrs. O'Brien, who keeps the Lyttelton Hotel. I might state I was on night duty on the 5th May last at Lyttelton, and at ten minutes to 1 a.m. I heard a fight going on in the Lyttelton Hotel. I knocked at the door, and nobody answered. In about five or seven minutes I gained admittance. When I got into the hotel I proceeded to a back room, and there were four or five men there, and one was knocked about. His shirt was torn, and he was cut on the face. I told Mrs. O'Brien I would have to make a report about the conduct of the house. She said I could report away, as she did not care for me. She is a widow. There was a great noise in the house before I went in. Of course, they made everything pretty well square before they admitted me; and, after I left the house, the man whom I had noticed inside so knocked about came out. He was drunk, and Mrs. O'Brien let him out. He said, "Let my mate out, or I will smash every damn window in the house," and with that he broke a window. I arrested the man on a charge of being drunk, and damaging property, and he was brought before the Court the same morning, and convicted on both charges. It followed that three charges were laid against Mrs. O'Brien for keeping a disorderly house, permitting drunkenness on licensed premises, and refusing to admit the police. The summonses were served on the 7th May, and the case was set down for hearing on the 12th May. About 10 a.m. on the 10th May I was asleep, as I had been on night duty, and I was awakened by a row at the door of my house. It was the Rev. Father Salvadore. He knocked very loudly, and woke me up, and my wife let him in. He said, "I come to tell you I am going to have you out of here, because you have brought a charge you had no right to bring against Mrs. O'Brien, licensee of the Lyttelton Hotel. I am not a common man here; I command about four hundred votes, and Colonel Hume is my friend, and will do anything I wish him." He also said, "The Hon. Mr. Thompson, Minister of Justice, is coming here to day, and I am going to see him, and out of here you will have to go." He made use of these words in so loud a tone that they could have been heard out on the street by anybody passing by. He was inside in the passage, at my bedroom door. I made a report about this affair to my officer.

884. Who was the Inspector then?—Inspector Broham, and I reported it to him. He, of course, told me I should have ordered him out when he came to my house.

885. Did the cases go to Court?—Yes, the next day the cases came before the Court.

886. What was the result?—The whole three charges were dismissed. I forgot to mention that, when at my place, he said he would appear at Court next day and give evidence against me.

887. Did he?—He was at the Court, but he did not give evidence.

888. And the cases were heard and dismissed?—Yes.

889. *Mr. Taylor.*] Were the cases heard by the Stipendiary Magistrate?—Yes.

890. Has Father Salvadore interfered on any other occasions?—No.

891. *Colonel Pitt.*] Did he interfere then; were you shifted?—No; he used threats, but he did not frighten me in the slightest. Nothing has happened to me that I know of.

892. *Mr. Taylor.*] Do you know that in the month of October last there was a change in the control of the Police Force?—Yes.

893. Have you heard any of the men in the Force mention the question of political influence? Has it been a matter of common talk amongst the men that it was necessary to use it?—It has never interfered with me. I have never tried to use it.

894. Have you heard the men conversing about it?—Not that I remember.

895. *Colonel Hume.*] Were you moved from Lyttelton?—No.

896. You have never been since?—No.

897. Then, Father Salvadore had no effect on you?—No.

898. I suppose, in your experience of five or six years in the Police Force, you have been threatened before?—I have been threatened by publicans in this way, that if I interfered it would mean a shift.

899. Have these threats ever been carried out?—No.

900. They did not influence you, I imagine, in the performance of your duty?—Not the slightest.

901. Is it not a common thing for a constable when arresting people, or when locking them up, to be told that they "will get the coat off your back"?—Yes.

902. *The Chairman.*] Have you ever heard such threats, not only by the liquor people but by the other party—the Prohibitionists?—Yes; often when arresting a man for drunkenness he will say, "It means the sack for you."

903. These are made irrespective of party?—Yes.

FRIDAY, 23RD APRIL.

JAMES MEADE CONWAY, examined on oath.

1. *Mr. Cresswell.*] Your name is James Meade Conway?—Yes.
2. You are a son of the licensee of Tattersall's Hotel?—Yes, the eldest son.
3. You are the manager of the hotel?—Yes.
4. Were you at the hotel on Sunday last?—I was.
5. All the day?—Yes, with the exception of from 9.30 in the morning to 10.40, and in the evening from 8 to 10.
6. While at the hotel you had the key of the bar?—Yes.
7. When you were away, who had the key?—In the morning my mother had it, and at night I had it.
8. That is, the public bar?—Yes.
9. There is also a private bar?—Yes.
10. Who had the key of the private bar?—There is no key to the private bar itself, but shutters go over the liquor-case; and I had the key of that, and the key of the beer-tap.
11. So that, except during the short time you were away from the hotel, it would be impossible for any drinks to be supplied without your knowledge?—That is so.
12. Did you supply any drinks on Sunday last?—I did.
13. How many?—I must have served about fifty altogether.
14. Did you serve any one but boarders and *bonâ fide* travellers?—I did not.
15. When drink is asked for on a Sunday by any one not a boarder, what is the custom?—I ask him if he is a *bonâ fide* traveller, and, if he says "Yes," I ask him where he slept the previous night. When he replies, I use my own discretion as to whether he is a *bonâ fide* traveller or not.
16. And if you think he is not a *bonâ fide* traveller, what do you say?—I refuse him.
17. Did you refuse any drinks on Sunday?—Yes, perhaps thirty or forty.
18. How many boarders had you on Sunday?—Fourteen were in the house on Saturday night.
19. How many had you in to lunch on Sunday?—Seventeen.
20. Do you remember the witness Rose coming to lunch on Sunday?—Yes.
21. What time did he come in?—Late. He had lunch when I had it—after the family and the boarders had finished.
22. Did he see all the people who had lunch there on the Sunday?—No, he did not.
23. You have the usual conveniences in your yard?—We have a urinal and three closets. One closet is for the family, one that is locked for the boarders, and one that is open for the public; and the men from the stable have a key for the one used by the boarders.
24. Is that Delamain's stables?—Yes.
25. Do the men from the stables avail themselves largely of their privilege?—Yes; and their clients too.
26. Do men from the street come to the yard for the purpose of using the conveniences there, without going into the hotel?—Yes, dozens of them.
27. Was that the case on Sunday last?—Yes, it is the case every day.
28. How do the boarders gain access to the hotel on Sundays?—By the right-of-way and through the yard, unless any one happens to be at the front door and sees them, which is very unusual.
29. The building is a two-storied one?—Yes.
30. And there are two rooms on the top story, in the front?—Yes.
31. What are those rooms?—Private sitting-room and general sitting-room.
32. Is it true that a look-out was kept, or that any members of the family were on the watch on Sunday?—It is not true.
33. I presume that a person looking at the hotel from a window in Inglis's building would be able to see the members of the family in the private sitting-room if they were near the window?—Yes.

34. And any one that might be in the general sitting-room?—Yes, if they were near the window.
35. How many brothers and sisters have you?—Three single sisters and two brothers.
36. All living at the hotel?—Yes, and one of my sisters is a child of twelve years of age.
37. Some members of the family were ill and confined to bed on Sunday?—Yes, my youngest sister, and my brother next to me.
38. Did you have any friends in to see them?—My brother did.
39. A number?—Four or five.
40. Did any of the boarders have friends in to see them?—Yes. The barman was also in bed with a poisoned hand, and he had friends to see him.
41. *Mr. Taylor.*] Did you often see the witness Rose in the house on Sunday?—I could not say. I heard his evidence yesterday.
42. You heard his evidence?—I examined him.
43. Cannot you remember how often you saw him in the house on Sunday?—No. I might have been upstairs when he was in.
44. What refreshments had he?—He had a glass of beer in the kitchen.
45. How many drinks were served on Sunday altogether?—Between sixty and seventy.
46. Single drinks?—Yes.
47. What books do you keep in the hotel?—What do you mean?
48. Do you keep a record of the daily takings?—No.
49. No book at all?—Yes.
50. What book?—A general cash-book.
51. Will that show the takings day by day?—No.
52. What does it show?—The six days' takings. We always put Sundays into Mondays. I attend to the books myself, and I bank two or three times a week, according to the takings.
53. Have you any other evidence other than your word as to the takings?—I think my mother knows.
54. *The Chairman.*] She would know from you?—Yes.
55. *Mr. Taylor.*] You put the seventh day's takings into the six days' cash?—Yes.
56. In the cash-book, do you not show the takings for Monday, Tuesday, Wednesday, and so on?—Not always.
57. Do you at all?—Sometimes. I only keep the book roughly. At the end of the week, if the takings are £70, I know what stock has been used in both bars, and I know what it costs me, and what profit I get.
58. Have you that book with you?—No.
59. Is it obtainable?—The profits?
60. The cash-book?—I do not intend to show that. I am not going to exhibit my business to the public at large.
61. I want to know what you put down last Sunday?—I made an entry in the cash-book on the Monday.
62. What time on Monday did you make the entry?—On Monday night, when I was making up Monday's takings.
63. Can you tell how much was taken on Monday, and how much on Sunday?—I remember the Sunday's takings from memory. I would not remember the amount some weeks further on.
64. *Mr. Tunbridge.*] You say that the lodgers go in and out the back way?—Yes.
65. What is the object in compelling them to go in that way?—If you left the front door open it would be made a thoroughfare to the urinal.
66. You served seventeen lunches?—Yes.
67. That is not counting the members of your own family?—Yes.
68. Does the seventeen include the lodgers in the hotel?—Yes.
69. You had fourteen lodgers?—Some of them had not lunch.
70. How many lunches did you serve to outside people?—I could not say.
71. Is there any drink supplied with the lunch?—Yes, either a glass of beer or a cup of tea.
72. What is the price of the lunch?—Is.
73. That covers the drink?—Yes.
74. You say that Rose had a glass of beer on Sunday morning?—Yes.
75. Who paid for it?—A traveller who was with him.
76. Did you know the traveller who was with him?—No; I did not see him.
77. What did the traveller have?—One had a whiskey and ginger ale, and the other beer and ginger beer.
78. Were there two?—Yes, to the best of my recollection.
79. And the travellers paid for the three drinks?—Yes.
80. Did you see Rose drink the beer?—No.
81. You drew it?—Yes.
82. Knowing it was for Rose?—The servant came and said the mater wanted three drinks, and I asked "Who are they for?" The servant said the mater had stated that it was all right, and I gave her the drinks.
83. *Mr. Poynton.*] Was the money paid to you?—Yes.
84. *Mr. Tunbridge.*] It was the servant who paid you?—Yes, the servant brought the money to me.
85. What is the servant's name?—I did not notice particularly what one it was.
86. How many servants have you?—Three. There are two regular, and one that helps occasionally, and it was one of the regular servants who brought the order.
- [Examination adjourned.]

LEITH CARTER, examined on oath.

88. *The Chairman.*] What is your name?—Leith Carter.
89. What is your occupation?—I am a clerk, at present out of employment.
90. *Mr. Cresswell.*] On Sunday last you were a boarder at Tattersall's Hotel?—Yes.
91. Were you at the hotel all day?—Yes, till after tea.
92. Were you at lunch?—Yes.
93. How many did you see having lunch?—About fifteen or seventeen.
94. You did not count?—No, that is just a guess.
95. Did many people come to the hotel that day?—I saw hardly any one inside, but I saw a few in the yard.
96. Is it a usual thing for people to go into the yard and go away again without going into the hotel?—I have several times seen people come into the yard in the week-time, and use the conveniences, and go away again.
97. *Mr. Taylor.*] What time were you up in the morning?—About 9 o'clock, I suppose.
98. You had breakfast?—Yes.
99. Who were with you?—About ten when I was having it. I did not know any of them.
100. How many were boarding there that night?—It seemed pretty full. There were about fourteen, I suppose.
101. And seventeen were at lunch?—Yes.
102. Have you discussed the number of boarders and lunchers with the last witness?—No.
103. Did you count them on Sunday?—No.
104. And yet you say there were fourteen boarders and seventeen at lunch?—I am judging by the number of rooms in the house.
105. Were all the rooms occupied?—They seemed to be all occupied, but I could not swear to it.
106. What did you do after breakfast?—I was about the house all day.
107. In what rooms?—Upstairs, the top of the stairs, the yard, and downstairs.
108. In the bar?—No.
109. Were you near it?—I was past it two or three times.
110. In the kitchen?—No.
111. Did you have refreshments?—A glass of beer at dinner.
112. Did you see any one else having it?—No, except at dinner-time.
113. Did you see any liquor served at all?—I did not.
114. You say you sometimes see people come into the yard to use the public conveniences?—Every day.
115. How many were there on Sunday?—I suppose there were about thirty in the yard, and some went to the hotel and were refused admittance, and some went in.
116. You did not see what happened when they went in?—No.
117. How far is the public urinal away from the hotel—the City Council urinal?—I do not know.
118. Do you know the urinal at the cabstand?—Yes, but I did not know it was the City Council's.
119. How far is it from the hotel?—About 50 yards.
120. What time did you have dinner?—About 1 o'clock.
121. How many people had it?—Fifteen or seventeen.
122. How long were you at the table?—I could not say—half an hour, I suppose, or twenty minutes.
123. And that number had dinner in the time that you had dinner?—Yes.
124. What time did dinner start?—I do not know. I did not look at the time.
125. Were all the boarders present at dinner?—I do not know the boarders at the hotel.
126. How long have you been at the hotel?—A fortnight on Sunday.
127. Did they all sit down at once or did they come in now and then?—They were coming in and going out.
128. What did you do after dinner?—I was about the hotel, reading, most of the time.
129. You saw no drinks being served?—No.
130. To nobody?—No.
131. Do you know the stableman at Delamain's?—By sight.
132. Did you see him there on Sunday?—No.
133. *The Chairman.*] When you say you saw no drinks served you do not refer to the luncheon table?—No.
134. *Mr. Taylor.*] How long have you been in Christchurch?—About a fortnight.
135. Where did you come from?—New Plymouth.
136. Have you been in the colony long?—About two years and a half.
137. Did you come from England?—No, Australia.
138. You had a glass of beer on Sunday at lunch?—Yes.
139. When did you leave the hotel?—After tea.
140. And you saw no one in the hotel from breakfast-time till tea-time, except the boarders and some others having lunch?—That is so.
141. *The Chairman.*] You saw no one in the hotel all that time?—Except the people I saw enter the yard.
142. *Mr. Taylor.*] But you did not see those people in the house?—No, but I saw them come into the yard.

WILLIAM JAMES HUSSEY, examined on oath.

143. *The Chairman.*] Your name?—William James Hussey.
 144. What are you?—I am a driver to Delamain and Co.
 145. *Mr. Cresswell.*] You had lunch at Tattersall's Hotel on Sunday last?—Yes.
 146. How long were you at the hotel?—I was in and out several times.
 147. How often?—Three or four times.
 148. Were you in and out before lunch?—I did not go in before lunch.
 149. So far as you recollect, how many did you see having lunch?—I should say there were about fourteen or sixteen. The table was fairly full, but I did not count them.
 150. Did you see the man Rose, from Delamain's stables?—He was not having lunch when I was in.
 151. Did you sit down as soon as the lunch was brought on?—Yes.
 152. Did you see many people about the hotel?—Only those I have mentioned.
 153. Did you see any people go into the yard at the back of the hotel?—No.
 154. I think the conveniences in the yard at the back of the hotel are used by the stablemen at Delamain's?—They are the only ones they have got.
 155. And also by their clients?—Yes.
 156. *Mr. Taylor.*] Do you drive for Delamain?—Yes.
 157. Do you drive a coach?—Yes.
 158. What one?—Fendalton.
 159. Did you drive on Sunday?—Yes.
 160. How many trips?—Seven.
 161. What hours did you leave town?—The first was about 9.55, and we kept on till 9.30 at night, when we left Fendalton.
 162. What time does the next coach leave after 9.55?—They run at intervals.
 163. What is the next one?—I could not say.
 164. Have you a time-table?—Not on me.
 165. Do you run to time-table?—Yes.
 166. How long have you been driving?—That was my first Sunday. The line has only been going a week.
 167. You drove all day on Sunday?—Yes, every trip.
 168. You do not remember what times you left?—I started at five minutes to 10.
 169. Did you get back in an hour?—Yes, and then went off for an hour.
 170. Then, your next trip?—About five minutes to 12, I suppose. After that I took the horses out and put them in the stable, and had lunch.
 171. You had lunch then?—Yes, I waited about for it for five or ten minutes.
 172. And cannot you say exactly how many were in at lunch?—I do not remember exactly.
 173. You gave us a number?—I said about fourteen or sixteen. The table holds about sixteen or seventeen, and it was moderately full.
 174. The table would be full then?—Pretty full, not quite; but I was not looking to see whether it was full or not. I was having my dinner.
 175. How many times did you go into the hotel?—About four.
 176. What was the first time?—When I went in to lunch.
 177. At 1 o'clock?—Yes.
 178. And after that?—When I had a spell I went in to put in the time.
 179. What did you go in for the second time?—To have a spell, and I sat before the fire.
 180. What did you go in for afterwards?—To get tea.
 181. How many were at tea?—I did not sit down to tea. I had it in the kitchen.
 182. What did you go in for after that?—I went in no more.
 183. Who went in with you?—I do not think any one went in with me.
 184. You were alone each time?—Yes.
 185. Do you know Mr. Carter at the hotel?—No.
 186. Do you know any of the boarders?—Yes.
 187. What are their names?—I only know one, Thomson. He was shepherding at Methven.
 188. Did you see him on Sunday?—I cannot say I did.
 189. Outside those at lunch, how many did you see at the hotel?—I think I only know one who was sitting at lunch.
 190. Who was that?—A son-in-law of Mrs. Conway's, I think.
 191. Was Mr. Conway there?—I do not think so.
 192. Who was at the head of the table?—No one.
 193. Who carved?—It was brought in to us.
 194. And did Mr. Conway not have lunch?—I do not know.
 195. Do you know him well?—I know him as a publican.
 196. And cannot you remember whether Mr. Conway had lunch on Sunday last?—I cannot remember. I know he was in the room, but whether he was sitting down or not I could not say.
 197. While you were in, whom did you see about, apart from those you saw at lunch?—When I went into the commercial room once there were three or four there.
 198. Any one in the yard?—There were two or three, who were strangers to me.
 199. Did you see any of them refused admittance?—No. I went straight in at the back door.
 200. Did you see any of the members of the family at the back?—Yes, the Misses Conway.
 201. Where were they?—One was near the gate, and one near the clothes-line.
 202. *Mr. Tunbridge.*] What did you pay for your lunch?—1s.
 203. What drink did you have?—A glass of beer.
 204. On the other occasions you had no drink?—No, but I had tea.

205. Are you in the habit of getting your lunch there daily?—The coach has only been going a week.

206. Where do you live?—At 156, South Town Belt.

JANE SOPHIA FRANCES CONWAY, examined on oath.

207. *Colonel Pitt.*] What is your name?—Jane Sophia Frances Conway.

208. Are you the licensee of Tattersall's Hotel?—Yes.

209. *Mr. Cresswell.*] You have been a licensee in Christchurch for ten years?—Yes.

210. During that time you have been a widow?—Yes.

211. Your husband was a licensee for fourteen years before that?—Yes; for fourteen years in the Woodend district.

212. Has your license ever been indorsed for an offence?—No.

213. Or a conviction?—No; nor have I ever been reprimanded by the Inspector of Police.

214. The police reports have been uniformly favourable?—Yes.

215. Who keeps the key of the public bar on Sundays?—My eldest son; and when he is out I have it.

216. It is always in the possession of yourself or your eldest son?—Yes.

217. Was he out on Sunday?—He went to the half-past 9 o'clock mass, and returned home about twenty minutes past 10, I think.

218. With that exception, was he in the house all day?—In the house all day.

219. Did you serve any drinks while he was away?—Eight or ten, at the outside.

220. Did you serve any one but *bona fide* travellers and boarders?—Certainly not.

221. Did you have to refuse any applications for drinks?—Several. They did not satisfy me when I asked them if they were travellers. They said they were always travelling; and I said, "That won't do me"; and I refused them. I also refused several men who asked for cigarettes, as I never keep them.

222. Did you see any one on or about the premises on Sunday drinking?—I did not. I saw one drunken man, but he was not on the premises. He came only as far as the right-of-way, and I went to the gate and told him to begone. He went to the head of the right-of-way and put his head round the corner. I told my son to go and see what the man was doing, and I also said, "If Sergeant Mackay comes round he will swear he was inside the house." Those were the words I used.

223. He was not in the house?—I saw him through the window, and when I ordered him off he gave me "cheek." I stood at the gate till I saw him into Cashel Street. He stood with his head round the corner, and I sent my boy after him to send him off, because, I said, if Sergeant Mackay comes he will swear the man was inside the house. Sergeant Mackay has harassed me for the past few months.

224. Have the police been vigilant?—Sergeant Mackay is not satisfied with searching the bottom floor, but he sometimes goes through all the rooms, even the bedrooms. He asked to search my own bedroom, and I said to him, "Come on, then, sergeant, here it is. You can search it."

225. You think the police are vigilant in the discharge of their duties?—I should say they are. The likes of the police for the last few years I have never seen; but Sergeant Mackay caps them all.

226. How often did the police visit your place on Sunday last?—About three or five minutes to 9 o'clock, Sergeant Scully and Constable Dalton came in. It was very near the stroke of 9.

227. Was a second visit paid?—Yes; some time after 11. It may have been half-past 11 or a quarter to 12. Sergeant Mackay came in with Constable Pratt. The sergeant rushed through the house, and if I had had men in the house getting drink I could not have got rid of them, seeing the way he rushed through. Even my kitchen is not exempt from him.

228. On the second visit, did they go upstairs?—He searched the bedrooms upstairs. I did not go with him. I generally go, but, as I was not well, my son went with him.

229. Did he scrutinise the carpets and the floor?—One Sunday he saw some wet on the floor. Last Sunday it was raining, and I saw him looking at the floor, but he said nothing but "Umph."

230. At any rate, he made a close and careful inspection of the house?—He could not do it more closely if he was looking for a criminal. The last time Sergeant Mackay was in there were four boarders in the house, and he made the usual inquiries, and looked at them with suspicion. I said to him that they were boarders.

231. What time was that?—I think it was about half-past 7 o'clock.

232. That was another visit?—Yes, that was the second visit he had made, and it was the third visit by the police.

233. Who came with him on that occasion?—Constable Pratt, I think, but I am not sure.

234. At any rate, you are sure that two police-officers came on the third occasion?—Yes.

235. And Sergeant Mackay was one of them?—Yes. They both went upstairs.

236. Did they look at the bar?—They always look at the bar, even the private bar.

237. Is it a fact that the private bar was never opened on Sunday?—My private bar shutters are never opened from 11 o'clock on Saturday night until 9 o'clock on Monday morning, when my daughters open them.

238. Were your daughters or any one else in the hotel posted to keep watch on Sunday?—They kept no watch, as it is not necessary. The sergeant keeps too good a watch on me. I had my two daughters in the house that day, and the third one was not well, and did not go outside the door.

239. You have three sons?—Yes, and on Sunday one of them was in bed.

240. Did any friends come in to see the one who was in bed?—Four or five. My barman had a poisoned arm, and, as they had not room for him at the hospital, he came back to the hotel, and on Sunday four or five men came in to see him. They had no drink. They only asked if they could go up and see Willie Topham.

241. The boarders and the members of your family were in and out of the hotel several times?—All the day. I have one boarder who has stopped with me every Saturday night for the last three years, and he pays twelve or fourteen visits every Sunday.

242. You and the members of your family are Good Templars, are you not?—I never take drink unless I am recommended to do so by the doctor. One of my children has never tasted it, and my eldest son never tastes it unless recommended. Two members of my family were ill once, and took it when recommended.

243. *Mr. Taylor.*] Do you know Rose, in Delamain's?—I do not know him by that name, but now I see him in Court I recognise him as "Charlie."

244. How many times was he in the hotel on Sunday?—Four or five times, for boiling water.

245. Did he get it from you?—No.

246. How do you know what he came for, then?—I always help the cook on Sundays.

247. Did you see him get the water?—Yes.

248. How many times?—I think he came three times, and once for washing-soda. He also came in to his dinner.

249. Four times?—I cannot swear the exact number of times; but he got boiling water, and he also came in with two men to get a drink.

250. Where were you?—In the kitchen. The two men were from Kaiapoi. They asked me for drinks, and handed me 1s. 6d. I said I would "shout" for Charlie, and I sent the servant for the drinks.

251. If Charlie says the visitors paid for the drink for him he is wrong?—He did not see what money I got. They handed me 1s. 6d., and I gave them back the 6d., and said I would not charge for Charlie. I said that under the Licensing Act a traveller cannot "shout" for a townsman, and one of them said, "Oh, bother the Licensing Act." A policeman once told me that a visitor could not "shout" for a townsman.

252. What does Charlie pay for his lunch?—1s.

253. You never give him a lunch for nothing?—Once.

254. When was that?—On Christmas Day. I never charge a man for his Christmas dinner in my house.

255. Did the police enter by the back door?—I do not think they did. As a rule Sergeant Mackay comes in at one door and plants a man at another door to see that no one goes out.

256. How did they go in last Sunday?—Sergeant Scully went to the front door, and I think that Sergeant Mackay came in by the front door one time.

257. Did Sergeant Mackay go in by one door and the constable by another?—That is generally the way he does it. Last Sunday they both came in together, whatever way it was.

258. What door was it?—Once by the front door, but I could not say how they came in the second time.

259. What time did your son get up on Sunday?—He was in bed all Sunday, and he did not get up till Monday morning to go to his work.

260. He was in bed all the day, then?—Yes; and the barman was also in bed, also my daughter.

261. Do you know the names of the visitors?—No.

262. Do you know Frank Reid?—I remember he came to the house, and spoke to my eldest son. The second time he came in he asked for a packet of cigarettes, and I refused him, and he said, "Oh, my God!" That was about 5 o'clock, when I was in the yard. He was not inside the door.

263. Is he the only man you knew?—Bless you, no; I knew a man who came from Lincoln.

264. Was he the only Christchurch man you knew?—The man I turned from the gate was a Christchurch man.

265. The drunken man?—Yes.

266. Did you know any others?—No. Am I supposed to tell his name because I said he was under the influence of liquor?

267. I ask you to tell his name?—You might want his name, but I will leave it to the Commissioners to say whether I am to give it.

268. *The Chairman.*] Tell us his name?—Morris, a fish man. I do not know his Christian name. I would not say he was drunk, although he was under the influence of liquor.

269. *Mr. Taylor.*] Do you know where he lives?—I do not.

269A. Did you see a man in your house several times on Sunday with his face drawn on one side as if it had been scalded?—Do you mean a tailor man?

270. Probably?—He came to see my son Jack, who was getting a suit of clothes.

271. He came to get an order for a suit of clothes on the Sunday?—No, he came to see if he was going to get it.

272. What is his name?—You ask me more than I can tell you.

273. Do you not remember the names of any other visitors on Sunday?—No. I do not pay any attention to their names. Yes, I can tell you. There was a man from Belfast, and a man from Islington.

274. What are their names?—Albert Kerrison, from Islington.

275. And the Belfast man?—His Christian name is Arthur, but I do not know his surname.

276. What books do you keep in connection with your business?—I keep a book that shows how much is given out of each bar, and it shows the takings. Sunday takings are so small that they are put in with Monday. My son keeps the books.

277. Do you ever see them?—Yes.

278. The takings for Sunday and Monday are put together?—Yes.

279. And the takings for Tuesday are shown?—Yes.

280. And Wednesday, and so on?—Yes.

281. That is, six altogether?—Yes.
282. You see them entered in a book?—I do not see them entered. It might be a week before I see the books.
283. There are six entries every week?—Did I not say so?
284. I want to get it definitely?—Yes. There are seven days combined in six.
285. If your son says they are entered in a lump sum, what do you say?—It might be done at race-times if we are busy.
286. You take some cash on Sundays, and he takes some?—I only take it when he is at church.
287. How many people were at lunch on Sunday?—Seventeen.
288. Have you a record?—No.
289. Were you at the table?—No; but I always carve in the kitchen.
290. But were you at the table?—No, but I know how many dinners were sent in.
291. You carved for seventeen?—Yes.
292. Did that include Rose?—Yes; but he came in late.
293. How many people boarded with you on the Saturday night?—Fourteen.
294. Did they all lunch on Sunday?—No; and only nine were for breakfast: seven of the boarders and two strangers.
295. How many people entered the house on Sunday, do you suppose?—That is a very hard question to answer, because the house and the yard are different things. I should say that eighty or ninety entered the house, and that from two hundred to two hundred and fifty might have come into the yard.
366. *Mr. Poynton.*] That includes those who came into the house?—Yes. I often see people go to the offices in the yard.
397. *Mr. Taylor.*] They go into the yard to get into the house, or to go to the public conveniences?—Yes; and some come in for cigarettes.
298. Did some come in on Sunday for cigarettes?—Yes.
299. The same men?—No. When I tell a man that I do not sell cigarettes he does not come again. Dozens come in some days for cigarettes. There are no tobacconists' shops open.
300. They come to you as if you had a tobacconists' shop?—Yes; and they might go to others in the same way. I only speak for myself.
301. Are the conveniences all together?—There are four together—public, boarders, private, and another.
302. Is there a second block of conveniences?—Yes.
303. Are they touching?—No. There are three together; then comes the front gate, and then the other convenience.
304. *Colonel Pitt.*] Is it 10 yards away?—It is more than 10 yards. It is the breadth of the yard.
305. *Mr. Taylor.*] Do you keep a closet for the public as well as a urinal?—Yes.
306. Is it locked?—No.
307. It is open all day?—The boarders' one is locked, and it has two keys, one of which the stablemen have.
308. How often were you at the back of the hotel on Sunday?—I was often there. Sometimes we go into the right-of-way. We have no other place to go to.
309. Did you put in any time in the front?—When the Salvation Army is there, or the tram is passing to Sumner, I generally go to the front door. I go to the door too if the Volunteers are about.
310. How long before the police came did you know they were coming?—I did not know at all. I was going upstairs to see my son when the knock came at the door.
311. You were not warned?—No.
312. A young man did not come in and make a signal to you?—No.
313. Did some one not tell you that the police were coming?—No.
314. Did you go to the front door when you knew the police were coming?—How could they come in at the front door unless some one opened it.
315. Did they knock at the back door?—No. The police have no occasion to knock there. Generally Sergeant Mackay rushes through the children's room and through the dining-room as if he was going to catch some one.
316. Does he come in with great speed?—Yes. I call him the "steeplechaser."
317. Has Sergeant Mackay ever got a conviction against you?—No. On the first day that Sergeant Mackay came to my house, he told me, "I am going to do my duty without fear or favour; and if I catch you or any other publican in Christchurch I will bring you before the Licensing Bench."
318. And with all his energy he has not succeeded in catching you?—I have said I have not been convicted.
319. Do you remember a series of Sunday trading prosecutions that were successful?—It was said they were.
320. Were there not a number of convictions?—If I were you I would forget about that, seeing the way it was done. It was not creditable to anybody.
321. But they were successful?—Yes; but they had dirty tools to work with.
322. Where were you when the police came in?—In the house.
323. Did you go through with them?—No; I told you before that I did not go upstairs, as I was tired. The sergeant went up, and my son went with him.
324. How long was Sergeant Mackay in the house?—He was in the house longer the last time than the first time, because the last time he went upstairs. He would be in for about five or seven minutes.

325. One of your boarders was in and out fourteen times?—I said twelve times.
326. What is his name?—Pat Cunningham.
327. Is he in Christchurch?—He is in Fendalton.
328. Is he working there?—Yes, he is not a monied man.
329. And he boards with you?—He sleeps at my house every Saturday night, and has done so for the last three years.
330. Did he have any refreshments that day?—He did.
331. What did he have?—I served him with one beer.
332. Did he pay for it?—Yes, he paid 3d.
333. And he slept at the house on the Saturday night?—Yes.
334. He does not sleep there on Sunday nights?—He goes away by the 9 or half-past 9 coach every Sunday night.
335. Did he have any friends with him on Sunday?—No.
336. Do you keep the names of your boarders in a book?—No. I have never kept a record of my boarders since I have been in business, unless they owe me money.
337. Does Cunningham always pay cash?—Sometimes he owes me for two beds, but he always pays me.
338. Did he pay on Sunday?—He paid on Saturday night before he went to bed.
339. You say you served Rose with a drink?—He and two travellers came in.
340. Was that the only drink he had?—I think he had a glass of beer at dinner.
341. *Mr. Tunbridge.*] Your experience of the police last Sunday was that they were rather lively?—They always are.
342. You received three visits?—Yes.
343. And they were not just perfunctory visits but visits that looked like business?—When Sergeant Scully came in the first time he went all through the lower house, except one room; and when Sergeant Mackay came in he went through the bottom floor thoroughly, and on his second visit he went through both floors.
344. You say that Rose had a drink for which the travellers offered to pay?—They offered me 1s. 6d., and I took the 1s., and said I could not take for Charlie.
345. What did you do with the shilling?—I put it in my pocket, and gave it to my son when he came home.
346. He was in charge of the bar when Charlie had a drink with the travellers?—I think so. I sent the servant for the drinks.
347. And you put the money for the drinks in your pocket?—Yes.
348. What was the name of the servant who went for the drink?—Mary O'Neill.
349. Did she not take the money to your son?—I took it myself. The men gave it to me.
350. If your son says the servant gave the money to him, he says what is not true?—I think he makes a mistake.
351. If your son says the servant brought in the money for three drinks he makes a mistake?—He did not get the money for the three drinks, because I would not take the money from the traveller for Charlie. I took for only two.
352. Do you know the names of the travellers?—One is Thomson, of Kaiapoi. At one time his sister was in service with me.
353. Which of the travellers paid the money?—I could not say. I did not pay such attention as to be able to tell that.
354. *Mr. Cresswell.*] You spoke of a book in which you say your son enters the takings day by day, except Sunday, that day's takings being entered on the Monday?—Yes.
355. Is there another book, in which the takings, week by week, are entered?—I do not think so.
356. Is there a book you call the profit-book?—Yes.
357. Does it show the takings week by week?—Yes. It shows how much is put into each bar every Monday morning. Then on the following Monday my son takes stock, and in that way can tell what the profit is.
358. That book shows the weekly takings, then?—It shows the profit of the two bars.
359. *Mr. Taylor.*] Do travellers often "shout" for Charlie?—No, they do not, because I would not take the money from them. I know it is contrary to the Act.
360. He always gets drinks free?—No, he does not get much. He is a very temperate man. Whenever he gets dinner at my place he gets a glass of beer, because I charge 1s. for dinner, including beer.

CHARLES ROSE, recalled.

361. *Mr. Tunbridge.*] You said yesterday that you went to Tattersall's Hotel with two travellers?—Yes; and yesterday again.
362. The same two yesterday?—No.
363. Do you know the names of them?—No. I know them by sight.
364. To what part of the house did you go?—I went to the kitchen.
365. And the travellers also?—They went through the kitchen.
366. Where were you when the drinks were brought?—I only saw my drink.
367. Did you hear the drinks ordered?—I cannot say I did. The travellers said, "Give him a drink, and let him get away to wash the horses down."
368. And a drink was brought?—Yes.
369. Who brought it?—Mrs. Conway.
370. Are you sure?—Yes; and if I remember rightly she put it on the kitchen table.
371. What was it?—Beer.
372. Did you see the travellers pay for the beer?—No, I did not see any money pass.

373. Was Mrs. Conway with you in the kitchen?—She was there at one time, but I do not know if she was there when I drank the beer. I think she went back.

374. Did you hear Mrs. Conway say anything to the travellers about your drink?—No. She put the drink down on the table, and I drank it and came out.

375. Was it Mrs. Conway or the servant girl who brought the drink to you?—I am almost certain it was Mrs. Conway.

376. Do you know what drinks the other men had?—No.

377. They were not present when you drank your beer?—No. They were in the house, but not in the kitchen.

378. *The Chairman.*] Where were they?—I think one was at the doorway talking.

379. *Mr. Tunbridge.*] Talking to whom?—I think it was to one of the girls.

380. Did those people drive into your yard with a trap?—Yes.

381. Do you know if there is any entry made in the books about the trap?—No, they paid cash.

382. Did you pay for your dinner last Sunday?—Yes.

383. How much?—A shilling.

384. What drink had you with it?—A glass of beer.

HELEN COCKAYNE, examined on oath.

385. *Colonel Pitt.*] What is your name?—Helen Cockayne.

386. *Mr. Cresswell.*] You are a boardinghouse keeper?—Yes.

387. And your boardinghouse is in High Street, not far from Tattersall's Hotel?—Close to it. The right-of-way is a continuation all the way through.

388. *The Chairman.*] Do your premises open on the right-of-way?—Yes, and Mrs. Conway's too.

389. *Mr. Cresswell.*] That right-of-way is extensively used?—Very.

390. Were you at Tattersall's Hotel on Sunday last?—On Sunday morning.

391. You went to see Mrs. Conway?—Yes.

392. Did you see her?—Yes, and I was speaking to her.

393. You chatted with her for a time?—For a few minutes.

394. How long?—Perhaps ten minutes.

395. Where were you chatting?—In the yard.

396. Did many people come into the yard when you were there?—A crowd came to the door, and some went inside. Mrs. Conway spoke to them, and they went away, but what she said I do not know.

397. What became of the others?—They all went away.

398. Did you hear Mrs. Conway refuse drinks to any one?—I could not hear what she said.

399. They got no drink?—No. They went away at once, and I saw no more of them.

PHŒBE CONWAY, examined on oath.

400. *The Chairman.*] Your name?—Phœbe Conway.

401. *Mr. Cresswell.*] You are a daughter of Mrs. Conway, the licensee of Tattersall's Hotel?—Yes.

402. Were you at the hotel on Sunday?—Yes.

403. Did you go out at all?—Not at all on Sunday.

404. *The Chairman.*] You did not leave the premises?—No.

405. *Mr. Cresswell.*] Were you watching at all during the day?—No. I have no reason whatever to watch for anything.

406. Was any one posted to watch for the police?—Not so far as I know.

407. Were you in the private sitting-room at the front of the building upstairs?—Yes. I was upstairs part of the day, and I was also in the back-yard, in the kitchen, and all over the place, and in and out. As a rule, I am upstairs on Sunday, looking after the rooms with the housemaid.

408. Were you at any time during the day standing for any length of time at the gate leading into the right-of-way?—Yes, and I was in the right-of-way, and in the back-yard talking to my mother and my sister.

409. But were you standing at the gate for any length of time?—No.

410. How long were you about the gate and the yard?—For five or ten minutes, or less.

411. Were you frequently at the gate, or about the gate, during the day?—No, I do not think so.

412. How many times do you think you were in the yard during the day?—Three or four times, but I could not say exactly.

VICTORIA CONWAY, examined on oath.

413. *The Chairman.*] Your name?—Victoria Conway.

414. *Mr. Cresswell.*] You are a daughter of the licensee of Tattersall's Hotel?—Yes.

415. Were you at the hotel on Sunday last?—Yes.

416. All the day?—Yes.

417. Going about different parts of the house?—Yes.

418. Were you in the yard?—Yes. I am in the yard every Sunday.

419. Were you in the right-of-way?—Yes.

420. Were you in the yard or the right-of-way for the purpose of watching for the police?—No, just to please myself. We are always in the right-of-way on Sunday, as we have no other place to go to. We walk up and down the right-of-way every Sunday; it is nice and sunny.

421. Was any watching done at the hotel last Sunday?—No.

EDWARD MACKAY, examined on oath.

422. *Colonel Pitt.*] Your name?—Edward Mackay, Sergeant of Police, stationed in Christchurch.
423. *Mr. Cresswell.*] You made an official visit to Tattersall's Hotel on Sunday last?—Yes.
424. In company with Constable Pratt?—Yes.
425. What time did you go on the first occasion?—At 11.35 in the morning.
426. On that occasion what did you do?—I entered the hotel by the back door, and went through the kitchen and the dining-room, and into the passage where the bar is. I then went into the bar-parlour, and all the other rooms on the lower floor.
427. Did you find anything wrong?—I saw nothing to complain of. There were four men sitting in the small parlour who represented themselves as boarders.
428. Did you pay particular attention to the floor to see if there were any traces of recent drinking?—I examined the ledge where the drink is placed from the bar, and found it clean and dry.
429. You saw nothing to arouse your suspicions?—No.
430. Had you any reason to suppose that the licensee, or any one in the hotel, expected the visit?—I had not, because I came in along the passage, and went sharply in the back door and the kitchen, and right through the house.
431. You did not see any one whom you supposed to be watching?—Not on this occasion.
432. You paid another visit to the hotel on the same day?—Yes, at 6.55 in the evening.
433. Was that also a surprise visit?—As far as I know.
434. Who went in company with you?—Constable Pratt.
435. What did you do on that occasion?—I went through the lower part of the house—the dining-room and the smaller parlours on the lower floor—and upstairs to the sitting-rooms.
436. With what result?—I saw nothing to complain of.
437. Did you see anything to lead you to suppose that any one was watching the police?—No. If any one was watching I did not see them.
438. *Mr. Taylor.*] Do you always visit the hotels in uniform?—Yes.
439. Is that fact not likely to render that kind of inspection futile, as a rule?—If a watch is kept, it is.
440. What has been your experience? Is the watching system not pretty generally followed by the publicans?—I have seen it in every centre I have been in.
441. In Christchurch, have you seen hotel hands or any one connected with the hotels watching to see what men were coming on beat?—Yes. I have seen them standing at the corner when the men came out, but what it was for I do not know.
442. What hotels were they connected with? Have you seen any one connected with Tattersall's?—Yes.
443. Watching the men coming out of the barracks?—I have seen them at the corner, but what they were there for I do not know.
444. *The Chairman.*] Whom have you seen?—I saw one of Mrs. Conway's sons standing at the corner of the street once.
445. When?—I cannot mention the particular Sunday.
446. Do you mean frequently, or regularly, or on one occasion or more?—I have seen him on two or three occasions in different parts of the vicinity. He is a small boy.
447. Did you see him last Sunday?—No.
448. *Mr. Taylor.*] When the police have come out, has he gone off on his bicycle or on foot?—If I went in one direction he remained where he was, and if I went another way he got in front of me. He would go on the other side of the street, and walk faster than I did. I did not think for some time that he was watching for the hotel, and I am not sure now that that was his object.
449. What was the weather last Sunday?—A damp, drizzly day.
450. Such a day as young ladies would parade up and down the right-of-way in the sunshine?—I would not think it a good day for that.

JAMES MEADE CONWAY, recalled.

451. *The Chairman.*] Have you the book?—Yes.
452. We want to see the entry about last Sunday only?—[The book was handed to the Chairman.]
453. Does the Monday's entry combine Sunday's receipts?—Yes.
454. *Mr. Poynton.*] These entries cover many days?—From the first of the month up to Wednesday.
455. *Mr. Taylor.*] Is that the book kept in connection with the hotel?—Yes. We have a cash business, and I only keep books for my own calculation.
456. Your mother says there is a book in which entries are made week by week?—That is the book I keep. I have also a book to show my profits.
457. Is that the book your mother keeps when you are away from home?—Yes. I get one of them every month.
458. *The Chairman.*] There is another book referred to by your mother, called the "profit-book." Is this it?—No.
459. *Mr. Taylor.*] The book you now produce is the book your mother refers to as the cash-book?—Yes, it is.
460. *The Chairman.*] Is there any other book in which you have an entry of the takings of Sunday last?—No.

461. And this entry shows the combined takings of Sunday and Monday?—Yes.

462. *Mr. Taylor.*] Do you transfer those figures to any other book?—I do not need to. I know what amount of grog goes into the bars. If forty pounds' worth of grog goes in, and the takings are £70, I know, of course, that my profit is £30.

MARY O'NEILL, examined on oath.

463. *Colonel Pitt.*] What is your name?—Mary O'Neill.

464. *Mr. Tunbridge.*] Are you a servant at Tattersall's Hotel?—Yes.

465. You remember last Sunday?—Yes.

466. You remember Charlie Rose coming into the house on Sunday morning?—Yes; I remember I served three drinks, but I do not know who they were for. I got them from Mr. Conway at the public bar.

467. Do you know Mr. Rose?—No.

468. Do you know Charlie at the stables next door?—I think so.

469. Was he not one of the three?—I am not sure.

470. Were the other two persons known to you?—No.

471. Do you remember what the drinks were?—No.

472. Where did you take the drink to?—I took it to the side room between the kitchen and the dining-room.

473. Where the men were?—Yes.

474. Were the three men there?—Yes; or in the passage, leading from the kitchen to the dining-room.

475. Did you hand one drink to each man?—Yes.

476. Did they take it while you were there?—Yes.

477. Did you receive the money?—A shilling.

478. Only a shilling?—Yes.

479. From whom?—I could not tell you exactly.

480. From one of the men?—Yes.

481. What was the price of the three drinks?—A shilling.

482. What were the drinks?—Two "shandies" and a beer, I think.

483. What is the price of a "shandy"?—3d., I think.

484. And beer is 3d.?—Yes.

485. And, if you got a shilling, the third drink cost 6d.?—Yes.

486. Just think a little. Three drinks at 3d. would not be 1s.?—No.

487. Was there a beer at 3d. and a shandy at 3d.?—I do not understand the price of drinks, but I know I got 1s.

488. *Mr. Poynton.*] Do you know what charge is made for drinks?—No.

489. *The Chairman.*] Do you serve in the bar?—No.

490. What is your business in the house?—General servant.

491. *Mr. Tunbridge.*] You understood that you received full value for the three drinks?—Yes.

492. And you took the money to Mr. Conway?—I do not know whether I gave it to Mrs. Conway or to Mr. Conway.

493. Did you hear any remark made about the payment of the drinks?—No.

494. Are you sure you do not know what you did with the money?—I am sure I do not.

495. *The Chairman.*] Do you not remember what you did with the money?—I think I gave it to Mrs. Conway.

496. *Mr. Tunbridge.*] Where was she?—Upstairs.

497. You took it to her?—Yes.

498. Can you tell us where she was?—In her bedroom.

499. Why did you take the money to her?—She had the best right to it.

500. What is your custom when you receive money for drinks? Do you not take it to the bar?—No, I give it to Mrs. Conway.

501. She was not present when the drinks were ordered?—No.

502. Nor when they were taken?—No.

503. You are quite sure on the point?—Yes, I am quite sure.

504. Mrs. Conway did not tell you how much money you were to receive?—No.

505. Did Mrs. Conway see the men at all?—I do not think so.

506. *Mr. Taylor.*] Did you serve any more drinks that day?—No.

507. Only those three?—Yes; I did not serve them; Mr. Conway gave them to me.

508. Did you give Charlie his drink?—I am not sure.

509. Where was Charlie?—He was with the other two.

510. *The Chairman.*] In the passage?—I think he was in the passage between the kitchen and the dining-room.

511. *Mr. Taylor.*] Where were you when they asked you to get the drinks?—I first saw them getting water at the pump.

512. When did they speak to you?—I could not tell you.

513. When did they ask you for the drinks?—About 10 o'clock.

514. You do not remember where they were?—They were between the kitchen and the dining-room.

515. In the passage?—Yes.

516. You got the drinks for them?—Yes.

517. And brought them back?—Yes.

518. Three of them?—Yes.

519. And gave one to each man?—Yes

520. In the passage?—Yes.
 521. You took the shilling for it?—Yes.
 522. Who gave you the shilling?—I do not know.
 523. Did you know the other two men?—No.
 524. Were there any sick people in the house that day?—Mr. Conway and another young man.
 525. Only the two?—One of the young girls was also sick.
 526. Are you the cook?—Yes.
 527. How many people had dinner on Sunday?—About fifteen or sixteen.
 528. How many boarders were there the night before?—About that number.
 529. Did you see many people about the house on Sunday?—No.
 530. Did you see any other people getting refreshments?—No.
 531. Did you ask the men their names?—No.
 532. Do you know where they came from?—No.
 533. You did not ask them?—No.
 534. Did Mrs. Conway have a conversation with the three men?—I could not tell you.
 535. At the time the drinks were ordered, did she have a conversation with them?—No.
 536. She was not there?—No.

GEORGE WILLIAM PEARCE, examined on oath.

537. *The Chairman.*] What is your name?—George William Pearce.
 538. What are you?—A publican.
 539. What house?—The Railway Hotel, in Manchester Street.
 540. *Mr. Tunbridge.*] You remember last Sunday?—Yes.
 541. Were you at home?—Yes.
 542. Who were assisting you in your business?—My wife and the servant-girl.
 543. Had you customers at your house on Sunday?—I had boarders.
 544. How many?—About twenty-four or twenty-five.
 545. Do you know?—I am not positive, but it was about that.
 546. What other persons were in your house on Sunday?—Some friends of those boarders called.
 547. Any others?—I think there were one or two travellers.
 548. A traveller or two?—Yes, two or three.
 549. Two or three only?—That is all.
 550. Who attended the front door?—My wife and I did.
 551. Have you any other doors by which people enter or leave?—No.
 552. Had you as many as 185 people in your house on Sunday?—I am very doubtful if we had that number.
 553. You will not swear there were not?—I could not say, of course, how many times the people went in and out.
 554. Do you know a man named Armstrong, a blacksmith, living in Cambridge Terrace?—Yes.
 555. Was he there?—I did not see him.
 556. Will you swear he was not there?—Not in my presence.
 557. During what hours were you at the door?—From about 9 o'clock in the morning. I was not up much before that.
 558. How is your door fastened?—With a lock.
 559. An ordinary lock?—It is an ordinary bolt with a chain.
 560. What is your practice when the door is secured?—To secure it by the bolt and the chain.
 561. I mean during the day-time?—On Sunday?
 562. Yes?—I always bolt it, and if a boarder wants in or out I open the door.
 563. The door is never open?—No.
 564. And no boarder can get in or out without being allowed in or out by you?—Occasionally they might go in or out if there was no one there to close the door after them.
 565. *The Chairman.*] But as a rule it is kept bolted?—Yes.
 566. *Mr. Tunbridge.*] Is there any particular signal used by persons coming to your house on Sundays?—No.

CHARLES ARMSTRONG, examined on oath.

567. *Mr. Tunbridge.*] Are you a blacksmith?—Yes.
 568. Living in Cambridge Terrace, Christchurch?—The shop is there. I am working there.
 569. Do you remember last Sunday?—Yes.
 570. Do you remember going into the Railway Hotel?—Yes.
 571. What time?—About 9 o'clock, as near as I can remember. It might be a few minutes past.
 572. What did you go there for?—I went to borrow a gaff-stick off Mr. Pearce.
 573. For fishing?—Yes. I was going down by the half-past 9 train to Port.
 574. Did you get the stick?—No, he was not up.
 575. Did you go inside the house?—Yes.
 576. Who let you in?—The girl there.
 577. What did you say to the girl?—I asked if Mr. Pearce was in. She said he was not up.
 578. Did you tell her what you wanted?—No. I said I wanted to see him—that was all. He has lent me a stick before when I forgot mine.
 579. Where was your gaff-stick?—I left it at home; I forgot it.
 580. Where do you live?—Kilmore Street.

581. Did you have anything to drink in the house that day?—No.
 582. Quite sure about that?—Positive about that.
 583. Were you in the house more than once that day?—No.
 584. Only once?—Only that once.
 585. And you were going to catch the half-past 9 train?—Yes. I caught it too.

THOMAS BARRETT, examined on oath.

586. *Mr. Kippenberger.*] What are you?—A third-class constable, stationed at Christchurch.
 587. You know Constable McKenzie, who is also stationed here?—Yes.
 588. Is it true that you and he at any time went into the A 1 Hotel and obtained refreshments there?—It is not true.
 589. Of any kind?—Not of any kind, at any time.
 590. Then, if this witness, Armishaw, says you used to go about 6 o'clock in the morning, in or out of uniform, and obtain refreshments, it is not true,—tea or coffee, not liquor?—It is not true.
 591. The suggestion is, Constable Barrett, that you are in league with the hotelkeepers, particularly this one, and others, I suppose: Is there any truth in such a suggestion, that you at any time have been in league with any hotelkeeper—that is to say, you have sought to assist him in evading the law?—Certainly not. I have never been in league with any hotelkeeper.
 592. You told the Commissioners before that you had been stationed here about seven years, so that, in the nature of things, you must well know the working of the various hotels. What time was the A 1 Hotel opened usually in the morning, do you know?—At 6 o'clock.
 593. What door of the hotel would be open then?—The public bar door leading on to the street.
 594. There were two other entrances to the hotel, were there not, from the front—that is, there was the public bar door on the corner, and then entrances from Colombo Street and another from Cashel Street, were there not?—That is so.
 595. What time in the morning, do you know, were the doors of these private entrances, as we will call them, opened—private entrances we will call them, to distinguish them from the other entrance?—I should say about 7 o'clock.
 596. You remember the witness Armishaw being employed at the hotel?—Yes, I remember him.
 597. Who was there besides himself, do you know?—There was a man named Stewart.
 598. Did he sleep in the hotel, or go there early in the morning?—He opened up in the morning, I believe.
 599. *The Chairman.*] Do you know if he slept there, or away?—No, I do not. I have seen Stewart opening the bar door in the morning on one or two occasions.
 600. *Mr. Taylor.*] Have you ever had a prosecution against the A1 Hotel?—No.
 601. Have you ever instituted a prosecution against any hotel in Christchurch?—No.
 602. Have you ever of your own motion instituted a prosecution?—I have assisted.
 603. How many years have you been in Christchurch?—Seven years.
 604. *Mr. Kippenberger.*] In these prosecutions wherein you have assisted, the sergeant has had charge of the affair?—That is so; the sergeant has been in charge.

DONALD MCKENZIE, examined on oath.

605. *Mr. Kippenberger.*] You know the last witness?—Yes.
 606. Have you ever alone, or in his company, had any refreshments at the A 1 Hotel early in the morning?—No, never.
 607. Either intoxicating or otherwise?—No.
 608. In company with Barrett, or alone, do you say?—I was never there in company or alone at that time of the morning.
 609. You say, “at that time of the morning.” Do you mean to say when you have had a right to be there you have sometimes been in. You are not a teetotaller, I suppose?—No.
 610. Do you know a man named Stewart who used to assist in the working of the A 1 Hotel?—Yes.
 611. By the way, how long have you been here?—About sixteen months.
 612. Do you know this man Armishaw?—I have seen him, I believe. I saw him here to-day.
 613. And about the hotel?—Yes.
 614. Do you know whether or not he had any kind of control early in the morning in the working of the hotel?—No. I do not know anything much about that hotel. I was very seldom in that part of the town.
 615. There is a suggestion, Constable McKenzie—I suppose you are involved in it with others—that you were in league with hotelkeepers, and the understanding was you could get refreshments or drinks for nothing from hotelkeepers. Have you ever had any such understanding, or such treatment from any hotelkeepers?—No, never.
 616. *The Chairman.*] Do I understand your denial to extend to tea and coffee in the hotel?—Nothing whatever.
 617. And you never received gratuitous refreshments of any kind?—Never.
 618. *Mr. Taylor.*] Have you ever initiated a prosecution against a publican?—I am not certain as to that. I know on the morning you refer to—the morning the information was laid—I laid a few informations that morning. As to the information against the A 1 Hotel, I am not sure.
 619. What morning?—The morning you refer to.
 620. What morning?—About the prosecution of the A 1 Hotel.
 621. I say or ask, have you ever laid a prosecution against any hotel?—No. I may have sworn an information.

622. *The Chairman.*] What is the distinction? You may have sworn an information, but you never initiated it: what does that mean? When you have sworn an information, who has initiated the prosecution?—I understand Mr. Taylor to say where I laid the information.

623. He asks whether you ever initiated a prosecution against any hotel?—This morning that the information was laid against the A 1 Hotel I laid informations against several for by-law cases.

624. When was that?—On the morning the information was laid against the A1 Hotel.

625. When was that?—That was about March or April of 1897.

626. Did you initiate those prosecutions, or did you lay the informations by direction of your superior officer?—I cannot exactly say. I do not remember. I might have laid the informations by the instructions of Detective Maddern.

627. *Mr. Taylor.*] What time do you say the hotel used to be open in the morning?—I cannot tell you. I was very seldom down in that direction at all.

628. Were you ever on the hotel premises in the morning?—Never.

629. Do you know the premises at all?—No, I do not know much about the hotel premises. It is a hotel I very seldom go into.

630. Do you say you never went into it?—On duty, I say.

631. You never went in on duty?—Never.

632. When did you go in off duty?—I cannot say. I cannot remember now. I might have been several times in the hotel off duty.

633. What part of the hotel?—The bar, I suppose.

634. After you have been relieved from duty?—Yes.

635. Had you your uniform on?—No.

636. Never?—Never.

637. Do you live at the police-station?—Yes.

638. Do you remember the Stewart that has been referred to?—Yes.

639. Where did you use to see him?—I saw him one morning when I was passing the A 1 Hotel.

640. Only once?—Well, as far as I recollect; I might have seen him a dozen times.

641. *The Chairman.*] What opportunities did you have of knowing the man?—I had several opportunities of knowing the man. I may have been in that hotel during the day in plain clothes. I may have seen him then.

642. *Mr. Taylor.*] What part of the hotel did you enter?—The bar.

642A. Do you know whether there is a right-of-way to that hotel?—I believe there is.

643. Where does it lead from?—From Colombo Street.

644. Is that the only right-of-way?—As far as I know, it is.

645. Do you know Sorenson's saleyards?—No.

646. How long have you been in Christchurch?—Sixteen months.

647. Do you know the Singer machine-shop?—In Colombo Street? Yes.

648. Do not you know the right-of-way running behind all those shops?—I believe there is one.

649. Have you seen that more than once?—I expect I have.

650. Do you find it very difficult to remember it?—I cannot say that it is a right-of-way made use of by the public into that hotel.

651. Do you not know there are hundreds of people use it from those saleyards to the urinal? I do not.

652. As to Stewart: you say you saw him one day; what makes you say that?—Nothing in particular. I may have seen him there on this morning; I do not know.

653. How do you know his name?—I saw him again frequently after that.

654. Where?—In the hotel.

655. You saw him frequently?—Several times, yes.

656. Frequently, or several times?—Well, I have been in the hotel several times, and seen him there.

657. What was he doing?—In the lobby, working.

658. How do you know his name?—I have heard his name since.

659. Did you stop talking to him?—No.

660. How do you know Armishaw's name?—I know his name now. I have known of it through seeing his evidence in Wellington in the paper.

661. *The Chairman.*] Did you know the man by name when he was in the hotel?—No.

662. *Mr. Taylor.*] You did not know Stewart by name when he was in the hotel?—Yes, I did.

663. Did you know it was Stewart the first time you saw him?—It was two or three months after I saw him at the door that morning that I knew his name was Stewart.

664. Do you know how the kitchen of the hotel stands in regard to the passage from Colombo Street?—No. I do not know that there is a kitchen at all there.

665. What is the only room you say you have been in there?—The bar—the private bar.

666. The bar off Colombo Street?—Yes, or off Cashel Street.

667. *Mr. Tunbridge.*] When you have been in the house in plain clothes have you paid for the rinks you have had?—Yes.

668. Sure of that?—Certain of that.

669. You have not had drinks you have not paid for?—Never.

670. *Mr. Taylor.*] Do you talk Gaelic?—No.

671. You never have?—No.

672. Can you?—No.

673. Did you know the cook at the A 1 Hotel?—No.

674. Never knew the cook?—No.

675. Never talked Gaelic to the cook in the kitchen?—No, never.

JAMES STEWART examined on oath.

676. *Mr. Kippenberger.*] What are you?—I am employed at hotel work.
677. And were, I think, formerly employed at the A 1 Hotel with Mr. Collier?—Yes.
678. Just tell their Worships, please, shortly, what were your duties?—I had to open the bar at 6 o'clock, and had charge of the bar till 7, when I was relieved by the barman, and then I had other duties to do about the place—cellar work, and so forth.
679. When you say you opened the bar at 6 o'clock, do you mean the front bar?—Yes, the public bar—open the two doors, the door on Colombo Street and the door on Cashel Street.
680. There was a third door, was there not, opening on Colombo Street, leading to the private bar?—Those doors were not open till 7 o'clock—that was, leading to the private part of the house.
681. It has been said that constables used to go in there about 6 o'clock in the morning, in uniform, to obtain refreshments?—No, I have not seen them go in.
682. Who was in charge after you arrived there? You say Armishaw was employed there at the same time?—He was employed as day porter. I had charge of the bar for an hour while I was there—from 6 to 7 o'clock—when I was relieved, and I did not leave the bar at all during that hour.
683. Did you sleep in the house?—No, Sir.
684. You arrived there in the morning about 6 o'clock?—Generally a few minutes before 6, in time to open the bar at 6 o'clock, as the town clock struck.
685. Where did you get the keys from?—From Mr. Collier. I would go up to his room and get the keys.
686. Do you know the two constables, Barrett and McKenzie?—Well, I know them by name.
687. You have seen them here to-day?—Yes.
688. Did you ever supply them with refreshments about 6 o'clock in the morning?—No.
689. Or at any time?—At any time I did not supply them.
690. Had Armishaw any right to give any refreshments or drink of any kind to anybody, to your knowledge?—Not that I am aware of.
691. *The Chairman.*] You say you did not supply constables in uniform at any time?—No.
692. *Mr. Kippenberger.*] Were you informed by Mr. Collier that you had at any time any right to supply constables for nothing?—We had no right to supply them more than any other person coming in. I had no instructions to supply any one gratis. I was supposed to get paid for everything that I supplied.
693. Do you know whether these constables at any time obtained any refreshments other than intoxicating liquor in the hotel?—No, I do not.
694. Supposing they had been there for such a purpose, were you not almost bound to know?—Well, I think I should have seen them. If they came in through the front door I would be bound to see them.
695. You were there, were you not, for the purpose of having charge of the house?—I had principal charge of the bar, and, of course, other parts of the house as well. That was for the hour from 6 to 7.
696. If any men, either two or three, or even one at a time, made it a practice to go into the house for refreshments, were you not almost bound to have known and seen that such was the case?—Yes; I must have seen them.
697. *The Chairman.*] Were tea and coffee supplied at that time—in the early morning?—There was no tea or coffee supplied anywhere that I know of. Even in the bar we did not supply tea or coffee.
698. You are not aware it was supplied in the early morning at all?—No, except to the servants in the house at 7 o'clock. At that time we used to get a cup of tea, but it was sometimes after 7.
699. *Mr. Taylor.*] What time did you use to get up in the morning?—I always used to be there from a quarter to ten minutes to 6 o'clock.
700. Did you use to find the door open when you went?—No; I had a private key to go in with.
701. Which door did you go in by?—The iron gate in Colombo Street.
702. Was anybody about, as a rule, when you went in?—There was nobody about except the servants. There was one servant, Armishaw, cleaning the passage and doing ordinary work.
703. Was it Armishaw's duty to open the private bar after he had cleaned his passages?—He used to clean the private bar out.
704. He would open up the bar to clean it out?—Certainly.
705. What was your further work?—I took charge of the bar till 7 o'clock.
706. What became of you?—I had to go on with my ordinary work about the place.
707. What was that?—Helping to do the cleaning.
708. In the morning, say, at ten minutes to 6, what part of the hotel would you go into?—I would go straight up to Mr. Collier's room and get the keys, and open the bar, and remain there till 7 o'clock.
709. Could you see into the smoke-room from the public bar?—Yes, if the door was open I could see in. I could not see from the bar unless I went and looked purposely.
710. Is there a sliding window to serve drinks there?—No, it is a door that opens.
711. At 7 o'clock, what would you do?—I would clean out the front bar, and go on with my ordinary work.
712. Did you have your breakfast at the hotel?—Yes, later on—about half-past 8 o'clock.
713. Did you go into the kitchen before breakfast usually?—Sometimes; very seldom.
714. You very seldom went into the kitchen before half-past 8 o'clock?—No, unless I wanted a bucket of water or anything.

715. Would you know who was in the kitchen under those circumstances?—Yes.

716. Although you were not there?—I mean, if I was passing through I would know who was there.

717. Would you know, under those circumstances, who was in the kitchen until you went into it?—No, certainly not.

718. Could those constables not have been in the kitchen without your knowing it?—They could not come in until after 7 o'clock, because the side doors were shut.

719. Do you swear these doors were never open before 6 in the morning in the summer?—I would not swear that.

720. As a matter of fact, were they not open sometimes before 6 o'clock?—Not that I know of.

721. I refer to the Cashel Street entrance: Do you swear the Cashel Street door was never opened before 6 in the morning?—I never saw it open before 6 in the morning. The passage doors were not supposed to be open till 7 o'clock.

722. Will you swear these doors were never open till 7?—I never saw them open, but I will not swear they were not open.

723. Were they ever open when you went there?—Not to my knowledge. I do not believe they were. I never saw much of them. I never noticed these doors, because I always went in by the iron gateway.

724. Did you know Constable Howell when he was stationed in Christchurch?—I have seen him.

725. Where?—On duty.

726. In the smoke-room of the hotel?—No, I never saw him there.

727. Have you seen any constable in the smoke-room of the A1 Hotel?—I have not seen any constables in there when they were on duty or in uniform.

728. In any part of the house?—No.

729. At any time?—Not at any time, unless they were on business.

730. What time would they be in 'on business?—Well, if they came in inquiring for some one that was wanted, or men for the jury, or other business.

731. Do you remember who used to come in on that kind of business: Did Howell ever come in?—Several of them came in.

732. Did Barrett go in on that business?—I do not remember.

733. Did you see McKenzie?—No; I have not seen him.

734. Did a good many go in on that kind of business?—Not so many. They used to come in on ordinary business. I do not know what their business used to be. They used to come in and ask to see the proprietor. I did not ask what they wanted.

735. Where did they use to come in and see the proprietor?—They would come into the passage.

736. And, then, where would they go?—They would wait there till whoever they wanted to see would come.

737. Did they go into any of the rooms?—No, I never saw them go into the rooms.

738. If Armishaw says these constables used to get tea or coffee in the kitchen before 7 in the morning, will you swear they did not?—I swear I never saw them do it.

739. Will you swear they did not? Are you in a position to swear they were not refreshed there of a morning, before you went into the kitchen at all?—I could not swear to anything I did not see.

740. *The Chairman.*] What means of access is there to the kitchen from outside, in the morning, between 6 and 7?—The Colombo Street door would have to be open. It is nearest to the kitchen.

741. If it is not open, what access would they have to the kitchen?—The Cashel Street door would have to be open.

742. How was that with respect to the bar of which you were in charge?—It was situated between them, on the angle.

743. Could they go in by that door without you, in the bar, seeing them into the kitchen?—They could not come in very well without my seeing them.

744. There would be a passage not connected with the bar, but facing on the bar?—And a door opening into the bar, sometimes open, sometimes shut—a door on the spring. It was generally open.

745. Could anybody have passed by that entrance to the kitchen without your seeing them, under ordinary circumstances?—No, not under ordinary circumstances.

746. Under what circumstances could they do it?—If the door between the passage and the bar was shut.

747. Was it usually shut or open?—It was usually open.

748. *Mr. Tunbridge.*] Armishaw had charge of the private bar; did he?—Well, partly charge; he had the cleaning of it out; but there was no drink supplied there till 9 o'clock, when the barmaid took charge.

749. Had he access to the drink if he wished to get it?—Certainly.

750. What time would the private bar be open for Armishaw to clean it out?—From 7 o'clock; perhaps after 7.

751. Before 7 o'clock?—He may have had it open before 7 o'clock if he wanted to, but it was generally after 7.

752. Did he ever come to your bar for drink for a policeman?—No.

753. You were never instructed by the proprietor to supply drinks to policemen free?—No; I never received instructions to supply drink to any one gratis.

754. Who prepared the tea and coffee in the kitchen?—I would get a cup of tea about 7 o'clock, or perhaps after 7.

755. Who would prepare it?—The cook would be up about that time—about half-past 7.
756. Was there tea to be had at 6 o'clock in the morning in the kitchen?—No. I never had tea at 6 o'clock. Sometimes the fire was not lighted at 6 o'clock.
757. What was the rule—was it usually lighted at 6 o'clock?—There was no one supposed to get up before 6 o'clock except the day porter to do his cleaning.
758. At 6 o'clock there was no tea or coffee to be had?—No.
759. Not until 7 o'clock?—Not until 7 or after. At least, I never had it before that time.
760. As far as you know, there was no tea or coffee to be had at 6 o'clock in the morning?—No.
761. Did Armishaw used to come to you for drink in the morning without your knowing who it was for?—I would generally know who it was for. If he paid for them I would never ask any questions.
762. You used to serve them to him early in the morning?—I served them when I got paid for them, unless it was for himself.
763. You used sometimes to serve Armishaw with drinks to be taken to other parts of the house?—He might take them to boarders upstairs.
764. You used to supply them sometimes for people in other parts of the house?—Yes. I always used to know where they were going if I did not get paid for them. If I did not get paid for them I used to put them down on the slate.
765. *Mr. Taylor.*] Do you know whether tea used to be made over the gas jet in the kitchen sometimes?—No. I know nothing about how it was made.
766. You cannot swear it was not made before 7 o'clock in the morning?—I cannot swear it was not made.
767. *Mr. Kippenburger.*] You said just now that Armishaw used to get drink for himself?—Yes.
768. Is that a fact—that he at times had drink when he wanted it?—Certainly, if he wanted it he would always get it.
769. Did he?—Yes.
770. You remember that?—I remember that.
771. A "pick-me-up" in the morning?—He did not drink anything intoxicating. He would have lemonade and ginger wine, or something of that sort.
772. He was not a drinking man?—No. I know he did not take spirits. I never saw him touch spirits.
773. You were asked as to his taking drinks to other parts of the house: did you ever give him those drinks free to take to other parts of the house?—No, unless I knew who they were for.
774. If you did give them without getting the money, you would satisfy yourself whom they were for, and you would put them down on the slate, would not you?—Yes.
775. Who was longer at the hotel, you or Armishaw?—I was.
776. How long were you there before Armishaw came?—I was there about a couple or three months, I expect.
777. Were you there when he left?—Yes.
778. Who was cook from, say, September, 1896, until June, 1897, or about that time—during the time he was there?—A woman cook was there. Her name was Mrs. McLaren. I will not say she was there all the time Armishaw was there, but she was there at the commencement, I know.
779. *The Chairman.*] Do you know any other cook who was there while Armishaw was there?—I could not be sure whether that cook left before that or not. She either left before him or soon afterwards.
780. *Mr. Kippenberger.*] Where is she now?—When she left there she went to Wellington. Where she is now I do not know.
781. *The Chairman.*] Who had charge of the keys of these Colombo and Cashel Street doors?—They were only bolted; there were no locks. They were fastened from the inside.
782. So that anybody inside could open them?—Yes, anybody inside.
783. *Mr. Taylor.*] Did you used to do any Sunday work there?—No. I had nothing to do with the bar on Sundays.
784. Did you do anything on Sundays?—No.
785. Never walked up and down outside the house?—No, not to my knowledge. When I had done my work on Sundays I used to go away.
786. Did you stroll up and down with Armishaw at all?—I may have stood talking to him when we were going out. We both had done our work at the one time.
787. What bells were there in the house?—There was a number of bells for the different rooms, but they were principally out of repair.
788. Did you know a bell at the corner under the window-sill?—No, there is no bell there.
789. There used to be a bell there when you were there?—There was a bell, but it was not there for any time.
790. At the right-of-way entrance, where that iron gate was, do you know whether there was a bell there?—Yes, there was a bell there.
791. Was it where bells usually are, on the wall? Where was it situated?—It was behind the door.
792. Up in the archway?—It was brought down through the ceiling.
793. How did you ring the bell—with a knob or a cord?—It was on a cord.
794. Was there another bell in the kitchen?—No; there was a bell on the front door.
795. Did not those bells ring into the kitchen?—They would be rung where all the ordinary bells rung. There is a bell also on the Colombo Street door.

796. *The Chairman.*] Were those conspicuous bells: could anybody see them? Were they exposed so that everybody could see there were bells there, or were they concealed bells?—Well, the one at the side door was just like an ordinary bell.

797. As to the one under the sill?—Nobody could see that unless they knew it was there.

798. About the bell at the right-of-way?—Any one could see that one. You could see it from the street. You could see the cord.

799. *Mr. Taylor.*] What was the cord fastened to?—Fastened at the top.

800. Fastened to what?—To a hook or a ring—I could not say.

801. If the cord was not hanging down in the corner you could not reach the bell?—No, of course not.

802. *The Chairman.*] Was it usually hanging down?—Generally hanging down. Sometimes it was turned up.

JOSEPH KNOTT, examined on oath.

803. *The Chairman.*] What are you?—A traveller.

804. Where do you reside?—At present, in 46, Ward Street, Addington.

805. *Mr. Taylor.*] Were you residing on the East Belt for some time?—I was.

806. Were you within view of the Royal George Hotel?—Yes.

807. What is your opinion as to the manner in which the licensing laws have been enforced by the police?—I think they have been enforced very badly.

808. *The Chairman.*] During what period did you live within view of the Royal George Hotel?—About six years.

809. Up to when?—Up to the last nine months.

810. *Mr. Taylor.*] What evidence have you in support of that opinion?—From time to time I saw large numbers of people going in and out of the back-yard door on a Sunday.

811. Any of them showing signs of intoxication?—Oh, frequently. I was stopped one Sunday just as I was passing the door by a crowd, who got hold of me, and I had a little difficulty to get out of their grasp.

812. Have you ever complained to the authorities about it?—I have.

813. Who to?—Well, I went to the police-station. I could not remember who I saw just now.

814. Any action follow?—Yes; but previous to that I had seen so many people go in and out on a Sunday, that I set myself to watch the house one Sunday.

815. What was the result?—There were over one hundred and eighty passed in from 8 o'clock in the morning to 7 o'clock at night.

816. Do you think they were different people?—Well, several passed in several times.

817. How many separate persons, do you think, passed in during the day?—I should think a hundred and sixty, perhaps.

818. Was this state of things continuous whilst you were living on the Belt?—Yes.

819. Was there any break in it at all?—Scarcely any.

820. Have you had any opportunity of observing any other Christchurch hotels as carefully as you had that one?—No, not as carefully as that one.

821. What was the result of your appeal to the police-office?—It was arranged that a couple of constables should go down in a few weeks. They did come down on the Sunday morning in plain clothes, and I do not think they had been there five minutes before they caught a woman coming out of this back door with drink. The case was brought into Court. I believe, I am not sure, the defence was that the drink had been bought and paid for on the Saturday, and the woman had simply called for it on the Sunday.

822. Then, there would be no conviction?—No conviction.

823. Have you travelled all over the colony?—I have.

824. Into nearly every township?—I have.

825. What has been your experience with regard to the enforcement of the licensing law?—I think in the principal centres of population it is very badly enforced, but in the back country districts—in the bush districts, on the goldfields, and on the gumfields in the North Island—the licensing law is practically a dead-letter.

826. Have you had ample opportunity of judging of that?—I have. I have been three times all over New Zealand.

827. Into every township?—Very nearly every township.

828. Do you think the police have done what was possible under the existing law to enforce it?—No. I do not think all has been done that could have been done under the existing law.

829. At the present time have you any reason to think that matters are better than they have been for years past, in respect to the enforcement of the licensing law?—I have not so good an opportunity of judging the last six months.

830. You have not been travelling?—I have not been travelling.

831. As a citizen of Christchurch—as an ordinary citizen—you have had opportunities of making observations?—I have noticed very little improvement.

832. *Mr. Tunbridge.*] You say you are a traveller?—Yes.

833. In what do you travel?—When I was travelling over the colony I was lecturing, and exhibiting a magic lantern.

834. You are not a traveller representing any firm?—Just now I am in Christchurch, the last three months.

835. But when travelling over the colony?—I was lecturing.

836. *The Chairman.*] What on?—Principally temperance.

837. *Mr. Tunbridge.*] As a matter of fact, you are a temperance lecturer, are you not, or were up to a certain period?—Yes.

838. Were you a paid lecturer?—No.
839. Did it voluntarily?—Yes.
840. From what did you derive your income?—From collections, and charges made to my meetings.
841. Received no salary, but had collections?—Yes, and charges.
842. You say, from your observations while travelling, the licensing law is practically a dead-letter?—In the back country districts the sights I have witnessed were simply appalling.
843. In what way?—Drunken people—especially on the Sabbath day.
844. *The Chairman.*] You are speaking of country districts?—I am speaking of country districts.
845. Can you particularise?—I can particularise—any quantity. I am thinking for the moment of a case at Rahotu, Taranaki, that impressed me as a special case on account of the large number of Maori women, young and old, who were positively lying about the roadside.
846. Is there a licensed house there?—Yes, there was at that time. I think I saw, recently from the papers, there had been an action brought against that house for supplying drink to the Maoris. I spent a Sunday there, and the sight was simply appalling.
847. How long since is this?—About two years.
848. *Mr. Tunbridge.*] Were you staying at the hotel?—No. I was stopping close by it.
849. Have you any other of those appalling incidents in your mind?—There was another on the gumfields, between Auckland and Helensville. That was not on a Sunday though, but I saw a sight there that was perfectly horrifying.
850. Was it on licensed premises?—On licensed premises.
851. What is the name of the place?—It is a Maori name. I forget it for the moment. There were seven or eight men and two women. I think they were pretty well all gum-diggers. You know, up there the women go gum-digging. They were in a room. Well, you could scarcely call it a room, and there was a little trap-door opening into the bar where the drink was put through. These men and the two women were very drunk. One woman was about sixty years of age, and the other would be about forty, I presume. The only seats in the place were just fixed seats round the room, and the floor was covered with sawdust; and the women were too drunk to stand. However, there were two men in the far corner, and they evidently had a bottle of drink, and the old woman, who was in another corner, wanted to get it. She made an attempt, but as soon as she got from her seat she fell on the floor, and then she crept on her hands and knees until she came to where the men had the bottle. She made a grab at it and missed it. The sight was something that could not be described.
852. It was a very disgusting sight, of course?—Yes.
853. You were horrified with it?—Yes.
854. Of course, you reported it to the police immediately?—No. I have seen any number of cases I would have reported, but I was moving about from place to place, and therefore I could not stop to see the cases through.
855. Do you remember is there a police constable stationed at this particular place?—No, there is not. That is one of the great difficulties. A constable has a wide district—perhaps forty or fifty miles of a district—and he cannot possibly visit these places frequently. I saw another case at Kawakawa. It was about two years ago last October—the end of October, or it might be the beginning of November. I was there on a Sunday. I saw four or five men come out of a hotel drunk, and commence fighting in the street. The landlord came out and joined in the fight. Then, his wife came out and got hold of him, and brought him away. Then a constable came on the scene, and arrested one of the men engaged in the fight. I saw the constable, and I said, “Why on earth do not you go and arrest the publican, who has made these men that they do not know what they are doing?” However, the man was brought before the Court, and he was sentenced to either three or six months’ imprisonment, and his wife and children in the meantime would have to be provided for out of charity.
856. *The Chairman.*] Do you suggest the policeman did not do his duty in that respect?—I do, because he did not take steps against the publican, although the men were drunk, and there was a fight in the public streets.
857. *Mr. Taylor.*] Is the law enforced at Denniston?—That is another case altogether. I spent a Sunday at Denniston, from three to four years ago. In that case I had to stop in a hotel, because there was no other place in which I could put my head. On the Saturday night I was not able to sleep for the rows at night. I came down on Sunday morning about 8 o’clock, and went into a little room close to the bar. There were five or six men drinking. One of them had an old jacket on, but he had no shirt on. There was a terrible row on the Saturday night. There had been some boxing-match there the night before, and it had been pay-night at the mine, and the sights on Sunday morning were sights to be remembered. I went to the policeman and complained to him. I told him a number of things I had seen. He asked me to report to headquarters at Westport, which I did. I was asked by whoever was in charge there if I would commit to writing what I had said. I did commit it to writing, and sent it to him by post, as I had to leave the place, and that was the last I heard of it.
858. *The Chairman.*] Do you know if a prosecution followed?—I do not. I have on several occasions been asked by the constables if I would stop and appear before the Courts, but my engagements were such that I could not stop.
859. Taking your experience, do you think the police are ready to take advantage of any information given to them as to any disorder or crime in respect of any existing laws?—Well, certainly, whenever I have spoken to them they have, I think, done all that I could have expected of them. They, of course, have complained that they have been handicapped in a variety of ways.
860. As to that handicapping you refer to, did you understand it was internal to the Force, or external?—Well, both, I think. A number of the police have complained to me that, when they

have brought cases, the witnesses for the defence—the hotelkeeper, and his barman, and the number of people that he brings—swear, well, almost anything. The constables have complained to me that the evidence of these people is taken, in many cases, by the Bench as outweighing their own evidence, and consequently convictions are very difficult to obtain.

861. That would be a cause arising outside?—Yes, outside.

862. Can you give us any instance where the handicapping has been in matters internal to the police?—No, I cannot.

863. *Colonel Hume.*] As to these appalling scenes you have told us about, they are ancient. Can you give us any appalling scenes that have come under your notice more recently?—Yes. I have been to the West Coast again, about a year ago, and I saw a number of things then. Well, at the very same hotel at which I stopped on the previous occasion, at Denniston, I did not stop there this time. I had such an experience before that I could not. I simply consented to take a shake-down on a couch in a place just opposite this hotel. Again, at midnight, there was a fight in the street—so much so that the lady in the house where I was staying was, as I thought, going into a fit. She was perfectly alarmed at the fight.

864. Is that the only appalling scene you can tell us about?—If I just think I can bring up any quantity.

865. *Colonel Pitt.*] Did anything follow upon that by the police?—Not that I am aware of.

866. *Colonel Hume.*] If this lady was so very much alarmed on that occasion, it evidently was not an everyday occurrence—that was quite clear?—According to what I know it is a fortnightly occurrence, any how, on pay-night.

867. This happened to be another pay-night you were there?—I could not say.

868. You have not been to Denniston since?—No.

869. Do you happen to know who this constable was that was stationed at Denniston?—No.

870. Do not even know his name?—No.

871. You would not know his name if I were to mention it?—No. I will give you another instance further up the line. You must understand that, as a rule, I drove a horse and van, and I slept in my van; but, as there was no road up there, I had to leave my van at Westport, and take shelter in the hotels. At a hotel further up the line—at Seddonville—I was stopping, and had an opportunity to see what was going on. I had hired the hall in connection with the hotel. I saw a good deal of drunkenness, but I was especially impressed with one man who was very drunk, and the landlady refusing him drink. He followed the landlady about from place to place, begging of her to give him a drink; but she told him he had had enough, and she would not give it to him. I just thought my presence had something to do with it, and I went away. I came back, and I found he had got a drink before him. Later in the day, again, he was begging of her for drink. There were two young fellows—respectable-looking young fellows—and they asked for drink. This other man stood in the corner; he was being refused.

872. Because he was drunk?—Because he was drunk. The other two were being supplied. He came forward, and swore at the landlady, and he said, using an oath, “Refuse them. If you had refused me when I was like them, I should not have been like I am to-day.”

873. You said you are of opinion the police have not done all they could under the existing laws in the centres: I understand you to include Christchurch?—I do not think they have done all they could in Christchurch, or any other place.

874. Will you give us an instance where they have not done all they could?—There is such an alarming amount of Sunday trading going on in this city, as well as other places.

875. I want an instance?—There is the instance I have given you, of the Royal George Hotel.

876. I want to know how they have neglected their duty?—The readiness with which people can go into hotels indicates to me that if constables were to go in disguise or plain clothes, or if constables unknown in the place were brought from other places, they could very readily walk into these back-yards and into the hotels, and get information that would enable them to secure a conviction, I think.

877. You do not suppose that has ever been tried?—I cannot think it has been tried to the extent the exigencies of the case demand.

878. With regard to other crimes, housebreaking, for instance, do you notice the police, in looking for burglars, are not doing as much as they might?—No.

879. That is a trivial offence; it does not matter?—I believe it is a more trivial offence than the extent to which drunkenness goes on. Far more people lose their lives in this colony through drunkenness than through housebreaking.

880. *The Chairman.*] But the stopping of selling on Sunday would not put an end to the drunkenness?—No.

881. You say your travelled experience in the colony does not enable you to give an opinion as to whether the police are negligent in the matter of enforcing the laws of the colony other than the one you refer to—that is, breaches of the Licensing Act?—Breaches of the Licensing Act.

882. That is the only one to which your attention has been directed?—The only one to which my attention has been directed.

FREDERICK ROBSON, examined on oath.

883. *Mr. Taylor.*] Did you, on any occasion recently, make observations as to the number of people visiting Tattersall's Hotel on Sunday?—In September last I did.

884. What day in September?—The 5th, I think.

885. What time in the morning did you start?—Eight o'clock.

886. What time did you knock off?—Half-past 1 o'clock.

887. Who was with you?—Mr. Turner.

888. How many people did you see enter the premises?—I saw a hundred and forty leave the right-of-way and go towards the house.
889. Could you see into the yard of the hotel?—Yes.
890. Could you see the urinals from where you were?—No.
891. Do you know whether you could or not? Do you know where the urinals are?—Yes.
892. And could you see them?—I could not distinguish them amongst the other buildings.
893. Did any people enter by the front door?—No.
894. All went in by the right-of-way into the back yard?—Yes.
895. Could you see the back door?—No.
896. You simply saw them pass towards the back door?—Yes.
897. Did you see them going into the out-buildings at all?—No.
898. Where were you stationed?—In Inglis's buildings, on the top floor.
899. Which window were you looking out of?—The corner window.
900. The eastern window?—Yes.
901. Could you see the front door of the hotel?—Yes, if I had looked.
902. Did you pay special attention to it, or to the back?—No; I paid special attention to the back.
903. Was there anybody on the watch there that day, or appeared to be?—No, I never noticed anybody.
904. Did you see any police enter?—No.
905. Any of the people show signs of intoxication?—There may have been one or two early in the morning—say, between 8 and 9 o'clock.
906. Did you know any of the people?—No.
907. Not personally?—No.

ALBERT TURNER, examined on oath.

908. *The Chairman.*] Where do you live, and what are you?—Tinsmith and plumber, living at Rangiora.
909. *Mr. Taylor.*] Were you in company with Mr. Robson on the 5th September, 1897?—I was.
910. What time did you go with him?—It was 8 o'clock.
911. And you knocked off when?—Half-past 1 o'clock.
912. How many people did you see enter the back of Tattersall's Hotel?—A hundred and forty.
913. Go across the yard?—Yes.
914. Did any of them halt and enter any of the back premises at all?—They seemed to go behind the back buildings.
915. Behind?—Yes.
916. Towards the door?—Towards the door.
917. Towards the main building?—Yes.
918. Did you notice if any of them showed signs of intoxication?—No, I did not.
919. Did there seem to be any watch on the house?—I did not notice any.
920. Did you see the police enter that day?—No, I did not.
921. Do you remember if the front door was open that day at all?—I do not think it was.
922. And the people seemed to enter by the back?—By the back door.
923. *Colonel Pitt.*] Did you see them in the yard after they passed the buildings?—Yes.

HENRY GEORGE ELL, examined on oath.

924. *Mr. Poynton.*] What are you?—Salesman, living at Spreydon, near Christchurch.
925. *Mr. Taylor.*] Have you had any opportunities of judging as to whether the licensing laws are enforced as they should be?—Yes.
926. What has been your experience?—Well, my experience, so far as Christchurch is concerned, goes back to twelve years. Twelve years ago I was employed at the *Press* office, chiefly at night-work, and I was not then a total abstainer, and we were in the habit of getting liquor for the men working in the establishment from hotels in the city. I have frequently gone into the City Hotel and got liquor without any hindrance whatever.
927. After 11 o'clock?—After 11 o'clock? Yes; and 2 and 3 in the morning. The room in which I used to get liquor from the night porter was a room which apparently did not show any light from the street. The liquor was kept in a cupboard. I have seen as many as twelve and fourteen people sitting there drinking.
928. *The Chairman.*] What time?—Various hours. I have been there at 12, and at 1 o'clock.
929. After legal hours?—Yes.
930. *Mr. Taylor.*] You were on night duty?—I was working at night. I was some four years in the *Press* office. Unfortunately, one of our men was addicted to drink, and, to stop him getting into trouble, we frequently had to go out and search for him. I went to a certain hotel in this city. I knocked at the door, and the night porter admitted me. I went inside. There was a blanket hung up across the window, and there were quite forty people in that room. There were two men behind the bar serving liquor.
931. *The Chairman.*] What hour was this?—This was on a Sunday night, somewhere about 11 o'clock. This man should have been on duty. On one occasion, in one hotel—
935. *The Chairman.*] This blanket was to obscure the light?—Obscure the light, undoubtedly.
933. Do you suggest any negligence on the part of the police in respect of that?—If the police had gone there, and forced their way in, they could easily have got evidence of illegal trading.

934. Was there anything about the appearance of the hotel to attract the attention of the police—to suggest anything irregular was going on?—No, but I am satisfied that the conversation inside could have been heard outside distinctly.

935. You think it ought to have attracted attention?—Yes.

936. There was noise enough?—Yes.

937. *Mr. Taylor.*] Of a recent date, do you think there has been any marked improvement in the administration of the licensing laws—do evidences on the street lead you to any conclusion of that sort?—I have had ample opportunity, moving as I do constantly about the streets, of seeing what is going on, and having visited hotels here I have also had opportunities to see what is going on inside. With regard to the streets, I have seen more drunkenness about Christchurch, particularly during this last five or six months, than for any similar number of months for some years past, and I say that as one constantly moving about the streets of Christchurch. I will give one or two instances which will suffice as an illustration. About a fortnight since a man, apparently some forty years of age, and a young fellow, apparently some seventeen or eighteen years of age, were drunk—so drunk, indeed, that, in order to get along the street, the young fellow had his arm round the other man's waist, and the older man was clinging on to the young fellow's clothing. In that way they went along Cashel Street, the one helping the other. That was in broad daylight, in the afternoon of a Saturday. Some time during the day, within the last two or three months, I saw in Lichfield Street a young fellow, about seventeen—not more than seventeen—and one about twenty-two or twenty-three, both in a state of intoxication. They were passing by the warehouse of Ross and Glendining. As far as I can remember, it was about mid-day. This happened within the last fortnight. About six or seven months ago, while seated on a coach to go to my home, the tram had arrived at the junction of Cashel Street and Colombo Street, a policeman in plain clothes staggered off the footpath, and when half-way between the footpath and the tram, when he was about to enter, he reeled and stopped to steady himself. He then went to reach out, to get, evidently as soon as possible, the hand-rail and enter the car.

938. *The Chairman.*] Was he known to you?—Yes, well; but I cannot mention his name, for the people whose attention I called to it, I think, will not stand by it, and it is useless mentioning the man's name here. Of course, he would deny it, and I have no other witnesses. However, that is the fact.

939. Does that mean they are not of your opinion?—Oh, no. They remarked it in my presence, and called attention to it; but I do not think they will come forward and give evidence. This happened within the last six or seven months. Within these last three days I saw a man—evidently a countryman—cross from the Gas Company's offices in Morton's block to the Bank of New Zealand corner and go in the direction of High Street, in an advanced stage of intoxication. That happened between 4 and 5 o'clock. Yesterday afternoon I was in the Farmers' Co-operative Stores, and a man came down the right-of-way which leads from Cashel Street to Hereford Street, accompanied by a younger man. The young man assisted him along the street to the Queen's Hotel. He went in there, and remained there some five minutes. He came out again, and he was assisted again, and he went to another hotel lower down. I think it was Tattersall's Hotel; in fact, it must have been, because there is no other hotel about there. I was talking to a friend at the time.

940. If you are not quite sure which hotel it was, how do you know he went into one?—I saw him go in the door.

941. What hotel was it?—Tattersall's Hotel. Some short time after this I saw a constable, and called his attention to it. He went in immediately to make inquiries. Whether he discovered the man, or the young man had taken himself to bed or not, I do not know. He is a married constable, living off Durham Street.

942. You do not suggest that as a case of neglect?—No; the constable acted most promptly. I think, perhaps, that will be quite sufficient to illustrate what takes place in our streets; there is no need to multiply instances.

943. In these cases, do you give them to us as isolated cases or as specimen cases?—Specimen cases.

944. Do you say there are many of such?—It is a frequent occurrence; and I say that as one who is constantly moving about Christchurch. I may remark that, judging by the fact that one rarely meets a constable in Christchurch, the Police Force is very much under-manned indeed. With regard to the very improper language—disgusting language—which is used by young fellows, especially on Saturday nights and on Sunday nights, in "doing the block," as it is termed, it seems to me that could be modified in a great measure if more constables were put on the street. It is absolutely impossible for the constables to deal with this disgusting practice effectually unless there are more of them. I wish now to give some information with regard to what I have seen inside hotels.

945. *The Chairman.*] You say it is impossible for the police to deal with these street nuisances?—Yes, such as using disgusting language and so on.

946. They are not numerically strong enough?—Not numerically strong enough. I believe some reference has been made to street betting. There is very little doubt that street betting is carried on to a considerable extent. I have frequently seen young fellows approach book-makers, well known to me by sight, and must be well known to the average pedestrian about Christchurch, and enter up bets apparently. That goes on openly in the streets, and must be seen by any man who has got his eyes open.

947. *Mr. Poynton.*] Are you aware that is no offence?—Well, in one town, I know, in the Old Country it is a breach of the law, but I will not be quite certain whether it applies here or not. It would be a very good thing if it did, at any rate. With regard to the inside of hotels, the practice, so far as my observation has led me—and that is in a number of hotels—is this: people are regularly supplied with liquor whilst under its influence. In a certain hotel there was a mother and a

father, both in a state of intoxication. The man is a working-man in this town. There was a boy, I should imagine about twelve or thirteen years of age, and a girl about fifteen years of age, waiting there for their parents to go home with them. The father was standing up with a glass of beer in his hand, drinking, in a state of intoxication. The mother was also in a state of intoxication, though she did not have a glass of beer in her hand.

948. *The Chairman.*] You are careful in the use of that word "intoxication"—no doubt about their condition?—No doubt about their condition. I am not very young, and I have seen a good deal of hotel life. The young girl was sitting on a settee in this particular part of the building. A man in a state of intoxication was endeavouring to put his arm round the girl's neck, and she was pushing him off. I merely mention the incident to show the demoralising effect of intoxication. I saw on one occasion come out of a hotel a young mother under the influence of liquor, and I should imagine it was her mother-in-law that was with her, carrying a young baby.

949. *Colonel Pitt.*] How long ago were these occurrences?—These have happened within these last two years.

950. *Mr. Poynton.*] Did you see them go in?—No, I did not see them go into the hotel. A woman came out of the same hotel drunk. She is the mother of a large family in the vicinity of Christchurch. On another occasion I saw a man in another hotel supplied with liquor while under its influence. In the same bar, and at the trap-door leading into the bar, stood a young woman—a married woman, I should imagine, by the wedding-ring she was wearing. She was half drunk, and drinking a glass of beer. On the other side there happened to be a school-mate of mine, who was half drunk, and standing drinking a glass of beer. At another hotel a man had just called for a drink. I went into the bar and called the landlady's attention to the fact that she was not to supply anybody under the influence of liquor, and she did not do it. In that very bar there was a seat alongside the wall, and a man was lying there on his back with his head hanging over the end and with his mouth open, snoring in a drunken sleep, and his hat lying on the floor, and one arm lying on the ground. What I have just mentioned might have been seen by any constable, who could have gone in without any hindrance whatever. It has occurred to me that if the constables—the police in Christchurch—did their duty in the inspection of licensed houses with a persistency and fearlessness that our local Inspector of Factories shows, we should have less drunkenness occurring on the premises, and we should have less flagrant breaches of the Licensing Act. The constables could go in and see the scenes I have seen without let or hindrance. During the visits I have mentioned I have never met with a constable in a hotel. They are in the streets.

951. *Colonel Pitt.*] Have you any idea how many convictions for drunkenness there have been during the last twelve months in Christchurch?—For the last four or five months, I think, there are somewhere about eighty or ninety. There is a considerable increase in the drinking habits of the people, particularly these last six or seven months.

952. *Mr. Taylor.*] Have you ever had occasion to call the attention of a police constable in Christchurch to indecent prints?—Yes.

953. What happened?—Some twelve months ago—it might be 14—my attention was attracted by an abominable picture exhibited in a small tobacconist's shop-window in Colombo Street. The demoralising influence of such pictures may be at once shown when I describe what it was. The letterpress description showed what it was: a man in a state of drunkenness lying on a bed in a brothel, and a young woman in a half-naked condition escaping with his watch and chain down a trap-door. I noticed two or three young boys looking in this window, with a morbid imagination, I suppose; and it occurred to me, as a citizen, to endeavour to suppress such publications as that. I made a report to the President of the Women's Christian Temperance Union, as they had taken steps which had resulted in the conviction, some time before that, of a person selling the *New York Police Gazette*. However, no action was taken, and I then met, some week or two after this, a constable—No. 46 is his number. I asked him whether he was not aware of the fact that a prosecution had been entered against a man in Christchurch for exhibiting the *New York Police Gazette*, and a conviction secured. He said he had not been in Christchurch long, and he was not aware of the fact. I said, "Of course you are aware of the fact that there is an Act for the purpose of suppressing indecent publications—pictures." He thought there was some such Act, but he seemed to be very much in doubt about it. "Well," I said, "you know these are exhibited in windows." I named a number of shops. I named this one in particular—described it as I have described it to you. He said, "Yes, I have seen worse than that." "Well," I said, "it occurs to me, if you were to take steps to procure a copy of a paper——"

954. *The Chairman.*] Was this in a newspaper?—Yes. The *Police Budget*, it was called. I said, "If you took the trouble to procure a copy, and went to the station with evidence of an indecent publication, you ought to merit some reward." And at the same time he would have had power enough to do it. "Well," he said, "I am not supposed to do that. If you report anything to me, I am supposed to take a note of it, report it to the sergeant-major, and I receive my instructions." With respect to that, it occurs to me that the common-sense way would be for a constable to proceed to get evidence, where he sees it right in front of his face, and then take it, and report it with the evidence he had procured. To use the man's own words, he said, "We are simply puppets."

955. Did you take any steps yourself to vindicate public purity by proceeding against the man in respect of that exposure?—No. I think I had done sufficient by reporting it to the constable. He told me he would take a note of it and report it. I heard no more about it. Noticing little children frequently in the streets, in the company of prostitutes known to the police of Christchurch, and considering the fearful immoral atmosphere they were growing up in, and likely to prove detrimental to them through life, it seemed to me something ought to be done in the matter, and I stopped a constable in Manchester Street, just after having left Gill's confectionery shop in Manchester Street, where I had seen two prostitutes with a little boy, about five or six years of age. It

occurred to me there ought to be some provision in the law, providing that these children should be put under better care.

956. Are you aware there is such a provision in the law?—I thought so—either the Infant Life Protection Act or the Industrial Schools Act. I called the attention of this constable to the matter. He made inquiries as to the name of the woman. I said I had been told that she was a woman bearing the name of Kate White. I described her to him, and he said, “Yes, that is Kate.” He asked me where I had seen her, and I told him. I asked if he could not do something in the matter—if there was not an Infant Life Protection Act or Industrial Schools Act under which he had power to act. He said he believed there was some such Act, but he did not seem to know the existence of any law under which he could proceed. From the conversation I had with him, it occurred to me he showed a great want of knowledge of the law he had to administer. I have heard the remark made in the course of the Commission—I think, by one of the Inspectors—that it would be well if the constables received more instruction in regard to their duties; and from the conversation I had with this constable there is undoubted wisdom in that remark. The man seemed to be lamentably ignorant of the laws he had to administer.

957. Do you suggest that the law is such that he could have gone at once and taken this child from the woman you thought was a prostitute?—No; but he did not seem to know what steps could be taken to have this child taken from her at all. I gave three instances to him, and I have heard no more of the matter since.

958. *Mr. Poynton.*] Did you not report it to the sergeant, or any one above this constable?—I did not. I reported it to him.

959. *Mr. Tumblebridge.*] How long ago is it since you spoke to the constable about Kate White?—Within three months.

960. It might be a little longer, might it not?—It might be a week or two more than that.

961. Did you know Kate White had a child of her own?—No, I am not aware of that.

962. Perhaps you would be surprised to know that child was her own, and the child was not living with her?—I saw the child with her.

963. And it would not be any offence for the woman to take the child into a confectioner's shop and give it food, the child being her own?—I am not aware of that.

964. Will you kindly give me the name of the constable you saw staggering in the street?—It would simply be my word against his.

965. Oh, no; there were other people present?—There was the coachman of the Willow Bank coach.

966. The name of the constable first?—Constable McGill, in my district—Addington.

967. Who were the other people you spoke to about him?—The coachman of the Willow Bank coach. He goes by the name of Bill. The other man that remarked on it is a salesman in Ballantyne and Company's establishment. I could pick the man out, but I do not know his name. He was sitting alongside me on the seat of the coach.

968. About when was this?—It might be six or seven months ago.

969. You advocate more police, you say?—Yes.

970. The instances of drunkenness you saw on the street did not occur on a Sunday?—No. I rarely go into the town on Sundays.

971. They are instances of drunkenness on week-days?—On week-days.

972. You have no means of saying where these people procured the drink?—I have no information with regard to that. All I can say is, I saw them under the influence of drink.

973. And you suggest there is neglect on the part of the police that these people should be on the street in that state?—It seems to me it could be prevented if there was a similar instruction to the police as there is in the Old Country. At Home, if a constable sees a drunken man approaching the entrance to a hotel he is supposed to prevent his entrance, and, should he succeed in getting in, it is his duty to go in and warn the hotelkeeper that the man is under the influence of liquor, and he should not supply him.

974. As I understand you, with the exception of two cases, these people were not seen to go into hotels by you?—The instances of drunkenness I speak of were in the hotel. I did not see them go in. They may have been drunk before they went in. I stated in my evidence that I saw them drunk in the hotel.

975. Do you suggest that a constable should be in and out of a hotel to see what was going on inside?—Undoubtedly.

976. Do you not think going in and out of a hotel would have a wrong construction put upon it?—I do not think so.

977. Do you suggest the way the licensing laws are carried out in England is more effective than in this colony?—I was born in this colony. I have never been to England.

978. Do not returns show more drunkenness in the large towns in England than in this colony?—Yes.

979. Notwithstanding that the law is more effective at Home?—I do not say the laws are more effective, but it seems to me they would be more effective here if there was a similar provision to that which I have mentioned as being in force at Home.

980. Regarding that picture, were the two figures in the picture nude?—No.

981. Were they dressed? What clothing were they shown as having on?—The man, according to the picture, was fully dressed, the woman in a half nude state, with petticoat and stays on.

982. Partly dressed?—Partly dressed. It was an indecent picture, calculated to do harm to young boys.

983. Do you suggest that would be an indecent picture, under any law in existence in this colony?—I think so, judging by the character of the pictures in the *Police Gazette*, in which case a prosecution was successful against a man here.

984. Was not this picture more suggestive than indecent?—It was more suggestive, of course, than indecent.

985. There is no law under which you can take action in respect of any suggestion in a man's mind?—No.

986. You do not suggest that pictures with figures that are fully clothed, or nearly fully clothed, can be indecent?—No.

987. These figures were clothed, were they not?—Yes. There was one clothed, and the other in a half nude state; but the whole idea, it seemed to me, was a most abominable suggestion.

988. If there was anything wrong it was in your mind, and not in the picture?—Well, a man taking a common-sense view would know pretty well the influence a picture of that character would have on the mind of a young boy.

SATURDAY, 23RD APRIL, 1898.

HENRY GEORGE ELL, examined on oath.

1. *The Chairman.*] You wish to add to your former evidence?—Yes. Yesterday, after the suggestion I made with regard to constables visiting hotels more frequently, in order to detect breaches of the licensing law, the Commissioner of Police ventured the opinion that an improper motive might possibly be put upon their actions in entering hotels. Since that I have had a conversation with a constable, who informs me that upon the request on some occasions of a wife whose husband was known to be in a hotel drinking, he has entered and requested the publican not to supply the man with liquor, whenever such complaint has been made to him. Also that on different occasions when he has seen a man under the influence of liquor enter a hotel, and has suspected in his mind that the man was perhaps likely to be supplied, he has entered and instructed the publican not to supply that man with liquor.

2. You do not find fault with him for doing that?—No, the constable is to be highly commended for it; only the Commissioner of Police yesterday thought an improper motive might be attributed to a man for doing that. I think, judging by what the man said, and by the estimation in which he is held, that no constable would suffer whatever by openly entering a hotel in the discharge of his duties. The constable, further, ventures the suggestion that a constable should be at liberty at any time, either in private clothes or in uniform, to visit hotels if he suspected that the Act was being violated in any way.

3. *Mr. Poynton.*] He says he has not the power? Do you not know that the law gives him authority to enter at any time, or demand entrance, if he suspects breaches of the Licensing Act?—The impression abroad in the public mind in regard to that is this: that on account of special raids being designed on hotels, policemen have no general instructions in regard to entering licensed houses.

4. *The Chairman.*] Have you anything more to say?—Yes, it seems to me that marriage should be more encouraged amongst the police. It would be far better, generally speaking, if we had more married men in the Force. I have been given to understand that in the Old Country preference is given to married men. Whether that is correct or not I do not know.

5. *Mr. Tunbridge.*] Are you not aware that in some of the Australian Colonies married men are ineligible?—I do not think that that is conducive to the well-being of the Force.

6. Are you not aware that in some of the Australian Colonies married men are not eligible for the Police Force?—I am not aware of that.

7. Are you not also aware that in the Royal Irish Constabulary no married man is taken on, and that he must remain a single man for seven years before he gets permission to marry?—I am not aware of that.

8. Are you not also aware that the Royal Irish Constabulary, as a Police Force, is, in the estimation of many people, considered to be the most perfect body of men in the whole police world?—I am not. I have heard this opinion expressed, that they are a fine body of men physically speaking, but I have not heard it in any other direction.

9. You quite realise that it is necessary to have men easy of access in the Police?—Yes.

10. Do you not see the advantage of having single men living on the station premises?—A certain number of them; but I think the number should be reduced to the minimum amount. I am taking it this way: I was a single man until I was twenty-six years of age, and I mixed from the time I was a young fellow of nineteen, when I joined the Armed Constabulary, with single men, and lived in camp with them, and know their conversation and habits of living and so forth. I have been a married man for seven years, and have mixed a great deal with married men, and I think this, that every man who gives an open opinion must make this confession, that the average character and living of a single man will not come up to the average character and living of a married man.

11. You are drawing your conclusions from the Armed Constabulary?—Not only that, but from my experience on sheep stations and other places.

12. *The Chairman.*] What you say is, that single men are more likely to be irregular in their habits than married men?—Undoubtedly; and for that reason I think it is desirable to have more married men.

DAVID JACKSON, examined on oath.

13. *The Chairman.*] What is your rank?—I am a third-class constable, stationed at Rangiora.

14. What do you wish to suggest?—I wish to say, with regard to the pay when relieving on out-stations, that one guinea per week is far too little for a constable.

15. That is the allowance for relieving?—Yes, after the first six days; and, as I have been relieving myself, several times, I will give you an instance of what occurred to me. I went relieving to the Methven Station. I asked the hotelkeeper his terms, and he said £1 5s. per week and £1 per week; he had two different tables. I could go in and get my meals in the rough place, as he called it, for £1 a week; but I said I would not. I did not want to go messing with men I might have occasion to arrest shortly afterwards. He would not take less than £1 5s., so I told him I would be away several days from the station on out-patrol duty, and I arranged to give him one guinea a week over all. I consider it is not right for a constable to have to make terms with an hotelkeeper.

16. *Colonel Pitt.*] How much ought it to be?—I think the department should revert to the old scale of 6s. a day for the first week, and £1 15s. a week for the remaining time. It ought to be at least that.

17. *The Chairman.*] You think you were the more likely to meet men you might have to operate against at one table than the other?—Certainly.

18. Why?—Because there are always two classes in these places, and they generally put the rough into one table; and a constable does not like to mess with that class.

19. Was it because you were more likely to meet men you had to operate against, or because your pride would not permit you to mix with them?—No, not at all; I have no feelings that way.

20. Was there no other convenient place you could have lodged at than the hotel?—No other place. I think a constable should have a fair allowance when relieving in that way.

MAURICE ROCHE, examined on oath.

21. *The Chairman.*] What is your rank?—First-class constable, stationed at Amberley.

22. When did you join the Force?—In 1881.

23. What do you wish to offer as a suggestion?—First, as to doctor's fees: We are not allowed doctor's fees except it is the result of an accident, or an assault, or something of that description. I have only been on the sick-list once during my time in the service, and the Commissioner had to refuse my doctor's expenses, although I thought it was caused by excessive duty at the time. The illness was congestion of the lungs. The Commissioner said he was very sorry, but he could not allow it; and I believe he was.

24. You thought this resulted from excessive duty; but did anybody else think so besides yourself? Did the doctor think so?—The doctor was not asked about it; in fact, I got ill attending the Timaru Supreme Court sittings.

25. What is the next point?—We ought to get a free uniform. I think we are the only Force wearing Her Majesty's livery who do not get it. I would also say that married constables in the towns ought to have a house-allowance. I have paid as high as 14s. a week for a house in Wellington, in the Tinakori Road, and, with a lot of children and other expenses, the pay will hardly reach it. I heard the evidence of Mr. Ell, who remarked that marriage ought to be encouraged in the Force. I would like to say something about that: My opinion is that leave for marriage should not be given so easily, and that more attention should be paid to the character of some of the women who marry police-officers. I am speaking generally; I have known a few instances where marriage was not desirable.

26. You think it should not be given without some inquiry as to the character of the wife?—Not that; a searching inquiry.

27. *Mr. Poynton.*] You do not object to marriage?—No, I believe marriage is a success. I think the police could find wives very early, if they want them.

28. There is no necessity for them to get hard cases, then?—No. It is not the fault of the officers that these things occur, because they have to take the reports of sergeants, and so on, given to them.

29. *The Chairman.*] What is the next point?—In the event of the police not getting free uniforms, I think the price might be considerably reduced. Our shako costs 11s. 6d., and that is really more than the marketable value of it, if it was not for the peculiar make. The cost of the mounted men's uniform, in particular, is very expensive. I cannot tell you the whole cost, taking everything together.

30. Have you ever made out an estimate?—No, never. I have never got the lot together; I get one at a time, as it is worn out.

31. What does it cost a country man on an average a year?—About £9 or £10.

32. Do you give that as the cost of the mounted men's uniform in the year?—I hardly think it would cost that; a country man has to keep both uniforms. The boots alone range from £2 10s; up to £4 I have seen paid for them.

33. Then, you say, in the country stations, the men have the ordinary foot uniform, as well as the mounted uniform?—Yes, but that only means the blue trousers.

34. *Mr. Taylor.*] When did you go to Eketahuna?—In 1887, I think.

35. When were you transferred to Amberley?—In April, 1893.

36. Were you pretty frequently threatened, whilst you were at Eketahuna, that political influence would be used to secure your removal?—Up to the end of 1890 I had peace; they let me alone.

37. After the end of 1890?—Then I was threatened continually.

38. Will you tell the Commission the nature of the interference?—Well, the interference was that I had to take action as regards some hotels. The cases were not before the Court, but before the Alfredton Licensing Committee, at Eketahuna; and a petition was circulated for my removal, and sent to the department at Wellington. The petition was returned to me by the Inspector for the district, and I replied to it. I heard nothing more about the petition, and I thought it was done away with.

39. Who circulated the petition?—A man named Frank White took it round the first day. He is now a resident in Christchurch. About six months afterwards the other constables surrounding me were appointed Clerks of Court; and I made inquiries, and found out there was an order for my appointment in the Justice Department as Clerk of Court at Eketahuna, which was followed by an order countermanding it, and stating that a constable would be sent to Eketahuna who would be appointed Clerk of Court. I knew then the petition had not been dropped.

40. *The Chairman.*] You knew, or suspected it?—I suspected it. I was in possession of pretty good information on the subject. Then it stopped again. I saw letters that were written to some people at Eketahuna, some one way and some another; and I saw a piece of a letter signed by the Minister of Defence then, and I thought they were paying too much attention to me. Well, that agitation stopped again, and I heard rumours of petitions nearly every day, some against and some for me, and in the latter case I always tried to stop it, because I told them if I had to remain there on petition I could not do my duty. At this time Mr. Reeves, a civilian from Pahiatua, was Clerk of Court. He used to go from Pahiatua to Eketahuna for the Court. That was followed by a lull in the agitation. I thought things were settled, but in February, 1893, Sergeant McArdle, of Masterton, visited Eketahuna, and he showed me a letter dated the Minister's Office, Wellington, 1st February, 1893. I can give you the words, or very near it. They are as follows:—

DEAR MR. HOGG.—I am sorry I cannot accede to your request as to the promotion of Constable Roche, as no special reason is shown for his promotion. Possibly if he was transferred to another district it might lead to his promotion.—Yours truly,
R. J. SEDDON.

The sergeant showed me the letter, because he was always telling me Mr. Hogg was a friend of mine, and I told him I would not believe it. The sergeant asked me what I thought of the letter, and I plainly told him I thought it was written to order, and to be shown to me; because I asked him, "Why do they not let me alone; I do not want promotion, I am satisfied." But I told the sergeant to tell Mr. Hogg I was ready to go, because I had had enough of it. I met Mr. Hogg two days after in Eketahuna, in company with the Hon. Mr. Seddon and Sir Patrick Buckley. Mr. Hogg told me he wanted to see me before he went back, because the Ministers were going on by coach towards Woodville. I met him before he returned to Masterton, and he asked me if Sergeant McArdle had shown me a letter; and I told him he had, and that I was ready to leave. At the same time, I told Mr. Hogg I was quite satisfied to go, because "I had given him a good run for his money." He asked me then if there was any particular station I wanted. I told him, No; I did not want any man out of a station. Then he asked me if I wanted any particular district, I answered him "No," and he asked me again; and I said I should take Auckland, Wanganui, or Napier, for choice, "but that need not stop you." I think it would be about a fortnight or three weeks afterwards I received a letter appointing me Clerk of Court at Eketahuna. The mail came in at 1 o'clock in the afternoon, and I left at 2 o'clock with a prisoner for Wellington. When I arrived at the police-station, Inspector Pender informed me I was transferred to Amberley. I gave up charge of Eketahuna, I think, on the 3rd April, 1893, to Constable Nestor, who was transferred from Amberley. I was also interfered with by a man who was Secretary of the Knights of Labour, at Eketahuna. Of course, I am only giving you this on what I heard. I believe it was true. I took charge at Amberley on the 6th April, and I have been there ever since; I was promoted to second-class soon after reaching Amberley, I think in July; and last year I was promoted to first-class.

41. *Colonel Pitt.*] What time last year were you promoted to first-class?—On the 28th April, 1897, I was promoted for the arrest of the murderer Sheehan, at Amberley. Since I came to Amberley I had to deal with sly-grog selling at Cheviot, and I have had no trouble, I may say, with the public nor with my officers, except that the Rev. Father Treacy reported me to the Commissioner. I was called on for a reply, and there was no further proceedings taken in the matter; and I do not think that injured me in any way.

42. *The Chairman.*] Was there any inquiry consequent on that report?—No; not beyond my being asked for a report; that settled it. He called me some bad names, but that was nothing.

43. *Mr. Taylor.*] Has the Rev. Father Treacy often threatened you with removal?—He has to others, I believe, but he has not spoken to me since the day he interfered with me first.

44. *The Chairman.*] That is only what somebody else told you?—Yes; that is common report.

45. What did he speak to you about?—I arrested a man the day before, by order of Mr. Bishop, S.M. This man was very violent, and I got him to the lock-up with assistance. That afternoon I telegraphed to Inspector Broham to send me a constable, for service in the Court next day, as the man might behave in the same way again. Inspector Broham sent Constable O'Leary. I met the constable on the platform of the railway-station, and Father Treacy stood behind me on the platform, and asked me if I had sent for the constable to take this man down before he was convicted. I told him I did not. Well, he replied that I had; and I denied it again. Then he asked me if I had telegraphed; and I told him I had, but for another purpose; and I asked him what it had to do with him, and why he did not mind his own business, and, if he interfered with me I should lay an information against him.

46. What for?—For interfering with me.

47. Do I understand that you think a man asking you a question is sufficient for taking proceedings against him?—No; I do not mean that. I mean, he came up and asked me why I had telegraphed.

48. What interference was that? Was it an interference asking you a question?—Yes, in the tone and way it was asked.

49. You think the tone would have justified you in doing—what?—In bringing him before the Court; however, I did not intend to do it, all the same.

49A. *Colonel Pitt.*] Did he tell you how he knew you telegraphed?—He saw me going down with it the day before. He lives close to the railway-station. Up to this we were very good friends; but I have not spoken to him since.

50. *The Chairman.*] You say he subsequently reported you for this conduct to your officer?—Yes; Colonel Hume visited Amberley in May of 1896, which was subsequent to this occurrence. I was away at Cheviot; and I believe I was reported to him verbally then, but that I cannot say.

51. You were called upon to explain?—I was asked for a verbal report.

52. *Mr. Taylor.*] Did any of Mr. Hogg's employes take any part in the Eketahuna interference?—Yes, a man named Murdoch.

53. Was Murdoch an employé of Mr. Hogg's while you were in Eketahuna?—Yes, he was employed on the *Wairarapa Star*.

54. Do you know whether he made a wager that he would have you shifted in a fortnight?—I do. He bet £1 that he would get me removed in fourteen days. I locked him up that night.

55. *The Chairman.*] How long after that was it before you were removed?—That was in 1892.

56. What did you lock him up for?—For drunkenness. He boasted that he had a document in his pocket, and that he was betting on a certainty for my removal. I wanted to get the document, but all I found on him was a pawn-ticket.

57. Was that why you locked him up, to get the document?—No, for drunkenness.

58. *Mr. Taylor.*] Was he convicted?—Yes.

59. *The Chairman.*] You were not removed in fourteen days, then?—No; he lost the bet. He wanted to get it back again, but he did not.

60. *Mr. Taylor.*] As it is relative to your experience in connection with the licensing laws, do you think that the licensed victuallers' trade interferes to any extent with a constable's vigilance at any point?—They use their influence against a constable.

61. Do you know if there was a feeling amongst the men, so far as your knowledge is concerned, that anything like activity in enforcing the licensing law would be prejudicial to their position in the Force?—Undoubtedly it is.

62. Has that interfered with your duty?—No, nothing has stopped me; but I have not the slightest doubt I was shifted from Eketahuna through the influence of the publicans, over the liquor business.

63. *The Chairman.*] What reason have you for that?—Well, the petition was concocted by them.

64. I thought you said it was all quiet?—Yes; but the agitation was kept going the whole time.

65. *Mr. Taylor.*] Have you done any duty in cities at all?—Yes.

66. Where?—In London, New Orleans, and Wellington.

67. Do you know whether, in Wellington, there was any system of watching, or other precautions taken by licensed houses?—Oh, yes; in all the places, I dare say: but I am aware of it in Wellington.

68. Whereabouts in Wellington?—I know of two hotels in Wellington which, in my time, were supplied with electric bells. One bell was in the door, and you had to put a pencil in to ring it.

69. You knew that?—Yes, I have done it myself—to give them an alarm. There was another one where the bell was located in the sill of the window on the street; and a man used to sit on it, and all he had to do was just to press his finger, as soon as ever a sergeant or a constable appeared when making their Sunday visits.

70. *The Chairman.*] When was this?—In 1884 or 1885.

71. *Mr. Taylor.*] Do you think it would be possible to enforce the existing law?—Yes.

72. How do you account for this lax enforcement in many points?—It could be done in one way: Place the Commissioner in the same position as the Auditor-General, and you would have the Licensing Act enforced.

73. You mean, take the Commissioner away from political control altogether?—Yes; and the police altogether; and pass an Act that any member of Parliament should get six months' hard labour who interfered with the police.

74. Have you heard amongst the men any general impression of opinion as to political influence being used by policemen?—There is no doubt about the impression as to political influence being used.

75. Has there been any change in the feeling of the Force during the last six months?—Yes, undoubtedly there has.

76. How do you explain it?—The men seem more secure, and go for their duty more—in fact, I do myself. I ventured so far as to lock up a publican for being drunk on the 10th March.

77. *The Chairman.*] Would you have done that prior to that date?—I would.

78. *Mr. Taylor.*] I will ask whether, before five months ago, you would not have expected such action to be followed by an agitation for some interference with you?—It would have followed, I believe; that is what I mean.

79. Do you think the danger of such interference has passed away now? Is that the feeling in the Force?—Yes.

80. *Colonel Hume.*] What influence do you think led to your removal from Eketahuna?—Mr. Hogg, M.H.R.

81. You mean political influence?—Yes.

82. He was a long time trying to work it?—He was, indeed.

83. How do you account for that, in any way?—The newspapers were taking my part; the whole of the Press in Wellington and Napier took it up.

84. Then, you had a fairly good spell at Eketahuna before you were transferred?—Oh, yes; the man on the next station was there before I went to Eketahuna, and I believe he is still there.

85. What next station?—Tenui. I might tell you I do not at all object to be shifted if you give me an order; I would go anywhere. But I did not want to be shifted, because they said they would do it.

86. *The Chairman.*] You would not suggest, because somebody made a remark that you were to be shifted, that the Commissioner's influence was to be coerced in any way, and that he had to keep you there just to defy these people?—Nothing of the kind.

87. *Colonel Hume.*] Then, who do you blame for keeping you out of the position as Clerk of Court for a certain time?—The same party.

88. The result was that, with all his power, he could not get you out altogether?—No, he did not do it at the finish. But I really only had it for six or seven hours.

89. But you had it?—Yes.

90. Then, the next attempt at political influence entirely failed for nearly two years to get you removed, and failed entirely to get you kept out of the position as Clerk of Court?—Yes.

91. You have always done your duty very conscientiously?—Yes, I have.

92. And you have never spared any publicans at all that you thought were breaking the law, nor anybody else?—I have not made a set on publicans.

93. You would just as soon worry a Prohibitionist?—Yes, I have done so.

94. Notwithstanding that you have always conscientiously performed your duties, you have got on fairly well in the Force?—I have in a way, but not, I think, to what I was entitled to; my juniors were promoted.

95. Do you know one man in the Force who thinks he has got what he is entitled to?—I agree with you there.

96. You were appointed in 1881?—Yes.

97. And made second-class, when?—In 1893.

98. That is twelve years?—Yes.

99. At the present state of promotion, are men getting their second-class in twelve years? The last man promoted had been senior sixteen years; then twelve years in the service?—I do not know who he was, but I know men were promoted before that, and were not gazetted.

100. Then, you were very rightly promoted for distinguished services last year?—Yes.

101. Then, with all the powerful political influence against you—with the publicans, a powerful body, against you—you have got on still in the service?—I have, fairly well.

102. And neither of these influences have told against you in any way?—They have not injured me in any way. I believe I ought to have got second-class, and others would not have got ahead of me.

103. You are probably speaking of Clerks of Court?—Yes; if you go back on the file, you will find a letter from Commissioner Gudgeon, approving my action concerning the arrest of a man in Auckland on my information, and allocating me £20 as a special reward for it.

104. And did he say you would get the next vacancy?—No, that never occurs.

105. And then you came to Amberley?—Yes.

106. And there you had some difference of opinion with the Rev. Father Treacy?—Yes.

107. I suppose you know Father Treacy is a personal friend of mine?—I have heard him say so.

108. You know I went to his house when in Amberley?—Yes.

109. Well, in April, 1897, Father Treacy wrote to me, making certain complaints against you; you knew that, because you had to reply to the letter?—Yes.

110. Now then, notwithstanding the powerful influence of Father Treacy, and more especially as he was a friend of mine, he has not yet succeeded in getting you removed?—No; I knew he would not. I never suspected you of anything of the kind.

111. You were satisfied I would give you fair play?—Quite satisfied on that point. I might say I have no complaint at all; but I object to be ordered or interfered with by anybody outside the Police Force, unless it is a Stipendiary Magistrate.

112. Now, you say, you have known cases of constables being molested by publicans because they do their duty in enforcing the liquor law?—No; threatening them to have them removed.

113. Has it ever come under your notice that constables are sometimes threatened by Prohibitionists for not doing their duty towards licensed houses?—I have been actually threatened myself.

114. One side is pretty well as bad as the other, in your experience?—They are pretty hot, too; there is no doubt about that.

115. Well, then, the man you locked up for drunkenness at Eketahuna: you locked him up because he was drunk, and he was convicted?—Yes.

116. You did not tell us what he was?—He was a reporter of the *Wairarapa Star* and *Pahiatua and Eketahuna Mail*.

117. And consequently he had that powerful organ, the Press, at his back?—Only the *Wairarapa Star*; I had the rest of the Press of the district with me.

118. Notwithstanding that, he staked money to the extent of £1; even the Press did not see him through it?—He lost his bet.

119. You did not get the document you wanted?—No, I did not; I only got a pawn-ticket on him. He said he had the document in his pocket, and was betting on a certainty; but he did not have it.

120. *Mr. Tunbridge.*] Cheviot, I believe, is in your district?—Yes.

121. There have been some complaints of sly-grog selling there, some two years ago?—Yes.

122. Did you receive instructions from Inspector Broham with reference to that?—Yes.

123. Did you take every possible step you could, with a view to detecting it?—I took every step I could; I have ridden to Cheviot twice in a week, and, so far as instructions from Mr. Broham, they were not instructions, he was forcing me to do it.

124. Driving you to do it?—Yes, driving me more than I liked. He sent up another man, and we got a case.

125. It is not correct to say nothing was done up to the time special men were sent?—No, I was at work all the time; the second night before I seized the whiskey, under a warrant sent by the Inspector, I slept in Scott's house, and I did not pretend there was anything going on, but I knew there was.

126. You have had experience of political police and non-political police?—Yes.

127. You served in the London Police?—Yes.

128. Is that political, or non-political?—It is non-political.

129. You served in the New Orleans Police?—Yes.

130. Is that a political body?—It is, undoubtedly, everything in it.

131. Of your experience in these two Forces, what do you say as to the ability of a constable to carry out his duty under the different systems?—Of course, there is no comparison whatever; in London a constable is not interfered with at all, and in New Orleans he goes out principally as the politicians go in and out.

132. In New Orleans a constable simply does his duty to order?—Undoubtedly.

133. They have no desire to carry out the law?—He does not care about law so long as he pleases the party in power. In London, of course, you have to do it?

134. Having this practical experience of the two systems, you feel very strongly that the Police Force should be entirely non-political?—I feel that as soon as the Police Force becomes political it becomes useless.

135. You are pretty comfortable at Amberley?—Yes, I have a splendid house.

136. You have a splendid family, as well as a splendid house?—I have.

137. And the house pretty well fits your family?—Yes, I have plenty of room.

138. Therefore, in going to Amberley you are not in any way prejudiced?—I am not injured in any way in going to Amberley.

139. *Mr. Taylor.*] You say you have been interfered with by publicans and Prohibitionists?—Yes.

140. On the part of the publicans, was it because you did your duty?—Yes.

141. And on the part of the Prohibitionists: was the complaint that you had not done your duty?—Yes, that I was not doing my duty to suit them.

142. That you were not active enough?—Yes.

143. Not that you were too active?—No; they believe if they see a man going into a hotel that it is a breach of the Licensing Act; whereas a constable who knows his business knows perfectly well that it is not.

144. The complaint in one instance was because you had done your duty, and in the other because you had not?—That is what it amounted to.

145. In regard to the hotels you referred to in Wellington, were they first-class, or second-class, or third?—One was a very fair hotel, but it was rather what you would call a sporting house, and the other was on the low side.

146. *The Chairman.*] Your answer to Mr. Taylor is that the one party complains that in their opinion you do more than you ought to do, and the other party complains you do less than you ought to do?—That is so.

147. *Mr. Taylor.*] Did you say the publican parties said you do more than you ought to do?—That is the inference drawn.

148. As a matter of fact, was not their complaint that you interfered with them at all practical?—That would be the complaint; that was the feeling at Eketahuna, undoubtedly.

149. In regard to Cheviot? Did you succeed in getting a conviction in uniform, or not until you had the assistance from plain-clothes men?—No.

150. Had you not been there a good many times before you secured a conviction?—Yes, but very rarely in uniform.

151. But you were well known?—Yes.

152. But it was not until you had the assistance from plain-clothes men that you secured a conviction?—Yes, after that.

153. Generally, do you think that a constable stands much chance of obtaining convictions for sly-grog selling or breaches of the Licensing Act, under the terms of Sunday trading or after hours, when in uniform?—I do not think he has.

154. You think that work could be done successfully by plain-clothes men?—Of course, if I was going to detect any other offences I would not go openly and knock at the door and wait until they let me in. A publican who got caught like that I would take to be a fool.

155. *The Chairman.*] Has it not occurred to you that there is another way of recognising a constable than by his uniform?—Certainly, I am known in my own district.

156. And is it not generally understood that there is something in the gait of a constable that marks him?—I think so.

157. *Mr. Tambridge.*] It simply means that you find that unless the police adopt subterfuge it is impossible to bring home the breaches of the law, particularly in their detective duty?—Yes.

158. And, unless that is done, are they likely to succeed?—They would not succeed.

159. You find that general?—I do.

160. If he went openly to a man and told him his intention, is it likely he would get evidence?—No. And I find, in my own experience, when making inquiries, that you do not get the information with the same willingness if you are in uniform, as you would if you went in plain clothes, and made yourself at home with the people who have the information to give.

161. *Colonel Pitt.*] What do you say to the rate of pay in the New Zealand Police Force?—It is too low for a man joining.

162. What ought it to be?—I should say 8s. to start with.

163. How should it be increased?—There should be two classes of constables, first- and second-class.

164. What should the first get?—I would give them 1s. more; and that is what it is now with the service-men.

165. Do you think sergeants are paid sufficient?—No; I think there ought to be a bigger difference between the pay of sergeants and constables.

166. What is the difference now?—6d. between third-class sergeants and first-class constables.

167. What do you think it should be?—I think 1s. should be the difference, any way, because the more the man over you is paid, the more you look up to him.

168. Would you divide the sergeants into three classes and the constables into two?—I would only have two classes of sergeants, making second-class sergeants 10s., and first-class sergeants 11s.

FRANK WHITE, examined on oath.

169. *The Chairman.*] What are you?—Silversmith, living at Addington.

170. Have you a shop of your own?—I am manager of a shop.

171. *Mr. Taylor.*] When did you leave Eketahuna?—Four years next August, in 1894.

172. Was Constable Roche there when you were there?—Yes, I was in Eketahuna before he was there, and after he left.

173. Did you take a petition round for signatures asking for his removal?—Yes.

174. What date?—In November, nearly two years before Constable Roche left.

175. Who employed you to go round with it?—Certain publicans.

176. Were you paid for it?—Yes, I was engaged to do it.

177. So far as your knowledge of Constable Roche goes, do you regard him as a good officer?—Certainly.

178. Very vigilant?—Certainly.

179. Do you know why the petition was in circulation?—From what I could hear, and from certain observations, it was on account of one publican not getting a license for a house which had been burnt down; and the constable reported one place dirty, and one place very low, to the Licensing Committee.

180. Do you know a man named Murdoch at Eketahuna?—Yes.

181. Was he pretty active in trying to secure Constable Roche's removal?—He was pretty active in trying to mess anybody's business but his own.

182. Do you know whether he was directly connected with this agitation?—I expect he was. Not with that one petition, but with another agitation.

183. *Colonel Huine.*] Did many people sign this petition?—I only took it round half a day.

184. How many signatures were there during that half-day?—About six, I think.

185. What became of it?—I saw no more of it. I took it back, and told them they had better go round with it themselves, as the roads were none too good.

186. They did not give you "the sack," but you gave them "the sack"?—Yes, I turned it up.

187. You really do not know why this was got up?—I was told by the publicans themselves, and they were supposed to know.

188. You do not know what became of it after you dropped it?—I know this, that one of the publicans took it round.

189. How long after that was Constable Roche removed?—About two years afterwards.

190. *Mr. Taylor.*] After that petition?—That was the only petition in connection with Constable Roche I had to do with.

191. *Mr. Poynton.*] How many hotels are there at that place?—Four.

DAVID JACKSON, further examined on oath.

192. *The Chairman.*] You are a constable, stationed at Rangiora?—Yes.

193. When did you join the Force?—5th April, 1892.

194. Where were you stationed first?—Christchurch.

195. And after that?—Ashburton.

196. And then?—Oamaru.

197. And where are you now?—Rangiora.

198. Have you any knowledge of political or other outside influence being used in connection with the transfer, or other matters affecting police-officers?—So far as I am concerned, I had no reason to suppose political influence had been used in my case.

199. At what point was that?—Ashburton.

200. To affect your removal?—Yes. I had heard about three weeks before my removal that I was to be removed soon.

201. *Mr. Taylor.*] From the department, or from outsiders?—Outsiders.

202. Before any intimation was conveyed to you by the department?—Yes.

203. Was it only reported in the towns?—I believe it was afterwards, but I did not hear it then.

204. Did you know that any interference was made?—I could not say.

205. Had you been active in enforcing the licensing laws there?—There was a case where threats had been used.

206. As to your removal, did the publicans say you would be removed?—Yes, I believe so.

207. How long after that case was it before you were removed?—I think the case came off on the 6th May, 1897, and I got notice on the 22nd July; but I do not put it down to that exactly. I thought so at the time, but I think now it was due to other influences.

208. Do you think that had partly to do with it?—I really do not.

209. But you were still told it had?—Yes, I have been told.

210. What other influences do you think were at work?—Well, two constables were ordered for removal previous to me; one was under orders to hold himself in readiness, but he was allowed to remain, and I had to go; in fact, both remained there after I left.

211. Was he under orders before you were?—Something like a month.
212. And he was allowed to remain, and you were shifted?—Yes.
213. Was he remaining in Ashburton before it was actually accomplished?—I did not hear that.
214. Generally speaking, do you think publicans are active in interfering politically with constables?—It is a general opinion in the Force—that, and political influence.
215. *The Chairman.*] Is that not what you mean by “political influence”?—I mean members interfering.
216. *Mr. Taylor.*] Have you any other knowledge of that character—of removals being cancelled?—Well, there is a notice of removals in the newspapers, and you will find that the order has been cancelled; it has been done times out of number.
217. Does that not create a feeling in the minds of the men that there has been a force superior to the Commissioner’s?—Yes; it creates a very bad feeling amongst the men.
218. Has there been a better feeling in the Force in the last six months?—Yes.
219. A feeling of more security?—Yes; and the men seem to be more together in many ways.
220. You think there is not as much prospect of political influence being used now as before?—I have known of it.
221. *The Chairman.*] Do you apply that to petition, that neither publicans nor politicians have anything to do with the Force now?—Yes.
222. How long has that feeling existed?—Since Commissioner Tunbridge took office.
223. Why should that have anything to do with it?—I consider the Government, as head of the department, has not interfered in the same way.
224. Is it not from the fact that as soon as he took office there have been a great many promotions in the Force? Has not that brought about a better feeling?—I cannot say. I think before the promotions took place the feeling began to die away; there was a feeling then that interference was about to be done away with.
225. *Mr. Taylor.*] Has not the agitation in Parliament and in the country during the last year given men this feeling?—That is what has given the men this feeling, no doubt. This political influence has caused a lot of feeling in the Force which is now passing away.
226. The attention directed to the Police Force last year, you think, would have the effect of stopping this feeling?—Yes.
227. *The Chairman.*] And you attribute the better feeling to the fact that the matter has been ventilated in Parliament?—Yes.
228. You know there is always a feeling on the part of men—of any body of men—to praise and adore the rising sun; and it is suggested that the new Commissioner is going to do wonders, and that this feeling is due to his arrival; and it is a reflection on the old Commissioner, and I want to know whether this better feeling has been brought about by the publicity given to the matter in the country and in Parliament?—Yes, I think it is due to that.
229. *Mr. Poynton.*] Are you a married man?—Yes.
230. And were you married when you had these other shifts?—Yes.
231. Have you any family?—Yes.
232. *Mr. Taylor.*] These were more frequent removals than usual?—Yes, considering I have known men to be in one station for nineteen years without a shift.
233. *The Chairman.*] Do you think it is beneficial to the Force that men should be removed? Not without cause, and then they should know the cause.
234. Are you in charge at Rangiora?—No.
235. Have you ever been in charge of a station?—Yes.
236. What is your experience of constables in charge of stations at country districts? Do you think it is beneficial to the Force, or to the execution of their work, that they should remain for a lengthened period, or that they should be removed periodically?—I think they should remain.
237. How long do you suggest?—I think the transfers should take place every seven years.
238. With regard to pensions. Is there a feeling in favour of a pension amongst the men, so far as you know?—Yes, generally, but not with all the men; there is a feeling that a pension would be a very good thing.
239. Are those in favour of a pension prepared to sacrifice a portion of their pay for the purpose of securing it?—I cannot say; I have not been amongst the town men, or had any conversation over the matter; I for one would be.
240. *Colonel Hume.*] How long had you been in Christchurch before you went to Ashburton?—About a month.
241. When you went to Ashburton, was it to be a temporary arrangement?—Yes.
242. I suppose you know there is an order in force in the service that constables should not be stationed at a place where their parents reside, or where they have been brought up?—Yes; my parents lived twenty miles from Ashburton, and I know of other constables who have lived closely to their parents, and no exception was taken to it; and I think that order should apply also to constables’ wives.
243. In your application for appointment as constable, did you show you lived at Ashburton, or twenty miles away from Ashburton?—I showed I lived at Ealing.
244. In your application, where did you state was your place of residence?—Washdyke, near Timaru.
245. You will swear you did not put your place of residence at Ashburton?—I do not think it.
246. Now, when you were at Ashburton, a man was brought in from an out-station because he had not conducted himself very well?—Yes.
247. That meant there was one supernumerary man at Ashburton?—Yes.
248. Consequently, somebody had to be removed from Ashburton?—Yes.
249. In due course, you got orders to move to Oamaru?—Yes.

250. Did you use any political influence not to go?—No; it was used, but not to my knowledge; I heard of it.

251. From a man named Jackson?—No.

252. Do you mean to say that a man named Jackson did not try to work Major Steward?—No; Major Steward, so far as I know, was never asked.

253. Then, you are perfectly certain you never used any political influence yourself to stop there?—No.

254. Never saw any Justices of the Peace?—No, I never attempted to see anybody. I asked to be sent to any other station but Oamaru, for a certain reason, and I was willing to go to any station I was ordered to.

255. Is this report correct or not correct: "No. 622, David Jackson: Residence of parents or relatives in the colony, Ashburton"?—That is wrong.

256. Consequently your own application, from which this is taken, must be wrong?—My application stated my own residence was Washdyke, near Timaru; in my application it was put down as Ealing.

257. Who was this publican who told you you would be removed?—He did not tell me; it was rumoured, and I heard of it.

258. Who was the publican you had the case against?—Shaw.

259. Did you lay the information?—No; Constable Ede laid it.

260. What do you know of it?—I got the man with the bottle of grog on him, when on night duty.

261. Why did you not lay the information?—I was up all night, and Constable Ede for a certain reason had to get some witnesses before 8 o'clock in the morning, and he carried it through.

262. Did the publican threaten Constable Ede?—I do not know.

263. Has he succeeded in getting Ede removed?—No, he is there still.

264. Do you think the publican had anything to do with your removal?—I do not; I thought at first, some considerable time ago, that he had, but not latterly.

265. Then your removal from Christchurch to Ashburton, which was a temporary arrangement, and to Oamaru, were the only removals you have had under my control?—Yes.

266. *Mr. Tunbridge.*] You said you received house-allowance: I suppose you mean you lived in a Government house?—Yes, I am living in a free house.

267. Your last removal was made at your own request?—Yes, I made application to be removed.

268. You did not complain about that transfer?—No.

WILLIAM WILCOX TANNER, examined on oath.

269. *Mr. Taylor.*] You remember a statement you made in the House of Representatives about Sunday trading in Christchurch?—Yes.

270. How many houses did you visit?—Five; that is, we went on the premises of four, but were unable to gain admission into the fifth.

271. Did you have any difficulty in getting access to the houses?—Not the least.

272. Did you notice any one watching at the houses outside?—All the houses we entered were approached by side entrances and back entrances, and in only one case did I notice a person who might apparently have been on the watch. We passed him at the gate; he said nothing to us, and we said nothing to him.

273. You had no difficulty at all in getting in?—No.

274. Were the men with you in the habit of going for refreshment into licensed houses?—I imagine they were, but I cannot say.

275. You were not?—I have never been in the habit of anything of the kind.

276. Was any question asked as to whether you were *bona fide* travellers?—Not the least; there was no time to ask questions in most cases.

277. They were too busy serving?—I never saw anything like it.

278. *The Chairman.*] What period is this?—It is impossible to fix the time accurately; it was some months before the session of 1896, either the end of 1895 or the beginning of 1896.

279. *Mr. Taylor.*] How many people would you estimate there was in the first house you went into?—There were a number of people; I did not look round to ascertain actually the number. I had but one object in view, and that was to see whether the liquor was sold. I was taking little notice of details.

280. What time of the day was it?—Between 9 and 10 o'clock on Sunday evening; it was summer time, and the weather was warm and dark, and threatened rain.

281. Was the liquor paid for without hesitation?—Oh, yes.

282. And no questions asked?—Not in the least.

283. What number was in the second hotel; were there more visitors than in the first?—I do not know what trade is done in a hotel, so it is impossible to fix a standard. I should say, from the number going out, and the general understanding—that was, an unspoken understanding which seemed to exist between all the men we saw—everybody seemed to know everybody's business, and perfectly to understand. I seemed for a moment in a room in which there was a great unspoken conspiracy.

284. Then, you gathered from that, that the men there were frequenters of the hotels?—They certainly gave me that impression.

285. Was there any hesitation to take payment for the liquor at any of the four hotels?—Not the least.

286. And there was the same freedom from interference on entering each of the hotels?—We were not in any way challenged; but I did notice in one of the places, when we were up by the

front of the bar, that some of the men exchanged significant looks, which I supposed referred to my presence. They seemed surprised to see me; they did not seem surprised to see the other two men.

287. Do you think the police, if proper steps were taken, so far as the selection of men in plain clothes was concerned, would have much difficulty in getting evidence in Christchurch?—When on our way to the last house, proceeding southwards, we met two men I considered to be policemen, about a hundred yards from the house. One of my companions remarked, "We are all right." The policemen were walking in the direction away from the house that we were going to. It seemed incredible that these men could have passed that hotel without noticing the hum of conversation that was taking place, and without knowing that something was on. I am not prepared to say they did pass the house; we met them a hundred yards or so from the house.

288. Do you think, as a result of your experience, that the police ought to have much difficulty, if the men who are selected were in plain clothes, in getting convictions for Sunday trading?—I cannot say what difficulties the police meet with in the execution of their duties. I think they are not sufficiently numerous; and I am under the impression, and have been for years, that the police are under some restraint in regard to licensed houses. I am not in a position to prove that, but it is a very widespread feeling.

289. Is there a hesitation, so far as the police are concerned, in enforcing the licensing law?—Something more than hesitation.

290. Do you think, as a result of your observation, there should be much difficulty in securing convictions for Sunday trading?—It may be that the preparations of the police are met with counter-preparations on the other side.

291. But speaking of your own observation?—I think from my own observation on that Sunday night that any average intelligent policeman who had a free hand might have convicted four houses.

292. *Mr. Tunbridge.*] Did you and your companions arrange what you would do in the event of the police coming in and finding you on the licensed premises?—Not in the least; the whole affair was not prearranged in any way. It was purely the result of an accident my being there.

293. What would you have done had the police come in?—I cannot say; take the consequences, I suppose.

294. Would you willingly have informed them you had drink and had paid for it?—I did not say I had drink. Drink was sold, and was freely paid for. In the last house we visited, the man whose name was painted over the door was drawing beer as fast as he could possibly draw it, and it would have been an easy matter for any new-comer to take up a glass of beer and drink it without paying for it. The man scarcely knew who he was taking the money from.

295. You say you were in the midst of a conspiracy?—There was a sort of freemasonry between them.

296. Did it lead you to understand that if the police came in they would get no blame attached to them? Is that the truth?—I am not sufficiently acquainted with it; I was only in the whole affair about an hour.

297. You are acquainted with the present laws affecting the liquor traffic?—Yes.

298. Do you think they should be strengthened?—It is a very difficult question to answer; at present they are openly broken.

299. Do you think that the people whom you saw in these hotels should be amenable to the law as well as the hotelkeepers?—Undoubtedly they should.

300. At the present time they are not, unless they falsely describe themselves to be *bona fide* travellers?—I never heard a question asked about travellers the whole night.

301. You think the law should make those people amenable?—They should not be allowed to go in these houses. The very fact of a man being allowed to go into licensed houses is an inducement to the landlord to supply them with liquor.

302. If that is the law at present, you think it should be altered?—Yes, in some way.

303. You spoke about the police apparently being under some sort of restraint?—I said that was my impression, and that it was widespread.

304. How can you reconcile that statement with the fact that last year over twenty prosecutions were instituted by police under the licensing law in Christchurch?—I should imagine last year was a successful year; it was not for want of opportunities that there were not forty prosecutions.

305. Do you think if your suggestion was carried to a logical conclusion, that instead of there being twenty prosecutions there would have been none at all?—It is a very difficult subject; I cannot say at all. I may say there is a determination on the part of a class of the population to obtain drink on Sunday; they know if they do so they are breaking the law, but they are under the impression it is not a moral wrong.

306. And you realise that, in any legislation to which a great section of the public is opposed, it is always very difficult to carry it out, is it not?—Yes.

307. And that applies more particularly to the licensing laws?—Yes. My opinions were very considerably modified by my experience on that Sunday night. I saw more difficulties than I ever thought of before.

308. You do admit of difficulties in the way of the police carrying out the laws?—Yes.

309. Of course, you take it that these conditions prevail up to the present?—I can only speak of that particular Sunday night. I am not speaking of anything previous or since.

310. *Colonel Pitt.*] How long have you resided in Christchurch?—Nearly twenty years.

311. As a result of your observation, are you of opinion that the Police Force is numerically sufficient in Christchurch?—I think it is miserably insufficient in numbers. I say that, because I have had continual representations from local bodies in my own electorate, and in the vicinity, asking me to see the Minister of Defence with regard to stationing a constable here, and a constable there, and complaining generally that they wanted a larger measure of protection than they received. There are not enough policemen. I always refer these matters to the Minister.

312. *The Chairman.*] I would like to know whether your present observation was limited to that night?—Yes, altogether.

313. Now, with regard to other breaches of the law. Our attention has been so much directed to this one particular statute affecting the liquor traffic, and the men telling us were of your opinion. Is the work of the police not done in as efficient a manner with regard to the Licensing Act as it is with any other offences which are upon the statute-book?—Outside the question of licensed houses, I should say that the police generally do their work in an efficient manner, so far as I know, and it should be taken into account that the duties of the police have been considerably increased by legislation in late years. That is often lost sight of. We are putting more work upon the police, and not increasing their numbers.

314. I understand there is no constable stationed at Belfast, nor at New Brighton?—I have had bitter complaints from New Brighton, and Sumner.

315. The resident population at New Brighton is many times greater than the resident population at Sumner?—There would be a difference of opinion between New Brighton and Sumner on this. The population of New Brighton by the last census was about nine hundred or a thousand; but it is largely increased daily by visitors.

316. Do you happen to know what is the population of Belfast?—The population of the actual census district, in which Belfast was included at the last census, was about six hundred.

317. We were informed it was 3,000?—That would take in a fairly wide district.

318. *Colonel Pitt.*] Can you tell me whether the larrikin element is a nuisance in Christchurch, to your knowledge?—I may say, with regard to that, that I think there is a large section of the young people of both sexes who are in a state of demoralisation, and that they are becoming something little short of a public nuisance.

319. Do you think that the Police Force requires to be strengthened in numbers in Christchurch to cope with that?—Not only with that, but with other subjects.

320. *The Chairman.*] In your opinion, the Force of the city and out-stations requires numerical increase?—Yes.

321. *Mr. Taylor.*] You referred to one particularly busy hotel; can you give us an estimate of the number in it?—It was particularly crowded, and I should say there were fully one hundred persons present, and probably more in the passages and the bar. We had to force our way through to get to the counter.

322. *The Chairman.*] Was that any special Sunday?—It was in the summer time, and the weather was warm.

323. Any festival on that Sunday?—No, it was not a holiday.

324. *Mr. Taylor.*] It was not for want of opportunities there were not forty prosecutions, you say; do you not think there could have been four hundred, if the police had been vigilant, in a city of this size?—Well, I should not like to say that, because there are about forty or fifty hotels within the limits of Christchurch, and four hundred convictions would mean eight prosecutions of each house in the year, and they would not expose themselves to that extent.

325. There are fifty-two Sundays in the year?—Yes; I suppose there are fifty-two opportunities to sell liquor.

326. Is not your use of the number "forty" quite figurative?—I suppose it is; I wish to keep under the limit.

327. Have you any objection to give the names of these houses?—I would not give the names of the hotels, nor of my companions.

JOHN WILLIAM SIMMS, examined on oath]

328. *The Chairman.*] What are you?—Printer, residing in Christchurch at present.

329. *Mr. Taylor.*] Were you not in the North Island in 1894?—Yes.

330. Where?—In Wellington I was stationed.

331. Were you arrested by Sergeant McArdle?—At his instigation.

332. On a warrant from Masterton?—Yes.

333. At McArdle's instigation?—Yes.

334. Were you remanded to Masterton?—Yes.

335. What took place when you got to Masterton?—It was a case of the larceny of a coat, which was sold to a second-hand dealer; and he took me in front of the sergeant and told him distinctly that I was not the man who sold the coat, and, in the face of this, the sergeant went on with the proceedings. The case was ultimately dismissed.

336. *The Chairman.*] You suggest the sergeant should have discharged you on the man making that statement?—I thought that was sufficient grounds.

337. *Mr. Taylor.*] Was the case heard before a Magistrate?—Yes.

338. And were you discharged?—Yes.

339. Did the Magistrate make any comment on the case?—Yes; he said that the evidence had completely broken down, and that it was a case of mistaken identity; and he dismissed the case, at which there was some applause in the Court.

340. Did you suffer any loss by it?—Yes; it meant a matter of between £50 and £60 I estimated my loss, as I was to go to work; and, in having to go to Masterton, the man would not wait for me and I lost the employment.

341. Did you petition the House for redress?—Yes.

342. What was the result?—They allowed my travelling and legal expenses that I had incurred.

343. Is this a copy of the report of the Petitions Committee in the House? It is as follows?—

ABSTRACT of Report of the Public Petitions M to Z Committee of the House of Representatives on the Petition of John William Simms, of Wellington.

THAT the attention of the Hon. the Minister of Defence should be drawn to the action of Sergeant McArdle, of Masterton—in pressing the prosecution of petitioner at Masterton, on 11th May, 1894, when the Stipendiary Magistrate, after hearing the evidence, dismissed the case—and check the evident over-zeal of the police, which in this case has resulted in great loss and injury to the character of the petitioner, which loss appears to this Committee to be without any remedy.

5th September, 1894.

GEORGE FRIEND,
Clerk of the House of Representatives.

344. I would like to ask whether you have been in any hotels in Christchurch at the same time as police-officers have been there?—Yes.

345. Will you tell the Commission under what circumstances?—It was off a passage between the *Lyttelton Times* office, in Gloucester Street, and the Central Hotel.

346. The passage runs from Gloucester Street to the Square?—Yes, and the passage from the right-of-way runs up towards the river.

347. Was it on a week-day or a Sunday?—It was near midnight, either on a Saturday or Sunday.

348. When?—In the autumn of 1893.

349. Tell us exactly what happened?—I was invited with a friend to go in and partake of liquor. I was taken into this hotel. I did not know my way there, and I found myself in an underground bar; and to my surprise, when I entered this bar, I saw two police-officers at the bar. I went back, not knowing what was wrong, and informed my friend, who had stopped for a moment to speak to some one just outside the door. I told them that there were two police-officers in the bar. He came in to look, and then we both went in.

350. Were they at the bar?—Yes, during the whole time we were there.

351. Did you order drinks?—Yes; and we retired and left them there.

352. *The Chairman.*] What were they doing?—They were drinking.

353. You saw them?—I saw glasses in front of them, but I did not see them put them to their lips.

354. *Mr. Taylor.*] They were quite at home there?—Yes; there were several people there.

355. Were these men in uniform?—Yes, decidedly, or else I would not have known them.

356. They did not seem so nervous of you, as you of them?—Not at all.

357. Have you on other occasions seen police-officers in a state of intoxication?—Yes, in Wellington. I was going ashore one night from the steamer "Brunner," from Nelson.

358. What date?—About 1890, as near as I can remember. At the bottom of Cuba Street, or where Manners Street intersects Cuba Street, I was stopped by two policemen, who wanted to know what my luggage contained, and one of them was well on in the first stage of drunkenness.

359. *The Chairman.*] What time was this?—About 1 o'clock in the morning. I opened up my luggage; and the one who was sober could see what it was, and I was allowed to pass on after giving my name, and stating where I lived, and all particulars.

360. One of these was evidently in the first stage of drunkenness?—Yes, he had been drinking.

361. And the other was sober?—Yes.

362. *Mr. Tunbridge.*] Who gave evidence against you at Masterton?—Well, if you could call it evidence.

363. Witnesses were called, were they not?—Yes.

364. Who was that?—The man who sold the overcoat.

365. Was not the owner of the coat called?—No.

366. Who was the owner of the overcoat?—That I cannot tell you now. He was a farmer in one of the outlying districts outside Masterton.

367. You mean to say he was not in the Court?—Not to my knowledge.

368. He was not called to give evidence?—No.

369. Not to prove the loss of it?—No, I did not see him there, nor hear of it.

370. Did you hear the evidence taken?—Yes, all of it.

371. And do you say, or is your memory defective, that the only witness called in the Court was the man by whom the overcoat was sold?—No, another man, the cook of the hotel where I was staying, he was called.

372. What was the nature of his evidence?—He stated when I came to the hotel where he was cook, and when I went away.

373. Was there any evidence proving that the coat had been stolen?—Yes.

374. Who gave that evidence?—I understand the man who lost the overcoat laid an information to the police.

375. Was not that man there to confirm that evidence in your presence?—Not to my knowledge. He was not up in the witness-box while I was there.

376. How did the sergeant open the case to the Magistrate? Did he tell him it was a case of mistaken identity, or that he had reason to believe it was a case of mistaken identity?—No, he went right through with it.

377. Then, a sworn information was laid by the man who lost the overcoat?—I suppose he reported the loss of his overcoat at the police-station, and they went to find out where the overcoat was, and found it at the second-hand dealer's.

378. You mean to say there was no evidence of the loss of the coat given when you were there?—I did not know the owner of the coat.

379. Is your recollection of the case so clear that you are satisfied now he was not called to prove the loss; or might he have been called, and you have forgotten it in the confusion of the time?—That may be so; I have no recollection of it.

380. At any rate, you are clear there was a warrant issued?—I had papers given to me by a detective, who came to my house at 10 o'clock.

381. You said you were arrested on a warrant?—No.

382. As regards these two constables you saw in an underground bar, do you know the names or numbers of these two constables?—No; I did not take as much notice of them as that.

383. When did you first make any reference to this to any person?—I do not know; I have not disguised the matter from any one who asked me.

384. Can you say to whom you first made any statement which has brought about your attendance at this Commission?—I have told my mother and father about it, for one.

385. Did they tell Mr. Taylor?—No.

386. Who told Mr. Taylor?—I told him about it.

387. When?—About a month ago.

388. Did you at the same time tell him about the constable who was in the first stage of drunkenness, in Wellington, in 1890?—I told him that too.

389. Then, you allow this thing to go on for about seven or eight years, and then bring it up?—I did not think it was of any importance; otherwise, if I had thought it was important, I should have divulged it sooner.

390. You are about a good deal at night?—No, I am not.

391. You are connected with the newspaper trade?—I am a jobbing printer.

392. Does your business not take you out much at night?—Certainly not.

393. You have come here now and given your experience of the drinking habits of the police?—Yes, one.

394. How long have you been in the colony?—Since 1857.

395. And the sum total of your experience, as given to-day, are these two cases?—Yes.

MONDAY, 25TH APRIL, 1898.

GEORGE SPENCER FLEMING, examined on oath.

1. *Colonel Pitt.*] What is your name?—George Spencer Fleming.

2. Where do you live?—Port Levy.

3. You are a Justice of the Peace?—Yes.

4. How long have you been in the colony?—Forty-seven years.

5. *Mr. Weston.*] You possess a large stake in the country?—Yes.

5A. *Mr. Weston:* Before going into the specific charges you have made, I would like you to address the Commissioners on your views in regard to the administration of the Force, and the conduct of the police, and so forth, generally.

Witness: I wish to say that I think the police should be on the same footing as any other labourer. The policeman is a labourer when he first enters the Force.

6. *Colonel Pitt.*] Do you mean he should be on the same footing as regards pay?—Yes. The Chairmen of the County Councils and Road Boards should be consulted as to what they pay labouring men, and the police should receive the same wage; and as they go on in the service they should be given increases in pay.

7. *Mr. Weston.*] What do you think should be paid to start with?—We only pay 5s. to a labourer in the country, and that does not carry with it any doctor's attendance, any pension, or any free clothes, and some men getting that are able to save £40 a year. I can mention two or three men who are putting that sum by.

8. As the police prove their efficiency, you would advocate promotion, with increased pay?—Yes.

9. Do you think 7s. would be sufficient to start with?—I say the pay should be 5s., 6s., 7s., and 8s. That is what the labouring men all over the colony get.

10. *The Chairman.*] Do you think that pay should be general throughout the colony?—Yes.

11. What class of labourer is paid 5s.?—County Council and Road Board laborers get that. At Port Levy we can get hundreds at that rate.

12. *Mr. Weston.*] If that was sufficient for men in the country, what should be given to constables in town, where the expenses are heavier?—Well, I think that in town a house might be got for almost nothing now. They are not so dear as they were some years ago.

13. As regards marriage, do you advocate the appointment of married men or single men?—I think single men should be employed in some cases; but at Little River, for instance, where Constable Ryan is, it would be better to have a married man. In Christchurch, I think, single men should be employed. As far as age is concerned, I think fifty should be the limit of service.

14. In your opinion, as a man of observation, do you think there are enough constables in the Canterbury district?—I think one should be appointed at New Brighton. Christchurch has sufficient, I think. In Inspector Broham's evidence he said there were more police some years ago for half the number of the present population; but it has to be remembered that in the old days there were "lags," or ticket-of-leave men, about who wanted looking after. Twenty years ago at Akaroa five hotels were burned down, and two were set on fire, and one of them set fire to again; but no offence was proved against any one, although one man was arrested. This man was discharged. I do not think that that shows that the police were better in those days than they are now.

15. The perpetrators were not discovered?—No. The principal thing they did in those days was to look after the runaway sailors, and now they look after the publican and the prostitute. As for changing, I believe in the country constable being changed every five or seven years. He does not like to arrest a man of whom he has made a friend. In towns I do not think it is necessary to change the police unless they make enemies. The Inspector and the chief detective should stay in the one place as long as possible.

16. Are the country constables likely to be prejudiced through their associations with the people around?—I have not found it in my district. Constables Ryan and Lamb were in my district, and we could not have had better men.

17. You think they maintained the true and right position that a constable should assume?—Yes, I think so. I think they were a little careless, perhaps, when I lost my sheep. I do not think they took the trouble to find them that they should have taken; but that is the fault of the system, and not of the policemen.

18. Have you had occasion to complain of the absence of energy on the part of the police department in this district?—Christchurch?

19. The whole district?—Perhaps in some cases they are too vigilant.

20. But in other cases?—They are a little careless. I mean that they would not follow up a case. In the Akaroa case, for instance, which I have mentioned, they should have followed it up to the present day.

21. In sheep-stealing cases do you think they have shown an absence of energy?—I think so. Out of some thousands of sheep that have disappeared in the last few years they have suspicions of no one, so far as I know. I lost some sheep myself, and I reported the matter to Constable Ryan and also to the station, but I do not know that any inquiries were made about the matter.

22. Does that apply exclusively to your own sheep, or to the sheep of others?—To others as well. Randall's cattle were stolen about two years before mine, and I am frequently losing sheep. I lost five hundred one year, and eight hundred another year. Buchanan lost a thousand sheep, and Menzies lost the same number. I afterwards saw one of my stolen sheep in the Addington saleyards. It had peculiar hind-legs, such as I had never seen before, and I knew it by that; but I did not have it registered.

23. Do you think that with a capable Force the perpetrators of these offences would have been discovered?—I think so.

24. *The Chairman.*] These losses extended over what period?—About four years. Every time I leave sheep at Addington I lose some. At one time it was a common thing to leave them a day or two, and I always found I was a couple short. When I spoke to the Inspector he thought it was impossible to steal sheep off the Peninsula, but it is not.

25. Who was the Inspector?—Inspector Broham.

25A. How would you proceed to bring home the crime?—There are several ways. In some cases sheep are lost through people sending a man to the wrong paddock for their sheep; and perhaps the man is at Timaru before you find out that you have lost them. In another case a dog might cut a dozen sheep out of your flock, and you would not miss them; or a man might go into any paddock and take out some sheep, and there is nothing to show that they are stolen. The owner might think it was his own men who had taken some away.

26. What action should the police take to prevent that?—I think police vigilance would stop it.

27. If a policeman had been on duty at the paddock from which the man took the wrong sheep how would he know the man was going to the wrong paddock?—He would not know; but the thing would leak out. For instance, I lost some wire netting some time ago, but I would not put the matter into the hands of the police, yet I found out who stole it. I will tell you how I found out. A servant of mine told me that two men suspected of the offence had been drinking in a hotel, and they had a row, and one man said to the other, "I will split on you about that wire you stole from Cashmere." Detective O'Neill was working the case up, and although he was satisfied it was my wire he could not bring home a case against the men.

28. Do you suggest that that was negligence?—No; but I say that if a policeman had been drinking about the hotel he would have heard that statement. I think the Government should offer a good reward for evidence as to the sheep-stealing, or a free pardon to the offender. If the Government will not do that I will give £500 myself, and I am sure that within three months there will be some one forward with Queen's evidence. I think the only way the "horse fiend" will be caught will be through a servant-girl. He must have used a hair pin, or a wire, because he stabs the horse near the heart.

29. What do you suggest that the police should do to discover the perpetrator of that crime?—I think £100 ought to be given to the servant-girl who will give evidence as to the wire.

30. If the girl gives the information that leads to a conviction she will get the reward of £500 now offered?—But she might be frightened, and think she will get the wire stuck into her.

31. Do you think the Force should be increased to enable the police to deal with these crimes?—No. I think that in my district, for instance, Constable Ryan is enough.

32. *Mr. Weston.*] When you missed the sheep, you saw Inspector Broham. How did he receive you?—I thought he was rather arrogant and bounceable. I will own that I made a mistake when I went to him. I told him I had no shepherds; although I have 20,000 sheep, and 7,000 acres. I call them all "labourers," but we are really all shepherds on the estate. Inspector Broham then said, "I expect you wish me to shepherd your sheep."

33. Is that your sole evidence for attributing arrogance and bouncefulness to Inspector Broham?—Yes. He also said that people were always going to him about sheep-stealing. In my case I did not report my loss to him until the following year.

34. Now, there is another point about which you wish to address the Commissioners—as to the hats the constables wear?—Yes. I am not good at detecting the number on a detective's hat, and I think the number should be put in the front, where it will be seen, so that if any one is having a row with a constable, he will be able to detect the number.

35. You have recently been Home, have you not?—Yes, and I think the London Police are the smartest I have seen in my life.

36. What do you think of the physique of our police?—I would have any of our population as police?—There is George Robertson, weighing 17 stone, and, although he threw Donald Dinnie, a man of 10 stone threw him.

37. *The Chairman.*] Do you think that small men would be of use in the Force?—Yes, I weigh 14 stone, and I know that there are 10 stone men who can thrash me. I can tell a policeman a mile away from my place, just on account of the upright way they walk, and on account of their size. If you had a little fellow, however, about 10 stone, and standing 5 ft. 6 in., you would not suspect him of being a policeman.

38. You think there should be some variety among the police?—Yes; any man, as long as he is strong.

39. *Mr. Weston.*] What is your opinion with regard to the franchise?—I believe in a free country, and in every man doing as he likes. I would allow every policeman to have a vote, and his wife too.

40. What is your opinion about the detective service?—I think a detective should be a long time in a place, as it takes a long time to get up to the run of the ropes. There is no man in Christchurch knows the run of things better than Detective Feast.

41. Do you think that the Detective Force generally is sufficient?—I think the detectives ought to have brought home to the offenders that case of mine as to the wire-netting, seeing that the man admitted it. It could have been got out of him in some way.

42. What do you say about the detectives stationed at Christchurch?—I do not know them. I think that as a constable Fitzgerald was good. As to the statements written by the detectives, I think the party charged should himself write it, and not the detective. The plain facts would then be written, whereas the detective might make it appear as something very different.

43. In other words, the practice of taking down evidence is objectionable, as the constables might write more than the witness had stated?—Yes, and add a little more.

44. Have you anything more to say about the Detective Department?—I do not know all the detectives, but I think they should be smarter than they are. It is a business that is born in a man.

45. As to night duty, do you think that the eight hours' work is too hard on a man for fourteen nights in succession?—I have never tried it.

46. But do you think the eight hours' duty is too much without relief?—No, I do not think so. On a wet, cold night it is perhaps not a pleasant job, but there are worse things. I would like to say that I would not object to a constable having a "nip" on a cold night. I believe it prevents a man from taking cold.

47. *The Chairman.*] Do you know they are not prohibited from taking a drop of whiskey at night if they carry it with them?—I think it would do them good to go to the public-house.

48. But the houses are closed?—I understand they can get in by giving the policeman's knock.

49. *Mr. Weston.*] You think that up to the hour of closing a constable should be allowed to occasionally enter a publichouse?—I think it is the only way you can get to understand the public-house. That is why the temperance people do not understand the publichouse question, because they never go to them.

50. What are your views in regard to the administration of the licensing laws? Have you found excessive drinking on Sundays in the hotels?—I have travelled pretty well all over New Zealand, and I have never seen a bad house yet. I have seen men drinking, but it is hard to say whether a man is a traveller or not.

51. Are the hotels in New Zealand managed properly and creditably?—Yes. I would sleep in any hotel in New Zealand, and feel safe.

52. Have you seen much Sunday trading?—I have seen some, but the persons drinking might have been travellers.

53. As an old settler, and as a Justice of the Peace, do you consider that the Prohibitionists are rather extravagant in regard to their views, as to the management of hotels and Sunday trading?—Yes, I think so.

54. *The Chairman.*] Do you say the police watch the hotels to the exclusion of other duties?—Yes. They might watch the hotels less, and other things more.

55. *Mr. Weston.*] And you think the police should enter the hotels occasionally, to see that the law is not infringed?—Yes.

56. In regard to gambling among the people, do you consider there is any occasion for further legislation, or further interference on the part of the police to prevent it?—I never gamble, and I never see it. I have seen people playing cards in a publichouse, but that was only in passing through. I do not know to what extent it was carried on, and they may not have been playing for money.

57. What is your view in regard to the manner in which the police deal with larrikinism?—I think it is better now than it was four or five years ago. I know that, on one occasion, a policeman saw a larrikin spit on a girl's dress, and follow her along the street, still spitting on it, but he did not arrest him.

58. As a matter of fact, the police admitted that the larrikin followed the girl?—Yes; it was in Hereford Street.

59. When was this?—About ten years ago—when Jonathan Roberts escaped.

60. What about larrikinism in the park?—I do not know anything about it.

61. As a Justice of the Peace, do you think that a policeman should be permitted to act as Clerk of Court?—If he has nothing else to do, he should.

62. Would it be interfering with his duties as a policeman?—I do not think it would. Constable Ryan, in my district, understands the Police Offences Act, and could act with advantage. Where the people are quiet, a constable might take up the duties. The offices of Inspector of Slaughterhouses and Dog-tax Collector might also be given to him, as it would assist him to find out things about the country. It leads him into places that he would not otherwise go to.

63. So that, notwithstanding what the Prohibitionists or any one might say to the contrary, you advocate the occasional if not frequent entrance of the police to the publichouses?—Yes; and if he took to drink he could be dismissed.

64. I believe you entertain very strong opinions in regard to the manner in which the police treat the unfortunate women of the town?—I think they are too hard on them; and I think they do not know the law on the matter, not even Inspector Cullen. They think a policeman can go in at any time without a warrant, but that is not so.

65. What are your views, and what complaints have you to prefer, against the administration in that respect?—I think the unfortunates are few, and if they wish to protect themselves against the police they would need to employ three or four “chuckers-out.”

66. You think the police should not enter the house without warrant?—No; not unless there is a disturbance going on.

67. As a matter of fact, do the constables enter these houses without warrant?—I have seen them, and I could bring forty women to say so.

68. It is generally understood?—Yes.

69. *The Chairman.*] You say it is unjustifiable, and that your view is supported by a legal opinion which you have received?—Yes.

70. *Mr. Weston.*] Are these unfortunate women, in your opinion, unduly interfered with in the public streets?—I have not seen it; but there are cases coming before the Commission to show that.

71. Do you think the police give proper attention to the public sales, and are sufficiently represented there to keep order?—At Darfield I saw a sale as large as a sale at Addington, and there was no policeman there. I know a man who was there who gets drunk with one glass of drink, and two drinks will make him fall off his horse. Some men of that kind want more looking after than they get. I believe a policeman was at Darfield part of the day, but not all the day. In the interval he may have been away on other duties. At picnics there is apt to be a disturbance sometimes, and I would like to see a policeman go with every picnic party. In Constable Ryan's district it would be better for him to be at any picnic than at a place like Little River. He should go anywhere where there is a big gathering of people.

72. As a matter of fact, Port Levy is a favourite resort for picnics?—Yes, Port Levy and Purau.

73. You think the police should be at public picnics?—Yes; and I would like to see them at private ones as well.

74. Do you complain of Constable Ryan's absence from public gatherings at Port Levy?—No. I have asked him to come to large gatherings at my place, and he has failed to come. There was a gathering once at which a man was stabbed, and I thought after that that the police should be there.

75. Is there any other point on which you wish to address the Commissioners?—I do not know whether it is lawful for bicyclists to go on the wrong side of the road, but it is very annoying to citizens.

76. You think the police should see that the rules of the road are observed by bicyclists?—Yes.

77. Do you consider that the police should be supplied with bicycles?—I think they should. It would mean that they would do twice the amount of work that they do now.

78. Is there anything else you wish to speak about?—I think that in front of Tattersall's the people should be moved on on a Saturday night. It would be better. In some places the police are too vigilant, and do not use any discretion between dealing with the citizen and the larrikin, as they should.

79. You have reason to complain?—Yes. Once I was going into Burke's Hotel with a little bag in my hand, and a policeman asked me what I had in it. This was at night. I said he could look and see. He looked, and found there was nothing but a pair of boots, which I had had on at a dance that night. I spoke to him pretty freely, as to what I thought of his conduct, for treating me like that.

80. Is that the only occasion on which they were too vigilant with you?—On another occasion when I could not get in at the door of the hotel—it was bolted, by mistake, inside—a policeman spoke to me; but I satisfied him that I was one of the lodgers of the house, and I had no trouble with him. On another occasion, after a party at Hobbs's Buildings, I was taking some liquor to the hotel from the building, and three policemen asked me what I had.

81. *The Chairman.*] You do not find fault with them for doing that, do you?—No; but what I say is that if I thought a man was a burglar I would follow him, if I was a policeman.

82. Do you not know that men are often caught in that way with stolen goods in their possession?—Yes, that is so; but if the men had been followed, the whole nest of them would have been found.

83. *Mr. Weston.*] In these complaints you have indirectly made against the police you are not actuated by any ill-feeling?—No; I do not know one of them, except Fitzgerald.

84. Now, have you anything more to say about your charge against Constable Ryan—that he failed to be at the gathering at your place in accordance with promise?—I understood that, as a Justice of the Peace, if I ask him to come he is bound to come.

85. *The Chairman.*] The usual course, and the proper course, if a Justice of the Peace considers it necessary to have the attendance of a constable anywhere, is to communicate with the Inspector, who will direct that a constable should be there?—Yes. I only wish him to arrest any man at the gathering if there should be a disturbance.

86. *Mr. Weston.*] Is that all you have to say in regard to that charge?—Yes.

87. Then, what have you to say against Constable Ryan for vexatiously requiring you to make unnecessary alterations to your woolshed?—It might have been under the Act that he acted, but the house was better before it was altered than afterwards.

88. *The Chairman.*] The complaint was against the accommodation?—Yes.
89. *Mr. Weston.*] Before you received the notice what was the accommodation?—It is a building 30 ft. by 40 ft., and there were store-room, dining-room, and kitchen. There was another room for the Maoris to sleep in and to have their meals in. Upstairs there were three rooms where the shearers slept. A room in the centre did not have a window, and I got notice to put a window in it. We had to take all the partitions out of the upstairs part and make it one large room.
90. *The Chairman.*] Did you appeal to the Magistrate against the orders he gave you?—No.
91. You know that was the proper course?—No, I did not know. There were some men in occupation of the shed that year, and I thought I was not liable. The men did not complain.
92. *Mr. Weston.*] Then, you charge the police with neglect about two years ago in discovering those people who stole 2,000 of your sheep depasturing at Kaituna; a number of sheep belonging to one Hugh Buchanan, at Little River; 300 cattle belonging to one Randall, of Akaroa Heads; and 1,000 sheep belonging to Mr. Menzies, of Macintosh Bay. About two years ago you had a flock of sheep on your place, had you?—Yes, it was about three years ago.
93. What was the size of the flock?—I think that, with the lambs, I had 20,000.
94. Did you miss any sheep?—Five hundred in the first year.
95. Did you report the loss to the police?—I am not sure whether I did or not.
96. The next year you lost—how many?—Eight hundred, and I reported it to the police.
97. Whom did you see?—I saw Inspector Broham, at Christchurch.
98. What did you tell him?—I told him that I had lost some sheep.
99. How did he receive you?—He seemed to get rather out of temper, and said that it was impossible to steal the sheep.
100. Was he bounceable and arrogant?—Yes; but it was to some extent my fault, as I said I had no shepherd.
101. What was the result of your visit?—Constable Ryan came to my place soon after to see about the sheep.
102. When Constable Ryan came to you, what was done?—We arranged to meet on the ground at Mr. Field's, where the sheep were, and when we met there we went over the ground looking at the fences. Then, we met at Field's house in Kaituna.
103. What then?—We did not know what to do, and nothing definite was done. Then I went home.
104. Was anything heard after that of the police inquiry?—I heard of nothing. I went to Leeston, and saw Constable McCormack, thinking the sheep might have been driven through that district.
105. And the matter was allowed to drop?—I think so.
106. At any rate, that is your view of the case?—Yes.
107. And that is the ground of your complaint?—Yes. I think if the police took as much trouble about a case of that kind, as they do about the publichouses, they would find some of these sheep-stealers. I refer now to the country police.
108. Did you report the third loss to the police?—I was not so sure about it. I had some sheep, including cull lambs, on Mount Herbert, and among them was this peculiar sheep.
109. *Colonel Pitt.*] How many did you lose?—Three hundred or four hundred were short when I got them in; but, of course, I could not say how many had died.
110. *Mr. Weston.*] How many were stolen?—I think about three hundred; but sheep always come in short.
111. When you found this peculiar sheep in the auction yard, did you communicate with the police about it?—Detective Benjamin went to the yards every day after I made my report to the police.
112. *The Chairman.*] That was something that was done, then, in consequence of what you stated to the Inspector?—Yes.
113. *Mr. Weston.*] From that time to the present have the police communicated with you in any way in regard to the losses you have referred to?—No. I have received nothing official.
114. And further inquiries have not been made from you?—No. As to the peculiar sheep I saw at Addington, I may say the reason I did not follow it up was that it did not have my registered earmark on it.
115. Then, you have another complaint against Constable Ryan—that on the 25th May, 1896, at Port Levy, he did not take sufficient trouble to investigate a charge made by you to him against one Spain, for drawing a knife and assaulting a man named Janson. What have you to say about that?—It was a big disturbance, but it came to nothing. I swore in special constables.
116. What were the circumstances?—The trouble arose at my woolshed.
117. You had a large party there?—Yes. I invited the people to come on the night before the Queen's Birthday and have a dance, to be followed next day by a picnic and shooting party, and there were about two hundred came. Five of us got up the affair—it was a kind of bachelor's ball. I had a case of whiskey, and a neighbour brought eight bottles of whiskey, and there might have been half a dozen of wine. All the rest of the drink was temperance drink.
118. Was there a disturbance that evening?—Towards morning the man Spain got a bit rowdy. He was not supposed to be there at all; but, as there was a misunderstanding among the men I had arranged to do the waiting, they did not come, and when Spain offered his services I took him, and he did very well. He had evidently been at it before. It was to be a sort of a "swell" dance that night, and on the next night the men were to have a dance of their own. I was not there when Spain made the disturbance. The window of the store-room was broken in, and later on the door was burst in. Well, at 3 in the morning Spain got rowdy, and some of the men asked him to be quiet. I would like to say that the dance was all right on the first night. It was the men's night that was rowdy. I was actually on my way to the

place when I was met by a boy, who told me there had been a row among the Russian Finns at the woolshed, and that one man had drawn a knife. There were English, Irish, and Finns, and others in the crowd. Before I went in the building I swore in a Finn as a special constable, and told him he had the power of a constable to arrest. I also swore in a Maori and an Irishman. I did not go through any form with them; I did not know it. I simply said to them that they would act as special constables.

119. Now, tell us what Spain did?—Spain went quietly away from the building, and I put the lights out. Next morning I saw Constable Ryan, and Spain was arrested by him for breaking my furniture.

120. Did Spain draw a knife?—I do not think he did.

121. You charge Constable Ryan with not taking sufficient trouble to investigate a charge made by you to him against Spain, for drawing a knife and assaulting a man named Janson?—Then, perhaps, I should only say assaulting Janson; but I will leave it to the witnesses to say.

122. What became of Spain?—There was a case in the Magistrate's Court next day, and he was fined £1. I was so disgusted with the small amount that I paid it myself.

123. And what do you blame Ryan for?—He did not think the case was serious, and he did not think the man was a bad character.

124. But Ryan had him punished? Do you say that Ryan should have preferred a graver charge against Spain, or that he should have preferred an additional charge against him of breaking your property?—I do not know how the law stands.

125. *Mr. Poynton.*] You told the whole story to the Justices, and they fined him £1?—Yes.

126. *Mr. Weston.*] Do you think that Constable Ryan failed in his duty in not working up a case on a graver charge?—Yes, that is what I want to show. The man was taken away from my place late at night, and was tried at 10 o'clock next morning.

127. *Constable Ryan.*] Do you remember when you reported the case to me?—Yes.

128. Do you recollect the report you made?—I tried to explain the matter as well as I could.

129. Did you say that a knife was used?—I will leave that to the witnesses to say.

130. *Mr. Poynton.*] Have you any recollection of saying that Spain used a knife?—I said there was a row among the Finns; and he understands them as well I do. He knows they are very quarrelsome, and that they will kill a man as soon as look at him.

131. *Constable Ryan.*] But you will not say you told me that a knife was used?—I will not say I did.

132. What did the damage amount to?—It was not much. The amount was 8s.

133. You explained the matter in your evidence before the Justices?—Yes.

134. Do you remember that at the hearing of the case you showed a certain amount of animus against the man?—I thought I was rather in favour of the man than otherwise.

135. Were you not rebuked by the Magistrates for the way you were pressing the case?—No. I felt rather sorry for him, and that is why I paid the fine.

HUGH BUCHANAN, examined on oath.

136. *Colonel Pitt.*] What is your name?—Hugh Buchanan.

137. *Mr. Weston.*] You live at Little River?—Yes.

138. You have a large station?—Yes.

139. You are a Justice of the Peace?—Yes.

140. And an old resident?—Yes.

141. Have you at any time lost sheep from your estate?—Yes; but, as far as the police are concerned, they know nothing about it.

142. You have not made a complaint?—No. I employed my own labour to find out about it.

143. *Constable Ryan.*] Do you remember attending the Court in the case against Spain?—Yes. I will state the facts of the case to you. I think the charge was drunkenness, and breaking property to the extent of 8s. The case was heard at Little River, before Mr. Coop and myself. Mr. Fleming gave a good deal of evidence in the case. To save time I may say at once that, during the hearing of the case, he never mentioned that a knife had been drawn. Mr. Fleming impressed on the Bench the necessity of inflicting imprisonment for the offence, and I think he was told by the Bench that he was nearly as much to blame as the man himself. I think Spain was fined £1, but I am not sure about the amount.

144. *Colonel Pitt.*] Why did the Bench think that he was as much to blame as the man?—Because the liquor was practically left in charge of Spain, who was one of the waiters.

JOHN HENRY MENZIES, examined on oath.

145. *Mr. Weston.*] What is your name?—John Henry Menzies.

146. Where do you live?—At Macintosh Bay.

147. You are a sheep-farmer?—Yes.

148. Are you a Justice of the Peace?—I am.

149. Some time ago, I think, you lost a number of sheep?—About two years ago.

150. How many?—About 750. That is to say, I was short that number out of 2,000. It was a remarkable case, because they were wet ewes. The lambs were separated from the ewes, and the ewes were taken away. The 2,000 ewes had 2,000 lambs, because all the dry ewes had been taken out. They were then put into three paddocks, and when they were counted the lambs were there, but the 750 ewes were gone.

151. On missing these sheep, did you make a complaint to the police?—I communicated with Inspector Broham.

152. By letter?—Personally. It was some time after the loss that I saw him. The time of the loss was uncertain. It was when culling that the loss appeared.

153. What did the Inspector say?—He could say very little, as far as I could see. If I remember rightly, he told me that his force of detectives was at a very low ebb, and I was sorry to hear it; but he said he would do anything he could. He did all he could for me.

154. In what way did he act?—I cannot tell you. It was more or less in the nature of a secret inquiry.

155. *Mr. Poynton.*] Have you reason to be dissatisfied with the action he took?—No. I took strong action myself as well, by placing a man on the spot, and since then I have lost no sheep.

156. *Mr. Weston.*] So you think that the sheep-farmers can to a large extent protect themselves?—No, I think not. I think that our position is this: We are being robbed daily. Other people are being robbed now. A few bullocks and 50 sheep are constantly being taken away. I think that an organized gang, living probably some distance from the Peninsula, came in considerable numbers, and took the sheep away when there was no one there.

157. *The Chairman.*] Do you say it continues?—I have lost none, because I have a watch constantly on the spot.

158. Do you think it is continuing?—I think it is. From what I hear there was an idea that the proper course was to say nothing—to grin and bear it; but that was not my opinion.

159. What steps do you think should be taken by the Police Department to cope with this evil?—As far as we are concerned, if possible a watch ought to be placed at Little River. Every driver who is not a well-known man ought to be inspected. If possible, every driver who is employed by dealers should carry some kind of character with him, or some notice, and if an unknown man is seen driving sheep he ought to be questioned.

160. Does not every driver have a driver's certificate?—I cannot tell you. Numbers of owners drive their own sheep; but the greater number of the sheep are driven by dealers. If I met a man with a certificate I would have every confidence that those sheep were driven fairly.

161. Should the Police Department take specific action to meet the difficulty?—If urgently needed, detectives should be employed; and the local police should have means of keeping an eye on people they do not know. It is a crying evil, and it is going on now, and the loss is considerable. In my own case it was a loss of over £300.

162. *Mr. Weston.*] As a Justice of the Peace, apart from your calling as a sheep-farmer, do you consider that the Police and the Detective Forces are sufficient in number in this district?—I do not know anything about the Detective Force except what Inspector Broham told me, but I consider that the police in our district are just as good and no better than the police in most other places. As a rule, they have no special knowledge of sheep, and cannot, therefore, be expected to understand the question in the same way as a man who has. If a detective is employed, he should be a specially adapted person. In several cases the Inspectors of sheep have done a good deal of good, and have detected sheep-stealing in consequence of being experts.

163. Would you advocate the swearing-in of specialists in some cases?—It might be useful in some districts. But I should especially look on the drivers of sheep as the persons who ought to be inspected.

164. Is there any other matter on which you would like to express an opinion?—I think not.

165. *Mr. Poynton.*] Have you ever, as a Justice of the Peace and as a representative man in the neighbourhood, either by yourself or in company with others, represented to the Police Department the necessity of taking measures to cope with the evil?—I have spoken to Inspector Broham. I do not look upon the local police as men who would be of much use in the question. I do not complain of the police at all. I receive every civility from them.

166. *The Chairman.*] You think there would be more efficiency if there was a class of detectives expert in sheep matters, whose attention should be directed to the sheep-stealers?—And certain doors through which the sheep go. For instance, there is the Rakaia Bridge, over which the sheep must go. There should be a note taken of the drivers and the sheep taken through. I believe a great many of the stolen sheep go south. The dangerous period is at one time only—in the autumn. It is exceedingly difficult for people to deal with sheep in the winter time, and any one driving sheep over strange country in wet weather would be detected, as the marks would be plain. During cocksfoot time a great deal of ground is shut up, and that would be an obstacle. The same road leads to Little River, and it is through that that the principal sheep and cattle stealing is going on, I believe, now, in small quantities. We depend more on the earmark than on the brand, and in this district of Canterbury a man has a certain earmark in his own district; but a man in another district not far away may have the same mark, so that in Canterbury there may be three or four men with the same mark. I have tattoo branded all my sheep under 6-tooth on the tail, so that I have not only my own mark on the ear but also the tattoo mark under the tail. These tattoo brands can now be registered, and it is the duty of every one to do as I can do.

167. *Mr. Weston.*] In the event of your selling sheep with the tattoo mark, how would you get over the difficulty? Your brand would get into other flocks, and if you missed your own sheep it would be hard to say that the sheep you missed were not among the sheep you had sold?—There is that question, certainly; but a sheep having my earmark and not the tattoo mark would not be mine. It might be so planned that the tattoo brand should be my special mark.

168. *Inspector Broham.*] You left a long memorandum with me for the local constable?—Yes.

169. Containing suggestions?—Yes.

170. That is two years ago?—Yes.

171. It was for the constable at Little River?—I do not know what use was to be made of it.

172. Did the local constable communicate with you?—Yes, he came to me and took down a detailed memorandum of the facts I had already given you.

173. Have you lost many sheep since then?—No; but I attribute that to my having a careful watch.

174. You thought you had lost the sheep in the previous six months?—I could not say when they were lost, but it may have been six weeks or two months previously. They were lost at the dangerous time of the year—the autumn.

HUGH BUCHANAN, further examined on oath.

175. *Mr. Weston.*] You have heard Mr. Menzies' evidence in respect to the system for preventing and detecting the stealing of sheep. Do you indorse his remarks?—Yes, generally speaking, I can agree with them. Certainly something is necessary.

176. *The Chairman.*] Do you think the suggestion is practicable?—I think some one should be appointed having a special knowledge of sheep, and also of the district.

177. What is the rule with regard to drivers' certificates? Are they only required when passing from one Inspector's district to another?—I think that is so, but I am not sure about it.

178. If it was necessary to have driving certificates from the time they leave the station, would it be an advantage?—I do not think it would, as there are such a number of people on the Peninsula who drive their own sheep.

179. But should they not have drivers' certificates to fix the identity? Would it not facilitate the discovery of stolen sheep?—Yes; but it would be difficult to manage it. It would be very vexatious.

180. At present the drivers' certificates say that the sheep are clean?—Yes, that is all. I am certain they would never be required inside the Peninsula.

JOHN RANDALL, examined on oath.

181. *Mr. Weston.*] Your name?—John Randall.

182. Where do you live?—In Christchurch.

183. You have a station at Akaroa Heads?—I had.

184. You have sold it?—Yes.

185. A cattle-station chiefly?—Sheep and cattle together.

186. Do you recollect losing a mob of cattle?—Yes.

187. When?—About three or four years ago.

188. How many did you lose?—I do not know; but I reported the matter to the police.

189. Did you report it personally, or by letter?—Personally.

190. Whom did you see?—Inspector Broham.

191. What did he say, and what was done?—I cannot remember what he said; but I think he did all he could.

192. What were the circumstances of the loss?—I lost some cattle, but there were no particular circumstances.

193. When you mustered you missed a number?—Yes.

194. You think the police did everything they could to discover the offenders?—I think so.

195. Could nothing have been done, do you think, that was not done to detect the offender?—No, I do not think so.

196. Can you suggest any method by which that class of crime can be brought to the perpetrator?—No.

WILLIAM BOWES CLARKSON, examined on oath.

197. *Colonel Pitt.*] Your name?—William Bowes Clarkson.

198. *Mr. Weston.*] You are a dealer and grazier?—Yes, a sheep- and cattle-dealer.

199. Your business is a very extensive one?—Yes.

200. Did you hear the evidence given by Mr. Menzies, confirmed by Mr. Buchanan?—Yes.

201. Do you also confirm the method which Mr. Menzies laid down for preventing and detecting the stealing of sheep?—Yes, I think it would be all right.

202. *The Chairman.*] Is it a method that can be carried out by the police, or by the Sheep Department?—I think the Sheep Department could carry it out better than the police.

203. *Mr. Weston.*] Can you explain to the Commissioners how the thefts of sheep can be made?—I cannot understand how these sheep could be stolen and taken clean away—Mr. Menzies', for instance. It is one of the most inaccessible places on the Peninsula. How any one could draft the ewes from the lambs and get them clear away I do not know.

204. Seeing the place is so inaccessible, do you think the perpetrator of that crime could have been discovered?—It seems a very difficult thing, so far as the police are concerned, if they are not told until four months afterwards. The police cannot be blamed.

205. Mr. Fleming wishes me to ask you, How can sheep have been removed from his own place?—To take them out of the paddock and drive them away at night; but they could not be taken away frequently without some one on this side of the Peninsula seeing them.

206. Are there cases of sheep-stealing at Addington?—Yes; frequently a few sheep are stolen.

207. How is that done?—By some one taking what is not his own.

208. But how can it be worked without the owner knowing it?—I suppose the sheep are lifted over the fence.

209. *The Chairman.*] Can you make any suggestion by which the police can deal with sheep-stealing better than they do now?—If all the sheep-stealing was done on the Peninsula you could pretty well stop it by giving the police authority at Little River to examine all sheep. It is a gateway that all the sheep must pass through.

210. Have you reason to believe that sheep-stealing is a prevalent form of crime in the colony, or even in the southern part of this island?—We do not hear much of it, except from the Peninsula; and, although there has been sheep-stealing there, I do not think it is as extensive as the owners have thought. There are other ways of accounting for the losses.

211. *Mr. Tunbridge.*] Would it not be almost impossible to get a lot of ewes away from the lambs in the state described by Mr. Menzies?—I think it is impossible. I do not doubt Mr. Menzies' word, but I do not understand it.

212. Especially in so isolated a place?—Yes; the parties would have to deliberately yard the ewes.

213. Ewes in that state would be practically unsaleable?—They would be saleable as breeding ewes.

214. But they would be no use for killing purposes?—No. Another thing against them would be that they would make a great noise for the first day in travelling.

215. *The Chairman.*] And how would the lambs be kept away?—They would make a noise, too; but there are not many people there to hear them. I look on Menzies' loss as very nearly impossible.

216. *Mr. Tunbridge.*] What would be the effect on ewes with milk taken away from their lambs?—It would not make much difference.

217. At any rate, they would be unsaleable except for stock purposes?—Yes.

218. Do people steal sheep to sell or to kill?—I could not say.

219. You are a large dealer?—Yes.

220. One of the largest in New Zealand?—Yes.

221. You deal in thousands of sheep annually?—Yes.

222. Can you suggest any means of identifying sheep?—As far as the Peninsula is concerned, it would be possible to detect sheep-stealing by seeing that every man with a mob of sheep has a pass. It would be arbitrary action, but it would be effective.

223. But can you suggest any system of marking by which sheep could be more easily recognised?—No. Of course, if an owner goes to a factory he can see whether his mark has been registered there within a certain time.

ROBERT SHANKS, examined on oath.

224. *The Chairman.*] What is your name?—Robert Shanks.

225. *Mr. Weston.*] You are a commission agent?—Yes.

226. And a friend of Mr. Fleming's?—Yes.

227. Were you at Mr. Fleming's dance and picnic on the 24th May, 1896?—Yes.

228. Did you see a man named Spain there?—I do not know his name.

229. Did you see some one who made himself obnoxious?—Yes.

230. That was at the dance?—Yes.

231. What state was Spain in?—He was a little the worse of liquor.

232. Did you see Spain commit himself by assaulting any one?—No.

233. You had left?—Yes.

234. How was the dance conducted?—Very well conducted indeed, while I was there. There was nothing objectionable in any shape or form.

235. As a matter of fact, the drinks were more of a temperance order than anything else?—I did not see much liquor of any kind.

236. Did Mr. Fleming in any way induce annoyance or trouble?—No.

237. *Constable Ryan.*] Which dance do you refer to?—The dance on the first night, which was given to the strangers from Christchurch.

238. That was not the men's dance?—No; I did not see the dance among the men on the second night.

PATRICK RYAN, examined on oath.

239. *The Chairman.*] What rank are you?—First-class constable, stationed at Little River.

240. What is it you wish to tell us in connection with this matter?—With regard to the first complaint preferred by Mr. Fleming—that I failed to keep an appointment at Port Levy on a certain date—he called at my place in the morning, and asked me to go, as he intended to have a dance at his place that night. I promised him I would attend. Between 6 and 7 o'clock in the evening I made preparations to go to Port Levy, and in consequence of a change in the weather—it commenced to rain, and it was very dark, which would cause the track to be impassable between Little River and Port Levy—I did not go. I was influenced in my actions by the fact that about twelve months previously Mr. Fleming had asked me to go to a similar affair—a dance in the woolshed. I went there, and on arrival I found about half a dozen young ladies and about eight young men enjoying the dance in the woolshed, so that I thought this would be something after the same, and there would be no need for my services. I was pretty well satisfied there would not be. That is all I have to say regarding that. With regard to the complaint that I failed to investigate a charge of assault against a man named Spain, I may say there was no such complaint made to me in any shape or form as that Spain drew a knife. Mr. Fleming simply complained to me, when he called at the Little River Station on the 25th May, 1895—not 1896, as was stated—that on the previous night this man Spain, whilst under the influence of drink, had damaged some property of his—some crockery of his. This is the note taken from the police diary of the complaint made by Mr. Fleming on the 25th May, 1895: "At 9 a.m. Mr. Fleming reported that on the previous night a man named John Spain damaged property of his valued at 8s. Constable Ryan arrested the offender." That was the complaint. I arrested him on the same day, and brought him to Little River. It was on the Saturday, and he was tried on the Monday, the 27th.

241. He made no other charge?—He made no other charge. The offence with which he was charged was damaging property of the value of 8s. He was fined 20s. and costs by Messrs. H. D. Buchanan and W. Coop. I have only to add that was the only charge preferred in any shape or form by Mr. Fleming against Spain. It may have come out in the evidence that Spain, in being ejected, offered some resistance, but there was nothing said as to his using a knife.

242. *Mr. Poynton.*] It did not come to your knowledge that there was a knife drawn?—Never heard it mentioned. With regard to the sheep, I recollect getting two memoranda from Inspector Broham at different times regarding sheep being stolen belonging to Mr. Fleming. The first occasion, as far as I remember, the sheep were supposed to have been stolen some considerable time; and Inspector Broham forwarded the correspondence to the Akaroa police, and from them I received it to be noted, and I made inquiries into it. Later on I received another memorandum from the Inspector to the effect that Mr. Fleming had lost a large number of sheep from Kaituna, and instructing me to make inquiries. I went first to Port Levy and I saw Mr. Fleming, and got all the particulars from him that I could; and I also visited Kaituna, where the sheep were supposed to have been stolen from, and made all possible inquiries.

243. With any result?—No, Sir. I also circulated crime reports all round the district stations, with a copy to the *Gazette*, which would be supplied to all constables all over New Zealand. Mr. Fleming in his evidence said that McCormack knew nothing about it. McCormack would have been apprised by the crime report the same as other constables.

244. *Mr. Weston.*] As a matter of fact, you act as Clerk of the Court?—Yes, I do.

245. And as Clerk of the Court, I suppose, you saw Mr. Fleming when he laid the information in respect of the destruction of his property?—Yes.

246. Did you advise him as to the course he should pursue?—I took steps myself on his report.

247. Did you tell him what information he should lay?—Yes.

248. When you advised him as to the information he should lay, were you aware that there had been an assault committed at his place?—No, certainly not.

249. Did he not tell you that there had been an assault?—No. Had he done so I should have advised him to lay an information.

250. All he told you was that his property had been damaged?—Exactly.

251. Did he not tell you the circumstances under which his property had been damaged?—Yes.

252. What were the circumstances?—I understood there was a board which laid on the top of some oil-drums along the table, and that made the seat. This man took up this board, and brought it down on the table.

253. Did it not transpire that there had been an uproar?—Nothing more than that he had done this. Before he had time to make a second blow, some men who were present said they would not allow the boss's property to be damaged, and bundled the man outside. I spent several hours—in fact, a day—in Port Levy inquiring into the matter, and I was conversant with all the facts exactly as they occurred from several parties I inquired from. Mr. Fleming took me to the parties who he thought could supply me with the information.

254. With regard to the sheep, when you received information as to the sheep being lost you advertised the loss in the *Police Gazette*?—Yes; and I also sent a crime report to the district stations.

255. Nothing more was done?—I inquired all I could.

256. As a matter of fact nothing was done—no substantial action taken beyond what you have told us?—Of course, there would be the police on the look-out all round, through the crime reports they had received.

257. But, as a matter of fact, nothing more was done beyond what you have told us?—Nothing more.

258. In a case of such importance as the loss of so many hundred sheep, do you not think that every effort should have been made to find out the perpetrator of the crime?—Every effort was made, as far as I know.

259. Yes, by mere inquiry in the neighbourhood?—I did all I could.

260. I am not reflecting on you; but you just inquired round the neighbourhood as to whether John Brown or Thomas Smith had stolen sheep?—The chances were very remote of finding out the criminal, considering the time that had elapsed between the time that the sheep were supposed to have been stolen and when information was given to the police.

261. *The Chairman.*] As a constable, can you suggest anything else that could have been done?—I do not see what more could have been done.

262. *Mr. Weston.*] Did you go further afield than the immediate neighbourhood of your own station?—No, I did not, but I circulated reports throughout the country.

263. *Mr. Tunbridge.*] You circulated information throughout the whole colony of New Zealand?—Yes.

264. Full particulars?—Full particulars—the brands, and earmarks, and sexes of the above sheep, as reported to me.

265. And the approximate date when they were stolen?—Yes, according to Mr. Fleming's report.

266. And every possible particular you could gain?—Yes.

267. As a matter of fact, when you went over to Mr. Fleming's place, he had discovered some of these sheep?—Yes, he had; I think there were some seventy-five found on the track between Port Levy and Kaituna. They had strayed from the mob, and got into the scrub.

268. *The Chairman.*] You learned this from Mr. Fleming?—Yes. I think it was from Mr. Fleming's brother.

269. *Mr. Weston.*] Had you any reason to doubt that the sheep were lost by Mr. Fleming?—I could not doubt Mr. Fleming's word.

270. The questions of the Commissioner of Police simply amounted to this then: that whereas Mr. Fleming said there were so many lost, it turned out that there was that number, less seventy-five, which were subsequently found?—Yes. That number, reported as stolen, was afterwards discovered.

271. You have no reason to discredit Mr. Fleming's statement that the sheep were lost?—No.

272. *Inspector Broham.*] You received communications in both these cases from me?—Yes, the memoranda are as follow :—

CONSTABLE RYAN,—

George and Arthur Fleming, of Port Levy, complain that in June last they missed 300 sheep from a paddock of 200 acres, and when shearing lately they also missed 300 more sheep, but they think the whole 600 were gone in June last. They think they were driven to Christchurch by Little River, and they suspect one ———, a man well known at Little River, of being the offender. They say he goes about with sheep-dogs, though he has no business with them. Please pay every attention to the persons engaged in sheep- and cattle-dealing in your district, with a view to ascertain who the offenders are in this case. I feel assured there is more than one. Following so closely on the complaint of Messrs. Randall and Musgrave, it is evident that sheep- and cattle-stealing is being carried on largely on the Peninsula.

Please copy this and post it quickly to Constable Scully for his attention.
6th December, 1893.

T. BROHAM, Inspector.

Copied and forwarded to Constable Scully.—P. RYAN, Constable 232.—10/12/93.

Copied and respectfully returned. Every attention will be given to the above, and also sheep and cattle at Duvauchelle's sale-yards.—P. SCULLY, Constable.—12/12/93.

CONSTABLE RYAN,—

Mr. Fleming, of Kaituna, states that about the 16th March he placed 2,300 sheep in a paddock of 300 acres, rented from one Field, and on the 16th April, when he counted them, he missed 500—300 of them two-tooth and 200 lambs, all crossbred. Please attend to case at once, and, if you want the services of a detective, telegraph.
2nd May, 1894.

(Urgent.)

T. BROHAM, Inspector.

The Inspector.—Report attached.—P. RYAN, Constable 232.—9/5/94.

273. *Mr. Weston.*] Upon receipt of those communications from the Inspector, did you ask for a detective?—No, I did not.

274. Why did you not ask for the services of a detective?—I suppose I came to the conclusion there would not be much gained by it.

275. Why?—Because I could make all the inquiries myself that were necessary.

276. In the immediate neighbourhood?—In the immediate neighbourhood. By the crime-reports which I sent out the matter went into the hands of all officers outside my district.

277. If you were engaged in a case of murder, would you content yourself with just simply making inquiries in the immediate neighbourhood?—No.

278. If sheep-stealing be an important case, why should not you strive to bring the offender to justice, as in a case of murder?—Inquiries were made by other constables.

279. Upon receiving those letters from the Inspector, were you requested to come to Christchurch to confer with the Inspector?—No.

280. So that no communications other than those two letters passed between you and the Inspector?—Oh yes. There is a full report. That report will show what I did, no doubt.

281. Do you expect that we at this table could possibly suppose that crime could be brought home to anybody by the passing of these memoranda between you and the Inspector?—I told you already that I circulated reports through every station in New Zealand.

282. And so you expect crime to be brought home by the passing of memoranda between two or three people?—Exactly. I do not think you could walk from one station to another and give information.

283. Have you been in the habit, in cases of crime, of conferring with your superiors in authority?—Yes, I always do.

284. That is the universal practice?—Yes, I always do.

285. Why was not this practice adopted in this case?—You will see it has been adopted, if you look at the correspondence.

286. You told me just now the only correspondence between you and the Inspector were these very memoranda which were placed in evidence?—No, that is a mistake.

287. Did you see the Inspector on the subject?—No doubt the Inspector has mentioned it to me.

288. Have you been called to meet the Inspector to consider this case seriously, and devise means between you and the Inspector of discovering the perpetrator of that crime?—No.

289. As a practical man, in an important case do you not think that you should have been sent for to confer?—No, I do not think so. There would be nothing gained by it.

290. Why not?—The Inspector had my report; and if he had anything to suggest, of course, he would have instructed me in regard to it.

291. In any case in which you have been employed to detect crime, have you been sent for to confer with the Inspector?—No, I do not recollect that I have.

292. Do you know of any constable whatever in this district who has been sent for to confer with the Inspector at any time?—I cannot remember. I dare say there would be, but I cannot remember any particular case. Personally, I have not. I may have conversed with the Inspector over this matter. When I have come into town, no doubt he has mentioned this matter to me, as he would any matter of importance.

293. How long after the case was reported did you engage yourself in trying to find out the person who stole those sheep?—I cannot tell you the time. I made repeated inquiries from sources I thought I would be likely to obtain information—men that had to do with sheep particularly. I wish to read the following correspondence in connection with the matter :—

Police Station, Little River, 9th May, 1894.

WITH reference to attached, I beg to report that on Sunday 6th last I went to Port Levy and made all possible inquiry, but could find no trace of any person being seen driving sheep about the time Mr. Fleming's sheep would be taken. On Monday I went to Kaituna, in company with Mr. Fleming and Mr. Field, and we made a thorough examination of the fences all round the paddock where the sheep had been running, but there is no sign of the sheep

having been taken through the fence. If the sheep were taken down the Kaituna Valley Road they would have to pass through Mr. Field's yard, and it is impossible for them to do so without been seen or heard by Mr. Field. The only other way for them to get out would be to get on to the Purau Track and along the top, through Mr. Gardiner's, to the head of the Bay, Lyttelton. Mr. Fleming states that he has made thorough search in the Purau direction, but has found no trace of a mob of sheep being driven that way. I have examined the Purau line, going in the Peninsula direction, but there has been no sheep driven through there for some months, as the grass is not beaten down.

It is quite evident that the thief or thieves, whoever they are, do not live far away, as they seem to watch the movements of Mr. Fleming, and are in a position to take the sheep when they know there is no likelihood of their being missed for some time. For instance, when Mr. Fleming placed those sheep on Mr. Field's land, it would be well known that he would not muster or count them for at least a month; and if they were taken straight away the thief would have a clear month's start, and in that time could have them down in Otago, and almost, for a certainty, be clear of detection. Mr. Fleming does not suspect any one in particular, although he is of one opinion with me as to the thief not living far away. There is a man named ———, living in the top of Kaituna Valley; he always keeps a couple of sheep-dogs, and I think he would be quite capable of doing a bit of sheep-stealing, only he would have a difficulty in disposing of them without he had a confederate, as he is a frightened sort of fellow, without any pluck in him; all the ——— family are a bad lot.

There is another man in the neighbourhood who, some people think, would not be above sheep-stealing, and who would have every facility for disposing of them, as he is making his living by driving sheep and cattle for the dealers, and knows every inch of this country, he being reared on it—that is ———; but I have not heard anything that would lead me to look to him as the guilty party. Mr. Fleming states he is going to have a thorough clean muster of his sheep this present week, and if the missing ones do not then turn up, it would be satisfactory to have inquiries made by a detective; he also states that he will offer a large reward for their recovery and conviction of the offender. . . .

The Inspector of Police, Christchurch.

P. RYAN, First-class constable No. 232.

Police Station, Little River, 22nd May, 1894.

REPORT of Constable P. Ryan, No. 232, *re* supposed case of sheep-stealing from G. and R. Fleming, of Port Levy:—

With reference to above, I beg to report that I have been to Port Levy and saw Mr. R. Fleming, and he informed me that they found ninety-seven of the missing sheep in their own and a neighbour's paddock, where they lost them on their way back from Kaituna. In the face of this, and the fact that they have made such careful search and inquiry without finding any trace of how the sheep went, they are now under the impression that the sheep are not stolen, but that they must have made a mistake in counting them, and that they are still on the run.

The Inspector of Police, Christchurch.

P. RYAN, First-class constable No. 232.

294. Notwithstanding the recommendation that you made, there were no detectives employed?—My memory has been refreshed by these reports. In my report I said if the sheep were not found it would be advisable for a detective to make inquiries. In this report, dated 22nd May, Mr. Fleming admits to ninety-seven sheep having been found, and they had doubts as to the others not being still on the run.

295. *Mr. Tunbridge.*] As a matter of fact, from your last report, it was very doubtful if any sheep were stolen?—I had doubts when I made that report. That must have been my impression when I wrote that report. I expected that the sheep would turn up, as the others had done.

296. Under these circumstances you would not expect a detective to be sent down to find out whether the sheep were on the run or not?—No. I would not consider it necessary.

GEORGE SPENCER FLEMING, examined on oath.

297. *Witness:* With regard to these sheep, I may say that we thought for some time the sheep were on the run, and that is why we did not take steps in respect of the first lot. The second lot were put on a man's land, and counted as they were put on and taken off, so that we were certain as to the second lot being stolen.

298. *The Chairman.*] Do you say you never intended to convey to the constable that you were satisfied they were still on the run?—Well, that was my brother. My brother thought they could not be stolen; and I thought so for a good while.

299. *Mr. Tunbridge.*] Do you make any allowance for deaths among your flock?—Yes.

300. What?—Two or three in the hundred.

301. How long were these sheep at Mr. Field's?—Six weeks, I think.

302. What allowance did you make for deaths?—Well, it was a place you could see all over. It was all clear ground, and we saw only one dead sheep.

303. You admit these ninety-seven were found?—Not in that lot. I think there was a mistake about that. I think they were from the other lot.

304. How many sheep did you place on this land at that particular time?—About 2,300.

305. How many did you get back?—Something under 2,000. There were 500 or more missing.

306. Of these, you found ninety-seven afterwards?—I think that was the former lot.

307. If these ninety-seven got out of the paddock, was it not possible for the others to have got out in the same way?—I think that was a case of dropping them on the road. In the first case we did not count them until we got them home; but in the second case we counted them into the paddock, and counted them out again, so that there could be no mistake in that case.

308. Have you anything to show the number of sheep you have on your run?—No, not here. I have the record at home.

309. How do you form an estimate of the number dying?—Two to three in the hundred as a rule. Of course, in exceptionally severe weather we lose a great many more.

ANNIE MURDOCH, examined on oath.

310. *Mr. Weston.*] Where do you live?—At 24, Armagh Street.

311. Do you know Constable Hill?—I do.

312. Did you meet him one day about three or four weeks ago?—No, I did not meet him one day three or four weeks ago.

313. When did you meet him?—I met him one morning about 3 o'clock.

314. Where?—Outside Bligh's boardinghouse in Victoria Street.

315. Did he speak to you?—I asked for a bed there. I was refused the bed.

316. Did you speak to Constable Hill, or did he speak to you?—He spoke to me.

317. *The Chairman.*] You say you were asking for a bed at the boardinghouse when you saw Constable Hill?—Yes.

318. *Mr. Weston.*] What did he say to you?—He said, “You need not be in a hurry to go for a bed: come for a walk.”

319. What else?—I refused. He ran after me and knocked me down in the middle of the road, between the bridge and the Salvation Army barracks.

320. What then?—He knocked me down; and he had a whistle, and he whistled for a sergeant—Sergeant Scully.

421. When he knocked you down, did he make any overtures to you in any way?—He had his hand over my mouth, and he knocked my mouth about. He used filthy language.

322. Did he want to do anything to you?—He held me down until he whistled for a sergeant to come. I was arrested and taken to the lock-up, and I got seven days’ imprisonment.

323. *Colonel Pitt.*] For being drunk?—Yes, and I was perfectly sober. I had just come down from the Cheviot.

324. *The Chairman.*] At 3 o’clock in the morning? How did you get down?—I was stopping at New Brighton, and I went to make my way out there, and I thought that was the place away down that way.

325. Did you only come in that day from the Cheviot?—No, I had been in town two or three days before that.

326. Where had you been living?—I stopped at Mrs. Hill’s.

327. You say Constable Hill caught hold of you and knocked you down?—He knocked me down and held me for about five minutes until Sergeant Scully came.

328. How long ago was that?—About three weeks ago. I sent for Mr. Donnelly in the morning and told him about the case, and he said he would appear.

329. *Mr. Weston.*] Constable Hill did not want to insult you at all?—Of course, you can make it out whichever way you like. He simply said, “You need not be in a hurry to go to bed; come with me for a walk.” When I refused to do that he knocked me down.

330. *The Chairman.*] Did it occur to you that was a polite way on the part of the constable of wishing you to accompany him to the lockup?—If I wished to evade him in any way I would not have walked up, because he was standing right opposite the door of the boardinghouse.

331. *Mr. Weston.*] What you mean to convey to the Commissioners is that if you had gone for a walk with him, there would have been no locking-up? I do not say that. I am just speaking of what happened. I am telling the truth, and you can make what you like out of it.

332. *The Chairman.*] You do not make any suggestion of that kind?—Not at all. I do not make any suggestion at all.

333. *Mr. Donnelly.*] Do you know Mr. Fleming, who is sitting there?—I do.

334. Has he called on you about this case—at your house?—No.

335. Did you seek Mr. Fleming out about it, or did he seek you out?—I sent for you at first.

336. But as to Mr. Fleming, how do you come to prefer this case against Constable Hill?—I know nothing at all about it. I was subpoenaed as a witness.

337. I want to know whether you went to Mr. Fleming and gave this information, or did he come to you?—I did not go to him. I knew nothing about it until he brought this subpoena to my place in a cab, or somebody brought it to my place. I was given this subpoena to appear in this Court. I had not seen him before about it.

338. If you had not seen him before, how did he know you had made a complaint against Constable Hill?—I never made a complaint against Constable Hill.

339. Do you make any complaint against him now?—No.

340. If you had not spoken to Mr. Fleming about it before, how would he know what took place between you and Hill?—I know nothing about Hill, or the police, or anything else. I never knew anything about it until I got the subpoena to appear here.

341. Do you mean to say you never told Mr. Fleming anything about this case?—Certainly not.

342. You did not give him the information which is embodied in this charge, that Hill insulted you?—Certainly not.

343. You did not tell Mr. Fleming that Hill arrested you on an imaginary charge, which was dismissed?—He did not arrest me on an imaginary charge at all, because I got seven days’ imprisonment for nothing.

344. For being drunk?—But I was not drunk.

345. The Magistrate held you were?—He may have held I was, but I was not drunk.

346. Did Mr. Fleming give you money to come here and give evidence?—I do not think he has given me any money, because I do not think he is sane.

347. What makes you think Mr. Fleming is not sane?—I know nothing about him at all. All I know is he has given me this subpoena to come here and give evidence, and I have come here. I have made no charge against Constable Hill at all.

348. Has Mr. Fleming given you, directly or indirectly, any money?—Certainly not. I wish he would. I wish he would pay me for coming here.

349. It was 3 o’clock in the morning when the constable arrested you?—Yes. Excuse me, Mr. Donnelly, I am subject to fits, and he may have thought I was drunk when I was in a fit.

350. You say he did not treat you in any way improperly in the street?—I simply say I do not make a charge against Constable Hill. That is sufficient, is it not?

351. Do you say Constable Hill did anything improper to you in the street that night?—I have given my evidence: that is sufficient for anybody to see. What he said to me you can take whichever way you like.

352. You do not suggest now that he at all insulted you in any way?—I do not suggest anything about it.

353. Have you a bit of a doubt now what he meant by that expression you say he made use of?—I suppose you can use your own discretion about that.

354. What the constable meant by going for a walk was an invitation to go to the police-station, was it not?—It may have been.

355. Just before that you were at Bligh's boardinghouse, creating a disturbance?—Have you got witnesses to prove that?

356. Just before the constable invited you to go for a walk with him, had you not been turned away from Bligh's boardinghouse for creating a disturbance?—No.

357. Do you deny that?—I do deny that.

358. You never made a charge against Constable Hill to the officers at the station that night, did you?—I made a charge next morning when I sent for you.

359. Did you make any complaint to the police-officers?—Certainly I did.

360. What did you complain of?—I complained of his arresting me illegally, when I was not drunk. He knocked me down, too. My mouth was all cut. When I was giving evidence next morning in the Court I made a complaint.

361. *The Chairman.*] The complaint you made was that he had arrested you when you were not drunk, and you had got your mouth cut?—Yes.

362. I think there are over twenty convictions against you on the police records of this colony?—No. I admit I have been convicted several times.

GEORGE SPENCER FLEMING, further examined on oath.

363. *Mr. Weston.*] So that my friend, Mr. Donnelly, may have the opportunity of cross-examining you, I will ask you formally, whether you preferred this complaint against Constable Hill?—I did.

364. From information you had received?—It was in the paper. I thought it rather unjust. I do not think she should have been sent to prison.

365. *Mr. Donnelly.*] You say you are a Justice of the Peace?—Yes.

366. How long?—Nearly ten years.

367. Do you sit on the Bench?—No. Only once.

368. Did you go to see Annie Murdoch before you took out her subpoena?—I never saw her at the house until I took the summons. It took me half a day to find the house. The cabman and myself had a considerable hunt for it.

369. When you presented the subpoena to Annie Murdoch, did you ask her anything about the facts of the case?—Oh, yes, she told me the same thing that she has said to-day.

370. Did she tell you she had no charge against Constable Hill?—No, she seemed to think she was improperly arrested.

371. That is, she was arrested for being drunk when she was not?—Yes. She thought that asking her to come for a walk had rather a different meaning. She thought if she had gone for a walk, she would not have been arrested.

372. How many houses of an immoral class did you visit to get up evidence against the police?—Four, I think it is. I have been to three only to work up cases. I have been to hers, and another one, with subpoenas—that makes five. I have only visited three houses to work up cases.

373. Did Annie Murdoch tell you at any time she was acquitted of the charge?—No; I saw it in the newspaper.

374. Do you mean to say you saw in the newspaper what is alleged here—that she was acquitted?—No, I did not see all that in the newspaper.

375. Where did you evolve that from, then?—She told me herself in the street.

376. After the subpoena was issued?—No, before. I said something to her about the police being a little too hard on her; and she turned round, without any coaxing I may say, and told me about this case of hers. She said she was just then out of gaol.

377. Where, and at what hour, did you see her on the street?—About 9 o'clock at night, near Dr. Prin's place, in Manchester Street.

378. Did you accost her, or did she you?—She said, "Good evening."

379. How did you know her?—I did not know her at all. I never saw her before.

380. She said before the issue of the subpoena you had no conversation with her?—She may have forgotten that.

381. Did you have a conversation with her before you laid the charges before the Commission?—Yes, before I formulated the charges.

382. Did Annie Murdoch tell you then, in Manchester Street, that Hill insulted her?—Something to that effect. That is the way she took it—that going for this walk meant something rather different.

383. *The Chairman.*] Did she tell you that Hill had insulted her?—I think that what she said was that he wanted to have connection with her for nothing. He took her to the station because he could not get what he wanted. That is what I understood.

384. *Mr. Donnelly.*] Did she tell you she was acquitted by the Magistrate?—I thought so. I will not be quite certain which way it was. I may say I only saw her for a few minutes.

385. You do not know whether she told you whether she was acquitted or not?—No. The thing was in the paper.

386. Did you look at the paper?—Yes.

387. Did you see it reported in the paper that she was acquitted?—I cannot say.

388. Have you paid Annie Murdoch any money?—No.

389. Not a shilling?—No. I think I shouted for her that night. I did not go into the hotel. I gave her a shilling to go for a drink into the Forester's Hotel. There was a mate with her. It may have been the other one that I gave the money to.

390. Did you go in?—No. I did not care about going into the hotel.

391. Do you think that was proper conduct for a Justice of the Peace of ten years' experience?—I think so. They were perfectly sober.

392. Did you make any inquiry at the police-station of Hill's superior officers, to ascertain whether or not the girl's statement was true: that the charge was an imaginary one, and was dismissed, as is alleged in the charge which you have signed?—No, I took her word for it.

393. Do you think it is right for a Justice of the Peace to take the word of a common prostitute against that of a public officer, and formulate a charge against him before a Commission such as this without making any further inquiries?—Yes, I think so, because this Commission will see which is right, and the Magistrate takes the side of the policeman. I was told we could not go and examine the Court books.

394. *The Chairman.*] You said you knew she had just come out of prison?—I was not quite sure about the prison. I knew she had just been tried.

395. How did you happen to find out who she was?—Oh, she said, "Good evening." I said something about how did she get on with the police. She said she had been run in for nothing—just because she refused to go for a walk.

396. *Mr. Donnelly.*] Do you know a woman named Smythe you subpœnaed as a witness?—Yes.

397. Did you give Smythe money?—I gave them 10s. They said they were shifting, and they wanted to pay the carrier. I may say I went to her place with the summons, and that was the first time I had ever seen them. They told me they were just shifting. I gave them 10s. to pay the carrier.

398. These two young women are common prostitutes, and you gave them 10s. because they were shifting?—They were standing there, and they said they wanted 10s. to pay the carrier, and I gave it to them.

399. Did you drive one of the girls, Smythe, to the Carlton Hotel and give her a drink there?—Yes. I did not say I gave her the drink.

400. Did you pay for the drink?—The cabman paid for it.

401. Did you give the cabman the money?—Yes.

402. It was on that occasion you served the girl Smythe with the subpœna?—I served her there.

403. At the time you served her with the subpœna, did you give her a bottle of whiskey?—Yes.

404. What time was it when you gave this girl a bottle of whiskey at the Carlton Hotel?—Between 3 and 4 o'clock.

405. At the time you gave her the bottle of whiskey you were after paying for a drink for her?—No. Only a bottle of whiskey.

406. Was she very sober when you gave it to her?—Quite sober.

407. Do you think it is a proper thing for a Justice of the Peace of ten years' standing to give a girl a bottle of whiskey?—I think so. They need not drink it all at once.

408. You think it is a right thing?—Yes, I think it is. I think if a person has had a big drunk a bottle of whiskey will save their life.

409. Have you not left your card at a number of houses of ill-fame here?—Yes, I have given them a card.

410. At how many houses of ill-fame have you left your card, with "Mr. Fleming, J.P.," on it?—I think two—three, perhaps.

411. *The Chairman.*] Is there "J.P." on the card?—No. I did not put "J.P." on the card. I just left the card, and I will tell you why I did it. They thought I was a detective on the police side; and to try and prove that I was their friend, and ready to help them, I left my card.

412. You said, when you went there, that you were the man who was prepared to take up their cases?—Yes.

413. You say you gave the girl Smythe 10s.?—She asked me for 10s. first of all, and 2s. for her dinner, and coming back here she stuck me up for 5s. more.

414. How much money did you give them?—12s. and 5s.

415. Do you swear you have never given Annie Murdoch money?—I may have given the money for the drink to her mate. There were two together. I only gave them 1s.

416. Do you swear you have never given Murdoch or her mate more than 1s.?—Yes. I only saw them that one evening, as far as I can remember.

VICTOR AUSTIN HILL, examined on oath.

417. *Mr. Donnelly.*] You are a police constable, at present stationed at Christchurch?—Yes, a third-class constable.

418. You know the girl Annie Murdoch, who has given evidence?—I do.

419. What is she?—A common prostitute; one of the lowest type.

420. *The Chairman.*] How long have you been stationed at Christchurch?—About six months.

421. *Mr. Donnelly.*] You have only been six months in the Force?—Yes.

422. You remember this night you arrested Annie Murdoch?—In the morning about 3 o'clock.

423. Where did you arrest her?—Near Victoria Street Bridge.

424. Had you seen her before you arrested her?—I saw her in the distance, going to Bligh's boardinghouse.

425. What was her state when you met her?—Very drunk.

426. Did you arrest her on a charge of drunkenness?—I did.
427. What did she do?—Immediately I put my hand on her she laid down and started screaming.
428. Did you use the words she says you did, “Go for a walk,” or anything of the kind?—No, nothing of that kind whatever.
429. When she screamed, did you do anything?—I noticed Sergeant Scully coming along the street, and I whistled for him.
430. Did Sergeant Scully come up to where you were?—He did.
431. Did you tell him what you were arresting Murdoch for?—Yes.
432. Scully was your superior officer that night?—Yes, he was in charge of the relief.
433. Did he help you to take Murdoch to the lockup?—Yes, he did.
434. Did you enter a charge against her at the lockup?—Yes, of being drunk.
435. She was tried and convicted for that offence?—Yes, next morning.
436. Did you say or do anything to Murdoch that night beyond what was necessary in the exercise of your duty as a police-officer to bring her to the police-station?—Nothing more than arresting her, and taking hold of her arm to bring her to the station.
437. Bligh’s boardinghouse is how far from the lockup?—About a quarter of a mile from the lockup.
438. During the time you were taking her to the lockup did she make any complaint to Sergeant Scully of your ill-treatment of her?—None whatever.
439. Did she make any complaint of your ill-treatment when she was taken to the station?—None whatever.
440. You say you did nothing to her except what was necessary to take her to the station? Did she resist at all?—No, she laid down and started screaming. That is her usual way, when she is arrested, so I have been informed by other constables.
441. Have you seen the woman since?—I have.
442. She is on the streets every night?—On the streets every night.
443. One of the lowest prostitutes in town?—One of the very lowest.
444. *The Chairman.*] What was going on at the boardinghouse when you first saw her?—She was creating a disturbance there with the porter, because he would not let her in.

PATRICK SCULLY, examined on oath.

445. *Mr. Donnelly.*] You are a sergeant of police, and you know a woman named Annie Murdoch?—Yes.
446. What is she—a common prostitute?—Yes, she is of that repute.
447. You have not been long on duty in Christchurch?—No, not long.
448. How long have you been here?—I have been on duty here since about the 14th January, or thereabouts.
449. You know Constable Hill?—I do.
450. Do you remember him whistling for you one night about three or four weeks ago?—I remember him arresting Annie Murdoch. I cannot say as to the date.
451. Do you remember Hill whistling that night?—I do.
452. When he whistled, did you go to where the signal came from?—Yes.
453. What did you find?—I found Hill had this woman, I think it was, by the right arm. She was lying down, her legs stretched out, and her body partly raised. I assisted him to the station with her.
454. Was she drunk?—Undoubtedly.
455. Hill brought her to the lockup and entered a charge against her?—Yes, with my assistance.
456. She was convicted of it?—Yes.
457. Did Murdoch that night, when you came on the scene, or at any time before you put her into the cell, make any complaint or say anything as to Hill’s improper treatment of her?—Not a word.
458. Hill, in fact, whistled for you as his superior officer to come on the scene?—Yes. I was in charge of the relief that night.

WILLIAM HENRY SCOTT, examined on oath.

459. *The Chairman.*] You are a first-class constable?—Yes; stationed at Christchurch.
460. *Mr. Donnelly.*] Were you acting as lockup-keeper at the station three or four weeks ago?—Yes.
461. Do you remember the night Hill and Scully brought Murdoch in?—Yes.
462. Did Hill charge her with any offence?—She was charged with being drunk.
463. Was she drunk?—Yes, very drunk.
464. Did Annie Murdoch make any complaint to you or in your hearing, at the station, as to Hill insulting her in any way, beyond arresting her?—No.
465. How long have you been lockup-keeper at the Christchurch Station?—About two years and a half.
466. That was not the first time you had seen Murdoch there?—No.
467. Repeatedly before?—Yes.
468. For what kind of offences?—Vagrancy and drunkenness.
469. Is it an old plea of hers to say she was not drunk?—As a rule, they do plead so.

THOMAS MOORE, examined on oath.

470. *Mr. Donnelly.*] You act as night porter at Bligh’s boardinghouse?—Yes.
471. Do you know Annie Murdoch?—Yes.

472. Do you remember the night Constable Hill arrested her?—I remember the night. I could not give you the date.
473. What time was it?—It was between 2 and 3 o'clock in the morning.
474. Had she been at your door before Hill arrested her?—Yes.
475. What did she do?—She came for a bed.
476. Did you refuse her?—Yes.
477. Was she drunk or sober?—She was drunk.
478. Had you any difficulty in getting her away from your door?—Yes.
479. She was abusive?—Well, she was when she was leaving, when she found she could not get a bed.
480. And immediately after that Hill arrested her?—Yes.
481. Hill arrested her close to your door?—Yes, between the house and the bridge.
482. Within 50 yards of your door Hill arrested her?—Yes.
483. She is a woman who has given you trouble?—Yes. She gave me trouble once before that.
484. *The Chairman.*] Has she been in the habit of sleeping in the house?—No. I would not allow her there.
485. *Mr. Donnelly.*] If the constable had not arrested her she may have given you some further trouble that night?—She may have come back again. I do not know; I would not swear to it.

ELIZABETH SMYTHE, examined on oath.

486. *Mr. Weston.*] Do you know Constable Hill?—Yes; I know him by sight.
487. Did you see him about three weeks ago?—No, I did not see him three weeks ago.
488. Has he come to your house at all?—He came to my house about four or five weeks ago—about five weeks ago.
489. When he came to your house, did he do anything to your house or to you?—I do not know what he did, or anything about it. I do not know anything at all about Constable Hill. I know him just by sight.
490. You have never had any conversation with him?—No, I have not.
491. He has never blackened your eye?—No.
492. Or assaulted you, or broken your window?—I could not say anything about breaking my window at all. He came to my house about five weeks ago, and he asked to come in, and I could not tell you if Constable Hill came to the door or window. I was that much excited I think he came in through the door, or somewhere like that.
493. You said just now you were excited. What were you excited about?—A little drop of drink, I suppose.
494. Hill did not do anything to excite you?—No, he did not. It was a friend inside with me.
495. You have no complaint against Constable Hill?—I have no complaint whatever.

JULE LELIEVRE, examined on oath.

496. *Mr. Weston.*] I think you have a station at Akaroa?—Yes.
497. You are one of the original French settlers?—Yes.
498. Where were you on the 9th or 10th March?—I was at the Foresters' Hotel, Christchurch.
499. Who were you in company with?—With Mr. Finnerty.
500. Who is Mr. Finnerty?—He keeps a boardinghouse.
501. At this boardinghouse, I think, you were boarding at the time?—Yes.
502. So that you and he were together in the hotel?—Yes.
503. When you were at the hotel, did Sergeant Scully come in?—Yes.
504. What time was this?—It was in the evening—some time about 8 o'clock, I suppose.
505. I think you knew Scully at Akaroa, did you not?—Yes.
506. He was stationed there?—Yes.
507. Quite recently?—Yes, until a couple of months ago.
508. As a matter of fact, he is very officious?—Well, I thought that night he was interfering with me.
509. When you were together at the Foresters' Hotel he came in?—Yes.
510. When he came in, what did he say to you, and what did he do?—Well, he asked me what I was doing here, or some words to that effect. I told him that I was all right, and I did not want him to interfere with me. Then, Mr. Finnerty and he had a word together about something. I do not know what it was. Mr. Finnerty said to him, "You want to get at me"; and then Mr. Scully said to the landlord to look after me. The landlord said I was all right, I could look after myself.
511. He annoyed you?—It annoyed me a bit at the time.
512. Did you give him any occasion to shepherd you in any way?—Nothing whatever that night—nothing whatever. We were in a room by ourselves, Mr. Finnerty and myself, and the sergeant walked in.
513. Then what followed, when you told him you could take care of yourself?—There were some questions asked, one way and the other. The fact is, I felt annoyed at him interfering with me, and so on. He went away, and as he went away he told me not to be up to any tricks down here. I said it was all right.
514. Are you in the habit of being up to tricks?—No, not that I know of—No.
515. I suppose you took it as an insult?—Yes. He said he would look after me; he would get me in a private place; and I said I was all right.

516. I think you told Mr. Fleming what you have just mentioned to the Commissioners?—Yes, I told him last Wednesday.

517. Have you told us all that took place?—Yes, all that took place in that house.

518. Was there anything more said when Scully was there?—No.

519. You have known Scully for some time at Akaroa?—For some seven or eight years.

520. Was that the first occasion upon which he made himself disagreeable to you?—Well, last Wednesday I was walking along the street ahead of him, and Scully called my name. I stopped, and said, "What is it, Mr. Scully?" He said, "Where are you stopping?" I said, "I do not see why I should tell you where I am stopping, or what I am doing here, especially after the way you interfered with me." That is, I did not care for the manner in which he had acted towards me. Then he said he meant good. He said he thought I had some money, and there was some spielers about, and he would have taken me to a private house, and looked after me.

521. When he interfered with you at the Foresters' Hotel, were there any spielers about?—Not that I know of. I was only with one gentleman in the room.

522. *The Chairman.*] Do you consider now that this conduct was reprehensible and wrong on the part of Scully?—I thought so at the time.

523. Do you think so now?—I would not like to say it was now. It would be hard for me to judge.

524. *Mr. Kippenberger.*] Do you think Mr. Fleming is a better judge of the matter?—He knows nothing about the matter, only that I happened to be in Mr. Weston's office, and he was talking about the other Lievres—not myself—and that is how it happened. I said I thought that Scully should not interfere with me. I thought so at the time I said it.

525. I suppose it is true that sometimes you take a glass of beer too much, putting it mildly?—I do not think you should pass a remark like that, because I am putting the charge very mildly.

526. After mature reflection, you in your own mind do not know whether the charge is just or not?—I do not wish to force the charge, but I reckon it was wrong. I thought it was wrong at the time, and I thought so up to to-day.

527. You do not think so now?—Well, I give Mr. Scully the benefit of the doubt.

528. Wherein lies the justification for your charge of assault against him? Who formulated the charge, you or Mr. Weston?—No, I did not; but at the same time I reckon I was insulted—that I was interfered with, when there was no occasion to interfere with me.

529. You meant it to be "insulted," not "assaulted"?—Yes. I was insulted. I did not mean assaulted.

530. And he told you at the time he did it for your good. Was he in plain clothes, or in uniform?—He was in plain clothes. He told me, in Akaroa, when I would be up here he would look after me; but I do not know whether he meant it or not. I could look after myself. I was quite capable.

531. *The Chairman.*] You do not complain yourself of the conduct of Scully? You understood what I said?—Of course, I told that to Mr. Fleming; but after thinking it over, I should just as soon not have given evidence at all.

JOHN FINNERTY, examined on oath.

532. *The Chairman.*] What are you?—Boardinghouse-keeper, in Colombo Street.

533. *Mr. Weston.*] I think, on the 9th or 10th March, you were with Mr. Lelievre at the Foresters' Arms Hotel, in a room together?—We were in a sitting-room of the hotel.

534. Nobody there but yourselves?—Only us two, that I remember.

535. Where were you when you met Scully?—Scully was passing by the door, and Lelievre said to him, "Halloo, Scully." He wanted the sergeant to take a drink. The sergeant said, "No"; he would not have a drink; and he asked the hotelkeeper, as Lelievre was a thoroughly decent man, to take care of him.

536. Scully did?—Yes.

537. Was there anything in the appearance of Lelievre at that moment to prompt that advice?—No. He had had some drink, but nothing to hurt him.

538. What passed then between them?—Scully spoke to the landlord privately. I could not say what passed between them.

539. Were there any spielers about?—None that I know of.

540. Any suspicious characters at all?—Not in the room with us.

541. *Mr. Kippenberger.*] Has this man stayed with you before?—Yes; he has stayed with me several times.

542. And is he a man who sometimes takes a little too much liquor?—Yes.

543. You find it desirable there should be some one to take care of him, do you not?—Well, of course, I could not say that. The man was behaving himself.

544. You cannot say, if he does take too much liquor, it would be advisable to take care of him—keep an eye on him?—It would be if he took too much.

545. And he does take too much?—Yes, sometimes he takes too much.

546. *Mr. Poynton.*] From what you saw, did Scully do anything wrong?—From what I saw, the sergeant gave him very friendly advice, and I could see nothing else. I had the opinion at the time—in fact, I passed the remark to the sergeant—that he thought I may have been trying to do some wrong to the man, and he was taking me for somebody else. The sergeant did not know me, and I passed some remark to him. It was fatherly advice he gave him; and he said to the hotelkeeper, "Give him a bed, as he is a thoroughly respectable man, and is all right."

547. *Colonel Pitt.*] You say he told the hotelkeeper he was a thoroughly respectable man?—Thoroughly respectable man.

PATRICK SCULLY, further examined on oath.

548. *The Chairman.*] You are a first-class sergeant?—Yes. I may say I remember the occasion referred to. On the night in question I was going round Manchester Street, through the Terrace, in order to get the man who was on the night beat to call me in the morning. I was on the early morning relief. I went to the Foresters' Hotel, and saw Mr. Lelievre and Mr. Finnerty there. I said, "Mr. Lelievre, how are you, and how are all the Akaroa people?" He said, "Very well, thanks." He said, "Will you have a drink?" I said, "No, thanks." He had had liquor, apparently; and knowing him of old, and he having referred to his son getting married, I said, "Do not take too much on the strength of that." I said to the licensee of the hotel, "This is a very decent man, a friend of mine. You might look after him." He is a man who is in the habit of taking money about with him; and I said something to this effect, "You are not in German Bay, and you may perhaps get some thieves about you, to rob you, if you knock about." He wanted me to have a drink. I declined. I was off duty, and in plain clothes.

549. *Mr. Kippenberger.*] You tell the Commissioners, then, that what you said and what you did was in a spirit of helpfulness and friendliness towards Mr. Lelievre?—There is not the slightest doubt of that; and I look upon him as a friend of mine, notwithstanding the charge that has been made against me.

TUESDAY, 26TH APRIL, 1898.

JOHN CONNELL, examined on oath.

1. *The Chairman.*] What are you?—Constable, stationed at Lyttelton.
2. *Rev. Father Salvador.*] When I spoke of Mrs. O'Brien's case, did I mention the name of the Hon. Mr. Thompson, and Colonel Hume?—You did.
3. Where did I speak to you about Mrs. O'Brien's case?—At my bedroom door.
4. Did I speak at all to you?—You spoke at me, if that is what you mean to get at.
5. Did I mention the names of the Hon. Mr. Thompson and Colonel Hume?—You did.
6. Were you on duty last Sunday week?—Yes.
7. Did you tell anybody that you would clip a wing out of Father Salvador?—I do not know.
8. Did I tell you I commanded four hundred votes?—Yes; you said, "I am the Government in Lyttelton, and I command four hundred votes."
9. Did I tell you that I would get you shifted from Lyttelton?—You did.
10. Have you been on the sick-list for months last year?—I was.
11. Did I bring you two priests from Christchurch to attend to your spiritual wants?—I did not ask you to do it; I did not know who brought them.
12. Did I come to you every day until your wife forbade me to do so?—I do not know anything about that. It was about the time I had a dead youngster in my house that you brought the case of Mrs. O'Brien up again. It was very aggravating.
13. When the case of Mrs. O'Brien came on, were you on night duty?—Yes.
14. When Constable Fitzgerald was transferred to Christchurch, did you send your wife to me with the object of getting the police-station house?—I did not.

D. MATHIA SALVADOR, examined on oath.

15. *The Chairman.*] You are a Roman Catholic priest?—Yes, stationed at Lyttelton. I have been for five years in New Zealand, and I always admired the organization of the police of New Zealand. I have been a traveller all over the world; and officers and the men of the Police Force of New Zealand have been always obliging, and bound to their duty, and very courteous to everybody, and I admire the organization of the Police Force in New Zealand. I wish to say, I never spoke to Constable Connell. I spoke to his wife only.

16. That is, on the occasion he referred to?—Yes, in reference to Mrs. O'Brien's case; and I was justified by the verdict of the Stipendiary Magistrate, because there was no evidence. I only went to see the constable for mercy's sake. He was sleeping.

17. Did you say what he said you did, or address it to his wife?—No. I said to his wife only, "Please tell your husband to withdraw the charge against Mrs. O'Brien." That is all.

18. Did you mention the name of the Hon. Mr. Thompson, or Colonel Hume?—No, I never did. I was not a fool, like him, to compromise the Hon. Mr. Thompson, and Colonel Hume.

19. This, you say, is what took place on the night after the trouble at O'Brien's?—Yes, the day after.

20. *Colonel Pitt.*] Did you say anything to Connell, or to his wife, to the effect that you would have him moved from Lyttelton?—I never said such a thing. I never compromised myself.

21. Were you excited?—No.

22. Is it possible you may have forgotten you said it?—No, I never spoke to the man.

23. *Mr. Tunbridge.*] You stated it was the morning after the disturbance in Mrs. O'Brien's that you called at the constable's house?—Yes.

24. Was it not the morning before the case went to the Court?—I do not recollect.

25. You are not sure it was not on the morning of the 11th, and not on the morning of the 5th?—I cannot tell the day. I had called at his house, and his wife told me that he was sleeping; and then I went into the parlour and I spoke to his wife, and I told her to take a message to her husband to withdraw the charge against Mrs. O'Brien on the side of mercy.

26. What did you know about Mrs. O'Brien?—I investigated the case; and the convincing fact that Mr. Beetham, S.M., dismissed the case, justified my doing so.

27. Did you see Mrs. O'Brien on the matter?—Yes.

28. Had she been to see you on the matter?—Yes; I went to see her, because she sent for me.
29. Mrs. O'Brien, I suppose, is very anxious the case should be withdrawn?—Yes, because there was no evidence.
30. You were speaking close to the bedroom door?—No, I was speaking in the parlour, but the bedroom leads out to the hall. It is opposite the parlour, and the door was shut.
31. You deny that you made use of the expression that you commanded four hundred votes?—I never did.
32. What is your congregation in Lyttelton?—I cannot tell the numbers; it may be one thousand, about one-fifth of the population. I never used such a term.
33. You quite realise you placed yourself in a false position in going as you did?—No, not at all. I did not complain of the Police Force in New Zealand. It is efficient and most obliging, both officers and men of the Force. It is the man I blame.
34. *Colonel Hume.*] You know the Hon. Mr. Thompson?—Yes; as a friend.
35. Are you in the habit of asking him to shift constables about the country?—I never did. I wish I could.
36. You and I are old friends?—Yes.
37. We visit each other's houses?—Yes.
38. Were you in the habit of getting me, when I was Commissioner, to move constables about the country?—I never did.
39. I suppose, now, you really command a great deal more than one hundred votes?—Yes, I do.
40. If you had been excited, you would not have under-estimated your influence in that respect?—That is right. I never said such a thing, about commanding any votes.
41. Though you and I have been friends for a long time, you have never used your influence or succeeded in using your influence with me?—I never did.

JOSEPH D. CROCKATT, examined on oath.

42. *The Chairman.*] You are an ex-policeman?—Yes.
43. What rank did you hold in the Force?—I was a third-class mounted constable, stationed at Christchurch. I was a first-class constable once.
44. When you were at Akaroa, what rank did you hold there?—Third class.
45. In what year?—About two years and a half ago; rather more.
46. What led to your removal?—I reported a horse which I had for some years as being unfit for service; and I wanted a remount. I applied to have a horse bought, which I knew on the Peninsula as being a serviceable horse. I wanted it bought as a horse bred on the Peninsula. Mr. Broham sent down, in reply, "I won't buy Mr. Lelievre's horse." He sent down a horse that I subsequently found out was bought at Southbridge. I had occasion to go out on duty, I think it was to Wainui; I had then to borrow a horse, as this horse was unfit to do the journey.
47. How far did you get before you found this out?—About six miles. I left the horse there, and borrowed a horse from the publican, Wilson.
48. What was the matter with the horse when you left him?—It was tumbling down. Constable Ryan was with me at the time. It was an old screw. I went on and did my work, and came back again and picked this horse up, and he was so bad that really I walked nearly all the way to my station. I reported the matter, and said distinctly in my report that the horse fell down and skinned his knees, and I took him to a paddock; I never rode him again, and I would not.
49. Did the horse fall down when you were going home?—No. The next morning, when I took him to the paddock, I made a report of the whole circumstances of the case; and the next thing I knew was that I was sent over to Hawera, in the North Island.
50. *Colonel Pitt.*] How long after you reported the matter were you removed?—Immediately.
51. What do you mean by immediately?—A day or two; it was done at once.
52. *Mr. Poynton.*] How long had you been at Akaroa?—For many years; about five years.
53. *The Chairman.*] Was nothing communicated to you by the department to lead you to suppose that there was any connection between your removal and your report as to the condition of the horse?—Not the slightest. I concluded that I was wanted to be got out of the way in connection with the horses, because other horses had been bought from the same place and had been frauds.
54. It was only your conclusion, without any evidence to support it?—Yes, and a very natural one, I thought.
55. *Colonel Hume.*] You say, in this letter to the Chairman of the Commission, dated Christchurch, to-day, that you were shifted from the station at Akaroa, which cost you inconvenience. What was the inconvenience?—It made me so ill that I had to go Home to the Old Country to recruit.
56. What, by the transfer?—Yes, I felt it a great grievance indeed to be transferred.
57. You had only been five years in Akaroa?—About that.
58. I suppose you expected to be fifteen years?—I know others who have been in stations for seven years, and I thought I had just as much right to be there as any others.
59. You were a bachelor were you not?—Yes.
60. And the inconvenience consisted in having to take up your portmanteau and having to go to Hawera?—I felt it very much, having to be shifted; I think it was an indignity. There was inconvenience, because I had some people coming down from Home, and they returned to Akaroa and found me gone. That was an inconvenience.
61. You said something about being a first-class constable?—Yes, I was once; I was taken down.
62. How did you get down to third class?—That does not relate to the case at all.
63. *The Chairman.*] You were reduced for some reason?—Yes.

64. *Colonel Hume.*] You say you were removed immediately after this correspondence?—Yes, I was.

65. Will you try and tax your memory and tell us what “immediately” means?—Shortly.

66. Will you take your oath you were removed within a month of that correspondence?—As far as I know I was removed a day or two afterwards—at once.

67. Then, if I bring evidence to show that it was over a month, will you admit you are wrong?—Certainly I will.

68. It was quite possible it may have been a month?—No, it is not possible it may have been a month; I do not think so.

69. Then, on your oath, you say it is perfectly impossible it could have been a month?—No, it was not a month.

70. Where were you before you went to Akaroa?—Ashburton.

71. How long were you there?—About nine months.

72. Have you suffered any loss by going to Hawera? Were you on foot, or mounted duty?—Things were in such a disorganized state there that the foot sergeant was riding the horse. I did not ride it; I never rode a horse there.

73. *The Chairman.*] Did you go there as a mounted man?—I was transferred there as a mounted man, and never did mounted work.

74. *Colonel Hume.*] Did you say to anybody, just at that time, you were too ill to remain in the service, and you intended to retire and go Home?—Yes, that is why I retired, through ill-health.

75. You retired from Hawera, and not from Akaroa?—I retired from the service when I was at Hawera.

76. How long had you been in Hawera when you sent in your application for retirement?—I really forget.

77. Had you been there a month?—Yes, more than a month.

78. Three months?—I cannot say.

79. Do you think you had been there three months?—I think so.

80. Then, your grievance is that owing to the disorganized state of the Force you were only allowed to remain five years at Akaroa, and then you were transferred to Hawera, and you were a bachelor?—Not in the slightest.

81. Then, you still maintain your statement that on account of having reported the condition of that horse you were transferred?—Yes. I have no antagonistic feeling towards you, neither have I towards Mr. Broham.

82. He told you you were removed on account of that?—No; but I drew my own conclusion.

83. Then, the whole of your grievance is drawn on a conclusion?—That is all.

84. No official ever told you, I suppose, that was the reason of your transfer?—No.

ARTHUR HUME, further examined on oath.

85. *The Chairman.*] At the period referred to by the previous witness you were Commissioner of Police?—Yes.

86. Can you give us the circumstances of the removal of this constable?—There was a vacancy for a mounted man at Hawera, and in looking down the list I knew that Crockatt had been at Akaroa for some five years—he said five years, but I think it was even more than five; and as he was a bachelor I thought he would be a very suitable man for Hawera. I recommended his transfer up there, and he was transferred. Any correspondence there may have been about this horse business did not influence me in the least, and, to the best of my belief, it had happened some month or six weeks prior to that. I saw him at Hawera about a fortnight after he got there, and he told me that his health was very bad and he did not intend to remain in the service, and was going to send in an application to be allowed to resign, which he immediately did.

87. You said the correspondence about the horse had nothing to do with that removal?—No; it was a month or six weeks afterwards, and, in fact, I had forgotten all about it at that time. I may state I do not blame him at all about the horse; he had sent the description of a horse down there which he wanted to buy, but I did not see my way to sanction that.

88. *Mr. Crockatt.*] You saw my correspondence regarding this horse?—Yes.

89. You also saw what I said regarding Reilly having raced the horse?—I am not going into the horse question.

90. *Colonel Pitt.*] Was Inspector Broham consulted about the removal?—No.

ARTHUR HUME, further examined on oath.

93. *Witness.*] I produce an entry from the record-book. On the 2nd June, 1894, I wrote the following memorandum to Inspector Broham: “Constable Scully is to be cautioned for not taking immediate action in this matter; and Constable Crockatt is severely reprimanded for putting his brother-in-law on as one of the jury. The entry will be made in Constable Crockatt’s sheet, but not in the case of Constable Scully. I will transfer Crockatt as soon as a suitable vacancy occurs.” That is dated the 2nd June, 1894, and the horse episode is dated the 6th February, 1896. It was a case of a single man and a mounted man’s vacancy that I had to find, and vacancies of that kind do not often happen together.

94. *The Chairman.*] When was he transferred?—On the 18th February, 1896—the same month as the horse episode. He left Akaroa for Hawera.

RICHARD MARSACK, examined on oath.

95. *The Chairman.*] What is your rank?—Fourth-class detective, stationed at Christchurch.

96. What do you wish to bring to our notice? I understand you come as a delegate?—Yes, from the other detectives from Christchurch, to place before the Commission a suggestion that an

allowance should be made to ourselves towards the maintenance and repairs of bicycles that we use on public service. I may say that, during the past five years, myself and other detectives who have been stationed here have provided ourselves with bicycles at our own expense.

97. All of you?—Yes, and we really find we cannot get through the work without them; owing to the flatness of the city, and the extent of the suburbs, we cannot get on without them.

98. Since you have had them you find them indispensable?—Yes; I may say they are a saving to the department's expenses; we have often used them where otherwise horse-hire would have been incurred. I consider to a certain extent we are saving the department money in that way, and incurring expenses ourselves to save the department that money. It costs a matter of some £3 a year, roughly speaking, to keep each of these bicycles in repair; and I think I can safely say we have saved considerably more than that sum to the department, in what would otherwise have been expense for horse-hire. I have applied on one occasion to the department to have the cost of certain repairs paid by them. That was referred to the Commissioner and refused. The Commissioner stated it would be opening up too great a question for him to go into at that time. I think it should, particularly in Christchurch, when this arises. I do not know of any town where bicycles are so extensively used by police, or used at all. As detectives, we are always on duty, and are never using them for our own pleasure.

99. As a rule, is it advantageous to pass so rapidly through the streets and country as you would on bicycles? Is it only on exceptional occasions you want to make rapid passages?—No, it is very frequently. One particular bit of work we have to do is to inquire at pawn and second-hand shops for the recovery of stolen property; that used to take me a whole day, and now it can be done in two or three hours. We frequently also get reports of crime happening in the suburbs close about, and we can immediately proceed there on our bicycles; whereas, had we to wait for a tram or a coach, a good deal of valuable time would be lost.

100. What do the bicycles cost?—Mine cost £15.

101. Then I understand you to suggest, not that you should be provided with bicycles, but that the cost of keeping them in repair should be defrayed?—Yes. We do not want to ask too much.

102. If these are not for your own private use at all, but for use only on duty, how is it you are only content to ask for repairs, and not for bicycles?—We would sooner have "half a loaf than no bread."

103. *Colonel Pitt.*] Can you give us the benefit of your opinion as to bicycles being provided for the ordinary Police Force?—No, I really cannot see the necessity, except for suburban constables, and those who have to patrol out-districts. I do not think that the men in the city would require them.

104. How long ago is it since you represented this matter to Colonel Hume as Commissioner?—I think about twelve months ago I met with rather a serious accident to the bicycle, and incurred an expenditure of £1 10s., and I asked that that should be defrayed by the department.

105. *The Chairman.*] Referring to the previous question, and looking at the matter as a suggestion, do you think it would be practicable and useful to mount men for ordinary town work on bicycles?—Not the men on beat.

106. You think, in getting over the ground and paying all the necessary observation to what was going on, it could be done just as effectively and rapidly on bicycles as on foot? Supposing a constable had to arrest a drunken man, or something of that sort, what would he do with his bicycle?—I do not think it would be so effective.

107. *Mr. Poynton.*] It would be useful for patrolling the suburbs?—Most useful. In fact, most of the suburban constables have bicycles, which they have found themselves. I would like the Commissioner to ask Inspector Broham's opinion on this question.

THOMAS BROHAM, further examined on oath.

108. *The Chairman.*] You have heard the evidence of the last witness; will you give us your opinion upon it?—I have long advocated that the detectives should be supplied with bicycles. One detective with a bicycle is equal to two without one in this town.

109. At all events, if they cannot be supplied with the machines, you think they ought to be kept in repair for them?—I certainly think so. I should like to see them supplied with them. A man soon exhausts himself here if he is supposed to do his duty on foot. The detectives commence their duties at 9 in the morning and end about 2 o'clock the next morning.

110. Now, with regard to the question we have just raised, as to how far bicycles would be beneficial to the ordinary Police Force of the town: what is your opinion upon that subject?—I think the time has not yet arrived when, it appears to me, they should be supplied in towns to the men. By and by, I think, they will have to be supplied to the suburban constables. I would like to see them supplied to the suburban constables now, but it would involve a large expenditure.

111. Would not the expense in the towns give more efficiency to the number of men you have on your beats, or even justify a reduction in the number?—I cannot recommend their adoption in the towns; but I should be glad to see them given to the suburban constables.

112. This district is especially adapted for the use of bicycles?—Yes, the police being so numerically weak, there is all the more need for their being supplied with bicycles.

113. *Colonel Hume.*] You say you advocate bicycles. Have you ever recommended the men should be supplied with bicycles?—I have. I have recommended repairs. I have gone further, I have expressed myself that they should be also supplied with them.

114. You refer to the correspondence with Detective Marsack?—Yes, and Constable Flewellen.

115. *Mr. Tunbridge.*] I believe I have sanctioned the payment of the cost of repairs to Constable Flewellen's bicycle?—Yes.

116. That is because the department recognised the use of it?—Yes.

117. In assisting the constable to get through from New Brighton?—Yes.
118. The other day you said the numerical strength of the Force in this district was totally insufficient?—Yes, totally insufficient.
119. How long has it been totally insufficient?—Certainly during the years I have been here. For the last five years.
120. Now in your report on the 1st July for the year 1895, you stated that “The three constables you sent here in February last have been a valuable addition to the strength of the Christchurch Station, which before their arrival was much undermanned.” Well, now, anybody reading that would infer that when you got these three men your Force was no longer undermanned?—When I got these three, the chances are I had been short of these three men for months before. One was taken away, and, I remember, I got no constable for ten months. It was a common thing to see men, both constables and sergeants, go away for three or four months without anybody coming to take their place.
121. Then, you went on to say the police in Christchurch had been starved for years?—Yes.
122. You referred to numbers?—Yes.
123. Then, you got an augmentation of six men last year?—I think it was last year.
124. You went on to say that you required five more men?—I said if the Force was up to what it was twenty-one years ago, fifty would not be in excess of the requirements of the place.
125. Then, supposing that there were five more men wanted here now: would you call five men short “totally insufficient”?—I am ten men short.
126. But you went on to prove that five men would be sufficient for it?—I am not aware I said that five men would be quite sufficient. I am aware I said if it was up to what it was twenty-one years ago it would not be in excess of the requirements. My reference to five, I think, was with regard to the men you might always count out as non-effective men.
127. Do you think that having more constables would prevent crime? Or do you want more constables to detect crime?—It would act both ways; it would prevent crime, and be the means of detecting crime.
128. When crimes occur now, have you anybody to attend to them?—Quite insufficient to attend to them—for instance, since this Commission commenced I have been short of half a dozen men over it.
129. When the Governor comes to Christchurch, do you furnish any men for him?—Yes.
130. How many?—I was not here the last time he was here.
131. Is it not usual to have one by day and one by night?—Yes; that means two men.
132. When the Minister comes you generally furnish him with men?—Yes; and there is generally a Commission sitting here.
133. And we have seen some four or five men in this chamber every day?—Yes.
134. Then, notwithstanding all this, and the shortness of men, you have managed to carry on the duties of the place?—I have had a most wearing and harassing office for the last five years.
135. Are not all police-officers harassed and worried?—They are. There is no class of men in the colony at the present time more hardly pressed than Inspectors of Police. The force is so very weak numerically.
136. When a man is likely to go sick for a month, have you no man at any out-station you could withdraw?—None whatever.
137. What about the man at Coalgate: could you withdraw him?—Certainly not; there must be a constable there; it is fifteen miles from another constable, and he has a large area to attend to. You cannot shut up the station.
138. Then, what about Southbridge?—As you know, the station has been shut up.
139. But you have got a man there now?—He has gone to Southbridge during the last three or four months.
140. You told me you had no men; and there is one, for instance?—I am not sure he could be brought in.
141. Then, you went on to say that during the last five years you had men physically weak, who had to go on the sick-list: now, do you think the men are physically weaker now than they were ten years ago?—I think so.
142. Now, you have had influenza in an epidemic form?—Yes.
143. That would account for a good many of the men going sick?—Yes.
144. Do you think that your sick returns, if you had them prepared now, would show a greater percentage of sickness on account of the influenza than occurred ten years ago, on the part of constables?—I cannot express an opinion on that.
145. Are you prepared to bear out your argument that they are physically weaker now than they were?—Yes, that is my impression; I say that a number of the men have been weaker men than they were ten years ago.
146. *The Chairman.*] You say you are not in a position to state whether a return of the sick-list would show that as many men were sick ten years ago as there are now?—I am not prepared to say.
147. *Colonel Hume.*] Have there been more cases of sickness during the past five years than in the five years preceeding?—I cannot say, because I was not here.
148. Then, you go on to say that a large number of the men are in no way fit for the work they have to perform; and that the men have no sense of duty themselves, and in whom there is no spirit of obedience. Were you referring to men from the Permanent Artillery, or outsiders?—From the Permanent Artillery mostly.
149. There were some good men from the Permanent Artillery, I suppose?—Yes, they were not all bad; I should be sorry to say that.
150. If you got men in whom there was no spirit of obedience or sense of duty, do you not think that a good deal of blame for that attaches to the non-commissioned officers placed over them?—

Ordinarily, that would be the case; but these were men who came into the Force by political influence.

151-52. When you make the statement that they came in by political influence, can you give us an instance?—I cannot charge my memory with it, but for the last five years it has been brought under my notice nearly every week of my life.

153. How brought under your notice?—By the conduct of the men, and what is reported to me by the sergeants of police, and what I have seen with my own eyes.

154. Then, you state that a large number had not sufficiently high intelligence to satisfy you?—That is so.

155. Have you made any official report of that?—To whom should I make it?

156. To the Commissioner?—The Commissioner was well aware of the class of men coming into the Force.

157. Have you made a report that these men were not sufficiently educated?—I have not made a report, but I was well aware that the Commissioner was as well aware of it as I was.

158. Is it not a fact that the recruits who join now are far better educated than those who joined ten years ago?—I certainly do not think so; that has not been my experience.

159. Then, you consider that the men you got ten years ago were more intelligent and better educated than the men you get nowadays?—In book-knowledge they may not know more; but they were more obedient, and more inclined to do their work; it is all play now and no work. Then it was real work.

160-61. I am talking from an educational point of view: are not the men better educated now than ten years ago?—They may be. They may have a certain veneration of education, but I should like to see it exercised in the way of duty. I do not see it exercised in that way.

162. Then they are intelligent, but their intelligence is not used in the right way?—Yes, that intelligence is not turned in the direction of their duties.

163. You went on to say the constables knew the Inspector's power was curtailed, and it bred a spirit of insubordination amongst the Force?—Yes.

164. You would not brook any insubordination now more than ten years ago?—No, I have done my best to keep the standard up.

165. How can you account for this return of offences committed by the men: in the year 1890 there were seventy-six offences recorded against constables, and the Force was then some fifty or sixty less than it is now; and in the year 1897 there were sixty-three offences. Can you account for them in any way?—Certainly; that would entirely depend on whether a sergeant did his duty with regard to the men. I do not believe for a moment you can judge of the character of the men by the return. That return counts for nothing.

166. Have you any reason to suppose that your sergeants are not dealing with the men properly?—This is how the matter stands: The number of sergeants has been reduced. A little time ago, I think, there were only a couple of sergeants doing the work of three, and we have often been short of two sergeants; and it is not likely constables will report each other—they never do. Then, the sergeants are men depending on the Force for a livelihood. They are dealing with a number of men whom they think have a lot of political influence; and when a sergeant looks at the matter in that light, it is not at all likely he will bring that constable or those constables up for a breach of duty as he would if he knew that the men simply had to do their duty, and that there was no political force at the back of the constables.

167. *The Chairman.*] You suggest that sergeants are deterred from doing their duty, under the impression that the constables have political influence at the back of them?—I think it is quite possible.

168. *Colonel Hume.*] Are we to infer that there was no political influence ten years ago?—No; there was political influence. The Force has been deteriorating for the last eighteen years; it commenced in 1880, when there were all these discharges.

169. Then, you think that the fact of only thirty-four constables being fined in 1890, and only fifteen in 1897, does not indicate that the Force is as well behaved now as it was ten years ago?—No, it does not; I think the figures count for nothing.

170. You went on to say that the Commissioner, or some deputed officer, should see all the men before they were admitted into the Force?—Yes, and that inquiries should be made into the character of the applicants before they were appointed to the Force.

171. Do you know what inquiries are made about the characters of them?—No inquiries whatever are made, so far as I know.

172. Have you ever made any inquiries?—Never.

173. Then you jumped at the conclusion that, because you have never made inquiries, no inquiries are made?—That is the impression, that there has never been an inquiry. A person comes and gets an application form, and fills it up; it is recommended by a Justice of the Peace, or a member of Parliament, or clergyman, and it is sent to Wellington; and nobody sees the applicant, and no inquiry is made as regards his character by any member connected with the department, so far as I know, and he is appointed to the Force without the Commissioner of Police seeing him.

174. Have you seen an applicant's form?—Of course I have.

175. Is there no inquiry there?—Not by anybody in the Force; so far as I am aware, the Commissioner of Police does not inquire into it, and the Inspector of Police does not inquire into it.

176. Has not the man to show there the last five situations he has been in?—I believe so; I know he has.

177. Then, has he not to show testimonials from the people who employed him at those five situations?—Yes; but I do not know what the worth of them is.

178. Then, considerable inquiry is made?—He produces certificates from these men; I do not know that anything more is done.

179. Well, if he saw the man, what would that do?—He would see the kind of man he was dealing with.

180. Would that tell him anything about his character?—He would have an opportunity of inquiring as to the character of the man.

181. Were you aware, then, that these people who employed him were asked about his character?—I knew he produced certificates from them.

182. Then, what is the Commissioner to do?—He should see the candidate, and there should also be a member of the Force to inquire into his character. It seems to me the first thing that should be done.

183. In fact, you think this application form is not searching enough?—I think it is utterly worthless.

184. *The Chairman.*] You think the certificates of the last five employers are utterly worthless?—He may have served only a few days with these employers. I would depend more on the officer of the police than on certificates.

185. *Colonel Hume.*] We have heard a good deal about political influence being used. Can you tell us now, from your own experience, about Masonic influence?—I cannot tell you anything about that.

186. It has never come under your notice?—No. I am not a Mason myself, and know nothing about it.

187. Then, you went on to say that you thought the pay of the men far too low?—Yes, I think it is.

188. And you think they ought not to get less than 7s. when joining?—Yes, and a pension; in my recommendations I always included a liberal pension, in order that a man might be kept in old age.

189. The pay when a man joins now is about 6s. 9d. a day?—About 6s. 6d.

190. Then, you advocate that leave might be cumulative up to a couple of months?—Yes.

191. How are you going to fill up the vacancies?—At the present time, as things go, we have no men; the department has been starved.

192. Then, if you got these extra men you would let your men go away for two months on leave?—I do not say that should be a rule; but in odd cases, where a man chooses to do so. It could be easily checked if the men were going to abuse it.

193. Then, you say, you have not been consulted in regard to promotions and transfers previous to the last six months?—No.

194. Are you quite sure that is a correct statement?—I have never been consulted in regard to promotions or transfers.

195. Did you not furnish me with a report stating whether men were fit to have charge of stations, and to go as Clerks of Court and as Clerks of Warden's Courts, and to do mounted duty?—Yes, that was a kind of general report; but it had no reference to any promotion and no reference to any transfer.

196. But what do you suppose was the object of my getting the return?—I am sure I do not know; you never consulted me in regard to the transfers while in charge of this Force, you never asked me about a promotion or a transfer.

197. Is not the first column of the return I referred to, to show whether the men were fit or unfit to take charge of stations?—You got this general return, but I never saw any result from it.

198. Did you see men put in charge of a station whom you said were not fit to be put in charge of a station?—No; but I once saw that. I saw a man placed in charge of a station when better men were not placed in charge of stations. I never wrote to state that any man was not fit to take charge of a station, because I was never consulted.

199. You have not put in this return men who were unfit for charge of a station?—My recommendation was for men who were fit to have charge of stations.

200. *The Chairman.*] I understand you were not consulted in any individual transfers, but you were consulted as to the suitability of men for transfers?—No. I think I only sent in a return of that kind once, and that is quite recently.

201. *Colonel Hume.*] Did not the first column of the return say "whether fit or unfit for charge of station"?—Yes, I believe so.

202. First of all, what was the return called for?—I have not the slightest idea. I know there was a column for men fit for stations, and men fit to go as Clerks of Court.

203. Did not the return give the names of all men serving under you who were not in charge of a station?—Yes, I believe so.

204. You do not look on that as a recommendation? Have you sent in a return to me stating the men fit to have charge of a station?—Well, I could not always say what a man's conduct would be, perhaps, in a couple of years after that.

205. Did you report to me every month as to conduct?—I sent you in a list, and that would show the list of defaulters; but then other things might arise, that do not appear on the defaulter's sheet at all.

206. *The Chairman.*] Were the reports as to men fit to have charge of stations, and men fit to go as Clerks of Court and Wardens' Courts, sent in monthly?—No; I think only once during my five years. But in any particular transfer, or transfer in this district, I was never consulted.

207. *Colonel Hume.*] Now, you told us the other day that you did not agree with this system of taking transfers away from the Inspector, did you not?—No, I did not—not in that way. I said that formerly Inspectors had that power. I said I was not consulted regarding transfers now.

208. Do you approve, or do you not approve, of taking away the power of Inspectors to transfer?—I think, as matters stand now, that Inspectors should be still consulted in regard to transfers in their district, because if that is not done you will only find wrong men in charge of stations. I do

not know how the Commissioner can know of the individual merits of the constables without consulting the Inspector; it seems to me extraordinary that such a thing could be supposed.

209. Then, your idea is to rank each district as a provincial Force?—Certainly not. In the provincial days the men were appointed to the police within the province, and had their duty within the province, and did not go outside of it; and no one can say that the Police Force now is up to the same standard it was in the provincial days.

210. *The Chairman.*] Do you mean it cannot be compared in regard to efficiency?—Yes.

211. As discoverers of crime, or maintenance of peace?—General ability. Of course, the provincial system was a more extensive system; but this I say, the department has been starved of late years.

212. *Colonel Hume.*] Then, you went on to say that the provincial system was much more efficient?—Yes, I say so.

213. Is it not within your knowledge that the whole stagnation of promotion that has caused a great deal of dissatisfaction, if there is such in the Police Force, has been caused by the state in which they found the Provincial Police when they took over office?—No, they have gone and reduced the Police Force in every possible way, numerically, and they have reduced the men in rank, and have done everything to discourage the men.

214. When the General Government took over the Canterbury Force, the Force consisted of six officers, twenty-two sergeants, and sixty-seven constables?—Yes.

215. That is, twenty-nine officers and non-commissioned officers, for sixty-seven constables?—Yes.

216. Do you think that is a fair proportion?—I do not think it was over-officered or over-manned at that time. I may say, there was one officer at Kaiapoi, but that is a matter of opinion. I do not know much of the officer at Kaiapoi, but that is the only place I should say an officer was not wanted.

217. You knew something about Westland?—I had been there.

218. In Westland, I find, they had three officers, one sergeant-major, seven sergeants, and twenty-one constables. Do you think that was a fair proportion?—In the busy times, when I was there, there were two Inspectors, myself and another; that was the strength of it then.

219. In Nelson, we find two officers, three sergeants, and eight constables?—I do not know anything about that district.

220. But you seemed to think this provincial system so good, or was so good?—Of course, they may have gone to a slight extreme in that direction. We have gone to the other extreme; we have gone in for a cheap Police Force.

221. One officer told us that, when the General Government took over the Provincial Police Force, Inspectors who had no class at all were made first-class Inspectors, and put over the heads of some others, who suffered thereby. Can you tell us something about that?—I remember something of the kind; that was so, I believe, in Otago.

222. For instance, taking Inspector Pender: Was he a senior or junior to you?—He was Inspector before me, at the time we were both in Canterbury; but then, I had independent charge of Westland, and semi-independent charge in Auckland, after that.

223. And when the amalgamation came on you went over his head?—Yes, but I do not expect Inspector Pender has complained of that.

224. Do you think it likely, or possible even, that constables have entries in their defaulters' sheets that they were never informed would be entered there?—I should be amazed to find such a thing done. The Inspector who did that would do what was very wrong indeed; I should say he was quite unfit for his office.

225. Your experience has been the other way?—Certainly.

226. Constable Mathieson told the Commissioners that he was unfairly dealt with by you in Auckland, in 1881, by being fined 2s. 6d. for being absent from his beat, and he did not know it was entered on his sheet?—Of course, so far as saying he did not know the thing was on his sheet, that must have been absurd; he must have known. I cannot remember the circumstances. Of course, he must have seen that the amount was deducted from his pay; he must have been well aware of that.

227. But there would be no papers about it?—I do not think so.

228. And, as you say, the 2s. 6d. was deducted from his pay, therefore, he must have known that part of it?—Yes.

229. And you cannot believe that any constable who has served under you has had an entry made in his defaulter's sheet that he did not know of?—I can conscientiously say he could not possibly make that mistake.

230. Can you tell us if it has come under your notice, or if you know of any constables occupying subordinate positions who have served with ability and distinction, whilst others, with nothing to recommend them but political influence, were placed in positions they were utterly incapable of filling properly? Has a case of that sort come under your notice—as this was a statement made, I think, in the House of Representatives, and therefore I ask the question?—Well, I have long concluded that unless a man exerted himself politically to get advancement he had a very small show in this Force. I cannot say that is so in the terms in which the question is put.

231. *The Chairman.*] With reference to that remark, you have long concluded that unless a man exerted himself, and so on: what period do you cover by that expression?—For some years.

232. Can you give us anything more definite; is it a matter of ten years or twenty years?—Within the last ten years.

233. *Colonel Pitt.*] What do you base that opinion on?—From my every-day experience in the Police Force.

234. Well, what has been your experience?—Dealing with men every day, I have an intimate knowledge of what is going on in the district.

235. You have said that the sergeants would not enforce discipline because they knew that the men had political influence, or they supposed that they had it; but you say here now, that “I have long concluded that unless the men exerted themselves politically to get advancement they have little chance of getting it.” What is that founded on?—It is founded on my daily experience in the Police Force.

236. Can you give us any instance?—I cannot charge my mind with any particular instance.

237. *Colonel Hume.*] The two biggest appointments given in the last ten years in the Force were given to a man named Pratt, who, I think, served many years under you; and a man named Cullen, whom I think you know. Now, do you think these two men exerted political influence to get them?—I am not aware of it, but I know the appointments were given to the right men.

238. You were not aware they exerted any political influence, but you know the appointments were given to the right men?—I know that.

239. Does that bear out the answer to the question immediately before?—Not in this case.

240. And these are the two biggest appointments for some time in the Force?—They are.

241. Have you known constables to be given stations which they were not competent to take charge of?—I do not know I have known many of them. I have known one particular case.

242. Was that long ago?—A few years ago.

243. Was it in my time?—Yes.

244. Can you give the name of the station?—Waimate Station.

245. And had the man concerned been in charge of a station before he went to Waimate?—Yes, some time before.

246. Then he was probably in charge of a station before my time?—Yes, he was.

447. Now, is there any disorganization in the Force in your district that you know of at the present time?—I am not aware of any disorganization, but I would like to see the Force more effective, and numerically increased.

448. Is the Force in your district efficient?—I should like to see it much more so.

449. *The Chairman.*] Does that mean that the present Force is inefficient?—The present Force is numerically very weak.

450. *Colonel Hume.*] Then, in your opinion, its only inefficiency consists of its numerical weakness?—I have said more than that; I have said some men were weak in physique, and do not possess a high intelligence, or intelligence to suit me.

451. Now, have you been directed by me from time to time, or at any time, to carry out the liquor laws vigorously?—Most certainly, over and over again.

252. Have you been deterred in any way, either by written or verbal instructions, in carrying out the liquor laws?—Certainly not.

253. You said the other day that you thought your district too large?—Yes.

254. Is there any station you could not get to in a day from Christchurch?—Most of them I can get to in a day, but the district is very large.

255. Has there been any important case that you have not been able to attend to, owing to your being in some other part of the district?—Well, most of these stations I am only able to visit once a year, and I only see the men for one or two hours in the year.

256. And you think they ought to be oftener visited?—Yes. I think they should be regularly inspected.

257. Who takes charge of the district when you go away from Christchurch?—The sergeant-major has charge.

258. What does your district clerk do?—District clerk's work.

259. Supposing a telegram comes for you: who opens it?—In my absence the chief clerk opens it.

260. And if it is anything about crime he hands it over to the sergeant-major?—Yes.

261. But you would not say, if anybody asked you, that the district clerk was in charge of the district while you were away?—Certainly not; the sergeant-major is next in seniorship, and he takes charge.

262. When the fire-bell rings, what men of yours are supposed to turn out? Of course, the men on duty are; but are any others supposed to turn out?—Yes; if the fire-bell rings at night all the men turn out, excepting those for the early morning relief.

263. Is that in accordance with the instructions you received from my office?—I am not aware of any instructions to the contrary.

264. Did you get instructions some time ago to say that half the men not on duty were not to turn out to the fire?—I do not remember that.

265. But, if there is such a circular it is acted up to in Christchurch?—Certainly. I do not remember such a circular, but somebody must attend to fires; if there are eight or ten thousand gathered at a fire, it would not do to leave the whole place in the hands of the two or three men who are on duty in the town.

266. I have a circular here, No. 8, published in the *Gazette* of the 27th February, 1896, headed, “Police attending Fires,” to the effect that only half the men not on duty are to turn out? Do you remember that circular?—I do now.

267. That is acted up to in Christchurch?—Certainly; it must be.

268. *The Chairman.*] It is carried out?—Certainly; the duty is extra heavy on the police here with regard to fires, because we have a larger number of false alarms here than anywhere else, on account of the system.

269. *Colonel Hume.*] Has anything come to your notice with regard to transfers, promotions, or admittance of constables, that you could trace to political or Masonic influence?—No; I have

never troubled myself in these matters at all. I have never gone out of my way to ascertain how the men get promotions, or anything else. I cannot charge my memory with any case of the kind. I know Freemasonry influence is new to me. I had not heard of it before.

270. Has it come to your notice that political influence has been used to secure promotions, reductions, or removals of the men in the Force?—Yes; frequently I have heard that stated.

271. Has it come to your knowledge by report? Can you put your hand on a case?—I cannot.

272. Then, it has come to your knowledge?—It has come to my knowledge. I have heard statements made, but I cannot give a case. There was a widespread belief in the Police Force that without political patronage no man stood any chance of advancement.

273. Did you ever yourself feel that?—I cannot for a moment suppose that all I have heard is all baseless.

274. Supposing a publican thinks a constable is unduly zealous in the performance of his duty in watching his house, and considers that constable would be better somewhere else, have you known him to go to the member of the House for that district to get that man removed?—Personally I have never known a case of the kind. But the case alluded to by Inspector Cullen the other day was reported to me at the time it occurred. He believed he was removed from Timaru for a case of that kind—that is known; and he was transferred.

275. Then, do you believe in recruiting men from certain districts or certain localities?—No; I said already I believed in recruiting from the whole colony.

276. But if you find you could get a better stamp by recruiting from Stewart Island?—It is a limited population.

277. Is it your opinion that those recruits should be got irrespective of districts altogether?—Yes; I believe in recruiting from the whole colony: but I should be very sorry to see it confined to one district where the field was better.

278. Do you believe in giving a man who has committed a serious fault a second chance?—Certainly. I have seen excellent men make serious mistakes, and recover themselves again.

279. And you are not prepared to say that a man who has been dismissed should never be brought back again?—The less that was resorted to the better. Of course, a serious mistake might have been punished without a man's dismissal; but I take it for granted that the Commissioner of Police would not lightly dismiss a man. But, having dismissed a man, I cannot understand your taking him back again. I take it he would inquire into all the circumstances before he dismissed him, and make all allowances for his previous good character.

280. Can you remember recommending a man who was dismissed from the Force not many years ago, and who was brought back?—Yes, I do.

281. Then, you did not make it a hard-and-fast rule?—Well, there again, you see, that man need not have been dismissed, to commence with; why he was dismissed and reappointed I do not know. If the man had borne a good character before, I do not know why he was dismissed.

282. He was dismissed?—Yes.

283. And you recommended that he should be brought back?—I did.

284. *Colonel Pitt.*] Do you think he ought not to have been dismissed?—No, I do not; I had only said I had a long experience of the man, and that he had shown himself to be a good man.

285. *Colonel Hume.*] Then, you went on to say you did not believe in periodical transfers?—Yes.

286. Is it not a fact that several times you have recommended men for transfer?—I have recommended very few for transfer. I do not think I have recommended half a dozen during my whole time here. I recognise the fact that it was all done from Wellington.

287. You have probably recommended half a dozen?—I do not think I have recommended half a dozen.

288. How came you to recommend them if you do not believe in transfers?—These were very special cases. What I complain of is that the men were so short a time in the place that they could not come into touch with the public; they never had an opportunity of knowing the public, nor the public of knowing them. It takes a constable a couple of years to know much about the locality he serves in, and the people he is dealing with; and again, in provincial days, when I say the Force was a very efficient Force, the whole of the officers were appointed in the district and did not go outside of this district.

289. You stated the other day that a crowd was in the habit of collecting in front of the Empire Hotel, and that it was due to the fact that a couple of Riccarton 'buses started from there?—The 'buses generally start from there, and it is owing a good deal to that fact that the crowd collect.

290. And up to the present time the 'buses still start from there?—They still continue.

291. I think I called your attention to that crowd when I was Commissioner, and asked you to clear the streets?—Yes.

292. Can you account for the fact that since that evidence was given, three or four days ago, the crowd has disappeared altogether?—We are immediately after the Easter holidays, and that is the cause of it. The town is always dull after the holidays.

293. You have taken no extra precautions since you gave your evidence?—No.

294. You also stated in your evidence that the younger men were kept in the city, while the older men were sent to the country stations?—That was the rule that used to be observed. I do not know whether it is the case now or not.

295. Do you not think it is a right rule?—Yes.

296. You also said that the men here had been in the city only a short time?—Yes.

297. Now, have you not twelve men who have been here over two years?—The senior constables are on special duty, and not on the town duty.

298. But are there not twelve men who have been here over two years?—There may be, but most of them are on special duty.

299. Cannot you say whether there are or are not a dozen men here who have been in the city for two years?—There may be, but I cannot say.

300. But you are not prepared to say there are not a dozen?—No; but if there are, most of them are on special duty.

301. As to the older men being in charge of stations, you say that used to be the rule?—Yes.

302. Are you prepared to say it was the rule when I became Commissioner?—No, but I find aged men coming into the town now on duty.

303. Married men?—Married sergeants.

304. We are not talking about sergeants?—Well, they form part of the Force. I think it is cruel to keep them doing eight hours' duty on the streets.

305. I want to get at this: Have you got old and senior constables in town who are married men, when their juniors are out in charge of stations?—No, that is not the rule.

306. Was it not very often the case that these older men were out on street duty and younger men were in charge of stations in the time when Inspectors had the power to transfer?—No, Sir, it was not.

307. Are you now speaking for the colony?—I am speaking of my own experience, and it was not the rule in my experience.

308. Let us suppose a case: A station was vacant, and you recommended a third-class constable for it. He would probably be the senior man in your district without a station, and in your opinion would be fitted for it. In another district there was a second-class constable, much his senior. Do you think it would be right on the part of the Commissioner to send your man?—I know cases will occur when it will be necessary to send a man from other districts; but the rule—and it was a wise rule—was that men should not be sent out of a district.

309. Then, if the Commissioner did not send the man you recommended, would you not consider you had a fair grievance?—What I state is that I was never consulted at all, and I do not mention it as a complaint but as a fact.

310. I am endeavouring now to show that you cannot run the Force by districts. Was not the competency of men for the charge of stations determined by a return furnished by the Inspectors?—I do not know that. I do not know whom that rested with. I furnished a return, but whether it had anything to do with the choice of constables I do not know. I know I furnished that return once.

311. You say that you require six detectives for Christchurch?—I think so. I think that with six efficient men the detective branch would be sufficiently strong.

312. And as each detective has a bicycle, and you told us that a detective with a bicycle was worth two without bicycles, you think that twelve detectives are required for Christchurch?—No. You actually reduced the number to two, but I think that was playing with the crime of the place. It seemed to me farcical to run Christchurch with two detectives.

313. Now, in your annual report of 1894, you say, "A comparison of the various kinds of crime committed during the last two years shows but a very slight difference in the totals for both years. No crime calling for special remark was committed during 1893"?—Yes. I think that is easily explained. I meant to say that there was no murder, or highway robbery, or aggravated crime.

314. Notwithstanding that the place had been denuded of detectives?—They were not reduced to two in 1893. We had three then.

315. When were they reduced?—About twelve or eighteen months ago.

316. Then, in your report of 1897, dated 1st June, 1897, you say, "Beside the remains of the murdered man a swag was found, containing such articles as are usually carried by swagsmen. Every possible effort has been made to elucidate the mystery surrounding the case, but, so far, without success. No other case of crime requiring special mention occurred here during the year." That is correct?—Yes. I brought under your notice repeatedly the fact I have stated to the Commission—that twenty-one years ago there were fifty men in the Force in Christchurch, and that, although the population had since doubled, the Force is less now than it was then.

317. And what was my answer?—That the circumstances had changed, and that I had not now the class of men to contend with that I then had.

318. And did I not also say that you now had as assistance the telephone, the telegraph, and the bicycle?—We had the telegraph formerly.

319. Does not assistance from those directions alter the position, then?—Yes; but it has to be remembered that the population has doubled, and that alters it also. I did not ask to have double the number of men that we had in the early times, but that the number should be at least what it was twenty years ago.

320. You also said in your evidence that crime is not detected to your satisfaction. What is the particular class of crime that is going undetected?—I could not confine my remarks to any particular class of crime. I think that, all round, the number of arrests should be larger than they are at present. For instance, there are complaints from the Prohibitionists.

321. I suppose they would still complain if there was a large Force?—Well, with two men in the town on Sunday it is too much to expect that we can give the attention to forty-six public-houses that some sections of the community think should be given to them.

322. Do you think that if you had two hundred men the complaints of the Prohibitionists would cease?—If there was a man at the front door and a man at the back door of every hotel, I do not know if even that would satisfy some people.

323. You served in Auckland for a considerable time?—Yes.

324. And if you require six detectives for Christchurch, how many would you require for Auckland?—I think Auckland would require as large a number.

325. Would it not require a larger number? Is Auckland not in direct communication with San Francisco, Sydney, and Melbourne?—The detectives in Auckland were reduced to a merely

nominal number, and crime at once became marked. The criminals saw that the Detective Force was weak, and they flocked there immediately, as they will.

326. But how is it that you consider that Christchurch requires the same number of detectives as a place in direct communication with the other colonies and outside places?—As a matter of fact, I believe there are eight or ten detectives and plain-clothes men in Auckland doing detective work at present.

327. But your power of making plain-clothes detectives is not limited, is it?—If I appointed two or three plain-clothes detectives I would have to take men off the street, and there would be a complaint about that.

328. If the Governor comes and takes two men there are no complaints about the streets being denuded, are there?—Somebody must do the work of those two men.

329. Did you ever have Sergeant Mulville under you?—Yes.

330. How did he perform his duties?—I cannot say he gave general satisfaction. I think he did his best. He is a man growing in years, and a man whom I would be glad to see in a country station. I think that is the best place for him.

331. Would you put him in charge of a large town district?—To act alone?

332. Yes?—In his present state of health I do not think he is fit for it.

333. What about his tact and discretion? Is that sufficient to warrant his being put in charge of a town district?—I do not know. I had him with me only a few months.

334. Do you know of the existence of oyster saloons and tobacconists' shops where young lads and girls are induced to bet?—I do not.

335. Do you think there are any?—It might be done in a small way, but not in a way that will attract the notice of the detective police.

336. You would know of it, if it was done?—If it was done in a marked manner.

337. Do you recollect the examinations that were once held? One lot was held for testing constables' qualifications for promotions, I think?—Yes.

338. Did you see the papers set on that occasion?—I do not recollect, but I know that papers were set.

339. Mr. Stratford was the examiner?—Yes.

340. Do you believe in those examinations?—I think, if they are carried out in the manner that they are in Victoria, they would be useful in sharpening a man's faculties, and would result in the men acquiring a knowledge of the law.

341. You do not believe in military men for Commissioners of Police?—I was not asked the question.

342. But I ask you now?—As a matter of fact, military men have had charge of the Force from the first.

343. They had charge of the Force in Victoria before you came here?—Yes.

344. Then, you do not wish to express an opinion one way or the other?—The Police Force in Victoria was looked on as the first in the colonies, and a military man was at the head of it. Military men have had charge of the New Zealand Force since it was instituted, and it has not been a success.

345. Were not your requests and suggestions given effect to by me when I was Commissioner?—On the whole, they were.

346. Whenever you had a case you thought doubtful, or in which you required the assistance of counsel, you always sent me a telegram?—Yes.

347. Were you ever refused the assistance of counsel?—No, it was always approved.

348. What is your opinion as to the powers of the Commissioner? Ought he to be responsible to Parliament alone, or be under Ministerial control?—He should be under Ministerial control, but not as regards the appointment and the dismissal of constables. I could give an instance that occurred in the Victorian Force. Captain McMahon established the Police Force there shortly after the goldfields broke out. He had one Captain Dana serving under him, stationed at Geelong. This man wanted to come into Melbourne. Captain McMahon refused to take him into the town, and Captain Dana went to the Premier, Sir John O'Shannessey, who appointed him to Melbourne over Captain McMahon's head. Captain McMahon then resigned the Force. That is a marked case. That is the attitude Captain McMahon took up; he was the man who established the Police Force in Victoria and made it what it was. He would not allow any interference whatever. That is the position the Commissioner of Police in New Zealand should have.

349. Then, the only fault you have to find with my administration is that I had not power enough?—It seems to me that was the state of things.

350. Can you tell me the number of Protestants and the number of Roman Catholics you have in the Force in Christchurch?—No. I do not know the creed of scarcely a single man. I do not know the creed of the sergeant-major. I have never inquired about it.

351. If I say there are thirty Protestants and twelve Roman Catholics, you will not contradict me?—No.

352. Did Sergeant Wilson ever serve under you?—Yes.

353. What sort of a sergeant was he?—Very good.

354. Did he apply for charge of a station?—Yes.

355. And was he given one?—Yes.

356. Do you recollect anything about his forage returns at Akaroa being wrong?—He was at Christchurch when I came here.

357. It was not in your time, then?—No.

358. You recommended him for removal to the station?—Yes, I did.

359. Do you know the A1 Hotel in Christchurch?—Yes.

360. How many convictions have you had against the house?—Two or three within the last eighteen months.

361. Were they brought by the police?—They were.
362. *The Chairman.*] With regard to the beat duty, the day is divided into three periods of eight hours?—Yes.
363. How many men, as a rule, go out on the morning beat from 5 a.m. to 9 a.m.?—Two or three is the usual number. The next relief, also of two or three, is from 9 a.m. to 1 p.m. It might happen at times that there are more than two or three. The next relief is from 1 p.m. to 5 p.m., and usually the same number go out. The next is from 5 p.m. to 9 p.m., and the same number go out. The next is from 9 p.m. to 5 a.m., and at present sometimes about five men go out for that beat. The beats are formed for ten men.
364. There are ten beats?—Yes.
365. And these ten beats are occupied by from two to three men?—In the day-time the men do not go all over the ground, but confine themselves to the more thickly populated parts of the town.
366. When do they go over the ten beats?—At night.
367. These ten beats are served by ten men at night?—Sometimes. Occasionally, but rarely, we have the ten.
368. Do you say the number is sometimes less than five?—It is down to five, but I do not think there is less than five.
369. When do the men who serve from 5 a.m. to 9 a.m. again go out?—They serve again from 1 p.m. to 5 p.m., and the men who come in at 1 p.m. go out again at 5 p.m. till 9 p.m.
370. According to that, the whole of the day duty would be performed by four to six men?—Yes, occasionally.
371. If you have a total of forty men, how is it, then, that you are short of men, when only six men are required for the whole of the day duty?—Included in the forty there are myself, three detectives, the sergeant-major, three watch-house keepers, two clerks, three sergeants, the Court orderly, the Inspector of Weights and Measures, two mounted men, three or four attending Courts, two escort men, perhaps two men on the sick-list, and perhaps two men on leave.
372. That reduces the effective force to ten or fifteen?—Yes.
373. Can the staff of men holding special duties be reduced in any way?—It is utterly impossible. I want another man for clerical work. At present, I have only two for this huge district.
374. The number of men you have for street duty is about ten or eleven?—About ten, occasionally.
375. And that number ought to be increased by how many?—I have more than ten, but the full number is continually being reduced.
376. I am speaking of those you have available for police duty in the street?—I sometimes have ten men for night duty, when it happens that they are not on sick leave, or on escort duty.
377. You consider, then, that you are 50 per cent. short of effective men for ordinary duty?—To have the Police Force here up to its proper strength I should have ten more men.
378. *Colonel Hume.*] Have you a constable named Gantley?—Yes.
379. Have you employed him on plain-clothes duty?—During my absence on leave, he was on plain-clothes duty.
380. Is he still on that duty?—I think he is just returning to street duty.
381. Do you think he is likely to make a good detective?—I think he is more fit for street duty than detective work.
382. *Colonel Pitt.*] I do not know if we are to take your evidence literally, but I would like to call your attention to this statement: "The men are less inclined to work now than formerly. Now it is all play and no work." Does that accurately describe the condition?—No, not in that manner; but up to lately that was the case. I might have said, "Of late years."
383. For how long back has that state of things existed?—For some years. I would narrow it down to the last seven years.
384. What do you think was responsible for that?—I think that, in the main, politics were responsible for it.
385. Did you make any representations about it?—No, I made no representations about it.
386. Not in your annual reports, or in any other way?—No.
387. Was it not the business of the Inspector to represent that the men were not working, but playing?—That was generally my experience; but I knew it was a new system that had been introduced into the Force, and I carried it out to the best of my ability. It was right-about face on the old state of things, and I was not going to oppose the whole thing and say that I was wiser than those in authority over me, and that I knew better than they did. I saw, however, that the whole thing must lead to inefficiency in the future.
388. Do you think that that state of things existed in other districts than your own?—I am certain it did. I read of an Inspector having stated before the Commission that a detective had told him he had more power than the Inspector; and I can only conclude from that that the same state of things existed in other districts.
389. But do you wish us to understand that the necessary work of the Force was not done? What do you mean by saying it was not work, but all play?—I meant it was the disposition of the men. Their thoughts were not bent on work, and they had no sense of duty or discipline. They received their pay, and they did as little as they possibly could. They did their work in a perfunctory manner, and did not put their hearts into it.
390. Is that the condition of the Force now?—No. Public attention has been drawn to the matter in a very marked manner for many months past, and the Commission has been set up, and I think there is a great change in the Force; but how long it will continue I do not know.
391. *Colonel Hume.*] What is the new state of things you speak of? What is the new system that was introduced?—I do not think there is the political influence at work that there was once.

392. But you said you saw there was a new system introduced which must come to grief. What was it, and when was it introduced?—I think it was a lax system, that did not keep on the lines that formerly existed in the Force.

393. What was the change? You have evidently led the Commissioners to understand that I made the change?—I said there was a change from 1880. That was the first of it, but as years have gone by it has been more marked.

394. *The Chairman.*] You limited the time to seven years?—I referred to the more marked effects of the change.

395. And what was the new system?—The political system.

396. *Colonel Hume.*] You said it had been in existence for many years?—The men had not votes for some years ago—say, twelve or sixteen years ago. It has been since they got votes that the system has commenced.

397. There has been no change in the management of the Force for the past seven years that you think has done any harm at all?—I think the change has become more marked within the last seven years. When the Permanent Artillery men were introduced, they would leave their mark quickly on the Force. They were mostly men who came into the Force with political influence. They all had the idea that they should each be Commissioner of Police, and I do not know if their ambition would have been satisfied even then.

398. You can only speak of the men who came to your district, I suppose?—That is so.

399. And you cannot prove, can you, that they were political appointments, or that they were made through political influence?—I cannot prove it, but I am satisfied of it.

400. You made up your mind about it?—Certainly not. I have had very bitter experience of it, as you very well know that I had. I have frequently complained to you about it.

401. *Colonel Pitt.*] In what way can the unsatisfactory state of things to which you have alluded be remedied?—The first essential is to have the Commissioner of Police independent of all political control as regards the appointment and the dismissal of men. He has the power of dismissal now; but I believe he has in every case to submit dismissals to the Minister. I do not know whether I am correct in stating that.

402. Anything else?—Recruiting from the whole colony would also help. I think these are the essentials.

403. *Mr. Tunbridge.*] You remember Constable Pascoe being dismissed?—He was dismissed while I was on leave.

404. I may say the witness is wrong as to my power of dismissing men. I have power to dismiss men, and do not refer dismissals to the Minister. The regulations give me the power, and I exercise it.

405. *Witness:* I am glad to hear it.

406. *The Chairman.*] Had Colonel Hume that power?

407. *Colonel Hume:* No.

408. *The Chairman.*] As to the men in the Force who were specially concerned in looking after licensed houses, were they encouraged to do their duty efficiently by taking action in such cases as they thought necessary?—Most decidedly.

409. Do you think that in matters of police offences there should be an appeal from the Inspector to the Commissioner?—I think the Commissioner should have the complete control.

410. You would not go from the Commissioner to the Minister with an appeal?—No.

411. Has the enforcement of the licensing law been satisfactory to you since you have held office?—The enforcement of these laws has been carried out in the same manner in which all other laws have been enforced.

412. How is it there have not been more convictions?—There are more difficulties in enforcing the licensing law than any other law on the statute-book.

413. Have prosecutions been instituted in all cases in which you felt justified in proceeding?—Yes.

HARRY FEAST, examined on oath.

414. *The Chairman.*] What is your name?—Harry Feast.

415. What are you?—I am a general commission agent.

416. Do you live in Christchurch?—Yes.

417. At one time you were in the Police Force?—Yes. I joined the police in London, in 1854. I joined the Metropolitan Police, and was in the C division for two years. Subsequently I joined the City of London Police, and served with that Force from 1857 to 1862. I then came to the colonies. I followed the diggings all over New Zealand for three years, and joined the Canterbury Police Force in 1865. I joined as a detective, and held that office till the General Government took us over. I then had charge of the West Coast for three years, with my headquarters at Greymouth.

418. What was your rank?—I was a first-class Inspector. I may say that I held the rank of Inspector in the Provincial Force, having been appointed Inspector in 1875. I was in charge of the detective branch of the Provincial District of Canterbury in the provincial time. I was responsible for the detection of crime in the whole of the province. I had a man stationed at Lyttelton, and another at Timaru, and one or two assisted me in Christchurch. The Commissioner at the time was Mr. Shearman. If my men did not suit me I reported to that effect to him, and other men were appointed. I found that that worked remarkably well. Of the crime that was reported to me there was scarcely any of it undetected. My system was to make every man feel that he had an interest in the department, and that whatever part he played he would get credit for it, no matter whether he made the arrest or not. For some time the police in New Zealand have been in a disorganized state. I speak from what I have seen.

419. *Colonel Pitt.*] In what way are they disorganized?—We read in the papers of a number of robberies and burglaries; and it is not creditable to the police to allow that sort of thing to be

done. Gangs of thieves have run through from Auckland to the Bluff, some of them breaking into offices and carrying off safes to a distance of half a mile in some cases to open them. Yet these men have not been detected. I think that is the result to a large extent of the bad system, and to the fact that detectives are often employed to do work that they should not be called on to do, instead of sticking directly to the detection of crime, which is their proper work.

420. *The Chairman.*] Such as?—Such work as breaches of the Licensing Act would cut the ground from under a detective's feet.

421. Do you find the licensed houses a good source of information?—Yes, I did. I think a deal of mud has been thrown at the police, and a lot of it they do not deserve. Their shortcomings have been magnified by the Prohibitionists.

422. Do you say that the police are so much taken up with enforcing the Licensing Act that they are unable to perform more important duties?—I am not speaking of the general police, but of the Detective Force, and what I say is that they have no right to be employed in any shape or form in publichouse or sly-grog selling cases. I had a direct order in my time that the detectives were not to do that work; otherwise they would not get about to do their proper work. It is impossible for a man to get about to do his work if he is suspected.

423. You think it interferes with their usefulness?—Yes, it ties their hands.

424. You think it does not allow them to get information from the hotels?—Yes. In my time I owed an immense deal to publicans, who helped me to carry out various duties I had to perform. I think, too, that a great deal of the disorganization of the Force has been caused through political influence.

425. Have you known any of it?—I know it for myself.

426. In what way?—When the reduction of officers took place, some years ago, a circular telegram was sent round saying that six Inspectors were to be retired. I was in charge of the West Coast at the time. Three of the Inspectors managed to retain their positions, while three of us left. I was too proud at the time to take a reduced position. From what I have read in the evidence given before the Commission, I think there must have been political influence at work.

427. In favour of what?—Of those who were retained.

428. Do you know of any recent cases in which political influence has been used to the prejudice of the Force?—No. I do not know any cases within my own knowledge.

429. *Colonel Hume.*] Your knowledge of what you call the disorganization of the Force is gathered from what you have read in the newspapers?—The business I have been doing since I left the Force shows me a good deal of what the police are doing.

430. Do you speak of Christchurch only?—Yes.

431. You spoke a little ago of the whole colony?—Well, I assume that what happens here occurs throughout the colony.

432. You also spoke of what you read in the papers about robberies. Do you, as an old officer, believe all you see in the papers?—Well, we hear of robberies and thefts, and we see no results following.

433. You do not believe all you read in the papers, do you?—If I read in the paper that a place has been broken open and a safe carried away I would believe it.

434. Do you think that all the newspapers say is correct?—No.

435. You also said it was an error to put detectives to detect licensing cases. That cannot account for any disorganization now, because it is only recently that that has been done?—I do not know what is going on in the department now.

436. You have formed that judgment after having read what has been said before the Commission?—Yes.

437. Do you think there is much undetected crime?—I am positive of it.

438. In what line?—All sorts. I hear a lot that is never reported to the police. I believe there are robberies nightly.

439. I suppose you are ready to assist the police all you can in the detection of crime?—Yes. In what I am saying I do not wish to throw any discredit on the Force. I would like to see the Force what I think it should be, and that is my object in speaking.

440. *Mr. Tunbridge.*] You do not know, of your own knowledge, that the detectives are employed to watch for breaches of the licensing law?—I know they were employed here some time ago for detecting an oyster-saloon.

441. How long ago?—About a couple of years ago.

442. Is that the only instance you know of?—I do not know, personally, of any other.

443. Have you seen it stated in the papers that detectives would be employed for the purpose?—What I say is that they should not be. They have been employed for many years to do "tuppenny-ha'penny" things that a detective, who has to cope with the class of criminal that exists now in the colony, should not be asked to do. The detective should be above that class of thing.

444. Then, with the exception of the time they were employed to detect an oyster shop, they have not been employed in this way?—I read in the papers that detectives were employed to bring up a case against a woman who lives in a house—not a brothel, in a sense, but a house in which she received gentlemen. A detective should not be asked to do that class of work.

445. *The Chairman.*] You express the opinion, as an old detective officer, that it is not advisable to employ detectives upon such matters as breaches of the licensing laws and in proceedings against prostitutes, unless it is for crime of a special character?—Yes. If you want a Detective Force for the publichouses, you should have a revenue detective force, irrespective of the Detective Force proper.

446. You regard breaches of the licensing law as breaches of revenue?—Yes. I have known Christchurch for thirty-three years; and, although there has been a lot of it, the evil has been terribly overdrawn.

WEDNESDAY, 27TH APRIL, 1898.

SAMUEL FLEWELLEN, examined on oath.

1. *Colonel Pitt.*] What are you?—I am a second-class constable stationed at Richmond, or Bingsland, as it is officially called.

2. *The Chairman.*] What is the matter you wish to bring under our notice?—I would like to say that I was a sergeant of police in the Royal Irish Constabulary. I resigned from that Force while I was holding that rank, which my papers in the Commissioner's office will show. I resigned in 1879 for private reasons. I thought I would do better, but I made a mistake.

3. You came to this colony when?—I came to South Australia in 1880, and joined the Force there, and was in that Force for about nine months. I considered the climate of South Australia too warm, and I came to this colony and joined the Force here in November, 1881. I was sent to Christchurch from Wellington, and when I was here about ten months Mr. Broham sent me in charge of the St. Albans Station. I was at St. Albans Station for thirteen years, and I have been at Bingsland Station now for about two years and six months. I was appointed second-class constable in September, 1886. Since then I have got no other promotion. I have several favourable records, and I have no unfavourable ones. During all the years I was in charge of a station I gave satisfaction to the public, and I think I also satisfied my Inspectors—Inspectors Broham and Pender. I never on any occasion asked any one to do anything for me in a political sense—to advance my interests in any one way. I consider a constable that does that can hardly be called an honest man, because he is trying to do a comrade an injury by endeavouring to get over him. I consider him dishonest. I might mention that I could do my duty as well the day I left St. Albans, after thirteen years' service, as I could the week I went there. Though it has been said by public men and by newspapers that it is a mistake to leave a constable a long time on a station, I desire to express the opinion that that only applies in some cases—it is not a general thing at all. At any rate, that has not been my experience. I found I got on better the longer I was in a station.

4. Does that mean you could do your work more efficiently?—I could, your Worship. I am quite sure about that. There is another thing I might mention, that I am not under a farthing's worth of obligation to any man in or around Christchurch in all that time. Now, I would like to refer to the promotions that were made. The first promotions I would like to refer to would be the promotions of Constable Smith and Constable O'Rorke, who were promoted in February, 1897. I saw in the *Gazette* these two men were promoted, and I made some representations to the Commissioner of Police at that time. I told him I was senior to either of them, and I asked him, as that was so, if he could see his way to promote me also. He replied to that by saying that there were special reasons for promoting Smith and O'Rorke, and he saw no reason why he should promote me out of my turn. The thing remains so ever since. In that report which I made I referred to the fact that I did not know the date they were promoted second-class constables, and in a marginal note on Colonel Hume's communication I found that O'Rorke was appointed second-class constable in 1892 and Smith in 1890. I was promoted to second class in 1886. I would like to see the records of Smith and O'Rorke. I want to see the merit-sheet and the defaulter's sheet of these two officers. There are two other constables named Patrick Joyce and John McIntyre. These two men, though I am senior to them in service, were promoted specially for extinguishing a fire.

5. Where?—I do not know. The *Gazette* does not say that. They were promoted to second class on the 5th August, 1885, and I was promoted in September, 1886. I would like to see the records of these men, and, if you think this is a proper time, I would like to bring under your notice records of that description. I would like to allude to the matter of promoting men for such duties as that. My opinion is that a man ought not to be made senior to another man unless it is in the prevention or detection of crime. A man might be a very poor constable, but he might extinguish a fire.

6. You hold that extinguishing a fire should not be made a ground for promotion?—That is so. It should be made a ground for reward, not promotion.

7. Do you apply that to saving life?—I do. My experience of police matters is this: Promotion always goes for the prevention or detection of crime, and rewards follow acts of bravery and courage, and anything of that description. The man who should be promoted is the man who shows ingenuity and tact in the prevention and detection of crime. There is another man named Nicholas Marsh. I see he was promoted in 1883 as second-class constable, and I see no reason for his promotion at all in the *Gazette*. He must have joined only one year before that. I have just seen the sheets of Smith and O'Rorke, and I claim that my merit-sheet is as good as either of theirs; in fact, I claim that my record of merit-sheet is better than that of Smith. With regard to Marsh, I do not know anything about Marsh at all, but I wish to call attention to the fact that he was promoted over me.

8. It would appear from the papers that Marsh joined in 1870, was dismissed on the 21st February, 1883, reinstated on the 12th July, 1883, in consequence of the charge which brought about his dismissal having been dismissed in a Court of law?—I know nothing about that.

8a. It would appear also that he was reinstated to his former rank?—I know nothing about that. I see from the papers that Joyce joined on the 2nd August, 1883, and McIntyre on the 1st September, 1883. I have nothing to say to that, because they were gazetted according to the regulations, and I cannot object to either Joyce or McIntyre. The only objection I have is that which I have stated—as to the manner in which they were promoted for services that should not gain promotion, but reward.

9. *Mr. Poynton.*] You object to the system; you say they should not be promoted for a thing of that sort?—I do. I would like to call attention to some cases that I found on reading the Wel-

lington papers. Colonel Hume in his evidence, in reply to questions put by Mr. Taylor, referred to a constable named McGill, who joined the service in 1882. There is no *Gazette* notice of this man's promotion at all. He was promoted from third class to first, according to the evidence of Colonel Hume. A man named H. P. Kennedy joined in 1895 on transfer from the Permanent Artillery, and he is now a first-class constable, according to the printed reports in the papers.

10. *Mr. Tunbridge.*] Do you not know that he joined in 1895, and is still a third-class constable?—The newspaper report makes him appear as first class. There is a sergeant named Greene, who was reduced to third-class constable in 1890, and in 1891 he was promoted again to first-class constable. I am referring to these because none of them were gazetted. I notice also from the Wellington papers, and from Colonel Hume's evidence, that a sergeant named Carlyon was reduced to third-class constable, and was promoted again to second class in 1894, and to first class in 1896. The promotions were not gazetted. Then, there is a sergeant named Wright, who is a clerk in the Inspector's office in Wellington. He was promoted to second class in 1890 for a good examination. That was gazetted, but there was no *Gazette* notice when he was promoted to first class at all, and I see he is a sergeant now. I notice another man named John Ryan, who was in charge of a station at some place outside Auckland, and I see he was brought up on six different charges and tried, and convicted on two. The paper does not say whether he was reduced or not, but it says he was brought into Auckland and lost the charge of a station. Colonel Hume reported he was entirely unfitted to have charge of a station. I would expect, seeing that that man was within four months' service of me, that such a record would not entitle him to be advanced over me. He was promoted to first class in the last batch of promotions. I claim that I had a much better right than either Smith or O'Rorke to be promoted, and also with regard to the men whose names I have mentioned as being reported in the papers. Marsh's case is a bit doubtful, he being reinstated as second class; and, as for Joyce and McIntyre, they were promoted to second class the year before me, and they were gazetted, and I do not want to make any comment on that at all.

11. *The Chairman.*] It appears there is nothing on your defaulter's sheet, and you think the records on your merit-sheet rank higher than those shown upon Smith's sheet?—I do.

12. Looking at that merit-sheet of yours, do you suggest there was anything special, anything out of the ordinary course of duty performed by you?—I look upon two of those cases as good ones. One is with regard to a starving child on the 18th December, 1889, and the other is in connection with an abortion case in 1888. I do not look on the others as anything special. Any one would do what I did in the other cases.

13. Those are the two cases you consider of special merit?—Yes. I can tell you one of them baffled the detectives for years in this town, and I got credit from the Press and the public for what I did. That was the abortion case. Apart from the question, I may say I was well treated in the Force otherwise. I was nearly all my time in charge of a station, and when I wanted to leave St. Albans Station I applied to Colonel Hume for a transfer. I mentioned that I had a boy that was delicate, and I thought a change would be good for him, and Colonel Hume at once granted the application. I never had an opportunity to thank Colonel Hume for that transfer, but I do so now.

14. *Colonel Hume.*] You served in the Royal Irish Constabulary and South Australian Police Force?—I did.

15. And the head of those Forces was guided by the Acts and regulations pertaining to each Force strictly?—Yes.

16. You told us you did not think people should be promoted for distinguished service outside the prevention and detection of crime: do you know how the regulation reads?—I do.

17. Do you not think, if a man jumps into the water and saves life, that that is valuable service?—I think it is valuable service; but I say, if you take the history of Police Forces in England and Ireland, you will see that men are promoted for police service only, and I do not consider saving life or extinguishing fires as deserving of promotion, though they are certainly deserving of reward.

18. Do you happen to know Smith was an officer in the Force before you ever saw the colony at all?—I do not know that. I do not know that he deserves any credit for that.

19. In the Forces you have served in previously, have you ever known a man's grievance inquired into after fifteen years by any tribunal?—No.

20. Why did you not bring up this grievance before, then?—Because I did not know of it. I brought it up as soon as I knew of it. I reported the matter to you.

21. And when I did not promote you you let it rest?—I did, of course.

22. Why?—I could not appeal to any higher authority than you.

23. Could you not have seen me on my next visit, and pointed out your grievance?—Well, Sir, my way of doing business is on paper as a general rule. I do not care about interviewing men. I always work on paper.

24. And you expect now that grievances which are supposed to have occurred in Colonel Reader's time are going to be righted?—I do not expect that at all.

25. Why do you come here, then?—Because I was invited by the Commissioners to ventilate anything that I desired. I have no ill-will to any one. I know you have been very kind to me in the Force.

26. Have you used political influence in the Force?—Never.

27. Are you a Mason?—I am.

28. Have you used any Masonic influence?—Not in the slightest degree.

29. Notwithstanding that, you have got on pretty well in the Force?—I did. I was not annoyed at all in the Force.

30. Then, as far as you are concerned, neither political nor Masonic influence is necessary to get on?—I cannot tell you that. That would depend a good deal on the man who used it. I am

speaking only for myself. If a man wants to be bolstered up by political influence he can use it. He is quite right to use it from his point of view if he likes to do it. He cannot stand on his own merits, and he has to be bolstered up. Those sort of men I consider dishonest men—in fact, they should be dismissed from the Force, because they evidently tell lies to the men they go to.

31. With regard to Kennedy?—Well, I thought from the paper reports he was a first-class constable, but I see he is still third class.

32. You admit there is nothing in that?—I do. Of course, I take the Commissioner's word for it.

33. You will admit you are not in a position to know whether these promotions were right or wrong, the only objection you have is that they were not gazetted?—They were not gazetted.

34. Do you say they were improperly made?—Yes, I say they were improperly made. I say there was no authority for their being promoted at all over me, being equal only in point of merit, and I six years their senior.

35. Are you at the top of the list now?—I do not know how I stand, but the Commissioner tells me I am eighth on the list.

36. *The Chairman.*] The fact which you wish to impress upon us is that you joined the Force in 1881, and since then you have received only one step?—That is all. I maintain that in the ordinary discharge of my duty I was as efficient a man as there was in Christchurch.

37. *Mr. Tunbridge.*] Your principle object in coming before the Commission was to see these men's papers, so as to get information about the men you consider were advanced over your head?—Not to see their papers. That was not my object.

38. What was your object, then?—To bring before the Commissioners the fact that men were promoted over me.

39. Have you not heard that O'Rorke was specially advanced because of his zeal and ability in arresting felons and others passing through Otaki?—I see on his merit-sheet he did so, but I do not think that is a special reason why he should be promoted over my head.

40. And these special promotions are very objectionable, do you think?—Oh, no. If a man shows detective ability and special tact in unravelling cases he should be promoted. That is not an objectionable practice, at all events.

41. Do you consider you have shown that ability?—I think I have.

42. As displayed on your merit-sheet?—Yes.

43. Do you suggest that you have displayed detective ability, and so on, on which you might reasonably base a claim for special promotion?—No. I never asked for special promotion. I claim that two men who were my juniors were promoted over me, and they have never done anything special at all. If they did special services they were not gazetted, and the special promotion that I see is what would be expected of a constable in the ordinary course of his duty.

44. You think your merit-sheet compares favourably with O'Rorke's?—I do; and then I am taking into account that I was six years his senior in class.

45. Do you not consider that special promotions are objectionable?—Well, they are rather objectionable.

46. Are they not the cause of discontent?—They are, because there are special promotions made for things which they should never be promoted for; but I maintain if a man shows ability in the detection of crime, and unravels a case, there is no objection to that man being promoted. That is the case in other services.

47. If men got their advancement by class—by periods of service—do you not think that would do away with this feeling?—I do think it is the best way. I do not think there is any necessity for classes of constables at all. The way I would do would be this: I would give a rise of pay at stated periods, and then the men would have something to look forward to with certainty. There should be no classes of constables at all, only seniority, and when a man had served a certain period he should have a rise of pay.

48. You were saying men were not promoted for saving life in England?—Yes; they get rewards and medals.

49. Are you clear about that?—I am not positive about England, but it is done in Ireland.

50. Would you be surprised to hear that men, we will say, in the Metropolitan Police are invariably promoted for that?—No. I cannot speak as to the system in vogue in England.

51. The Royal Irish Constabulary get advancement by length of service?—Yes, seniority.

52. *Colonel Hume.*] You read the newspapers very carefully?—I do.

53. And I suppose you read my reports?—Yes; I have read them.

54. Did you ever see a recommendation in my reports about putting this Force on the same lines as the Royal Irish Constabulary?—Yes.

55. You know I have recommended that?—I saw something about it in your reports.

56. You quite agree with that?—I do. I say it is the best system. It would prevent political interference. If it was known that a man could not get beyond a certain stage before a stated period it would destroy this political power.

57. *Colonel Pitt.*] You say you are in favour of promotion going by length of service alone?—I call it increase of pay. I do not recognise such a thing as promotion.

58. Increase of pay according to their service, and no classes as constables?—Yes.

59. In that case, what encouragement would there be to a constable to be zealous, because the drones would get their increase of pay just as soon as the zealous men?—Give them rewards. Show the man by rewards that he is appreciated by the department.

SIDNEY DAY, examined on oath.

60. *The Chairman.*] You write to us that on the 2nd August, 1896, your house was broken into, and jewellery to the value of £25 stolen. Just state the facts that you wish to bring

before us. First of all, where do you live?—Colombo Road, Sydenham. On Sunday, the 2nd August, 1896, between the hours of 7 and 9.30 p.m., my house was broken into, and about twenty-five pounds' worth of jewellery stolen. I sent for the local police at the Sydenham station, but could not find them. I sent to both the station and the junior constable's residence. They were out. I telephoned to Christchurch, and told them that my place had been broken into and a considerable amount of jewellery stolen. I was asked what I lost. I told them it was impossible for me to say through the telephone, and that they had better send down an officer—a detective. The reply was, "We have no detectives here. They have all gone home. You had better look up your local men. I dare say they will be round presently." This was about 9.45 p.m. I told them I had sent for the local men, and they were out. About 10.30 the local constables came, took particulars, and went away. About 9 o'clock next morning, or a little after, a detective came, took particulars, went away, and I have never heard anything of the matter since from that day to this, barring a conversation I had with one of the police. He said the man that was suspected lived close by. They asked me if I suspected any one. I said, "Not a soul." They searched this man's house on the Sunday afterwards—a week afterwards. There were three burglaries, I may say, within forty-eight hours—one on the Saturday night and two on the Sunday night. It was said that the man who was suspected was seen in the vicinity that night by the constables. I think that is all I have to say about that matter.

61. *Colonel Hume.*] What is the constable's name?—Constable Duggan. Now he has been removed again.

62. *Colonel Pitt.*] How did he deal with it when he came back?—He was sent back especially to stamp out the larrikin nuisance, and he did it most effectually.

63. *The Chairman.*] The nuisance has been abated?—Yes.

64. How long was Duggan there before he was removed?—I do not think he was there more than twelve months.

65. *Mr. Taylor.*] Do you know of anything in connection with police matters in Sydenham that in your opinion is calculated to interfere with the efficiency of the police?—Only what I have stated already to the Commission.

66. Is it a matter of some notoriety there that the police are indebted to the tradespeople?—During my twenty-five years' experience there have been some who paid their way, but the others have been very hard to get money out of.

67. You mean that they do not all pay cash for their purchases, but are under obligations to tradespeople?—They are not exactly under obligations. I believe it is on record. I think you will find, on looking up the books of the Court, that some constables—one in particular—has his name figuring as being summoned on two or three occasions.

68. There have been constables stationed at Sydenham who have been sued in the civil Court for debts?—Yes.

69. That is within your own knowledge?—Yes.

70. Do you say a constable stationed at Sydenham, or more than one?—One to my knowledge. This was within the last twelve months.

71. Do you take it upon yourself to make a general statement that it is common amongst the Police Force to be indebted to an unreasonable extent?—No. I do not mean it is a general thing. I only know this one party.

72. That is the only case that has come within your knowledge?—That has come to my knowledge. I know from tradesmen that some have gone away in debt, and they have had to send pretty sharp letters after them.

73. *The Chairman.*] What is your occupation?—Butcher.

74. *Colonel Hume.*] Do you know of any constable or constables in Sydenham now who owe you any money?—No.

75. They have within the last ten years owed you money?—Yes.

76. Have you ever sued for it?—Yes.

77. How many times?—Once.

78. Only one constable once?—Yes.

79. How long ago was that?—Within the last twelve months.

80. This was the case you were referring to?—I was one who did sue him. There were others who sued the same man.

81. Is this constable you are referring to the only one you know of as being indebted to tradesmen in Sydenham?—I have heard of a great many.

82. *Colonel Pitt.*] But do you know of them?—I have heard of them at times, but I forget.

83. *Colonel Hume.*] Has any other constable owed you money, yourself?—No. In fact, I never had much to do with the constables in my business.

84. *Mr. Tunbridge.*] Have you got the money that you sued for?—Yes.

85. Have the other tradesmen got their money that they sued for?—I think so.

86. As far as you know, the constable is not in debt at the present time?—As far as I know, he is not.

87. As regards the burglary, you complain of the action of the police?—I complain of being told there were no detectives at half-past nine at night, when three burglaries had been committed within forty-eight hours.

88. Within an hour of the time you discovered the burglary at your house there were two constables there?—Yes.

89. By what means was the entry effected to your house?—The side window.

90. No traces left by which you would be able to identify the persons who entered?—No; not to my knowledge.

91. What do you suggest a detective officer could have done at 10.30 on Sunday night?—I

think by having an officer up there they might gain information as to the burglars. The man who was supposed to have committed it was known to the police. He was seen in the vicinity the same night.

92. You do not know how soon that knowledge came into the possession of the police—the fact that that man was seen about there that night?—He was seen by the police that night. The man had worked for me, and he had been in the hands of the police. When the two constables came the junior constable said, "That is so-and-so. I saw him down here to-night with another man."

93. Constable Duggan was there at the time?—Yes.

94. Your had a fair amount of confidence in Duggan, did you not?—Yes.

95. And now you complain of him?—I do not complain of him. I complain of things in general. There was a laxity in there being no detective officers available, as they said, when there had been three burglaries committed within forty-eight hours.

GEORGE HASTIE, examined on oath.

96. *The Chairman.*] What are you?—Second-class constable, stationed at Lyttelton.

97. What do you wish to bring under our notice?—About being left for eighteen years before I was made a second-class constable.

98. When did you join?—July, 1879.

99. Where were you stationed when you first joined?—I joined the Armed Constabulary. I was stationed at Cambridge, Waikato.

100. When did you join the Police Force?—I was five years and three months in the Armed Constabulary. I joined the Police Force in October, 1884.

101. Where were you sent to then?—Dunedin. I was transferred from Dunedin last August. I was in Dunedin from the time I joined the Police Force until last August, when I was transferred to Lyttelton.

102. When were you made second class?—In February, 1897.

103. What is it you wish to bring under our notice?—I wish to bring under your notice the fact that there were a lot of men who were junior to me put over my head. There were three batches of men, and numbers of them were junior to me, and they were all put over my head. Some of them were six or seven years my junior. There were about ten men promoted about four years ago because they were Clerks of Court in country stations.

104. Were they all your juniors?—Two of the men, to my knowledge, were; I did not know the whole of them, but these two were about six years my juniors. There were two more batches of men promoted after that. The first batch was promoted because they had clean defaulters' sheets and seven years' service, and the second batch was promoted because they had only one mark on their defaulters' sheets and seven years' service. I was put out of that because I had three marks on my sheet; but, still, my sheet was clean longer than some of these men were in the service altogether. There were some men promoted also for passing a good examination. They got special promotion because they made high passes in examinations. As soon as I passed the examination—made a good pass—that was stopped; nobody got promoted at all for that. I passed seventh on the list in the second batch. I did not stand the first time. I consider eighteen years is too long to be in the service without promotion.

105. What were your offences on your defaulter's sheet—trivial or serious?—There was only one 5s. fine in the three. The others were simply cautions. Through my being kept so long without promotion and juniors put over my head it has practically put me out of getting any promotion in the service at all, because I am junior second-class after eighteen years' service. If I had been promoted in my turn I would be eligible for a first-class constable soon. That alone has done me out of a good few pounds of pay. I have the long-service and good-conduct medals.

106. *Colonel Hume.*] I understood you to say you joined the service in October, 1884?—Yes. I believe that was the year.

107. And yet you say you have nineteen years' service: how do you make that out?—When I joined, the Armed Constabulary and the police were under the same head and the same regulations and everything.

108. And you consider the original date you joined the Armed Constabulary should count for the police?—It has been done with every other man that joined then. They carried their service with them.

109. Name one?—Constable Patterson in Dunedin. He joined the same time that I did. Constable Gleeson: he carried his time into the police.

110. *Colonel Pitt.*] Did you carry the same number with you?—Yes, carried the same number with me into the police. I also carried my long-service pay with me. I also desire to lay the following complaint before the Commission:—

SIR,—

Police Station, Lyttelton, 6th April, 1898.

I respectfully request to submit the following complaint for the consideration of the Commissioners.

In November, 1893, I applied for twenty-one days' leave of absence on full pay, pointing out in my application that I had no leave of absence for, I believe, at the least four years. The leave was granted, but I would only get twelve days on full pay, and no pay for the other nine days. I took the twenty-one days as I could not do with less, and when I returned to duty I made an application for to be paid for the nine days, as I considered I had been treated unfairly, as some other men in the same district as I was in had got extended leave on full pay. My application was refused, and shortly after a circular appeared in the *New Zealand Police Gazette*, 1893, page 194, to the effect that twelve days' leave a year would only be granted, and if not taken it would not be cumulative. This circular has been broken on several occasions, and men have got an extension of leave on full pay, and I believe that my case is an isolated one, where a constable's pay has been stopped when he has gone on leave. I respectfully request that if the Commissioners find my statement to be correct that they will recommend a refund to me of £3 12s., the amount of nine days' pay at 8s. per day, which was the rate of pay I was receiving at the time this occurred.

GEORGE HASTIE, Second-class Constable, No. 311,

The Secretary of the Police Commission, Christchurch.

111. *The Chairman.*] Can you give us the names of those who you say had this pay granted to them beyond the twelve days?—Constable Thomas Ward. He is dead now. He got six weeks, I think, or about that period. Constable James Dale got a month. They got extended leave on full pay, I have every reason to believe.

112. Prior to your application, or afterwards?—Prior to mine, I think.

113. All this was prior to the circular being issued?—This was about a month prior to the circular being issued.

114. You say the terms of the circular have been broken: can you give us an instance?—I can give two. Sergeant Mackay, of Christchurch, got three weeks after that, and Constable Broberg got three weeks, I believe—at any rate, it was over twelve days.

115. On full pay?—Yes. I believe it was on full pay.

116. Your pay for the nine days would have amounted to £3 12s., and that is what you consider yourself entitled to be repaid?—Yes.

117. *Mr. Tunbridge.*] Do you remember whether Ward's leave was sick-leave, or not?—No, it was not sick-leave.

118. Where did he go to?—He was supposed to have gone to Sydney.

119. Where did you go to?—I went to Masterton.

120. Ward, then, was granted, you think, some privileges because he went to Sydney, and you wanted a similar concession to go to Masterton?—I had no leave for three years before that, and twelve days was not enough.

121. You did not apply for your annual leave, or else you would have got it?—Oh, I would have got it.

122. In the case of Dale, was it sick-leave?—It was not sick-leave.

123. Where did he go to?—To Blenheim, I think.

124. In the case of Broberg and Mackay?—They both went to Auckland.

125. From Dunedin to Auckland is four days' journey, and to Masterton forty-eight hours' journey: you recognise there is a good deal of difference?—Oh, yes.

126. Do you think you ought to have full pay?—I think I was entitled to it as much as the other men.

127. *Mr. Poynton.*] Do you think leave ought to be made cumulative?—I think it ought to be cumulative for two years, any way.

128. *Colonel Hume.*] How many entries have you on your defaulter's sheet?—Four.

129. Some of them pretty serious ones, are they not?—I do not think so. A 5s. fine is all I was fined out of the four.

130. That was in 1884. Was there not another serious one in 1885?—There was a reprimand for being ten minutes late off duty, and a caution for being absent out of barracks without leave at 2.30 in the morning.

131. If there had not been those entries on your defaulter's sheet you would have got promotion when the others did?—Yes, so you told me.

132. Your contention is that the last offence was committed prior to these men getting into the service who were promoted over your head?—I say I was longer in the service with a clean sheet than those men that were promoted were in the service altogether.

133. I take it from that, you think that after a certain lapse of time defaults should be wiped off?—I think if a man has a clean sheet for ten years, he should have his defaults wiped off. After a certain number of years they should be wiped off.

134. You have never been in charge of a station?—No.

135. Through no fault of your own, except that you do not choose to take a wife?—That is so.

LILY BROADWOOD, examined on oath.

136. *The Chairman.*] Are you married?—Yes.

137. Is your husband in Christchurch?—Not that I know of.

138. Where are you living?—In Salisbury Street.

139. *Mr. Taylor.*] Had you any occasion to sue your husband for maintenance?—Yes.

140. Can you remember what date you sued him?—It would be about October last year. I am not sure of the date.

141. Did you get an order?—Yes, for £1 per week.

142. Did your husband comply with the order?—He did for four weeks, and then he got four weeks in arrears, and we had him up again; and the Magistrate, Mr. Beetham, gave him two days in which to pay the money.

143. When was he before the Court in connection with the arrears?—On the Tuesday before Christmas Day; and Mr. Beetham gave him until Thursday.

144. That would be the 23rd?—Yes.

145. Now, what happened two days later—on the Thursday?—I went up to the Court, and my husband did not appear; and Mr. Flesher, when the case was called, told Mr. Beetham that my husband was packing up his box to go away. Mr. Beetham said, "Oh, is he; he is sentenced to a month's imprisonment with hard labour."

146. Had you told the police previously that he was leaving the place?—Yes, on the Friday, after we got the summons out.

147. That was the week before Christmas week?—Yes; I went to the police-station and told them about it, and they said they did not know anything about it there, and that I was to go to the Court. I went to the Court and told them; and next morning, before 8 o'clock, a policeman was at my house with a summons and gave it to him.

148. Did you see any of the police on the 23rd December?—No, I did not.

149. Do you remember what date it was you met constables in the street?—The day before Christmas Day—Friday.

150. Did you speak to them about it?—I asked them to tell me whether my husband was in gaol, because I did not feel very safe if he was out. The constable pulled a paper out of his pocket and said it was a warrant for him, and that he was looking for him. He said he wanted a description of my husband, and I gave him a description as well as I could. They never came to the house to look for him or ask if he was there.

151. What was the last day your husband was at home?—Thursday, the day he ought to have appeared at the Court. When I went home he was there with a carrier, preparing to take some furniture out of the house.

152. That was the last time you saw him?—Yes. I went straight home from the Court then. He said, "What is it?" and I said, "A month's imprisonment with hard labour." He said, "That is your fault," and when he got inside he got his hands on my neck and squeezed me tight and threw me on the bed, and then he went outside the house and I never saw him since.

153. Have you seen the police since then?—I have been to the police-station to ask, and they told me several times they knew nothing about it. The first time I went, I asked an elderly gentleman sitting behind a desk if he could tell me whether John Broadwood was in gaol or not, and he said, "Who is he?" and I said, "He is my husband, and I want to know whether he is in gaol or not?" He said, "This is not the gaol;" and I replied, "I know it is not, but I thought it was the place to inquire whether he was in gaol or not," and he said he did not know anything about it. I asked where I was to inquire, and he said, "Telephone to the gaoler at Lyttelton." I did not know how to go about it, so I just went away, and did nothing more.

154. Did you go again?—I went up with you some time after Christmas. I think it was the Friday week after Christmas.

155. What was the result of your visit on that occasion?—We went in, and you stated what the visit was about; and he said, "I am just writing out a warrant now." He had a piece of blotting-paper over it, and just lifted it up to show us, and said he was writing it out now.

156. Did they promise to do anything on that occasion?—We went upstairs, and somebody up there said they would telegraph to Auckland. I told them my husband's people lived in Auckland; and he said he would find out whether my husband was there or not.

157. Have you heard anything more?—No, I have heard nothing of him since.

158. Have you, as a result of that, had to go to the Charitable Aid Board?—Yes; I have two little children, and one is quite a cripple and will never be able to walk.

159. Was your husband well known in Christchurch?—Yes, he was very well known. He was a compositor, but gave up his trade to go book-making. He is well known to the police.

160. Was he before the Court in connection with a betting shop in Christchurch?—I do not know whether he was before the Court.

161. Was his partner before the Court?—Yes, he was before the Official Assignee.

162. *The Chairman.*] Do you know anything of your husband's present whereabouts?—I do not.

163. Have you known anything about his whereabouts since the 23rd December?—No, nothing at all.

164. *Inspector Broham.*] Do you know what date the warrant was issued?—No more than they told me at the police-station.

165. What did they tell you at the police-station?—That they were writing out the warrant then.

166. Do you know what date it was issued; you know the police could not act until the warrant was issued?—He was sentenced on the 23rd December.

167. Well, the warrant was issued on that day; did you see him after that day?—Yes, he was at home when I went straight from the Court.

168. Did you see him after that?—No; that was about 11 o'clock in the morning.

169. When did you next see the police in reference to him?—I met them in Colombo Street, and I asked one of them if my husband was in gaol, and he asked me to give him a description.

170. Who was that constable?—I do not know. I did not know either of them.

171. Was that on the Friday?—Yes.

172. Was it Constable Barrett, who is here in the Court now?—Yes.

173. *Mr. Taylor.*] Was there more than one?—Yes, two.

174. *Inspector Broham.*] You gave them his description?—Yes, I did.

175. And you called at the police-station afterwards?—Yes.

176. When?—I think on the Wednesday between Christmas and New Year's Day.

177. On the following Wednesday?—Yes.

178. Who did you see there?—An elderly gentleman sitting behind a desk.

179. What did the sergeant-major tell you?—What I said before, in answer to Mr. Taylor's question.

180. He did not tell you the warrant was issued?—No, not at that time.

181. And you do not remember that it had been issued?—I do not remember exactly. I said my husband has been sentenced.

182. That is all that occurred between yourself and the sergeant-major?—As well as I remember.

183. You suspected he had gone to Auckland?—His people were living in Auckland, and I thought he might have gone to them there.

184. Do you know inquiries have been made in Auckland regarding him?—I heard they had.

185. Were you at the Court that morning?—Yes.

186. You know that some hours generally elapse between the time the order is made and the warrant is issued?—Yes.

187. *The Chairman.*] How long after you got home did he leave the house?—A few minutes; perhaps twenty minutes after.

188. That is, he left the house about half an hour after the sentence was passed?—Yes, I think so; about that.

189. *Colonel Pitt.*] Did you say he was removing furniture when you got home?—Yes, out of the bedroom into the passage.

THOMAS BARRET, examined on oath.

190. *The Chairman.*] What is your rank?—Third-class constable, stationed at Christchurch.

191. *Mr. Taylor.*] You know Mr. John Broadwood?—Yes.

192. Had you anything to do with a warrant issued for his arrest?—Yes.

193. Did you see Mrs. Broadwood at the time she says she saw you?—I have no recollection.

194. You do not remember seeing her?—I remember seeing her once. I called when I had occasion to make inquiries. It was during the time the summons was out for him, before the warrant was issued.

195. Did you make a report on the question of the man's whereabouts?—I got the warrant to execute, and I had it for a day. I made inquiries about town as to the whereabouts of this man.

196. Will you read your report?—Yes, it is as follows: "Sergeant-major Ramsay.—On making inquiries for this man Broadwood I have been informed on good authority that he left here for Wellington yesterday, the 22nd instant, to attend the race-meetings up there, as he is a book-maker.—THOMAS BARRETT, Constable.—23/12/97."

197. Did you have the warrant when you wrote that report?—Yes.

198. When did you get it?—I think I got it on the day I wrote the report. The warrant was handed to me in the morning, and I handed it in again with the report.

199. Who did you give it to?—To Sergeant-major Ramsay.

200. Did you try to execute it?—Yes.

201. Where did you go?—I made inquiries about town.

202. What did you learn?—I had reason to believe he had gone to Wellington.

203. Who did you learn that from?—Broadwood was a book-maker, and I made inquiries among the book-makers.

204. What time on the 23rd did you see Broadwood?—I did not see him at all.

205. Will you swear he was not in your company on the 23rd?—I can swear that.

206. When did you last see him?—I believe it was in Court, when he appeared on the information laid by his wife, in answer to his summons.

207. Who did you learn from that he had gone to Wellington?—One or two sporting characters. I did not know who they were.

208. That he had gone to Wellington to attend the races?—That he had gone to Wellington.

209. On the 23rd?—I do not remember what date it was.

210. Did you find out if a steamer had gone to Wellington that day?—No, I did not take notice; I did not look it up.

211. Did you go to the Shipping Company to see whether he had booked for Wellington?—It was not necessary; I had the warrant to execute, and I made a thorough search throughout the city.

212. You did not think it necessary to go to the Shipping Company's office to check the statement that he had gone to Wellington?—It was late that day when I sent in my report, and the offices were closed in the evening.

213. How long had you the warrant?—From about 10 o'clock in the morning.

214. Would it not have been possible to go between 10 and 5 to see if he had booked for Wellington?—I did not get any information that he had probably gone to Wellington until late in the evening.

215. At what hour in the evening did you hand in your report and the warrant together?—Before 5 o'clock.

216. When does the Shipping Company's office close?—I have no idea.

217. Who said he had gone to Wellington?—I made inquiries amongst several book-makers.

218. Can you remember who?—One or two gave me reason to believe he had gone to Wellington. I also met another man who said that Broadwood wanted to borrow some money from him the previous evening for the purpose of going to Wellington.

219. You did nothing at all to check the statement by making further inquiries?—No, I did not go to the Shipping Office.

220. You just took the warrant back at 5 o'clock and handed it back?—It was handed out the following day for somebody else to execute. I think the sergeant-major handed it to another constable the following day to try and execute.

THOMAS BROHAM examined on oath.

221. *Mr. Taylor.*] Can you tell the Commission what became of that warrant after it was returned by Constable Barrett?—It was given into the hands of Constable Field, I see by the correspondence.

222. Immediately afterwards?—I think so.

223. What did Field do with it?—He kept it until the 6th January, when the sergeant-major asked him for it.

224. Did he try to execute it?—He told me he did.

225. What does the report say as to what passed between the two of them when the sergeant-major took the warrant back?—I have the statement here.

226. Does he not censure Constable Field for his remissness?—Yes he does, as follows:—

Sergeant-Major Ramsay states: I gave the warrant for Broadwood's arrest to Constable Field on the 24th December. I asked him for the warrant yesterday morning, as Mrs. Broadwood came to the police-station asking if her husband was arrested. I got the warrant from Constable Field, but received no report from him as to what steps he took to effect the arrest. Cross-examined by Constable Field: I have no recollection of you telling me what steps you took to make the arrest. I cannot recollect asking you to keep the warrant some time longer. I sometimes tell constables in making reports to keep the correspondence a little longer, to see and get the required information.

D. RAMSAY.

227. Did you censure Constable Field for his remissness?—I did.

228. Was he punished in any way?—I severely reprimanded him for his negligence in not executing the warrant, or reporting to the sergeant-major what he had done with the warrant.

229. Was that put on his defaulter's sheet?—No; the man bore a good character, and I did not wish to put it on.

230. You heard Constable Barrett's evidence?—Yes.

231. Do you think he took all the steps a policeman ought to take to check the accuracy of the statement?—I heard your questions. It would have been quite right and proper that he should have made all those inquiries.

232. Do you know whether any inquiries at all were made as to whether Broadwood was in Wellington?—I am not sure. I know they were directly I heard of this. A crime report was issued, and the thing was gazetted.

233. What is the custom in a matter of this kind; when should the crime report issue?—In a case like this it should issue immediately.

234. The same time as the warrant?—Yes: directly there was any doubt as to the man being in Christchurch a crime report should have been issued and sent to the various stations.

235. When was the crime report issued?—Not until the 7th January.

236. So Broadwood had a start of thirteen days?—Yes. Of course, that was owing to Constable Field's neglect.

237. *The Chairman.*] As soon as the man was not found in his usual quarters a crime report was issued?—Yes; in such a case, directly it was known he was not to be found.

238. And the delay in this case was due to Constable Field not returning the warrant?—Yes.

THOMAS EDWARD TAYLOR, examined on oath.

239. *The Chairman.*] You wish to make a statement in connection with Mrs. Broadwood's case?—Yes. Mrs. Broadwood complained to me that an order had been made for her husband's arrest for the non-payment of maintenance moneys for herself and children. She told me the circumstances, and I went with her to the Christchurch Police-station to see whether there was any prospect of the warrant being executed. We saw a constable in the lower office, but I do not remember his name.

240. What was the date?—I think on the 6th or 7th January—the latter date, I think. I understood the constable to say that he was then making out the warrant. I may not quite have caught his words; but, at any rate, he raised a blotting-paper with some writing under it, and pointed to a document, and said that it had reference to Broadwood, whatever the document was. I gathered from him that the warrant was not executed, and I went upstairs to make inquiries. There we were told it had not been executed, and they made inquiries then as to where the man was likely to be. Mrs. Broadwood told him he was likely to be in Auckland, and that she had previously told them this. The clerk said the police would immediately telegraph to Auckland to this man's relatives, and subsequently I saw that telegrams had passed. I saw Inspector Cullen, who was in charge then, and he expressed regret that such negligence should have been shown in executing the warrant, and stated the matter would be attended to departmentally. But so far nothing has been heard of this man's whereabouts. I bring the matter forward because this woman has now been thrown upon the Charitable Aid Board with her children. The man was so thoroughly well known to the police as a bookmaker in the city that I think the warrant should have been executed without any difficulty, especially as Mrs. Broadwood can prove he was in the town the day after. Constable Barrett's report says he went to Wellington.

LILY BROADWOOD, recalled.

241. *Mr. Taylor.*] Did you tell the police prior to that date that your husband had expressed his intention to leave you?—I told them when I went to the Court that he was packing his box to go away. I told the clerks in the Court.

242. Had you previous to that told the police he had threatened to leave you?—I do not think so.

243. Did you not say that when you went to sue him for the money you told them he intended to leave?—No; Mr. Flesher did.

244. Are you sure you saw Constable Garrett?—Yes, quite sure I spoke to him.

245. On the Friday, the 24th?—Yes; near Manchester Street bridge. It was a very hot day, and he asked me to go into the shade by a building while he spoke to me.

246. What building?—An old hotel building. There was another policeman with him at the time. The three of us stood together, and I told him all I knew. Every question he asked me I answered.

GIDEON HENDERSON, examined on oath.

247. *Mr. Weston.*] What are you?—A farmer.

248. Where?—At Diamond Harbour.

249. Now, I think in June last you sold a draught horse to Mr. Fleming?—I did.

250. What was the age of the horse?—Three years, entering four.

251. She had not been long broken in, I think?—No, only about a week.
252. Was she in good condition?—Yes.
253. And without a scratch?—Yes.
254. I think Mr. Fleming left the horse for a time with you?—Yes.
255. As a matter of fact, while the horse was with you, and before you delivered her to Mr. Fleming, a man named Thomas took the mare from your farm?—Yes.
256. Out of your paddock, indeed?—Yes.
257. When the horse was taken out of your paddock was she in good condition?—Yes, in splendid condition.
258. Now, was that horse brought back to your paddock?—Yes.
259. When?—About a month or three weeks afterwards.
260. *The Chairman.*] Was she taken out without your permission?—No.
261. *Mr. Weston.*] You thought Thomas was a messenger from Mr. Fleming?—Yes; I thought he was authorised by Fleming.
262. You saw the horse?—Yes.
263. Now, just state to the Commission what condition the horse was in?—She was in poor condition when she came back; her shoulders were sore, and she did not look like the mare at all.
264. She had been, I think, between two other horses ploughing?—Yes.
265. Her shoulders in particular, were they in a bad state, or in a very bad state?—A very bad state.
266. Had she been ordinarily used or cruelly used?—By the appearance of the mare she had been badly used, but I was not there to see the animal worked.
267. Would you like one of your horses treated that way?—Not at all, if I could help it.
268. Did you mention the matter to Mr. Fleming?—Yes; I told him the first opportunity to take the mare away, because she was in a pitiful state when I saw her.
269. And when you explained to Mr. Fleming the state of the horse she was in the condition you have just described?—Yes, exactly so.
270. The paddock was about a mile away from your house?—Yes.
271. And I suppose it can be assumed that the horse was put in that particular paddock, and without your knowledge, so that you should not be aware of it at the time?—Yes; I had not the slightest knowledge of it.
272. *The Chairman.*] Is that the paddock she was taken out of?—Yes, the same paddock.
273. *Mr. Weston.*] Was it not a paddock near your house she was taken from?—No, the same paddock.
274. *Mr. Tunbridge.*] You know Mr. Charles Wilson?—I do.
275. What had Mr. Wilson to do with this horse?—I do not know what he had to do with this horse.
276. Did you lend the horse to Mr. Wilson?—No, I never did.
277. Are you sure of that?—Yes, I am certain. Tom Thomas is the man who got the horse.
278. What is Mr. Wilson?—A farmer.
279. Did Thomas get the horse from your farm or Wilson's?—From our farm. He told us he was authorised by Mr. Fleming to get the horse.
280. What was the condition of the horse's shoulders?—They were sore by the collar, I suppose.
281. What did you see?—I saw the horse's shoulders raw and the skin off.
282. A deep-set wound?—Not exactly a deep wound.
283. Did they look as though the horse had been taken away from work immediately her shoulders became sore?—No; as if they had been sore some time.
284. If Thomas said that immediately the horse's shoulders became sore he returned her to you, is he correct?—Well, he might have. I am afraid the sore was there when she was working at the collar.
285. The shoulders of young horses become sore easily?—No, not if proper attention is paid to them, and if they are not worked more than two or three hours a day to begin with.
286. Was it not because the horse's shoulders were sore that Thomas brought her back?—Perhaps that was it.
287. Then, so far as you know, he did not work the horse after her shoulders were sore?—He put the horse back certainly, but she was in a bad state when she came back.
288. *Mr. Weston.*] Have you any doubt whatever, as a practical man, that that horse was worked when her shoulders were bad?—I think so.
289. Have you any doubt about it?—There is no doubt about it.
290. Did not the appearance of the horse, in every respect, show she had been badly used?—Yes.
291. Tell us the symptoms you saw that caused you to arrive at that conclusion?—I consider the horse was worked beyond what she ought to have been as a young mare. She ought only to have been worked an hour or two in the day, and then get a spell.
292. I want to know whether, in your opinion, that horse was worked after her shoulders were raw?—Yes, I fancy so.
293. Was not that horse thoroughly spoiled?—I have not seen her since, but it is my opinion she would never be the same horse again.
294. Was not that horse very much of a "heap," showing symptoms of having been unduly strained?—I think the horse had been worked "in block and tackle" between two others; as if she had been pulled along by two older horses. She looked as if she had been forced to work, whether she was able to do hard work or not.

JOHN ROBERT HENDERSON, examined on oath.

295. *Mr. Weston.*] You are a farmer living with your father?—Yes.
 296. I think, as a matter of fact, you know the horse which is the subject of this particular inquiry?—Yes.
 297. Do you recollect Thomas taking the horse from the paddock?—Yes.
 298. Was the horse in good condition then?—Yes.
 299. What were her shoulders like?—They were all right.
 300. Was she in thoroughly good condition?—Yes.
 301. How long was that horse away before she was returned to the paddock?—About a month.
 302. Who returned it to the paddock?—I cannot say. I did not see who returned it.
 303. Did you learn afterwards by whom that mare had been worked?—Yes; by Thomas.
 304. I think you saw her in the paddock?—Yes.
 305. What was she like when you saw her on her return?—In a bad state.
 306. What were her shoulders like?—Very bad.
 307. Showing evidence of good or bad treatment?—Bad treatment; hard work.
 308. Were the shoulders in such a state as to require treatment?—Yes, they were.
 309. And were the shoulders in such a state as to lead you, as a practical man, to suppose that that horse had been worked when her shoulders were bad?—Yes, she must have been.
 310. *Mr. Tunbridge.*] Were the wounds merely superficial wounds or deep set?—They were owing to collar-work; sore inside the skin a bit.
 311. The skin rubbed off, and the flesh looked red?—Yes.
 312. Quite fresh?—Yes.
 313. Any blood running?—No; no blood, but big sores.
 314. Then, the wounds were not down into the flesh?—Just inside the skin a bit.
 315. Young horses usually get their shoulders pretty tender when first worked?—But not so bad as that.
 316. Can you say whether or not the horse was worked after her shoulders were sore?—It looked like it.
 317. Would you have expected to find a deep-set wound if the horse had been worked after her shoulders were sore?—No, not at once.
 318. Do you know that if a horse is worked one day with sore shoulders they are very liable to get into a very bad state, and for the wounds to go down into the flesh?—Not altogether; it takes a little time.
 319. We will assume the last day this horse went to work: are you prepared to say the shoulders of that horse were sore when she went to work that day?—I cannot say.
 320. For all you know, the injuries might have been caused the last day she was worked?—They may have been.
 321. Did Thomas return the horse owing to her shoulders being sore?—I suppose so.
 322. Do you know how it was Thomas came to take the horse away?—He said Fleming gave him permission to take her away.
 323. Have you any reason to suppose that Thomas took the horse away improperly?—No.

GEORGE SPENCER FLEMING, examined on oath.

324. *Mr. Weston.*] I think it is true that you purchased that mare from Mr. Henderson?—Yes.
 325. Now, did you authorise Thomas to take that mare away from the paddock?—No.
 326. Were you aware she had been taken away from the paddock?—No, not until she came back.
 327. Did you see the horse with these bad shoulders?—Yes, several times afterwards; there was a sort of scab on them. I could see the shoulders had been rather bad.
 328. In your opinion as a practical man, must that horse have been worked with bad shoulders?—It must have been worked for a week after her shoulders were bad, because when they first become bad the skin comes off, and that is the time to leave off work. It is better not to let them get into that state.
 329. When you saw the horse did you consider that that horse had been badly treated?—It had been worked rather too hard. She was what we call “half-draught,” and she had had to take her share of work alongside old staunch horses. It was warm weather, and it is likely her hair would come off the first day she was worked.
 330. I think you were advised by Mr. Henderson as to the state of this horse?—Yes, as I was passing through.
 331. Did you then complain to any one at Lyttelton about this?—Yes; I think I told a policeman on the railway-station, just before the train was leaving for town. I think it was the sergeant of police, but I am not perfectly certain about it. I think it was on Show Day, or about that time.
 332. What did you ask him to do?—To go over to Diamond Harbour and see the mare. I said he would see a good case of cruelty to animals.
 333. What did he say?—That as he had not seen the horse working he did not think he could take the matter up. That is what he gave me to understand. I thought if he saw the horse he could get witnesses.
 334. *The Chairman.*] Did you describe the horse to him?—I had not much time. I said he would see a horse in a bad state.
 335. *Mr. Weston.*] Did he inquire into it?—Not that I know of. I never heard anything more about it. It was three months before I worked the horse again.
 336. Now, in your opinion, do you consider the police authorities should have taken up that

case?—Well, it just depends whether they had power to do so. If they could not, I think the law should be altered so that they could.

337. *Mr. Tunbridge.*] Thomas took this horse without your permission?—Yes; it would be horse-stealing, if you like to put it that way.

338. Was the horse damaged?—Yes.

339. Permanently damaged?—I had to give her three months' rest.

340. Did you take any action against Thomas?—No.

341. It was a very bad case of cruelty?—Not one of the worst cases, but quite bad enough to have had the man up for cruelty to animals.

342. If you had not seen Sergeant Rutledge on the platform of the railway-station would you have reported the matter to the police at all?—No, I do not think I would have taken the trouble.

343. The case was not of sufficient importance to have induced you to go specially to see the police?—I was rather busy at the time.

344. But if you had not seen the sergeant on the platform you would not have reported the matter to the police at all?—No.

345. Are you aware that the police did make inquiries?—No.

346. You do not know that a constable was sent off at once to see Mr. Wilson about the horse, and to see Mr. Thomas?—No; I think he ought to have seen the horse first and then got the witnesses.

347. *The Chairman.*] You did not take any steps to prosecute anybody in connection with it?—No.

348. Is there a society for the prevention of cruelty to animals in Christchurch?—Yes.

349. All you did was to bring the matter under the notice of the sergeant accidentally?—Yes.

CHARLES RUTLEDGE, examined on oath.

350. *Mr. Tunbridge.*] You are a sergeant of police stationed at Lyttelton?—Yes.

351. Do you remember if in November, 1896, Mr. Fleming made some communication to you?—Yes. I was on the railway-station, and Mr. Fleming came up to me just as the train was about to leave and reported about this horse. He told me at the time that the horse was at Thomas's, at the head of the bay, and he said, "I wish you just to have some inquiries made in reference to the horse's shoulders. It is in a bad state."

352. Did you cause inquiries to be made?—I sent Constable McCormack out that day or the day after, I am not sure. He made inquiries, and reported to me on his return. I might state that Fleming did not lead me to believe at the time that the horse's shoulders were bad.

353. *Mr. Weston.*] That was all you did?—Yes. I received this report:—

Police-station, Lyttelton, 21st November, 1896.

RE complaint of George Fleming, of Port Levy, against Thomas Thomas, of Teddington, for working his horse with sore shoulders: I respectfully beg to report that I saw Thomas Thomas at Teddington, and he states that he got a young horse from Charles Wilson, farmer, at Teddington, to work for some time to quieten him, Wilson stating that it belonged to George Fleming, and that he wanted him quiet when he wanted to do some work with him. I took the horse and worked him for about a fortnight, when I noticed his shoulders getting sore, which is usual for a young horse, so I would not work him any more, but took him back, as I would not work a horse with sore shoulders. My horses will be in Lyttelton next week, and any one can examine them and see their shoulders, and I have worked them all the winter ploughing. I made inquiries from several persons at Teddington, but they all state that Thomas would not work a horse with sore shoulders, nor did they know that he had a horse of Fleming's.

T. J. McCORMACK.

354. Constable McCormack visited this place?—So he stated.

355. You have no reason to doubt that he did?—None whatever.

THOMAS JOSEPH McCORMACK, examined on oath.

356. *Mr. Tunbridge.*] On the 21st November, 1896, did you receive instructions from Sergeant Rutledge to make inquiries about a horse?—Yes, at Thomas's.

357. Did you go there and make inquiries?—Yes.

358. And subsequently you reported?—Yes.

359. Is that the report which was read by Sergeant Rutledge?—Yes.

360. Is that a true report?—Yes.

361. *Mr. Weston.*] When you received instructions from the sergeant to investigate this case where did you go?—To Teddington, at the head of the bay, twelve miles from Lyttelton.

362. Did you go to see the horse first?—I understood the horse was there.

363. As a matter of fact, you did not see the horse at all?—No.

364. Who did you see at Teddington?—Thomas and Wilson, and other people.

365. Wilson really gave you little or no information, did he?—No.

366. Did he give you any information beyond that Thomas had the horse?—That is all.

367. You saw Thomas?—Yes.

368. And, to make a long story short, you relied upon what Thomas told you?—Yes; and other people there.

369. What did the others tell you?—They said that Thomas would not work a horse with a sore shoulder.

370. That is a matter of opinion; but, as regards the facts of the case, you relied on what Thomas told you?—Yes; the horse was not there.

371. Then, having found that the only evidence you could get was Thomas's own statement, did you think it right to go and find out the horse and see for yourself?—Well, of course the horse was not there. It was twenty miles away, at Mr. Fleming's place, so I could not have gone, and I did not doubt that what the people told me was true.

372. You relied entirely on what this man Thomas told you?—Yes.

373. *Mr. Tunbridge.*] You have been in the neighbourhood of where the horse was worked?—Yes.

374. And any evidence to prove this horse had been ill-treated would have been there?—Yes.

375. You required some evidence to prove cruelty?—Yes.

376. And not being able to get the evidence, could you bring the case into Court?—No.

377. Would you think it sufficient to produce the horse at the Court, and stand upon the dumb evidence of the horse only, and that some time before this horse was given to a man to work?—No.

378. *Mr. Weston.*] Can you give the names of the parties from whom you inquired?—Mr. Gibbie and Mr. Manson.

379. I suppose, as a matter of fact, they told you they knew nothing about it?—Yes.

380. So that, as a matter of fact, there might have been cruelty to the horse, and yet the neighbours know nothing about it?—Certainly; that is the reason I could not get any case against him.

381. But you never thought fit to go and look at the horse?—No. Mr. Fleming, after hearing the evidence, intimated he wished to withdraw the charge.

ALICE MATILDA WALLACE, examined on oath.

382. *The Chairman.*] Are you married?—No.

383. Where do you live?—Ensor's Road, Christchurch.

384. *Mr. Taylor.*] Do you know Constable McGill?—Yes.

385. Have you seen him lately?—Yes.

386. What was his condition?—He was rolling from one side of the footpath to the other.

387. When was this?—Easter Saturday.

388. Of this month?—Yes.

389. What part of the town did you see him?—At the corner of Colombo and Tuam Street—in Tuam Street.

390. That is near Nelson, Moate, and Co.'s?—Yes, just there.

391. Can you remember what time it was?—Between twenty minutes and a quarter to 8 in the evening.

392. How do you remember the time?—Because I asked two ladies in the street the time.

393. Can you express his condition in any other terms: was he sober?—I would not call him sober, because I had to get out of the footpath to let him pass.

394. What would you call him?—Drunk.

395. Did any one else witness the occurrence?—A gentleman and two ladies. I did not know either of them.

396. How do you know they witnessed the occurrence?—Because I knew Constable McGill personally, and the gentleman turned to the two ladies—I was not in company with them—and spoke to them.

397. Was the constable close enough to hear?—I did not speak to Mr. McGill.

398. How far away was McGill?—About a yard; he had just passed.

399. Have you any doubt in your mind as to the constable's condition?—Not the least.

400. How do you know it was Easter Saturday?—It was Easter time.

401. You remember the night?—Yes.

402. Was he in uniform?—Yes.

ANNIE WATTERS, examined on oath.

403. *The Chairman.*] Are you married?—Yes.

404. Is your husband living?—Yes.

405. Where do you reside?—113, Tuam Street, Christchurch.

406. *Mr. Taylor.*] Do you remember the 16th of this month?—Yes.

407. Do you know Constable McGill?—Yes.

408. Did you see him on the 16th of this month?—Yes.

409. Where was he?—In Tuam Street.

410. What was his condition: was he sober?—Well, no.

411. What did he do?—I was sitting on my doorstep at a quarter to 8, and Constable McGill asked me if I was down. I did not know what he meant.

412. Your front steps abut on to the footpath?—Yes.

413. You live on the premises?—Yes.

414. What did you reply?—I made no answer. He spoke to me again and asked me what I was doing there. I made him no answer. Then he told me to get up or he would make me, and I thought it was time then to rise. I asked him if he knew who he was speaking to, and he told me to move on.

415. Was he in uniform?—Yes.

415A. Was he steady in his gait?—No; I had to put my hands up once to keep him from falling on top of me. I had been to the Christchurch Meat Company and to the D.I.C., and I had a heavy parcel as well as a basket.

416. What night was it?—Saturday night, at a quarter to 8 p.m.

417. You say you had to put up your hands to prevent him falling on you?—Yes. I told him who I was, and that I was waiting for my husband to let me in.

418. Did you put your hands against his body to keep his body away from you?—No; he fell against the woodwork at the corner of the door. It is a recess-door.

419. Were you alone?—Yes.

420. What did he do after?—When I told him who I was he said something, I could not exactly catch what, and he moved away towards Addington.

421. You still noticed he was unsteady?—I could not notice.
 422. *The Chairman.*] Did you hear what that remark was?—I know what I thought, but I could not say to speak truthfully.
 423. *Mr. Taylor.*] Was it a civil remark?—I cannot say, because I cannot speak truthfully.
 424. This was between Colombo Street and Durham Street?—Yes.
 425. Have you any doubt at all as to his condition?—I have already answered that question.

HENRY GEORGE ELL, examined on oath.

426. *Mr. Taylor.*] Do you know Constable McGill?—Yes.
 427. Were you a passenger by the coach to Addington some time ago?—Yes.
 428. How long ago?—About six months ago.
 429. Where did you see Constable McGill?—Coming out of the A1 Hotel.
 430. Which door?—The Colombo Street door.
 431. What was his condition?—He was drunk.
 432. Did he walk unsteadily?—Yes, staggering.
 433. Did you see where he went?—He crossed immediately in front of the horses' heads, and went into the Addington tram.
 434. Was he in uniform?—No, in plain clothes.
 435. Do you know the constable well by sight?—Yes.
 436. Have you any doubt as to his condition?—None whatever.

WILLIAM OSWALD, examined on oath.

437. *The Chairman.*] What are you?—A salesman in the employ of Ballantyne and Co. I live at Sydenham.
 438. *Mr. Taylor.*] Do you remember being a fellow-passenger with Mr. Ell on any occasion on the Addington coach?—I have been several times.
 439. On any of these occasions did you see Constable McGill?—I did.
 440. Was his condition such as to attract your attention?—It was.
 441. How long ago is this, do you think?—Several months ago.
 442. Can you speak any more definitely—whether it was six, seven, or eight months ago?—Not more than seven months.
 443. What was his condition?—I was fully impressed he was under the influence of drink.
 444. Was he unsteady?—Yes.
 445. Where did he come from?—The A1 Hotel.
 446. Do you remember if he was in uniform?—He was not.
 447. Where did he go to?—On to the tram for Sydenham or Addington.
 448. Have you any doubt as to his being under the influence of liquor?—Not the slightest.
 449. Have the police interviewed you about this matter?—Yes.

ROBERT WILLIAM JEWISS, examined on oath.

450. *The Chairman.*] What are you?—Draper's assistant.
 451. Living where?—St. Martin's Road, Opawa, Christchurch.
 452. *Mr. Taylor.*] Do you know Constable McGill?—I know him well by sight.
 453. Did he call at your house some time ago?—Yes.
 454. How long ago?—About January or February of this year.
 455. You are not sure of the month?—I am not sure of the date.
 456. Will you tell the Commission what happened?—I was going home one night between 11.30 and 12.30, and I saw a tall man in front of me, but I did not take any notice of him. I got inside, and lit a candle, and went upstairs, and presently a knock came to the door. I said, "Who is there?" and he said, "Police."
 457. *Colonel Pitt.*] Did you know who it was?—I did not know who it was.
 458. *Mr. Taylor.*] What did you do when he said "police"?—I told him I would not open the door, and I said if he did not leave the place I should inform on him to the police.
 459. Did you know who it was?—I did not.
 460. What is your brother's name?—Arthur.
 461. Was he in the house when this call came?—He was in bed.
 462. *The Chairman.*] Was there any more knocking after you gave that answer?—No; in the meantime he went off the verandah and went towards the stables.
 463. Did you see him?—Yes; I opened the door.
 464. What did you see when you went outside?—I saw Constable McGill.
 465. You know it was Constable McGill?—I know it was, because I know him well by sight.
 466. *Mr. Taylor.*] What was his condition?—He seemed to be capable of managing himself when I saw him, although he seemed rather dazed when I asked him a question. I asked him what right he had to be on our place, because it was out of his beat altogether, and he said he could go anywhere, and I said I did not think so.
 467. How far is your place from Addington?—About two miles and a half.
 468. Did he leave the premises then?—He went towards the stables, and I told him to go back, and he came back and answered my question, and I told him to go out another way.
 469. Did he leave the premises then?—Yes.
 470. You say he was dazed?—He seemed dazed.

ERNEST TRIST, examined on oath.

471. *The Chairman.*] What are you?—A tent-maker.
 472. Where do you live?—St. Martin's Road, Opawa.

473. *Mr. Taylor.*] Do you know Constable McGill?—Yes.
474. You know him by sight?—Yes.
475. Do you remember an occasion when you were driving down the Opawa Road?—Yes.
476. How long ago?—I cannot fix the date.
477. How long would it be?—Within the last twelve months.
478. *The Chairman.*] Can you give any nearer date than that—before or after Christmas?—I should say nine months ago.
479. *Mr. Taylor.*] Will you tell the Commission what happened then?—I was driving home, and I was stopped by a constable in uniform and asked if I was going towards Lincoln Road.
480. Which direction were you going at the time?—Along the Opawa Road in the opposite direction to the Lincoln Road.
481. What did you say to the man?—I said, “No, I am just home.”
482. What did he ask you?—That is all.
483. What was the man’s condition?—He was not sober.
484. What time was it?—In the evening.
485. Had you been driving some friends home?—Yes.
486. What hour?—It might have been 10 or 11; I cannot say. It would not be later than 11 p.m.
487. Did you meet Jewiss that night?—No, not that I am aware of.
488. Do you know Jewiss?—Yes.
489. Did you recognise the constable?—Not clearly. I did not see his face.
490. Would you require to see Constable McGill’s face to recognise him?—Well, I have not spoken to Constable McGill in my life that I am aware of.
491. Who was the constable?—I cannot swear who he was.
492. Was he a tall man?—Yes.
493. Was he a very tall man?—Yes.
494. Did you know his voice?—No.
495. Have you seen the same man since?—I cannot swear to it.
496. You are clear it was late at night when you saw him?—Yes.
497. Do you live near Mr. Jewiss?—Yes.
498. How far away?—A couple of hundred yards or more.
499. When you met this man was he nearest to your place or Jewiss’s?—To our place.
500. *The Chairman.*] Can you describe the man you saw?—He was a very tall man in uniform.
501. *Mr. Taylor.*] Had he a beard?—I cannot say.

THURSDAY, 28TH APRIL, 1898.

ANNIE WATTERS, further examined on oath.

1. *Witness.*] I desire to correct my evidence given yesterday. I said it was on the 16th April that I saw Constable McGill in Tuam Street, but I wish to say now that it was on the 9th.
2. *Mr. Cassidy.*] What is that piece of paper you have in your hand?—I refuse to answer, unless the Commissioners tell me that I should.
3. *The Chairman.*] Please answer?—It is a piece of paper on which I have noted down a few things.
4. *Mr. Cassidy.*] Did you have that paper yesterday when you gave evidence?—I had another piece of paper, which I produce [subpœna produced.]
5. In whose handwriting are the notes?—My own.
6. No one was with you when you made them?—No.
7. You now say you saw Constable McGill on the 9th April?—Yes.
8. Why do you change the date?—Because when I got home last night my family asked me what date I had given, and I said the 16th, and they told me I had made a mistake. When I came to think it over I saw that they were right.
9. Until you went home you thought it was the 16th?—I never thought anything farther about it till I got home.
10. Your family told you it was the 9th and not the 16th?—Yes.
11. Can you tell us of your own knowledge what the date was?—I know it was the 9th. I am positive.
12. Because your family told you?—No. I was in the D.I.C. and the Christchurch Meat Company on the 9th.
13. It is not unusual for you to be in the D.I.C., is it?—That is my business.
14. Could you not have been there on the 16th?—You know, Mr. Cassidy, that I am engaged every morning writing for my husband.
15. Do you think you cannot now be mistaken in the date?—Yesterday I answered too quickly. I thought it was the 16th, but I know now it was the 9th.
16. And what time of the night was it?—It was a quarter to 8.
17. You are sure of that?—Yes. I looked at my watch, and I could see the time by the light of the lamp which is near my door. I was sitting on the doorstep at the time.
18. It was dark, was it not?—Yes.
19. What were you doing on the doorstep?—I had been in town, and when I went back home I found my husband had gone out, and I sent my daughter to him to get the key. I waited at the door till she returned.
20. And the constable spoke to you in passing?—Yes.

21. It was too dark for him to see you, I suppose?—It was not dark when there was a lamp near the house.

22. If the constable saw a person sitting on your doorstep, do you not think he should have spoken to that person?—He has known me for many years, and it was peculiar that he should have spoken to me as he did.

23. Is Tuam Street not frequented by persons of a certain class of life?—I have nothing to do with that kind of life, and I know nothing of it.

24. But do you not know, as a matter of fact, that there are undesirable characters in that street at times?—I suppose bad characters have been in that street.

25. What did you say to the constable?—I told him I was waiting for my husband.

26. And then he went away?—Yes. He made an answer and then walked away.

27. Do you feel certain about his condition?—I have no doubt about it. He has known me for some years, and he would not have spoken to me as he did unless he had been in that condition.

28. I suppose you were incensed at the constable speaking to you on your own doorstep?—Well, he asked me if I was down, and he said something else.

29. What did he mean by asking you if you were down?—It is hard to say what he meant.

30. You have known Constable McGill for some time?—Yes.

31. Have you any ill-feeling towards him?—No. Why should I?

32. I might tell you. About twelve years ago you were living in Ferry Road, were you not?—Yes.

33. Do you remember a man named Young living next door to you?—I do not.

34. Did he live close by, or did he own a section in the vicinity?—No.

35. Was he living in the same road?—There was a man of the name lived much farther down the road, but what has that to do with the case?

36. He was committed to gaol, was he not?—Yes, but I had nothing to do with him.

37. Did you fancy that you were entitled to the man's property?—No, never. The deeds were sent to me from New South Wales, so that I might dispose of the property.

38. Do you remember the Public Trustee taking charge of the property?—I never knew he did, and I do not think he had anything to do with it. Mr. John Joyce will prove that the deeds were sent to me. The property was bought by Mr. Joyce. I do not know if it is twelve months ago that that happened.

39. Did you ever make a claim to the property?—No.

40. Did you think you were entitled to it?—Never.

41. Did you send to the constable for the key of the place?—I sent my son to the constable.

42. You thought you were entitled to the property, did you not?—No. I know I was not entitled to it.

43. Did you not have a grievance with Constable McGill over this matter?—No.

44. You knew him pretty well before that?—Only by seeing him up and down the Ferry Road.

45. Have you spoken to him since about the property?—No.

46. Did you not want to claim the property as the next-of-kin?

47. Are you not the sister-in-law of Young?—Yes. Young married my sister.

48. Were you not under the impression that you were entitled to the property on that account?—No.

49. And you made no application for it?—No, none whatever.

50. Did you not have a falling out with Constable McGill over this property?—No.

51. Do you know Miss Wallis?—No.

52. Is she a relation of yours?—I know one Mrs. Wallis.

53. *The Chairman.*] Do you know one Alice Matilda Wallis, who gave evidence yesterday?—I do not.

54. *Mr. Cassidy.*] Has she ever spoken to you?—She came to me yesterday and asked me if I knew to whom I was speaking, and I said No.

55. Did she discuss the case?—No.

56. *Mr. Taylor.*] As a matter of fact, is not Tuam Street a very decent street so far as the people are concerned?—I know that my own house is decent, and I do not know about other people's.

57. Are you pestered at all by bad characters?—There have been bad characters living in the houses on both sides off and on, and I believe the street has had a bad name.

58. *The Chairman.*] If any other woman than yourself had been seated on the doorstep, would you consider the constable did wrong in addressing her as he addressed you?—Certainly.

59. In what respect?—He could see I was not tipsy.

60. But if he was under the impression you were?—But he has known me so many years he must have known who it was.

61. But if he had thought it was a stranger, would you think he was wrong in addressing her as he addressed you?—Yes. I think he should have said, "You must not sit here. You must move away."

62. *Mr. Cassidy.*] How did you come to be called?—The subpoena was brought to me at ten minutes to 2 yesterday. I do not know who brought it.

63. Did Mr. Taylor see you?—No. I have seen him about no matter whatever.

64. Whom did you tell about the matter?—I spoke to Mr. Davis in Colombo Street about the matter.

65. Who is Mr. Davis?—He lives at the corner of Tuam and Colombo Streets.

66. *Mr. Poynton.*] Your hat was on when the constable spoke to you?—My bonnet was on.

67. Had you a veil?—No.

68. Had you a boa on?—Yes.

69. *Mr. Cassidy.*] You are a Prohibitionist?—No, I am not.

ALICE MATILDA WALLIS, further examined on oath.

70. *Mr. Cassidy.*] What is your name?—Alice Matilda Wallis.
 71. Where do you live?—Ensor's Road.
 72. What is your occupation?—A machinist.
 73. Where are you employed?—At Mr. Pavitt's, in Gloucester Street.
 74. Are you a Prohibitionist?—Yes.
 75. Are you sure it was Constable McGill you saw?—Yes.
 76. Had you known him for any time?—For some time.
 77. Where?—In Phillipstown, when he was stationed there.
 78. How long ago is it that you saw him there?—A few years back, when I was a child.
 79. Did you see him after he lived at Phillipstown?—Yes, in different parts of the town—in Ferry Road and in Tuam Street just recently.
 80. At what time have you usually seen him?—At all times.
 81. Would you not be at work in the daytime?—Sometimes I am not at work in the day-time.
 82. Do you know that Constable McGill is stationed at Addington and not in town?—I have not seen him in town recently.
 83. What has he been doing in town when you saw him?—Walking along the street, sometimes in uniform and sometimes in plain clothes.
 84. In what part of the town have you seen him?—In High Street, and in other parts of the town.
 85. What were you doing up town that night? Was any one with you?—No.
 86. How do you know the date?—It was Easter time.
 87. Had you seen Constable McGill in town that afternoon?—No.
 88. You saw him at Nelson Moate's corner?—Yes, in Tuam Street.
 89. In what direction was he going?—West.
 90. Was he going down Colombo Street?—He was going along Tuam Street.
 91. You say you could not call him sober. Could you call him drunk?—Judging from the condition in which I saw him I should say he was drunk. He was staggering.
 92. Are you quite sure about that?—Quite sure.
 93. Was it dark?—It was moonlight.
 94. Did you recognize him clearly?—Very clearly.
 95. To whom did you tell this matter? Did you tell Mr. Taylor?—Not then.
 96. Did Mr. Taylor see you about it?—I spoke to him once afterwards.
 97. At a Prohibitionist meeting?—Yes.
 98. Was Constable McGill under discussion there?—No.
 99. What did you tell Mr. Taylor?—I told him what I told the Court yesterday.
 100. How did you know the time?—Because there were two ladies in the street whom I asked the time.
 101. You were looking out for evidence, then?—No; I wanted to know the time for my own satisfaction. I had no idea then that I should be called to give evidence. I have known Constable McGill for some time, and I was sorry to see him in the condition he was.
 102. Was he in uniform?—Yes.
 103. You are sure he was not in plain clothes?—Yes.
 104. You are quite positive?—Quite positive.
 105. *Colonel Pitt.*] This was on the Saturday after Easter Sunday?—It was the Saturday following Good Friday.
 106. *Mr. Poynton.*] Was there a moon?—Yes, it had just risen.

HENRY GEORGE ELL, further examined on oath.

107. *Mr. Cassidy.*] I think you are a Prohibitionist?—If you ask me relevant questions I will answer you.
 108. *The Chairman.*] You can answer that?—My views are well known, but I think the question is not relevant.
 109. *Colonel Pitt.*] It is a relevant question?—Well, I will say it is well known that I am a Prohibitionist.
 110. *Mr. Cassidy.*] And you have been so for twelve years?—No.
 111. How long have you been a Prohibitionist?—I have been a total abstainer for seven years.
 112. You are certain you do not take liquor yourself?—I ought to be certain about it.
 113. Have you not been in the Hereford Hotel drinking wine or any other liquor with people for twelve years?—I said seven years.
 114. You were a candidate for parliamentary honours?—Quite right.
 115. I think Constable McGill has been an object of prohibition attack for some time?—I am not aware of it.
 116. Your party have attacked him, have they not?—I am not aware of it.
 117. Has Mr. Taylor not attacked him repeatedly?—You may ask Mr. Taylor those questions.
 118. Can you give us a date for this matter you have spoken about?—Not more than I have said.
 119. You said it was six or seven months ago?—I cannot get nearer than that.
 120. What time of the day was it?—The 6 o'clock coach.
 121. And the place?—Opposite the Al Hotel. I was on the coach at the time.
 122. What part of it?—I sat immediately behind the driver.
 123. Was the coach full?—I think there were only a few passengers in the front.

124. Where did Constable McGill come from?—Out of the A1 Hotel—the side-door.
 125. When did you first see him?—When the coach pulled up he stepped out on the street.
 126. Were you going out of town?—Yes.
 127. Were you on the pavement?—No; I got on at the Cathedral Square.
 128. Was Constable McGill on the pavement when you noticed him?—He was on the point of stepping out of the hotel.
 129. What door did he come out by?—The side-entrance.
 130. You are sure it was not the iron gate?—Yes.
 131. You are certain he did not come along from there?—Yes; I am sure he came out of the door.
 132. Where did he go to?—He went to the Addington tram, which was drawn up in the middle of the road, where it usually stands.
 133. You are certain you could see him get on the tram?—Yes.
 134. Did you report the constable?—No.
 135. Did you tell Mr Taylor the facts?—I happened to mention the facts to Mr. Taylor.
 136. And he at once took steps?—As far as I understand, steps were taken on my statements before the Commission.

WILLIAM OSWALD, further examined on oath.

137. *Mr. Cassidy.*] Your name is William Oswald, and you are a draper?—Yes.
 138. Do you remember the date when you were on the tram with Mr. Ell?—No.
 139. Where were you sitting?—On the Willowbank coach.
 140. What part of it?—In the front.
 141. Who saw you in reference to coming before the Commission as a witness?—Mr. Ell called on me.
 142. When?—A few days ago.
 143. I suppose he fully discussed the matter with you?—No.
 144. Did he go into the question at all?—He mentioned it.
 145. What day did this thing happen on?—I do not remember, but it is not twelve months ago.
 146. Cannot you tell us any closer?—I am sure it is not ten months, but I am not sure as to the exact time.
 147. Did you notice Constable McGill or did Mr. Ell point him out to you?—I am not sure which of us pointed him out to the other.
 148. When did you see Constable McGill first?—I saw him coming out of the side-door of the A1 Hotel in Colombo Street.
 149. Where did he go?—He went to the tram.
 150. Was there any one within?—No, he was alone.
 151. Was he in uniform?—He was in plain clothes. I am sure he had not a uniform coat on.
 152. If any one says he was in uniform it will be a mistake?—According to my judgment it would be. He had a blue coat on, but there was no mark on it to distinguish him as a constable. He had blue trousers on.
 153. I suppose you did not pay much attention to him?—No.
 154. You were not hunting policemen down?—No.
 155. You said you were of the impression that he was under the influence of drink?—Yes.
 156. But you are not sure?—I am certain.
 157. Why?—From his walk.
 158. How far did you see him walk?—From the hotel-door to the tram.
 159. Are you a Prohibitionist?—Yes.
 160. And of course your sympathies are all against the police at present?—You are wrong.
 161. Well, against Constable McGill?—You are wrong.
 162. Have you ever heard Constable McGill attacked at any of your meetings?—I have never heard his name mentioned.
 163. You have not heard Mr. T. E. Taylor speak, then?—I have not heard his name mentioned by any one.

ROBERT WILLIAM JEWISS, further examined on oath.

164. *Mr. Cassidy.*] You are a Prohibitionist?—No, I am not.
 165. Do you remember the date of this occurrence?—No, I cannot fix the day.
 166. Would it be after February?—I am not certain. I think it was about the end of January or the beginning of February.
 167. You say you did not know who was at the door?—I did not know.
 168. And you stated that you looked out and the person was quite capable of managing himself?—Yes. When I opened the door I saw he was quite capable of managing himself.
 169. So you could hardly call him drunk?—I did not say he was drunk. I said he was dazed.
 170. What time was it?—About half-past 11 or 12.
 171. Are you sure it was Constable McGill?—Yes.
 172. After he came out?—Yes.
 173. Can you swear positively it was he?—Yes.
 174. Who saw you about this matter?—Mr. Taylor. I do not know at all how it got about. I never mentioned it to a soul.
 175. What did he say to you?—He asked me if Constable McGill had been round at my place, and I said Yes.

176. *The Chairman.*] Did he tell you upon what business he was there?—No.
 177. Did he make any request to you?—He said the police were there, and asked me to open the door. I asked "What for?" and he made no answer.
 178. Did he indicate to you what he was doing there?—No.
 179. *Colonel Pitt.*] Did you speak to him at all?—I did when I opened the door.

BENJAMIN THROP, examined on oath.

180. *Colonel Pitt.*] What is your name?—Benjamin Throp.
 181. What are you?—Inspector to the Borough Council of Sydenham, which position I have held for eleven years.
 182. *Mr. Taylor.*] Have you anything to do with regard to the by-law respecting storage of kerosene in the borough?—Yes.
 183. Did you arrange with Constable McGill to accompany you on an inspection of certain premises on one occasion?—Yes.
 184. Whose premises?—N. K. Bowden's. He is a storekeeper in Lincoln Road.
 185. Why did you intend to inspect them?—We had suspicion that Bowden was trying to evade the taking out of a license.
 186. Did you see Constable McGill?—I was verbally instructed by my Works Committee to arrange with Constable McGill, who lives next the store, to accompany me as a witness.
 187. Did he accompany you?—He arranged to do so, but did not.
 188. *The Chairman.*] Did you report that to the Committee?—Yes, and I also reported that the constable had imparted information to Mr. Bowden which prevented us from going on the search.
 189. Was any inquiry made in consequence of that report?—Yes. The Town Clerk was instructed to write to the police.
 190. *Mr. Cassidy.*] What authority to go to Mr. Bowden had you?—I was instructed. I am the Inspector under the Dangerous Goods Act for the Council.
 191. If the Town Clerk states that you acted on your own motion, what do you say?—I did not act on my own notion.
 192. Have you any ill-feeling towards Mr. Bowden?—No.
 193. You had several cases against Mr. Bowden, or you tried to get them?—I never had a single case against him.

THOMAS BROHAM, examined on oath.

194. *The Chairman.*] You are Inspector of Police for the Canterbury District?—Yes.
 195. You produce Constable McGill's defaulters' sheet containing an entry to this effect: "Imparting information officially received from Mr. Allison, Fire Inspector at Sydenham, to the person suspected of committing an offence—namely, by keeping kerosene on his premises without a license. Plea, Not guilty. Severely reprimanded.—Inspector BROHAM.—8/10/96"?—Yes.

THOMAS BROHAM, further examined on oath.

196. *Mr. Taylor.*] What is the custom in regard to obtaining reports from the police in connection with applications for publicans' licenses? Do you refer the matter for a report to the constable of the district in which the license is issued?—Yes.
 197. *The Chairman.*] Who refers it?—The Clerk of the Bench writes to me about any application, and inquiries are made by the department. Of course, different cases require different sorts of inquiry.
 198. *Mr. Taylor.*] Is it the usual custom to refer the application to the constable of the district?—If the application refers to the city the inquiries are made under my supervision.
 199. And if the application is for a suburban district does the constable in charge report?—Usually.
 200. If it is referred to the constable of the district is his report usually acted on, or do you get two reports?—Very often three or four reports from different police officers. If I have a case about which I have any doubt careful inquiry is made.
 201. Do you know anything about a case in which a man named Timothy Lyons applied for the transfer of the license of the Bower Hotel at New Brighton?—Yes.
 202. What course was followed in that case?—I do not remember. I know I did not recommend it, but it was granted.
 203. You opposed the granting of a license to the man for the New Brighton Hotel?—I did not recommend it, and I spoke of his unfitness. The documents I here produce refer to something that took place in connection with the hotel during my absence.
 204. Is there a report on Lyons's application from Constable Flewellen?—Yes.
 205. What does he report?—In Constable Flewellen's report the granting of the license is not recommended.
 206. The constable did not consider him a fit and proper person?—No.
 207. What was done afterwards?—It was referred to Detective Benjamin.
 208. With what result?—He speaks favourably of the applicant. He considers him a suitable person to be the landlord of a country hotel.
 209. Can you say why it was considered necessary to have a second report?—Probably the Inspector wished to have the constable's report supplemented by a person who knew more about the applicant.

210. Could any one know more about him than the constable for the district?—Lyons had not been at New Brighton very long. He had been in Christchurch before.
211. Would not Constable Flewollen know more about the applicant than the detective?—He had certainly had later experience of his conduct.
212. Can you tell the Commission at whose instigation the second report was obtained?—Inspector Cullen.
213. Can you say whether Constable Flewollen's report was submitted to the solicitors for the applicant?—I do not know.

SAMUEL FLEWELLEN, examined on oath.

214. *The Chairman.*]—Your name?—Samuel Flewollen. I am the constable stationed at Bingsland.

215. Is New Brighton within your sub-district?—Yes.

216. *Mr. Taylor.*] Were you instructed to report on the application of Timothy Lyons?—Yes, by Inspector Cullen.

217. Had you known the applicant for some time?—Yes.

218. How long?—He had been at New Brighton for twelve months.

219. Had you plenty of opportunity of judging of his fitness?—A good deal.

220. What did you report?—I reported: "I have to report that Mr. Timothy Lyons has been the licensee of the New Brighton Hotel from January, 1897, to the 1st February, 1898. During that period the house has been well conducted, but the management of the house has devolved entirely upon a woman who went by the name of Miss Wilson. She is usually employed in the bar, but she has also the general management. Mr. Lyons did not appear to me to understand anything about the business of a publichouse, and he took no part as far as I could see in its management. Under the circumstances I could not report that he is a fit and proper person to have granted to him a publican's license."

221. Had you anything to do with his previous application for the New Brighton license?—No, but I had had occasion to report him.

222. What for?—For what I considered a breach of the Act.

223. *The Chairman.*] Did you prosecute?—No.

224. *Mr. Taylor.*] Did you hear anything more from the Inspector about your report?—No, but I heard Mr. Martin read it at the Licensing Court.

225. And did you then learn that another officer had also reported?—No.

226. You were not consulted by the Inspector about a second report?—No.

227. And until the matter came up in the Court you had heard nothing of it?—I did not hear it mentioned in Court.

228. Was Detective Benjamin's report not read in the Court?—No. I heard about it yesterday from Mr. Taylor.

229. The fact that Detective Benjamin had made a report on top of yours was not brought under your notice?—No.

230. Do you consider a step of that kind as being an impeachment of the accuracy of your report?—It is, more or less.

231. Do you think that Detective Benjamin had as many opportunities of knowing the man's character as you had?—I think he had not much opportunity, and knew little about him.

232. Is it not customary for the report of the constable for the district to be acted on?—Yes.

233. Is it customary for another officer to be employed to report on that constable's report?—No.

234. And so far as you know no investigation was made by the detective as to the accuracy of your report? You were not consulted?—No.

235. *The Chairman.*] Have you reason to believe that the reports of constables are considered conclusive, and they are to be the final and absolute judges as to suitability?—No.

236. It is not the function of the constable to be the final judge as to the suitability of the applicant?—No.

237. *Mr. Tunbridge.*] You were present before the Licensing Committee when the matter was considered?—Yes.

238. And the whole of the reports of the police were submitted to the Committee?—Mr. Martin read mine.

239. You did not hear the minutes on the back of the reports read?—No.

240. And so far as you know the Committee came to the decision on your reports?—I suppose they would. Detective Benjamin's report was not read in public, but of course the Committee may have seen it.

241. You have read Detective Benjamin's report?—No, I have never seen it. I see by the documents that Inspector Cullen writes: "Detective Benjamin.—I understand you know Mr. Lyons pretty well; please say whether, in your opinion, he is a fit person to hold a publican's license." Detective Benjamin replies, "I have known Mr. Lyons for some years, and consider him honest, and suited to be the landlord of a country hotel."

242. Then it appears that the whole of the police reports were before the Committee?—Yes.

243. You do not allege that Mr. Lyons was not an honest man?—Oh, no; I said nothing about his character.

244. You take exception to Detective Benjamin's report in which he says he considers Mr. Lyons is suited to be the licensee of a country hotel?—I do not think he is suited for that.

245. Then you take exception to that statement?—I do not agree with it. I know the way he has conducted the hotel at New Brighton.

WALTER MARTIN, examined on oath.

246. *The Chairman.*] What is your name?—Walter Martin. I am Clerk of the Licensing Committee for the Avon District.

247. *Mr. Taylor.*] Did you receive a report from Constable Flewellen on Mr. Lyons's application?—I received it in the usual way from the Inspector. It appears in connection with the temporary transfer of a license from Pearce to Lyons.

248. Was the police report from Constable Flewellen?—Yes. I will explain the course which is followed. In the first instance, before the application is filed it is necessary for the applicants to produce a Magistrate's certificate. Among the papers is a letter from his solicitor to the Chairman of the Licensing Committee, asking him to sign this certificate. With the object of ascertaining the character and suitability of the person named that correspondence is forwarded to the police by the direction of the Stipendiary Magistrate. That was done in this case, and it was returned to me with the reports of Constable Flewellen and Detective Benjamin. Such a report is necessary so that the Magistrate may judge of the suitability of the applicant before he signs the certificate, which is a necessary step prior to the application being considered. The certificate was attached to the reports of the police, and on the 5th March the application came before the Committee.

249. When you received the police report did it have any indorsements?—It was as it is now.

250. Did you have it at all before it had Detective Benjamin's report upon it?—No; it came to me as it is now.

251. You had no interview with the solicitors of the applicant?—No, it was not necessary.

252. Can you tell us which report was regarded as being the police report?—Both, I take it.

253. One says he is not a fit and proper person, and the other says that he is?—That is not for my consideration.

254. But which report did the Committee consider the police report?—I cannot say what was in the minds of the Committee. The reports were put before them.

255. Was Detective Benjamin's report read out in the Court?—I think so. If I did not read it the Chairman would.

256. If Constable Flewellen says that only his report was read, would he be wrong?—I should say that he was wrong.

257. *Colonel Pitt.*] Do you mean read aloud?—Yes.

258. *Mr. Tunbridge.*] You are in the habit of dealing with these applications for licenses?—Yes.

259. You have the police reports before you on all cases?—Yes.

260. Do you find it the custom to have reports from more than one police-officer?—It frequently occurs that reports are made by more than one officer.

261. What is the object: is it to furnish the Committee with all the information in the possession of the police about the applicant?—I think so.

262. If Detective Benjamin knew that the man had been convicted, that fact might not be known to Constable Flewellen?—That is so.

263. And he would have stated that fact?—Yes.

264. If more than one constable is able to speak as to the applicant there will be more than one report?—Yes.

265. *Mr. Taylor.*] On matters of this kind, do you frequently have reports directly contradictory from two police-officers?—It is unusual, but it has happened before.

266. Do you remember it to have happened before?—I could not say positively without searching the papers.

JOHN JAMES CASSELLS, ALFRED STANTON, THOMAS BOURKE, and CHARLES HENRY PRATT, examined on oath.

267. *The Chairman:* The following resolutions were passed at a meeting of the local Force:—

1. That the Government be requested to grant a house-allowance for all married members of the Force unprovided with Government quarters.

2. That the Commission be asked to recommend a uniform rate of pay for constables when joining the Force, not less than that provided for in the Appropriation Act.

3. That the Commission be asked to recommend that a scheme be formulated for more rapid class-promotion than has heretofore obtained in the Force.

4. That the Commission be asked to recommend that the Government give an annual free issue of uniform to police, or an allowance in lieu thereof.

5. That the Commission be asked to recommend the Government to formulate a scheme for a pension for members of the New Zealand Police Force, that Force being probably the only Police Force in the world unprovided with a pension fund.

6. That the Commission be requested to recommend the Government to adhere to the scale of travelling-allowance as set forth in Regulation 239, which has been for a length of time ignored, but has never been legally rescinded.

7. That the Commission be requested to recommend that the Police Department grant first-class fare by sea and rail for members of the Force and their families when on transfer.

8. That the Commission be asked to recommend that members of the Force, when on leave of absence, shall be entitled to travel free on the New Zealand railways.

9. The men complain that, after being on night duty, they are called upon to do extra duty in escorting prisoners to Lyttelton Gaol, besides attending Courts and doing fatigue duty on Saturday at barracks, and attending lectures on Thursday.

10. That Sergeant Bourke and Constables Cassells, Pratt, and Stanton represent the Christchurch Police at the sitting of the Commission.

268. With regard to the first resolution, do you wish to add anything to that?

269. *Constable Cassells:* I do not think there is anything much to add. In support of the resolution, I may say that the police-stations are centrally situated, and it is necessary to get a

house close to the police-station, and it is impossible to get a house close to the station without having to pay a high rent for it.

270. What is the rent here?—From 11s. to 12s. a week, and then the houses are not very handy—not within a quarter of an hour of the police-station.

271. That is, for a house of how many rooms?—Four rooms.

272. The next resolution is, “That the Commission be asked to recommend a uniform rate of pay for constables when joining the Force, not less than provided for in the Appropriation Act.” What amount do you recommend should be provided in the Appropriation Act?—Well, nothing less than 7s. a day to men on joining the Force.

273. *Colonel Pitt.*] How is it to increase?—With a rise of 6d. a day for three, seven, and ten years’ service, or something like that—on that scale.

274. Would you make a maximum, then, of 8s. 6d. a day for constables?—Yes.

275. *The Chairman.*] Do you recommend, then, there should be only one class of constables?—The general feeling is there should be one class of constables.

276. With progressive pay?—Yes.

277. It has been complained in some instances that men are doing duty side by side with men who are receiving a higher rate of pay?—That is so.

278. This proposal would not get over that difficulty, would it—you would still have junior constables doing the same duty as senior constables, but drawing less pay: do you think the fact of seniority would overcome the difficulty referred to?—Yes.

279. *Colonel Pitt.*] Is this rate of pay on the assumption that uniform is found or not found?—Uniform provided.

280. *Sergeant Bourke:* I would like to remark, with regard to this resolution, that I think there should be a greater difference of pay between sergeants and constables than there is at present.

281. *The Chairman.*] What is the present rate for third-class sergeants?—Sixpence a day more than first-class constables. I consider that every first-class constable that is promoted to the rank of third-class sergeant is losing money by it. It is chiefly constables that are in charge of stations that are promoted to sergeants.

282. *Mr. Poynton.*] He loses his clerkship of the Court, and that sort of thing?—Yes; and besides that, in all out-stations a constable is able to keep a cow, which is of greater benefit to him than 6d. a day. I myself have lost at least £30 a year by promotion.

283. *The Chairman.*] The next resolution is, “That the Commission be asked to recommend that a scheme be formulated for more rapid class-promotion than has hitherto obtained in the Force.” Have you anything to say to that?

284. *Sergeant Bourke:* I think the last recommendation would get over that—that the classes be abolished altogether.

285. But supposing the classes are not abolished, then you ask that there should be more rapid promotion than has hitherto prevailed?—Yes. At the time I joined the Police Force there was a rule—I cannot say it was written law, but it was a recognised law—that a constable, after being in the Force twelve months, would be entitled to second-class, and when he had been in the Force two years longer to first-class, constable. That was, in three years he would be a first-class constable. That was understood.

286. And acted on?—Yes, and acted on.

287. Was there anything to suggest such an understanding?—Yes. I joined the Force on the 7th November, 1877, and on the 1st November, 1878, I was made a second-class constable. Before the end of the second period—the two years—there was a reduction in the Force. All ranks were reduced in rotation down. From that time to the present the rule that I speak of has not been recognised.

288. The fourth resolution is, “That the Commission be asked to recommend that the Government give an annual free issue of uniform to the police, or an allowance in lieu thereof.” Have you anything to say in respect of that?

289. *Constable Cassells:* It costs, on the average, 6d. a day for uniform.

290. How much does it actually cost you a year?—As near as we could get to it, it would be 6d. a day, or, say, £6 a year.

291. *Sergeant Bourke:* I think £6 a year would cover the uniform. Some of the other delegates think not.

292. *Constable Stanton:* The trousers we have made in store cost £1 2s. 6d., but the constables never get them at that price, because they are not sufficiently well made. They prefer to get the stuff, and have the trousers made themselves. It costs them then about £1 7s. 6d. The night great-coat costs £1 10s.; waterproof coat, £1 14s. 6d., and these coats are not very good—if they last a winter they do very well. The shako is 11s. 6d. The tunic costs about £2 5s. or £2 6s. Gloves will cost perhaps 5s. a year. The boots that the men wear are boots they have made for themselves, and cost about £1 10s. a pair. They will wear out two pairs in a year. A tunic will last two years with care.

293. As to the trousers, will one pair of trousers be sufficient for a year?—Well, scarcely. I was merely giving the items. I do not think one pair would be sufficient. They want one pair for night duty, and they want a good pair for day duty. I may say it is a well-known fact that the Prison Department gives a free issue of clothing to its men, and also the Postal Department and the Railway Department.

294. Do you know what is the custom in other countries with regard to the police?—No, I do not.

295. The fifth resolution is, “That the Commission be asked to recommend the Government to formulate a scheme for a pension for members of the New Zealand Police Force, that Force being

probably the only Police Force in the world unprovided with a pension fund." Have you anything to add to that?

296. *Sergeant Bourke*: I might add that the police are debarred in any other business. They have to devote the whole of their time and attention to their police duties, and they are shut out from embarking in any other kind of business by which they might hope to provide for old age. Even their wives and daughters, while living with them, cannot engage in any business. I cannot say it is a written law, but it is recognised amongst the police. The pay is no more than what they can live on. There is another thing: I think it interferes with the efficiency of the Force to allow old men to remain in it by compassion, when if there were a pension fund they would be retired.

297. You suggest there should be a scheme formulated: can you suggest a scheme?—I certainly cannot.

298. Do you think the Force would bear a scheme founded upon contributions from their pay?—I think not, because at present we say we have not enough to live upon, and therefore we cannot forego any part of our pay.

299. *Colonel Pitt.*] Do you contribute to life assurance now?—We do. I do not know how the £10-a-month men can live and pay the rents that they have to pay. They certainly cannot go in for any luxuries.

300. If the rate of pay were fixed at that which has been suggested, starting at 7s. per day, with periodical increases, would the pay then bear a contribution to the fund?—I can only speak for myself. I cannot speak for the other men on that score. I would not be authorised by any other man to say that the pay would or would not stand it.

301. *The Chairman.*] Was it not discussed when this resolution was carried?—Yes, it was discussed.

302. Are you not prepared, then, to say what is the feeling of the local Force on the subject?—They felt they could not contribute.

303. When they expressed that opinion, did it refer to the present rate of pay or to the increased rate of pay?—I think it referred to the present rate of pay.

304. The men forming the meeting at which these resolutions were carried were not men having charge of stations—town men only?—Yes, and the suburban men.

305. In charge of stations?—Yes. The men had a sort of preliminary meeting, and we asked the Inspector to appoint a day, and give all the men, local and suburban, an opportunity to attend. The Inspector did so, and all the suburban men, I think, were there.

306. Can you tell us whether the suburban men who were present are the holders of any offices to which emoluments are attached, outside their police pay?—I think not.

307. *Constable Stanton*: There seems to be a feeling in the Force that the police, at the present rate of pay, could not possibly contribute to a pension fund. I really do not see how they could; but, of course, if the rate of pay is increased, perhaps they might be able to do so. They say they might just as well pay the insurance they are now paying as pay towards a pension fund.

308. Which do they prefer?—I think the most of them would prefer insurance, because, they say, in case of death their wives and families would get the insurance; but under a pension scheme, if they were to die, perhaps their wives and families would not get a compassionate allowance from the Government.

309. *Colonel Pitt.*] Would not a pension scheme probably include something for the wife after the husband's death?—No scheme has yet been formulated. They seem to think that the State, having received the benefit of their services in their young days, it should certainly do something for them in their old age. They have little or no chance to save except under exceptional circumstances—at country stations. The men who do the real work of the Police Force—the men in the towns—get nothing beyond their pay, and out of that they can save nothing.

310. *The Chairman.*] The next resolution is, "That the Commission be requested to recommend the Government to adhere to the scale of travelling-allowance as set forth in Regulation 239, which has been for a length of time ignored, but has never been legally rescinded." The regulation provides that "other members of the Force shall receive their actual expenses," and that has been altered by circular to "1s. 6d. per day for single men, and 3s. for married men on relieving duty."

311. *Constable Stanton*: There is no such thing as temporary transfer. When a man is away from home he is, to all intents and purposes, travelling on relieving duty. The amount now granted does not pay expenses.

312. The next resolution is, "That the Commission be requested to recommend that the Police Department grant first-class fare by sea and rail for members of the Force and their families when on transfer." What do you say about that?

313. *Constable Stanton*: I think a minority carried that resolution.

314. Do you know anybody else drawing 7s. or 8s. a day who travels first class by rail?—I do not.

315. *Constable Pratt*: The general feeling is that travelling by sea saloon fares should be provided, as the steerage is not a fit place for wives and children. As to rail, I would be willing, as most of the others would, to travel second class.

316. You would not think it fair to pay out of your own pocket the difference between first- and second-class fares by sea?—I would not.

317. *Sergeant Bourke*: In every case I know constables pay the difference between first- and second-class fares in steamers, when travelling on transfer, out of their own pocket sooner than take their wives and families in the steerage. I certainly would not myself go in the steerage, in view of the rough state I have seen it in. With regard to the railway, I should certainly say it was rather hasty to include that in the resolution, because I reckon the bone and sinew of the country travel second class on the railway.

318. The next resolution is, "That the Commission be asked to recommend that members of the Force, when on leave of absence, shall be entitled to travel free on the New Zealand railways." What have you to say as to that?

319. *Sergeant Bourke*: I think, your Worships, that is a very reasonable request considering that police, no matter whether they are on leave or in what position they are travelling, so long as they are in the Force, are deemed to be on duty. If anything happened they must attend to it the same as if they were sent there for that purpose. I do not think it would cost the Government anything. There is always plenty of room in the railway-carriages.

320. Do you know that the Railway Department has to be paid for those fares?—I think not. I do not see how they could keep a check on that sort of thing.

321. *Mr. Tunbridge*.] I may point out that the Railway Department is paid a fixed sum every year by the Police Department for the transit of constables on duty.

322. *Constable Stanton*: I may say, Sir, that the police are always on duty at holiday times, and they are debarred from taking advantage of cheap excursion-fares, or anything of that kind. They must take their leave when it is convenient for the department to let them off, and of course they have to pay ordinary fares.

323. *The Chairman*.] The next resolution is, "That the men complain that, after being on night-duty, they are called upon to do extra duty in escorting prisoners to Lyttelton Gaol, besides attending Courts and doing fatigue duty on Saturdays at barracks, and attending lectures on Thursdays." What do you say about that—that these extra duties limit the men's time for rest?

324. *Sergeant Bourke*: I think it does limit the men's time for rest.

325. Attending lectures?—I would not say attending lectures. I think the lectures are of great benefit to the men, and should be continued. I think the other duties they are called upon to do could, without very much trouble, be performed by the other men.

326. Are the men on night duty called upon to do escort duty?—Yes. They take their turns to take prisoners to the gaol. If there are many prisoners, more than one man has to go. The objection is this: It might happen that on the day on which it is a man's turn to escort prisoners to Lyttelton Gaol he may also have to attend Court to give evidence against some person or persons locked up during the previous night. This has occurred in connection with myself since I have been here. I have gone on at 9 o'clock at night, and come off at 5 next morning, attended Court at 10 o'clock, and gone to Lyttelton at 2 or 2.30 in the afternoon, and then again on night duty as usual at 9 o'clock at night.

327. *Mr. Poynton*.] Do you think, if there was an increase in the Force in Christchurch, escort duty could be done without bothering the night-duty men?

328. *Constable Cassells*: Yes, that would get over the difficulty.

329. *The Chairman*.] With regard to the night duty, do you think it could be so arranged as to have different men on night duty every night, instead of the present system of the same men going on for a fortnight?

330. *Constable Pratt*: We prefer the duty hours to remain as at present.

331. *Constable Stanton*: I do not see how any improvement could be made in that respect. The men prefer to go on for a fortnight, because the first two or three nights they do not sleep well, and by going on for a fortnight they are then able to get proper rest, whereas in the other case their rest would be continually broken.

332. *Sergeant Bourke*: The men on night duty want all the sleep they can get. I can tell a man who has been on night duty in the street always who has not his proper rest during the day. He has a heavy and drowsy look.

333. *Constable Cassells*: As far as fatigue is concerned, that difficulty could be got over by its being undertaken by the man on No. 4 duty. At present all the night-duty men come down and do fatigue-work. There is a man who always comes off at 7 o'clock in the morning, and that could be easily done by him. There is not a great deal to do.

334. *Sergeant Bourke*: I think if this man who does the beat round the station were on Saturday mornings to come in at 5 he could pretty well do the whole lot assisted by the watch-house keeper. I think they could clean up. Of course, some mornings the watchhouse keeper has a lot of work to do, and he could not then attend to it.

335. *The Chairman*.] Is there anything else you desire to put before us?

336. *Sergeant Bourke*: With regard to attending fires, the married men find it very hard to have to turn out to fires, and usually—pretty well in all cases—the fire is out by the time they get there.

337. Is there not some rule about that?—There is a rule that the night-duty men should not run out before 1 o'clock in the day.

338. *Constable Pratt*: If it so happened that all the married men were going on duty at 9 o'clock in the morning, every one of them would be expected to turn out if the fire occurred during the night previous.

339. *The Chairman*.] Has the circular which has been issued on the subject not been carried out?

340. *Constable Stanton*: Yes. It is understood so. For instance, suppose a fire occurs between 9 at night and 5 in the morning, the men that are going on duty from 5 to 9 in the morning do not turn out at that fire, but the men who are going on at 9 o'clock in the morning would have to attend that fire.

341. But, according to the circular, only half the men would have to attend?—That is the half.

342. *Constable Pratt*: The greatest objection the married men have is this: they are not called to attend the fires, as they are at the station, and, in the event of their sleeping in and not hearing the bell, they are apt to get themselves into trouble.

343. *Sergeant Bourke*: That is the chief trouble. Every man not turning out is subject to being dealt with and get an entry in his defaulter's sheet. Living, as some of them do, on the outskirts of the town, they may not hear the bell.

344. *Constable Pratt*: It happens here sometimes that they do not ring the bell very much. If they know exactly where the fire is they do no not give much of an alarm.

345. *The Chairman*.] What is your remedy?

346. *Sergeant Bourke*: I think the six or seven men on night duty, unless it became a very serious fire, would be sufficient to deal with it. Of course, if it became a serious fire, all hands should turn out.

347. *The Chairman*.] Do the men leave their beats to go to a fire?—Yes, with the exception of one man on the No. 1 beat—the Triangle beat. All the other men are supposed to go to the fire as quickly as they can get there.

348. *Constable Pratt*: It is impossible for us to hear the bell at all times.

349. *Mr. Tunbridge*.] *Sergeant Bourke*, you have been in Christchurch four months: how many times have you had to turn out?—I have not had to turn out at all.

350. *Constable Pratt*, how many times within the last six months, we will say, have you had to turn out?—I cannot exactly remember the times, but I have turned out several times. I may say I have turned out on three occasions to false alarms; in fact, I turned out to two in one night.

351. You have not been reported for not turning out?—Fortunately I have heard the alarms.

352. Have you turned out in every case when there has been a fire?—I believe so.

353. *Constable Cassells*, you have not been here long: how many times have you turned out?—The only time there was a fire I was on night duty. I have no complaint myself on that point.

354. *Colonel Hume*.] *Constable Stanton*, have you ever known any members of the Force who have not been paid their actual expenses for travelling when they have shown they have expended the money?—I cannot say from memory.

355. How long have you been in the office?—I have been here for five years. I have been twelve years a District Clerk.

356. And you cannot remember a single case where a man, when he has represented he has been out of pocket, has not been paid his out-of-pocket expenses?—Well, I have been out of pocket myself. I am making no complaint myself, however. I am here only as a delegate, not as an individual member of the Force.

357. You know perfectly well there are no cases?—No, I do not.

358. Can you tell us a case?—I cannot, from memory.

359. Do you think a case has ever come under your notice?—I think if I were to look up the books I could find some.

360. On the other hand, do you think you could put your hand on any cases where men have made money out of travelling under the old system?—Not amongst the rank and file.

361. It has never come under your notice?—Never come under my notice. I do not think it would have been possible.

362. What was the old system?—Six shillings a day, which is practically the same as it should be now.

363. What is it now?—According to that circular, if a married man is away he gets £1 1s. a week, and if a single man is away he gets 10s. 6d. a week. There is no such thing as temporary transfer mentioned in the regulations. A man is either travelling or he is on his station.

364. *Sergeant Bourke*, do I understand you to say, if a fire breaks out, we will say, on the Papanui Road, that one man would be sufficient to take care of the town during the time the fire was going on?—I think it is.

365. Is it not your experience, if there are burglars about, that is the very time they seize upon to break into a house?—It would be a good opportunity for them, but that is the rule.

366. *Constable Stanton*: There is one more matter I desire to bring under your notice. At the present time, in case, say, of a constable who had over twelve years' service, if he wishes to retire he cannot do so now. He has to resign, and thereby lose anything in the way of compensation he may be entitled to under the Police Force Act. Compensation is only given when a man is retired medically unfit. A number of the constables seem to think, pending the time when the pension fund is inaugurated, that some provision ought to be made for a constable retiring if he chooses before he becomes medically unfit. It is thought there ought to be some compensation given him if he resigns after a certain number of years' service, say, twelve years. At the present time men, if they wish to leave the service, become medically unfit some way or another. They retire as unfit for further service and receive compensation. A good many of them recover afterwards. A number of the constables seem to think that some provision should be made for the payment of compensation, after twelve years' service, to men who wish to retire before they are medically unfit.

367. *Mr. Tunbridge*.] *Constable Stanton*, you would prefer, then, that men should be allowed to retire if they wished after a certain number of years' service?—I do not advocate it at all. I was simply requested to place this matter before the Commission by some of the men who hold that opinion.

368. Have the men expressed any opinion as to the number of years they should serve before they should be allowed to retire?—I do not think they have any particular opinion; but yesterday evening a number of us were talking it over, and it was suggested from twelve to fourteen years.

369. Do you know of any men who have retired with comparatively small service, and, of course, received compensation?—I think I can mention one or two. I do not think *Constable Gaffney* had many years' service. Then there is *Constable Lewis*; he had, I think, thirteen years' service. Then there is *Constable Black*, of Rakaiā.

370. Do you suggest these men were not in a state of health which rendered them unfit for police-work?—I do not know. Some of the cases I do not know anything at all about.

371. Are you aware there is no such opportunity given as you suggest to men in any other Police Force?—No, I am not.

372. Constable Pratt, you have been in the Victorian Force?—Yes.

373. You had to provide the most of your uniform yourself?—Not all of it. We were supplied with overcoats, helmets, leggings, and capes.

374. Do you think one helmet a year, one tunic a year, two pairs of trousers a year, a great-coat every three years, a waterproof every year, and two pairs of boots a year would be sufficient?

375. *Sergeant Bourke*: Yes. With regard to medical certificates, we should have doctors free, and the men should be consulted as to what doctor they should have. There should be a vote of the men as to what doctor they should have. The men may get a doctor they have no confidence in.

376. *Colonel Pitt*.] Does that include free certificates?—I should certainly say so.

377. *Mr. Poynton*.] Constable Pratt, you are a Victorian: do you think three years' cumulative leave would be enough?—I think three years would be quite long enough.

378. Of twelve days?—I consider, myself, twelve days is not sufficient leave. We should have fourteen days. The Victorian police have fourteen days.

379. *The Chairman*.] You think they should have fourteen days a year, and the leave should be cumulative for three years?—At least three years.

380. *Mr. Poynton*.] Constable Pratt, was there a training depot in Melbourne?—Yes.

381. How long did you stay in that?—Four months.

382. Were you instructed in general police duties?—Yes.

383. And ambulance-work?—That was the only thing we were not instructed in there.

384. *Colonel Pitt*.] Did you do any street duty during that time?—Well, very little. Sunday was the only day we were allowed out at all.

385. *Mr. Poynton*.] What pay did you get while in the depot?—The same rate of pay.

386. Was general education attended to as well as the police?—Partly.

FRIDAY, 29TH APRIL, 1898.

JOHN TUCKER FORD, examined on oath.

1. *Colonel Pitt*.] What is your name?—John Tucker Ford.
2. *Mr. Cassidy*.] You are an auctioneer of long standing, Mr. Ford?—Yes.
3. You reside at Addington?—Yes.
4. Do you know Constable McGill?—Yes.
5. He is the constable in that district?—Yes.
6. You have seen him at the saleyards and such places?—Yes.
7. Have you ever seen him intoxicated?—No.
8. Is he careful and attentive to his duties?—Very much so. I think he is very assiduous in carrying out his duties. I have never seen him intoxicated. I have not even seen him drink water.
9. That is the reputation he bears at the yards?—That is the reputation he bears with me. It is only within the last few days that I have heard complaints of his being intoxicated.
10. *Mr. Taylor*.] How often do you see the constable?—That is more than I can tell you.
11. Do you see him often at night-time?—I do not go prowling about at night.
12. But do you see him often at night?—No, I do not. I will not swear I have never seen him at night-time, but I do not see him frequently.
13. How frequently have you seen him in the day-time?—Whenever I have been at the markets and the yards where he is.
14. Is it once a fortnight?—More than that. I see him sufficiently often to say that I have never seen him intoxicated, and I have never known of his being intoxicated. At any time I have seen him he has been in the conscientious discharge of his duties.

FREDERICK TRENT, examined on oath.

15. *Mr. Cassidy*.] Your name?—Frederick Trent.
16. You are a merchant in Christchurch?—Yes.
17. You have been here for many years?—Yes, for twenty-eight years.
18. You are a member of the Licensing Committee?—Yes.
19. And you have been a Justice of the Peace for some time?—Yes, unfortunately.
20. Do you know Constable McGill?—Yes.
21. Have you seen him frequently in Christchurch about the Courts and other places?—I have known him for a number of years.
22. Have you ever seen him intoxicated?—Never; and I may go further and state that I can conscientiously say that I have never seen a police constable under the influence of liquor during the twenty-eight years I have been in Canterbury.
23. The character Constable McGill bears is a good one?—I have never heard a word said to the contrary.
24. And you are a man who acts on the licensing bench, and as a Justice of the Peace, and you have seen a good deal of the police?—Yes, more than most people, because my business is near to the Court, and I have often done duty there when it was not my turn.
25. *Mr. Taylor*.] How often have you seen Constable McGill?—Not very often.
26. How often?—Perhaps I have not seen him for two or three months at a time. I saw him at the racecourse some time ago.

27. When did you see him last?—At the racecourse at the last races.
 28. Easter Monday?—Easter Tuesday, I believe, was the last time.
 29. Did you see him at the races in 1890?—I was not there. I have not been at races for thirteen years until last November.
 30. When did you see him prior to the races?—I cannot tell you. I meet him as I meet Inspector Broham or any of these gentlemen from time to time going through Christchurch.
 31. *The Chairman.*] Have you known Constable McGill for some time?—I am of opinion I have known him for fifteen years or longer.
 32. *Colonel Pitt.*] How long has Constable McGill been resident in Christchurch?—To the best of my judgment, I should say I have known him here for eighteen years, but I may be mistaken.

JOHN COX SOPP, examined on oath.

33. *Colonel Pitt.*] Your name?—John Cox Sopp.
 34. *Mr. Cassidy.*] You are a chemist?—Yes.
 35. And a Justice of the Peace?—Yes.
 36. Do you live at Addington?—Yes.
 37. How far from the police-station?—About 200 or 250 yards.
 38. Do you know Constable McGill, who is in charge of the station?—Yes.
 39. He has been in charge there for some time?—Yes, for three years.
 40. Have you seen him frequently?—Very frequently.
 41. Have you ever seen him intoxicated?—No.
 42. As a Justice of the Peace you continually take declarations from him?—Yes, he is in to see me about two or three times a week.
 43. And you would also see him in the ordinary way, passing backwards and forwards, every day?—Yes.
 44. *Mr. Taylor.*] Did you see him on the 9th April?—No.
 45. Do you frequently see him after 10 o'clock at night?—No, I am generally in bed.

GEORGE BISSET, examined on oath.

46. *Mr. Cassidy.*] What is your name?—George Bisset.
 47. You are a journalist on the *Canterbury Times*?—Yes.
 48. You are the agricultural editor?—Yes, with other duties.
 49. Do you reside at Addington?—I resided there for two years—up to the 30th March last.
 50. Do you know Constable McGill?—Yes.
 51. Did you frequently see him at Addington?—Yes, very frequently.
 52. Being a newspaper-man, you frequently came into contact with him?—I came more in contact with him as a resident, but I have also known him in my capacity as a newspaper-man.
 53. Have you ever seen him intoxicated?—Never. I have never seen him the worse of liquor.
 54. Do you know if he is attentive to his duties in the district?—As far as I know, he was.
 55. It is a rather difficult district to handle, is it not? It is too large for one constable?—Yes; the streets are tortuous, and there are a number of blind streets. The district is also broken and irregular. I was the unfortunate lessee of a house with an orchard, and I had to see Constable McGill about it a good many times in the fruit season. I have passed up the main street at Addington at all sorts of hours—from 7 in the morning till perhaps 3 the next morning—and at any time I have seen Constable McGill he has been in the discharge of his duties, except on one occasion when he was off duty on account of an assault that had been committed upon him. He was severely injured, and was off duty for two or three weeks.
 56. *Mr. Taylor.*] You say the district is a troublesome one on account of the blind streets?—Among other things.
 57. Will you name some of the blind streets?—Meredith Street.
 58. Another?—Dickens Street, opposite the Star Hotel.
 59. Can you name another?—No.
 60. Are there no more?—I do not know. The ones I have named are in my locality.
 61. Are those streets inhabited by troublesome people?—No, but troublesome people come into them—into Meredith Street, at any rate. The trouble arises from the fact that people who come into those streets can get away, and it is almost impossible to come upon them; in fact, they have come into my own place in broad daylight, and have got away without our being able to overtake them.
 62. Your street is not a blind street?—It is next the Domain.
 63. Did you see Constable McGill on the 9th April?—I do not think I did.
 64. *Mr. Cassidy.*] Did you see Constable McGill at the Lancaster Park races on the first day?—Yes; and also Constable Flewollen, I think. The meeting commenced at half-past 12 or 1 o'clock, and was continued till 6. I am under the impression now that I saw Constables McGill and Flewollen and another constable the last thing before I left the ground.
 65. *Mr. Taylor.*] Will you swear to that?—No, but that is my impression.
 66. *The Chairman.*] What time would that be?—About 6 o'clock or after.
 67. *Mr. Taylor.*] How frequently have you seen him at night-time?—Sometimes every night. I walk as much as I can, and sometimes I might see him twice at night.
 68. On the average, would you see him once a week—fifty-two times in the year?—Yes. I would say that I see him on the average three times a week at various times between 5 o'clock and 2 the next morning.
 69. Do you often see him after 10 o'clock at night?—Not often.

ASHTON WACHSMANN, examined on oath.

70. *Mr. Cassidy.*] Your name?—Ashton Wachsmann.
 71. You are an auctioneer in Christchurch?—Yes, salesman for Pyne and Co.
 72. Do you attend the Addington yards?—Yes, regularly for the last four years.
 73. You are continually up and down the road?—Yes.
 74. Do you know Constable McGill?—Yes. I have seen him frequently for the last three years.
 75. Have you ever seen him intoxicated?—Never.
 76. Is he careful and attentive about the yards?—Yes. The man who goes to the yards requires great tact. It is not that the men who go to the yards are addicted to drink, but the drink takes more effect on them. They sometimes get better prices than they expected, and they take a drink, which makes them jolly. Constable McGill has always done his best in cases like that, and does what he can to keep them steady.
 77. He is a success at the yards?—He is a success.
 78. *The Chairman.*] What times does he go there?—About 9, and he stays till the end of the sale. Sometimes it finishes at 3, and sometimes it is dark before we get away.
 79. *Mr. Taylor.*] Do you often see Constable McGill at night?—Rarely.
 80. Did you see him on the 9th April last?—No.
 81. Would you consider it a bad thing for the reputation of the yards if men were arrested for drunkenness there?—No, I would not. I think the constable would be doing his duty.
 82. But you say he is tactful?—Quite true.
 83. Do you say these men get intoxicated and the constable does not arrest them?—He does not arrest them as long as they behave themselves.
 84. He does not interfere?—Very few people get drunk there, but they might get jolly. They do not quarrel.
 85. But, as a matter of fact, does he interfere?—If he sees a man getting jolly he tries to get him to go home.
 86. He is tactful with men with liquor on them?—Yes. I consider he has been a success at Addington.
 87. But is he tactful with men with liquor on them?—If he sees a man with liquor on him he does his best to get him to go home.
 88. I ask you again: Is he tactful with men with liquor on them?—Yes, he is very tactful with those men.
 89. *The Chairman.*] You mean men who may be excited?—Yes. He does his best to keep things going straight. If it is a hot day a farmer or anybody else who takes a couple of drinks of beer will get jolly.
 90. Does his tactfulness result in men going about in a state they ought not to be allowed to go about in?—No. Constable McGill would be the first to step in if a man went too far. I suppose I do not miss the Addington markets once a year.
 91. He is tactful of men who are excited with liquor, but he is not neglectful of those who are intoxicated?—That is so. No man does his duty better than Constable McGill.

FREDERICK HENRY PYNE, examined on oath.

92. *Colonel Pitt.*] What is your name?—Frederick Henry Pyne.
 93. *Mr. Cassidy.*] You are member of the firm of Pyne and Co.?—Yes.
 94. Do you attend the Addington Saleyards?—Yes.
 95. Do you know Constable McGill?—Yes.
 96. Have you ever seen him intoxicated?—No.
 97. Is he careful and attentive to his duties?—Thoroughly so, as far as I know.
 98. You attend the yards regularly every Wednesday?—Yes.
 99. Do you see him on other days?—I have seen him about Christchurch for a long time.
 100. And that is the character you have formed of him?—I have the very highest opinion of him.
 101. *Mr. Taylor.*] Did you see him on the 9th April?—I think I was out of town on that day.
 102. Do you see him frequently after 10 o'clock at night?—I am not in town at night.
 103. Do you ever see him in the evenings?—Hardly ever.

JOHN CATHCART WASON, examined on oath.

104. *Mr. Cassidy.*] Your name?—John Cathcart Wason.
 105. You are a member of the House of Representatives?—Yes.
 106. You have been a resident in Canterbury for many years?—Yes.
 107. You take a great interest in stock and matters of that kind?—Yes, I am often at the saleyards.
 108. Do you know Constable McGill?—Yes, very well by sight.
 109. Have you ever seen him intoxicated?—No.
 110. Have you formed any opinion as to the way in which he carries out his duties?—I have seen no occasion for him to do anything.
 111. There is always an orderly crowd?—Yes.
 112. And the constable is always there?—Yes, he is always there moving round.
 113. Do you ever see him on week-days?—Yes, I think I have frequently seen him of an afternoon in Christchurch.
 114. *Mr. Taylor.*] Have you ever seen him in the evening?—No, I am never out of an evening.
 115. Do you know the Addington district well?—Only by having to go to the saleyards.

116. Did you see Constable McGill on the 9th April?—I could not say.
 117. How often have you seen him—once a month on an average?—I have not been to the yards much lately, but before that I would see him every week.
 118. Do you ever speak to him?—I pass the time of day.
 119. You do not know much about him?—I know him through seeing him at the yards in the performance of his duties.

WILLIAM HENDERSON, examined on oath.

120. *Mr. Cassidy.*] Your name?—William Henderson.
 121. I think you are chairman of directors of the Addington Saleyards?—Yes.
 122. You are a sheep-farmer?—Sheep- and cattle-farmer.
 123. Do you know Constable McGill?—Yes; he is the constable in the Addington district.
 124. And he attends the saleyards?—Yes.
 125. Where you attend yourself every Wednesday?—Yes, in the forenoon.
 126. Have you seen Constable McGill there frequently?—Yes.
 127. Have you ever seen him intoxicated?—Never.
 128. What is your opinion of him as a constable?—I have always found him doing his duty, as far as I know. At one time we were troubled with sheep being taken away, and I asked Constable McGill to look round there at night. He attended to that, and I am glad to say there was no more trouble.
 129. He has long and weary work?—Yes; he is moving about there all the day.
 130. Do you ever see him at night-time?—I am seldom out at night.
 131. I suppose you see him sometimes during the week?—Three or four times every week. I pass up and down to town every day.
 132. *Mr. Taylor.*] Did you see him on the 9th April?—I did not.
 133. Do you often see him after 10 o'clock at night?—I do not come out at night.
 134. Taking an average week, do you see him for five minutes with the exception of the Wednesday morning at the saleyards?—I see him as I pass. I see him every Sunday religiously.
 135. Do you see him on Wednesday mornings?—Yes, up to between 12 and 1 o'clock.

JOHN WILSON STORRY, examined on oath.

136. *Colonel Pitt.*] What is your name?—John Wilson Storry.
 137. What are you?—A farmer, at present out of business.
 138. *Mr. Cassidy.*] You are a resident at Addington?—Of Christchurch.
 139. You live close to Addington, do you?—Yes, just inside the Belt. I am within a quarter of a mile of Constable McGill's residence.
 140. Do you know Constable McGill well?—I see him almost daily. Sometimes I see him two or three times a day.
 141. Have you ever seen him intoxicated?—I have never seen a sign of drink on him.
 142. Is he careful and attentive to his duties?—He always appears so to me.
 143. You are a teetotaler?—I am a total abstainer, and have been nearly all my life, certainly for twenty years.
 144. *Mr. Taylor.*] Have you ever had occasion to seek the services of the constable?—Never.
 145. Do you know anybody who has?—No, I cannot say I do.
 146. Do you see him often after 10 o'clock at night?—No.
 147. Did you see him on the 9th April?—I cannot say I did, but I probably did.
 148. And you think you see him every day?—I do not say I see him every day, but nearly every day, and sometimes three or four times a day.
 149. You see him just as you pass?—I frequently talk to him. Sometimes I speak to him every day.
 150. Do you speak to him for a quarter of an hour?—Sometimes.
 151. How long do you usually speak to him?—Five or ten minutes.
 152. Quite long enough to know if he was drunk?—Yes.

MONTAGUE LEWIN, examined on oath.

153. *Colonel Pitt.*] What is your name?—Montague Lewin.
 154. *Mr. Cassidy.*] You attend the Addington Saleyards?—Yes.
 155. You have been living in Canterbury for a long time?—Twenty-five years.
 156. Do you know Constable McGill well?—Very well.
 157. Have you ever seen him intoxicated?—Never.
 158. Do you see him frequently?—Yes. I have to meet him in several official duties. I am clerk of the course for the Jockey Club, and I attend the races a good deal. I also have the clearing of the ground for the Agricultural and Pastoral Show.
 159. And you are a Canterbury Yeomanry man as well?—Yes.
 160. They camp at the show-grounds?—Yes, at the show-grounds.
 161. That is in Constable McGill's district?—Yes.
 162. Do you ever meet him at night-time?—Occasionally, when I have been going home from the Savage Club, or from some other meeting in town, I have met him at night.
 163. And you have never seen him intoxicated?—No.
 164. Is he a good officer?—He is the most courteous and unaggressive officer I have ever known in the Police Force.
 165. *Mr. Taylor.*] Did you see him on the 9th April?—I may have. I cannot remember.
 166. Do you see him frequently after 9 or 10 o'clock at night?—Not very frequently. Occasionally when walking home from town I meet him.

SAMUEL FLEWELLEN, examined on oath.

167. *Mr. Cassidy.*] Your name?—Samuel Flewellen, constable stationed at Bingsland.
 168. Do you remember the Lancaster Park trotting meeting on the Saturday?—Yes, I was there on duty.
 169. Do you remember if Constable McGill was there?—He was.
 170. He was with you on the course till the proceedings were over?—Yes.
 171. Do you remember at what time he left?—About 6 o'clock.
 172. It was dark?—It was beginning to get dark.
 173. Was Constable McGill sober?—He was when I saw him.
 174. *Mr. Taylor.*] Where did you leave him?—I last saw him at the totalisators. I came home by myself.

EDWARD THOMAS BOSWORTH, examined on oath.

175. *Colonel Pitt.*] Your name?—Edward Thomas Bosworth.
 176. *Mr. Cassidy.*] On Easter Saturday you were at the Lancaster Park races?—Yes, I was there on duty.
 177. And Constable McGill was there on duty too?—Yes.
 178. Did you stay until the last race was over and the crowd had gone away from the ground?—Yes.
 179. There was a big attendance that day?—A fairly big attendance.
 180. And it would be some time after the last race that the constables would leave?—Yes, about half an hour.
 181. What time did you leave the ground?—About half-past 6.
 182. *The Chairman.*] Did you leave alone or in company?—I left alone.
 183. *Mr. Cassidy.*] Was Constable McGill sober when you saw him at 6.30?—He was sober when I last saw him about 6 o'clock.
 184. And the crowd was then starting to leave the ground?—Yes.
 185. *Mr. Taylor.*] Where did you last see Constable McGill that day?—At the totalisators.
 186. You left him on the ground?—He left before me. It was about 6 when I saw him on the course.

JAMES GANTLEY, examined on oath.

187. *Colonel Pitt.*] Your name?—James Gantley.
 188. *Mr. Cassidy.*] You were on duty at the Lancaster Park races?—Yes.
 189. On Saturday what time did you leave the ground?—After the people had left subsequent to the final race.
 190. That would be about half-past 6?—It would be later than that.
 191. The proceedings had been delayed that day?—A good number of people remained behind on account of the dividend on the last race.
 192. Was Constable McGill on duty that day?—Yes.
 193. Did you see him?—Yes.
 194. When did you see him last?—Constables McGill and Cullen were there at 6 o'clock, when the booths were closed, and Constable Field remained on the ground with me until the money had been paid out of the totalisator. At a quarter to 7 I saw Constable McGill standing at the gate.
 195. Was he sober?—Perfectly.
 196. *Mr. Taylor.*] You were the last constable to leave the ground?—I do not know if I was.
 197. Was Constable Bosworth there when you left?—Yes, he was at the gate.
 198. When did you leave?—About a quarter to 7. When I arrived in town it was 7 o'clock.
 199. Do you swear that the time was a quarter to 7?—I had to be at the station at half-past 7, and when I came into town I went to Fail's restaurant, and on arriving at the station it was 7.30.
 200. How long did you take over your tea?—Not long; I was in a hurry.
 201. You left Constable Bosworth at the gate when you came away?—Constables Cullen, McGill, Bosworth, and, I think, Flewellen were there. I came away with Constable Field.

GEORGE LAMBIE, examined on oath.

202. *Mr. Cassidy.*] Your name is George Lambie?—Yes.
 203. You are the manager for the Union Steamship Company in Christchurch?—Yes.
 204. You reside at Addington?—Yes.
 205. Do you know Constable McGill?—I do.
 206. You have known him for some time?—About three years.
 207. Have you ever seen him drunk?—No.
 208. That is the reputation he bears in the district?—I do not know about that, but I have never seen him drunk.
 209. Do you see him frequently?—Yes.
 210. Do you walk into town?—I come in by the car.
 211. And you go out by the car at night?—Yes, and the middle of the day as well.
 212. Do you ever see the constable at night-time?—Yes, frequently.
 213. *Mr. Taylor.*] What do you mean by "frequently"?—Half a dozen times a week.
 214. In the day-time principally?—Yes, and at night-time too.
 215. How often do you see him at night?—Perhaps three or four times a week.
 216. You are certain you see him three times a week after dusk?—Yes, after 6 o'clock.
 217. Do you often see him after 10 o'clock at night?—I am not out after 10.

218. He might be drunk frequently and you would not see him?—I do not know anything about that.

219. But, as a matter of fact, he could?—Well, anybody could.

220. *The Chairman.*] Are you able to express an opinion as to whether he is a man of intemperate habits?—I have never seen anything of it.

MARGARET BEVERIDGE, examined on oath.

221. *Mr. Cassidy.*] Your name?—Margaret Beveridge.

222. You are the matron of the Samaritan Home at Addington?—Yes.

223. Does it adjoin the gaol premises?—Yes.

224. Have you lived at Addington long?—Nearly two years.

225. You know Constable McGill, of course?—Yes.

226. Do you see him frequently?—Yes, almost every day.

227. Have you ever seen him intoxicated?—No.

228. I suppose you frequently see him on matters connected with the institution?—At times.

229. *Mr. Taylor.*] Have you ever seen him under the influence of liquor?—No.

230. How often do you see him?—I could not say.

231. Try and say how often?—I really could not say. I often pass him going in and out and down to the garden.

ROBERT PARKER, examined on oath.

232. *Mr. Cassidy.*] Your name?—Robert Parker.

233. You are a private detective?—Yes.

234. Employed by the Canterbury Racing-club?—By various racing-clubs throughout New Zealand.

235. Do you attend the racecourse?—Yes, very frequently.

236. In connection with totalisator betting, and matters of that kind?—Yes.

237. Did you attend the Lancaster Park meeting?—Yes.

238. You had some men with you?—Yes.

239. You were authorised by the ground authorities to superintend the ground?—Yes.

240. Did you see Constable McGill on the Easter Saturday?—Yes.

241. You stayed till the last?—Till half-past 6.

242. Did you see Constable McGill at half-past 6?—Yes.

243. Where?—Inside the gate.

244. Was he sober?—Yes, perfectly.

245. You know him, and could not mistake him?—I have known him for a number of years.

246. You were in the lunch-room?—Yes, and I saw him refuse to take drink there, and also at the booths.

247. Did Constable McGill take any refreshment at the luncheon?—He took the ordinary refreshments, and tea instead of beer.

248. *Mr. Taylor.*] Were you ever in the Armed Constabulary?—Yes.

249. When did you leave?—I could not tell the date.

250. What did you leave for?—That is my business, and not yours.

251. *The Chairman.*] Did you leave, or were you discharged?—I resigned.

252. *Mr. Taylor.*] Were you not dismissed?—I resigned. Colonel Hume can tell you that.

253. What did you leave for?—Ask Colonel Hume that question.

254. Was it not a forced resignation?—I have given my answer.

255. *Mr. Cassidy.*] You are employed by very many clubs in New Zealand?—Yes.

RICHARD WILLIAM SHEPHERD, examined on oath.

256. *Colonel Pitt.*] Your name?—Richard William Shepherd.

257. *Mr. Cassidy.*] You were at the Lancaster Park races on the Saturday?—Yes.

258. Were you there till the end of the proceedings, and for some time after?—Yes.

259. Did you see Constable McGill there towards the end?—Yes; I spoke to him.

260. Was he sober?—Yes, perfectly.

261. *Mr. Taylor.*] What time did you leave?—About 6.

JOHN BRIDGMAN, examined on oath.

262. *Colonel Pitt.*] Your name?—John Bridgman.

263. *Mr. Cassidy.*] Were you at the Lancaster Park races on Easter Saturday?—Yes.

264. You attended as an ordinary spectator?—Yes.

265. You were a constable at one time?—Yes.

266. Was Constable McGill there?—Yes.

267. What time of the day did you leave the course; was it after 6?—Yes, it was after 6. I happened to have a ticket on the winning horse, and I had to wait to get paid.

268. Did you see Constable McGill at that time?—Yes. On my way home I went into the Lancaster Park Hotel for a drink, and when I came out I saw Constable McGill and some other constables.

269. Was Constable McGill sober?—I did not notice anything wrong with him. I said "Good-night" to him, and he said "Good-night, Bridgman."

270. Then you got on the car and went home?—Yes.

271. *Mr. Taylor.*] Were you dismissed from the Police Force?—Yes. You ought to know that; you took an active part in it.

272. You were dismissed for drunkenness?—No, I was not. I was never punished for drunkenness during the thirty years I was in the Police Force.

273. Was not drunkenness one of the charges against you?—No.

274. What was it?—For forcing my way into a brothel after an attempt had been made upon my life by a fellow throwing a stone at me. You ought to know that. You examined the woman, and you swore you saw a slight indent under her left tit.

EDWIN CICERO BERRY, examined on oath.

275. *Mr. Cassidy.*] Your name?—Edwin Cicero Berry.

276. You are a butcher?—Yes; in lower High Street, Christchurch.

277. Do you know Constable McGill?—Yes.

278. Do you remember Easter Saturday?—Yes.

279. You were pretty busy?—Yes.

280. Did you see Constable McGill after 6 o'clock?—Yes.

281. What time?—A little after 7 o'clock.

282. Where?—In front of my shop. I was talking to him.

283. Did he say where he had been?—I asked him, and he said he had been at Lancaster Park. He is stationed at Addington, and I wondered what he was doing in that part of the town.

284. Did he appear tired?—No.

285. You spoke to him for a few minutes?—Yes, and then he went up the street.

286. At what time?—A little after 7 o'clock. I had the gas alight.

287. Was he sober?—Yes.

288. *Mr. Taylor.*] You judge that it was after 7 o'clock by the fact that the gas was lighted?—Yes.

289. What time do you light your gas at this time of the year?—Before it gets dark.

290. What time was it dark that night?—I am not sure.

291. How do you know it was after 7?—I said it was about 7 o'clock.

292. Do you say he was perfectly sober?—Yes.

293. As sober as you are now?—Yes.

294. Did you know him when he was the constable at Phillipstown?—Yes.

295. How many years have you known him?—Fifteen or sixteen, or perhaps more.

296. Did you sign a petition asking for his reinstatement in the Police Force?—I did not.

297. Do you remember the petition?—No.

298. Do you know that he left the Police Force?—I did not know he left, but I know he was transferred from Phillipstown to Addington.

299. Do you not know that he was dismissed?—I heard that he was suspended, but I never knew he was dismissed.

300. Do you not know that for some time before he went to Addington he kept a publichouse?—No; I do not trouble myself about other people's business.

DANIEL FALVEY, examined on oath.

301. *The Chairman.*] Your name?—Daniel Falvey.

302. *Mr. Cassidy.*] What are you?—Bailiff; and commission agent, in Christchurch.

303. You have been here for some time?—Yes.

304. You are employed a good deal in connection with that class of work?—Yes.

305. Do you know Constable McGill?—Yes, well.

306. Do you remember Easter Saturday last?—Yes.

307. Did you see Constable McGill on the night of that day after 6 o'clock?—Yes.

308. Where?—In Tuam Street.

309. About what time?—Between half-past 7 and 8.

310. Where did you meet him?—About four doors from Mrs. Watters's.

311. Did you speak to him?—I bade him "Good-night," and walked on.

312. Was he sober?—Yes; he was walking upright and fast.

313. You are certain he was sober?—He was sober.

314. Did you see Mrs. Watters?—Yes.

315. Where?—Standing in front of her door.

316. What was her state of mind?—She seemed to be very excited, and almost in a state of hysteria.

317. What was it about?—She said Constable McGill had challenged her about sitting on her own doorstep.

318. Tuam Street has not the best of names, has it?—The unfortunate class will wander down any street, and down that street particularly.

319. Would it not be a proper thing for a constable or any one else to ask a woman why she was sitting on a doorstep?—I think so; and I explained to Mrs. Watters that it was a reasonable thing to do, and that the constable had probably taken her for a woman who had no right there.

320. She was excited at the time?—She was upset about it.

321. Where did you go?—Straight up the street, home.

322. *Mr. Taylor.*] What did McGill say to you?—Only "Good-evening."

323. He was walking fast?—Yes.

324. Does he usually walk fast?—He seemed to have struck a wasps' nest that night, and when I saw Mrs. Watters I knew the cause of it. He was apparently wanting to get away from Mrs. Watters.

325. *The Chairman.*] Do you say he was excited?—No; but he was walking quick.
326. *Mr. Taylor.*] Did you not say that he was excited?—No; I used that word in connection with Mrs. Watters.
327. What did he say when you said “Good-night”?—He said “Good-night,” and walked on.
328. You are sure he was sober?—Yes.
329. Judging by what?—He was walking upright and straight.
330. You thought he had struck a wasps’ nest?—I saw he had when I came on Mrs. Watters.
331. Did Mrs. Watters say anything to you?—Yes, she stuck me up.
332. Did she say the constable was sober?—She did not mention drink. She had a grievance about being stuck up on her own doorstep.
333. Do you know Manchester Street?—Yes.
334. Is it a recognised promenade for prostitutes?—Yes.
335. Is Tuam Street another?—No; but the drunken and the unfortunate wander down any street.
336. Where did McGill go to?—Up Tuam Street.
337. In which direction?—West.
338. Are you sure he spoke to you when you said “Good-night”?—Yes.
339. What did he say?—“Good-night.”
340. And he was walking very fast?—Pretty fast.
341. How do you know he was perfectly sober?—By his walking upright and fast.
342. He was not running?—No.
343. You are sure?—I am certain.
344. He was walking perfectly upright?—Yes.

RICHARD ROBERT BELL, examined on oath.

345. *The Chairman.*] What is your name?—Richard Robert Bell.
346. *Mr. Cassidy.*] You were in charge of Pastor Birch’s Samaritan Home for some time, were you not?—Yes.
347. I suppose you knew Constable McGill in connection with that Home?—Yes; I have known him for thirty-four years—before he went into the Police Force.
348. Did you see him frequently in connection with the Home?—Yes.
349. Did he bring men to the Home?—Yes; like other constables, he often brought men to the Home.
350. Do you remember Easter Saturday?—Yes.
351. Where do you live?—At Halswell.
352. Were you coming into town that night?—Yes, between 7 and 8 o’clock.
353. Did you meet Constable McGill?—Yes, at the Hospital corner.
354. At what time?—After 7 o’clock, but it was not 8.
355. Would it be a quarter to 8?—It might have been that, but it was not 8.
356. Did you speak to him?—Yes.
357. What did you talk about?—He said he had been at the races, and was very tired after the long day’s duty.
358. Was he sober?—Perfectly.
359. You left him there?—Yes; we chatted a few minutes and then went on.
360. You went to town and he to Addington?—Yes.
361. Was he then on his direct line home?—Yes.
362. *Mr. Taylor.*] Where was he when you saw him?—On the footpath.
363. You were walking and he was walking, I suppose?—Yes.
364. Were you leaning against anything?—I was walking. We met one another.
365. How long did you stop?—Three or four minutes.
366. What part of the footpath did you stand on?—At the lamp at the corner next the Presbyterian minister’s.
367. Was he touching the lamp?—No, he was standing in the middle of the footpath.
368. As sober as you are now?—Yes.

LEWIS EDMUND CROSBIE, examined on oath.

369. *The Chairman.*] What is your name?—Louis Edmund Crosbie.
370. *Mr. Cassidy.*] You are a Justice of the Peace?—Yes.
371. You have been living in Christchurch for some time?—Yes, since 1885. I had frequently been in Christchurch before that.
372. Do you know Constable McGill?—Yes.
373. Have you seen him frequently within the last five years?—Yes.
374. He is stationed at Addington?—Yes. I lived at Addington for three years, and was in the habit of seeing him—and am still—at the Addington yards. I attend there every week.
375. You are Government valuator?—Yes.
376. What is the opinion you have formed of the constable’s general conduct?—I have always thought he was a steady, efficient officer, and I am still of that opinion.
377. Would you see him late at night occasionally?—Yes. I have met him walking around by Cashmere, and one place and another, and I have always found him sober.
378. *Mr. Taylor.*] Did you ever see a policeman drunk in your life?—No.
379. How often have you seen Constable McGill?—Often.
380. Once a week on an average?—Yes; quite.

GEORGE THOMSON, examined on oath.

381. *Colonel Pitt.*] What is your name?—George Thomson.
 382. *Mr. Cassidy.*] You are one of the Addington tram-drivers?—Yes. I have been driving for about five years.
 383. Do you know Constable McGill?—Yes; ever since he came to Addington.
 384. Have you ever seen him drunk on the tram?—No; and I have never heard any complaint of his being on the tram in that state. If he had been I would have heard of it. We are not supposed to carry any one who is intoxicated.
 385. The guard would speak about it?—Yes.
 386. Do you often see Constable McGill?—Yes; I suppose I see him once a day, and sometimes three or four times a day. I am up that road nine or ten times a day—on the average, ten trips a day.
 387. *Mr. Taylor.*] When do you make the last trip?—At 5 o'clock from the Square, and 6 into the Square; and 11 o'clock on Saturday nights.

JOHN HOARE, examined on oath.

388. *The Chairman.*] What is your name?—John Hoare.
 389. *Mr. Cassidy.*] Are you a tram-driver?—Yes.
 390. You and Thompson drive the Addington trams?—Yes. I start at 3.30, and drive up to 11 o'clock.
 391. Would you run the 6 o'clock car?—Yes. I have been running it for twelve months.
 392. Do you know Constable McGill?—Yes. I see him nearly every day.
 393. Have you ever seen him drunk on the tram?—No, never since I have been on the road.
 394. You would have noticed it if he had got on the car in that state?—Yes.
 395. It is an instruction to the drivers to look out for any one of that kind?—Yes. We have to keep them off for fear of accidents.
 396. And the constable you would have noticed particularly?—Yes.
 397. *Mr. Taylor.*] How do you define drunkenness?—If any one is drunk the guard tells us.
 398. But what do you consider drunkenness?—I consider a man is drunk if he cannot walk on his feet.
 399. *Mr. Cassidy.*] If a man states that Constable McGill reeled and staggered on to the tram and blundered into it, would he be telling the truth?—I would reckon a man was drunk if he did that.
 400. You have never seen him reeling into your car?—Never.

GEORGE COLLIER, examined on oath.

401. *Mr. Cassidy.*] What is your name?—George Collier.
 402. You were at one time the licensee of the A 1 Hotel?—Yes.
 403. How long ago?—Fifteen months ago.
 404. Were you in the hotel three months ago?—Yes.
 405. You had charge of the hotel?—Yes.
 406. Do you know Constable McGill?—Yes.
 407. It has been stated that about seven or eight months ago Constable McGill reeled drunk out of the hotel about 6 o'clock at night?—I never saw it.
 408. You would have seen it if it had happened?—I think I would have been sure to see it.
 409. *Mr. Taylor.*] How often was Constable McGill in your hotel while you were there?—I do not know that I ever saw him there.
 410. When do you consider a man is drunk?—When he staggers about the street.
 411. Have you ever been charged with supplying a drunken man with liquor?—No.
 412. Have you ever been fined for breaches of the Licensing Act?—No.
 413. Your son was, then?—Yes.

PATRICK MCGILL, examined on oath.

414. *Colonel Pitt.*] What is your name?—Patrick McGill. I am a police constable, stationed at Addington.
 415. *Mr. Cassidy.*] Do you remember being at the Lancaster Park races?—Yes.
 416. On the 9th April, on duty?—Yes.
 417. What time did you leave the ground: between 6 and 7?—It was close on 7 o'clock.
 418. Were you sober?—I was.
 419. Did you see the witnesses, your fellow-constables, who have sworn here that they saw you at the gate?—Yes. I was in charge, being the senior constable on the ground.
 420. Did you see Bridgman at the hotel?—Yes, and spoke to him.
 421. He says you wished him "Good-night"?—Yes.
 422. Where did you go then?—Up Ferry Road.
 423. Do you remember seeing the witness Berry outside his shop?—Yes. I went in that direction.
 424. What did you say to him?—I was talking about where I had been.
 425. What time was that?—Between 7 and 8 o'clock.
 426. Where did you go then?—I went up lower High Street, past A. J. White's corner, up Tuam Street, and across Colombo Street towards home.
 427. Do you remember seeing Mrs. Watters?—Yes.
 428. Did you know it was Mrs. Watters when you saw her first?—I did not.
 429. Was she sitting down?—Yes, on the doorstep.

430. Did you ask her any question?—I said, "What are you sitting down there for?" She got very excited.

431. Did she finally tell you anything about her husband?—I believe she said she was waiting for her husband.

432. Did you believe it was a woman that you had a right to attend to?—Yes.

433. Is Tuam Street a place where women of the unfortunate class go to?—Several houses there are in the possession of those women.

434. Was Mrs. Watters's house closed up?—Yes; it was in darkness.

435. Mr. Falvey says you then hurried away?—Yes; I spoke to him.

436. Where did you meet Mr. Falvey?—Close by.

437. Did you speak to him?—Yes, I bade him the time of night.

438. And you went home?—Yes, towards Lincoln Road.

439. Did you meet the witness Bell?—Yes, at the corner of the hospital.

440. Did you speak to him?—Yes.

441. What did you say to him?—He asked me where I had been, and I told him.

442. Do you remember telling him anything about your condition?—I said I was pretty tired after the races.

443. You were anxious to get home?—Yes.

444. Were you sober during that period?—Yes.

445. You heard the evidence of Mr. Ell and the other Prohibitionist?—I did.

446. Is it true?—No, it is not true.

447. Can you fix the day they refer to?—No, I cannot.

448. Are you positive that you never got on to the Addington tram while drunk?—I never did.

449. Or reeled about the street there, or staggered in the way they have described?—No.

450. With reference to the general charge of drunkenness, is it true or false?—It is not true.

451. As to the evidence of the witness Jewiss, is it true?—No. I was never there. Opawa is not my district at all.

452. *The Chairman.*] You do not mean, I suppose, that you were never there?—Not within the time stated.

453. *Mr. Cassidy.*] You were stationed there at one time?—Yes; at Phillipstown.

454. I think the Prohibitionists have devoted a good deal of attention to you?—Yes; particular attention. I am pretty well watched wherever I go.

455. Do you know of your own knowledge whether the Prohibitionists have taken petitions round about you to different places?—I cannot say of my own knowledge.

456. *The Chairman.*] How long ago is it that you were stationed at Opawa?—Seven years, as near as I can recollect. I was at Phillipstown.

457. *Mr. Taylor.*] Were you dismissed?—Yes, I was.

458. What for?—For drunkenness; and I was wrongfully dismissed.

459. Did you walk very fast on your way home that night from Lancaster Park?—Not very fast.

460. Do you walk fast?—I do not.

461. Do you know Jewiss?—No. I never saw him to my knowledge till I saw him here.

462. Do you know Trist?—Only by seeing him here.

463. Do you remember meeting him on the Opawa Road?—No.

464. You do not know anything about the Opawa Road?—No; I was not there.

465. Did Mrs. Watters say anything to you about your condition?—No. When I saw who it was I went on, as we are not good friends.

466. Did you travel on faster than you usually do?—Probably my speed may have been accelerated.

467. Do you know Falvey?—Yes.

468. How long have you known him?—For some time, but I could not say how long.

469. Five years?—It might be that.

470. How often do you see him?—Sometimes.

471. Once a month?—Possibly I do.

472. Where do you usually see him?—Sometimes in town, and sometimes out Addington way.

473. Do you ever see him at church?—I do not go to church, or very seldom.

474. *The Chairman.*] Do you ever go to any other place of worship?—If I get leave from my superior officer.

475. *Mr. Taylor.*] Do you ever visit the Star Hotel?—On duty.

476. Strictly on duty?—Only to make inquiries, and on business.

477. Do you go there on any other occasions?—I could not say.

478. You can say, surely?—No, I cannot. Sometimes I go to tell them to light their lamps.

479. Were you ever in the A 1 Hotel in your life?—Yes; years ago I was.

480. Within the last year?—No; but I have passed through on several occasions to the public convenience.

481. Do you visit any of the hotels in Christchurch?—Yes; I was in one this morning to see Mr. Cassidy.

482. Do you visit them on other occasions?—If I have business to do I go to them.

483. You are always on duty in them?—Yes.

ANNIE WATTERS, further examined on oath.

484. *Mr. Taylor.*] Do you know Mr. Falvey?—No.

485. Did any man speak to you on the Saturday night?—Yes. Two gentlemen passed me, and a gentleman then came up and tried to undo the door for me. They had not gone five yards when the gentleman came up who tried to undo the door.

486. Would you recognise the man again who tried to undo the door?—Yes; I have brought him with me.

487. Would you recognise the other two gentlemen?—No; I was so upset at what Constable McGill had said.

488. You spoke to them?—Yes.

489. Did either of them suggest that the constable had mistaken you for an unfortunate woman?—No; no one would do that in Christchurch.

490. Was it before or after you saw Constable McGill that you saw these gentlemen?—He was not five yards away when they came up, and they must have heard him speaking to me.

491. Were you in a state of hysteria?—No, certainly not, and I have a witness to prove it.

492. You were annoyed?—Yes, I was a little annoyed.

493. Did you see the constable when he had gone twenty yards from you: was he walking upright?—He staggered from one side of the street to the other.

494. Did the constable recognise you?—He was too drunk to recognise me.

495. He did not say he recognised you?—No; I told him who I was.

496. Do you think you would recognise either of the two gentlemen who spoke to you?—No. I cannot say I even looked at them. I was very much upset.

497. They were strangers?—Yes.

498. Do you think the fact of the constable being tired would account for his conduct to you?—No. He could not speak plainly.

499. *Mr. Cassidy.*] Who saw you this morning about this matter?—I do not know the gentleman's name.

500. *The Chairman.*] Some one came to your house?—Yes.

501. *Mr. Cassidy.*] Did Mr. Taylor see you?—No. I never spoke to Mr. Taylor in my life.

502. Do you know Mr. Ell?—I do not. [*Mr. Ell stepped forward.*] Yes; I saw that gentleman this morning.

503. Mr. Falvey is wrong, then, in stating that he told you — — ?—Yes; and God knows it, and he knows it.

504. Well, I am putting my question. He is wrong when he says he spoke to you, and said the constable might have thought it was a person who had no right to be sitting there?—He never used such words. One man said it was a shame the constable should speak to any one in that manner.

505. *Colonel Pitt.*] Who said that?—There were two gentlemen together, and I cannot say which of them it was.

506. *Mr. Cassidy.*] You cannot say it was Mr. Falvey?—No.

ISAIAH DAVID DAVIS, examined on oath.

507. *Colonel Pitt.*] Your name?—Isaiah David Davis.

508. What are you?—A furniture dealer, at the corner of Tuam and Colombo Streets.

509. *Mr. Taylor.*] Do you remember Saturday, 9th April?—Yes.

510. Did you see Mrs. Watters that night?—Yes.

511. Where?—On her doorstep.

512. Did you try to open the door for her?—Yes. I took a key from my shop to try to let her into her premises.

513. Was she in a state of hysteria that night?—No; she was in her usual state.

514. Was she angry about something?—She seemed to be annoyed about something.

515. Have you ever seen a woman suffering from hysteria?—Yes.

516. You think there was nothing approaching that, as far as Mrs. Watters was concerned?—No. I think she was in her usual condition.

517. Do you think she was in a position to form an accurate judgment as to what had happened that night?—Of course she was.

518. *Mr. Cassidy.*] Was she upset?—She seemed very much annoyed.

519. But was she upset?—What do you mean by "upset"?

520. If she says she was upset, would she be telling the truth?—Yes; I should judge she was telling the truth.

521. But, as a matter of fact, was she upset?—She was very much annoyed about something or another.

522. Was she excited?—Not particularly excited.

523. What time was it?—About a quarter to 8 o'clock.

524. How do you know it was a quarter to 8?—I had watched the time carefully that night, as I do every Saturday night, as I look out for closing-time.

525. What time do you close?—Between 9 and 10.

526. Why would you be watching the time, then, at a quarter to 8?—Because between 8 and 9 o'clock I would begin to get the things in. I had looked at my watch only a few minutes before I saw Mrs. Watters.

527. *The Chairman.*] Did you see two men speaking to Mrs. Watters?—No.

528. *Colonel Pitt.*] Or any other person beside yourself?—No.

529. *The Chairman.*] Did you see Constable McGill that night?—I saw him a little ahead of me.

530. Where were you?—At Mrs. Watters's door.

531. What distance from him?—I suppose from 10 to 20 yards.

532. Was there anybody else on the footpath?—Not at the time.

533. How far are your premises from hers?—Some 2 or 3 chains.

534. Any houses between?—Yes, several.

535. How was your attention called to her?—Her daughter came to my place to ask for a key.
 536. And you took the key?—I went with a key to try to let them into their premises.
 537. Did you go in company with the daughter?—I did.
 538. And when you went you saw no one else on the footpath?—No.

JOHN COX SOPP, examined on oath.

539. *The Chairman.*] What is your name?—John Cox Sopp. I am a Justice of the Peace, and I reside at Addington. Some two or three months ago a charge was made against the police of sending up reports to Justices of an accused person before the Bench heard the case, with the intention of prejudging it. I have always regularly taken my turn on the bench, and I can honestly say that the record is never put in until after the Bench has decided to convict.
 540. *Colonel Pitt.*] You mean the record of previous convictions?—Yes. I have never found the police at all vindictive in their prosecutions in regard to prisoners.

FREDERICK TRENT, examined on oath.

541. *Mr. Kippenberger.*] You are a merchant, in business in Christchurch?—Yes.
 542. How many years have you been here?—About twenty-eight years.
 543. You are a member of the Licensing Committee?—Yes.
 544. And you have been a Justice of the Peace for some years?—For fifteen or sixteen years.
 545. For the last few years you have had ample opportunity of noticing the Police Force here?—Yes. I may say that in my case I have special reasons to be grateful to the Canterbury police.
 546. You are speaking now of some particular case?—Yes; of a case which I should like to have placed on record. Some years ago we had a very disastrous fire at Templeton, and the police, under Inspector Pender, were instrumental in saving our property to the value of fully £3,000.
 547. *The Chairman.*] Was that before the days of fire-brigades?—No, but it was too far out for the brigade to go, and the Inspector and his men went out at a trot, arriving in a marvellously short space of time.
 548. *Mr. Kippenberger.*] You give them credit for intelligent helpfulness?—Most emphatically. They worked as I have never seen men work before. And it was not alone the value of the property saved, for it would have meant a suspension of our business for some time.
 549. What is your opinion as to the general conduct, sobriety, and morality of the members of the Force here?—I am firmly of the opinion that the Police Force here will compare favourably with any other body of men in New Zealand. I can conscientiously say that I have never seen a police constable or any member of the Police Force under the influence of drink. What other people may have seen is nothing to me.
 550. You have had ample opportunities of seeing?—Yes. My business premises are very near the Court, and I have been sent for in emergencies. When I was in the Commission of the Peace I used to sit more often than most Justices.
 551. Speaking still of them as a body, you find them honest and straightforward in the conduct of their business?—Yes; and civil and courteous.
 552. In fact, you think very highly of them as a body?—I do.
 553. In the course of your observation, and your long experience, can you refer to any instances of discourtesy on the part of the police?—No.
 554. You cannot call to mind an instance of any discourtesy on the part of any officer?—No, I cannot. There is another matter I should like to mention. It was our misfortune, about two years ago, to have our free store broken into by burglars, and my brother and myself were greatly impressed with the zeal and energy shown at that time by Detectives Marsack and Maddern.
 555. By the zeal and energy and intelligence of the staff?—Yes.
 556. On the whole, you have reason to be grateful for their helpfulness?—Very much so in the particular cases I mention.

JANE ELIZABETH PATRICK, examined on oath.

557. *Colonel Pitt.*] What is your name?—Jane Elizabeth Patrick.
 558. Do you live in Christchurch?—At 50, Oxford Terrace.
 559. *Mr. Taylor.*] Do you remember the 8th January last?—Yes.
 560. On what day did your father die?—The 8th January.
 561. Had you occasion to leave your house late the night before?—Yes; we had to go for Dr. De Renzi.
 562. Who was with you?—Mrs. Cooper. We left home a little before 12 on the night of the 7th, and were at Hesketh's when the hour struck.
 563. Where were you living at the time?—At 41, Lichfield Street East.
 564. Were you interfered with by any policemen?—Yes; at the corner of Madras and Lichfield Streets, after we had been to the doctor's.
 565. You were walking towards the policemen?—They came from Madras Street South, and we were going east in Lichfield Street.
 566. Did you pass close to them?—They arrived at Madras Street corner just before us, and separated as we got near them, and Mrs. Cooper went between them, and I went at the back of one of them.
 567. To get past them?—Yes.

568. Did one of the men put his hand on Mrs. Cooper?—Yes; the man on the south caught her by the shoulder.
569. Are you sure they were policemen?—Yes; it was a moonlight night, but drizzling.
570. Did Mrs. Cooper take the hat off one of the policemen?—Yes, to get his number, but he took it from her.
571. Did he not get hold of her roughly?—He disarranged her cape, but I do not know if it came off.
572. What did you do?—I cowardly ran away. I thought I would waken some of the neighbours, as I was very much frightened. The policeman followed Mrs. Cooper across the street.
573. Did you report the matter to the police?—Yes.
574. Was there any conversation?—Yes, between her and the policeman, but I took no part in it.
575. Where is Mrs. Cooper now?—At the Women's Convention, in Wellington. We reported the matter to Inspector Broham within a few days afterwards.
576. Were the police paraded?—Yes. We were told we had to identify the policemen, and Mrs. Cooper identified a man; but I could not identify him.
577. Were you told she had picked out the wrong man?—I do not think we were told anything decided.
578. You heard nothing more about it?—No. Mrs. Cooper heard something, but nothing material.
579. Were the men sober at the time?—I could not say; but they had been drinking, because I could smell the liquor as we passed.
580. *The Chairman.*] As you passed?—Yes. As we passed there was an odour of drink. I am positive about that. They did not touch me.
581. *Colonel Pitt.*] Did you understand that Mrs. Cooper had identified, or was said to have identified, the wrong man?—No. We were not told.
582. *The Chairman.*] Did Mrs. Cooper identify anybody?—Yes; she identified a man, but I could not tell.
583. Did you see the policeman put his hand on her shoulder?—Yes.
584. In what manner was it done? Was it done violently or rudely?—I think it was done rudely. We were walking home quickly and quietly, and thought we should not have been interfered with.
585. Was it done roughly?—No, I do not think so.
586. Was it done in such a way as a man would touch a person if he wished to call his attention to anything, or was it done more rudely?—It was done more rudely.
587. *Mr. Tunbridge.*] Were you not told that the man Mrs. Cooper had picked out was a constable who could not possibly have been in the neighbourhood at all?—No. Indeed, I think I heard some one at the station that night say the man was in the neighbourhood.
588. You are not very clear as to what passed at the station?—I am almost convinced that that did pass. Some one was with Inspector Broham, and he asked us if we had identified the man, and I said I had not, and Mrs. Cooper said she had, and that she would like to know the name of the man.
589. How near were you to the men on the street?—I was quite close to them.
590. You say that Mrs. Cooper had separated from you?—No. The men separated, and Mrs. Cooper walked between them, and I walked at the back of one of them.
591. Did you not say that Mrs. Cooper crossed the road?—No; I crossed the road.
592. Did you run away immediately Mrs. Cooper was touched by the policeman?—Almost.
593. Had any words passed?—I think she asked him why he dared to put his hand upon her.
594. And what was his reply?—I do not know, because I made off.
595. When he put his hand on her shoulder did he pull her back?—He put his hand on her shoulder insolently.
596. Of course, it is rude for a lady to be touched in the street if it was wilfully done?—It was wilfully done.
597. You were going in the same direction?—They came from the south, and we were going east.
598. *The Chairman.*] Were they approaching you before they stood still?—No.
599. *Mr. Tunbridge.*] All the time they were in your view they were standing?—When I saw them first they were coming from the south. We saw them for several minutes before they came to us.
600. And before you reached the point at which you met they had stopped?—Yes; and as we approached they separated.
601. They separated to allow you to pass between them, I suppose?—I do not suppose anything.
602. They separated sufficiently to allow Mrs. Cooper to pass?—Yes.
603. And what did you do when you saw Mrs. Cooper touched by the man?—I ran across the street to waken some one.
604. Did you run immediately?—Yes. I saw he had a hold of her.
605. It would not take more than a moment for him to put his hand on her: then you ran away?—Yes; I was frightened.
606. Was it the constable nearest to you who put his hand on the woman?—Yes.
607. Then, his back was towards you?—Yes.
608. And the other constable was on the other side of Mrs. Cooper?—Yes. He was near the side channel.
609. And Mrs. Cooper was facing the constable?—Yes.
610. You said you detected the odour of drink when you passed behind the man, although you immediately ran away?—Yes. I detected it on the instant. I am convinced that I detected it.

611. It was brought to you on the night air. It must have been a strong odour?—Perhaps it had not long been partaken of.

612. Was the wind blowing?—No; it was a drizzling, moonlight night.

613. *The Chairman.*]—How far were you from the man whom you say touched Mrs. Cooper?—I was quite close to him.

JOHN MARTIN THOMPSON, examined on oath.

614. *Mr. Kippenberger.*] You are a resident of Christchurch?—Yes.

615. For how many years?—Nearly thirty-nine.

616. What is your business or calling?—I have been a professional musician. I am out of business now. I had a sewing-machine business in Christchurch.

617. You are also a Justice of the Peace?—Yes.

618. And I think I may suggest you have taken an active interest in the welfare of the place during your residence here?—Yes.

619. What has been your observation as to the general conduct, morality, and sobriety of the Police Force here?—I can only speak in the highest terms. I have always found them sober and attentive to their business, and energetic in it. At different times my business has kept me out late at night, and I have met them in all directions, and have always found them endeavouring to keep order and look after the welfare of the citizens. When I was in business, I may say, on several occasions when through carelessness our door has not been locked I have been acquainted of the fact by the constable at midnight. In every instance in which our door has been left open our attention has been called to it by the constable. As to their conduct, I have always had the highest opinion of them as a body of men.

620. As a body of men, you speak in the highest terms of their civility and ability?—Yes. I have always found them so, and I have been a bit of an observer. Feeling interested in the city I have naturally taken notice.

621. You have had ample opportunity of observing?—Yes. I may say I have had on one or two occasions to visit the Inspector on certain matters in connection with police duties, and I have always been treated with the utmost courtesy, and the utmost willingness has been shown to assist in any direction—in the direction of suppressing larrikinism and that sort of thing.

622. You have been president, I think, of the Working-men's Club here?—Yes, for four years.

623. Are you a drinking-man yourself?—I am a total abstainer. I am not a Prohibitionist. I am a man. I have been a total abstainer from boyhood. There is one thing which I think is worthy of consideration, and that is the necessity of putting a stop to the larrikin element. The police, through want of men, are unable to send policemen where I consider it is the duty of a policeman to be—that is, to places of amusement, where larrikinism is growing rather too rife. I do not think it is altogether cultivated at places of amusement. I think it is cultivated at public meetings outside; but it seems to be growing, and I think the police should be sent to attend places where there are congregated from six to eight hundred or a thousand people without having to be paid for it. I notice the police are stationed at the Salvation Army, and the Cathedral, and various other places where there are congregated numbers of people, but where there is not likely to be a disturbance; but when they go to places of amusement they have to be paid for it.

624. Has that not been stopped—that used to be the practice, but it has been stopped for some time, has it not—the payment of constables?—I am not aware of it. If it has it has not been stopped long. From observations now extending over thirty years of public entertainments, I may say it has been felt that the larrikins are pretty free at these entertainments, because there has not been a constable there except when he has been paid for it. I am not blaming the authorities for it. I think it is owing to their not having sufficient men to meet requirements.

625. It has been stated that that practice of payment of constables has been discontinued during the last two years: can you tell us whether, within your own knowledge, payment is now required?—I cannot. I can only say this: if that is the case, it accounts for a constable not being there on duty, but simply looking in from his street duty. I desire to say that the comfort of those who attend public entertainments ought to be considered, and it is in the interests of the public, and not in the interests of the man who runs the show, that I say a policeman should be in attendance at these entertainments.

HENRY BYLOVE SORENSEN, examined on oath.

626. *Mr. Kippenberger.*] You are an auctioneer in Christchurch, I think?—I am.

627. You have been here for a good many years?—About thirty-five or thirty-six.

628. I suppose your observation has been awakened during the time you have been here: what can you tell us as to the general conduct, sobriety, and morality of the members of the Police Force?—So far as my observation goes, I think they are fairly sober. There has been an occasional one, I presume, who has overstepped the bounds; but, taking the majority of them, they have been very good men as a body.

629. Have you had occasion to notice the manner in which they perform their duties when called upon—that they are energetic and intelligent?—Yes. On a good many occasions I have had to seek their services, and I have always found them prompt, attentive, and civil.

630. And intelligent?—Yes, with one exception, at any rate; and only one exception in thirty-six years is not much.

631. You speak of them in the highest terms?—So far as my experience goes, I have always found them willing and obliging.

632. Are you a Justice of the Peace?—No.

EDWARD SMITH, examined on oath.

633. *Mr. Kippenberger.*] What are you?—I am a boot and shoe dealer.
634. Have you lived in Christchurch for a long time?—About thirty-four years.
635. Have you worked in any public capacity in Christchurch?—I have been superintendent of the fire brigade for the last three years, and I have been connected with it for twenty years.
636. You are also a member of the Licensing Committee?—I am.
637. And a Justice of the Peace?—Yes.
638. Have you, particularly during your connection with the fire brigade, come into close connection with the police?—Very often—at each fire.
639. And where there was a fire or a false alarm?—Always come in contact with them.
640. To take the phraseology of this Commission, what can you say as to the general conduct, sobriety, and morality of the members of the Police Force?—I cannot speak too highly of them whenever I have met them.
641. In your capacity of superintendent, you would have the right of directing what should be done?—Yes; as Fire Inspector I have that right.
642. And in that relationship you assume control and authority over the police who come to the scene of the fire?—Yes.
643. Have you found them coming up promptly and doing their duty well?—I have found they are very attentive, and very prompt in coming to our assistance.
644. Have you ever seen them drunk?—I have never seen a constable drunk at a fire to my knowledge.
645. And speaking particularly of the last three years, can you say fairly and straight that your experience of them has been that they have been sober, intelligent, and helpful?—I can; in fact, they have been particularly attentive. Whenever I have asked them to do a job they have always done it, and always assisted the firemen in keeping the public back.
646. You have found them, then, fair and reasonable in the discharge of their duties?—I have always found them so.
647. And worthy of credit?—Yes, great credit.
648. Doing their duty, and doing it well?—Yes.
649. *The Chairman.*] Have you seen any deterioration in the character of the police or in the mode of performing their duties of late years?—Not at all.
650. Speaking from your general observation, you say the conduct of the Force has been—what?—Really first class, as far as I could see.
651. *Mr. Kippenberger.*] Who was your predecessor as superintendent?—Mr. Turton.

EDWARD WALKER TURTON, examined on oath.

652. *Mr. Kippenberger.*] I think you are an employé of the firm of Ballantyne and Co.?—Yes.
653. You have lived here a good many years?—I have been at Ballantyne's for twenty-nine years.
654. Until three years ago, I think, you were the superintendent of the fire-brigade?—I was superintendent for about fourteen years, and before that I was a fireman. I have been connected with the brigade for twenty-five years.
655. What can you say of the police as to their general conduct, sobriety, and morality?—I have met them at all hours of the night at fires, and I have always found them up to their duty.
656. Helpful and civil?—Yes. At any time I have asked for their services they have always willingly given them at once.
657. Have you found them rolling up promptly and sober?—Yes. One or two have nearly always gone away with men with the engines.
658. As a general body, you think of them with very good notions—you think they are deserving of every credit?—I think so. I think they are rather heavily handicapped in not having sufficient men.
659. *The Chairman.*] Have you seen any individual cases of inebriety on the part of any constables on duty?—Never.
660. *Mr. Taylor.*] How many fire alarms do you average a year?—They vary a great deal. I have had them up to 108 and down to fifty.
661. They average about sixty a year?—Yes; a little over that.
662. *Mr. Kippenberger.*] Did your duties as superintendent of the fire-brigade keep you out pretty late at night?—Not unless there was a fire, but I was frequently through the town at all hours, and I have always found the policemen attentive to their duties on their beats.
663. Have you noticed any deterioration in the Force?—No.
664. *Mr. Taylor.*] Who asked you to give evidence?—I believe I was subpoenaed by Mr. Kippenberger.

THOMAS McCLATCHIE, examined on oath.

665. *Mr. Kippenberger.*] You are out of business, and have been, I think, for some years?—Yes.
666. You are a Justice of the Peace?—Yes.
667. And I think you have frequently taken your seat on the bench as a Justice?—Yes.
668. You were also, I think, a member of the Licensing Committee of Christchurch for some years?—Yes.
669. Have you had occasion to observe the general conduct, sobriety, and behaviour of the Police Force in Christchurch?—Yes, so far as it has come under my observation.

670. How would you characterize it?—Well, I always look on the police of Christchurch as an able body of men—men who do their work well, and do it efficiently. I have always found them civil, and helpful, and, so far as I know, sober.

671. Do you think they compare favourably with other bodies of men similarly placed in other countries?—I think so. I have been pretty well over the world lately, and I may say I look on the police of Christchurch as a first-class body of men.

672. *Mr. Taylor.*] Were you subpoenaed to give evidence?—I was.

673. *The Chairman.*] Are you much about the city?—Yes.

674. Can you tell us whether you have observed much drunkenness about, or other disorder which is not looked after by the police?—So far as I know, there is very little drunkenness in Christchurch. I am not going to parts of the city where it has occurred, but in any part of the city I am in I see very little of it.

675. Have you seen anything at all which would lead you to consider there has been neglect on the part of the police in the suppression of disorder?—No. So far as I know, the police do their duty well.

THOMAS BROHAM, examined on oath.

676. *The Chairman.*] You are the Inspector of Police at Christchurch?—Yes.

677. *Mr. Taylor.*] Was a complaint lodged by Mrs. Cooper and Mrs. Patrick to the effect that they had been interfered with improperly by police-officers?—Yes.

678. What date was the complaint lodged?—Sunday, 9th January, 1898.

679. What was the nature of the complaint?—I took it down at the time. It is as follows:—

Mrs. Jane E. Patrick, widow of Dr. Patrick, 50, Oxford Terrace, and Mrs. Ellen C. Cooper, wife of a tailor, Oxford Terrace, state they went to Dr. De Renzi's last Friday night, 7th instant, and when passing the corner of Madras Street and Lichfield Street, opposite Clayton's boot-factory, at 12.15 a.m., they saw two constables at the corner. One, the taller of the two, seized Mrs. Cooper rudely and roughly by the shoulder, and said, "What are you doing out here at this time of the night?" at the same time pushing her along the street for some distance. He smelt of liquor, though the women would not say he was under the influence of liquor. The other man looked on, but said nothing.—3.15 p.m., Sunday, 9th January, 1898.

Sergeant-major,—Please ascertain who these two constables were.—T. BROHAM.—10/1/98.

I gave it to the sergeant-major to report on.

680. What was the result?—They said they could identify these men. They came to the police-station, and, as I was told, picked out two men.

681. Did the sergeant-major report?—Yes, and the constables on that beat reported.

682. Who were the constables on the beat?—Constable McDonald was on No. 8 beat, and Constable Joyce was on No. 7 beat. They both denied having anything at all to do with it.

683. *The Chairman.*] Did the sergeant-major conduct the inquiry?—Yes. The sergeant-major was present when these ladies picked out the two constables.

684. *Mr. Taylor.*] Will you read their statements?—Constable McDonald says, "I beg to state that I was on duty on No. 8 on the night of the 7th January, and spoke to no women on the night in question." Constable Joyce says, "I respectfully beg to report that I was on duty on No. 7 beat on date mentioned. I assisted Constable Cassells to arrest a man for drunkenness in Manchester Street on date mentioned about 11.45 p.m. I helped the constable as far as the Triangle. I then returned to my beat, and did not leave it after. I spoke to no women on the night of the 7th instant." There is another report from Constable Cassells: "I respectfully beg to report that I was on duty on No. 7 beat on the night of the 7th instant. I arrested a man for drunkenness in Upper Manchester Street between 11.30 and 11.45 p.m. on that date. I returned to my beat about 12.30. I did not leave my beat that night or any other night, and did not have any conversation with any women." Sergeant Mackay reports: "I beg to state that I was in charge of the night-duty section on the night of the 7th instant. I spoke to no women on the night in question when going my rounds to visit the men on their beats. I found the men regular on their beats and attentive to their duty—as to the place and hour that the men were visited. I respectfully refer the Inspector to my sectional report on the night in question."

685. On which beat was this locality?—No. 8 beat.

686. What followed the sergeant's report?—These two ladies came, and were present when the men were paraded. The sergeant-major told me the men were on parade, and I saw the sergeant-major go with the ladies to see the men. The sergeant-major mentioned to me that Mrs. Cooper picked out two constables. The sergeant-major reported: "I saw Mrs. Cooper this afternoon, and she informed me that the two constables she saw had no overcoats on; that one was very tall and the other not quite so tall. She thinks she would know them again, and will call at the police-station at 9 o'clock to see the men before they go out. She also states that they saw another constable standing at the corner of the street a little after without a great-coat. The men on night duty all deny having spoken to or pushed any female on the footpath." Then, there is another report from the sergeant-major: "Mrs. Cooper and Mrs. Patrick saw the constables on parade last night, but were unable to identify any of the men. Mrs. Cooper pointed out Constable Russell as being like the man that pushed her, but Constable Russell could not have been near the place at the time, as he was on No. 4 beat, and visited the station every half-hour till 12 o'clock, and after that time every hour till 5 a.m. Mrs. Patrick stated that she could not identify the men. I believe the ladies have made a mistake, as Mrs. Cooper thought the constables did not wear overcoats, and Mrs. Patrick thinks they did."

687. *The Chairman.*] Have you had any communication from either of the parties—Mrs. Patrick or Mrs. Cooper—since?—No. I see a memorandum here by Mr. Cullen, who apparently went further into the matter while I was away. He writes: "I have inquired into this matter and questioned all the constables who were on beat duty in the locality on that date; also interviewed

Mrs. Cooper, who is quite certain that the man who molested her was a constable, and that the other man who was present was also a constable. Mrs. Patrick did not have a good look at the men, as she ran off and left Mrs. Cooper with them, but she is also certain the two men were constables. However, neither of the women can identify the men."

JAMES McDONALD, examined on oath.

688. *The Chairman.*] What are you?—Third-class constable, stationed at Christchurch.
689. *Mr. Taylor.*] Do you remember the night of the reported assault on Mrs. Cooper and Mrs. Patrick?—Yes.
690. What sergeant were you under that night?—Sergeant Mackay.
691. Where did you report to the sergeant that night?—Different places.
692. Give us the places?—I cannot remember them.
693. Have you no fixed place to report to him?—No.
694. He picks you up anywhere?—Yes.
695. Where did you see him?—I do not remember exactly where it was I saw him.
696. Where were you a few minutes after twelve that night?—I do not remember.
697. Were you on your beat?—Yes.
698. Where you not asked this question when there was an inquiry before your officers?—Yes, I think so.
699. Do you know how many times you saw the sergeant that night?—Perhaps four; perhaps five.
700. What constables did you see that night?—I did not see any.
701. Do you usually run the whole night without seeing any constables?—Sometimes one might.
702. *The Chairman.*] Is it an exceptional thing to pass the night without seeing another constable?—Yes.
703. *Mr. Taylor.*] You usually see them?—Yes, usually.
704. What constables did you see that night?—I did not see any.
705. That was an exceptional thing?—Yes. Well, on that beat I might go for a fortnight without seeing one.
706. *The Chairman.*] It would not be an exceptional thing then not to see another constable?—Not on that beat.
707. *Mr. Taylor.*] Were you present at the barracks when the men were on parade?—Yes.
708. Did the women pick the wrong men?—I do not know, I am sure. I cannot say.
709. Will you swear you did not see two constables at the corner of Lichfield Street and Madras Street that night?—Yes.
710. If you saw two constables off their beat, would you report the matter to the sergeant?—Yes; I suppose I would have to.
711. Would you do it?—Yes.
712. Have you done it?—I have never had occasion to.
713. Do you say it was not generally known in the barracks that the wrong men had been identified?—I do not suppose anybody in the barracks knew the wrong men had been identified except their two selves.
714. Who were the two men?—I could not say, I am sure.
715. Would you consider it a serious reflection on the Force if the men's names were ascertained?—I suppose it would be.
716. Sufficient to justify a constable in concealing the names?—I do not know, I am sure.
717. *The Chairman.*] Would you think that sufficient to justify one concealing the names, if one knew them?—No.
718. *Mr. Taylor.*] Have you not made contrary statements to men in the barracks?—I do not think so.
719. Have you not told the men in the barracks that it happened a few minutes before the sergeant saw you?—No. I think Inspector Cullen told me the sergeant reported that he met me a few minutes before or after it was supposed to have happened.
720. Do you know where it happened?—I do not know.
721. What was your beat that night?—From the corner of Madras Street to St. Asaph Street, along St. Asaph Street to the East Belt, up the East Belt to Cashel Street, along Cashel Street to Madras Street, and down Madras Street to St. Asaph Street; just the block.
722. Who was on beat on the Madras Street block, from the South Belt up to the corner of Lichfield Street, that night?—I do not remember.
723. Who were on No. 7 beat?—Constables Joyce and Cassells.
724. Do you swear you do not know of any constable being at the corner of Lichfield Street and Madras Street about midnight on the night these women refer to?—I do.
725. You do not know of it?—No.
726. *Colonel Pitt.*] Who did Mrs. Cooper identify?—Constable McLeod and Constable Russell.
727. Are either of these as tall as you are?—No.
728. Anything like it?—Yes, both are near it, I suppose.
729. What beats were they on?—Constable Russell was on No. 4 beat. I do not remember where the other one was.
730. Where is No. 4 beat with regard to No. 7 or No. 8—how far away?—Oh, a long way away; nearly the furthest beat from there.
731. Is Mrs. Cooper a tall lady?—Oh no; about the average height.
732. *The Chairman.*] How long have you been in the Force?—About four months.
733. When did you join?—On Boxing Day, 26th December.

734. Were you at once placed on street duty?—Yes. I was along with another constable for about a fortnight.

735. Were you still in the company of this other constable when this complaint was made?—No.

736. *Mr. Poynton.*] Who was the last constable you were with?—Constable Whatman, I think.

737. *Colonel Pitt.*] On the night Mrs. Cooper refers to you say there was nobody with you?—No, there was not.

738. Certain?—Certain.

JOHN JAMES CASSELLS, examined on oath.

739. *Mr Taylor.*] Do you remember the night of the 7th of January?—Yes.

740. Do you remember a complaint being made by Mrs. Cooper?—Yes. The first I remember was hearing of it on the following Sunday night when I come down to go on duty. I do not know who was the first I heard mention it; but I remember that was the time I heard it.

741. Do you know what men were on the northern part of the city that night?—I think I could pretty well name every man that went out that night and what beat he was on. Constable Fahey was on No. 1 beat; Constable Gantley was on No. 2, I think; Constable Dalton was on No. 3.

742. Which is No. 3?—It runs from the corner of the Triangle down to Gaffney's Hotel. Constable Russell was on No. 4; I think Constable McLeod was on No. 5—I am not sure; Constable O'Halloran was on No. 6; I was on No. 7, with Constable Joyce; and Constable McDonald was on No. 8 beat.

743. Which is No. 7 beat?—Starts from the pie-cart near Tattersall's Hotel, along to the Queen's Hotel, right up Manchester Street to the bridge, along to the Star and Garter Hotel, down Barbadoes Street to Cashel Street, and along Cashel Street to the starting-point.

744. Was Joyce with you the whole time?—No, he was not.

745. When did you leave Joyce?—As far as I can remember, it would be between 11.30 and 11.45.

746. Did you make an arrest?—Yes. As far as I can remember, I left him at the corner of Manchester and Hereford Streets.

747. How far is that from the corner of Lichfield and Madras Streets?—It is not far off; about two or three minutes' walk.

748. Where did you see him next?—The next time I saw him was about 1 o'clock. Sergeant Mackay met me at the opposite corner from the Queen's Hotel. I told him I could hear a noise going on in the Queen's Hotel, and it had been going on for some little while while I had been standing there. We went over to the hotel and knocked at the door in Manchester Street. We could not get in that door. They came to the door in Manchester Street, and I heard them call out. When we got to that door Joyce was just on the road opposite the door.

749. Would that be just off his beat?—No; he was on his beat. That was about 1 o'clock.

750. Did any explanation take place between he and the sergeant?—I believe the sergeant called him on one side, but I do not remember what he said to him. I spoke to him myself. I asked him where he had been. I said, "I told you to meet me here when I came back in Manchester Street." I said, "I have been right up Manchester Street looking for you, and I could not find you." He said, "I have been all round the beat. I have just come back now." I think Sergeant Mackay asked me where he was. I said I left him in Manchester Street.

751. Were you present when the men were on parade?—Yes.

752. Was there a general conversation afterwards as to the wrong men having been picked out?—No, I cannot say that. I heard that. I said myself if I knew who the man was I would very soon tell on him, because I myself was suspected, and I felt very sore about it. I may say I was in the station at about 12 o'clock, and met Constable Russell there. He is supposed to be there at 12 o'clock. I had a prisoner at 12 o'clock, and he came into the lockup. I had to go into the watchhouse and sign the book and property-sheets, and so forth. I went out again, and met Constable Fahey about 12.15, and also met Paget, the night-watchman, passing through the Triangle, and I then went to look for Joyce.

753. Did you see any other constable besides Joyce on your beat that night?—No, I cannot remember seeing any.

EDMOND MICHAEL JOYCE, examined on oath.

754. *Mr. Taylor.*] When did you join the Force?—I joined the Force on the 24th December, 1897.

755. How long before you were put on the beat yourself?—I was with a man for about a month afterwards.

756. When did you first go on the beat?—I went on beat on the 25th December. I had about a month or six weeks' night duty.

757. What part of the colony do you come from?—From Invercargill.

758. Do you remember a complaint being made by Mrs. Cooper and Mrs. Patrick?—Yes.

759. Were you there when the men were paraded?—Yes.

760. Where were you at 12.15 on the night of the seventh?—I would be at Oxford Terrace.

761. Whereabouts is that?—It is just down the other side of the Foresters' Arms, the same side as the Foresters' Arms.

762. When did Constable Cassells leave you?—About a quarter to 12, as near as I can recollect.

763. Where did he leave you?—He left me in Hereford Street.

764. Did he tell you to meet him in Manchester Street?—He told me to go round the beat, and he would see me when he came back.

765. You swear he told you to go round the beat?—Yes, he did.
766. Where did you meet Constable Cassells again?—Just outside the Queen's Hotel.
767. Which direction did he come from?—I could not tell you. He was at the hotel when I arrived there.
768. Where did you arrive from?—I arrived from around my beat.
769. Where from?—Up Cashel Street.
770. Were you walking when you met them?—I came up, and they were there knocking at the time.
771. Which door?—At the door in Manchester Street, and then at the door in Cashel Street, and went in at that door.
772. Did you see them knocking at the door in Manchester Street?—I heard them.
773. How far round the other street were you when you heard them at the Manchester Street door?—I was just close to them.
774. Were you walking when you met them?—I could not say; I just came up to them. I just met them at the corner, I think.
775. Did you see the door of the Queen's Hotel open?—Yes.
776. Were they there when it opened?—They just came around the corner as I arrived there.
777. What did you do?—I went in with them and searched the house.
778. Was it opposite the door of the Queen's Hotel that you met them?—I think it was opposite. I would not be certain whether it was the door in Cashel Street or at the corner. The door opened as we got to it.
779. Will you swear the door was not opened before they came into Cashel Street at all—before you saw them?—I think it opened as they got there.
780. Where were you when it opened?—I was in Cashel Street, just about opposite the door.
781. You had seen them before the door was opened?—I cannot possibly say, now.
782. *The Chairman.*] In what direction do you say you were coming when you heard them knocking at the door?—Up Cashel Street from the East Belt side.
783. *Mr. Taylor.*] How far were you then from the corner of Madras and Lichfield Streets?—Just one block.
784. How long were you at Madras Street before you met Sergeant Mackay and Constable Cassells?—About five minutes.
785. Did you see any constables on the beat that night anywhere?—No.
786. Did you speak to any?—No; only to Constable Cassells.
787. Did you speak to Sergeant Mackay?—Yes.
788. Did you speak to Constable McDonald?—No; I never saw Constable McDonald.
789. Would you consider, if this offence were sheeted home to any constable, it would be a disgrace to the men here—that it would be a reflection upon them?—I do not know the ins and outs of the case.
790. Did you come from the Armed Constabulary?—I came from the Permanent Artillery.

EDWARD MACKAY, examined on oath.

791. *The Chairman.*] What are you?—Sergeant of Police, stationed at Christchurch.
792. *Mr. Taylor.*] Do you remember meeting Constable Cassells near the Queen's Hotel on the night of the 7th or morning of the 8th January?—Yes.
793. What time would that be?—I could not tell you exactly what time it was.
794. Did he call your attention to any noise in the hotel?—He did.
795. Which door did you knock at?—I first knocked at the Manchester Street entrance. They were rather long in coming, and then I went round to the Cashel Street entrance, and knocked there. I was admitted.
796. Where did you see Constable Joyce?—On the footpath in Cashel Street, in front of the hotel.
797. Was he standing?—I did not see him when I first went round. I knocked at the door, and when the door was opened I looked back to see if Cassells was close to me, and I saw Joyce was there too.
798. When you were knocking at the Manchester Street door did you hear any sound at the Cashel Street door—a sound as of the door opening?—No, I did not.
799. Was Joyce on the east side or west side of you as you stood at that door?—He was on the east side.
800. Did Cassells tell you he had told Joyce to meet him in Manchester Street when he returned from the station?—I do not remember if he did.
801. What conversation had you with Joyce?—I asked him where he was. He said he had gone round his beat. I had no reason to doubt him.
802. Did he enter the hotel with you?—Well, he may have done, because I did not look behind me until I went into a room, but I met him close to the door when I came out again.
803. He did not go into the room with you?—No, not the room I went into.
804. Where did you meet McDonald that night; do you remember?—I met him at several places.
805. Did you arrange to meet him at the corner of Madras and Lichfield Streets?—I did not.
806. Where did you meet him at midnight?—I cannot really tell you whether it was Madras Street or Lichfield Street that I met him.
807. Did he report to you he had seen any constables that night?—He did not.
808. Have you any occasion for thinking men were off their beat that night?—I have not. The men appeared to me to be very regular on their beats.

809. Is it customary for a man in company with another constable, as Joyce was that night, to do the beat in the absence of his companion?—It is.

810. Did you use every possible effort to find out what men, if any, had committed this assault?—I did.

811. You failed?—I did.

812. You are sure Joyce did not meet you at the corner of Cashel Street?—I am perfectly certain where I met him; it was in front of the Cashel Street entrance to the hotel.

813. And he was standing there?—I did not see him when I first came to the door; but after I knocked at the door I listened to hear if there was any sound coming from the door, and when the door was opened I looked behind to see if Cassells was close to me, and I saw Joyce was there too.

814. The next day, or whenever this matter was reported, did it not strike you as being irregular that you should find Joyce in the position you did that night?—No, I did not think so.

815. You would not think it was irregular?—No.

816. *Mr. Tunbridge.*] Had you any suspicion that Joyce had been inside the hotel?—No, I had not. It occurred to my mind he had come round his beat up Cashel Street while I was knocking at the door.

817. As a matter of fact, he could not have come out of the hotel without your seeing him?—No; I do not think it was possible.

818. As he had been performing duty for upwards of a fortnight at this time, it was quite right he should go back on his beat and work it in the absence of Cassells?—Yes.

819. Had he gone to any particular point of his beat, and waited there an unlimited time for the return of Cassells, would you consider he would have done wrong?—I would consider he would have done wrong.

820. *The Chairman.*] If he had been told to do so by Cassells?—They receive their instructions from me, not from any other constable.

821. But the constable under whose charge he is?—They are not under the charge of any constable; they are under my charge.

822. *Mr. Tunbridge.*] Were you present at the parade when Mrs. Cooper and Mrs. Patrick were there?—Yes.

823. Will you state to the Commissioners what took place there?—There was a lady came out first. I believe it was Mrs. Cooper. She walked up and looked at the men, and she picked out Constable Russell, saying she believed that was the man. She went in, and another lady came out. She picked out Constable McLeod. She said she thought he was the man. She stood looking at him for a few seconds, and then she said, "I do not think that is the man." She then went away.

824. There is a vast difference between Constables Russell and McLeod, is there not, in appearance?—Yes, there is.

825. Constable Russell was on No. 4 beat that night?—He was.

826. Can you tell us how far No. 4 beat is from the locality of this occurrence?—It is a good distance away—about a quarter of a mile.

827. Then for Constable Russell to have been at this place he must have been at least a quarter of a mile off his beat?—Yes.

828. As regards McLeod?—He was further away again. He was on No. 5 beat; very much further.

829. The only constables who were in that neighbourhood about that time were Constables Joyce and McDonald?—Yes.

830. Constable McDonald is a very tall, slight young man?—Yes.

831. Not the sort of man that a person seeing him once would be likely to forget?—I should imagine they would pick him out very quickly.

832. About what height is Joyce?—About 5 ft. 8 in. or 5 ft. 8½ in.

833. And McDonald?—About 6 ft. 1½ in.

834. Any one describing these two constables would not say one was as tall as the other, or very nearly so.—I should not think so.

835. *Mr. Taylor.*] How many men were on parade for identification?—Nine.

836. Were they the men who had been on duty on the night of the seventh?—Yes.

837. And no others were paraded?—No others.

838. What course was followed; was the whole onus thrown on the women?—No; the police made inquiries. I made inquiries myself, but I could get no information about it; and I do not think there was a man on the relief that night that would do such a thing.

839. *Mr. Tunbridge.*] It has been suggested you have fixed points to meet these men: is that so or not?—It is not so. I have no fixed points to meet them.

840. Nor have they any idea when you are likely to come back on to them?—No, I do not think so.

841. *Mr. Poynton.*] Do any two of these beats intersect or approach each other at the corner of Lichfield and Madras Streets?—No.

JOHN JAMES CASSELLS, further examined on oath.

842. *Mr. Taylor.*] Do you remember where you first saw Joyce when you were in company with Sergeant Mackay?—I could not say exactly, but I think, to the best of my belief, it was between the corner of the hotel and the door in Cashel Street.

843. You saw him before you reached the door in Cashel Street?—Yes, I did.

844. Was he standing or walking?—I could not tell you that.

845. Was he on the footpath?—I could not say that.

846. Was the door open when you got round?—I am not sure about that, but I believe it was.

847. Did you tell Joyce when you left him to go round the beat?—No, I did not tell him that at all. Of course I did not tell him not to go. I told him I would meet him in Manchester Street when I came back.

848. How long did you expect to be away?—I expected to be away half an hour. The man gave me a lot of trouble.

849. Have you not heard in the barracks it is known who the culprit is amongst the men?—No, I have not.

850. *Mr. Tunbridge.*] What did you expect when this man left you; did you expect he would go back and work his beat?—Yes.

851. He did exactly what you expected he would do?—Yes; I did not expect him to stand there and wait till I came back.

852. *The Chairman.*] Coming along Cashel Street from the direction of Madras Street, was that on his ordinary beat?—He was on his beat when I saw him.

853. How far is the intersection of Cashel Street with Madras Street from the intersection of Madras Street with Lichfield Street?—About 100 yards—between 100 and 150 yards.

CHRISTINA THOMSON, examined on oath.

854. *The Chairman.*] Where do you live?—Cambridge Terrace, Christchurch.

855. *Mr. Taylor.*] Were you interfered with by a constable in the public street one night?—Yes. A little past 11 o'clock one night I had occasion to go from my private house to my place of business in Colombo Street to send a telephone message to Woolston.

856. Where did you see the police-constable?—I saw him standing at the A1 corner.

857. Did you speak to the constable at all?—No. When I got into the middle of the tram-rails the constable came in front of me, and demanded to know what I was doing out at that hour of the night.

858. Did he put his hand on you at all?—No.

859. What did you tell him?—I told him he was a disreputable, low, blackguard scoundrel to stop any woman in the street going to her place of business to send a telephone message. He threatened to arrest me and take me to the lockup. I took my umbrella and knocked his hat off. While he was picking up his hat I ran across the road on to my own doorstep.

860. Did you go into the shop?—No. I was frightened. He came right over after me, and threatened to arrest me again. I told him to do so, to take me to the lockup. I told him I did not think he was sober.

861. Did he do anything?—No. I told him to go to the lockup and I would go with him, and ten chances to one he would get in there first himself. He stood up at the verandah-post, and I left him standing there. I went next day to the police-station, and complained to Sergeant-Major Mason, and he said the man must have been drunk or mad to have done such a thing.

862. Was there any inquiry as far as you know?—No, not as far as I know. He said he would see into it.

863. Did the police not inform you as to the result of your complaint?—No; I never heard anything more of it.

864. *The Chairman.*] How long ago is this?—I could not tell you exactly.

865. *Mr. Taylor.*] Is it over a year?—Yes, I think it is over a year. I lodged the complaint at the police-office.

866. Did they take it down in writing?—Yes, he took it down in writing.

867. Have you found the police obliging and civil on other occasions?—Yes. I have never had to seek the assistance of the police.

868. Was this man in uniform that you are speaking of?—Yes, he was in uniform. Mr. Mason informed me he was a married man, and had not been long in the Force, and it might do him harm. I said, "You should teach him his duties, and not send him out on the streets like a roaring lion, insulting people."

SAMUEL SAUNDERS, examined on oath.

869. *The Chairman.*] What are you?—Journalist, editor of the *Lyttelton Times*.

870. *Mr. Taylor.*] Do you know of any matters in connection with the condition of the Police Force that would be of assistance to the Commission?—I really do not know. I observe, like other people do, the Police Force.

871. Do you think there are good reasons for the appointment of this Commission—necessity for it?—Yes; I should say there was necessity for the appointment of the Commission.

872. Of your own knowledge, is there any matter affecting the conduct of policemen—their character, their efficiency?—I ought to explain to the Commission, perhaps, a fact which they will readily understand: My information of the Force is not the result of my own observation. Necessarily the editor of a newspaper derives his information from sources which he could not possibly divulge to the Commission, and which the Commission would not probably desire him to. On that account, I presume, my evidence would be of no value at all to the Commission.

873. All hearsay evidence?—It is perfectly reliable evidence, and acceptable to me. I have methods of getting information, of course—through members of my staff and others.

874. Of your own knowledge, have you any knowledge as to the condition of the Force?—I have knowledge that I have derived in this way, but it is what you would describe as hearsay evidence.

875. As the result of your own observations, have you no knowledge?—Well, in what direction? Of course, I observe policemen about the streets; I occasionally see Inspector Broham, and so forth.

876. *The Chairman.*] Have you seen anything in their conduct, or do you personally know anything of the conduct of any individual member of the Force, which is inconsistent with their duty?—I know of it in the way I have described—from information I have received, but not as a result of my own observation. I mean nothing serious within a number of years.

877. *Mr. Taylor.*] Have you taken any steps to induce those who have given you information during the last year on which you based your newspaper articles to come before this Commission?—No, I have not taken any steps to induce them to come here.

878. Do you of your own knowledge know anything about the character of the men who frequent the neighbourhood of the *Lyttelton Times* Office right-of-way?—Do you mean the members of the Police Force?

879. No; I mean the character and conduct of the public at that point?—You do not mean the patrons of the *Lyttelton Times*?

880. I mean the general public who frequent that right-of-way?—I should imagine, from my observation, they are extremely disreputable—a lot of them.

881. Do you think the police do their duty in regard to that class of people in the city?—Well, I scarcely feel able to answer the question. There are a lot of disreputable characters about. I do not know to what extent the police may interfere with them. We would all wish they were away, of course.

882. Of your own knowledge you have nothing to bring before the Commission?—No, I nothing to bring before the Commission.

883. *The Chairman.*] I have not had the advantage of regularly reading the *Lyttelton Times*, but I gather from the examination that the *Lyttelton Times* has expressed condemnation of the conduct of the police in some matters?—Yes.

884. And you have not taken any steps to get those from whom that information was derived to come before the Commission?—No.

885. Will you confidentially put the Commissioners in such a position as would enable them to get that information?—No; I am afraid I could not do that. I am afraid my sources of information would rapidly dry up if I did.

886. Can you help us in any way to put our finger on any spot in the organization or administration of the Police Force which requires attention—reform, if necessary?—I could only reiterate the opinions I have expressed in my paper, or the paper has expressed. They, of course, are public property.

887. *Mr. Poynton.*] If you have any opinion as to how the Force should be reorganized, we would rather take them now from you than read the newspaper articles?—I would rather that you took the back numbers of the newspaper for your perusal.

888. *The Chairman.*] Have you any suggestions that you can offer?—No.

889. *Mr. Tunbridge.*] I suppose you take it that having called attention to any abuse or any neglect on the part of the police in your paper, it is a matter for the department to deal with?—I regard it that way; and, as a matter of fact, I know they have dealt with matters to which we have called attention. I judge, from what has come under my notice, there is some system by which newspaper articles reach headquarters, and they are acted upon.

890. You look upon it that expression of public opinion through the public prints is necessary to keep public bodies up to their work?—We do it with that purpose.

891. Acts, as it were, as a whip on a sluggish horse—keeps them up to the collar?—Yes, that is the idea.

JAMES WALKER, examined on oath.

892. *The Chairman.*] What are you?—Tobacconist, residing at Papanui.

893. *Mr. Taylor.*] Have you had occasion to complain about the police allowing crowds to congregate outside the Empire Hotel?—Not on my own behalf.

894. Who were you acting for when you complained?—At the request of other tradesmen.

895. Were they tradesmen in the neighbourhood of the Empire Hotel?—Yes.

896. Have complaints about the condition of the street there been pretty frequent?—They complained of rather a large crowd gathering in front of their premises.

897. They complained about it frequently to the police?—I have made no complaint to the police practically.

898. Who did you complain to?—I wrote a letter to you, asking you if you would bring it before the House. Last session I had been in communication with members of the House in connection with matters relating to the tobacco trade, and that being so, I was requested to mention this matter to you.

899. Is that your letter?—Yes.

900. Will you read it, please?—It is as follows:—

DEAR SIR,—

High and Cashel Streets, Christchurch, 6th October, 1897.

I have been asked by several of the shopkeepers in High Street, Christchurch, to write to you, asking if you would ask the Hon. Thompson if he will see that the police will do something to abate the nuisance caused by the bookmakers and speilers collecting in front of the Empire Hotel. You know yourself how they collect on the sidewalk and roadway, making it simply impossible to walk along with a lady. Whenever there is a race-meeting being held anywhere at a distance they collect there in very large crowds, and yesterday and Tuesday there were fully fifty or sixty persons there, all, or nearly so, of the racing-class. I believe there has been a petition, signed by a large number of the shopkeepers, presented to the City Council, asking them to take action; but they simply handed it over to the police, who they state have full power in the matter; but they have done nothing whatever in the affair. There is no doubt that it is a disgrace to the city that such a state of things should be allowed to exist in the very

busiest part of the town. Away from the fact that they damage the business of all those shopkeepers in the immediate neighbourhood, it is harbouring a class of people that are undesirable. I believe they have done something in the matter in Auckland, and also in Wellington; but here it is getting worse.

Trusting you will bring this matter up before the House, with the hope of some good results, and thanking you in anticipation,
I remain, &c.,
J. WALKER.

T. E. Taylor, Esq., M.H.R.

I may state that most of the facts were supplied to me.

901. You are within view of the place yourself?—Yes.

902. To that extent you can corroborate the main statements?—Yes; that crowds do congregate there.

903. Has not that been going on for years past?—Yes, for some years past.

904. *The Chairman.*] Has it been abated lately?—It has been considerably better of late.

905. Within what period?—Within this last month or two. There was a period during last year when it was considerably better. I believe that Sergeant Wilson was asked by one of the shopkeepers in the neighbourhood to do something in the matter; and whilst he was in charge he did something to keep them moving on. I do not think it is so much the fault of the police as the want of power on their part to deal with the people who congregate there. They made a number of arrests, and issued a number of summonses, and could not obtain convictions. That is what I am informed is the matter.

906. *Colonel Pitt.*] You understand they issued summonses, and could not get convictions?—I believe they have issued summonses and made raids on the crowd, but they do not seem to be able to get convictions.

HOKITIKA.

WEDNESDAY, 4TH MAY, 1898.

ALEXANDER McDONALD, examined on oath.

1. *The Chairman.*] What is your rank?—I am acting sergeant-major, stationed at Hokitika.
2. When did you join the Force?—In September, 1869.
3. Where?—At Christchurch.
4. What have been your subsequent stations?—I have had about ten or eleven transfers altogether. I was sent from Christchurch to Selwyn; from there temporarily to Ashburton; from there to Timaru; from there to Christchurch; from there to Governor's Bay, near Christchurch; from there to Oxford; from there to Kaiapoi; from there to Christchurch again; from there to Timaru; and from Timaru to Hokitika.
5. You were in charge at Timaru?—Yes; I was in charge at the Christchurch station, and the sub- and suburban districts under the Inspector, and in charge of the Timaru sub-district.
6. And here you are also in charge?—Yes.
7. When did you come to Hokitika?—At the end of February, 1897.
8. What force have you here?—Three men at Hokitika.
9. And what other stations are in your sub-district?—Stafford, Kanieri, Ross, and Okarito—one man at each station.
10. Are any of these men mounted?—No.
11. What ranks do these men hold?—The man stationed at Stafford is a second-class sergeant, and the other men are first-class and second-class constables.
12. What offices do these men hold outside their police duties?—The sergeant at Stafford is Clerk of the Magistrate's and Warden's Courts, bailiff, and Receiver of Gold Revenue. I think that is all. The men at Ross and Okarito hold the same offices, and one of the constables on this station acts as bailiff here. The man at Kanieri holds no offices outside his police duties.
13. Do you find that Force sufficient for the discharge of the duties which devolve on you?—Yes, I think it is.
14. What is the conduct of your men?—They are very good and very well behaved and efficient constables.
15. Are they all men of some experience as constables?—Yes, they all have years' experience.
16. Have you received any complaints from any members of the community in regard to the conduct of your men?—No, I cannot recollect that I have; and I would be sure to take notice of it if such was the case.
17. Have you anything you wish to bring to our notice with regard to the local Force?—I think it would be useless for me to air my opinions before this Court, but I would like to say one thing that affects myself. The steamers plying to the West Coast have only steerage and saloon cabins, and there is no second class by which constables and non-commissioned officers of the Force are allowed to travel. So far as non-commissioned officers travelling on duty are concerned I have nothing to say; but it is a great affliction on a young family travelling on transfer to have to mix with such company as they find in the steerage of one of these coal-boats, particularly when they are about a week on the voyage. When I was coming here I could not possibly go with my young family into the steerage, on account of the crowded state of the steerage and the people that I saw there. The fore-part of the ship was crowded with cattle and sheep and a miscellaneous cargo, and it was almost impossible for a family, so I came saloon; and I had to refund £7 10s. of my passage-money, the difference between second class and saloon.
18. Is there anything else you would like to bring under our notice in connection with this Force?—Nothing, except that the rate of living on this Coast is 35 per cent. greater than on the other side in Canterbury. Some lines of the necessaries of life are 100 per cent. dearer.

19. Does that apply to the town here, or to all your stations?—I suppose it does. I have only lived here, and I can only speak as to this locality.

20. This has been your experience, coming here from Timaru?—Yes. I think I made a very correct computation when I arrived at these figures.

21. Do we understand from you that your men are sober, steady, and attentive to their duties?—Yes; I have no hesitation in saying that.

22. How did you find them at Timaru?—I had no fault to find with the majority of the men.

23. It was stated that some police-constables had become notoriously irregular, or, to put it plainly, intemperate. Was such conduct brought to your notice?—There was one constable that I heard complaints against, but he has been out of the service some time. I might say there were two constables who are now out of the service.

24. I may put something to you very distinctly now. The evidence given us at Timaru led undoubtedly to the conclusion that the person referred to was yourself. Do you wish to say anything in reference to that?—To-day is the first time I have heard my name mentioned, and I am very much astonished at it.

25. Are you not aware of any complaints in that respect while you were at Timaru?—I never had complaints made against me during all my years of service. I never stood before a tribunal, and I was never accused of the offence by any officer under whom I served.

26. Were you removed from Timaru at your own request?—I never got a transfer at my own request. I never applied for one.

27. Whilst at Timaru were you ever accused of intemperance?—I never heard it. As I said before, I was never accused, nor had a charge brought against me.

28. You were in charge of that district. Was any complaint made by the public to you, as the officer locally in charge, of your own intemperance?—No, never.

29. At Timaru there was a hotel where there were supposed to be two bars opening on to the public street. Can you tell us the circumstances under which one of these bars was closed?—It was never closed in my time.

30. Were any complaints ever lodged with you in reference to this house being allowed to run two bars?—I have had many complaints.

31. Did you take any steps in the matter?—I did not, because it was not necessary. There were not two bars within the meaning of the Act.

32. Was that your own opinion?—It was also the opinion of a good many others.

33. Did you ever test the question in any Court?—I did not.

34. Are you aware that the bar was subsequently closed?—It was closed for a time, and reopened, I understand. I reported the matter to my chief.

35. What was the name of the house?—The Criterion Hotel.

36. I understand the fact of these two bars being there, or which were supposed to be there, was the subject of public complaints, besides complaints to yourself?—It was not a public complaint; it was only the complaint of one man, who was always complaining of the same thing. I might mention that the Chairman of the Licensing Committee had a look at it, and he considered there was no infringement of the law.

37. So far as you were concerned you took no steps beyond reporting the matter, and you took your instructions from the department?—I certainly did not lay an information.

38. *Colonel Pitt.*] Was there any correspondence in the newspapers in Timaru accusing you of intemperance there?—Certainly not. I never saw it, and it never came under my notice.

39. How many licensed houses are there in your sub-district here?—There are twenty-two licensed houses in the Hokitika Borough.

40. And you have three policemen besides yourself?—Yes.

41. How is the law in reference to Sunday trading observed?—Well, I cannot see any Sunday trading, and I am about all day.

42. Are the hotels visited by you on Sundays?—Occasionally.

43. Who has been with you?—Constable Bennett has been with me on several occasions on Sundays and on other nights.

44. They are not regularly visited on Sundays?—No, not every Sunday.

45. You have spoken of the passages of officers on transfer. Have you anything to say as to the rate of pay of the police?—Well, of course, all the police think they ought to have more.

46. What is your opinion as to what should be the lowest rate of pay to a constable on joining?—I consider £10 a month is very little. I think it ought to be not less than 7s. a day and his clothing. In all other departments of the State they get free clothing.

47. How should the pay be increased?—According to the grades through which a constable rises there ought to be an increase.

48. *The Chairman.*] Do you think the pay should be increased with grades in the service, or after a period of service?—I believe a period of service would be better.

49. *Colonel Pitt.*] After what length of service should his pay be increased?—I have never gone into that. I do not know.

50. Do your men get any instructions here in their duties?—Not regularly; there are no orders for instructions.

51. Do you not give the men any instructions in police duty?—No; except in anything they ask about, or anything required to be done. It is only at the large centres that instruction-lectures are given.

52. Are any of your men Inspectors of Slaughter-houses?—No.

53. Are your men all married men?—Yes.

54. Have they free quarters?—All but one.

55. Why does he not get free quarters?—There is a man belonging to the Telegraph Department occupying his house.

56. Has that policeman to pay rent?—Yes.
57. Out of his own pocket?—Yes.
58. What rent does he pay?—I think 6s. a week.
59. You state you think the Force here is sufficient?—That is my opinion.
60. In your opinion, is there much reported crime in this district which is undetected?—No, there is not; and what is reported is of a very trifling nature.
61. What is the population of the borough?—Over two thousand.
62. Then there is little more than one licensed house to every 100 inhabitants—men, women and children?—Yes; that is the population.
63. Are there any betting-houses here?—No; I never heard it whispered that there were.
64. Or “tote” shops?—No.
65. *The Chairman.*] Are there any reported burglaries or larcenies you have not been able to bring home?—I do not think so.
66. Are there any houses of ill-fame here?—One.
67. Is that reported as a nuisance in any way?—It is not reported. There was another house of the sort; but I brought that before the Court, and they are away now.
68. In regard to larrikinism and riding bicycles on the footpath, and minor offences of that nature, do you take active steps to put a stop to these nuisances?—In regard to bicycle-riding no action has been taken here yet; but I caused an insertion in the newspapers the other day to the effect that every person found riding on the footpath in future would be prosecuted, and since then the nuisance has abated. We have not taken any action owing to the absence of a by-law on the subject.
69. Are you in a position to express an opinion as to the existence of Sunday trading without systematic inspection?—Yes, by parading the streets, and seeing who is about. If no persons are to be seen about the town on Sundays, it is quite evident there cannot be many in the public houses.
70. They may be all in the public houses?—No; because they must come out sometimes, and we would see them. There is always a man on beat.
71. Have there been any complaints to yourself since you have been in Hokitika, as to your own personal intemperance?—No; no member of the community has ever accused me of intemperance.
72. Has any one spoken to you about your personal intemperance?—No person has spoken to me about my intemperance, because I have not been intemperate. I can hear reports about different people which are not always to be relied upon, but no definite charge has ever been brought against me.
73. You understand the difference between a definite charge, and a general complaint being made?—I know there have been reports, and some person mentioned there have been.
74. You give a general denial to these reports?—I do.
75. Do I understand that no one has spoken to you about your personal intemperance?—I have said so.
76. Has the Rev. Mr. Ginger spoken to you of reported intemperance?—He has never accused me of intemperance, nor said any person had. I went one day to an hotel to see a farmer from the Kokatahi in reference to a Burnham Industrial School child that he had. I spoke to him in the hotel; and while I was speaking to him the Rev. Mr. Ginger came in and looked round the screen. I took no notice of him: and this gentleman came to me afterwards and said he had been asking him if I was drinking. I followed Mr. Ginger, and asked him by what right he had asked anybody if I was drinking, and there was some conversation between us. I told him I thought it was a very mean thing for him to do, and I told him I had had no drink for a couple of months before that. And Mr. Ginger then said, “Well, they say you do drink.” I replied, “I cannot help what people say.”
77. Did the Rev. Mr. Ginger suggest to you that if the report that you were addicted to drink was true, it was a very serious report; and that if it was not true, you had no right to lie under it; and that if he could move a finger to get you free from it he would do so?—I deny that. Mr. Ginger never said anything of the sort, so far as I remember.
78. Why did you go into the hotel to see the Burnham boy when your office was immediately opposite?—I just followed him to the bar-door, about noon, as I had just come from the post-office with a bundle of letters.
79. Why did you not take him to your office?—I had only two or three words to say to him.
80. Do you know if there is much gambling in Hokitika?—I do not know, but I do not believe much gambling exists.
81. Do you know of any house devoted to gambling?—No.
82. Why do you not take steps to suppress that immoral house you referred to: has anybody complained to you about it as a nuisance?—Never. If there had been a complaint, it would be a different thing.
83. No complaint has been made?—No.
84. *Mr. Tunbridge.*] You recently had an addition of one man to your strength?—Yes.
85. That is the man not living in the police-cottage at the present time?—Yes.
86. The police-cottage is occupied by a telegraph-lineman. Are you not aware that his tenure of that cottage will expire in August?—I was told so by a memorandum from your office that he would have to leave on that date.
87. That is for the purpose of allowing the other constable to reside there?—I understand so.
88. I believe the report you furnished to-day shows there have been no charges of drunkenness on Sundays during the twelve months ending last month?—No.
89. When did you last visit the publichouses here on Sunday?—About three weeks ago.
90. Can you say how many you visited?—I went in just casually to see what was going on.

91. You saw no sign of Sunday-trading?—None at all.
92. You visit occasionally, although you have no systematic visitation?—Yes.
93. From the result of your visits to the hotels and from your observations on the street you believe there is practically no Sunday-trading?—I would not say there are no breaches of the law, but they have not come under my notice during my visits.
94. *The Chairman.*] Have you seen anything which in your opinion justified a prosecution?—No.
95. *Mr. Tunbridge.*] As regards this alleged immoral house, from the information at your command, you are not in a position to justify you in laying an information before a magistrate?—No.
96. If you had that information you would lay an information before a magistrate?—Yes. I did so in the recent case, and the house was broken up and the parties have left the district.
97. You deny you are addicted to intemperance?—Decidedly.
98. You are not a total abstainer?—I am not, but I am very near it.
99. *Colonel Huime.*] Do you know the Rev. Mr. Gillies, of Timaru?—I do.
100. Has that gentleman ever stated at a prohibition meeting, or at a public meeting, or written to the newspapers to say that you were given to intemperance?—Not that I saw.
101. Have you ever seen anything in the papers to the effect that a person holding a higher rank than constable at Timaru was given to intemperance?—I never did.
102. Nothing that would indicate that you were the person referred to?—Nothing at all.
103. You never saw anything in the public prints at Timaru that would lead you to suppose that they were insinuating, at any rate, that you were given to intemperance?—I have not seen that.
104. You are perfectly certain of that?—Well, I have not seen it.
105. And you think you would have seen it had it appeared in the Press?—I think so. It would have been pointed out by somebody.
106. Then, if any man came before this Commission and said he had seen you reeling in the streets of Timaru late at night, he would be stating what was not fact?—He must be mistaken.
107. When you were transferred from Timaru you say you had to refund £7 10s. of the passage-money, the difference between saloon- and steerage-fares?—Yes.
108. Then you do not know it is the rule with the Union Company when a non-commissioned police-officer goes to them and says he is only allowed steerage-rates, to give him a first-class passage at steerage-fare?—I never knew that.
109. Have you got a constable here named Bennett?—Yes.
110. What sort of a constable is he?—He is a good constable.
111. He has been here some time?—Yes.
112. Have you ever heard any complaints against him?—No complaints have been made to me against him.
113. And you have no complaint whatever to make against him?—No.
114. He got into some scrape here some time ago?—Not to my knowledge.
115. Anyway he is a very good constable?—Yes. I have no fault to find as to the manner in which he performs his duties.
116. Have you never had any complaints here about this bicycle-riding on the footpaths?—Yes, there have been complaints.
117. Have you summoned anybody in connection with it?—No.
118. Why not?—It had been done before; but I have cautioned the people that if found after this they will be summoned. It is my intention now to have a test case.
119. *Mr. Tunbridge.*] Have you any opinion on the subject of a pension scheme?—I have heard very little about it since I came here, and I have never gone definitely into the matter. I have no strong opinion to express. Of course, there is no doubt it would be a better service if there was a pension scheme. There would be more inducement for men to stick to the service.
120. *Colonel Pitt.*] In your opinion, what are the drawbacks or defects in the present system?—I do not know that the present system is so defective, or that it could be very much improved.
121. In what respect would it be better with a pension scheme?—The men would be induced to stop, and probably better men would join.
122. Have any instances of promotion owing to political influence come under your notice?—I have only hearsay evidence. I cannot say that men are using political influence; but there is no doubt that some people get a great deal of what they want.
123. Owing to political influence?—I cannot say it is political influence.
124. Can you give us any instance of it?—For instance, some men have got transfers, and the men, through some cause, have been allowed to remain. I have known instances of that in Canterbury. I cannot say it was political influence. I have heard a great deal of talk about it, but it has never affected me.
125. In your experience, can you say whether or not there is a feeling in the Force that constables are transferred or allowed to remain owing to political influence?—It is the feeling certainly, but I cannot give any instance or prove anything. I would like my defaulter's-sheet produced. I might mention I have only been twice reported for what I consider very trivial matters, and have two convictions for twenty-eight and a half years' service. One was for not noticing advertisements in the newspapers relating to consultations, and the other was in the matter of an account which I ought, perhaps, to have forwarded a little sooner; and then the punishment was only reprimands.

126. *Mr. Tunbridge.*] I believe there are two records on your merit-sheet for having saved life?—Yes, in 1871; and another in 1897 for attempting to save life in Wellington Harbour. I jumped into the water on a dark night.

127. *Colonel Pitt.*] What reward did you get for that?—£5 money reward. I may state also I have been ten years in the grade I am in at present without any pecuniary advantage to myself.

128. *The Chairman.*] With regard to system of rewards, do you think that reward for actions such as yours should take the form of money or promotions in the Force?—For my part, I would much rather have promotion.

129. But looking at the welfare and efficiency of the Force, do you think they should be promoted by making rewards for special acts, or giving promotion?—I think a reward stimulates a man to further exertion. I think, however, it would be too much for a man to expect promotion for an act which another man might have done had the opportunity been presented to him. It is just a man's chance to be there at the time. I think if a man does a very meritorious action he should be rewarded in some way, but I am not prepared to say which way.

DANIEL HANNAN, examined on oath.

130. *The Chairman.*] What is your rank?—I am second-class sergeant, stationed at Stafford.

131. When did you join the Force?—In 1877, at Dunedin.

132. What have been your subsequent stations since?—I was stationed at Dunedin, Palmerton South, Balclutha, and Naseby, and then I served for some months in the Superintendent's office in Dunedin, under Mr. Weldon, doing clerical work. I was transferred from Dunedin to Hokitika to fulfil a similar position under Superintendent James. From Hokitika I was in charge temporarily for a time at Kanieri, then back to Hokitika, then to Kumara, and then to Hokitika. I think I was nearly three years then in the Inspector's office. From here I was transferred to Stafford, then to Otaki, then to Masterton, and back to Stafford.

133. What offices do you hold at Stafford?—Clerk to the Stipendiary Magistrate's and Warden's Courts at Stafford and Goldsborough, Receiver of Gold Revenue, Mining Registrar, bailiff, and Registrar of Births and Deaths.

134. As Clerk of the Stipendiary Magistrate's and Warden's Courts, who do you look to as your chief?—Mr. Macfarlane, S.M.

135. As Receiver of Gold Revenue, to whom do you look as your chief?—The Under-Secretary for Mines.

136. As Mining Registrar, who?—The same officer. Of course, primarily, Mr. Macfarlane is the chief officer.

137. And as bailiff?—To the Stipendiary Magistrate.

138. And as Registrar of Births and Deaths?—To the Registrar-General.

139. In respect to the performance of these several duties you take your instructions from the officers named?—Yes, and particularly, of course, from Mr. Macfarlane.

140. What have you to say to us in regard to the goldfields-allowance?—I consider, from my experience of the goldfields of Otago and the West Coast, that living on the goldfields at the present time costs a man from 40 to 50 per cent. more than in the principal parts of Canterbury and Otago, or the North Island.

141. You refer now to such towns as Hokitika, Stafford, Goldsborough, and such places?—Yes; everything has to be imported. I speak generally of the West Coast towns; in other places it is more.

142. Do you suggest that owing to this men should not be kept very long in these goldfields towns?—I think it would be very much to their advantage if they were not kept very long. Formerly they were in receipt of a goldfields-allowance of 1s. per day, but that was taken away in 1890 or 1891. I was receiving it until I left for the North Island.

143. How long is it since you were removed from Stafford to Otaki?—I think in January, 1891, and I came back in February, 1892.

144. How long were you away from Stafford before you came back again?—A little over thirteen months.

145. Do you know anything of the circumstances that brought you back to Stafford?—I do not.

146. Did you apply to be brought back?—No; I was ordered back.

147. Did you make any application to be brought back to Stafford?—No.

148. Who was at Stafford while you were away?—Sergeant O'Donovan.

149. What became of him after you came back?—He was to replace me at Masterton.

150. What is the extent of your present station?—About fifty miles inland and further north on the road to Kumara. The boundary runs to the dividing-range between Westland and Canterbury.

151. Are you a mounted man?—No.

152. How do you visit the outlying districts?—I have to hire a horse.

153. Do you find it necessary to visit the distant parts of your district frequently?—One time, before the railway was completed to Jackson's, I had to go once a month; but since then the man from Brunner goes up by train.

154. Has there been any disturbance amongst the men on the railway there?—As a rule, the men are orderly; I have had no occasion to summon any of them. The presence of a constable is sufficient to deter any demonstration of rowdyism.

155. How many licensed houses are there in your district?—Thirteen.

156. How are they conducted?—They are well conducted.

157. Have you had any prosecutions under the Licensing Act?—Not many.

158. Is there much crime in your district?—Very little; perhaps it is a district freer from crime than any district in the colony.

159. Is there any crime undetected?—No.

160. *Colonel Pitt.*] You have served in various parts of the colony. Do you find any difficulty or more difficulty in enforcing the observance of the licensing laws in goldfield districts than in any other parts of the colony?—I believe there is less difficulty in enforcing the Licensing Act on the goldfields.

161. Have you any reason to believe that sly-grog selling or illicit distillation is carried on in your district?—I have not.

162. Do you visit the hotels in your district?—I do.

163. On Sundays?—Yes; frequently.

164. Are they scattered?—Yes; there are only seven within two miles of me.

165. How far is the furthest off?—About fifty miles.

166. Do you visit them by yourself?—Yes; there is nobody else to go with me.

167. Supposing you are instituting a prosecution and want corroborative evidence, how would you get on?—I would have to depend on those present.

168. *The Chairman.*] Have you any suggestion to make to us?—Several men have asked me to state that they would like an increase of pay. They consider that 7s. per day is less than an ordinary labourer receives—in fact, men on the co-operative works would not be satisfied to work for 7s. per day. Constables have to be well conducted and well dressed, and fairly well educated. I would also like to make some representations about a pension scheme. The junior members of the Force consider there are too many old men in the service, and if there was a pension scheme it would enable a good many of these older men to retire. They would also like some representations made about getting free uniforms. It is the custom, I understand, in all the other Australian Colonies for the Governments to supply the police with free uniforms. I believe it is also the practice to do so in the gaols, and in the Post and Telegraph Department here. They also wish me to mention the question of fuel and light. At head-stations and in the large centres, fuel and light are allowed to the single men, whereas at the out-stations neither are allowed, and they think it is a privilege which should be extended to every man alike. I do not see why there should be any exception made. If a man at an out-station locks up a prisoner at night, or has to do any other duty at night, he has to supply his own light to do so. Fuel and light were done away with some years ago, on the score of economy. Then there is the question of transfers, and some better provision being made for married men and their families on board ship. When I went away it cost me £7 out of my own pocket to pay the extra fare between saloon and steerage.

169. You think you should have a first-class passage and not steerage?—Certainly; I think it is degrading a man to put him down into a coal-hole.

170. Do you mean that to apply to married men with families, or to all men?—I think to all men in the Force. I think they should be treated as mechanics and not as ordinary labourers.

171. *Colonel Pitt.*] What do you think should be the rate of pay?—I think the lowest rate of pay a constable should receive is 8s. per day.

172. On joining?—Yes.

173. How should that be increased?—By promotion, to my mind.

174. Not by length of service?—No.

175. You have spoken of a pension scheme: in your opinion would the members of the Force be prepared to submit to any reduction or stoppage from their pay as a contribution towards a pension scheme?—No; in my opinion they should not be called upon to do so, because other public servants are not called upon to do so.

176. Do any other services in the colony get a pension scheme?—I understand several services get compensation, or retiring-allowances.

177. Is your life insured in the Government Insurance?—Yes.

178. You have to submit to a reduction for that?—I insured myself before that system came into vogue in the Force.

179. Do you know that constables on joining now have to insure their lives?—Yes.

180. To assist a pension scheme, would you be prepared to agree to the emoluments you receive from these outside offices you hold going to help to form a fund for a pension scheme?—I would not. If I had anything to do with the conduct and regulation of the Force I would not allow a constable to hold any offices outside that of a police-constable. The men have to do this work almost in their spare time, and often late at night. As a rule the men in cities who have not to do these duties only do eight hours' work.

181. If the services of a policeman are at the disposal of his department for the whole twenty-four hours, how is your time more occupied than that of a city constable?—No department would expect to employ me the number of hours I am sometimes called upon to work as Clerk of Court, or in connection with my other offices. They would not expect me to do more than nine or ten hours' work.

182. I understand your present opinion is that a police-constable should not be called upon to do this work at all?—I do; and my opinion is that if there is not sufficient work for him to do without this work being thrust upon him the station should be closed.

183. *Mr. Poynton.*] You know nothing about political influence in regard to transfers?—I know of none.

184. Have you ever used any?—Certainly not.

185. Are you aware of any influence being used on your behalf?—No.

186. Or to retain the constable at Otaki whom you went to relieve?—No.

187. *Mr. Tunbridge.*] How many charges had you at Stafford this year?—Something like half a dozen: three for drunkenness and two for lunacy.

188. How many summonses?—Only one.
189. How many cases of larceny or other police-inquiries have you had to interest yourself in?—Not many.
190. Half a dozen, do you suppose?—Yes.
191. Roughly, the sum total of your police-work for the year has been five arrests, one summons, and about half a dozen other inquiries?—Yes.
192. Yet you think you ought to have fuel and light to help you to do that work?—I certainly think I should have light to accommodate any man who comes at night.
193. What do you get as Clerk of the Stipendiary Magistrate's Court and Warden's Court?—£30 a year, including travelling-expenses. I get mileage for serving civil summonses.
194. If the Justice Department had to employ a clerk to do the work, what do you suppose would be a fair remuneration for doing that work?—When I took over that work there was a clerk there at £200 a year, and a bailiff at £100.
195. Then the Police Department has to do the work in order that the other department may be run cheaply?—That is it, I suppose.
196. You do not think a man should be asked to contribute something towards a pension fund?—Not from the present pay.
197. Do you not know that in every other service where there is a pension fund the men have to contribute towards it?—I do not know.
198. Have you given this question of a pension fund any great deal of attention?—I have not.
199. You never made any application, either directly or indirectly, to be brought back to Stafford?—No.
200. Do you know why you were brought back here?—I do not.
201. Did you ever see any Minister about it?—No.
202. Did you ever communicate with one?—Certainly not.
203. *The Chairman.*] It has been plainly stated that you have, and you as distinctly deny that?—I do.
204. *Colonel Hume.*] When you were ordered from Stafford to Otaki, there was considerable delay before the transfer took place?—I think I was ordered away with a whole lot of others. I certainly was one of the last that left. I got the order on the 31st December, and I left on the 13th January.
205. Then you lost 1s a day by it?—Yes.
206. What rank did you hold then?—Acting-sergeant.
207. In December of the same year you were ordered back again?—Yes.
208. Are you a Freemason?—No.
209. Then no Masonic influence was used on your behalf that you know of?—No.
210. Then you were still an acting-sergeant?—I was.
211. Is it not somewhat unusual to have acting-sergeants in stations by themselves: have you known of a case anywhere else?—I have known a first-class sergeant to be stationed by himself.
212. Where?—At Hawera.
213. In the good old days, I suppose?—No; I think in 1896, or I am very much mistaken. In the Commissioner's report for 1896 there is mention of a first-class sergeant at Hawera by himself.
214. You are now a second-class sergeant?—Yes.
215. Has anybody used any political or Masonic influence on your behalf at any time to get you promoted?—No.
216. And you have not used it yourself?—No.
217. Has any clergyman of any denomination tried to use his influence on your behalf that you are aware of?—I am not aware of any.
218. *Colonel Pitt.*] You heard Sergeant-Major McDonald say that in his opinion the Police Force in this district was sufficient for the requirements of the district: do you agree with that?—Yes.

MICHAEL JOSEPH WILDERMOTH, examined on oath.

219. *The Chairman.*] What is your rank?—I am a third-class constable, stationed at Hokitika.
220. When did you join the Force?—In 1892, at Greymouth. I was sent from Wellington from the Artillery.
221. Had you any previous police duty or experience?—Only temporary duty about four or five months in Wellington.
222. Street duty?—Yes.
223. Do you come here to give us your individual opinion or the opinion of the other constables here?—Of the constables here.
224. What is it you wish to bring before us?—I think constables on joining ought to receive 7s. per day; and that married men should get either house-rent allowed or free quarters; and constables coming to the Coast should receive at least 1s. per day more than a man in Canterbury, as living is very much dearer here. I know from my two years' experience in Wellington that I can keep my family £4 per month cheaper there than I can on the West Coast, including house-rent. I would also be in favour of constables getting free uniforms, as other departments give them. I would be strongly in favour of a pension scheme partly at the cost of the men.
225. To what extent would you agree to deductions from the pay?—From 3 per cent. to 5 per cent. There would be more inducement with a pension scheme for men to stay and earn promotion in the service. I think the pay should be increased by length of service; and I think defaulters' sheets should be taken into consideration also. I think that after joining at 7s. the pay should be increased every three years by 6d. at least.

226. Up to what maximum?—Eight shillings, as at present; that would mean a period of nine years, and then he might get a step up.

227. *Colonel Pitt.*] How many classes of constables would you have?—I think three, as at present.

228. What do you think should be the difference in pay in the different classes?—I think 6d. per day.

229. Do you know what is the opinion of the Force as to giving up the right to vote at elections?—I think they would be very much disinclined to give it up.

RUFFINO TAMINELLI, examined on oath.

230. *The Chairman.*] What are you?—A sawmiller, living at Kanieri.

231. We have received the following letter from you :—

SIR,—

Kanieri, 4th March, 1898.

In pursuance of notice appearing in the *West Coast Times* of the 16th February last, I beg to forward to you for the consideration of the Commission the following complaint: (1.) That on New Year's morning in the year 1896, at about the hour of 4 a.m., certain persons wilfully removed a large wagon belonging to me from my stables at Kanieri and deposited the same in the Hokitika River. (2.) That I was ill on that day, and confined to bed, and was then unable to take steps to recover the same; and from the following day, the river being in high flood, the wagon became embedded in the river and could not be raised therefrom. (3.) That I subsequently employed labour and incurred great expense in endeavouring to recover the wagon, but without avail, and I suffered a loss amounting in the whole to about £120. (4.) That, after the wagon was removed from the stable and on the same day, Constable Stewart, of Kanieri, was present there and near the place where the wagon was deposited, but did not then nor at any time afterwards, although requested by me to do so, take any steps for the apprehension of the offenders, and treated the matter in a most indifferent manner, in spite of the fact that I supplied him with the names of the persons who I had been informed committed the above act. I, therefore, take this opportunity of humbly requesting that a full inquiry be made into the matter of this complaint.

I have, &c.,

Chairman of the Police Commission, Wellington.

RUFFINO TAMINELLI, Sawmiller, Kanieri.

Are these the facts you wish to bring to our notice?—Yes.

232. You lost the wagon in January, 1896?—Yes. I had the wagon in the shed, and during the night it was taken out and put in the river. I went down to the wagon, and Constable Stewart and a man named Bergman were standing on the bank of the river. I said, "This is a fine affair," and the constable said something in reply which I do not remember. I lost my temper and said, "At that rate, it was quite right to put it in the river." He said, "Oh, no; I am sorry. Go and get some men, and we will pull it out." I replied that I would not put my finger to it, and that those who put it in could pull it out. That is all.

233. *Mr. Beare.*] That is your case?—Yes.

234. In the first place, when did you first miss this wagon?—It was in the morning, between 4 and 5 o'clock, that I first saw the wagon in the river.

235. How long after that was it before you saw Constable Stewart?—It was either 4.30 or 5.30 in the evening when I saw Constable Stewart talking with Bergman.

236. Then Constable Stewart made an offer to get your wagon out of the river?—He told me to do it.

237. And you refused?—I said I would not put a finger to it.

238. You said you were ill in bed that day?—So I was.

239. How did you come to see Constable Stewart at 4.30 p.m.?—I was up in the evening.

240. In the next paragraph of your letter you say, "Incurred great expense in endeavouring to recover the wagon, and suffered a loss of £120." That is a nice claim against the Government?—I did not make it against the Government.

241. Do you reckon you are going to bring a compensation case against the Government for it?—Never you mind about that.

242. Do you remember an offer being made to you by some other person, for instance, during that day you were supposed to be ill in bed?—No.

243. Do you remember being in a hotel at Kanieri talking about the wagon being in the river?—After seeing Constable Stewart I might have.

244. You remember the conversation was in reference to your wagon, and do you remember some one offering to take the wagon out for you?—Yes, I mind a man saying he would go and put a rope on the wagon and pull it out for £10.

245. But for nothing?—Not that I know of.

246. Do you remember Mr. Hutchinson being there?—I do.

247. Do you remember him and others saying they would put a rope round the wagon and pull it out, and that it would cost you nothing, except a drink or so for the men?—No; Mr. Hutchinson told me he would take the wagon out if I gave him £10.

248. Was that not some time after you refused to give your consent to the wagon being dragged out, and after it had become embedded in the river, that Mr. Hutchinson wanted £10 to take it out?—No.

249. Did you request Constable Stewart to take this wagon out?—I do not know.

250. Did you request the constable to arrest anybody?—I told him the parties who put the wagon in the river.

251. Did you instruct the constable to arrest anybody?—I did not; I could not.

252. You did not know the names of the persons?—I did.

253. Name them now?—Not here. I told the constable at the time.

254. The persons who put this wagon into the river?—Yes.

255. Well, name them now?—Frank Singer, James McKenna, Mr. Chesterman, Robert Morris, Mr. Peek, and one of the young Wells. I do not say I could prove that they did it, but I was told.

256. You gave all these names to the constable?—I did.

257. When did you give these names to the constable as being the persons who put your wagon into the river?—It might be a couple of months after the occurrence.

258. Do you remember employing Mr. McKenna sometime after that?—Yes.

259. Do you remember remarking to him you only wished you knew who the offenders were, and that you would bring them to justice?—Yes.

260. If you knew the names of the offenders, why did you make that remark to Mr. McKenna?—If I do not make a mistake I made the remark to Mr. McKenna to try and pump him.

261. Why was it when you had an opportunity of having your wagon taken out of this creek that you refused the offer made to you?—I said I would have nothing to do with it myself. They could pull it out.

262. Is it not a fact that when they came to you and offered to do it you would not give your consent?—It is not correct.

263. Then, if anybody swears to that fact they will be swearing what is not true?—I suppose so.

264. *The Chairman.*] You never refused to allow anybody to get your wagon out gratuitously?—No.

265. *Mr. Beare.*] As a matter of fact you did employ somebody?—I did afterwards.

266. How long afterwards?—A couple of months afterwards.

267. What did you pay for getting this wagon out, or helping to get it out?—I paid 10s. a day for four men.

268. Is it not a fact that the constable, when you first came up to him, offered then and there to go and get men to get the wagon out and you refused?—He never did. He told me to do it.

269. *Colonel Pitt.*] When you told the constable these people's names what evidence could you give him that these people did it?—I could not give him any evidence, except that a man told me so-and-so, and that every boy in Kanieri knew it.

270. All you could tell the constable was that somebody told you?—Yes.

271. Did you expect him to lay an information on that?—I thought he could take some steps. It seems very strange that when there were so many connected with it he could not find out the parties.

272.* Could you find out?—I did find out.

273. Then why did you not lay an information yourself?—It would be very dangerous for me; if I failed to convict they might sue me for damages to character.

274. Did you want the police to take that risk for you?—They have authority to take that risk.

275. *The Chairman.*] Were there any other cases at the same time of the same kind?—Not so serious as that.

GEORGE STEWART, examined on oath.

276. *The Chairman.*] What is your rank?—I am a first-class constable, stationed at Kanieri.

277. *Mr. Beare.*] You know Mr. Taminelli?—I do.

278. You remember New Year's Day, 1896?—I do.

279. You remember Taminelli's wagon being in the Kanieri Creek?—Yes; that night I was down at the Fire-brigade Demonstration at Hokitika, and it was about 1 o'clock in the morning when I returned to my station. I went straight off to my station on my return.

280. When did you first know about the wagon being in the river?—In the afternoon of New Year's Day, 1896. I was standing just opposite the wagon when Taminelli came up.

281. What was said?—I said, "I see your wagon is in the river. If you will allow me to get it out I will get plenty of men to pull it out." He said, "No; let those who put it in take it out, if they like. I will have nothing to do with it."

282. No names were given then as to the offenders?—No; he walked away in the direction of his stables.

283. If he had given his consent you could easily have got the wagon out?—Yes; there was another man named Bergman present and his brother-in-law.

284. As constable in charge of that district, did Taminelli afterwards come to you and make any complaint about his wagon being put in the creek, and did you take any steps in the matter?—I made inquiries at his request. He came to me many times and asked me to find the offenders, and I said I could not.

285. You made the usual inquiries?—I did.

286. And you were unable to illicit any information?—Yes. He got into a temper, or otherwise I could have got the information the next day. He threatened those people with a prosecution, and they would not give the information. The Inspector sent me orders to make inquiries, and I did so.

287. Did you send in a report in connection with your inquiries?—I did, as follows:—

Police Station, Kanieri, January 16th, 1896.

RESPECTING the attached complaint, I respectfully beg to report that on the 1st instant, about 1 a.m., I returned to Kanieri, after attending on duty the Fire-brigade Demonstration at Hokitika. I remained in Main Street, Kanieri, until 4 a.m. on the 1st instant. It was then daylight. I did not then hear of anything being done to Taminelli's timber-wagon. On the afternoon of the 1st instant I noticed the wagon in the Kanieri River. I was standing near the place, with others. I asked Taminelli, "Will you get the wagon out?" He replied, "No; let those who put it in get it out." I then said, "Allow the wagon to be taken out, and we will see if any damage has been done." He said, "No; let it stop there. It is an insult to me." There were a number of men on the spot who were quite willing to take it out at no cost to Taminelli, but he would not allow any one to get it out. I spoke to Mr. Owen McGuigan, a respectable resident, with a view to induce Taminelli to permit the men who were on the spot to take the wagon out, but he (McGuigan) came back to me and said Taminelli would not allow it. I may remark that I, myself, was quite unable to pull the wagon out, although Taminelli since said it was my duty to pull it out of the water. I have made all inquiries with a view of finding out the parties who put the wagon in, but it being New Year's Day no one

would give any information. I verbally reported the occurrence to Sergeant Fraser on the 3rd instant, and was instructed to continue my inquiries to find out the party who put the wagon in. Mr. Taminelli has the reputation of being a very contrary person in the locality. Up to the 4th instant the wagon could be secured or brought out of the water if he would permit of it. He took no steps whatever to secure it. If it occurred to any one else but Taminelli the wagon would be out on the afternoon of the 1st instant.

GEORGE STEWART.

288. Could you have done anything more to help Taminelli out of the difficulty, or to discover who were the real perpetrators of this joke?—I could not; I did what I could.

289. *Mr. Taminelli.*] Did you see me about 11 o'clock on the evening of New Year's Day?—No.

290. Did you not offer to strike me with a bullock-whip, and then threaten to handcuff me?—No.

291. Did Mr. Derwood tell you to go and apologize?—No.

292. *Colonel Pitt.*] Mr. Taminelli says that a couple of months afterwards he gave you the names of certain persons who he was informed had put the wagon into the river. Is that correct?—No, he never gave me the names of any person. The first I heard of them was when he mentioned them just now.

HENRY NICKLESS, examined on oath.

293. *The Chairman.*] What are you?—Sawyer and wood-turner by trade, living at Flowery Creek.

294. What is your complaint?—My complaint is that Constable Bennett did not do his duty in serving a warrant to go and search for my stolen property. He gave the information that he was coming, so that they could make away with it, which they did. When he went out he only found one thing there.

295. You say he did not do his duty, inasmuch as he told somebody something. Who did he tell?—He told the Maori girls, and he told the coachman who drives the coach out, and the coach was full of people.

296. Is that coachman here?—No, in Ross.

297. What is his name?—James Thompson.

298. What do you say he told the coachman?—That he would be down at the Maori pa on Monday morning, as he was coming out there.

299. Did you make any complaint to the police on this matter?—I did.

300. How did you make it?—I made a complaint to Sergeant Fraser. I wrote a letter, and it was a hard job for me to get him to send it to the Inspector at Greymouth. I got this answer back from Sergeant Fraser:—

SIR,—

Police Station, Hokitika, 18th June, 1896.

I am directed by the Inspector of Police, Greymouth, to inform you, in reference to the complaint contained in your letter to him, that it is open for you to take any proceedings you may consider fit.

I am, &c.,

CHAS. FRASER, Sergeant.

Mr. Henry Nickless, Flowery Creek.

301. Have you done anything since in respect to that letter?—No; not until now. Mr. Seddon told me to lay it before the Minister of Justice, but I am no writer, and I neglected to do so.

302. *Mr. Lewis.*] It seems that you complained to Sergeant Fraser about something?—Yes.

303. What was the complaint you made to him?—That I was robbed.

304. By whom?—I did not say by whom, but I felt certain I knew, because I could trace the cart-wheels right down to their place.

305. Did you tell Sergeant Fraser that?—Yes.

306. What did he advise you to do, or did he advise you to do anything: did he advise you to lay an information against anybody?—No.

307. Did you not tell Sergeant Fraser that you suspected some Maoris in your locality had taken some of your property?—I said I believed the Maoris had it, and so I do till this day.

308. Did the sergeant tell you to lay an information against them?—No.

309. Are you sure?—Yes, sure.

310. What did he do then?—He sent out Bennett.

311. What for?—To search.

312. *Mr. Poynton.*] Did you go before a Justice of the Peace and sign a blue paper?—No.

313. *Mr. Lewis.*] You swore no information against anybody?—No.

314. Then what do you talk about a warrant for?—He was armed with authority to search.

315. Constable Bennett went out to the pa?—Yes.

316. What did he do when he got there?—He went round, and all he found was the rest for a lathe. He brought it in.

317. What did you say to that?—I said nothing that I know of.

318. Did you say it was yours?—Yes.

319. Then what is your complaint about now?—I complain that the constable, when there was a supposed burglary committed, gave information of the fact that he was coming out, so that they could plant the property, or destroy it, or do whatever they liked with it to frustrate the ends of justice.

320. Did you write to Sergeant Fraser about this matter?—No, I did not. I read my letter to him, and got him to send it down to the Inspector at Greymouth, but I had great difficulty in getting him to do it.

321. What was the letter you read to Sergeant Fraser?—I do not know; I did not keep a copy of it.

322. Did you write him a letter asking him for £5?—I never said a word about £5. If I did I said I lost £5.

323. Are you sure you did not write a letter to Sergeant Fraser, asking him to get £5 from Constable Bennett for you?—I never did any such thing in my life; and it is an infamous lie, whoever concocted it.

324. You still assert the sergeant never asked you to lay an information against anybody you suspected?—Yes.

325. And do you to this moment suspect anybody?—I do not suspect any individual in particular.

326. Then, if you do not suspect anybody, why should you expect anybody else to do so?—The property went into the Maori pa; there is no doubt about that. I traced the cart-wheels down to their place, but as they had been fetching in wood and gravel the day before, I could not swear the wheels went into their place.

327. What was the property you lost?—Crowbars, small circular saws, and a lot of tools of different sorts.

328. Is it not a fact that the tools you are speaking about all belonged to the late Mr. Fowler?—No, they did not. They were all mine, and always were.

329. Did not Mr. Fowler have a mortgage over all your property?—Yes.

330. And is this the property you are speaking about?—Yes; I bought most of it long after that mortgage was executed.

331. *Mr. Poynton.*] You say that Bennett told others. You did not hear him tell anybody that he was going out?—No, I never did.

332. You were only told by others that he said something?—Yes.

333. Can you get these others here to-day?—No.

334. *Colonel Pitt.*] When these people told you that Bennett had said this; he was not there?—No.

335. You say your wife heard the coachman say so?—Yes.

336. Bennett was not there then?—No.

337. *The Chairman.*] You cannot produce either these Maori girls or Thompson either to-night or to-morrow?—I might produce the Maori girls in a week or two.

ALBERT BENNETT, examined on oath.

338. *The Chairman.*] What is your rank?—First-class constable, stationed at Hokitika.

339. *Mr. Lewis.*] You recollect the incident referred to by Mr. Nickless?—Yes.

340. Kindly give the Commission your statement in respect to it?—I saw Nickless in the police-station.

341. Was anybody else there besides you?—Sergeant Fraser was there. He was laying a complaint to Sergeant Fraser and not to me.

342. Were you present?—No.

343. Were you present when Sergeant Fraser saw Nickless?—Sergeant Fraser told me after he went away.

344. What instructions did you obtain from the sergeant?—Sergeant Fraser instructed me on Monday morning to proceed to the Maori pa to make inquiries about certain tools supposed to have been stolen from Nickless at Flowery Creek.

345. Did you have any warrant?—No. I arrived there by the train, and I found Mr. Nickless walking down the line towards the railway-station to meet me. Then he went with me to Philip George's place, and the first thing he put his hand on was a piece of iron in an outhouse, and said, "That is mine." I took charge of it, and we went round to see if we could find anything more. We could not find anything. We went up to Mr. Taiaroa's new house on the hill and had a look round there, and found nothing.

346. Before you went out did you intimate the fact to anybody that you were going on this particular business?—Nobody at all.

347. Nickless complains that prior to getting there you told some Maori girls and a coachman, named Thompson, that you were going out to the Maori pa for the purpose of discovering anything. Is the statement contained in that charge true or false?—I made no such statement to the Maori girls.

348. Did you make the statement to the coachman?—I met the coachman on the Sunday afternoon, and told him to tell Nickless quietly that I would be out at 7.30 a.m., and to meet me at the station.

349. Did you tell him what you were going out for?—No; the reason I told him this was because the train was going out earlier than usual, so that Mr. Nickless could meet me.

350. You deny having told the coachman the purpose for which you were going?—Certainly. There was nobody in the coach at the time I spoke to the coachman.

351. *Mr. Nickless.*] You say on your oath Mr. Fraser gave you instructions on the Monday?—Yes.

352. On the Saturday I say you gave information to the Maori girls, and on the Sunday you acknowledge yourself you told Thompson. How could you tell Thompson on the Sunday if you only got your instructions on the Monday?—I only mentioned it to the coachman; I never saw the Maori girls about this.

353. *The Chairman.*] Do you wish to correct your evidence, and to say it was on the Sunday you got your instructions?—Yes, on the Sunday; it was the last thing on Sunday night.

354. Do you say the last thing on Sunday night?—Yes, to proceed out on Monday. He reminded me the last thing at night.

355. What time on Sunday were you instructed by Sergeant Fraser to proceed to the Maori pa?—At noon.

356. When did you see the coachman?—At 3 o'clock in the afternoon.

357. And you had further instructions from the sergeant. At what time?—The last thing on Sunday night, to be sure and catch the train in the morning.

358. *Mr. Nickless.*] Is it customary for sergeants of police to give orders at noon in the day and then again at night?—We have several orders.

359. *Mr. Lewis.*] Did you ask Nickless to lay an information against anybody he suspected?—I told him when I found that piece of iron he better come in and lay an information.

360. And what did he say?—I cannot exactly remember whether he said he would or he would not, but he never came in.

361. Did you hear Sergeant Fraser ask him to?—Yes; he told him to go down to Mr. Barton and lay an information.

362. And did he ever lay this information?—He did not.

363. So you had no warrant at all?—I had nothing at all.

364. *The Chariman.*] When you suggested laying an information did you suggest anybody against whom he should lay it?—He suggested Philip George.

GREYMOOUTH.

THURSDAY, 5TH MAY, 1898.

JOHN CULLEN, examined on oath.

1. *The Chairman.*] What is your rank?—Inspector of Police, stationed at Greymouth.

2. When did you join the Force?—In July, 1876, I joined the Armed Constabulary, after serving seven years in the Royal Irish Constabulary.

3. And the Police Force?—On the 1st January, 1877.

4. And you were made Inspector when?—On the 20th September, 1897.

5. Will you kindly give the several localities in which you have been stationed?—I was transferred from the Armed Constabulary depot to Blenheim, and was there to August, 1880; then to Renwick, near Blenheim, for a few months; then back again to Blenheim; then to Havelock, in Marlborough, for about four months; then to Dunedin; then to Timaru; then to Christchurch; then to Napier; then to Wanganui; and on promotion to my present rank I was transferred to this district.

6. Will you just describe your present district?—It comprises all the Provincial Districts of Westland and Nelson; the headquarters of the district, of course, are at Greymouth.

7. What Force have you under your control?—The strength of the district is forty all told.

8. Where are they stationed?—The Greymouth sub-district comprises Greymouth, seven police; Brunner-ton, one constable; Ahaura, one constable; and Kumara, one constable. The Reefton sub-district comprises Reefton, a sergeant and two constables; and Lyell, one constable. The Westport sub-district comprises Westport, a sergeant and three constables; Denniston, one constable; Seddonville, one constable; and Charleston, one constable. The Nelson sub-district comprises Nelson, a sergeant and six constables; The Port, one constable; Spring Grove, one constable; Takaka, one constable; Collingwood, one constable; Richmond, one district constable; and Motueka, one district constable. Hokitika sub-district comprises Hokitika, an acting-sergeant-major and three constables; Stafford, one sergeant; Kanieri, Ross, and Okarito, one constable each. I have not been here all the time since the date of my appointment, as I left Greymouth on the 8th January, 1898, on relieving duty at Christchurch, and I did not return until the 29th April, 1898.

9. Considering that your time here has not been long, are you in a position to express an opinion as to the efficiency of the Force under your control?—Not generally, because there are many stations I have not had time to inspect, and there are many men I have not seen at all.

10. What is your report on those men you have visited and inspected?—Some of them are very good, and some of them, I think, are capable of improvement.

11. Are you referring at the moment to the stations or the members of the Force?—I thought you were referring to members of the Force; there are some very good men in the district and some indifferent, from what I have seen.

12. Since you have been in charge of the district have any complaints been made to you as to the conduct of members of the Force—either general complaint or particular complaint?—No.

13. No complaints from outside the Force?—No.

14. No complaints in respect to the conduct of members or the working of the Force?—No.

15. Are you able to give your opinion as to whether the present Force available is sufficient to cope with the crime and to preserve order in the district?—I think so. Probably Greymouth and Nelson might do with another man each if they could be got, but the other districts have sufficient.

16. *Colonel Pitt.*] There is no difficulty in getting them, is there?—It is a question of funds, I suppose. At times here and in Nelson, when men are away sick or on leave or on escort duty—and when a man is away on escort duty from a place like this he is away a good while—the station is often short-handed.

17. *The Chairman.*] How many of your men are mounted men?—The out-station men all keep horses, either Government or private horses.

18. Do you think there is sufficient provision in that respect?—I think so.

19. Have you any suggestions to make to us with respect to your district here?—Not particularly affecting the district here, but I have some suggestions to make with respect to the Force generally. I cannot speak with sufficient knowledge of the district yet.

20. With regard to the general administration and organization of the Force we shall be very glad to hear you?—I have written a statement embodying my views on the subject, as follows: The character and antecedents of every applicant for enrolment in the Force should be carefully inquired into through the Inspector in charge of the district where the applicant is best known before his name is placed upon the list of applicants. When an artilleryman applies for transfer to the police his character and antecedents before joining the Artillery should be similarly inquired into. This would prove the means of preventing undesirable men getting into the service. I have known one instance, in 1889 or 1890, where an artilleryman was transferred to the police, and it was subsequently ascertained that he had served a sentence of one month for assault, had been bound over to keep the peace for six months, and had been convicted of drunkenness, also of assaulting and resisting the police, prior to joining the Artillery. This man would have made an excellent fighting man, but was a most undesirable person to have in the Police Force. He is not in the service at present. I have known of several other undesirable men who joined the police from the Artillery. Married men should not be enrolled in the Force unless they have served in some other Police Force and can produce a satisfactory discharge from the service they have left. Candidates for enrolment who are over thirty years of age should be rejected. Every candidate upon joining, unless he has had some previous police training, should be drilled at the depot in Wellington, and be compelled to attend a police school of instruction there for at least two hours daily for, say, a period of three months, and should pass an examination in the theoretical knowledge of his duties before being allowed to leave the depot on transfer to a district. A manual of police duty suitable to the requirements of the New Zealand Police should be compiled, and one of the most experienced non-commissioned officers in the service should be appointed Police Instructor at the depot. Constables should not be allowed to marry unless they have four or five years' service. The present classification system of both sergeants and constables should be abolished, and a scale of pay substituted on the principle adopted in the London and Dublin Metropolitan Police and the Royal Irish Constabulary. This would do away with the discontent that has existed in the service owing to the length of time men have had to wait for advancement from class to class under the present system. Constables should not be paid less than 7s. nor more than 9s. per diem, but the pay might be computed by the year and not by the day. All members of the Force should be supplied with free uniform or an equivalent. All promotions should be made by the Commissioner from his personal knowledge of the qualifications of the men and the recommendations of the Inspectors in charge of districts. Inspectors should have authority to fine or reprimand subordinates, and should be empowered to take evidence on oath when holding any departmental inquiries. The present system does not allow them to do so. The Commissioner should have sole control of the department, and should make all appointments, transfers, promotions, discharges, and dismissals. He should also have authority to review, and if necessary reverse, punishments inflicted by the Inspectors. Constables recommended for promotion to the rank of sergeant should be compelled to undergo an examination of fitness for the proposed rank prior to being promoted. The examination should be merely a pass one and not competitive. If monetary rewards are to be continued to members of the Force, I think they should be paid out of the consolidated revenue; but my own opinion is that monetary rewards should be discontinued, and that a system of "favourable records" or "records of merit" should be substituted, and these "records of merit" should be taken into consideration when a man's claim for promotion is being considered. All members of the Force should be subject to periodical transfers, say, once every seven years. Of course, there would be exceptions to such a rule, when, for instance, a man was doing his work well and was well adapted for the duties he had to carry out. The service has always been undermanned, and most of the large towns suffer in consequence. Whenever a vacancy has occurred at a station there has been considerable delay in filling it. I think this should not be the case: a man should be ready to fill any vacancy as soon as it has been created. Presentations of all kinds to members of the Force, their wives, or other members of their families should be put a stop to. It is well known throughout the service that the majority of presentations to members of the Force have been initiated and largely subscribed to by publicans. A pension fund should be provided whereby men who had reached the age-limit could retire from the service and make way for younger and more energetic men. The question of ways and means would, no doubt, be the stumbling-block in the way of establishing such a fund, but I think this obstacle could be surmounted if the Government voted a sum of, say, £5,000 a year for a certain number of years, until the fund was established on a firm basis. When the Post and Telegraph Department was reclassified I understand the Government had to provide an additional £30,000, spread over a number of years. The present reward fund, which is said to amount to about £1,600, should be applied to the pension fund. All fines under the Licensing Acts, including fines for sly-grog selling, a moiety or percentage of all fines recovered in cases where the police were informants, and the salaries received by constables as Clerks of Courts should also go to the pension fund. As there are about eighty constables who act as Clerks of Courts, a sum of £800 per annum would accrue to the pension fund through this channel alone. A certain percentage should be deducted from the pay of all ranks and applied to the fund. The constables who act as Clerks of Courts would still be in receipt of mileage and bailiff's fees, and I think these should be sufficient remuneration for the extra clerical work they have to perform. The application of the £10 per annum to the pension fund would put a stop to a good deal of wire-pulling that constables have always resorted to for the purpose of obtaining a station where they would act as Clerk of Court. All fines inflicted on members of the Force should go to the pension fund. Men who resign, are discharged, or

dismissed for misconduct should not be allowed a refund of moneys deducted from their pay on behalf of the fund. I am satisfied the service will never be efficient until such time as a pension fund is established. If the present system is allowed to continue the Force will be always blocked with men who have passed the best years of their lives in the service, and who have arrived at a time of life when they cannot be considered energetic or efficient in the discharge of their duties. As, however, most of them, owing to the smallness of the pay, may have been unable to make any provision for their old age, they would either have to be allowed to remain in the service, and thereby cause stagnation in promotion, or be thrown out with a year's compassionate allowance, and as soon as this was spent they would, as a last resource, apply to the Charitable Aid Board for their future maintenance. I think it will be conceded that the police have to perform very fatiguing duties, and have to remain exposed to all weathers and run greater personal risks than any other members of the community. The four principal police districts of the colony are, I think, too large, and cannot be efficiently supervised under existing arrangements. Three additional districts should be created from the present Auckland, Canterbury, and Otago Districts. To effect this would necessitate the appointment of three new Inspectors or Sub-Inspectors, and bring the number of commissioned officers up to ten. One of these should be stationed at Invercargill; another should be stationed at Timaru, having charge of all stations between the Rakaia River on the north and Hampden on the south; the other should have charge of the Thames district and all stations in the Auckland District south of Mercer. The headquarters of the Nelson and Westland Districts should be removed from Greymouth to Nelson, and the Marlborough stations could then be taken away from the Wellington District and supervised from Nelson—the most central place for the headquarters of the enlarged district. The headquarters of the Wanganui and West Coast district should be removed from New Plymouth to Wangauui, the latter town being the natural centre of the district and double the size of the former. Palmerston North sub-district could then be taken from Wellington District and included in Wanganui district. This and the arrangement suggested respecting the Marlborough stations would, if carried out, relieve the Inspector in Wellington of a considerable amount of distant supervision, and allow him to devote much more time to the supervision of the duties in Wellington. The Inspectors in the four large centres cannot give proper supervision to the men under them owing to the size of their districts. The constables in the distant stations are not visited oftener than once a year, and the Inspectors have to trust to a supervision through the post-office for the rest of the year. Every station in a district should be inspected quarterly. Later on promotion to the rank of Inspector might be facilitated by the appointment of some of the most experienced senior Inspectors to the position of Police Magistrates at the four large centres, with limited jurisdiction that would allow them to deal with criminal and *quasi*-criminal cases, attend to the laying of informations, the issue of warrants and summonses, and they should also be appointed Coroners for their respective districts and hold all inquests therein. The police have been found fault with in certain quarters for alleged laxity in enforcing the licensing laws; but when the unsatisfactory state of the law on this subject is considered I do not think the police are so much to blame as they are represented to be. I am confident we will never be able to effectively enforce the licensing-laws until such time as section 25 of the English Act is incorporated with our Act. I would strongly recommend that an Amendment Act embodying the provisions of the section quoted be passed next session of Parliament. If this were done I think Sunday and night trading would very soon be put a stop to. The difficulties the police have to contend with in coping with the sly-grog traffic are very great, and are not likely to be lessened in the future, as local sympathy is nearly always on the side of the sly-grog seller. The only effective remedy for this traffic is for the Government to establish a place for the sale of liquor in the various sly-grog centres, or else grant a license. I am sure that the establishing of a proper place to sell liquor in would put a stop to the sly-grog traffic. The quality of the liquor sold by sly-grog sellers is usually the vilest and cheapest procurable. I know of one instance where a sly-grog seller procured a quantity of methylated spirits and brought it in a jar to a certain district; he then collected all the empty bottles he could procure, mixed the spirits with water, bottled it, and then sold it to shearers and station-hands for as much as £1 and £2 per bottle. I may say there were no police-stations within sixty-five miles of the locality where this transaction took place, and the facts were not known to the police until a long time after their occurrence. I merely refer to this incident to show that it would be better to have legalised the sale of good liquor in certain places, and so put a stop to illegal sales of what can be considered little better than poison.

21. *Colonel Pitt.*] No detectives in your district?—No.

22. Do you think any are necessary?—I do not think so.

23. What do you think of the condition of the Detective Force of the colony?—I think better selections could have been made at times.

24. Is it in your opinion at present sufficient?—Not in the large towns. In places, for instance, like Christchurch, Wellington, or Auckland I am certain it is not sufficient—at least, it was not in Christchurch, and it was not in Auckland when I was up there last year.

25. You can speak with some knowledge of the Christchurch district, having been in charge of it?—Yes.

26. But, as to efficiency, how is the Detective Force?—I think it was better there some years ago than it is now.

27. You have heard something of the appointment of the office of Chief Detective; what is your opinion as to that in the different districts?—I think it is immaterial what you call him; somebody must be in charge, and it does not matter whether you call him Chief Detective or Senior Detective. It is merely a name, and signifies very little.

28. You spoke of the Commissioner of Police having sole control; is that control independent of the Minister and responsible only to Parliament?—I think it would be better if he were only responsible to Parliament.

29. You said that instead of monetary rewards there should be records of merit, leading ultimately to promotion?—Yes; they should tell in a man's favour when his claim for promotion is being considered.

30. Do you think any records of merit other than for the detection of crime should go on a man's merit-sheet?—Detection of crime and cases of bravery. I think the extinguishing of fires should not count unless there is saving of life. There might be two classes of records of merit, as is the case, I think, in the Home services.

31. You think nothing should lead to promotion except the detection of crime or some special exhibition of bravery?—Well, length of service and experience in the service and success in a man's work would have to be considered.

32. Would you go so far as to say that jumping into the sea and risking a man's life should lead to promotion or be a matter of reward?—I think a matter for reward, because a man may be a very brave man and still be unfit for the rank of sergeant and Inspector.

33. You have said there should be transfers every seven years; how often do you think Inspectors should be transferred?—I think as often as other men. I think seven years is quite long enough for any Inspector, or sergeant, or constable to be in any place.

34. You spoke of the Force being undermanned; to what extent is the Force undermanned, in your opinion, throughout the colony?—I think Christchurch and about there could do with ten or fifteen extra men. I do not know about Wellington so well. I think in the City of Christchurch the full strength when I was there was forty-one all told, and that number was not sufficient.

35. Can you mention any other district that from your experience should be supplemented in numbers?—Wellington, I have no doubt, but I have no intimate knowledge of it. Auckland I should say, from what I saw when I was up there, was undermanned, but I cannot say to what extent, and they were nearly all junior hands at the time I was there. I think the most of them were under three years' service, and a number of them under one year.

36. *The Chairman.*] Have you many young constables in your district?—There are a few; not many. Two or three junior hands.

37. *Colonel Pitt.*] When speaking of the reconstruction of your district by including Marlborough, do you think that a district including Marlborough and Nelson could be satisfactorily worked without a Sub-Inspector?—Yes, decidedly, if you have good sergeants in charge of the sub-districts; the bulk of the population is in the Nelson District. I think the population of the Nelson Provincial District is thirty-five thousand, the Westland District fourteen thousand, and the Marlborough District somewhere about fifteen thousand.

38. Have you had time to examine the Nelson portion of your district?—No; only the Nelson station while *en route* by steamer from Wellington to Greymouth.

39. We have heard a good deal of political influence in reference to the Force; have you within your knowledge known any instances of that?—I have no personal knowledge; I have heard of it.

40. What is the wire-pulling you referred to?—That has been going on for these stations ever since constables were appointed to act as Clerks of Court, and that, I suppose, is fifteen or twenty years ago. Constables have always been trying to get to these stations where they would act as Clerks of Court.

41. Do you mean from members of the district?—Yes, and from others.

42. If a constable has an honest grievance do you think there is any objection to his asking the member for the district to represent it for him?—I do.

43. Why?—It is subversive of discipline. If he has a grievance he should submit it to his own officer, and let it go to the head of the department to be inquired into by the Commissioner. I think it would be a wrong thing to apply to the member of the district or to any person outside the department until he has failed to get redress from the department. Then, I think he should do it by petition openly, and not behindhand.

44. *The Chairman.*] During your charge in Christchurch was your attention called at any time to the existence of houses of ill-fame: I mean, was attention called to them by any outside complaints?—Not about houses of ill-fame, but frequent complaints have been made to me about prostitutes frequenting Manchester Street and importuning people going by. I do not think, in fact, there are many such houses as you mention in Christchurch. From inquiries I made I ascertained the women were living in private lodging-houses and went about the streets and importuned people.

45. So far as importuning is concerned, is there a proper watchfulness exercised by the police?—Yes; I gave special instructions on that subject on several occasions.

46. Have you ever known of any case of a private information laid by any person in regard to importuning?—No; private individuals, although they come and complain and tell you that such things are going on, will not give you sufficient information to enable you to bring them up as witnesses.

47. And the women are not likely to importune constables?—No; and it is a very difficult thing to catch them in the act of importuning a private individual.

48. And if the private persons do not object?—Then the police cannot do anything. That is not peculiar to Christchurch alone; it applies to all the other large towns. It is just the same with breaches of the Licensing Act.

49. That is one of the great difficulties to securing convictions for these matters, which are matters of common talk?—Yes.

50. *Mr. Poynton.*] Do you think the pay of sergeants is sufficient?—My idea is that, when a man is promoted to the rank of sergeant, there should be a difference of 1s. per day between his rank and the highest rank of constable. At present I think the margin of 6d. is too small.

51. Do you think married constables in towns should have free quarters?—I think so; but if men were not allowed to marry until they had been three or four years in the service there would be very few without quarters in the district.

52. Do you think that would get over the difficulty?—Yes; of course, there would be a few unprovided for who might be unfit for the charge of stations, or who might be brought in from out-stations on account of misconduct to be under the supervision of the Inspector.

53. Would you make an allowance in that case?—Yes, I think so.

54. In the matter of complaints against constables, would you allow a constable the right to appeal from the decision of an Inspector to a Stipendiary Magistrate?—I think his case should go to the Commissioner first.

55. Would not the Commissioner of Police be biassed towards the Inspector?—I do not think so. I may say this: that during my time in the service I have never known a constable to be unjustly punished.

56. You do not think it would be more satisfying to a constable?—I do not think it would. I think the department should be able to manage its own affairs without appealing to anybody outside, except in extreme cases. I know, for my own part, I have always been justly dealt with by the Inspectors over me, excepting one Inspector.

57. *The Chairman.*] Some men think their fate has been different to yours?—I have served under the strictest Inspectors in the service; I have been under Inspectors Weldon, Bullen, and Broham, and other strict men.

58. *Mr. Poynton.*] Do you think the age for retirement should apply to Inspectors as well as to others?—No, because their duties do not expose them so much to all weathers, and so on; it is more inside work.

59. This is a district where people are liable to accidents: is there anything about training the constables under you in ambulance work?—I do not think there is anything here of that kind.

60. Do you think that while in the depot they should be trained in ambulance work?—I think so, as well as in other work. I know there have been ambulance classes in other stations I have been in; the local doctors volunteer to give instructions to the police.

61. Do you think there should be police doctors?—Decidedly, because it would prevent men from malingering, and in any Police Force you will always find some malingerers.

62. *Colonel Pitt.*] Do you think there is much reported crime undetected in your district?—No, I do not think so; there are very few undetected cases in the district.

63. *The Chairman.*] At what periods do you think a rise in the rate of pay should take place?—I think every three years up to, say, fifteen or twenty years. I would have the rise often, and every man should be in the possession of the full pay of a constable at the end of from fifteen to twenty years.

64. *Colonel Pitt.*] In your opinion, are the licensing-laws fairly looked after by the police?—I think they are, considering the great number of publichouses they have to look after on the West Coast.

65. Is there much Sunday trading?—Not to any great extent; no more than in other parts of the colony. I am sure of that. In my opinion, there are certainly too many licensed houses on the West Coast.

66. *Mr. Poynton.*] The population of the West Coast is remarkably free from crime?—Yes; the people are very orderly and very law-abiding, on the whole.

67. *Colonel Hume.*] You joined the Police Force in 1877?—Yes.

67A. Was it under the Provincial or General Government?—General; I think I was the first man transferred from the Armed Constabulary depot to the police after the General Government took over the provincial police.

68. When the provincial police were handed over to the General Government do you consider they were an efficient Force?—Some were efficient. For instance, Otago and Canterbury were certainly efficient. I think, from my experience, that Otago was the most efficient Force in the colony.

69. Then they were considerably over-officered, and there were too many non-commissioned officers?—Yes; before the abolition of the provinces the Provincial Council promoted almost every man under them to be either Inspectors or sergeants. I think about twenty-six Inspectors and Sub-Inspectors came under the General Government.

70. And consequently that has jammed up the promotion ever since?—Yes.

71. As regards these constables you have had from the Permanent Militia, I suppose you have had a good number of good ones?—Yes, some good ones. The majority that came from the Artillery some years back were not suitable policemen, and most of them have left the service. The principle of selection was bad, because they came into the Artillery on somebody's recommendation, and, once in the Artillery, they were thought good enough for the police.

72. How do you know what inquiry was made as to their characters before they got into the Artillery?—I do not know; but I think if there had been some inquiries some of them would never have got in.

73. Do you think the men are physically weaker now than they used to be?—I think a lot of the men in the service now are physically weaker.

74. But from the Permanent Artillery now?—Yes.

75. Do you think there are more cases of sickness in the Force now than there were ten years ago?—I think there are.

76. That is, genuine sickness?—I would not say it was all genuine.

77. We had no influenza in those days?—No.

78. That would make some difference?—Yes.

79. But you think, generally, the men are not as strong now as they used to be?—No; I think they are not up to the standard of the old hands. I think some excellent men have come from the Artillery.

80. Do you find a want of the spirit of obedience in those men recently joined?—Yes.

81. What do you attribute that to?—I do not know what to attribute that to. I have found such to be the case.

82. If you have found such to be the case, is the fault due to the Inspectors and non-commissioned officers under whom the men have been placed?—I do not know. I know in one instance I gave instructions to a constable and he resented it, and he told me either he or I would have to leave the station.

83. What happened then?—I reported the matter, and no result followed.

84. Who did you report to?—The Inspector in charge of the district.

85. Who was the Inspector in charge of the district?—He is dead now. I heard no more about the matter. I reported the man on another occasion to the same Inspector, and heard no more about it.

86. Taking the Inspectors generally in the Force that would not be your experience?—No.

87. From what you have seen of many of these Artillery recruits, do not you think they are just as capable of being licked into shape as other men in former days?—They have been spoiled before they came into the police; their loose style of living and habits have been carried into the Police Force.

88. Then, their Artillery training unfits them?—I think so; I think barrack-room life does not improve a man for police work. I think, though, every man should be drilled.

89. Do you think the recruits are as intelligent now as they used to be in the olden days?—I take Christchurch, for instance, and, comparing the men there at the present time with the men who were there when I was there in 1886 and 1887, I think the men there now are not as intelligent as a body as the men there in 1887, and they are not as good physically. One thing about the men in Christchurch at the present day is that they are certainly more sober than those there in 1886–87, but they are not as good constables.

90. Well, now, has a case ever come under your notice of a man having been prevented from doing his duty through ignorance of his duties?—That, of course, I do not know.

91. No case has come under your notice?—No, because something might come under a man's notice, and he might pass it over, and I might not hear that he had done so.

92. Then you said nearly all the hands in Auckland when you were there were junior hands?—I mean the men on the street; the older men were in the out-stations and offices.

93. Do not you advocate that men after a certain time should get charge of stations?—Yes; but you want to keep a percentage of experienced men in the town.

94. Were not these experienced men, for instance, in all the suburban stations around Auckland?—I do not know the suburban men in Auckland.

95. The junior men were given stations over older men some years ago?—Yes, in a few instances.

96. Have you known that to be done within the last seven or eight years?—No, I do not remember any instance of the kind within that period.

97. You say the liquor-laws have been carried out on the West Coast as well as most other places; have you ever been given to understand that they were not to be carried out rigorously?—No. On the contrary, I know when you were Commissioner you always encouraged me to see that the liquor-laws were carried out.

98. You have served under a good many Inspectors: do you know of any who may have been in the habit of bullying their men?—No. Of course, it has been said that Mr. Broham has done so, but I was for years under him, and I can say this: that I was never better treated by an officer than I was by him.

99. Then, if a constable came to the Commission and said he was so treated when serving under Mr. Broham you think he would be exaggerating?—I only speak of my own experience, and I may say this: that I never knew an Inspector who showed more consideration to married constables than Mr. Broham did.

100. Do you think it is possible for constables to have entries in their defaulters' sheets without them knowing of it?—I do not think it is possible.

101. Then, it is not possible for a constable to have been fined 2s. 6d. and an entry made in his defaulter's sheet without him knowing of it?—I do not see how it is possible, because the man must know at the end of the month that 2s. 6d. had been deducted from his pay, and unless he was a very careless man he would want to know what it was for.

102. You were talking about detectives: has it not come under your notice that jealousy very often exists amongst detectives themselves?—Yes; that has existed, I believe, and that was caused a good deal by this system of monetary rewards and the desire to obtain notoriety by getting their names in the newspapers.

103. I think, when in Christchurch, you told Constable Fleweller to inquire into the character of a man named Timothy Lyons, who applied for the Bower Hotel?—Yes.

104. I think you got a report (which was shown to the Commission in Christchurch), and then you ordered Detective Benjamin to make some further reports. Why did you want a second report?—I think something was told me about this man having held a license in Christchurch, or somewhere about Christchurch, before, and that he had not conducted the house very well. I have no distinct recollection of the correspondence. I believe the District Clerk told me Benjamin knew that Lyons did not conduct the hotel in Christchurch in a proper manner.

105. Then, it is nothing unusual to get in reports from different constables or detectives about men who want a license for a publichouse?—No; so far as I am concerned, I am very

anxious that no one shall get a publichouse license unless I am thoroughly satisfied he is a suitable man.

106. *The Chairman.*] Was any influence brought to bear on you to induce you to get the opinion of any other constable than Flewellen?—No. No one saw me or approached me on the matter at all. It was simply done on my own motion. The man was a complete stranger to me, and it was simply what appeared in Flewellen's report that induced me to do what I did. To my mind I think Flewellen is one of the best constables about Christchurch, and one of the most trustworthy.

107. *Colonel Hume.*] I understood you to suggest that the headquarters of this district should be moved to Nelson?—Certainly.

108. Nelson is fifteen hours' steam from Westport, and twenty hours' steam from Greymouth: would it not be very inconvenient if the Inspector was in Nelson and anything happened down on the coast?—I do not think so. It would be more convenient than up in the North, for instance. In Auckland it would take the Inspector a week to get to some of his stations.

109. If there is any disturbance in your district it is likely to be in either Westport or Greymouth?—It might be.

110. Well, how would you get here?—There is a steamer three times a week and a coach twice.

111. Do you think it would be inconvenient for the Inspector to be at Nelson?—No, I do not think so; and you could include Marlborough in his district, and so relieve the Inspector at Wellington. It would take some work from him and give the Inspector here more work.

112. *Mr. Tunbridge.*] You think the pay should be by year and not by day?—Yes.

113. I should like to know why you mention that?—It would be more easily computed for one thing.

114. At the present time you have some men paid £10 per month and others 7s. per day?—Yes; and others have 1s. per day long-service pay, so that there are two or three systems of pay at the present time.

115. Generally you find broken periods cause confusion in reference to the men receiving £120 a year?—I do not think it causes much confusion.

116. You can recognise that daily pay would be more suitable?—It may be. I dare say it would.

117. Do you think there should be a reserve of men in each district?—I think there should be extra men in each district to relieve men on leave and in cases of sickness or escort duty.

118. I mean in districts generally?—In the larger centres there should be extra men I think.

119. In reference to prostitutes in Christchurch, while you were there you made extra efforts to stop this trouble?—Yes.

120. It resulted rather badly for one sergeant who was engaged?—Yes; he was rather anxious to put down the nuisance and acted over-zealously.

121. You found it very difficult to regulate this nuisance in the streets with the law as at present?—It is very hard; the prostitutes did not commit themselves in any way, or do anything that you could arrest them for. You simply saw them speaking to somebody, and if you asked the person who was spoken to what was said he might tell you they asked what time of night it was or something of that sort. You could not get them to volunteer evidence that would secure a conviction.

122. In regard to defaulters and the right of appeal: in the Royal Irish Constabulary there are Courts of inquiry, are there not?—Yes.

123. Who formed these Courts of inquiry?—Two commissioned officers constitute the Court and hear the charge. The Inspector in charge of the district does not hear it; he prosecutes.

124. These are police officers in no way concerned in the complaint?—They are not.

125. And they have power to take evidence on oath?—Yes.

126. Did you find that system to work well in the Royal Irish Constabulary?—Very well.

127. Do not you find that Stipendiary Magistrates are very likely, in dealing with police cases, to overlook the question of discipline and to look at the matter purely from a point of law—say, in the matter of a drunken policeman?—Yes; that is why I say the department should look after its own affairs.

128. Therefore you think the right to appeal to a Stipendiary Magistrate would be improper?—I think so. I think if the signs of liquor are at all apparent on a policeman it is a danger to the public to allow him out in that state, although he would not be what is termed legally drunk.

129. Do you not think, if a Court or Board could be set up with at least one police officer as a member, that that would be a much more satisfactory tribunal or Board of appeal?—I think a police officer should have a seat on any Board that may be set up.

130. In regard to recruits, do you think the best recruits for the police are drawn from the rural districts?—I think the better class of men come from the rural districts and from the small towns. You get some good men from the large towns, but the most of them contract bad habits before joining the police.

131. Your minute in regard to Lyon's Bower Hotel business was that you understood Detective Benjamin knew something of the applicant, and you asked him for a report?—I think that information came from the District Clerk.

132. Your only desire was to get the fullest information about the man?—Yes, because if Constable Flewellen's statements had been borne out I should certainly have opposed him getting a license.

133. With reference to districts being reduced in size, do not you think if there were Sub-Inspectors appointed at the four principal districts that that would meet the difficulty?—I am afraid not. I fear there would be friction between the Inspector and Sub-Inspector. I think it would be better to reduce the size of the districts and increase the number of Inspectors.

134. How could friction creep in if a Sub-Inspector is a subordinate under the Inspector?—Of course, in a strictly disciplined Force it would not occur; but in this Force discipline is not yet up to the standard it has reached in the Home service.

135. But in the Provincial Forces you had Sub-Inspectors running districts practically independent?—Yes, for a short time. I think they all worked to be made Inspectors, and succeeded.

136. On the appointment of Sub-Inspectors would not the Sub-Inspector be at the principal station under the Inspectors?—Yes; but the standing and duties of the Sub-Inspector would have to be clearly defined, so as to prevent friction between himself and the Inspector. I think it would be better to give him a district to himself.

137. The Inspector is necessarily often away from his district, is he not?—Yes.

138. Who deals with the correspondence in the Inspector's absence?—The District Clerk; and that is one of the anomalies of the service. He may be a third-class constable and yet take charge of the whole district while the Inspector is away, and issue instructions to the sergeant or sergeant-major, as the case may be. It is subversive of all discipline and against the regulations, and should be put a stop to without delay.

139. Well, if you had a Sub-Inspector in charge during the absence of the Inspector would not that difficulty be removed?—I do not see why it should not be removed at once by the sergeant in charge at headquarters taking the Inspector's duties, as laid down by section 31 of the Police Regulations.

140. I have a report here in regard to ambulance work; do you find in that report that five men in this district have received ambulance instruction?—Yes; three at Westport, one at Brunnerton, and one at Reefton.

141. *Mr. Poynton.*] Do you think, having regard to the extra cost of living on the West Coast, that there should be an allowance granted to constables?—I should reckon the cost of living on the West Coast is 25 per cent. dearer than in other parts of the colony. I do not know that an allowance should be made. I think the men should not be allowed to remain too long on the Coast. I think they should be transferred from the West Coast oftener than from other parts of the colony. I think that that would meet the difficulty. I also think no sergeant should be allowed to remain in a station by himself.

142. What is the objection?—He should not hold the rank if he remains in a station by himself. The rank of sergeant is for the purpose of supervising subordinates.

143. Do sergeants in charge of sub-districts inspect personally every station in the sub-district?—They should do so, but they have not regularly done so.

144. Have they not been instructed to do so?—There is no standing order directing them to do so.

145. Who does inspect these stations?—The Inspector.

146. But there is no systematic inspection by sergeants in charge of sub-districts of the stations in the sub-districts?—No.

147. How often do you think stations in charge of constables should be visited by a superior officer?—I think once a quarter at least.

148. Do you think the visit of the sergeant in charge would be sufficient?—I do not think so. I think the Inspector should visit once a quarter.

149. *Colonel Pitt.*] What do you think should be the minimum standard height?—Not less than 5 ft. 8 in.

150. *The Chairman.*] To which do you attach the most importance, the height measurement or the chest measurement?—Chest measurement.

151. You said something about the physique of the present Force; have you any reason to believe that venereal disease has anything to do with the condition of the Force?—It may have a little, but I do not think to any extent. Of course, some men in the larger towns may contract it, but I cannot say so from my own knowledge.

152. Have you any reason to believe that it exists to any great extent?—No, I have not.

153. Have you had any representations in connection with that?—No.

154. *Mr. Tunbridge.*] You know I have endeavoured to create a sub-district arrangement?—Yes.

155. And in furtherance of that idea your district has been increased by one sergeant at Reefton?—Yes; that came into force immediately before I left for Christchurch last January.

156. As a matter of fact, it is scarcely in working-order yet?—No, I do not think the sergeants in charge quite understand the position yet.

157. You understand that the correspondence was to go through the sergeant in each sub-district, and that he was to have general supervision under you of that sub-district?—Yes.

158. Of course, it needs some augmentation to get the thing properly working?—Yes.

159. And unless Parliament sanctions it we cannot get the men?—No.

160. And so it has not been possible to put the thing in proper working-order yet?—No.

161. *Colonel Pitt.*] What is the difference between this system and the previous system?—Well, Reefton was not a sub-district.

162. Then, it is merely making more sub-districts?—Yes; and putting it on a more firm basis, as it were.

163. *Mr. Tunbridge.*] As a matter of fact, was the sub-district system allowed to lapse through there being no sergeants in charge of these districts?—Yes.

164. Do you not know that when I endeavoured to revive the sub-district system it was necessary, before I could put it into operation, to promote nearly twenty sergeants?—Yes, that was so.

165. So that there were sub-districts geographically, though they were not sub-districts because there were no sergeants to put over them?—Yes.

166. *The Chairman.*] So far as you know, is there much gambling in your district?—No, there is not.

167. Any “tote”-shops?—No.

168. Do you say that in your opinion the men should be confined to police duty?—I think they should as much as possible.

169. That outside offices should not be held by them?—Yes. While I was stationed in Napier I was Registrar of Electors, Inspector of Factories, Inspector of Weights and Measures, and something else, and I had charge of a very large sub-district; and it meant that I had to work from eight in the morning until midnight to keep things straight, especially when the general election was coming on. I got nothing for these extra offices.

170. Speaking of the position of many of the men in charge of stations who hold these outside offices, have you found that their duties as police officers have been interfered with by the performance of outside duties?—I cannot say; I cannot call a case to mind.

171. Notwithstanding that, you feel that it is an undesirable thing for men to hold these offices?—Yes.

172. You heard a witness tell us that he was accountable to various departments in connection with these outside offices. Do you think it is a right thing that a police officer should be communicating with any other department than that in which he is engaged?—I think it would be better if they had only police work to attend to. It creates a want of discipline if they hold appointments from other departments.

173. Do you suggest that the correspondence they receive from other departments should pass through their police superior?—I cannot suggest it should do so, because the district offices would be burdened with correspondence that did not concern us.

174. Do you think that police officers should hold offices under local bodies?—No, decidedly not.

ALFRED HASSALL KING, examined on oath.

175. *Mr. Tunbridge.*] Are you Registrar of the Supreme Court at Hokitika?—Yes.

176. And are you Registrar of Deeds for that district?—I am District Land Registrar, and it is papers in connection with the District Land Registrar's office that I have been subpoenaed to produce to-day.

177. Do you produce the deeds named in the subpoena?—I produce the register; that is a duplicate of the original of the title. I presume Sergeant Hannan himself has the titles.

178. Does that deed refer to the transfer of a property at Stafford upon which the Excelsior Hotel stood?—It refers to a property at Stafford—No. 34—which is bounded by Church Street, on the right-hand side by High Street, but I do not know whether the hotel is built upon it.

179. Is there a memorandum of transfer from Miss Conway to Daniel Hannan?—Yes; that is the last memorial upon the title-deed.

180. What is the date of that?—This only shows the date of registration. It was registered on the 6th August, 1896.

181. Can you tell the date of the actual transfer?—I brought the transfer with me, and that is the transfer of the three sections. It is dated the 6th August, 1896.

182. Who is the transfer from?—Catherine Conway, Stafford, spinster, to Daniel Hannan, Stafford, police sergeant.

183. Who were the witnesses?—In the presence of Earlam J. Gibson, solicitor, Hokitika.

184. *Colonel Pitt.*] How is she registered—as proprietor?—She got it by transmission from Catherine Conway, who died on 3rd July,

185. Was she registered as executrix?—Yes.

186. *Mr. Tunbridge.*] Does it give the consideration?—£45 for the three sections.

187. Will you kindly read the whole transfer describing what the property is: is it described beyond the three sections?—The transfer reads as follows:—

MEMORANDUM OF TRANSFER.

I, Catherine Conway, of Stafford, in the Provincial District of Westland, in the Colony of New Zealand, spinster, being registered as the proprietress of an estate of inheritance in fee-simple, subject, however, to such encumbrances, liens, and interests as are notified by memorandum underwritten or indorsed hereon, in all that piece of land situated in the Town of Stafford aforesaid, containing 9 perches, be the same a little more or less, being section numbered 34 on the map of the said town deposited with the Chief Surveyor of Westland, in the Land Office at Hokitika, in the Provincial District of Westland aforesaid, as the same is more particularly delineated and described in the books of the District Land Registrar for the Land District of Westland, vol. i., folio 103: And also in all that piece or parcel of land situated in the Town of Stafford aforesaid, containing 4 perches, be the same a little more or less, being section numbered 35 on the map of the said town, as the same is more particularly delineated and described in the books of the District Land Registrar aforesaid, vol. i., folio 104: And also in all that piece or parcel of land situated also in the Town of Stafford aforesaid, containing 3 perches, be the same a little more or less, being section numbered 36 on the said map, as the same is more particularly described and delineated in the said books of the said Registrar, vol. I, folio 105: In consideration of the sum of £45 paid to me by Daniel Hannan, of Stafford aforesaid, police sergeant, the receipt of which sum I hereby acknowledge, do hereby transfer to the said Daniel Hannan all my estate and interest in the said pieces of land.

In witness whereof I have hereunto subscribed my name this 6th day of August, 1896.

CATHERINE CONWAY.

Signed on the day above named by the said Catherine Conway, in the presence of Earlam J. Gibson, solicitor, Hokitika.

188. There is nothing there to show what buildings were on the land?—No.

189. Did the deeds show any?—No.

190. *The Chairman.*] Has that same property been subsequently disposed of?—No; Hannan is what I call the registered proprietor.

191. *Colonel Pitt.*] It appears from the memorial indorsed on the certificate of title that Catherine Conway, who sold to Daniel Hannan, took the property under the will of another Catherine Conway. Do you know whether her mother, or what relative?—No.

FREDERICK JOHN SIMON CHARLES HENNE, examined on oath.

192. *Mr. Tunbridge.*] You are a hotelkeeper, living at Stafford?—Yes.

193. On the 7th August, 1896, did you purchase the good-will and interest connected with the Excelsior Hotel?—On the 15th or 16th July.

194. Is this the deed of assignment, viz.:—

This deed, made this 7th day of August, 1896, between Frederick John S. C. Henne, of Stafford, in the Provincial District of Westland, hotelkeeper, of the one part (hereinafter, with his executors, administrators, and assigns, referred to as "the said purchaser"), and Daniel Hannan, of Stafford aforesaid, constable (hereinafter, with his executors, administrators, and assigns, referred to as "the vendor," of the other part: Whereas the said purchaser has agreed with the said vendor for the sale to him of all his interest, good-will, and the said chattels and things hereinafter mentioned and all now connected with the trade or business of an hotelkeeper carried on in the premises situate at Stafford and known as Excelsior Hotel, for the price or sum of £160 and the covenants herein contained: Now this deed witnesseth that, in pursuance of the said agreement, and in consideration of the sum of £160 to the said Daniel Hannan paid by the said Frederick John S. C. Henne immediately before the execution hereof (the receipt of whereof is hereby acknowledged), he, the said David Hannan, doth hereby sell, assign, transfer, and set over unto the said Frederick John S. C. Henne, his executors, administrators, and assigns, all the benefit, interest, and good-will of the late Catherine Conway in the trade or business of an hotelkeeper, and also the billiard-table, billiard-balls, cues, pins, and furnishings belonging to the said billiard-table, and all the right, title, and interest of the said vendor therein or thereto, to have, hold, receive, and take the several premises hereby assigned unto the said purchaser, his executors, administrators, and assigns absolutely; and the said Daniel Hannan doth hereby covenant with the said Frederick John S. C. Henne, his executors, administrators, and assigns, that the publican's license now in existence in respect of the hotel premises known as the Excelsior Hotel, at Stafford, shall be handed in for cancellation to the proper authority by the proper person, and that such cancellation in conformity with the Licensing Act shall be procured in the month of September, 1896: And the said vendor, for himself, executors, administrators, hereby covenants with the said purchaser, his executors, administrators, and assigns, that he will well and truly pay or cause to be paid to the said purchaser, his executors, administrators, and assigns, the sum of £100 if at any time after the date of this deed the hotel known as the Excelsior at Stafford, or any other building hereafter standing on the parcel of land described as Sections 38, 39, and 40, situate at Stafford Town, is used directly or indirectly by himself, his executors, administrators, and assigns as a licensed hotel or place for the sale of intoxicating liquors or a billiard-room, and the said vendor hereby further covenants that he hath good right to assign the said premises hereby assigned.

In witness whereof the parties hereto have set their hands and seals the day and year first above written.

D. HANNAN.

Signed, sealed, and delivered in the presence of Thomas V. Byrne, solicitor, Kumara.

That is dated the 7th August, 1896, is it not?—Yes.

195. You say you agreed to purchase before this date?—Yes.

196. Do you remember the date?—It was three weeks before this.

197. You agreed with whom?—I asked Mr. Hannan to buy it for me.

198. That was the sergeant?—Yes.

199. Will you state what took place between yourself and Sergeant Hannan?—I asked him to buy that hotel for me—the good-will.

200. How did it come about?—There was a general talk about business and one thing and another.

201. Where did this take place?—In the street.

202. How did he come to buy this for you?—I cannot tell you the reason; I have no idea.

203. From whom did the suggestion first come?—From me.

204. Did you know at that time that the house was going to be sold?—The mother of the girl who sold it had died about a month or three weeks before that, and the girl wanted to sell it; and I, being a publican, thought that perhaps I could get it cheaper if I got somebody else to buy it—to act as agent for me, and I asked Mr. Hannan if he would do that for me.

205. Do what?—Buy the good-will of the hotel and the billiard-table and what belonged to the billiard-table.

206. Not the building and the ground?—No; the license was about one month old, and I asked him to buy the license and the billiard-table, so that I could get the house and shut it up. The girl could do what she liked with the house and the section—I did not want them.

207. Was any amount agreed between you to be paid for it?—I told him he could go up as high as £150.

208. You were willing to pay for the unexpired term of the license, the good-will, and the billiard-table?—Yes.

209. What took place next?—She would not sell at that price.

210. Who said so?—Mr. Hannan. Mr. Hannan told me that she wanted £170.

211. This was later on; can you say about when?—Two or three days afterwards; and he said Miss Conway wanted £170, and I said I would not give it. I told him to go and offer £160, and that if she would not take that I would have nothing more to do with it.

212. Did you see Sergeant Hannan again after that?—Yes.

213. How soon after?—The same evening.

214. He came to you again?—Yes.

215. What took place then? Did he tell you the result of his negotiations?—He told me that she would sell it for £160.

216. To him?—Yes, it must be to him.

217. That she was willing to sell it to him for £160?—Yes, or anybody else; but she did not know I was going to buy it.

218. What did you understand this £160 was for?—For the good-will of the house, the license, and the billiard-table.

219. Did you understand from Sergeant Hannan that it was to include the house itself and the ground, as well as the good-will of the business and the license?—No.

220. Then, did you pay him a deposit?—Yes.

221. How much?—£20.

222. Do you know the date of that?—About the 16th July; it was three weeks before the deed of assignment.

223. When did you pay him the balance?—When that deed was signed—the 7th August, 1896.

224. What was the balance?—£140.

225. And the deed already put in is the deed of assignment?—Yes.

226. Well, now, did you know that Sergeant Hannan had purchased the house and plots of land?—Yes, before I signed the deed.

227. Did you know what he paid for them?—No; I was told, but it was only on hearsay.

228. Did he tell you?—No.

229. Did you know the amount you paid him included the purchase of the house and plots of land?—I did.

230. And you were satisfied not to have more than the good-will of the business?—I was satisfied, as I said; it was no use drawing back when I heard that, and I thought I might just as well stick to my bargain.

231. *The Chairman.*] Do you say you did ask him to buy it for you?—I said I only wanted the house shut up, and to take the billiard-table out of the house, and that the girl could do what she liked with the house so long as it was not opened up again as an hotel.

232. *Colonel Pitt.*] Then, he was not to buy the house and land for you?—No, only the good-will and the billiard-table.

233. *Mr. Tunbridge.*] Did you pay any consideration to him for what he had done?—I did not.

234. Were you willing he should keep the house and land after the place was shut up?—I could not help it after I had bought it.

235. *The Chairman.*] Do you say now that Sergeant Hannan deceived you in this matter?—I would not say that.

236. *Mr. Tunbridge.*] Did you understand that the £160 you paid included the purchase of the house and the land as well as the good-will of the business?—I did not know it when I paid the deposit of £20, but I knew when I paid over the balance.

237. And yet you were content to abide by the understanding between you?—I had to be content.

238. Was there any understanding between you and Sergeant Hannan as to the commission he was to get, if any?—I told him if he got it I would give him £10.

239. You did not give him £10?—No.

240. You thought he had enough by having the house and land?—No; he said he did not want it.

241. Did you believe when you paid the £160 that he had paid £160 to Miss Conway?—I did not believe it.

242. Did you know he had not?—I could not swear to it, but I did not believe it myself.

243. But he told you he had?—Yes, he told me it cost £160.

244. But you did not believe what he was saying was true?—I did not.

245. You thought he was making something out of it?—Yes.

246. Can you give the date when the house ceased to be carried on as an hotel?—The same morning that I paid the balance—the 7th August, 1896.

247. It had been carried on by Miss Conway up to that time?—Yes; she had three weeks to shut it up, from the time of the deposit.

248. Then, it was shut up from the 7th August?—Yes.

249. Was any other person present when this conversation took place between you and Sergeant Hannan?—One time there was.

250. Who?—Mr. Byrne.

251. What part of the conversation took place in Mr. Byrne's presence?—About the price of the house after it was bought.

252. Do you mean at the time you paid over the balance?—Before that.

253. Tell us what took place between you and Sergeant Hannan when Mr. Byrne was present?—We told Hannan he got the house cheaper than he said he did, and, of course, he said he had not, or something to that effect. I cannot tell the exact words, and he did not tell us what he paid for it. He did not say that much, but he did lead me to believe that he paid the same price as I was giving.

254. You were very anxious to get the house shut up, I suppose?—Yes.

255. *Mr. Hannan.*] You said you understood Sergeant Hannan did not give £160?—Yes.

256. And I think you made some complaint in Mr. Byrne's office; did you not make some complaint before you paid the balance of £140 whilst that document was being drawn up?—Yes.

257. And did not Sergeant Hannan state he had resold to you, and that if you were dissatisfied he would give you back the £20 deposit and keep the property himself, before you paid the balance?—He did.

258. And what did you say to that; you were agreeable to that?—At first I said, "Yes, I will take the deposit back," and then I thought over the matter, and I said that as I wanted the house closed up I would keep to my bargain.

259. At all events, he gave you an opportunity, if you were dissatisfied, to take your deposit back?—Yes.

260. And you were always agreeable to giving £150 first and £160 finally for the property you got in that deed?—Yes.

261. And you admit that before you paid that balance of £140 Sergeant Hannan included in his bargain the land and the buildings—that he would get these other matters?—Yes; I did not know what he paid for it, but I was sure he paid less for it.

262. You were quite sure he paid less than £160 and would also have that property for himself?—Yes.

263. And you were still agreeable to go on with the transaction?—Yes.

264. I think I understood you to say that in the several conversations Sergeant Hannan came to you and told you Miss Conway would not take £150, but wanted £170, and you said you would not give it, but authorised him to go to £160?—Yes.

265. But you also say he never at any time told you what he gave her for it?—No.

266. So he did not make any representation to you about the amount he paid her for it?—No.

267. But he told you on one occasion that she wanted £160, but he never told you what he gave her?—No; I was under the impression she got the money.

268. How do you reconcile your statement that you were under the impression she got this £160 when you have told us you were perfectly certain at the time of squaring up in Byrne's office that he was making a profit, and never had paid £160?—I told those gentlemen before that I wanted to close the house up, and that I had made a bargain and I stuck to it.

269. But you must be wrong in one or the other statement. You said you were certain he had not paid £160 at the time you completed the bargain, and now you tell me you were under the impression he did give Miss Conway the whole of the £160?—When I completed the bargain I knew very well that Miss Conway did not get £160, but when I made the bargain for the £160 I was under the belief that the money was going to Miss Conway, but afterwards when I paid the balance I found out she was not getting it.

270. So before you paid it you knew the money was going to the sergeant, and that you were purchasing from him?—Yes.

271. And I see by the deed that you got a covenant that he had to refund you £100 if that property was ever reopened as an hotel, so you knew you were dealing with him personally and not with Miss Conway?—Yes.

272. The building on these sections was very old and dilapidated, and, in fact, valueless as a building?—I did not care much about it.

273. Nor the ground either?—No.

274. You did not consider there was any value in either the land or the building?—Not much.

275. And I think immediately after this transaction was completed Sergeant Hannan commenced to pull the place down and put up a new place?—Yes.

276. I think you told us that immediately the transaction was completed the premises were closed and the license cancelled?—Yes.

277. So the sergeant never remained owner of it or used it as a publichouse?—No.

278. *The Chairman.*] How do you quite reconcile that with your statement that you asked him to buy it for you: if you asked him to buy it for you, what happened before you realised that he was vendor, and that you were buying from him: did you understand he was going to buy it in his own name and then sell it to you?—Not when the bargain was made I did not.

279. Did you suppose he would reveal your name as the buyer?—I told him not to.

280. In whose name did you suppose he would buy it?—I did not know.

281. You knew if he did not buy it in your name he would have to buy it in somebody's name?—Yes.

282. Then, do you find any fault with him for buying it in his own name?—I found fault with him at the first go off, but not now. I stuck to my bargain.

283. But do you find any fault with him for buying it in his own name instead of in your name?—I told him not to tell who it was for.

284. You knew he had bought in his own name, and, knowing that, you bought off him?—Yes.

285. *Colonel Pitt.*] How did the bargain about the matter commence; who suggested buying it first?—I did, after the girl's mother died. I heard she wanted to sell it.

286. What did you suggest to Sergeant Hannan?—To buy it for me, but not to let the girl know who it was for.

287. Was he to buy it in his own name for you?—I did not ask him; I did not tell him what name. I understood he was acting for me in the matter of the license and the billiard-table.

288. He was to give £160 for you?—Yes.

289. You are quite sure you spoke to him first about buying it, and not he to you?—I am quite sure of that.

DANIEL HANNAN, examined on oath.

290. *Mr. Hannan.*] You are sergeant of police stationed at Stafford?—Yes.

291. Will you just explain the commencement of this transaction?—I think in July, 1896, Miss Conway was desirous of disposing of the property she had at Stafford. She asked me to buy it, as I had bought previously to that some freehold property off her mother. I told her that so far as I could see I did not require it, and that she had better place it in the hands of an auctioneer or solicitor. She said she would not do that because she thought the expense would be too great, and that she would like to get whatever it brought intact, without having to pay any costs out of it afterwards. I advised her to remain in the place, as she might possibly make a living out of it and

to keep a relative of hers who was there with her. I may say that previous to this and before the death of her mother the license was transferred to a man named Glynn. She pressed me to buy, and said, of course, I could afford to pay the money, and she would rather give me the preference. I suggested she should sell probably to Mr. Henne, but there seemed to be some misunderstanding between them, and she did not seem desirous of having any transaction with him. I do not know why; perhaps because he was an opposition publican. After consulting my wife I decided on buying the business for a sister-in-law that I had, but on further considering the matter I abandoned that idea. I told her to consult her brother-in-law, who was in the neighbourhood, and her sister, and she told me she would consult Mr. Gibson, solicitor, who was also a friend of hers. She sent for Mr. Gibson to Hokitika, and he came up there in a trap, and in his presence I agreed to give Miss Conway £135 free of all costs of transfer and transmission.

292. Who was to pay these costs?—I was—all costs. In fact, it was understood I was to pay them and to buy the glasses and other things she had in the bar. Altogether it cost me £147.

293. When you made that bargain in the presence of Mr. Gibson was that for yourself?—For myself.

294. *Mr. Poynton.*] At that time you had abandoned the idea of buying it for your sister-in-law and bought it for yourself?—Yes.

295. *Mr. Hannan.*] Did you pay any deposit?—I gave her a cheque for £20 of a deposit in the presence of Mr. Gibson.

296. You heard Mr. Henne giving some evidence as to a conversation about £160: when did that happen?—Immediately after I paid the £20 deposit; I think that afternoon I told him I could sell him the good-will. I might mention he had often before that spoken to me about closing up the hotel. I told him then I wanted £170.

297. And what for?—For the billiard-table, for the good-will of the house, and, of course, the license to be cancelled at once. He said he would give me £150, and I think it was the next evening or the evening after that—at all events, we met again, and he said he would give £160.

298. Did you agree to accept that?—Yes.

299. Was any deposit paid?—Henne gave me £20 deposit.

300. Was any receipt given for that deposit?—Yes; I gave him a receipt in my own name.

301. Can you produce the block of your cheque?—No; but I can produce the receipt from Miss Conway for the £135. It is dated the 4th August, 1896, and is as follows: "Stafford, 4th August, 1896.—Received from Mr. Daniel Hannan the sum of £135 (one hundred and thirty-five pounds) sterling, being payment in full for purchase of Excelsior Hotel, billiard-table and furniture, section, &c.—K. CONWAY, executrix C. Conway." Here is another receipt from the solicitor for another £2 for costs of transmission.

302. Did you get any receipt for the deposit?—I did, but I could not find it on the file when I looked for it.

303. *The Chairman.*] You say you paid £20 by cheque; have you got the block of that cheque in your possession?—I must have it in my possession, but I have not got it here.

304. On the same day you say you gave the receipt for £20 to Mr. Henne?—Yes.

305. When did you get the receipt for the £20 paid to Miss Conway?—Some time in July, because the cheque was on the Bank of New Zealand at Hokitika.

306. Was the cheque drawn in July?—Yes; in addition to that there was another receipt for £5 which I could not find this morning.

307. *Mr. Hannan.*] You heard Mr. Henne say he paid £20 before the purchase was completed; is that about right?—Yes.

308. Then, your £20 deposit was paid a couple of days before you sold to him?—Yes.

309. Then, according to that receipt on the 4th August you paid £135 and took a receipt for the lot?—Yes.

310. Then, you received your money from Henne after your purchase?—Yes, on the 7th August, 1896.

311. Then, you completed all the purchase with your own money?—Yes.

312. And you resold to him afterwards?—Yes.

313. I see the transfer which was produced by the District Land Registrar purports to be for £45; was that an apportionment for the purposes of the Stamp Duty Act, or did you buy the lot for £135?—Yes.

314. Who fixed the sum of £45 as the amount to be mentioned in the transfer?—Mr. Gibson, in Hokitika.

315. And that was an apportionment for the purpose of the Stamp Duty Act?—Yes.

316. And after you completed your purchase on the 4th August you had an interview with Mr. Henne in the presence of Mr. Byrne; where was that at?—At Stafford.

317. Was anything said in regard to the price you gave to Miss Conway, or was any complaint made by him?—He said he wanted to get a guarantee from me of £100 that the place would not be reopened, and I said, "Certainly, of course," and I gave him a guarantee.

318. Do you recollect if there was some complaint in regard to the purchase-money or in regard to the property?—Yes; the same day Mr. Henne and Mr. Byrne came to me, and he said he was dissatisfied, and said he understood I bought it cheaper, and I said, "Yes; if you are dissatisfied I will give you back the £20 deposit," in the presence of Mr. Byrne. That was before the deed was completed. He said so long as the place was closed he was perfectly satisfied.

319. Did he know before he paid that balance of £140 that you had purchased the sections and buildings and other property?—Yes.

320. And he was not to get them?—Yes.

321. Were they of any value or of any use? How much would you say?—Practically valueless.

322. What did you do with the building?—I pulled it all down except a portion of the roof.
323. And turned it into a dwelling-house?—Yes.
324. The license was cancelled immediately you completed with Miss Conway?—Yes; it was cancelled before I signed that deed with Mr. Henne. There was an indorsement on the license by Miss Conway surrendering it for cancellation.
325. *Mr. Poynton.*] I thought you said it was in the name of another man?—So it was, but it was never registered to him. The transfer was prepared before her mother died, but it was never put through.
326. *Mr. Hannan.*] When you purchased in the first instance from Miss Conway you said you purchased it for yourself?—Yes.
327. And were you acting in the transaction in regard to that purchase for Mr. Henne as agent for him?—Certainly not.
328. You purchased it for yourself?—Undoubtedly.
329. *The Chairman.*] Had he requested you to buy it for him?—He spoke to me some time before that, but I told him she would not sell to him.
330. He said he asked you to buy it for him, and not to mention his name in the matter?—He did, but at the time when he asked me that I had the transaction almost completed in my own name.
331. Did you communicate that to him?—I did not.
332. Did you say it was subsequent to your paying the £20 deposit by cheque that he asked you to buy it for him?—No; but he had been speaking to me about buying it for him before that, and that he was anxious to buy it. He wanted to close the hotel.
333. *Mr. Tunbridge.*] Then, Mr. Henne's statement is untrue when he says that he saw you first, and asked you to go and see Miss Conway before you had spoken to Miss Conway yourself?—I had certainly spoken to Miss Conway, and she had spoken to me before Henne did.
334. You heard what Mr. Henne said—that he asked you to go and see Miss Conway, and you went and saw her and told him the result of your visit to her?—I knew well from Miss Conway that she would not sell it to him.
335. Did you tell him that at first?—I did not.
336. Why?—Because I did not care about creating enmity between them.
337. Did you go back to him and say you had seen Miss Conway, and that she would not sell it under £170?—I did not say she would not sell it; I said it could not be bought under £170.
338. Bought from whom?—I did not say from whom.
339. *Mr. Poynton.*] That was after you knew it could be got for £135?—Yes.
340. *Mr. Tunbridge.*] You said you would not care to deceive Miss Conway by making any untrue representation to her?—No, I would not.
341. You had not the same scruple in regard to Mr. Henne?—I do not know that I made any false representations to Mr. Henne.
342. He said you promised to go and act for him?—He may be under that impression.
343. Were you not misrepresenting the matter to Mr. Henne at that time?—I do not think so.
344. Did you not understand that Mr. Henne was of opinion that Miss Conway wanted £170, and not you?—I do not know what he might have understood. He did not ask whether she wanted it or I. I told him it could not be bought under £170.
345. You did not tell Henne you had purchased it and you would not sell it under £170?—I did not.
346. Then, in a measure you were deceiving Mr. Henne, or allowing him to deceive himself?—He may have been under that impression.
347. You say you saw him immediately after deciding to purchase from Miss Conway?—Yes.
348. Did you go and see him?—No; we often met on the street.
349. And you paid Miss Conway £20 the day before you got the deposit from Mr. Henne?—Yes.
350. And you completed the purchase with Miss Conway three days before Mr. Henne completed the purchase of the good-will with you?—Yes.
351. You say when you first bought this from Miss Conway you had an idea of buying it for your sister-in-law?—Yes.
352. If Mr. Henne had not taken this place off your hands, what should you have done with it?—I probably would have had to close it up.
353. You know perfectly well you would, or else have given up the Police Force?—I know that.
354. Then, you were prepared at that time to pay £135 and all costs for a place you might have had on your hands, and which was perfectly worthless?—I knew very well I could get a big portion of my money for the billiard-table and lamps. The billiard-table was probably worth £80 or £90.
355. Well, assuming the billiard-table was worth £80 or £90, where were you to get the balance of the £135 and costs from?—I would have to suffer the loss.
356. And you were prepared to do that?—Undoubtedly.
357. There was no previous arrangement between you and Mr. Henne, and you were prepared to run the risk of losing the difference between £80 or £90 and this £147?—I had to risk that.
358. On what terms were you going to allow your sister-in-law to take this place?—She might have paid me back any way she pleased, but, of course, when I came to consider that she was living there I saw it would be impossible for her to run the hotel.
359. It passed out of your mind as quickly as it came in?—Not quite as quick.
360. You know the licensing-laws, and that a policeman cannot have an interest in an hotel?—Yes.

361. Was your sister-in-law prepared to buy out your interest right off?—Yes.
362. Did you ever consult your sister-in-law?—I did.
363. What is her name?—Mrs. Fitzgerald.
364. Where does she live?—At Hokitika.
365. Is your sister-in-law married?—Yes.
366. Then, you were purchasing for her husband?—Yes.
367. Did you lead Miss Conway to understand she could not hold a license?—Never.
368. What age was she?—About twenty-three or twenty-four.
369. As a matter of fact, there would have been no difficulty in getting the license transferred to her?—I think so; a single woman cannot hold a license under the present Licensing Act.
370. Your belief is that a single woman cannot hold a license?—Yes.
371. But you say you did not lead her to believe so?—No.
372. Although you had it in your mind?—Undoubtedly, I knew it.
373. If she had asked your advice you would have told her she was not eligible?—She had better advice than mine; she had the solicitor's advice.
374. Where is that solicitor now?—I believe in Western Australia. I do not know where he is.
375. What do you consider the value of that land on which the house stood?—Practically nothing.
376. Is it worth £10?—It is not.
377. You pulled the whole building down?—Every particle except a portion of the iron on the roof and a portion of the front.
378. You do not mean to say you pulled every particle of the building down: what supported the roof?—The new studs, of course.
379. *The Chairman.*] Did you repair the building?—It was practically built afresh.
380. Then, it was never demolished?—Yes, except the front, which was about three years old. The flooring, walls, and ceiling were all pulled down.
381. *Mr. Tunbridge.*] Do you think your position as a police officer is in any way prejudiced by your traffic in publichouse property in the place in which you are living?—I did not consider it was.
382. Do you now on reflection?—Perhaps if it was happening over again I would not do it, but certainly I saw no more harm in doing it than in buying land from her mother.
383. *The Chairman.*] This transaction with Miss Conway took place side by side with your transaction with Mr. Henne?—Yes.
384. You were living on good terms with Miss Conway?—Yes.
385. And you wished to do the best you could for her?—Yes.
386. Did you let her know what you were selling to Henne for?—No; I did not.
387. Did she know you were selling to Henne?—I believe she did, but not at the time I made the bargain with her.
388. And the result was she sold to you, and you sold to another at a profit?—Yes.
389. *Colonel Pitt.*] You say Mr. Henne told you in the first place he would like to buy the property after Miss Conway's mother's death?—Yes.
390. Did you agree to buy it for him?—No.
391. Did you see Miss Conway about selling it to him?—I do not know that I asked her if she would sell to him, but in the course of conversations I could gather from her that she would prefer not to sell it to him.
392. Did you ask her whether she would sell to him?—I suggested, I believe, in the beginning to sell to him.
393. Was that in consequence of his having asked you to buy it for him?—I do not know whether it would be before he spoke to me or not.
394. Does it not strike you as rather a coincidence, that he should want to buy the property, and that you should go to her and suggest that he would like to have the property?—I believe I did suggest it; but, as I told you, she would not sell the property.
395. Will you say whether Henne did or did not, at that time when you spoke to her, ask you to buy it for him?—I would not be able to say positively.
396. Was there any other deed between you and Miss Conway in reference to the other property, besides the land?—No, except the transfers and the receipt.
397. *Mr. Poynton.*] How long have you known Miss Conway?—About twelve or fourteen years.
398. Her mother was dead less than a month when this transaction took place?—Yes.
399. Are you sure she was twenty-three years of age?—I believe so.
400. You knew Henne was anxious to get this property before you made any agreement with her?—He expressed that opinion to me before I had any transaction with Miss Conway about it.

FREDERICK JOHN SIMON CHARLES HENNE recalled.

401. *Mr. Tunbridge.*] What did you consider the value of the billiard-table you purchased?—I reckon between £40 and £50.
402. As a matter of fact, have you since sold it?—Yes.
403. And what did you get for it?—£45.
404. You think you got a very good price for it?—Yes.
405. *Mr. Hannan.*] You already had a billiard-table?—Yes.
406. This one was useless to you?—Yes.

ROBERT VINCENT McGLONE, examined on oath.

407. *The Chairman.*] What is your rank?—Third-class constable, stationed at Reefton.
408. What do you wish to bring before our notice?—I wish to bring under your notice certain facts in connection with a fine, and indorsement on my defaulter's sheet, in consequence of the alleged ill-treatment and neglect of the troop-horse at the Greymouth Station in April last.
409. What do you wish to say about it?—I returned from Barrytown, which is situated twenty-five miles from Greymouth, where I had been on mounted patrol, in the evening, and I noticed that the horse was lame, and slightly puffed in the fetlock of the near fore-leg. I bathed the leg, and applied Elliman's embrocation to the joint. After doing the horse up for the night, I did not see him any more until the next morning, and then I found that the fetlock-joints of both near legs were very much swollen. I obtained a bucket of hot water, and after bathing both the affected joints I applied some more embrocation. At the time this was being applied there was a youth present, a prisoner named Arthur East, and he assisted me to apply the embrocation. About 3.30 the same afternoon I took the horse to the farrier to have him shod. Mr. Tanner, the farrier, was not there, but I left the horse in charge of his son, instructing him to shoe him. I went on beat duty, and returned to the station at a quarter to 5 o'clock, where I saw Sergeant White, who handed me a memorandum written by Mr. Inspector Pratt, calling upon me to explain how the troop-horse became lame, and also why I had failed to report the matter. Acting on these instructions, I furnished a report; and on the following morning I appeared before the Inspector in his office, where he had my report, and he asked me if that was all I had to say in the matter; and I replied, Yes. He then informed me that I was fined 5s. for failing to report the horse being lame, at the same time stating that he did not think I treated the joint as stated in my report, because he had rubbed his hands on the joint and after smelling them could not detect that embrocation had been used; and he informed me he would report the matter to the Commissioner on that charge. Some days later I was again taken before the Inspector, and he informed me that in consequence of his indorsement on my report the Commissioner had decided to severely reprimand me. I asked Mr. Pratt to explain how the Commissioner had arrived at that decision on the face of my report. I do not recollect what the Inspector replied. I then asked Mr. Pratt to allow me to see the correspondence, and stated my intention of asking the Commissioner to reconsider his decision. He declined to allow me to see the correspondence. On making a second request the Inspector at length consented to read his remarks which appeared on my report; and, amongst other things, it was stated that the farrier had said to Mr. Pratt that he considered that the injuries were the result of ill-treatment at my hands. I saw the farrier, and asked him if he had made that statement to the Inspector, and he denied it. I again waited on Mr. Pratt, and asked him if he would allow me the correspondence, so that I could ask the Commissioner to reconsider the punishment he had inflicted, and Mr. Pratt replied, "What I have already said is final; you cannot have the report." That is what I have to complain of. I consider I have been very unfairly treated in the matter, and, as Mr. Tanner is still residing in town, I would like him to be called; and I would also like, if possible, the boy East to be called.
410. *Colonel Hume.*] I fail yet to learn what your grievance is. Is your grievance that you were fined 5s. by the Inspector, or that you were severely reprimanded by me?—Both of them.
411. Then, we will take the fine of 5s. by the Inspector. Did you plead guilty before the Inspector?—I was never called upon to plead.
412. You will swear you did not plead guilty?—I will; and further, I was not called upon to plead.
413. When you came home you found the horse's leg was puffed?—Yes.
414. And you proceeded to put some embrocation on?—Yes.
415. And next morning you got a boy to help you?—Yes.
416. Where was the boy?—This boy was a prisoner confined in the lock-up; and in the morning when I went to the stable I passed the lock-up, and I asked him if he would like to come out and have some fresh air; and he said "Yes," and we went over to the stable together.
417. That was the morning after you came in?—Yes.
418. Did you report that night when you came in that the horse had swelled fetlocks and was knocked up?—No.
419. Why?—Because it was a very common thing for the horse to come in in the same way; and I always, when these occasions arose, applied the remedies which I have stated, and they usually had the effect of reducing the swelling. Therefore, on these grounds, I did not report the matter.
420. When did you send in this report to the Commission, that you wanted to come forward about this?—I did not send in a report.
421. You came forward just now?—Yes.
422. Did you ask Inspector Pratt to allow you to bring this farrier forward, after the farrier told you that he had not told the Inspector what the Inspector said?—I did not.
423. Why?—Because I did not think it was any use.
424. And I suppose you did not think it would be much use to see the Commissioner about it?—I had nothing to go on but my memory, and I did not think it was any use mentioning the matter.
425. I was down here a month after, and you did not think it a serious enough matter to bring before me then?—If it was not for the fact of this Commission sitting here I would never have brought it forward, because I knew it was no use my doing so. I was taken off mounted duty and placed on night duty. I resigned mounted duty because I did not think my position in the Force was safe.
426. *Colonel Pitt.*] Safe, in what way?—Because the horse was continually going lame.
427. *Colonel Hume.*] What were you fined for?—I do not know.
428. Neglecting to report the horse lame?—The horse was lame repeatedly.

429. And you should have reported it repeatedly, and as often as the horse went lame?—It all depends on the circumstances.

430. Then, you admit to the Commissioners that you neglected to report the horse lame?—I did not report him lame.

431. And that is what you are fined for?—Yes; and I consider in the face of my report I am unfairly dealt with.

432. *Mr. Tunbridge.*] How long did you ride the horse?—About twelve months.

433. Was the horse at Greymouth when you were first mounted?—It was in the station before I was mounted.

434. How long had the horse been here when you came?—About eight months.

435. What was the condition of the horse when you first took charge of it?—It was always weak in the joints.

436. On this occasion did you meet with any accident to the horse?—No. I might state that the road between Greymouth and Barrytown is without doubt one of the roughest roads in New Zealand.

437. Did the horse go lame from the first time you rode it?—I think he got injuries in the paddock, and was laid up; and then he cut his foot, and was laid up. This was a swelling in the leg.

438. *The Chairman.*] When did you first observe these joints swelling?—From the time I was mounted; off and on.

439. Did you at any time report the horse as lame up to the time of this punishment?—I did report him lame on one occasion.

440. Did you understand it was your duty as constable in charge of that horse to report to your sergeant when he did go lame?—This was the position: there was very little mounted work done on the station, and after every journey I used to notice the joints a little puffed and swollen, and I simply used to bathe them and apply embrocation. Then they were right again in a day or two. I did not think it was anything serious.

441. On this particular occasion it became very serious?—I did not notice him more than usually lame; but it transpired afterwards he was lame for some considerable time, owing to that swollen joint.

MICHAEL MCKEEFRY, examined on oath.

442. *The Chairman.*] What is your rank?—Second-class constable, stationed at Greymouth.

443. *Constable McGlone.*] Do you remember about the 7th April last year?—I do not remember the date, but I remember the fine, and reprimand, and what occurred before that.

444. You might just state what you know about it?—I heard the evidence of Constable McGlone, and I can remember the morning that young East was in the lock-up. I went to give him his breakfast somewhere about 8 o'clock, and I found him in the stable with Constable McGlone. Constable McGlone drew my attention to the horse, and asked me if I thought it would be anything worse than it usually was, and he asked me if my wife had any hot water. I said Yes, and went across and got some for him. He bathed the horse's leg, and I think young East said he knew something about horses, and he said he would rub on the embrocation.

445. *Mr. Poynton.*] Did you see him rub on the embrocation?—Yes.

446. *The Chairman.*] Did you form any opinion as to the condition of the horse?—I said it looked very bad. I had known the horse since it was bought. After a journey it always went lame, or the next day it would be lame with puffed joints. He is a horse rather keen and light for the work required of him.

447. You saw the hot water and embrocation rubbed in?—I did. I waited to take young East back to the lock-up.

448. *Colonel Hume.*] What was your reply to McGlone, when he asked if the horse was worse than usual?—I do not remember saying it was anything worse than it used to be, but I said it looked bad.

449. You did not think it was worse than usual?—We had been used to him being bad.

450. Did you see Constable McGlone rub any embrocation on the horse?—No; I stopped there until the boy had finished, and then I took him back to the lock-up. I saw McGlone bathe the horse's leg with hot water.

EDWARD STERLING WHITE, examined on oath.

451. *The Chairman.*] What is your rank?—First-class sergeant, stationed at Greymouth.

452. *Constable McGlone.*] Were you present on the morning when I was taken before Mr. Pratt in his office in connection with this matter?—Yes.

453. Did you hear me ask the Inspector for the correspondence?—Yes.

454. And what was his reply?—I think he said "No." He said he would read it over to you, and he read it.

455. Had I to ask him more than once before he consented to read it?—I know when you asked him first he said "No;" and afterwards said he would read it, which he did.

456. And I did not get the correspondence?—No, not in my presence.

457. *Colonel Hume.*] Is that the usual way of dealing with matters of that sort: when a constable asks for the papers they are usually read to him?—Well, I have seen on many occasions where constables have asked for papers relating to themselves and they have been forwarded to them.

458. Is it usual for an Inspector when he has the papers in his hand for him to read them to the constable?—My experience of the matter is this: When a constable is before the Inspector the

charge is read out to him, and he is asked what he has got to say; and if he pleads not guilty to it then evidence is called.

459. Did he ask for the file of papers, or for what?—If my memory serves me right, all he said was that he would like to see the correspondence.

460. Do you consider it was a neglect of duty in his not reporting the lameness of the horse on this particular night?—As a rule at the station, I would consider it the duty of the constable to report any injury that occurred to the horse.

461. If the horse had been urgently wanted that night he would not have been in a fit state to go?—No.

462. Consequently there would have been great difficulty if he had been suddenly ordered out through the night?—Provided there was not another horse to be got.

463. Therefore it was a clear neglect of duty in not reporting the matter?—If he had brought the horse home unusually lame it was his duty to report it.

464. *Constable McGlone.*] Have I reported verbally to you on many occasions that the horse was slightly lame?—I know for a fact that the horse was not a sound one by any means.

465. Colonel Hume made some reference to the horse being able to go out again that night. As officer in charge of the station, and knowing that the constable had ridden that horse twenty-five miles on such a road as the Barrytown Road, would you order him out again?—It all depends on the nature of the case—if it was an urgent or serious case.

466. *The Chairman.*] Has the horse been reported to you on previous occasions as lame?—The horse was always more or less lame. I did not consider the horse to be a sound horse.

467. Was it within your knowledge that whenever he came off a journey he came off more or less lame?—As a rule he did.

468. Under these circumstances, did you consider it the duty of the constable who rode it to report every time he came in lame?—I do not think it would be his duty to do so unless there was something serious.

469. The normal condition of the horse was lame?—I never considered the horse a sound horse.

470. *Colonel Hume.*] You say you were present when this case was investigated?—Yes.

471. Were you present when this constable had to plead guilty or not guilty before the Inspector?—I cannot exactly tell you what occurred; but I know he was reported for it, and the Inspector had him before him, but I cannot say whether McGlone pleaded guilty or not guilty; but my impression is this: that if he had pleaded not guilty the matter would have been inquired into, and evidence must certainly have been taken.

472. *The Chairman.*] Was it the practice of Inspector Pratt in all cases to say to a man, "Do you plead guilty or not guilty?"—No; sometimes he would say, "What have you got to say to this?"

JOHN TANNER, examined on oath.

473. *The Chairman.*] What are you?—A farrier, living at Greymouth.

474. *Constable McGlone.*] Do you remember my speaking to you, some time in April last, in connection with the troop-horse being lame?—Yes.

475. Had you a conversation with Inspector Pratt in connection with that matter?—Yes.

476. Will you repeat that conversation?—I had a look at the horse, and I told the Inspector that the horse was gone in the back tendons, and was inclined to be that way before the Force ever got him. In the first place, the horse had very large wind-galls in the fetlock; he had a little bit of an enlargement of the bone just below the fetlock; and I told the Inspector that the horse had no right to be in the service, and that he was not fit for the job. He has the same ailments to this day.

477. Do you consider he was at any time fit to be a troop-horse?—No.

478. Did you state to Mr. Inspector Pratt, in your conversation, that the injuries were the result of ill-treatment?—I do not remember ever saying that.

479. *The Chairman.*] Do you consider the injuries you have mentioned were the result of ill-treatment?—No.

480. *Constable McGlone.*] Does the horse show any signs of having foundered?—No.

481. Has he a splint on his leg?—It is hardly a splint; but he had a nasty enlargement of the bone, caused by tapping in the shoeing, before the Force bought him.

482. *Colonel Pitt.*] When the Government bought him, was that horse in a fit condition to pass a veterinary examination?—No, nobody would pass him as a sound horse.

483. *Colonel Hume.*] What was this horse doing before the Government bought him?—He belonged to a farmer up country, who sold him to Mr. Duncan McLean.

484. What work was he doing?—He used to come down once a month just walking behind cattle.

485. Did he go dead lame after going a mile?—I cannot say.

486. When did you first notice that he had these wind-galls?—It was when Mr. McLean had him that I first noticed them. I used to shoe him. The horse was bought before McGlone was in the Force.

487. Did you ever have any conversation with McGlone before you had this conversation with Inspector Pratt?—No.

488. So that it was at McGlone's request that the Inspector sent for you?—I went to see him on my own account, because I thought they might blame me for bad shoeing.

489. When did you have your last conversation with McGlone, yesterday or to-day?—I had none.

490. How did you come to the Court?—I was brought here.

491. But you have had no conversation with any one about the matter?—No.

492. You are perfectly certain you had that conversation with the Inspector?—Yes.

493. *Mr. Poynton.*] Knowing the horse as you do, and knowing the Barrytown Road, do you think that horse could be expected to carry a heavy man there and back or along that road without showing signs of lameness?—It is most likely he would show signs of lameness, because he was not a sound horse. A journey like that would soon knock him up, because he was not fit for the work.

ANTHONY ISEMONGER, examined on oath.

494. *Colonel Hume.*] You are District Clerk at the Greymouth Police Station?—Yes.

495. You enter offences in constables' defaulters' sheets?—Yes.

496. There is an offence entered against Constable McGlone on the 6th April, 1897, and it is stated in this sheet in your handwriting that he pleaded guilty. Is that so or not?—That is an entry made on instructions from the late Inspector Pratt.

497. You were not present at the interview?—No.

FRIDAY, 6TH MAY, 1898.

JOHN CULLEN, recalled.

1. *The Chairman.*] How many licensed houses are there in the district?—Twenty-two in the borough.

2. And in the outskirts?—There are none in the immediate outskirts.

3. Do you know what the population was at the last census?—3,090.

4. What is the nearest licensed house outside the borough?—Two or three miles out on the Hokitika Road. There is one thing which I omitted to say yesterday, and that is, that I think all members of the Force and their wives should be disfranchised.

5. Do you think disfranchisement would be willingly accepted by the Force?—I do not know about willingly, but I think it would be better for the Force if we were not allowed the franchise; and I would certainly include wives with their husbands. I have heard of one instance where the wife of a constable took a prominent part at a political meeting, by either moving or seconding a vote of thanks to the member for her district, when he addressed his constituents in her locality.

MICHAEL MCKEEFRY, examined on oath.

6. *The Chairman.*] What is your rank?—I am a second-class constable, stationed at Greymouth. I represent the men on this station; and the suggestions I would make would be: First, that free uniforms be supplied—namely, a tunic, two trousers, two pairs boots, two helmets, a mackintosh every two years, and a greatcoat and leggings every three years. I would suggest a change in the style from the present to something like a Norfolk jacket, with a belt of the same material, and bronze buttons and badges instead of the lighter metal, as the latter betray the presence of a policeman at night; also free quarters, and a lodging allowance of not less than 1s. per day be allowed to married constables. That would be similar to the amount allowed in the New South Wales Force at the present time. That saloon passages be allowed to constables travelling on small coastal steamers; that, if any, a small deduction be made annually from the men's pay to go towards a pension fund—I do not think more than 2½ per cent. at the very most. If a man is dismissed, he should be allowed the surrender value of his contributions as computed by insurance companies in the matter of insurance policies, and if he is discharged or resigns he should receive the total sum he has paid into the fund; and that length of service and not age should entitle a man to a pension. Now, at present, if a married constable goes relieving, he is allowed £1 1s. per week, and a single constable 10s. 6d. per week. The old circular, dated "5/91," allowed £1 15s. per week, I think. You cannot live on this coast under £1 per week. We think that leave of absence should be allowed to accumulate up to three years—that is thirty-six days; and that when a constable is on leave he should be allowed a pass on the Government railways the same as railway employes get now. Promotions at present are too slow, and give no encouragement to the men. Speaking as regards myself, at the rate of promotion I have experienced, a man joining at twenty-five, would be seventy-five when he attained to the rank of first-class sergeant, and he would be receiving then 9s. 6d. per day, and he would have served fifty years. I have only had one step in ten years.

7. How should promotions be made?—I think a man should get 7s. per day to start with, and he should not get less than 9s. when he attains to the rank of first-class constable. Less pay than that will not keep a man out of debt. I am in favour of rewards or records of merit being given for acts of bravery instead of promotion. I think a Government doctor should be provided, or that the doctor's expenses should be paid by the department in cases of sickness—that is, free medical attendance. In regard to the disfranchisement of the police, I do not object to be disfranchised so long as all other Government employes are disfranchised too; but I cannot see why constables only should be disfranchised. That opinion is shared by some members of the Force here, but I do not know about other parts of the colony.

8. *Colonel Pitt.*] What about the mounted men's uniform?—I think the same should apply to all. I think mounted men should get their uniforms free.

9. *The Chairman.*] Do you think that classes should be done away with, and that constables should be paid according to seniority instead of classes?—I think that would be better than at present.

10. *Colonel Hume.*] You say that constables ought to begin at 7s. per day. What class of persons would you place in the same position as constables—daily labourers or skilled mechanics?—Say labourers.

11. What does a labourer get a day?—Some get 10s. and some 9s., and some I know are making 13s. per day.

12. How long is he paid for?—Six days.

13. Then, of course, they do not get medical attendance or pensions?—No.

14. And are liable to be out of employment at any time?—Yes.

15. Does it strike you, or the other constables, what sum would require to be placed on the estimates if all these recommendations were carried out?—I have not gone into figures.

16. Does it strike you that there are five hundred applicants for the Police at the present rate of pay, and without pensions, and without the other things?—No. When I joined there were over a thousand applicants.

17. *Mr. Tunbridge.*] You recommend Norfolk jackets with outside pockets?—Yes.

18. Do not you think you would be likely to have the pockets torn by drunken prisoners, and that they would get hold of the band?—No.

19. *The Chairman.*] Do you realise that a loose coat such as a Norfolk jacket would be inconvenient when dealing with troublesome prisoners?—I do not think so. I do not mean that the coat should be loose; I think a fairly tight jacket would be just as good as the present jumper.

WESTPORT.

SATURDAY, 7TH MAY, 1898.

HENRY GREEN, examined on oath.

1. *The Chairman.*] What is your rank?—Second-class sergeant, in charge of the Westport Station.

2. When did you join the Force?—In December, 1874.

3. When were you made a sergeant?—In December, 1886, and second-class in February, 1898.

4. How many men have you under you here?—Six men besides myself in the sub-district.

5. In the town how many?—Three, one of whom acts as gaoler and who is not available when there are prisoners in the gaol.

6. What districts are there?—Three—viz., Charleston, Denniston, and Seddonville—with a constable at each station.

7. Have you any mounted men?—No.

8. Are there any district constables?—No.

9. Have you anything to report with respect to the condition or character of the men under you?—No, I have nothing to say respecting them.

10. Do they give you satisfaction?—Yes, generally. I consider them efficient. Speaking of one constable, an elderly man, he is scarcely physically fit for the work he has to do.

11. Is his duty outside duty?—He is stationed at Denniston.

12. The others you report as efficient?—Yes.

13. Have you any suggestion to make with a view to improving the efficiency of the Force or of the police administration here?—In my opinion, another constable is required in the town here. Owing to the peculiar formation of the town it is very difficult to do town patrol efficiently.

14. Have any complaints been made to you by any member of the public with regard to the conduct of the men?—No.

15. Have you any other suggestion?—With the present staff I cannot keep men on night duty. There are only two men I can depend on as available for town duty.

16. Have you any men on night duty?—Only until 1 or 2 in the morning.

17. Do your men do beat duty at the ordinary hours?—Yes, four hours at a time, but occasionally at night they do five or six hours.

18. Have you anything you think you would like to bring under our notice?—No, not locally; generally, as to the cost of living on the Coast, I should like it to be understood that it is considerably dearer than it is in South Canterbury, Timaru, Oamaru, Ashburton, and Otago.

19. What is the difference in the cost?—It must be at least 1s. per day. Everything has to be imported.

20. You know, probably, that in all other places in which we have sat we have directed inquiries with a view to ascertaining the feeling of the Force in respect to a pension scheme: have you any opinion upon that matter?—I think a pension scheme should be formulated, but I think members of the Force retiring should have the option of taking a lump sum or a pension.

21. You would give the option of taking either a retiring-allowance or a pension?—Yes.

22. Have you formed any opinion as to how that pension fund should be created?—I have not altogether, but I think the amounts earned by the police outside the regular pay, such as by being clerks of Court and emoluments of this kind, should go to this fund; and I think in the case of a man dying in the service his widow and family should be entitled to an allowance—a lump sum.

23. When would you make a constable entitled to his pension?—It would depend much on the condition of the man physically. He should retire, at latest, at sixty years of age, and before if he is not physically capable of doing his work. The retiring-allowance is at present very unfair, as a man serving twelve years gets as much as a man who has served thirty years.

24. Do you suggest there should be a varying allowance or a fixed sum for each man?—I think a month's pay for each year of service would be sufficient.

25. Without a limit?—Yes. A man may want to go into business when he leaves the service, and a lump sum would be more useful than a pension.

26. Have you thought out what you are suggesting—taking a man who retires broken down in health, and incapable of doing other work, at sixty years of age, or earlier, and you give him the option of a retiring-allowance of a month's pay for each year of service or a pension—you would give him?—That is what I would do. I would prefer a retiring-allowance to a pension.

27. *Colonel Pitt.*] How often do you think constables and sergeants should be transferred from one station to another?—From five to seven years. I would not leave a man more than seven years in a station unless under very exceptional circumstances.

28. In your opinion, should constables be all of one class or several classes?—Not more than two classes, at all events.

29. What rate of pay do you think should be given to a man on joining?—Seven shillings a day, I think, should be the lowest, and he should be found uniform in addition.

30. How should the pay be increased?—After service.

31. When should it be increased, and at what rate?—At the end of five years he should be entitled to 6d. a day, and 1s. at least in ten years.

32. What should be the maximum pay for a constable?—I think 8s. 6d. is sufficient, and he should receive that at the end of fifteen years—that is, 6d. for each five years of service.

33. Do you think members of the Force themselves will be prepared to agree to a reduction from their pay towards the pension fund?—I do not think they are at present. I do not think at the present rate of pay they could afford any deduction.

34. Supposing the pay was anything like what you have suggested?—Then they should be able to pay a certain percentage.

35. They are insured now?—Yes.

36. And have to submit to a deduction of pay for that?—Exactly.

37. *Mr. Poynton.*] Is there much crime in this district?—It is very free from crime of a serious nature.

38. It is like the whole of the West Coast?—Yes.

39. How many hotels in Westport?—Seventeen.

40. Do you get complaints about Sunday trading?—I have had no complaints.

41. Do you visit the hotels on Sundays?—I do.

42. Periodically?—Generally five or six on a Sunday. I do not go with any regularity, or anything like that. I find the houses well conducted at present.

43. How many hotels in the sub-district?—Ten in the immediate sub-district; in the whole sub-district there are fifty-four hotels.

44. You have had no complaints since you came here about alleged Sunday trading?—No, none to me.

45. How long have you been here?—Eight or nine months.

46. *Colonel Pitt.*] Have you had any prosecutions during that time for Sunday trading?—I had one for keeping a house open on Sunday.

47. *The Chairman.*] How many prosecutions have you had for Sunday trading under the liquor-laws?—One for keeping a house open on a Sunday. The man was convicted for selling after prohibited hours, and another charge was withdrawn.

48. *Colonel Pitt.*] Have you had any trouble over larrikinism in this district?—Nothing serious. In reference to travelling on the Coast in small coastal steamers, I think some allowance should be made in the fare between saloon and steerage passages, especially for the wives and families of non-commissioned officers. Women in delicate health have to put up with a great deal of discomfort and inconvenience when travelling in the steerage, and if a constable or sergeant has to pay the difference out of his own pocket it costs him a considerable amount. I paid between five and six pounds coming here from Dunedin.

49. Have you much escort duty here?—No, about a prisoner a quarter, or one in two months, including the asylum and gaol.

50. Do you think a man should be promoted for acts of bravery, such as saving life or extinguishing fires, or should promotion be limited to detection of crime?—Promotion should be limited to the detection of crime, but men might be rewarded for acts of bravery. I think there is nothing like experience, so far as promotion in the service goes.

51. *Colonel Hume.*] You have got on fairly well in the Force; you have been made a sergeant in twelve years?—Yes, I could have been one before; it was offered before.

52. Have you ever used any political influence?—No.

53. Or Masonic or religious influence to get you on?—No.

54. Then, if a man came before the Commission and said, "In his opinion, men in the Force have no show unless they had a Minister behind them, or a clergyman behind them," that statement, so far as your experience goes, would be contrary to your experience?—Yes, but, still, I believe that has been the impression in the Force.

55. You think the Force on this Coast should get some remuneration because living is higher, but living in Westport is not as high as in Naseby where you came from?—Not quite.

56. Then, if remuneration was given here it would have to be given on the Otago Goldfields?—Yes, it is quite as necessary there.

57. You say you think there is a difference of a shilling a day between this place and Canterbury?—Yes, at some stations.
58. But coal is cheaper here is it not?—I think so.
59. And house rent?—I do not know; I do not pay house rent.
60. And constables here get gas free?—Yes, they do here.
61. Do they get light at Naseby?—No.
62. Then, so far as you know, it is exceptional treatment for constables to receive gas here and at Hokitika.—Yes.
63. *Mr. Tunbridge.*] You are an Inspector of Weights and Measures, Labour Agent, and Inspector of Factories, in addition to your police duties?—Yes.
64. Do you find these offices take up much time?—They do, for a month or two at the beginning of the year especially.
65. Do you fill any other offices?—No.
66. Do you get any extra remuneration for these offices?—No, nothing at all.
67. Does the department get anything for them?—I believe not.
68. You think no deduction should be made from the pay of the police towards a pension?—No.
69. I do not know whether you are aware of the pension system in force at Home or in any of the other services?—No.
70. Do you know that in every case a deduction is made from the men's pay?—Possibly they are paid better than they are here.
71. Have you any opinion as to whether a married constable should be provided with lodging-allowance if not provided with quarters?—I think it is only reasonable, as single men are provided with quarters. I think they should be provided with an allowance.
72. *Mr. Poynton.*] Do you think 6d. per day is a sufficient difference between the pay of a lowest-class sergeant and the highest-class constable?—I do not. Most of those promoted lately must have lost considerably by it; they have had to give up country stations and come to towns and lose their emoluments.
73. *Colonel Pitt.*] Is there a feeling in the Force that political influence has had to do with the men's promotion?—Yes.
74. Have you, within your own knowledge, any instance of that which you can lay before the Commission?—No.
75. Is that feeling in the Force now?—I have not been much in communication with the police since I have been here, but there is a better feeling I am given to understand.
76. What is the feeling?—That the men are more dependent on their ability and service for promotion than they were before.
77. What are the instructions of the police as to the enforcement of the licensing-laws? Are there any special instructions?—I received verbal instructions to enforce the licensing-laws when I came here. The annual leave is at present twelve days, and I think it should be allowed to accumulate for a month or six weeks.
78. *The Chairman.*] The Rev. Mr. Blamires wishes to put the following questions through me: "Have there been any cases of drunkenness among members of the Police Force known to the sergeant during his residence in Westport?"—No, none.
- 78A. "Has the sergeant known during his residence in Westport any case in which the police connected with the Force have been personally interested in sweeps that have been got up?"—Not to my knowledge; I do not know what sweeps are referred to.
- 78B. "I referred to sweeps in connection with races and gambling?"—Not to my knowledge.

EDWARD BROPHY, examined on oath.

79. *The Chairman.*] What is your rank?—Third-class constable, stationed at Westport.
80. *Mr. Harden.*] You were sent to Seddonville to temporarily take charge of the station there?—Yes, on the 27th May, 1895.
81. How long were you kept out there?—Six months and a day.
82. Did you incur any extra expense in living or otherwise during those six months?—Yes, it cost me a great deal more than usual.
83. How much more per week?—Fifteen shilling per week more at a rough estimate. I was living in the hotel.
84. Did you put down any further sum than 15s. per week?—No.
85. Did you make application to the department for this expense?—Yes, after being there three months I applied for a refund of expenses.
86. What reply did you receive?—I got a reply that they did not consider I was entitled to anything.
87. When you were in town you were provided with quarters and light?—Yes.
88. At Seddonville was there any other place to live at but the hotel?—I slept in the station and boarded at the hotel.
89. In Westport you would get a free house and light, and you pay your own board?—Yes.
90. Then what was the difference at Seddonville?—It cost more to live at the hotel.
91. *Colonel Hume.*] I should like to know on what you base your claim?—I understood under the regulations I was entitled to an allowance when relieving or temporarily in charge of a station.
92. But you were not relieving?—I was in temporary charge, and I understood I was to be there a short time.
93. Can you quote the regulation?—No.
94. You were given a house to live in?—Yes.

95. And not given light?—No.

96. And you have light in town?—Yes.

97. And the only grievance is that living is more expensive in Seddonville than in Westport?—Certainly.

98. Have you ever known men to get a special allowance because living was more expensive at one station than somewhere else?—I have known men when relieving or in temporary charge receiving an extra allowance when called away from their own stations.

99. And given a house to live in?—Yes, relieving at stations.

100. Quote a case then?—I have known constables to be sent from Wellington to Masterton where they have received an extra allowance when away from their station.

101. *Colonel Pitt.*] Who succeeded you at Seddonville?—Constable Baker, from Hokitika.

102. *The Chairman.*] You do not found your claim on any regulation, but rather on merciful consideration?—I think I am entitled to something.

103. But you have not founded your claim on any rule of the service?—It cannot come under the circular, but it ought to.

104. *Colonel Pitt.*] Are you a single man?—Yes.

105. Have you ever known of a single man put in charge of a station?—No; but I was afterwards sent to Denniston, and I was actually relieving there, but I did not make any claim for it after the Seddonville affair.

106. *The Chairman.*] Do you know there is a regulation entitling you to an allowance when relieving?—Yes, but I did not apply because I thought I should have been given the allowance in both cases.

107. *Mr. Harden.*] How long were you at Denniston?—About ten weeks. I went to Denniston on the 29th November, 1895, and I returned to Westport on the 5th February, 1896.

108. Were you relieving constable there?—I took temporary charge there until the other constable came.

109. What expense did you incur there over and above what you would have been put to in Westport?—Just about the same expense as at Seddonville.

110. Who were you relieving?—Constable Godfrey, transferred from Denniston to Hokitika.

ARTHUR HUME, examined on oath.

111. *The Chairman.*] How was it that a single man was put in charge of a station?—The reason that Constable Brophy was put in charge of the Seddonville Station was because we had no married men available at that time, and Seddonville is a place where there has never been a woman in the lock-up and never likely to be one, and it was considered quite safe to send him to a place of that sort.

112. Do you not think it quite reasonable that the constable, knowing the rule that only married men are to be put in charge of a station, should assume, through being in charge under that special circumstance, that he was entitled to the allowance asked for?—I do not think so. I have never been in the habit of giving it. If a man is given quarters we never board him under any circumstances, and the constable had free quarters—viz., the use of the station at Seddonville.

113. Are there any other cases where single men have been put in charge of stations?—Oh, yes.

114. Is there not a similar case to Brophy's where a man has been sent to take charge of a station temporarily and not received any allowance?—Yes.

115. Is there any case in which a man, under similar circumstances, has received additional monetary consideration?—Not under the same circumstances. In the case of a married man going on leave, the man who is said to relieve him would not be able to get into the station quarters, and in such a case he is given lodging-allowance. A bachelor has free quarters in town, and if we give him free quarters wherever he is sent to we consider that is an equivalent.

116. *Colonel Pitt.*] You say you can refer us to many cases where single men have been put in charge of stations?—Yes, for the twelve days' leave, in such cases as that.

117. That is relieving; but is this not a unique case if he is put in charge of a station for six months?—I suppose it is. I could give you the case of a man who was in charge of a station for a couple of years, as there was only one room, but as soon as the station was erected a married constable was sent.

GEORGE HENRY HARRIS, examined on oath.

118. *Mr. Harden.*] What is your rank?—Third-class constable, stationed at Westport.

119. Can you give the Commission an instance where you were sent in charge of a station relieving?—I was sent the day before Christmas Day, 1893, to Pahiatua to assist Constable Cooper during the holidays. I remained there until the 5th January, 1894.

120. Did you stay in the police quarters?—No; in the hotel. The constable in charge and his wife occupied the police quarters.

121. Have you ever been sent to a station to relieve the constable in charge when his wife was away as well and you stayed in the police quarters and received an allowance for it?—I was sent to relieve Constable Nestor at Eketahuna for twelve days.

122. Where did you stay?—In the hotel. I had the use of his house if I chose, but I did not like to disturb the furniture.

123. Were you paid?—I was paid for my expenses at the hotel in both of these instances. I received 6s. per day for the first week, and after that £1 15s. per week; that was the allowance at that time. In regard to the annual leave, I think it should be allowed to accumulate up to two or three years. There is one matter which affects me personally that I would like to bring under the

notice of the Commission. I find there is an entry on my defaulter's sheet in which I am reprimanded and cautioned for overstaying my leave, which occurred owing to stress of weather and the boat being unable to get into port. I received no notification that the entry had been placed in my defaulter's sheet, and it is that which I complain of. I had not had leave for two years, and I went on a visit to the South Island, and on returning I left Wellington by the "Wainui," which was due in Westport about 3 or 4 in the morning, and I took it that my leave expired at 9 o'clock that morning, when I fully expected I would be able to report myself. However, owing to rough weather the steamer was unable to cross the bar, and had to lie outside for some hours, and I was unable to report myself until 1 p.m.; for that I was reprimanded and cautioned, but I was not notified that an entry had been made in my defaulter's sheet.

124. *Mr. Tunbridge.*] Were you not allowed some privilege before starting?—I was allowed five hours extra.

125. What time in the day did the boat land you here?—One o'clock in the afternoon.

126. What time was she due to arrive?—About 3 or 4 in the morning.

127. Your time expired at midnight on the previous day; you knew very well that the boat had not time to arrive in time to enable you to report yourself when your leave expired?—I suppose that is it.

128. You will recognise that if the police authorities allow a man to regulate his movements to suit his own convenience the public are likely to suffer by it?—I did not regulate my movements according to my own convenience. I had to go as the boat took me, and I had to wait for the boat.

129. *The Chairman.*] We will turn up the papers relating to your case in Wellington, and go into the matter fully there: do you understand that?—Very well, Sir.

THOMAS PHILPOTTS, examined on oath.

130. *The Chairman.*] What is your rank?—Second-class constable, stationed at Charleston. I wish to make a complaint about an entry on my defaulter's sheet in reference to using indiscreet language towards a man named Anthony Marly, when I was charged with using threatening language. This case occurred when I was in Reefton. It was a trivial matter, and I think a reprimand does not always carry an entry in the defaulter's sheet, and I would like the Commission, in its leniency, to remove that entry from my defaulter's sheet.

131. *Colonel Hume.*] How long is it since this happened?—In May, 1896.

132. Have you seen me at Charleston since then?—Yes.

133. Did you say anything to me then about removing this off your defaulter's sheet?—No.

134. You did not think it worth while?—I did not think I would get any satisfaction as you made a record against me.

135. Did not the Inspector consider you had been indiscreet?—He may have thought so, but I was not charged with indiscreet language; I was charged with threatening language—a charge which ought to have been brought before the Stipendiary Magistrate and dealt with. I would like the Commissioners, if they would, to look up the papers in my case, in the hope that they may see their way to remove this entry from my sheet. I would like to refer to the regulation which prohibits, or almost prohibits, a constable who has been tried by a superior officer from appealing. If a constable appeals and his appeal is thought to be frivolous he lays himself open to punishment. Then the question crops up that the authority hearing the appeal may consider it frivolous and make an entry on his defaulter's sheet, and that keeps many constables from fighting for what they consider their just rights. I would suggest that the power of appeal should be set up as in the case of the Civil Service—independent of the Police Force altogether.

136. Before the complaint has been dealt with by the Commissioner or not?—No.

137. How long have you been in the Force?—Thirteen years.

138. Can you tell us of a single instance of the Commissioner being appealed to and holding the matter frivolous and punishing a man for it?—No, I cannot.

139. *Mr. Tunbridge.*] You would like an appeal from the decision of the Commissioner or Inspector to the Stipendiary Magistrate or Board?—Yes.

140. Well, suppose you are dissatisfied with their decision, you would like another appeal above them?—No, I would be satisfied.

141. Do you think you would be any more satisfied to abide by the decision of the Stipendiary Magistrate or Board, if against you, than the decision of a Commissioner?—I think a constable would get a far more impartial hearing from anybody not connected with the Force than from anybody connected with it.

NELSON.

THURSDAY, 12TH MAY.

HENRY MCARDLE, examined on oath.

1. *Colonel Pitt.*] What is your rank?—First-class sergeant, at present in Nelson, and in charge of the sub-district of Nelson.

2. How long have you been in the Police Force?—I joined on the 28th December, 1865—thirty-two years ago last December.

3. What parts of the colony have you served in?—In Westland, Wellington, and Hawke's Bay since the abolition of the provinces. I was stationed in Masterton for six years in 1885, and I returned to Masterton in 1892.

4. How long were you at Masterton on the second occasion?—Four years and about two months.
5. And from Wellington you came to Nelson?—Yes.
6. How many men in this sub-district are there in your charge?—Seven in the city and five outside, exclusive of myself, and two of them are district constables.
7. How far does the sub-district extend?—It extends to Collingwood, and Owen, and Top-house, and half-way to Havelock.
8. Are the men that you have in the sub-district sufficient in numbers, in your opinion, for the duties they have to perform?—They are not.
9. How many more men do you think are required?—At the very least one more man is required in the City of Nelson, and, in my opinion, there should be a station between Lyell and Spring Grove, because it is a very long stretch of country.
10. As to the members of the Force, how many married men have you and how many single men in your district?—Two single men in the whole sub-district; they are in the Nelson Station.
11. In your opinion, are the men in your sub-district competent to perform the duties they have to discharge?—They are; they are good and trustworthy men.
12. Have you any fault to find with any of them?—No, I have had no occasion to report any man in the sub-district since I arrived two years ago.
13. How are the licensing laws enforced in your sub-district?—Strictly and carefully.
14. And have you instructions to the effect that they should be so enforced?—Yes, my last instructions from Colonel Hume were to that effect. My last instructions from the late Inspector Pratt were to that effect.
15. At the various places we have visited we have taken evidence as to a pension scheme for the Police Force: what is your opinion as to that?—I have written upon that subject in 1881, and my opinion is that without a pension scheme there can never be an efficient Police Force. I am in favour of a pension scheme.
16. What do you think should be the pay of the police?—I will say that the present rate of pay is the lowest that the police should be expected to accept if we are to have the men competent.
17. What do you think should be the lowest rate of pay for a third-class constable?—8s. a day.
18. How should it be increased?—I say by 6d. a grade afterwards.
19. How long, and up to what maximum?—Up to 9s. 6d., and it should be increased by competency and good conduct.
20. Do you think there should be an age-limit at which a man should be compelled to retire?—I do not think so. I think some men are as good at sixty as others are at fifty, and as competent to perform their duties at that age.
21. In your opinion, how many classes of constables should there be in the Force?—I think two, the same as in the Royal Irish Constabulary.
22. If the pay were at the rate you suggest, do you think the members of the Force would be prepared to contribute towards a pension fund?—I do believe they would; I would, for one.
23. If the pay were increased to the rate you suggest, should the men have free uniforms?—Yes; we are the only Force in the Australian Colonies that do not receive free uniforms.
24. How often do you think the police should be transferred from one station to another?—It depends. If the constable's conduct in the district in which he is stationed is such that he pleases his superiors and the general public I would say that he should not be removed until otherwise or for misconduct. A man has to be some time in a district before he becomes acquainted with the public and can do his duties as efficiently as when he has been a couple of years in it. I am two years here, and I am scarcely properly acquainted with the public in my district.
25. What is the lowest age, do you think, at which recruits should be taken into the Force?—I think from twenty-three to twenty-five; that is my opinion.
26. Do you think men should be promoted for acts of bravery, or merely for the detection of crime?—Well, I think men should be promoted for general ability in the performance of their duties.
27. And how should acts of bravery be rewarded?—As in the Royal Irish Constabulary, by medals.
28. Or money grants?—I will not say money grants.
29. How many men in your district hold office outside their ordinary police duties?—Four.
30. What offices do they hold?—The constable at Collingwood is Clerk of Court and Receiver of Gold Revenue and bailiff, and holds other minor billets that I cannot remember. Constable Knapp, at Spring Grove, is Clerk of Court and bailiff. The constable at Takaka is Clerk of Court and Receiver of Gold Revenue, and, I think, has lately been allowed to be Inspector of Abattoirs and bailiff. Constable Kelly, of Nelson; is Inspector of Weights and Measures and Inspector of Factories.
31. In your opinion, should any police in the colony hold office under local bodies?—No; I say it is altogether wrong for police to be placed in the position of Clerks of Court or Inspectors of Factories, or any such offices. It takes their mind off their ordinary police duties, and both must generally clash; and the men cannot perform both duties satisfactorily.
32. If the pension fund were established, do you think the emoluments from these outside offices should go to the pension fund?—I should say they should.
33. Do you think they would be willingly relinquished by the police-officers holding such positions?—No, I do not think so.
34. What is your opinion as to the members of the Police Force retaining the franchise?—I could scarcely give an opinion about that, because, for myself, I do not care about the franchise. I do not see that it would make very much difference whether they held it or not, because it is only an individual vote each man exercises.

35. Do you think it would be regarded as an injustice if it were taken away from them?—Yes; I think they would regard it as a very great injustice. It is very much interfering with the liberties of the individual.

36. *Mr. Tunbridge.*] You have been in the Police Force since 1865?—Yes.

37. Can you tell the Commissioners of any case of political influence by which men have attained promotion or advancement?—I have never known of any.

38. Of course, that includes yourself?—I have never sought it, nor asked for it; and I should never go outside my own department for what I want.

39. Does that also include other influences, such as religious or Masonic?—I never knew anything of that kind.

40. You do not know of men getting promotion or advancement from the influences I have mentioned?—Never.

41. Do you think if the men had the right to vote taken from them that that would relieve them of any suspicion of political influence?—I do not think it for a moment.

42. You do not see why the men should lose their votes more than other Government employés?—No; I think it would look like an insult to the general Force to take the vote from them while other Government employés were allowed to retain their vote.

43. Do you consider the licensing laws effective, or do they require amendment?—I have no reason to say they require amendment, because, under the present licensing laws, so far as the sub-district for which I have charge is concerned, we can manage the licensing laws very well.

44. That is, speaking of Nelson; but, from your experience in other parts of the colony, have you always found it so?—Yes.

45. Have you found any difficulty about the lodgers being on the premises and shouting drinks for men not lodgers?—I did find such in Hawke's Bay at one time.

46. Do you advocate that men found on licensed premises during prohibited hours should be made amenable to the law as well as the licensee?—Yes; if they were not actual boarders and people who had no right to be in the house: I advocate that amendment certainly.

47. Are you familiar with the English Act regulating publichouse business?—No, I am not.

48. *Mr. Poynton.*] You lived on the goldfields for some time?—Yes; I have been in Hokitika, Greymouth, Picton, and Charleston.

49. Were you ever in Central Otago?—No; I was not stationed there, but I was there as a miner.

50. Of course, you know the cost of living is much greater on the Coast than in any other part of New Zealand?—Yes.

51. Do you think an allowance should be made to constables living there, having regard to that increased cost of living?—I do. When I lived there I had 1s. a day goldfields allowance, which I find has since been taken away.

52. Do you think the difference in the pay between the lowest class of sergeants and the highest class of constables should be higher than it is?—Yes; it is very small for the difference in rank.

53. Have you thought about a system of examination; I do not mean competitive examination, but that the men should pass an examination before they are promoted to the rank, say, of sergeant?—I believe myself it would be of great benefit if such were the case.

54. Do you think men should be examined as to their knowledge of law, &c.? Are you in favour of a training depot for constables when they join?—Yes, I think it is necessary.

55. Are any of your men instructed in ambulance work?—No.

56. That, of course, would be part of the training in the depot?—Yes; I would be in favour of that.

57. Do you think the class of men obtained from the Permanent Artillery is as good as the old class of constables?—No, I do not.

58. Are you opposed to exclusive recruiting from the Artillery?—Yes, and I always was.

59. *Colonel Pitt.*] You have served in various parts of the colony. Can you tell the Commission whether, in your own sub-district or in any other part of the colony, there is any feeling in the Police Force that members of the Force must look to political influence for their advancement? Is there such a feeling as that in the Force?—Not to my knowledge in any part I have served.

60. Have you any knowledge that such feeling exists in the Force that influence is brought to bear to procure transfers?—Yes, I have known such a thing as political influence holding a man in a station or shifting a man from a station. It has been reported, but I do not know anything of my own knowledge.

61. From your experience, can you say whether there is much reported crime undetected in the colony?—There is much less now than there was ten years ago, although the population is greater.

62. Is there anything you wish to say?—Yes, there are one or two things regarding myself. I find that when the Commission was sitting in Wellington I was accused of conspiracy in the matter of an orchard robbery in Masterton. I find again that the same gentleman accused me of a wilful arrest, or of being the cause of the wilful arrest of a man named Simms. I am prepared to satisfy the Commission upon these matters. As regards the man Simms, I think his case occurred in May, 1894. He was accused of stealing a coat from a man named Manson, of Tenui. At the time the coat was stolen it was a very wet day, and this man Simms came in to see me. I was acting on behalf of the Charitable Aid Board on this occasion, and this man Simms looked very much in need, and I took him to the Charitable Aid Board. I got him tea, bed, and breakfast; and he then asked the Chairman for a passage to Wellington, but was told he could not get one. I brought him back and took him to a

boardinghouse, and left him there. Later in the evening, about six o'clock, when it was dark, I saw him going into the Club Hotel, and that was where Mr. Manson was stopping. I saw him soon after come out, and walk up the street towards the boardinghouse. My reason for watching him in and out of the hotel was that I thought he was going to get a drink. The next morning the coat was reported to me as stolen from the Club Hotel. I went to the boardinghouse and asked where was Simms. They told me he had left very early in the morning—at five o'clock. There were three second-hand shops in the town, and in the third one I found the coat. I asked the dealer how he became possessed of it, and he said that a man I had recommended for the boardinghouse had sold it to him to get money to go to Wellington. I then issued a warrant, and had the man arrested in Wellington. When he left Masterton he had a very long head of black hair and straggling beard. When he returned he had his hair cut short and his beard trimmed close, and he had changed his clothes. When he was brought before the Court the next morning the second-hand dealer was produced, and he had a look at the man and said, "I would say this is the man; but he is so altered with his hair and beard cut that I cannot be sure." I told the Court that I could give evidence that it was the man. The Court said there was a doubt, and gave him the benefit of the doubt, and the case was dismissed. I considered I only did my duty.

63. It has been stated before us that in the Court the second-hand dealer said that Simms was not the man who sold the coat?—He did not.

64. Are you quite positive, that in telegraphing a description of the man, you did not state the man was clean shaved?—I did no such thing.

65. Did not the Magistrate make some remarks, in dismissing the case, to the effect that it should not have been brought on?—He did not.

66. *Mr. Poynton.*] When you brought the man back to Masterton, did you bring him to the second-hand dealer; and what did he say then?—He said that was the man, if his hair was not cut. You must recollect that the second-hand dealer bought the coat in candlelight. The evidence of three or four witnesses was taken in the Court.

67. Was the owner of the coat there?—Yes, he was there, and swore to the coat. I would readily say that, had I been present in Christchurch, Mr. Simms would have had much less to say.

68. Do you know at that time what his occupation was?—Yes, he told me he was a lithographer and printer. That is all I wish to say about that matter. As regards the orchard case, there were very great complaints about orchard robbery, and I took myself and two constables, and we each took a street to watch and detect who was committing these petty larcenies in orchards. We heard a loud calling out of "Thieves!" and the baying of dogs, and we ran in that direction, and when we got there, we met one man jumping over a fence, and he was arrested, and myself and another constable went inside and found another man. I then made a search and I found two bags of plums. I asked both prisoners if they had put the plums in the bags, and they said "Yes." I asked if there were any other persons with them and they said "No." I locked them up for the night, and brought them before the Court in the morning. When the case was before the Court they both pleaded guilty; but for some reason the Court delayed for some considerable time, until a lawyer named Beard came in, and said, "Am I late?" "Very nearly," said Mr. Hutchison. He asked what was the plea, and the Magistrate replied, "Guilty," and he said, "I want to withdraw that." The Court said, "Very well." And the plea of guilty was withdrawn. These two men were remanded, and, on their own recognisances, the case was adjourned for three days. At the end of three days Mr. Beard made a great speech, in which he said the police had conspired to catch these two men. I had never seen the two men before; they had only come to Masterton a little while before. I asked Mr. Beard to produce evidence to that effect. I found the Magistrate was much worse than Mr. Beard. The Magistrate said Mr. Beard was right. I asked, What evidence was there to that effect? and he ordered me to be silent. The result was he was going to dismiss the case, and I said, if he did I would arrest the men again outside the Court. After some conversation the Magistrate convicted the men. He disbelieved the evidence of the two constables and myself. These two men were total strangers to both the constables and myself. We knew no more about them than about any one in this Court just now, but we fully intended to put a stop to orchard robbery, which was very prevalent at the time. I felt very much hurt to know that there was afterwards circulated in the newspapers fully two or three columns regarding the conduct of the Masterton police, and upbraiding them for conspiracy.

69. That was the report of the case?—Yes; but the report of the case did not come out immediately after the case.

70. And in the Magistrate's summing up he made use of some remarks pointing in that direction?—Yes; and I then applied to the headquarters for an investigation.

71. Was there any inquiry?—No, none. I took a copy of the evidence, as given by the two constables and myself, and sent it with the application, and it was perfectly satisfactory as to the action of the police. What hurt me most of all was the action of a paper in Christchurch called the *Prohibitionist*. That paper had these reports circulated in it, and was sent right throughout the colony and posted to the various Stipendiary Magistrates and others.

72. Did you take any action in reference to that?—I did not. I could not take any action without authority.

73. Do you remember that, in the case of a young man who was arrested, one of the young men who was arrested for stealing apples gave evidence that he was in bed and refused to go to the orchard, and was ultimately persuaded to go by some relative of the landlord who was robbed?—Yes, I recollect that.

74. Did not Mr. Beard call the attention of the Court to the fact that it was a peculiar thing that on that Sunday night you and another member of the Police Force were in close proximity to that orchard?—No, he did not.

75. Are you sure of that?—Yes, I am sure of that, because on the Saturday night before I was not in Masterton.

76. You had no knowledge that this boy who was caught in the orchard was going to be there?—I had no knowledge.

77. Evidence was given that the persons there were induced to go there, and that the police knew some one was going to rob the orchard?—It is quite untrue. I wish to say that I think, through the action of the presiding Magistrate then, I was very harshly treated. He knew me perfectly well, and knew I would not exceed my duty, and that it was beneath me to be connected in such a manner in bringing a case before the Court.

78. In what way were you harshly treated?—In reference to the remarks that fell from the Magistrate's lips after he convicted the parties.

79. Had that case nothing to do with your transfer from Masterton?—No, my transfer from Masterton was at my own request.

ROBERT KELLY, examined on oath.

80. *Colonel Pitt.*] What is your rank?—Second-class mounted constable, stationed at Nelson.

81. What is the matter you wish to bring under our notice?—I wish to speak as to the annual leave allowed to members of the Force. I think twelve days a year is not sufficient.

82. What do you think it should be?—I think members ought to get at least three weeks.

83. Do you mean in one year, or that the annual leave should be allowed to accumulate?—I think it should be allowed to accumulate, if a person does not want to take his leave in any year.

84. What you suggest is that the leave should be allowed to accumulate—up to how long?—I think the men ought to get three weeks.

85. How long leave should the men have each year?—I might say fourteen days; and if a man did not wish to have it, it should be allowed to accumulate up to three weeks.

86. Is there any other matter you wish to state?—Yes; I am an Inspector of Factories, and Agent for the Labour Bureau, and, of course, I am required to attend to the police duties besides, and a constable cannot attend to police duties and other duties.

87. Does it not appear to you that these outside offices held by constables interfere with their police duties?—Yes, I should say they must.

88. Is that your experience, that it does so in your case?—I cannot say that I have found it so; but I should say it would, because you would not be able to devote attention to police duties that you would otherwise. As a mounted constable here in Nelson for eleven or twelve years, I think it is hard that constables should come from other stations and take fees for the inspection of slaughterhouses which are all within two miles and a half of the town.

89. How does that happen?—Constable Knapp is Inspector of Slaughterhouses for all the principal slaughterhouses in the district. If there are to be fees for the inspection of slaughterhouses, and they are something considerable, I think the appointment of Inspector should be given to the constable at the station nearest to the slaughterhouses, and the mounted man especially.

90. The Inspector of Slaughterhouses is appointed by the local body?—Yes.

JOHN CULLINANE, examined on oath.

91. *Colonel Pitt.*] What is your rank?—Third-class constable, stationed at Nelson.

92. *Mr. Maginnity.*] Have you a full statement as to your case?—Yes; which I now produce, and wrote, as follows:—

To the Gentlemen constituting the Police Commission of Inquiry, &c., sitting in Wellington.
GENTLEMEN,—

Police-station, Nelson, 14th March, 1898.
I most respectfully beg to be allowed to place before you the following facts in contradiction to the untruthful statement made by an ex-constable, named Slight, and to lay before you the cause for which I was compelled to retire from the police in 1890.

Through an accidental injury in the discharge of my duty, I was laid up, and finding I was not recovering so soon as I anticipated, I thought in justice to the department I should retire, and did so. Upon my retirement I received my compensation, but in twelve months after I found myself sufficiently well to rejoin. I met the Hon. R. J. Seddon, Colonel Hume, and A. W. Hogg, Esq., M.H.R. for Masterton, in a room in the Parliamentary Buildings, and was allowed to bring my case, as to my rejoining again, before the Hon. the Premier, who asked me if I could pay back the compensation I had received. I replied, "Yes." The Premier said, "Very well, you can rejoin." I said, "Sir, am I to understand that my former service will be continuous and unbroken?" He replied, "Undoubtedly." Some time after, when I called at Colonel Hume's office, he informed me saying you must join third class. I replied, "If so, then I will lose £36 10s. per year from my former rank; also, loss of station, with free house, as I cannot get charge of a station again as third-class constable"; so I had to accept what I got. I am now six years and six months on as a third-class constable at a reduction of 2s. per diem, and doing duty equally the same as first class, during which period I have received £237 5s. less than I would have been paid had I been able to have remained on at my former rank, and had to pay £20 per year house-rent in Nelson, under which circumstances the country has not lost anything. If allowed to pay the compensation, £139 19s., back, I would have been in receipt of 9s. per diem instead of 7s., probably with free house, and my chance of promotion to sergeant. So that it will be seen, through my unfortunate accident which compelled my retirement, it is I who am the loser, and not the country, as now, if I am leaving, or whenever I may retire, I get nothing whatever. As to ex-Constable Slight's remarks, I most emphatically deny that ever myself and Constable Hattie had any conversation regarding the matter; in fact, I have never served with Hattie, neither have I ever written to him.

Through my unfortunate accident I am now in the unfortunate position of having lost my service, and still remain a third-class constable, which I trust the Commissioners will consider favourably and recommend me to the Commissioner of Police for some slight recognition. I should not have written but for the untruthful statements of ex-Constable Slight, as it might cause an impression to exist in the minds of my superiors and the public that I had wilfully, by some cunning device, robbed the Government.

I have nothing whatever to say against Colonel Hume. When I joined third class the probability is that he was giving me a chance of displaying my knowledge of police and detective skill to the best advantage; but Nelson is the wrong place, in consequence of its freedom from crime of a serious nature, only one case of breaking and robbery from a shop at night since my arrival, which is over five years.

The Officer in Charge Police, Nelson.

JOHN CULLINANE, Third-class Constable, No. 614.

GENTLEMEN,—I am now in this unfortunate position—First, Should I risk my life to save life and property, and succeed in saving same at loss of losing my life, my wife would have to pay burial expenses, &c., or if she was not in a position, the local authorities. Second, If disabled for life I would not get anything. Third, I am doing first-class duty for third-class pay. I am also willing to submit myself to medical examination to show that I received the injuries referred to, and that it would be injurious to me still to do constant mounted duty, but I can ride twenty miles occasionally, and have done so several times in Nelson. The injury does not affect me doing foot duty. I think I am deserving of some credit, and to be able to support five in family for the last five or six years on 7s. a day, reduced to 6s. by paying house-rent, or, in other words, 1s. 2^d. per day to each member of the family, with schooling, clothing, uniform and plain clothes for self, and all the other expenses so well known to all married people. In the absence of a commissioned officer in this district, and Sergeant White who is in charge at Greymouth not knowing me, I would respectfully ask the Commission to be good enough to call on Sergeant McArdle, who is in charge of this station, to say what he thinks of me as a constable, as this is my third time serving under him for the past fifteen or sixteen years.

In Slight's evidence he states that Hattie was one of a combination against him. How is it feasible that Hattie would tell Slight some time after how he succeeded in getting his compensation by unfair means.

JOHN CULLINANE, Constable.

93. I think you wish to amend that statement by stating that the periods should be six years and six months, instead of five years, wherever mentioned?—Yes.

94. Is that your discharge?—Yes, it is dated 27th May, 1890, and signed "J. G. Fox, for the Commissioner of Police," who was Major Gudgeon, at that time. It reads: "Conduct very good, and discharged on account of medical unfitness."

95. You stated in your report that you are strong and healthy for foot duty; that is your present condition of health?—Yes.

96. You are not able to do heavy riding?—No.

97. Is that the result of your former injury when in the service?—Yes.

98. *Colonel Pitt.*] You say Colonel Hume was present when the Hon. Mr. Seddon said that your service would be unbroken undoubtedly?—Yes.

99. When Commissioner Hume said to you, "You must join again as a third-class constable," did you call his attention to that conversation?—I did, by saying, "Colonel Hume, that would be very unfair. I cannot get charge of a station, and I lose £38 10s. a year by it."

100. *Mr. Tunbridge.*] You were anxious to rejoin?—Yes.

101. And you know that an exception was made in your case?—Yes, I believe it was.

102. Do you know of any other instance, beside your case and that of Hattie, of men being allowed to rejoin?—I am not aware of them.

103. You made very great efforts, as a matter of fact?—Yes, I think I was justified in doing so.

104. And when you were readmitted to the service you knew you were going back as third-class constable?—I could not help myself; I had received the promise of the Premier to be taken back into the Force.

105. But you were not reappointed until you saw Colonel Hume? It was when you were about to be reappointed you were told you could only be appointed as third-class constable?—When I called in, about a week after the conversation took place between the Premier and Colonel Hume, the latter said I would have to join third class.

106. That is, before you were sworn in?—Yes.

107. And therefore, had you wished to abstain from joining the Force before you were sworn in as third-class constable, you could have done so?—Oh, certainly.

108. Is constable anything more than third-class constable?—I do not know.

109. Do I understand that you desire the Commissioners to consider whether or not you ought to receive another retiring-allowance when you again retire?—If allowed to pay in my former compensation, and my former service is to be continuous and unbroken, I would get compensation on retiring.

110. But you have never repaid it?—I have offered to repay it.

111. You said you were able to perform first-class duty?—Yes.

112. You are performing the ordinary duties of a constable?—Yes, nothing more.

113. A young constable taken on now would be performing the same duties as you?—I do not think so; a young man who had just joined and had received no training would not be able to do the work I do.

114. *Colonel Hume.*] You stated that I was present at an interview with the Premier, and Mr. Hogg, and yourself?—That is correct.

115. In a room in the Parliamentary Buildings?—Yes.

116. I understand you to say that the Premier said you were to be reinstated with an unbroken service, and as a first-class constable?—That is correct.

117. How long had you been out of the service then?—Fourteen or fifteen months.

118. Were you to pay back your compensation?—Yes.

119. And what did I say?—You said nothing there.

120. How soon after that were you appointed?—Four or five weeks, perhaps, afterwards.

121. And were you appointed a first-class constable?—I was not; I was appointed a third-class constable.

122. And did your service count?—No.

123. And did you make any complaint about that?—No.

124. Then, did you go to Mr. Hogg about it?—No.

125. You never sent in any protest, or anything at all?—No, certainly not.

126. Though the Premier had promised in Mr. Hogg's presence that you should join as first-class constable, you quietly submitted to join as third-class constable?—Yes.

127. Now, can you tell me a case where a man was brought back to the service and allowed to count his former service after he had been out of the Force fourteen months?—No.

128. Now, you have seen me very often after this happened?—Yes.

129. Did you ever bring this before me?—No, I did not. I was going to speak to you on two occasions to ask for advancement, but, for some reason or other, I did not do so.

HENRY McARDLE, further examined on oath.

130. *Mr. Maginnity.*] You are the officer in charge of the Nelson Police District?—Yes.
131. Constable John Cullinane is constable under your command?—Yes.
132. How long has he been under you?—I am here two years, and he was here before I came.
133. You have had an opportunity of judging his capability as a constable in the two years?—I had known him previous to coming to this district.
134. Where was that?—In the Wairarapa, at Masterton.
135. How long was he under you there?—About three years.
136. You have known him then as a subordinate of yours about five years?—Yes.
137. Well, now, during the last two years in Nelson, of course you have had ample opportunities of judging of his capability as a constable?—Yes, that is my business.
138. Will you tell the Commissioners if you have found him a competent officer?—I always found the constable a good officer.
139. He is a third-class constable?—Yes, at present.
140. Is the constable, from your knowledge, equal to the duty of a first-class constable?—He was a first-class constable when serving under me in the Wairarapa.
141. And, so far as you know, he is as good now as he was then?—Yes.
142. And is good in his duties?—Yes, he is a capable man as a constable.
143. He has made some important arrests in Nelson?—Yes, one or two in my time. There is one case in which the man is now awaiting trial. He is very smart in effecting arrests.
144. Have you found him good enough for plain-clothes duty?—Yes, I have detailed him for that work several times.
145. Have you found him competent and willing?—Yes, always.
146. You remember when Cullinane had to retire from the service?—I do, but I was then in Hawke's Bay.
147. He was not under you then?—No.
148. Can you tell the Commissioners what, in your opinion, were his chances of success in the service if he had not had to retire from the Force in 1890?—If he continued as capable a man as when he served with me in the Wairarapa, I would say he had big chances for promotion.
149. *Mr. Tunbridge.*] What is the present case awaiting trial?—It is a case of forging and uttering.
150. Where was the man arrested?—In Nelson.
151. Was there any circumstance about the case showing any great ability on the part of the constable?—It was the manner in which he traced the man. If it had not been for the constable the person victimised would have known nothing about it; but the constable was keeping a surveillance over this party who is now committed for trial, and it was by the constable explaining something to the person who was victimised that he learned he had a cheque belonging to this man.
152. What were the antecedents of the man the constable had been watching?—Very bad.
153. He had been imprisoned very often?—Yes.
154. And was well known to every policeman here?—No, only to myself and Constable Cullinane.
155. *Colonel Hume.*] You told us Cullinane was a very good duty officer; but what about his physical abilities, has he been sick at all during the past few years?—Once.
156. What was the matter with him?—Influenza.
157. Then you consider that, so far as his physical qualifications are concerned, no mistake was made in bringing him back to the service?—No, I think there was no mistake made in that.
158. *Mr. Maginnity.*] Were you here when that arrest was made for house-breaking and robbery?—No, I do not think I was here.

ARTHUR HUME, examined on oath.

159. *The Chairman.*] I will read the passage in the complaint of Constable Cullinane which has been given as part of his evidence, namely: "Through an accidental injury in the discharge of my duty, I was laid up, and, finding I was not recovering so soon as I anticipated, I thought in justice to the department I should retire, and did so. Upon my retirement I received my compensation, but in twelve months after I found myself sufficiently well to again rejoin. I met the Hon. R. J. Seddon, Colonel Hume, and A. W. Hogg, Esq., M.H.R. for Masterton, in a room in the Parliamentary Buildings, and was allowed to bring my case (as to my rejoining again) before the Hon. the Premier, who asked me if I could pay back the compensation I had received. I replied, 'Yes.' The Premier said, 'Very well, you can rejoin.' I said, 'Sir, am I to understand that my former service will be continuous and unbroken'; he replied, 'Undoubtedly.'" Is that a correct version of the interview at which you were present?—No, it is not, so far as my memory serves me. In the first place, I saw Constable Cullinane as a civilian when I was in Masterton. We had a conversation there, and from what I saw of him I thought he was physically fit for the service, and he asked me to try and get him back into the service. I told him I would take it into consideration and would see what could be done. This interview afterwards, I think, did take place in the Cabinet Room in the Parliamentary Buildings, but I am perfectly certain that Constable Cullinane is making a mistake as to Mr. Seddon saying he would be reinstated as a first-class constable with unbroken service. I certainly cannot remember it.

161. Are you prepared, on your oath, to contradict the version which he has given of that conversation?—I think I am. Yes, it would be such an unheard-of thing that I would have said to Mr. Seddon, "That is impossible, and would establish a precedent."

162. Will you swear that it did not take place?—I would rather not do that. I would rather Mr. Seddon and Mr. Hogg spoke for themselves. For another thing, the result shows that this could not have taken place. If Mr. Seddon had given that order Mr. Cullinane must have been taken on as a first-class constable.

163. *Colonel Pitt.*] In the matter of refunding the compensation, did you understand that refunding the compensation was part of the bargain?—No, I did not understand he was to repay the compensation; as I explained to the Commission in Wellington, there is no such precedent of a man paying back his compensation. I think I showed the Commissioners papers, in Wellington, in which the appointment of Cullinane as a third-class constable was authorised by Mr. Seddon.

164. *Mr. Maginnity.*] That, of course, was after the interview in the Parliament Buildings?—Yes, some time afterwards, because Mr. Hogg wrote after that, and I replied to him and said there was no vacancy.

165. Then, it was possible the Premier changed his mind?—I should think very improbable.

166. Constable Cullinane swore positively to this statement that he has put in his application to the Commissioners. You say you cannot swear that Mr. Seddon used or did not use such words; did you think he did not?—Yes.

167. Can you swear, if the Commissioners wish it, positively, from your own knowledge, that Mr. Seddon did not make the remarks?—I think I can, because simply, in addition to everything else, I should have had to take him on as a first-class constable.

168. I do not mean from surrounding circumstances, but from actual facts; and Constable Cullinane has sworn positively to the statement he has made to the Commissioners. Now, you say you cannot swear positively, but you think his statement is wrong?—Yes.

169. Is it not more likely that Constable Cullinane, who is the most interested party in the matter, would be very much more likely to remember the true circumstances of the case than you?—I do not think so.

KATE CONWAY, examined on oath.

170. *Mr. Tunbridge.*] You are a spinster?—Yes.

171. You are now living in Nelson?—Yes.

172. I believe in the year 1896 you obtained by probate on your late mother's will a licensed house at Stafford?—Yes.

173. The name of the house was the Excelsior Hotel?—Yes.

174. Will you kindly state to the Commissioners what took place between yourself and Sergeant Hannan in respect to the disposal of that property?—It was a business transaction between Sergeant Hannan and myself. He bought the house from me and sold it to another person.

175. Did you see Sergeant Hannan first on the matter, or did he go to you?—He came to me.

176. You are not able to give the date when he came to you?—No.

177. Did he suggest to you that you should sell the hotel, or what took place?—I really do not remember whether he suggested it, or whether he knew before that I wanted to sell.

178. Can you remember what took place at the interview: if you can, please state it in your own words?—I do not remember the whole facts of the case, but I know he told me he could find a person who would buy from me.

179. Did he mention the name of the person?—No; I never asked.

180. Did he say anything as to the price?—He asked me what money I would take.

181. Did you name any sum?—Yes.

182. What was the sum you named?—I think the first sum I named was £180.

183. Did you name any other sum at that time?—No, I did not.

184. Then, at that interview, when he left you, it was under the impression that you would accept £180 for the whole property?—Yes.

185. Was anything said to you by Sergeant Hannan as to whether you could get a license to carry on the hotel yourself?—No; I knew I could not get a license myself to carry on the hotel.

186. Did he say anything to you on the subject?—I do not think he did. I do not remember him saying anything.

187. Did you ask him the question about getting a license?—I really do not remember.

188. Then, you saw Sergeant Hannan again?—Yes, nearly every day.

189. What took place at the next interview?—I really do not remember what took place at every interview.

190. When you saw him again what took place as to the price?—I know he gradually beat me down to a much lower sum.

191. Did he say he would not pay you that sum, or that the person whom he thought would buy it would not pay that sum?—He represented to me that he could not get that amount for me, and I heard afterwards—I have no proof of it—that he got much more.

192. Did he say how much he could get you?—Yes.

193. What amount did he name?—I think he said he could get me £140. I am not quite sure of the amount now.

194. Did you consent to take that sum?—Yes.

195. What was the amount you ultimately received from him?—That was the amount; somewhere about that.

196. Did you pay any costs of the transfer, or did he pay all the costs?—I do not remember whether I paid some of them or whether he paid them all.

197. You have no documents at all relating to the transaction?—No; he has the documents.

198. If the document or if Sergeant Hannan on oath says he paid you £135 in cash, would you accept that as the right version?—Yes; I do not remember the exact amount.

199. You are quite clear that the sergeant represented to you that he was not able to get you any more for the hotel than that?—Yes; I am perfectly sure of that.
200. You understood from the beginning that he was not purchasing it for himself, but was acting as the agent for some other person?—Yes.
201. And that it was not his own money he was paying over to you?—Yes, although the cheques he gave me were in his own name.
202. Did he first pay you something on deposit?—Yes, £20.
203. And later on paid you the balance?—Yes.
204. In both cases cheques of his own?—Yes.
205. Did the name of Mr. Henne crop up in any way between yourself and Sergeant Hannan?—I asked him once if Mr. Henne would buy it, and he said, “No” distinctly.
206. You are sure of that?—Yes.
207. Then, it is not right if Sergeant Hannan says he suggested you should trade with Henne yourself, and you said you would not do so?—Sergeant Hannan distinctly told me that Henne would not deal with me at all.
208. *The Chairman.*] Did you ever tell him you would not deal with Henne?—Never.
209. *Mr. Tunbridge.*] Did you desire to deal with Henne yourself?—Yes.
210. And were you dissuaded by the sergeant from dealing with him?—Yes; I was kept from him when I could have got a much better sum than I got.
211. You were kept from him by words used by Sergeant Hannan?—Yes.
212. Can you remember the words he used to dissuade you from going to Henne?—I think these are the words: I asked him if Mr. Henne would buy, and he said, “I would not bother about him; I know he would not buy.”
213. What did the £135 include: the hotel building, the land on which it stood, the good-will and unexpired term of the license, and billiard-table?—Yes.
214. Anything else?—No, nothing else.
215. Were there some lamps included in the purchase?—Yes, I think there were.
216. Did you give Sergeant Hannan a receipt for the money?—Yes, for the amount he gave me.
217. Is this the receipt you gave Sergeant Hannan for the money—viz., “Stafford, 4th August, 1896.—Received from Mr. Daniel Hannan the sum of £135 (one hundred and thirty-five pounds sterling), being payment in full for purchase of Excelsior Hotel, billiard-table and furniture, sections, &c.—K. CONWAY, executrix C. Conway.”?—Yes.
218. Did Sergeant Hannan at any time show any reluctance to take part in this matter at all?—None.
219. Did he advise you to consult a solicitor?—I do not remember his doing so.
220. You have no recollection that he did so advise you?—No.
221. *Mr. Fell.*] How was it you had this dealing with Sergeant Hannan? Why did you not go to some commission agent to sell this place?—Sergeant Hannan came to me.
222. I suppose you had known him as a constable?—Yes; I had known him for some time, and considered him my friend.
223. Then, did you in conversation ask him how to get rid of it, or how did the transaction commence?—After I mentioned the matter he promised to get a person to buy it from me. He was a friend of our family.
224. And you thought and supposed he was doing the best he could for you?—Yes. It was just about a week after my mother’s death, and I was not looking after business matters much then, and I may have done things at that time which I would not have done had I had time to think it over.
225. How long were the transactions going on?—My mother died on the 3rd July; I left the house about the middle of August. It must have been going on for about a month.
226. *The Chairman.*] Do I understand he promised to get the best price he could for you?—Yes.
227. *Mr. Fell.*] In this month did you speak to anybody else about the sale of this house, or did you take anybody else into counsel over this sale?—It was kept a matter of secrecy. Sergeant Hannan asked me not to say much about it. He said business matters were best kept to myself, and consequently I did not mention it to anybody. Nobody besides ourselves knew what was going on. I did not know myself until the day I left the house that the house was to be closed up.
228. Had you no other relations or friends in Stafford?—I had one sister living there.
229. Did you talk it over with her?—No. I had a cousin living in the house with me, and I do not think she knew anything about it.
230. Do you know your brother-in-law well?—Yes.
231. Did you ever speak to him about it?—No.
232. Is Sergeant Hannan a married man?—Yes.
233. When did you first suppose that Hannan was selling this place to Henne, or that the sale was really to Henne?—I did not know that Henne had bought anything of the house until the night after I left, or the night I left.
234. That is about a fortnight after the time you received the money?—Yes.
235. Did you not ever ask Sergeant Hannan who was the purchaser?—Yes.
236. What did he say?—At one time he mentioned the name of Mr. Carmine, living at Goldsborough, and this was spoken about in the place, but Mr. Carmine would never own up to buying it. When people mentioned it to him as having bought the hotel he said he had not.
237. The money was paid to you in two instalments by two cheques from Sergeant Hannan?—Yes.

238. Did it not occur to you at that time to ask him who was purchasing, and how it was you were being paid by Hannan's cheques and not by the purchaser's cheques?—It did occur to me, but I thought it was no business of mine to ask him.

239. Did you know at that time, or had you reason to suppose, that Hannan was buying it for himself or for somebody else?—I could not understand; it was a very mysterious transaction.

240. But you were quite content to take the £135 and sign the transfer?—I had to; but I was not exactly content to do so.

241. Why did you do a thing with which you were not satisfied?—After I had signed the first paper he had given me I almost fancied I had been wronged.

242. When did you first speak to anybody else about it; when did you first make any complaint to anybody about it?—It may have been two or three days or a week after I give up possession. It was not very long.

243. Then you found that Henne had got possession?—Yes.

244. And was that the first you knew of Henne being the purchaser?—Yes.

245. Did it not strike you as curious that if Hannan was not the purchaser you should have been paid in Hannan's cheques?—Yes.

246. And did you ask Hannan anything about it?—No, I do not think I did.

247. Do you remember the papers of transfer? You see the land was transferred by a separate document, and in that document the price was stated to be £45, and I presume you must have signed this in favour of Sergeant Hannan. Do you remember signing that?—No, I do not remember.

248. You received the whole of the purchase-money on the 4th August?—Yes.

249. But you had previously been paid £20, and received the balance on that day?—Yes.

250. Did you sign any instrument making over the billiard-table and other things, or were they just handed over without signing anything?—Yes, I think so.

251. And that transfer was signed to Hannan and not to Henne?—Yes; I signed nothing to Mr. Henne.

252. How long had you known Sergeant Hannan?—I had known him some years.

253. Have you ever complained to him that he treated you unfairly in this matter?—Yes.

254. How long after the transaction was it?—It may have been a week. I went to his place and asked him if it was true, and he would not listen to me.

255. What do you mean by would not listen to you?—He said I was informed wrongly.

256. And did he say what the correct version of the matter was?—He told me then it was bought from me and sold to another person.

257. Did he tell you the nature of the sale to the other person?—No.

258. Or how much he got?—No.

259. Nor who he was?—No, I do not think he did. Of course, it was known that Henne had bought it. I did now ask because I knew.

260. You did not know, I suppose, how much he had given for it?—Yes, I had heard the amount. I think it was £180 he got.

261. Did you tax Hannan with having done this thing?—Yes.

262. And with pretending to be your friend and having sold to Henne at a much larger sum?—Yes.

263. What explanation did he give?—The explanation was that he bought from me at one price and sold for another, and that he made a profit.

264. He admitted he made a profit?—He did not admit it exactly.

265. Did you leave the matter there?—Yes; I was going to see it through, but I did not care to, and I left it alone.

266. Have you ever seen him since?—Yes.

267. Have you ever spoken of this matter since; have you been good friends since?—No, we have not.

268. Have you been in the habit of visiting at his house?—Very rarely.

269. Have you been to his house since?—I went to his house twice, and that was to complain about what he had done.

270. Did you know his wife?—Yes.

271. Is she a friend of yours?—Yes; his wife was at my mother's deathbed.

272. Have you seen her since?—Yes, and she told me she knew nothing of the transaction whatever. She was very much surprised when I told her what her husband had done.

273. *Mr. Poynton.*] Did Sergeant Hannan advise you to consult a solicitor and your brother-in-law about the sale of the house?—No, not that I remember. I do not remember him advising me to do anything at all. I would not swear on that point, but I am almost sure he did not.

274. He also stated he advised you to consult an auctioneer or commission agent?—No, he did not.

275. He would be incorrect if he says he did?—Yes; I understood he was a friend of mine, and trying to do all he could for me instead of otherwise.

276. What was your age at that time?—Twenty-two.

277. Had your mother been ill long?—Yes, some time.

278. Were you under the belief at that time that a single woman could not hold a license, and in consequence of that you sold the place?—Yes, that was the main reason.

279. Had you known you could have held a license you would not have sold for that?—No.

280. *Mr. Fell.*] You knew you could not hold a license apart from what Sergeant Hannan told you?—Yes.

281. *Mr. Tunbridge.*] You have never applied for a license here?—No, I have never applied myself. I understood a single woman could not hold a license, and I thought it was useless to apply.

282. You have never applied and been refused?—No.

283. You are not familiar with business transactions?—No.

284. And, your mother being just dead, you looked upon Sergeant Hannan as a friend?—Yes; and I thought it was a very good thing for me to have somebody to look after it for me.

285. And you thought right up to the time that the sale was completed that Sergeant Hannan was your friend?—Yes, I thought so.

286. And that he was acting honestly for you to get all he could for you?—Yes; and he misrepresented everything to me.

287. You have been asked what you said to Sergeant Hannan: what did you hear that he had made from the hotel transaction?—I think I heard he got £65 more than he gave me. Besides, I think if I had gone to somebody else I could have got a much better sum.

288. And when you went to see him you accused him of having cheated you, practically, out of £65?—Yes, and probably more which I might have got.

289. And what was his answer to that?—He said I had been wrongly informed. Then he half admitted that he made a good sale, or that it was a clever business transaction. That is what I understood from his words.

290. *Mr. Poynton.*] You said you had no desire to make a charge against Sergeant Hannan, and that you came here against your will?—Yes.

FRIDAY, 13th MAY, 1898.

HUGH CALDERS, examined on oath.

1. *Mr. McNab.*] You are Postmaster and Registrar of Electors at Nelson?—Yes.

2. At the last general election it was necessary that the Sounds should be visited by some officer on your behalf?—It was necessary for the purpose of purging the rolls.

3. Was Constable Jeffries appointed by the Government to fulfil that office?—I cannot say positively, but from hearsay, and from the memorandum I received from Mr. Stoney, the Registrar of Electors at Blenheim, he was appointed.

4. Did he do the work?—Yes.

5. So far as you were concerned, was the work satisfactorily done?—Yes.

6. You produced a list furnished by the constable to you?—The list which I have is one furnished by Mr. Jeffries to Mr. Stoney, Registrar of Electors for the Wairau Electoral District, who forwarded it on to me with the request to have the names therein stated inserted on the Nelson roll, as they were required to be removed from the Wairau roll, at the instigation of Mr. Jeffries, who had evidently visited the Sounds in the meantime.

7. Is it within your knowledge that the sitting member made any complaint about Constable Jeffries's conduct?—Not to me.

8. Do you know officially that a complaint was made?—I do not remember ever receiving any communication whatever intimating that Mr. Jeffries did not or had not performed his duty satisfactorily beyond what Constable Jeffries told me himself privately.

9. *The Chairman.*] What office did Constable Jeffries hold during the time he was visiting these places with a view to purging the roll?—He signs himself as John Jeffries, and I only knew him in that character, and that indirectly through Mr. Stoney, Registrar, to whom he reported.

10. *Mr. McNab.*] Was there any other person who was employed in a similar capacity to Constable Jeffries?—Yes; Mr. Hoddinott, late Clerk of Court and Registrar of Electors at Havelock.

11. Were there any errors that had to be rectified here?—There were some names that had to be removed from the roll, and several were placed on it.

12. In your official capacity you had to inquire whether it was Constable Jeffries or Mr. Hoddinott who was to blame?—I do not think any blame was involved in the question. The only thing that came up was that I wished to be very accurate and was careful in getting the names on to the various rolls, and I asked this Mr. Hoddinott to assist me in the meantime. I received instructions from the Under-Secretary of the Colonial Secretary's Department, informing me that Mr. Hoddinott, late Registrar of Electors at Havelock, would assist me in purging that portion of the Sounds which was transferred to the Nelson District, and in accordance with that I wrote to Mr. Hoddinott, and he rendered me every assistance he could. I think it is only fair to Mr. Hoddinott and Jeffries to state that this matter was rushed through, and that there was very little time given us to do the work, and that if mistakes had occurred they were certainly pardonable, because it was only by 2 o'clock of the morning before the election that I succeeded in getting all the rolls ready for the Returning Officer in Nelson.

13. Who had the Under-Secretary put the blame on?—When in conversation with Mr. Pollen, in Wellington—I do not know that it was direct blame—Mr. Pollen said, "Was not Jeffries sent down to purge the rolls?" and I said, "Yes"; and I said, "These names complained of having been removed from the Wairau list do not appear on my list."

14. Did Mr. C. H. Mills, the sitting member, lodge a complaint about Jeffries?—I do not know that he did beyond what Jeffries has told me. I cannot say positively that there was any complaint lodged.

15. Did you make an inquiry into a complaint that was lodged as between Jeffries and Hoddinott; did you not make an inquiry as to who was to blame?—At the instigation or on the inquiry of Constable Jeffries I examined the papers in my office, which I now hold in my hand, and I told him that none of the names he then supplied to me on a list appeared on the list which he sent to Mr. Stoney, Registrar at Blenheim, and which that officer had sent to me.

16. When you saw the Under-Secretary was there not a question as to who was to blame as between Mr. Hoddinott and Mr. Jeffries; did not the Under-Secretary ask you that?—I think not; not in that language; in ordinary discussion it came up.

17. Did you not express your opinion in very plain words to Mr. Pollen?—Yes; I remember stating in answer to questions put to me that so far as my roll was concerned Mr. Jeffries was not at fault.

18. You are prepared to say the same thing now—that Constable Jeffries was not at fault at all so far as your roll was concerned?—Not so far as my roll was concerned.

19. But about any complaint by Mr. Mills you know nothing at all, you simply expressed the opinion that Constable Jeffries's conduct, so far as your roll was concerned, was in every way satisfactory?—That is so.

20. *Colonel Hume.*] When did Constable Jeffries come to you about this?—Some time after his removal from Picton; after he came to Nelson.

21. Have you had any conversation with him since about it?—Yes; I think he has spoken to me about it since.

22. What did he say?—I really forget. Just ordinary conversation took place in regard to his being blamed, and I told him I was perfectly satisfied he was not to blame in regard to moving any names.

23. Did he tell you he was removed from Picton on account of this?—I do not remember, but I think he indicated to me on one occasion that that was the cause of his removal.

24. In your conversation with Mr. Pollen did Mr. Pollen give you to understand that he blamed Jeffries in any way at all about this roll?—Yes; I think that I inferred from his conversation that there had been a complaint to him that Jeffries was to blame.

25. He did not tell you who lodged the complaint?—No, he did not; he only indicated that a complaint had been made.

26. Since then you have had a conversation with Jeffries about this?—Yes, I have, I believe, when we have met. It has always been a matter of anxiety with him, and he has mentioned it.

27. Did he come and ask you to come and give evidence before the Commission?—Yes; he said he would like me merely to come and testify as to what I knew of this case, and I notified him I was quite willing to come if subpoenaed.

28. Did anything spring up then about the transfer at that conversation?—Not that I remember; I do not think so.

29. Then, so far as your memory serves you, you do not think you have had any conversation with Jeffries about this transfer since this Commission was under way?—No; not about the transfer, but about the rolls. Of course, Constable Jeffries always seemed to imply to me that he was removed from Picton in consequence of not having dealt correctly with the rolls.

30. Can you tell us the last time you had any conversation with him?—I cannot.

31. Had you any conversation in the last week or fortnight?—I really cannot say.

32. *Mr. McNab.*] I understand from the question Colonel Hume put to you that Mr. Pollen led you to believe that complaint had been made to him about Jeffries's conduct?—The conversation was not an official one, and he said some trouble had arisen in consequence of Mr. Jeffries having removed names from the roll.

33. *Colonel Pitt.*] Do you mean improperly removed?—There was nothing improper about it.

34. *Mr. McNab.*] Did not Mr. Pollen lead you to believe that Jeffries had tampered with the roll?—That is what I inferred.

35. Was not the impression in Mr. Pollen's mind that Constable Jeffries had behaved improperly with regard to the rolls?—That is what I inferred from his conversation.

36. Of course, who led to that impression you cannot say; it might have been Colonel Hume or the sitting member as far as you know?—Quite so.

37. *Colonel Pitt.*] What was the complaint issued—that names had been improperly put upon the Sound's roll, or that names had not been put on the roll that ought to have been put?—No definite complaint whatever was made.

38. *The Chairman.*] From your conversation with Mr. Pollen did you gather that Constable Jeffries had failed to put people on the Wairau roll who ought to have been put on, or that he improperly took people off?—Nothing whatever was definitely stated; he only indicated that Jeffries had done something irregular; I do not know what it was.

39. *Mr. McNab.*] And you explained to Mr. Pollen that it was a wrongful charge against Constable Jeffries so far as the Nelson electoral roll was concerned?—Yes.

40. *The Chairman.*] Jeffries sent to you a list of names to put on the Nelson roll?—That is so.

41. Has it in any way come to your knowledge that any of these names were improperly taken off the Wairau roll?—No.

HENRY McARDLE, examined on oath.

42. *Mr. McNab.*] You are sergeant of police in charge of the Nelson sub-district?—Yes.

43. I believe Constable Jeffries has been stationed in the district some time?—He came here in July last from Takaka to the Port station.

44. How long has he been at the Port?—Since the 28th July last.

45. Of course, his station was the Port?—Yes.

46. When he came here what was the state of the police-buildings at the Port?—They were infested with cockroaches.

47. As a matter of fact, the building was not habitable?—It was not.

48. And in consequence of that Jeffries was for thirty-two weeks without a house and home?—Jeffries had permission from the Commissioner of Police to sleep at the police-station in Nelson.

49. For a period of thirty-two weeks he was practically without house and home?—Well, he was; he was not residing there, and his family were at Picton.

50. As soon as the building was completed Mrs. Jeffries and family arrived, but there was not proper accommodation in consequence of the uninhabitable condition of the building?—Yes, about that time. I might be allowed to state that there was a remuneration of £6 10s. made to the constable by the Commissioner of Police.

51. That is the allowance as from last January?—Yes.

52. *Colonel Hume.*] These quarters at the Port were not habitable when Jeffries went there?—They might do for a single man, but they were in a very dilapidated state.

53. How many rooms were habitable?—I think none.

54. How was the single constable to live there?—He might manage to live better than a man with a family.

55. Were none of the rooms habitable?—I dare say he might manage to live in one room.

56. Was there not a constable named Mackay there not long ago?—Yes.

57. Was he a bachelor?—No; he had a wife and three children.

58. Did he manage to live there?—Yes.

59. Then it was habitable?—He was complaining continually. He complained to Inspector Pratt, to my knowledge, at several times of the condition of the building.

60. Did he ever complain about the cockroaches?—He did, and the public complained to him about them also.

61. Will you swear that he complained about the cockroaches to Inspector Pratt?—I do, in my presence.

62. How long ago was that?—Fully twelve months ago come June.

63. Then, what did Inspector Pratt do?—He said he would see and have improvements made to the building.

64. Instead of complaining about the cockroaches, was it not to have a new kitchen put on the building?—That application was also made.

65. Was it ever said, or did you ever know of it being said, that the house was habitable because of a new kitchen. Would that improve the five other rooms?—No; but they were to put new paper up and fumigate in order to kill cockroaches.

66. *The Chairman.*] Has it been done?—Yes; now.

67. *Colonel Hume.*] Any way, up to the time Constable Mackay left the House apparently it was habitable because he lived in it with his family?—He had to.

68. When did he move?—I cannot remember; I think he left early in July.

69. *Mr. Tunbridge.*] You know that a vote was taken on last year's estimates for the carrying-out of these alterations?—Yes.

70. And it was expected these repairs and additions would have been effected long before they were?—Yes.

71. There has been some delay on the part of the Public Works Department?—Yes.

72. And that was the reason the repairs were not carried out sooner?—Yes; they were expected to commence every week, but they did not.

73. As regards the department admitting any claim, does it not arise from the fact that this undue delay had taken place in carrying out the additions and alterations, and so thought that the constable should receive some lodging-allowance owing to that delay?—That was so.

74. And it was thought in giving the lodging-allowance as from January last he would be fairly well met in the matter?—Yes; that is what I understood.

75. As a matter of fact, it was giving a lodging-allowance from the 1st January up to the time of occupation?—Yes.

76. How long has it been in occupation?—From the 23rd of last month.

77. *The Chairman.*] What lodging-allowance has been granted?—It was about 8s. per week, equal to the rent he was paying in Picton.

78. He himself has been living in a police-station here rent free?—Yes.

79. *Colonel Hume.*] Did Constable Jeffries, when he came to Nelson, tell you that Mrs. Jeffries and family were not coming over?—I have no recollection of it.

80. You do not know whether he told Inspector Pratt?—I did not hear him.

81. *Mr. Tunbridge.*] What is the number of Jeffries's family?—Seven children.

82. Of course, the family is a bigger one than Mackay had there?—Yes.

83. And the premises were not large enough for a man with so big a family?—That is so.

84. *Colonel Pitt.*] Are all the family with him?—There are only five at present.

JOHN BENNETT TUNBRIDGE, examined on oath.

85. *The Chairman.*] You are Commissioner of Police?—Yes; and an application was submitted from Constable Jeffries to me, I think, about three months ago for an allowance in lieu of house-accommodation. In support of this application he stated he had been unable to bring his wife and family to reside with him at Nelson owing to the condition of the police-buildings at the Port. I went into the matter, and learned that the Public Works Department had been instructed some six or eight months before to carry out certain additions and alterations to the buildings; but owing to, I think, some delay in passing the estimates in the House, it was not possible to carry out the work. The premises were not, as I gleaned from the papers, absolutely unfit for occupation, and might have been occupied by a constable, although the accommodation was probably not sufficient for the whole of his family. Under the circumstances, I considered that if the constable was given an allowance in lieu of quarters from January last it would very well meet the matter of his complaint, as I thought it was more a matter of his own convenience that he did not take his wife there than the fault of the building. I therefore directed that he should receive a sum equivalent to that which he was paying for his wife and family at Picton.

86. How did you fix that date, and on what grounds?—Because I felt that the delay in carrying out the alterations to the buildings was undue, and that the constable should receive some consideration in consequence.

87. Why did you fix the 1st January as commencing the period of the allowance?—Because I felt that the delay had not occurred up to that time—that the building should have been prepared for the man's occupation by that time, and that as it was not prepared by that time I thought he should receive some compensation. I may say it is not the rule of the department to make up to a constable who has an abnormal family any additional expense he may incur in housing that family. A constable is transferred to a station, and, as far as possible, is sent to a station that will accommodate his family, but owing to the very large families of some constables it has not been found possible in all cases to find stations suitable for them, and therefore in some cases the men have to go to additional expense; and it was acting on that rule that I assessed what I considered a fair amount to meet Jeffries's case.

88. *Mr. McNab.*] You allowed him thirteen weeks?—Yes. My opinion is that I allowed him so much a week until the place was fixed up.

89. What about the time between July and January, when the place was uninhabitable—of course, it was uninhabitable?—My opinion was that it was habitable.

90. Have you seen Inspector Pratt's report—namely, "The police-buildings at some stations are in need of repairs and alterations. I would add of the latter none more than the cockroach-infested building at the Port, Nelson"?—That does not say it is uninhabitable.

91. Was not the building in such a state that it was unfit for a constable to go in?—I never saw the place myself.

92. *Colonel Hume.*] This constable was given a room in the barracks in Nelson and allowed to sleep there?—Yes.

93. Then he was put to no expense as regards lodgings for himself?—No.

94. Did he intimate to the department that he wished to bring his wife and family over?—I am not positive on that point; I believe not.

95. *Mr. McNab.*] Are you acquainted with the police quarters at Takaka?—No; I have seen reports about them.

96. You are aware that they are a mile and an eighth from the lock-up?—I am aware they are some distance from the lock-up.

BLLENHEIM.

SATURDAY, 14TH MAY, 1898.

JOHN JEFFRIES, examined on oath.

1. *Mr. McNab.*] You are a first-class constable stationed at the Port in Nelson?—Yes.

2. I think some years ago you were stationed at Picton?—Yes; from the 27th February, 1891, until the 8th February, 1897.

3. When you went to Picton and took possession of the Police Cottage had you any conversation with Colonel Hume?—Some twelve months afterwards he visited the station.

4. Was anything said about repairs and improvements to be done by you to the station buildings?—Colonel Hume walked around the ground, and I pointed out some improvements I had effected, and he said he was very pleased to see them, and hoped I would continue to do so.

5. From his conversation with you did he lead you into making more repairs than you would have made?—I understood from him that if I carried out my duty satisfactorily it was likely I would continue there.

6. He said nothing about putting in a claim in writing under the regulations?—No; I thought from the conversation that I was likely to remain there some nine or ten years, and consequently I carried out improvements that were a convenience and benefit to myself and also to the Police Department.

7. When you left at the end of six years you were not paid any compensation?—I was not.

8. What, in round figures, did it cost you?—In money, between £20 and £30, not less than that, and then there was the labour; I cleared the place of blackberries and broom and gorse.

9. Shortly, you value that at £40?—Yes, at the very least.

10. You left Picton on what date?—I received instructions on the 8th February, 1897, that I was transferred to Takaka, and that I was to move with as little delay as possible.

11. That was after the general election?—Yes; the general election took place on the 4th December, 1896.

12. Did you go to Wellington to see the then Commissioner about your removal?—I did. I had an application for leaving just previous to this, and it was granted to me at that time, and I proceeded to Wellington to interview the Commissioner.

13. What passed at your interview with the Commissioner relative to your transfer to Takaka?—I made a memorandum the following day, as I intended, if possible, to get justice, if not from the Police Department, then I meant to go to Parliament. I am not certain of the date, but I think it was the 11th or 12th, and the memorandum I made is as follows:—

MEMORANDUM of what was said by Colonel Hume and myself, when in the former's office at Wellington, in February, relative to my being transferred.

On entering, I bid him "Good-day." He replied to it, and then said, "Well, Jeffries, what is it?" I said, "I have received orders of transfer to Takaka, and I have come to inquire what has brought it about; whether it arises from any fault of mine, as I am unaware of having been guilty of doing anything wrong." He answered, "Yes, you interfered in the last election." I said, "No, I did not, other than what I was instructed to do from the department—correcting the roll." He said, "Well, you are accused of it." He then read Circular No. 26/96, and Rule 24 of the

Police Regulations, and went on to say, "In order that no member of the Force should be unacquainted with it, he had gone to the trouble of having both the circular and rule published in the *Police Gazette*." I said, "Yes, I had seen them, but previously to their appearance I had made up my mind to take no part, and I had not even voted." He said, "That might be; there was nothing to stop you, and you ought to have voted. But what is complained of is that you disfranchised a number of electors, and a person that will do that is a political danger to the district." I replied, "I have not done so." He answered, "You are blamed for it, anyway." I said, "I know I am, but it is entirely wrong, and I can prove it, and therefore trust you will grant me an inquiry into it." He said, "No, there will be no inquiry granted." I replied, "Why, the greatest criminal that ever stood charged with an offence is given the opportunity of defending himself, and surely the same privilege ought to be extended to me, and if it is not it will be very unfair to me." He said, "I do not think you have much to complain about, as you have been a good time in Picton." I said, "I think I have a good deal to complain of, as I have not been in Picton quite six years; and I thought I had more than my share of transfers, as I knew of policemen that had been twenty, twenty-five, and even more than thirty years at one station." He said, "I am not going to discuss that with you." I was going to reply, when he said, "That will do, that will do," and I left.

JOHN JEFFRIES.

14. Mr. Mills, the member for Wairau, had asked for an inquiry into this matter?—I cannot say he had.

15. Is this not a copy of a document impounded in the Supreme Court?—Yes, as follows:—

DEAR SIR,—

Havelock, Marlborough, 19th December, 1896.

Will you kindly make inquiries how it was that all the names of settlers living in Admiralty Bay, Pelorus Sound, which is in the Wairau electorate, were either not enrolled when the applications were sent in, or otherwise struck off the Wairau roll and placed on the Nelson roll. Probably Constable Jeffries can explain.

Yours truly,

C. H. MILLS.

The Officer in Charge, Police Department, Blenheim.

Forwarded to Constable Jeffries for his explanation.—JAMES O'MALLEY, Sergeant.—21/12/96.

Sergeant O'MALLEY,—Am unable to furnish the desired information.—JOHN JEFFRIES, Constable.—22/12/96.

Inasmuch as I knew nothing whatever about it.

16. You were present when the Registrar of Electors at Nelson was examined?—I was.

17. At all events, you went to see Colonel Hume to get what you considered justice, and it did not come off, and you were shifted to Takaka?—Yes.

18. And these are all the documents relating to your claim at Picton?—I presume they are. They are copies of correspondence between myself and the head of the Police Department with reference to my claim for the improvements I effected at the Picton Police-station. The correspondence is as follows:—

Greymouth, 27th February, 1897.

Re your application for a refund of amount expended on improvements at Picton Station, the following copy of memorandum received from the Commissioner is forwarded for your information: "Please inform Constable Jeffries that, as these expenses were incurred without permission, I regret the department cannot pay any compensation."

Constable Jeffries, Takaka.

JOHN PRATT, Inspector.

Police-station, Takaka, 24th April, 1897.

Re First-class Constable John Jeffries, No. 36: Application for a refund of expenditure incurred by him in effecting improvements at Picton Police-station during the time he was stationed there, and for which the department declines to pay compensation.

I therefore hereby respectfully apply for permission to remove said improvements, as I can ill afford to be at an entire loss of same, which, although collectively valued at only £14 4s. 6d. by Sergeant O'Malley, who was directed to appraise them, nevertheless cost me considerably over £20, and, as several of the improvements in question were carried out within the last two years, it may safely be said I have received no commensuration for this outlay. Hence, under the circumstances, I trust the department may be good enough to grant the desired authority, for which I shall be thankful.

The Inspector of Police, Greymouth.

JOHN JEFFRIES, First-class Constable, No. 36.

Greymouth, 10th May, 1897.

Re application of Constable Jeffries for permission to remove certain improvements effected by him at Picton Station.

The following copy of the Commissioner's decision in this matter is forwarded for the constable's information, viz.: "As the materials, &c., referred to by Constable Jeffries are fixtures they cannot be removed."

Sergeant McArdle, Nelson.

JOHN PRATT, Inspector.

For Constable Jeffries's information.—Please note and return.—H. MCARDLE, Sergeant, No. 32.—Nelson, 12/5/97.

Received and noted.—JOHN JEFFRIES, First-class Constable, No. 36.—Takaka, 14/5/97.

Police-station, Takaka, 14th May, 1897.

Re First-class Constable John Jeffries, No. 36: Application, dated 24th ultimo, for a refund of expenditure incurred by him in effecting improvements at Picton Station, and the Commissioner's reply thereto, which says: "As the materials, &c., referred to by Constable Jeffries are fixtures they cannot be removed."

I hereby respectfully renew my application on the subject, and solicit that the Commissioner may be pleased to reconsider his decision and grant me some compensation, or in justice permit me to remove the articles and materials that cannot well be construed to be fixtures—the wash-house, £4; wood- and coal-house, £2; varnishing and papering, £1; and concrete drain from water-tap, 15s., might be classed as such; but the Venetian blinds, £3; clothes- and hat-racks, £1 10s.; shelving, £1 5s.; lamp-stand, 4s. 6d. (which are all put up or erected with screws); and the closet-pans, 10s., I humbly submit may not be deemed fixtures. Therefore I trust that my application will be reconsidered, and that I shall be conceded some consideration in the matter.

The Inspector of Police, Greymouth.

JOHN JEFFRIES, First-class Constable, No. 36.

Greymouth, 29th May, 1897.

The following copy of Commissioner's decision with regard to Constable Jeffries's application for a refund of expenses incurred in effecting alterations at Picton Station is forwarded for the constable's information, viz.: "As these things were obtained and put up without any authority, I cannot give any compensation."

Sergeant McArdle, Nelson.

JOHN PRATT, Inspector.

For Constable Jeffries, Takaka.—Please note and return.—H. MCARDLE, First-class Sergeant, No. 32.—Nelson, 1/6/97.

Received and noted.—JOHN JEFFRIES, First-class Constable, No. 36.—Takaka, 2/6/97.

19. You did not vote at the election?—No, I did not.

20. You have told us that not only has the Commissioner given you authority, but he approved of the work you were doing?—He said he was very pleased at the work I was doing, and said I

had effected improvements. He gave me no direct authority, orally or written ; but I think it is the duty of every constable to make improvements at his station.

21. But you were not allowed to remove these fixtures as any ordinary tenant would have been?—I was not.

22. Being a policeman under Colonel Hume's régime, you were not allowed the privileges of any ordinary tenant?—No.

23. You left Picton and went to Takaka?—I did.

24. What was the date when you went to Takaka?—My order of transfer was on the 8th February ; so far as my memory serves me, it was about the 22nd or 23rd when I got there.

25. I want to know what was the position of things as to the dwellinghouse at Takaka?—The place was in a very dilapidated condition, and, what was worse than all, the house was situated a mile and an eighth from the lock-up and the Courthouse, where my duties were. I was appointed Clerk of Court and bailiff there.

26. Therefore it was impossible to carry out the provisions of the Police Offences Act in regard to visiting prisoners?—I could not.

27. Did you bring this under the notice of the department?—I did.

28. What was their tenancy of this dwellinghouse : was it merely a weekly tenancy?—So far as I know, the department paid 9s. per week for it.

29. The department would have no difficulty in getting rid of the tenancy, and getting a decent house near to the lock-up and Courthouse?—I could not see where there was any difficulty in getting rid of it. Anyway, I could have got a very convenient place close to the lock-up.

30. You were at Takaka about twenty weeks?—Yes.

31. *The Chairman.*] You did not occupy the house?—No ; I boarded out at 16s. per week.

32. *Mr. McNab.*] And did you pay house-rent in Picton?—Yes.

33. Putting it in that way, you did lose £10 for the twenty weeks?—I lost the house-rent. Had it been a convenient station, and the house suitable to accommodate my family, I would have brought my family over.

34. From Takaka you were transferred to the Port at Nelson?—Yes.

35. At the Port you found what was alluded to yesterday ; you found the place infested with cockroaches?—It was in a much worse condition than the police-station at Takaka. As regards the rooms, they were smaller and less in number, and in a much more dilapidated condition, and infested with cockroaches.

36. You were in Nelson thirty-two weeks before you got into the police-station?—Yes.

37. You were thirty-two weeks without habitation to your name?—Yes.

38. And you reckoned that cost you 10s. per week?—Yes.

39. Now, the present Commissioner met you somewhat fairly?—Yes.

40. And allowed you £6 10s. on account of that £16?—Yes.

41. You reckon your total loss to be £66—namely, Picton improvements, £40 ; Takaka, £10, and Nelson, £16. But, as the present Commissioner has allowed you £6 10s. as from January last to the time of occupation, your total loss is £59 10s.?—Yes.

42. I believe you were never allowed anything by the previous Commissioner, notwithstanding?—No ; he treated me, according to my idea, very unfairly and very unjustly.

43. *Colonel Pitt.*] What are the quarters like now at Nelson?—Good ; they are satisfactory.

44. *Mr. McNab.*] You have some complaint about the system of promotions?—Yes ; I might state I am lodging this not so much as a complaint on my own interest as in the interest of others.

45. I think there were a number of promotions to the position of sergeants which took effect on the 1st January last, and you were senior to all of them?—Yes.

46. You have nothing on your defaulter's sheet?—Nothing that I know of ; I have never seen it, although I have applied for it.

47. In the ordinary course you were entitled to promotion before the persons named?—Yes ; not that I want it. I joined on the 1st April, 1866, and have always been a first-class constable. At the abolition of the provinces I was taken over as a first-class constable, and have remained at that grade ever since.

48. In addition to the system of promotion, you have also to complain that some constables receive more loaves and fishes in the way of emoluments than others?—Yes. It is not that I am complaining against those constables, they are mostly excellent men ; but I do complain of the practice of passing over senior men who are equally capable ; it savours of favouritism.

49. When you were in Picton did you have any trouble with a man named Seward at the George Hotel?—I had.

50. Were you successful in getting him committed for trial for arson, and getting him committed for trial for perjury?—Yes ; and previous to that I had to prosecute the man for breaches of the Licensing Act.

51. Did Seward make use of threats to you?—Yes ; he said he would get me out of Picton for what he called persecuting him.

52. When was this?—About February, 1896.

53. Did he go farther than that?—Yes ; he said he would get Mr. Mills on the job. This was before the election and about the time I was prosecuting him on the third charge for breaches of the Licensing Act, for which he was convicted and had his license cancelled.

54. Did he mention anybody else besides Mr. Mills?—No other name that I recollect.

55. Have you no recollection yourself as to any other threat being made, or any other name mentioned besides Mr. Mills's?—I cannot recollect. He said he had persons at work, and I would be shifted.

56. *The Chairman.*] Do you attribute your removal to him or to his influence?—I cannot say. I am not going to state that he did possess sufficient influence to get me transferred, but he certainly threatened me with it.

57. *Colonel Hume.*] When I visited Picton you say it was about a year after you went there?—I think so.

58. And you gathered from what I said you would likely be there some ten years?—In conversation you told me there were several complaints from the Justice Department. You said Mr. Haselden had stated he did not think I could efficiently carry out the duties of Clerk of Court. I said I had received no complaints from the Justice Department on the subject, or from the Bench or public, and I said, "I hope I will not be transferred again, because I was transferred from Charleston to Wellington, and from Wellington to Picton, within seven weeks, and that to a man with a family of seven children it became expensive to him"; and you said, "Well, I do not think there is any likelihood of your being shifted if you do that which is right."

59. There was no likelihood, was there?—No, not at that time, that I was aware of.

60. What was to become of you at the end of ten years, do you suppose?—I thought it likely I would be transferred. I did not think I was to be there stationary.

61. I did not give you to understand that?—No.

62. Did you fix in your own mind ten years?—I thought ten years a fair and reasonable time.

63. Was ten years mentioned?—No.

64. Was five years mentioned?—No.

65. Was one year mentioned?—No.

66. In the £40 for improvements at Picton, do you include your own labour?—Yes.

67. Then, you asked for another—third—constable in Picton?—I have no recollection of having done so; there was a third constable appointed.

68. You did not ask for him?—If I did it has escaped my memory.

69. Then, this work that you did must have been done in your police time?—Yes; it was done whenever I had half an hour or an hour spare time. I have also worked on moonlight nights.

70. Notwithstanding the fact of having this spare time to improve your quarters, you still wanted another constable?—At times we wanted another constable badly, particularly so when three English ships were loading there at the same time, and the sailors troublesome.

71. I suppose, as a man of your experience, you believe thoroughly in obeying the regulations?—Yes, as far as possible.

72. Now, do you know that regulation No. 118 says: "Officers in charge of districts will be held responsible for the good repair of all buildings and premises occupied by the department under their charge, and no alteration or addition must be made to any Government building, nor must any building be erected on a reserve, without special authority"?—I have read that.

73. Did you get that special authority?—I did not.

74. Then, you disobeyed regulation 118?—By cutting off gorse and blackberries and other noxious growths.

75. *The Chairman.*] Do you include garden-work in your claim of £40?—Not work for the garden, but I do for clearing gorse and noxious growths, and I think it right to claim for it.

76. How much of the £40 is for that?—My labour was £12 or £14 out of the £40.

77. *Colonel Hume.*] I have not seen this memorandum of expenses, but I was not alluding to noxious growths, but to improvements to the house, such as a coal-house: is a coal-house an addition to quarters?—Yes, it is.

78. Then, does that not come under regulation 118?—I do not think that it does, because it is necessary.

79. Then, you do not think you disobeyed regulation 118 in putting up a coal-house?—No, I do not think it could be construed that way.

80. Then, there was a wash-house: does that come under 118?—I think a wash-house is necessary.

81. Does a wash-house, in your opinion, come under the distinction of addition to buildings and premises occupied by you at the station?—It was not connected with the station, although adjacent; still, I suppose, by straining a point, it could be construed that it is an addition.

82. Then, you distinctly disobeyed regulation 118 in putting up a wash-house?—Yes, but not wilfully so, as you imply.

83. You went to Wellington about your transfer?—I did.

84. And interviewed me in my office?—I did.

85. And apparently I was surprised to see you?—I think so.

86. And you asked me why you were removed?—I did.

87. And your version is that I said on account of the part you took in the late election?—Yes; you said I interfered in the last election.

88. That was the only reason I gave you?—No; when I complained about another move from Picton, you said I had been there a very good time.

89. What was the date of this memorandum you made two days afterwards?—I was at your office about the 11th or 12th. I wrote it next day, because after I asked for an inquiry into it, and you said "No," I then made up my mind that if I could not get satisfaction I would endeavour to bring the matter before Parliament.

90. Then, you wrote this memorandum the next day, and yet cannot tell the dates you were at my office?—No; I failed to put the date on this memorandum.

91. Do you generally fail to put dates on letters and memoranda you generally write?—No; but the smartest men make slips sometimes.

92. Now, was not that memorandum written at the interview you had with Sir Robert Stout and Wilkie immediately after leaving my office?—No, it was not; I wrote it afterwards.

93. In fact, you wrote it when you came back from Wellington?—No; it was written in the National Hotel, where I was staying.

94. Now, before you went to Wellington you had made up your mind why you were transferred?—No; but I was under the impression that in consequence of Mr. Mills stating, “probably Constable Jeffries can explain,” that it was the principal cause, and that some political influence had been brought to bear. I may, however, be wronging Mr. Mills, which I have no desire to do.

95. At any rate, you came to the conclusion Mr. Mills had worked it?—I considered he had aided it.

96. You were fully impressed in your own mind that was why you were transferred?—That and another thing. I was under the impression that Mr. Mills used influence with you to get me transferred.

97. You say you think you had more moves than most constables?—No. I said I had more than my share of moves; I have had four moves during your Commissionership.

98. What do you consider, then, is your share?—I think, so long as a man conducts himself properly and the public are satisfied with him, and it is to the interest of the public service that he should remain in a place, I think ten years a fair and reasonable time for a constable to be left there.

99. *The Chairman.*] And you think that is what other men’s share has been?—No, I cannot say that, as there are some very long-service men who have never been shifted. But that is my opinion touching removals. If I was a single man I would not care if I was shifted every six or twelve months.

100. *Colonel Hume.*] Then, a memorandum was sent to you by the officer in charge of the police at Blenheim, in connection with a letter from Mr. Mills, who asked for an inquiry about people who had been struck off the roll at Admiralty Bay?—Yes.

101. Then, yesterday we had evidence you were sent down to the Sounds to adjust this roll?—That is so, and I did adjust it honestly and straightforwardly.

102. After you were sent on that particular duty, was it not a very natural thing for Mr. Mills to put in his letter that you could give information probably?—No; I thought he should have written to the Registrar of Electors, who had all the papers.

103. But you were the particular officer sent to that particular place to adjust these particular rolls?—That is right.

104. Then, if he had written to Mr. Stoney he would simply have sent it on to you?—No; Mr. Stoney had all the documents.

105. Supposing Mr. Mills had gone to Mr. Stoney, and Mr. Stoney had told him he could give him no information about the matter, would he not be justified in writing to the police, and assuming that probably Constable Jeffries would be able to throw some light on the matter?—Yes; I quite agree he had a perfect right to ascertain who had disfranchised these persons.

106. I understand you take exception to his saying, “Probably Constable Jeffries can give some information”?—I felt, rightly or wrongly, it was a hit at me. I thought it was a charge by innuendo.

107. And do you still feel that?—Yes, I do feel there has been some underhand work. I am morally satisfied of it, although I am not in a position to prove it.

108. Then, you go on to say that you are treated worse than an ordinary tenant in not being allowed to remove these fixtures?—Yes; the window-blinds, hat-hooks, shelving, &c., they were not fixtures, they were simply put up with screws.

109. Is it usual for an ordinary tenant to be allowed to take away fixtures when he leaves a house?—I do not rightly know what you mean by the term fixtures. Will you explain or define it?

110. Do you think a tenant would be allowed to take away a coal-house and a wash-house?—No.

111. These two, you admit, were fixtures?—Yes.

112. Suppose you nail or screw up some hat-pegs in your halls, is that your idea of fixtures, or is it not?—My idea is that they are not fixtures.

113. Did you say anything to me at this interview about voting or not voting?—I said I had not even voted.

114. What did I say to that?—You said I ought to have voted.

115. Did I say you ought to have voted for Mr. Mills?—No.

116. You went to Takaka in February, 1897?—Yes.

117. There was a petition got up in Picton that you should not go?—Yes; there were three got up—one by the local Magistrates, one by the Borough Council, and one by the public.

118. Were they extensively signed?—I never saw them.

119. Did you know that they were being got up?—I was in Wellington when the public petition was got up, but I was in Picton when the petition of the Magistrates was got up.

120. You did not ask them to get them up?—No.

121. You did not ask them not to get them up?—No.

122. Had you any intention of taking your wife and family to Takaka?—I would rather have remained in Picton; but had the house been suitable I would have shifted my family.

123. What do you mean by the house being not suitable?—It was a mile and an eighth from the lock-up, besides being in a state of disrepair.

124. But your wife did not want to go to the lock-up?—No; but if I had a drunken man there I would have had to walk a mile and an eighth to the lock-up to visit him.

125. Has there ever been a drunken man there?—Yes, but not while I was there.

126. Is it on record that there ever has been a prisoner in the lock-up at all?—Yes, several.

127. How many?—I cannot tell, without reference to the lock-up records.

128. *The Chairman.*] Did your predecessor live in the same quarters?—Yes.

129. *Colonel Hume.*] Why were the quarters unsuitable for your family?—My family have always lived in comfortable quarters, even if I had to pay for them.

130. In what way were they unsuitable: were they not water-tight?—There were leaks in one of the upstairs bedrooms.

131. Did you ask to have that leak repaired?—I did not.

132. Your predecessor lived in that building?—Yes.

133. Then, this leak in the roof was the only leak in the house?—I cannot say; I was only in the house three or four times.

134. You did not trouble to look at the house, in fact?—Yes, I did.

135. It was a bigger house than the one in Picton?—Yes; there was one room more, such as it was.

136. Then, the lock-up was the same lock-up that your predecessor used?—Yes.

137. Was there any house in Takaka that you could have got?—Yes.

138. Did you apply to have it?—No.

139. Then, as matters went, so far as the house was concerned, you could have removed your family to Takaka, and they could have lived in the house?—Yes, I could have done so as a last extreme.

140. Then, the next move you had was from Takaka to Nelson?—Yes.

141. Did you want to have that move?—No; I never asked for it. I endeavoured to get back to Picton.

142. Did you never tell anybody at all whom you thought would represent it to me that you would very much like to go to the Port at Nelson, and that Mackay would like to go to Takaka?—I have no recollection of having done so. I got a wire from Mr. Card, of Picton, as follows: "14th April, 1897.—Constable Jeffries, Takaka.—Will it please you to be transferred to Nelson? Reply at once.—CARD, Picton." That was from Mr. A. T. Card, newspaper-proprietor, of Picton. To this I replied as follows: "CARD, Picton.—Prefer to return Picton; failing that, Blenheim or Havelock, but rather Nelson than here.—JEFFRIES.—15/4/97." But at the time I did not know whether the telegram referred to the Port or town station.

143. Had you any conversation with Mr. Card before this about being transferred, or any conversation with him?—I have had correspondence with him about my return to Picton, but not with reference to my transfer to Nelson.

144. Is that not another distinct disobedience of the regulations—in working influence?—Yes, probably it is.

145. And you admit doing it?—Yes, I have done it; and dozens of others have.

146. *The Chairman.*] Mr. Card was also Mayor of Picton?—No, he was not.

147. *Colonel Hume.*] Then, you did not object to go to Nelson; you would rather be at Nelson than Takaka?—Yes, that is what I said at that time. I being senior man, and there being a police dwelling in Nelson, I thought I would probably be put in possession of it.

148. When you got to Takaka first did you ask the landlord about repairing the building?—I did; I asked him whether he would put it in repair, and he said he would put it in repair provided the department ordered it.

149. Did you let the department know that?—No; I thought it was hopeless while you had a voice in the matter.

150. Then, you were in Nelson thirty-two weeks before you got into the Port quarters?—Yes.

151. Now, did you or did you not know that the money was sanctioned for the repair of these quarters before you went there?—No, I did not; in fact, I knew nothing about it.

152. Then, if the money had not been sanctioned, I could not possibly have said the repairs would be carried out in two months?—I cannot say what you would say. You were in a position to know, I was not; but early in August you wired that necessary repairs would be effected in two months.

153. But the quarters were available for you?—If you choose to call them quarters they were available, but I do not think many other men would deem them quarters.

154. But Constable Mackay and family lived there?—Yes.

155. If that is so, how could you possibly be there thirty-two weeks without habitation: was it not habitable?—No, it was not habitable.

156. Not even if you had chosen to sleep amongst cockroaches, say, if you did as Constable Mackay did?—Yes.

157. Then, you incurred a cost of about £16, for which you got £6 10s.?—Yes.

158. And you were perfectly satisfied with the treatment you received from the new Commissioner?—Yes.

159. *The Chairman.*] You state that you were satisfied. I ask you, now, does that mean you were satisfied in receiving £6 10s. for what you say cost you £16?—No; I am pleased the Commissioner allowed me £6 10s., but I think I should have received some further consideration.

160. *Colonel Hume.*] That was from the 1st January?—Yes.

161. Then, the new Commissioner took over the office in October?—Yes.

162. Well, what about November and December; you do not seem to have been paid for them?—No.

163. You said you had been fairly and justly treated, and yet you received nothing for November and December?—I hope I may get it.

164. You said you applied to see your defaulter's sheet?—Yes; on leaving Westport I asked Inspector Goodall to let me see it, and he told me my defaulter's sheet was posted on to Wellington, to which district I was then transferred. Previous to that I had applied to Inspector Emerson.

165. Did you ask the late Inspector, Inspector Pratt, to see your defaulter's sheet?—No.

166. Did you ask me?—No.

167. Then, you were Clerk of Court at Picton?—Yes.
168. And Clerk of Court at Takaka?—Yes.
169. Therefore you lost nothing by going there?—Yes. I did considerably.
170. What did you lose?—In Picton I was doing work under the Advances to Settlers Act, and also for the Public Trust Office.
171. *The Chairman.*] What emoluments did these offices bring you?—I got from £10 to £12 annually from the Public Trust Office, and from the Advances to Settlers Department I got upwards of £20 the first year the Act came into operation, but after that there was a falling-off in valuations. I was also bailiff.
172. *Colonel Hume.*] Then, you went on to say that a man named Seward threatened to have you removed?—Yes.
173. Is that the only man in the course of your police experience who has threatened to have you removed?—So far as I know, I do not know that anybody else has threatened me personally.
174. Then, if constables came to this Commission and said it was a daily occurrence for them to be threatened by drunken men and people they were arresting with transiers and dismissals, that would not be your experience?—Oh, yes, that often happens. I have been told that many times. They say, "I will have your jacket off and have you out of the Force," but I do not view with any great concern the sayings of drunken men.
175. Why did you pay so much attention to what Seward said?—Because I knew he was using influence, and I believe he was successful in using it, although I cannot prove it.
176. When that case was thrashed out in the Supreme Court did you ever mention this about Seward?—No, it was not necessary then.
177. Did you not try to make the case as strong as you could?—I had nothing to do with it in the Supreme Court; I was simply called as a witness.
178. You say Seward threatened you with Mills and others: am I included amongst the others; did he ever mention my name?—Yes, he mentioned that he could exercise sufficient influence with Colonel Hume to get me shifted.
179. Will you swear it?—No, I cannot positively swear he did use it; but, for all that, I believe he used his influence with you.
180. Have you any proof at all?—No, I have not.
181. You said something about constables getting loaves and fishes: what do you mean by that?—I said nothing of the kind. Mr. McNab used those words, but what is meant by it is that some men have been allowed to remain in stations for thirty years, while others are continually being transferred.
182. What constables have been stationed in one station for thirty years?—Constable Knapp, of Spring Grove, is one.
183. *Colonel Pitt.*] Do you say Constable Knapp has been there thirty years as a constable?—Yes; he was taken over at the abolition of the provinces in 1876; and Constable Lloyd, at Picton, is another instance.
184. *Colonel Hume.*] Constable Lloyd is paid by the Prisons Department?—I know that; but he is a constable, all the same.
185. Constable Lloyd, when there are no prisoners, has to do police duty?—That is right.
186. And very often he has got no prisoners?—There are times he has not.
187. Is he not often a couple of months together with no prisoners?—Yes.
188. *Mr. Tunbridge.*] You say you do not think you would care now to take the rank of sergeant?—No; I would prefer to be without it.
189. How long have you been of that opinion?—When I was in Picton it suited me better to remain as a constable.
190. You were of that opinion before the 1st January last?—Yes.
191. Then, you do not blame the police authorities for also coming to the conclusion that you were getting too old to be a sergeant?—I think I am as well able, if it comes to a question of ability or activity, to do the work as some of those men who were appointed.
192. You are just on sixty years of age?—No, I am not; I am fifty-five only.
193. In 1877 you were credited with being thirty-six years of age?—I cannot tell you what I am credited with, but at the present time I am fifty-five.
194. I see you have to wear glasses?—Yes, for some years now. Although not necessarily, yet I use them to assist the sight.
195. Do you think at the present time you are competent to perform the duties of sergeant in a place like Wellington, where you have to take eight hours' beat duty?—I believe I am competent to do it, but it would be a very heavy tax on me, and I would rather be without it.
196. You could bear the rank, but the question is whether you could perform the duty?—I would prefer to remain as I am; yet there are many sergeants in charge of out-stations who do no street duty whatever.

JAMES BUTLER STONEY, examined on oath.

197. *Mr. McNab.*] You are the Registrar of Electors for the Wairau district?—Yes.
198. Last election you had occasion to have dealings with Constable Jeffries in settling the extreme boundaries of the district in the Pelorus Sounds?—I did not instruct him to do it; he was instructed by the sergeant, and reported to me.
199. *The Chairman.*] Will you tell us what his duties were?—Of course, I never saw the instructions, but I understand it was to ascertain the names of electors who reside on the boundaries, and whether they were on the one side or the other.
200. *Mr. McNab.*] Did the constable do the work to your satisfaction?—Yes, certainly.

201. *Colonel Hume.*] Did Mr. Mills write to you at all about this roll in connection with Admiralty Bay?—He wrote a note and asked me to explain why certain names of electors in Admiralty Bay were not on the roll.

202. And what answer did you send him?—To the best of my recollection, I answered I was not in a position to give him any information, and I knew nothing at all about it.

203. Can you tell us what was the date of that?—No; I have a letter from the Colonial Secretary's office, and it must have been before it, and the letter reads:—

Colonial Secretary's Office, Wellington, 12th January, 1897.

SIR,—I have the honour, by direction of the Acting Colonial Secretary, to enclose a list of persons living in Admiralty Bay, Pelorus Sound, whose names, it is reported, should have been placed upon the Wairau electoral roll, but have not been so placed, and to request you to be good enough to inquire and report whether all or any of these names appeared on the general supplementary roll of the late Waimea Sounds electorate, or whether they had forwarded applications for enrolment.

The Registrar of Electors for Wairau, Blenheim.

I have, &c.,

HUGH POLLEN.

204. Did you make inquiries?—Yes; I searched the Wairau roll, and the Waimea electoral roll, and the Nelson roll, and I discovered that out of thirteen names sent to me five were on the Nelson roll, and eight were on no roll at all. In addition to that, I searched through two thousand odd claims for enrolment, and not one of these claims had filed any application to me to be enrolled.

205. Then, you did not send Constable Jeffries down; it was the sergeant?—No, I did not send him down.

206. Then, how do you know this work was satisfactorily done?—Only in this way: that he never removed any names that were on my roll; they were not struck off.

207. Then, ought these eight to have been on, or ought they not?—They never filed any claims. He did not go down to Admiralty Bay.

208. He did not go down to Admiralty Bay?—He told me he did not go down to Admiralty Bay.

209. Did anybody, do you know, go down to Admiralty Bay?—Not that I know of.

210. Then, Admiralty Bay was left out in the cold?—Apparently. I never got any claims from Admiralty Bay except one, and that was not one of the names mentioned.

211. You merely know that where he did go he gave satisfaction?—Yes.

212. *The Chairman.*] Then, was there any wrong in these five names being on the Nelson roll?—No.

213. Was there any wrong in these eight names being on no roll at all?—No; it was an error of omission on the part of those electors who did not lodge the claims to be put on some roll or another.

EDWARD PURSER, examined on oath.

214. *The Chairman.*] What are you?—I am Mayor of Blenheim. I wish to draw the attention of the Commission to the fact that on or about the 26th October, 1897, the body of a certain man named Harry Satherley was found dead; he had been missing since the 9th July; an inquest was held, and the verdict returned was that of murder against some person or persons unknown; and that while this man was known to be missing on the 10th July the police took no active steps to apprehend any one for the murder or in conjunction with the case until somewhere about the middle of October, when they then apprehended a man for robbing one Beattie, who had been "eased" of about £40 on the day of the 9th July. That man was acquitted by the Supreme Court; but the Commission will find that the evidence given at that inquiry would tend to demonstrate that if it had not been for this £40 in question probably there would have been no murder.

215. *Mr. Poynton.*] That is your opinion?—Yes.

216. *The Chairman.*] You are assuming that there was a murder, and you found an opinion on the verdict of the Coroner's jury?—Yes; what I have to complain of more particularly in connection with the department, and I may say Colonel Hume in particular, is that since it was known this man was missing, and also that Beattie had been robbed of £40, and that the murdered man was in the company of well-known spiliers the night previous, no steps were taken at that time to apprehend any of the people who were known to be in Satherley's company the day of the robbery.

217. *Colonel Pitt.*] Did anybody know Satherley was dead then?—It was known he was missing, but his body was not found until somewhere about the 20th October. There was naturally great excitement over this affair. And the apprehension was attempted to be lulled by the theory set up by the police that Satherley was not dead. He had been seen in Christchurch and other places. When I first interviewed the Stipendiary Magistrate shortly after the affair, I was assured most positively by Mr. Allen, by Colonel Hume, by the Hon. Mr. Thompson, that the man had only cleared out of the way with Beattie's £40, and that there was nothing the matter at all. I think the people of New Zealand have very just grounds of complaint that no steps were taken to bring to a focus the cause of Satherley's disappearance. I have further to complain that the department, when I, after making myself thoroughly acquainted with the surroundings of the case, interviewed Colonel Hume and the Hon. Mr. Thompson, with a view to offering a reward for the apprehension of the murderer, said they would not do so.

218. *The Chairman.*] What date was this?—I think in the early part of August. I was almost—well, certainly looked upon as next door to a fool to think for one moment that Satherley had been murdered; but as we had searched the whole of the river, I felt that our local police were not able or competent to discover who the murderers were, and that the Government should offer a reward. They said there was no occasion to offer a reward, because the man was in Christchurch, and they could put their hand on him at any moment, or thought they could.

219. Who informed you of this?—This conversation happened in the Hon. Mr. Thompson's office. He said Satherley was only lying low, and they could get him at any time. I complained further that after a certain amount of pressure had been brought to bear on the department, when they offered the reward, they did not insert the usual clause in regard to a free pardon to anybody, not being the actual offender, who would turn Queen's evidence. Although that clause was specially discussed in the office of the Hon. Mr. Thompson, the result was a reward of £500 was offered without a free pardon, and it could not be expected to bear fruit. About a month after that I interviewed the Hon. Mr. Thompson again, and pointed out the very strong feeling that existed in the locality as to the lax manner in which this case was being dealt with, and, before leaving, the Hon. Mr. Thompson agreed to a condition being inserted in the reward offering a free pardon to any person not the actual murderer. That was gazetted on the 20th of October, 1897. Therefore, as a further ground of complaint, I say that from the 9th July until the 20th October the department took no steps to offer a free pardon for the Queen's evidence.

220. *Colonel Pitt.*] This was issued, then, before the body was found?—Yes. Now, I assert that had immediate steps been taken, the police knowing that Beattie had been robbed, to apprehend these people who were in his company, the probability is that the perpetrator of the crime would have been arrested.

221. *The Chairman.*] Do you say there was anything at that time to connect the robbery of Beattie with the disappearance of Satherley?—Yes.

222. Was anything inconsistent with Beattie having been robbed, and Satherley being alive?—Yes.

223. What was there?—It involves going through a great mass of detail just in the hands of the department.

224. Was that knowledge in the possession of the police at that time?—Yes.

225. Was it within their knowledge that Satherley was dead?—Of course they were not aware of that.

226. Have you any reason to believe that they had reason to doubt the honesty of that information that Satherley was alive?—No, I believe they honestly believed that Satherley was in Christchurch.

227. But if the sergeant honestly believed these things, as he did, why do you blame him now for not taking the steps which you think now he ought to have done?—I blame the sergeant for not apprehending some of those shady characters on the 10th July who robbed Beattie. It was well known that he had been robbed.

228. Do you know who robbed him?—No, but he was in the company of these spielers.

229. If they had been arrested, what do you think would have followed?—They would have been convicted.

230. But was the one man who was arrested afterwards convicted?—No.

231. Do you think the evidence was sufficiently strong to have laid an information yourself against the men?—That is not my function.

232. You pose here as one who considers there has been a miscarriage of justice?—Certainly.

233. If there were facts within your knowledge that were within the knowledge of the police, why did you not lay an information and call such evidence as you think the police should have called?—I was out of Blenheim at that date; any information I had I gave to the police.

234. Was that information sufficient to justify a prosecution?—A matter of opinion; the sergeant did not think there was. I think I have formulated some objections, and sufficient for the Commission to institute an inquiry. I think a man should be sent for here to investigate this case in order to allay the disquietude which is felt in this matter. If some skilful detective were sent over here it would be some satisfaction to the public, even if no prosecution followed. About eighteen years ago, when I came to Blenheim, the place was one-third the importance it is now, but it was sufficiently important to have an Inspector. In the eighteen years there have been eight changes in the officers in charge of the district, and I think it is owing to these rapid changes that the inspectors or sergeants or officers in charge have been placed at some disadvantage. While not wishing to make any complaint against the integrity and ability of the present police, still I cannot help saying that a town of the size of Blenheim should have had some little respect shown to it when there was an urgent request made by the Mayor that Sergeant O'Malley should be retained in Blenheim. I think the sergeants have not time to get acquainted with the run of the ropes before they are shifted off somewhere else. I know there is a good deal of excuse for Sergeant Kiely, inasmuch as this intricate affair happened shortly after he came to the district; that is the only excuse I can make for him.

235. *The Chairman.*] You say you complained that no steps were taken to apprehend anybody in connection, first of all, with the robbery of a man named Beattie?—Yes.

236. How do you know what the police were doing?—When I asked Sergeant Kiely why he did not apprehend somebody he said Beattie would not lodge a complaint.

237. Did Sergeant Kiely say he was not making inquiries?—They have always been making inquiries, but inquiries are not steps.

238. They did not apprehend the five men because there was no evidence?—I can only tell you that they did ultimately apprehend a man without instructions from Beattie; and if they could apprehend that man without instructions two or three months afterwards they could have done it at the time.

239. Will you tell me why you knew they were taking no steps?—Because nothing resulted.

240. Then you think that, because nothing resulted, no steps were being taken?—What was the good of taking steps if nothing resulted?

241. *Colonel Hume.*] When you went over to Wellington in reference to offering a reward you knew Mr. Mills had been refused before that?—I knew I was alone.

242. Did you not know that Mr. Mills had asked for a reward before that?—I did not know that he had; I only know that Mr. Mills took up the theory of the police that Satherley was not dead.

243. You will not say he did not ask for a reward?—No.

244. Did you say to me that if a reward was offered you undertook to say that the murderer would be within the clutches of the law within twenty-four hours?—No, I did not; I think I said if you took prompt steps and offered a reward you would have had somebody apprehended.

245. Did you not say to me that if a reward was offered you were quite sure that the murderer would be apprehended within twenty-four hours of the reward being offered?—If you had offered a reward in the early stages of the affair you would have had somebody apprehended, probably within the twenty-four hours.

246. Then, in other words, we should have had the murderer arrested before the man was known to be dead: is that your idea?—No; but we had ample reasons to expect that he was dead, for the simple reason that part of his belongings were found.

247. Suppose we had arrested any one of the persons you mentioned, and could not prove Satherley dead, what was the good of arresting them?—The chances are one or the other might have turned Queen's evidence.

248. Then, you consider that the whole of the four or five men who were with Beattie should have been arrested?—Yes, until they could have proved their innocence of robbing him of the £40.

249. *The Chairman.*] Not in respect of Satherley's murder, but in respect of Beattie's robbery?—Yes.

250. Why should the police associate the robbery of Beattie with the disappearance of Satherley?—You would find, in going over the evidence, that one is part and parcel of the other.

251. *Colonel Hume.*] Is it not a fact that the Judge did say at this trial that in his opinion no murder had been committed?—I do not know; I was not there.

252. Then, am I to understand that in a trial in which you say you have taken so very much interest you cannot actually tell the Commissioners now what the remarks of the Judge were when he tried Ohlson for robbing Beattie?—I did not stop in that Court for half an hour, for the simple reason that it was not a case of murder.

253. Then, you did not even read the remarks of the Judge next morning in the newspaper?—Yes.

254. Then, did he say there had been no murder?—I do not remember.

255. *The Chairman.*] Associating the two things as you did—the robbery and the murder—how can you tell us that the trial for the robbery was such an insignificant thing that it did not require attention?—Simply because I could not stand the tedious routine of every word being taken down by the Judge.

256. *Colonel Hume.*] You said no steps had been taken until the 20th October by the police to apprehend those in Satherley's company on the night of the 9th July?—Yes.

257. Was a detective sent over from Wellington?—Yes; a man they called an acting-detective.

258. Do you know that Inspector Pender came over himself?—Yes.

259. Is that taking no steps?—He was over here for the trial in connection with the robbery of Beattie.

260. Are you aware that he was here a few days after Satherley was missing?—I am not aware, but I think it was in the papers he had been here.

261. Do you know he was at the Police Court examination?—No; I was away on the West Coast a great deal.

262. How do you reconcile the fact of admitting that Inspector Pender probably was here, and that a third-class constable and acting-detective was sent for here, with your sworn statement that the police took no steps?—It was a considerable time after Satherley was missing before even Acting-Detective Cox was sent here.

263. Now, do you know when Acting-Detective Cox was sent over here?—I cannot tell.

264. Then, how do you know that it was a considerable time after Satherley was missing?—Because he came to interview me on two or three occasions, and I date that from the time of his interview with me. I never knew the man until he came to my house to see if I could give him any information. He might have been here before then.

265. Was it not a fact that it was published here that no detective had been sent over, when Cox had been here at least eight days?—No, I do not know.

266. Then, you swear it was not so?—No, I do not know anything about it.

267. You have complained about the manner in which this reward was offered?—Yes.

268. What is your complaint about the manner in which this reward was offered?—That there was no free pardon clause in the reward for the person not the actual murderer, when the reward was first offered.

269. *The Chairman.*] You had an idea in your mind that a murder had been committed?—Yes.

270. And you were pressing the department to deal with the matter as though a murder had been committed, antecedent to the finding of the body and the verdict of the jury?—That is so.

271. Of course, you can realise that if the body had been found and a verdict recorded your opinion would have been very much stronger?—Yes.

272. *Colonel Hume.*] Will you swear on your oath that at that first interview a single word was said about a free pardon to the informer?—Yes, I am quite sure, if my memory serves me aright, that I discussed the question of a free pardon with the Hon. Mr. Thompson.

273. Was I present?—I do not know.

274. Then, you do not blame me for not putting it in if I was not present?—You should not have omitted to put in a reward; that has never been omitted before in any case.

275. You are not prepared to swear that it has not been omitted before?—No, I am not.

276. Then, after your second visit a reward was offered, and a free pardon clause was inserted?—Yes.

277. Had that any result?—I do not think so. I have not heard of any. I do not know that you could expect any after that lapse of time.

278. Why did you go to Wellington especially to get this “free pardon” added to the reward, if you did not expect anything to result?—I did not expect any result while the heads of the department seemed to be so indifferent in the matter, yourself in particular.

279. Why did you go to Wellington?—To bring pressure to bear on the heads of the department, when there should have been no need for me to go.

280. You saw me in Wellington that time?—I did.

281. Did you tell me that within twenty-four hours we could have the murderer if that “free pardon” clause was added to the reward?—I do not remember.

282. *The Chairman.*] There was an interval of a month between the first and second offer of a reward?—Yes.

283. And do you think that the delay in offering a free pardon rendered it to some extent valueless?—Yes.

284. *Colonel Hume.*] You complained about the number of changes made in the officers in charge of the police, and the want of respect shown to the request made by the late Mayor to retain the sergeant at Blenheim?—Yes.

285. Would you be in favour of the communities choosing the heads of the police for themselves?—No, I would not.

286. *Mr. Tunbridge.*] You took a great interest in this Satherley matter from the commencement?—Yes.

287. And not only that, but you spent a considerable sum of money, I believe, in conducting search-parties?—Yes.

288. You have spoken of the spielers who were present, or who were concerned in the robbery of Beattie?—Yes.

289. And I suppose we may take it that you think that the reward might have been the means of getting some of these spielers to disclose evidence?—Yes.

290. As a matter of fact were not all these men, or nearly all these men, who were present, examined at a Coroner’s inquest?—I think most of them were.

291. You were present at the inquest?—Yes.

292. Was Ohlson examined?—I think so.

293. Was Gillett examined?—Yes.

294. Was Bush examined?—I do not remember.

295. If I say he was examined you will not contradict me?—No.

296. Was Simpson examined?—Yes.

297. Was Reardon examined?—Yes.

298. Was Ready examined?—Yes.

299. Does that not represent nearly all those who were present?—No.

300. Well, who else were present on the occasion when Satherley was last seen, other than those I have mentioned?—There was Carkeek.

301. Do you not know that Carkeek was never known to be in the company of Satherley or Beattie at all during the day?—No, I did not.

302. Did you not know that the whole of the evidence taken went to prove that he was not in the company of either of these people at all that day?—No, I did not.

303. Do you say that either of those people that I have mentioned can properly be described as a “spieler”?—I wish to withdraw that term of “spieler.” I perhaps spoke unguardedly when I used that word.

304. You said the murdered man’s property was found?—Yes.

305. What was found?—A few days after he was missing—on the following Saturday—his tobacco was found near the wharf.

306. Was it not a plug of tobacco?—It was, I understand, recognised as his tobacco.

307. Can you say by what means it was proved to be Satherley’s tobacco, if it was merely a plug of tobacco with no marks upon it?—Well, we will drop the tobacco.

308. What next?—There was a £5 National Bank note found near by, which was supposed to have belonged to Beattie.

309. Where was that found?—In a little paddock in Customhouse Quay.

310. Beyond the fact that the £5 note was found there, was there any proof at all that that was in Satherley’s possession?—I never heard. But a short time after that, about ten days, a £10 National Bank note was found on the same spot.

311. Did you ever see that £10 note?—Yes.

312. It was perfectly dry?—Yes.

313. And a good deal of rain had fallen during that time?—Yes.

314. Can you explain how it lay there from the 9th July to the 21st July, during which time a lot of rain fell, and that note did not get wet?—I can only assume it was part of the plunder of the £40 stolen from Beattie, and that the fellow who had it was afraid to keep it and went to put it there. I think it was put there to keep our attention down stream.

315. The tobacco was found a day or two after the man was missing, and do you suggest that the tobacco was taken there for the same reason?—I do not know.

316. I believe these notes and tobacco were found on the line of route to Satherley’s house?—It was a parallel route.

317. What is your theory as to the place where the man was murdered?—I think it was within a few yards of the Marlborough Hotel.

318. And his body was found two miles up the river?—Yes.

319. Then, you suggest that the man was murdered within a short distance of the Marlborough Hotel, and the murderers had to convey the body up the river?—No; by going down the river for a quarter of a mile and crossing to the other bank they could go over a neck of land and meet the river again two miles up by its course above where the notes were found.

320. They would have to cross the river to get to the place where the body was ultimately discovered?—Yes.

321. There were boats in the neighborhood they might have used?—Yes.

322. You are aware, perhaps, that when the boats were seen next morning there was nothing to suggest that they had been used by any one?—I do not know; I understood one boat was seen being baled out.

323. Is it not a fact that the owner of the boat himself was seen baling it out on the Monday morning, two days after that?—I cannot say.

324. And is it not a fact that the boat had been used the previous day in dragging for the body?—That is likely, because a lot of people were out on the Sunday.

325. You, I believe, had as many as ten or twelve men employed at the time?—Yes, and a steamer.

326. That was mainly searching for the body?—Yes.

327. Did you make it known in the neighbourhood that you were prepared to reward anybody having information?—No, when I found the police would not move, I moved at my own expense. I would not have known Satherley if I had seen him.

328. You communicated with the police where you thought they should search to find the body?—No; when I knew anything I let the police know, and I did everything I could to help them.

329. You did not find the body?—No.

330. Therefore, if the police had adopted your suggestion and employed these men, it would have been to no purpose?—I never suggested they should search at all; I suggested the Government should offer a reward.

331. Do you think that these men, after having given their evidence on oath before the Coroner and disclosing no information to lead to the elucidation of this mystery, as you call it, would now for the sake of a reward come and say something different?—It is hardly right for me to assume anything.

332. Even if it came forward now, would not their evidence be discounted and unreliable?—Yes, of course.

333. I should like to know in what way you think the best detective officer in the world could possibly get evidence?—I am not an expert.

334. *Colonel Pitt.*] Who found the first £5 note?—A lad named Ironmonger.

335. Your lad and another lad named Bartlett found the £10 note?—Yes.

336. What was done with the £5 note and the £10 note?—They are still in the custody of the police.

337. *Mr. Poynton.*] You are not acquainted with the rules of evidence?—No.

338. You have no knowledge of what will support an information for a criminal offence?—No.

339. You know, I suppose, that if the police arrest men without having sufficient evidence they expose themselves to an action for damages?—I do not think so.

340. You dragged the river?—Yes.

341. And you found no body?—No, we went down stream.

342. You went as intelligent men, and men acquainted with the whole of the circumstances, to search where you thought the body would be found?—Yes, but I was deceived.

343. The police may also have been misled as well as yourself?—Yes.

344. Taking into consideration the fact that Beattie was robbed of a large sum of money, that Satherley was seen with a large sum of money immediately afterwards and then disappeared: was it not a reasonable thing for the police to believe that Satherley had robbed Beattie, and then absconded?—Certainly not, the very fact of the man openly displaying Beattie's money all day long showed that he honestly thought that Beattie had paid a half-share in the horse Iota.

345. Was not Satherley under the influence of liquor?—Cannot say, I was not in his company. I was informed only slightly.

346. In addition to that, did not the police receive the intimation that he was seen in Christchurch?—They had no direct evidence.

NICHOLAS KIELY, examined on oath.

347. *The Chairman.*] You are a first-class constable, stationed at Blenheim?—Yes.

348. How long have you been here?—Since the 3rd March, 1897.

349. Is there anything you wish to tell us in connection with Satherley's disappearance?—On Saturday, 10th July, it was reported to us that a man named Matthew Beattie had been robbed of some money amounting to about £40 on the previous night in the Criterion Hotel. The only body who could give any information of this money was a man named Victor Ohlson, who was billiard-marker at that hotel. He started the story that this sum of money was paid by Beattie to Satherley for a share in a racehorse. Both Beattie and Ohlson went down to Satherley's house that Saturday morning, and were informed by Satherley's wife that Satherley had not come home the night before. At 2.30 the same day Mrs. Satherley came to the police-station and reported her husband missing. We started to make inquiries for this man, and we found that he had a large sum of money on him the night before, and that he was spending it pretty freely at the hotels. We found

that he had left the hotel about 10 o'clock on the 9th in company with Victor Ohlson, and that was the last that was seen of him alive. Ohlson left the hotel in company with Satherley that night in order to see Satherley home, as Satherley was the worse for drink. That was his statement to us. He accompanied him about 50 yards on the road, and then Satherley objected to him going any further with him, and that when Satherley objected to his going home with him he turned back; and we have it on the evidence of others that he was only about five minutes away from the hotel from the time he left with Satherley till he returned. As Satherley was drunk the night he disappeared, we concluded he had fallen into the river, and on the Sunday morning, the 11th, we organized a search-party, and dragged the river round the bridges and down the river for about three miles. On the 12th we were handed a £5 National Bank note, which had been picked up by a little boy named Ironmonger. On the 13th there was a stick of tobacco picked up within 30 yards of where the £5 note was found. The £5 note was picked up just inside the fence off the road, and the stick of tobacco was found about 50 yards away, on the river side of the embankment. We found out that Satherley had bought a stick of tobacco of a similar brand on the Friday he disappeared, but, of course, we could not say to whom the £5 National Bank note belonged, although there was strong presumption that it was money that was stolen from Beattie. We inquired at the National Bank and found that the money paid to Beattie was in £5 and £10 notes, but we could not find out the numbers. We thought at that time it was quite possible for Satherley to have lost one of these notes on his way home that night, or when going towards his home. Of course, there was a general outcry here about the man being murdered and the body being done away with. This was within a day or two of the occurrence. We had no evidence of any murder. We had no evidence of the man's death, although we kept up a constant search in the hope of finding the body, for weeks after his disappearance. When I was unable to cope with the occurrence, I may say, I applied to Wellington for a detective; I should say I applied for a detective about the 20th. On the 26th July, Detective Cox reported himself to me at the station here. I have reason to believe that he had been in the town for the best part of a week without my knowledge. The matter that I had gathered regarding the case was handed over to him. He was placed in possession of all the facts of the case that were known to us, and he continued the inquiry, of course. On the 12th a man named Gamble told me he saw Satherley alive on the morning of the 10th about a quarter to 9; at any rate, this man Gamble gave this evidence on oath afterwards that he had seen Satherley alive. There was a lady in Christchurch who had written to a friend of hers stating that both she and her boy saw Satherley in Christchurch, and I reported the circumstance; and a detective in Christchurch made inquiries of this lady, and he reported that she was satisfied she had seen Satherley. The date was given. The police here were in this position: they had no evidence of Satherley being dead until the body was found, about 9 o'clock in the morning of September 18th, by two boys named Leslie and Way. It was found in the Opawa River about two miles above the town by the river, and one mile in a direct line in from the town; that is, not at all in a line with his track home, in fact quite opposite. Of course the body was caught in some stakes in the river, otherwise it might have passed down and floated away; there is no telling how far it had come down the river. We had an inquest on the body, and most of the persons who were in his company on the night of his disappearance were summoned to give evidence. There were one or two men who were the worse for drink on that night who could not give evidence, and they were the only ones who were not called. Ohlson, the man most in his company, gave evidence at the inquest. Two doctors held a *post-mortem* examination of the body. The inquiry showed there were scalp wounds on the right forehead; the man's scalp was described as an unusually thin one, and the doctors looked for traces of drowning and were unable to discover any. They said they had found traces of concussion of the brain, and in the absence of any traces of drowning they concluded that death was caused by this blow on the forehead; and in accordance with the medical evidence the jury returned a verdict of murder against some person or persons unknown. There was no fracture of the skull, only it was described as an unusually thin one. Of course, soon after this two detectives—namely, Cox and Broberg—came over here from Wellington. Of course, the inquiry then was placed in the hands of the detectives, and the local police gave them all the assistance they possibly could. This Victor Ohlson was arrested on a charge of having robbed Beattie. He was committed for trial and acquitted at the Supreme sittings. Most of the persons who gave evidence at Satherley's inquest also gave evidence on the occasion of this trial, which was a very long one. In that prosecution the police did their very utmost to drag out something that would throw light on the Satherley murder, but they failed to do so. Personally, of course, I did my very utmost from the very first; and up to the time the body was found I had doubts—grave doubts—about the man being drowned and dead. Of course, I was in communication with Inspector Pender. During the time these inquiries were going on, I expressed to Inspector Pender my doubts; these doubts did not prevent my keeping a constant search for the body up to the 24th July.

350. *Colonel Pitt.*] What about the £10 note?—The £10 note was found by Purser's son and another boy on the 21st July, close beside the spot where the £5 note was picked up.

351. Did you search that place previous to the note being found?—Yes, on more than one occasion. The last time would be two or three days before that. I had a good search on the 12th, with two or three others, and on several occasions before the 24th July I searched.

352. Did you previously search that particular spot?—Yes, I did.

353. What sort of place was it; was it covered or open?—It was not covered; there were a lot of hedge-clippings, and the note was amongst these hedge-clippings, about 10 yards from the road.

354. Did you search that spot with sufficient care to swear that the note was not there when you searched two or three days before?—I cannot conscientiously swear it was not there, but it was not possible for it to be there.

355. *Mr. Poynton.*] Had there been any wind in the meantime?—Yes, wind and rain.

356. *Colonel Pitt.*] Did the boy put the note in the position in which he found it when you went there?—Yes.

357. And then was it in such a position that you could have readily seen it, had you searched?—Yes.

358. Did the Judge at the trial of Ohlson make any remarks as to whether in his opinion a murder had been committed or not?—I did not hear them.

359. Did he favour the opinion that there was a murder or not?—In my opinion he did not express an opinion on that point; I cannot remember.

360. Were you present at the Court?—I think so, but I may have been out of the Court at the time.

361. What was the condition of the £10 note?—It was dry and crisp, and if it had been there before we would have expected to have found it wet, because it had been raining up to within four or five hours of the note being picked up.

362. What time of the day was it found?—It was either 12.30 or 1.30.

363. *Colonel Hume.*] I take it you used every exertion in your power to try and elucidate this mystery at the time?—I did.

364. And when you found you could not throw any light upon it you asked for a detective from Wellington?—Yes.

365. Did you get one?—Yes.

366. Then, Mr. Pender came over himself?—He did.

367. How many times?—He was over here before the body of Satherley was found, and he returned soon after the inquest.

368. Are you satisfied with the way the two acting detectives worked?—I was. I think Cox did all that it was possible for a man to do.

369. And Broberg afterwards?—Yes.

370. Did the boys bring the £10 note straight to you when they had found it?—I met them on the road. Mr. Purser came up to the building here and invited the Magistrate to go down and view the scene of that particular date. As they were passing the police-station the Magistrate called on me and asked me to accompany him. When we got about half-way from the police-station to this paddock we met Purser's boy, and he handed me the £10 note and said he had just picked it up. I believe the boy had been for weeks looking for this body of Satherley on his own hook.

371. How old is the boy?—About twenty.

372. Then, there is a wire fence between where the note was found and the road?—Yes.

373. And it was inside the wire fence, off the road, that he found it?—Yes.

374. Did he say he was going to the police-station when you met him?—I do not remember, I inferred he was; he was going in the direction of the police-station. He went back with us and replaced the note as he had found it. He had an old tin marking the spot where he had found it.

375. Was the grass wet at the time?—Yes, quite damp, but the hedge clippings sticking up out of the grass were quite dry. The note was resting on these hedge clippings.

376. *Mr. Poynton.*] It may have been blown there?—Quite possibly.

377. *Colonel Hume.*] What was the reason for not arresting any of these four or five men who were with Satherley on that occasion for the robbery?—There was no evidence against them.

378. *The Chairman.*] You were satisfied with the statement of Ohlson that he had started with Satherley and then returned?—We were not satisfied with his evidence, but we had the evidence of others who corroborated his statement as to the time he was away from the hotel.

379. You said he was the only one who could give any information about the money. Did he say that Satherley had received it from Beattie in payment for a horse?—Yes.

380. Was that confirmed by Beattie?—No, Beattie contradicted it; he said there had been no transactions between him and Satherley.

381. Did that not lead to any further inquiries on that point?—Beattie was drunk at the time he lost the money, and therefore his word went for nothing.

382. *Colonel Hume.*] Was there any doubt about Satherley being drunk on that night?—We were given to understand that he was under the influence of drink; it was on account of this that Ohlson offered to see him home.

383. Did he not drop a £10 note in the hotel that evening?—Yes.

383A. And a man named Simpson picked it up and gave it to him?—Yes.

384. Did you tell Purser that Beattie refused to swear an information against anybody?—Beattie would not have laid an information against Ohlson, because he was under the impression that Satherley had his money.

385. *Mr. Purser.*] You told Colonel Hume that you did not take any steps to apprehend anybody on account of the robbery of Beattie because you had no evidence at the time?—Yes.

386. Later on, in October, you did apprehend a man for robbing Beattie?—Yes, Ohlson was arrested then.

387. Did Beattie or anybody else lay an information then?—We had no information except this—evidence that Satherley was dead. There was nothing to justify us to lay an information against Ohlson before that, because Satherley might have been alive.

388. You had proof that Beattie had been robbed on the 10th July?—Yes, but we had proof that Satherley had the money.

389. You told the Court that you had information that Satherley had been met in Christchurch?—Yes; I never saw the letter, but I had information about it being in existence, and I found the name of the person who wrote the letter.

390. You also told the Commission that Gamble said he saw Satherley on the morning of the 10th July. Has it not come to your knowledge since the 10th July that the individual Gamble thought was Satherley ultimately turned out to be Watson?—Gamble told me that he saw Satherley; and afterwards swore before the Court he saw Satherley, and I believe he is prepared to swear that again.

391. Has it not come to your knowledge that he now admits it was Watson he saw, and not Satherley?—No, he has not.

392. What is the qualification of Acting-Detective Cox? Is it usual to send an acting-detective to investigate an important case when the local police are supposed not to be able to cope with it?—I suppose the head of the department would know more about that than I do.

NICHOLAS KIELY, further examined on oath.

393. *The Chairman.*] You are in charge of the Blenheim Station?—Yes.

394. When did you join the Force?—In September, 1875, at Picton. I took charge here in 1897.

395. You are in charge of this sub-district?—Yes. It includes Havelock, one constable; Picton, one constable and one police-jailer; Cullensville, one district constable; and Blenheim, three foot constables, one mounted constable, and myself.

396. You find the Force under your control sufficient for the ordinary requirements of your district?—I do.

397. In your opinion, are the men under your control efficient for the work they have to do?—Yes, they are sober and efficient.

398. What is the general order of the place?—It is a very orderly district, a law-abiding and respectable community. We are free from the usual class of thieves and spiellers that have to be contended with in the big towns.

399. Have you much crime to deal with?—No; and what we have is of a simple and ordinary character, except this great mystery.

400. Is there due and proper vigilance observed in apprehending drunken and intoxicated persons in the street?—There is.

401. Have you any reason to suppose that the law affecting licensed houses is systematically broken?—No, I can safely say that the hotels of Blenheim are better conducted than any hotels in any place where I have ever been before.

402. Have you, in all cases where you felt justified by the facts within your knowledge, taken steps to punish offenders against the law?—Yes.

403. Having observed it generally, have you taken such steps in all cases for breaches of the Licensing Act where you felt justified in doing so by information at your command?—Yes, but I must say that the licensing laws are lax; people go into hotels, and as long as the police cannot prove the consumption or sale of liquors during prohibited hours the police cannot take action.

404. Do you think an alteration in the law is necessary to amend that?—Yes, I think so. I cannot say that has been much trouble here, but it can be done without our being able to prevent it.

405. Have you any suggestion you would like to make in regard to the condition of the Force?—I make this suggestion, that in nearly all other Government departments the Government provide uniforms for their servants. I am in favour of uniforms being provided free.

406. Do you think the police would desire to have a pension if it was established at the cost of a deduction from their pay?—I would be quite satisfied. I think some provision should be made for the men in their old age, who have not thrift enough perhaps to keep themselves. I would suggest that the twelve days' leave granted to the police now should be cumulative. I do not think a fortnight is sufficient to enable a man to go from one end of New Zealand to the other, if he wanted to do so.

407. For how long should the leave be cumulative?—I would limit it to a month.

408. *Colonel Hume.*] You have got on fairly in the service?—I have.

409. Have you used in your service any political, masonic, or religious influences to get you on?—No.

410. Then, if anybody told you you had not got a ghost of a show of getting on in the service unless you had some of these influences behind you, would you be prepared to deny that so far as you are concerned?—I would be very doubtful.

411. Has it ever come to your knowledge that political or other influences have been used to get men on in the service?—I cannot mention a case.

MONDAY, 16TH MAY, 1898.

WILLIAM JOHN PARDY, examined on oath.

1. *The Chairman.*] What is your rank?—Second-class constable, stationed at Blenheim.

2. I understand that on behalf of the local police you wish to submit a statement to us?—Yes, as follows: That the annual leave be increased to fourteen days on full pay; that the annual leave be accumulative up to three years; that uniforms be supplied free of cost, or an allowance in lieu thereof; that free passes on Government railways be granted to members of the Force when on leave; that married constables be allowed house-rent allowance; that some recognition be given to members of the Force for good conduct (say every five years); that the travelling allowance be as formerly—to wit, 6s. per day; that when doing relieving duty at stations an allowance of 6s. per day be paid for first week, and 5s. per day afterwards; that police surgeons be appointed; that a pension fund be established for the benefit of members of the Force; that all rewards to members of the Force, and a moiety of all fines inflicted by Magistrates in police cases, be paid into the pension fund; that the present rate of pay is inadequate, and respectfully wish to call the attention of the Commissioners to sections 25, 26, and 28, page 6, Police Regulations, 1886; that the pay should be raised, and if so, would be willing to contribute to a pension fund; that pensions be made payable after fifteen, twenty, twenty-five, or thirty years' service; that in the event of any member of the Force dying, and entitled to draw a pension, leaving a widow and young children depending upon

her earnings for support, the widow should be entitled to draw her deceased husband's pension for a certain period, as the Police Commissioner shall deem meet; that all fines inflicted upon members of the Force for breaches of the Police Regulations be paid into the pension fund.

3. With regard to these suggestions, to what extent do you suggest the pay should be raised?—To, say, 7s. a day, as the lowest rate on joining.

4. And if raised to 7s. per day, do you think there would be a willingness to contribute to a pension fund, and to what extent?—We are leaving that to the consideration of whoever draws up a scheme, which we hope will be submitted to us for our consideration before it is approved of.

5. What should the maximum pay be for a constable?—Up to 10s. a day for a first-class constable.

6. You refer to a moiety of all fines inflicted by Magistrates. Do you mean in all cases?—Yes, where informations are laid by the police; I think the same as is done in Queensland.

7. I suppose you mean the rate of pension to depend on the period of service?—Certainly.

8. Have you any suggestion as to the proportion the pension should bear to the pay?—I think the pension should be three-fifths of the pay, according to the rank a man holds.

THOMAS HENRY PRICE, examined on oath.

9. *The Chairman.*] What is your rank?—Third-class constable, stationed at Blenheim.

10. You are Inspector of Weights and Measures?—Yes.

11. Where is your office?—At the police-station.

12. Do you make any periodical examination of the weights and scales?—At no stated times, but I go round occasionally to examine them.

13. I will read a letter I have received, as follows: "I beg respectfully to point out to you one way in which the police have been neglecting their duty, I refer to the utter neglect shown by them in the supervision of tradesmen's scales and weights. It is commonly known in Blenheim that short weight of the bread is being repeatedly sold, and any complaint made to the bakers is treated with contempt. Many of the loaves are sold with no proper marks of weights, &c., on them, and it is a common thing to find a loaf 2 oz. or 3 oz. short. Only recently I weighed four loaves and found only one the proper weight. Surely this sort of thing should be stopped, as it is very hard on poor people, especially as the price of bread is on the rise. A few prosecutions of bakers would have a most beneficial effect. In fact, the whole of the tradesmen's scales, &c., require a proper overhauling now and then, and I understand it is part of the duty of the police to see that it is done." Do you make any periodical visit to tradesmen's premises for the purpose of examining their scales?—Yes, I have done so.

14. When last?—I examined Adams's weights about a fortnight ago.

15. Do you do it systematically? Do you look into every man's premises in the town?—I cannot say into every shop.

16. How about bakers' shops?—I intended to do them, but there was a case on in Nelson and Auckland, and I wanted to wait a little time to see how they were decided.

17. That was a question of stamping the bread?—Yes.

18. I refer to testing weights and scales?—Yes, but that was short weight as well.

19. The writer says, "Short-weight bread is being repeatedly sold, and any complaint made to the bakers is treated with contempt. Many of the loaves are sold with no proper marks of weight, &c., on them, and it is a common thing to find a loaf 2 oz. or 3 oz. short"?—I tested the weights of Mr. Young, baker, quite recently, and found them correct.

20. Did you test the bread and scales?—Yes.

21. The writer also says: "In fact, the whole of the tradesmen's scales, &c., require a proper overhauling now and then, and I understand it is part of the duty of the police to see that it is done. Do you understand it to be your duty to make a periodical examination of the scales?—Yes.

22. You will understand that our attention has been called to this matter?—Yes. I intended going round the bakers' shops; but I have been very busy lately. Just recently I asked for a constable to accompany me, but we have been very busy.

23. How long have you been here?—A little over two years.

24. How long have you held the position of Inspector of Weights and Measures?—About twelve months.

25. What pay do you get?—Nothing. I left the matter stand over on account of the two cases in Nelson and Auckland. I go round on surprise visits.

26. *Mr. Tunbridge.*] From whom do you get instructions in your capacity as Inspector of Weights and Measures?—I have had no instructions whatever.

27. But the circulars are from the Colonial Secretary's Department?—Yes.

28. As Inspector of Weights and Measures you are not a police-officer at all?—No.

29. I have no control over you in that matter?—No.

30. It is not a police matter at all?—No.

31. And you say you are waiting for a constable to accompany you on the rounds?—Yes.

32. Have the police duties required the attention of the men to such an extent that one could not be spared?—We have been rather busy just recently.

33. If there has been any neglect on your part it has been because your police duties have kept you employed?—I believe it does interfere with my police duties.

34. You are also Inspector of Factories?—Yes.

35. And that takes up a great deal of your time?—Yes, it really does.

36. And police duties must necessarily interfere with the performance of your other duties?—Yes.

37. Your first and primary duties are police duties?—Yes, before everything else.

38. And your whole time is taken up with police duties?—Yes, and to the neglect of these other duties.

39. *Colonel Hume.*] Is there any charge made for the inspection of weights and measures?—Yes.

40. You say you have had no instructions from the Colonial Secretary's Department?—I have had no instructions since I have been here.

41. Does not the Act say that the owners of weights and measures are to make application to have their weights examined?—They are supposed to let me know.

42. *Mr. Tunbridge.*] Do you know to whom that fee goes?—It goes to the Borough Council.

43. They get all the benefits for the work the police do?—Yes.

CLARENCE HERBERT SNOW, examined on oath.

44. *Mr. McNab.*] What are you doing now?—Walking the country as a general dealer and hawker.

45. You were formerly a boardinghouse keeper in Blenheim?—Yes.

46. Do you remember the disappearance of Satherley?—I do not remember it.

47. Do you remember the time?—Yes.

48. Do you remember the time of the body being found?—Yes, I was on the inquest.

49. Between these two dates had you a conversation with Mr. Mills, M.H.R.?—I talked to him once or twice for a short time.

50. Do you remember having a conversation with him at the post-office corner here when a man named Porter was present?—I remember speaking to him at the post-office corner one morning when Porter and Sutherland were there.

51. Did Mr. Mills come up to you, or did you go up to him?—Mr. Mills came across the street from the direction of Adams's shop.

52. How did the proceedings commence?—He shook hands with Porter and myself.

53. What passed then?—We said a few words, and spoke for about ten minutes or a quarter of an hour.

54. Did you make any remark to Mr. Mills, or did he to you?—We spoke about the Satherley affair at first.

55. I believe you made some complaint to Mr. Mills about the Satherley affair?—Sutherland first mentioned the Satherley affair, and I said Mr. Mills was not making much of a stir about the matter.

56. What was Mr. Mills's reply?—As near as I can remember, he said Satherley was all right. He said he would soon turn up, or something to that effect; and said, "I am in a position to know more than you."

57. Did you see Mr. Shaw that morning, and Mr. Jellyman?—Mr. Shaw went into the post-office while we were speaking.

58. Did not Shaw and Jellyman come up and stop the conversation temporarily?—No, Mr. Jellyman came up and shook hands with Mr. Mills.

59. That stopped the conversation temporarily?—Yes.

60. After that did he stand talking with Mr. Jellyman for some time?—About two minutes, Yes; and then Shaw joined him.

61. Did Mr. Mills join you again?—Yes, and I spoke to him again.

62. Did Porter want you to leave?—Porter called me to go up the road.

63. Did you go?—No, I stopped to speak to Mr. Mills.

64. Why did you not go?—Because I wanted to speak to Mr. Mills.

65. And you renewed the conversation?—Yes.

66. What did you say?—I think I started it. I think I said that people did not seem satisfied about Jeffries.

67. What did Mr. Mills say?—He said he had had nothing to do with it. I do not say these are the exact words, but they were words to that effect.

68. Did you make any remark to that, or accept that as an explanation?—We had a few more words.

69. What did you say to Mr. Mills?—I said they did not seem to think so.

70. Did Mr. Mills make any reply to that?—Not much.

71. What did he say?—I cannot remember the exact words.

72. Well, the purport of them?—I think Mr. Mills said that Jeffries was taking the bread out of his mouth in Picton; and why should he not go to Wellington and take the bread out of Jeffries' mouth.

73. Did you accept that as an explanation, or did you make any remark to that?—I said, "You got in; and why do you not let the matter drop," or something to that effect.

74. Did Mr. Mills make any answer to that?—He said it might occur again.

75. Did any further conversation pass?—No, I do not think so.

76. What terminated the conversation?—While he was talking to me, Mr. Porter and Mr. Sutherland were there, and I think he left me to speak to somebody.

77. His last remarks were in answer to your objections: "You got in; why do you not let the matter drop?" And his own explanation was that it might occur again?—Yes.

78. You are quite clear that is all quite true as to what occurred between you and Mr. Mills?—Yes, as near as I can tell you. I do not think Mr. Mills knew me personally. I do not think he knew my name.

79. Were you not a prominent supporter of Mr. Mills?—No.

80. Practically, were you not a prominent supporter of Mr. Mills at that time?—I did not take much interest in it. I had only spoken to Mr. Mills once before the election.

81. *Mr. Mills.*] Do I understand you to say that Mr. Porter and Mr. Sutherland were present when the conversation occurred?—Porter was present, and Sutherland was alongside him.

82. At first?—Yes; he shook hands with both of us.

83. But according to your evidence we separated?—Yes.

84. You stated, as I understand, that you came to me the second time after we parted?—Yes.

85. And Sutherland and Porter were not present then?—Sutherland was not present, but Porter was alongside of me.

86. Are you quite sure you asked me this question, about taking the bread out of his mouth; because it is the first I have heard of it?—I never asked you the question at all. I said people were not very well satisfied with the way Jeffries was shifted. Jeffries was a man I did not know. I only knew him a month or so ago.

87. Then, practically, you and I were the only two persons present when this conversation occurred?—No, Jack Porter was present.

88. Is he about?—I do not know, I saw him this morning, and I know where he is working. He was working at the football ground a few days ago.

89. When this conversation ended where did you go?—I walked up High Street.

90. Then, who was the first person to whom you told anything about this conversation with me?—The first man who spoke to me about it was Jack Porter; he heard most of the conversation. We had talked over it going up the road.

91. He heard most of the conversation?—Yes.

92. After you had spoken about this to Mr. Porter, who else did you tell about this conversation?—Three men had been working with me and we were talking about the affair, and I mentioned something about it to them. I did not know there was anything like this coming up, though.

93. Are you positive that the conversation occurred in the way you have stated: that is, with regard to my expression, "Why should I not go to Wellington to take bread out of Jeffries's mouth?"—The words were, as far as I can remember, you said, "Look here, Snow, Jeffries was taking the bread out of my mouth in Picton; and why should I not go to Wellington to take the bread out of his mouth?" I said, "No, you got in; why not let it drop?" or words to that effect, and you said, "It might occur again?" During this conversation Mr. Porter was alongside of me. I have never spoken to Porter of the matter.

94. I cannot understand, in the way you put the conversation, how it was possible for me to say that Jeffries was taking the bread out of my mouth?—You said Jeffries was working against you, and taking the bread out of your mouth in Picton.

95. When did you say this conversation occurred, about the date?—It was between the time Satherley was missing and the time his body was found.

96. I want, if possible, to fix the date. Was it some time after this election?—It was after the election.

97. What date was it that Satherley was missing?—It was between July and September last year. I cannot swear to it positively.

98. Then, according to your statement, it would be actually some time after Constable Jeffries left Takaka?—I do not know where he was; he was away from Picton, I think.

99. It would be nine months after the election?—I cannot say; I know it was a very considerable time.

100. When was the last time you have been spoken to in reference to this matter, and about your giving evidence?—Mr. McNab told me this morning that I would be wanted this morning.

101. Mr. McNab has had a conversation with you since he came into Blenheim?—Yes.

102. Did Mr. McNab tell you then what evidence he required from you?—No. I got a subpoena and went into the Club Hotel last night. I saw Mr. McNab, and he jumped up and said, "I want to see you;" and I said, "I do not want to talk to you." After that we stood and spoke for a few minutes, but I cannot tell you exactly the conversation that took place. He asked me a few questions about you; but I do not exactly remember what I did say to him last night, to tell you the truth.

103. Has any one else, previous to Mr. McNab, written to you or said anything to you that you would be required here during the past month?—No, not a soul.

104. And in recollecting this conversation that occurred eight months ago, do you now say that you do not recollect what conversation took place between you and Mr. McNab only last night?—No, I do not. I cannot say for certain. I came a long journey yesterday, and we had a whiskey or two on the road, and nothing to eat, and I cannot remember the full words I said to Mr. McNab last night.

105. Whiskey very often sharpens a man's memory?—It does; but I do not know exactly what took place. I know we mentioned the case, but I said, "I do not want to talk to you."

106. In this conversation that you allege took place between you and I, can you positively swear that I did not use words of this kind, "Did Mr. Jeffries think that through his actions in the elections he might be taking the bread out of my family's mouth?"—No. The words you said were these: "Jeffries was taking the bread out of my mouth in Picton, why should I not go to Wellington and take the bread out of his mouth?" It was said quickly; you seemed to be in a hurry, and you spoke to two or three while speaking to me.

107. Do you say that Mr. Porter was there when this conversation took place?—Yes; he was standing alongside of me.

108. Did we not meet in Starborough and converse before?—Yes, once. I did not think you knew me.

109. Have we not met several times?—Yes.

110. Have I not met you many times in the town previous to this?—Yes.

- 110A. And spoken to you?—Yes; you always nodded to me.
111. Then, how can you say I did not know you?—I did not think you knew me.
112. And yet you told the Court that I came up to you in a most familiar manner?—I have seen you speak to plenty of people you did not know.
113. How did you know I did not know them?—People have told me you did not know them.
114. And this was eight months after the election?—It was after the election.
115. Then you have told the Court here that you were a stranger to me?—I said I did not think you knew me.
116. And you think that as I did not know you, I would come up to you and make use of the expression such as you said I did?—Of course, you talked; it did not matter who it was; even if it was a perfect stranger from the country, and he started to talk to you, you would talk back to him.
117. You cannot fix the date?—No, I cannot.
118. Did you ever tell Mr. Jellyman anything about this conversation?—No.
119. Did you tell Mr. Shaw about it?—No; not till this morning.
120. On your oath, did you ever tell Mr. Frank Shaw anything about this previous to this morning?—I have told him something about it, but not the same evidence that I have given here.
121. Have you not told him something of what you have spoken to me about this matter, and told him this reputed conversation?—No; I did not tell him the conversation.
122. Did you tell him anything about it at all?—Yes.
123. Tell us what he said.—I have often spoken to Shaw, and I think I said that Mills and I talked over the Satherley affair once, and that some time after we spoke about Mr. Jeffries.
124. Are there no means by which you can fix the date when we had this conversation?—No.
125. Within a week, can you?—No; nor within a month, because it was a conversation on the street.
126. Did you ever speak to me about it afterwards?—No.
127. You have not spoken to me! Has Mr. Shaw, or Mr. McNab, or Mr. Thomas Jeffries, or Mr. John Jeffries ever spoken to you?—You have spoken to me every time you met me.
128. Have you ever referred to this reputed conversation at any time to me?—No, not that I am aware of.
129. *Mr. McNab.*] After the conversation with Mr. Mills you walked up the road with Porter?—Yes; he stood alongside of me until we finished the conversation.
130. Did you discuss the conversation with Porter, there and then?—Yes.
131. At that time you did not know Constable Jeffries at all?—I did not know him personally; I knew him by sight. I had rented a paddock from him, but had it through a commission agent.
132. I think some two months ago you were in Nelson—Yes.
133. Did you tell Constable Jeffries about this matter then?—That is where I first made the acquaintance of Constable Jeffries.
134. Did you tell him anything about this matter then?—Yes.
135. The libel actions were then over?—Yes.
136. It was suggested by Mr. Mills that you had seen me about this matter. Was any suggestion made by me as to any evidence you were to give?—No; I told you I did not want to see you.
137. Mr. Mills practically admits, by cross-examination, that he said, “Jeffries, by his action, might be taking the bread out of my family’s mouth.” Are you quite clear that these were not the words, but that the words you have given are the true words that were used?—Yes; the words I have given are correct. I have thought of it so many times since, and these are the words I used then.
138. *Colonel Pitt.*] Can you remember anything you did on the day of this conversation that would lead you to fix this conversation afterwards?—No, I cannot. I have no record on my books; I looked at them this morning.
139. Not by any event that occurred on that day?—No.
140. Do you know where you went after you parted with Porter?—I think I went home.
141. *Mr. Mills.*] I understood you to say just now in answer to my question that you did not know Mr. Jeffries except by sight?—Yes.
142. Now I understand from the cross-examination of counsel that you did meet Jeffries in Nelson?—At the time of my conversation with you I did not know Jeffries.
143. Did you ever say anything to me about Constable Jeffries taking too active a part in the election?—No.
144. Did you take any part in the election?—No; I was in the country, and did not take much interest in it.
145. You never said anything to me in reference to Constable Jeffries taking too active a part in the election in the presence of anybody else?—No, I do not remember it. I may have done so, but I do not remember it.
- JOHN PORTER, examined on oath.
146. *Mr. McNab.*] You are a labourer, residing in Blenheim?—Yes.
147. Do you know a man named Clarence Herbert Snow?—I do.
148. Is he a traveller and general hawker, so far as you know?—Yes; I think so.
149. Do you remember the time of Satherley’s disappearance?—Yes.
150. Do you remember the finding of his body?—Yes; I cannot tell you the dates.
151. During that time do you remember yourself and Snow meeting Mr. Mills, M.H.R., at the corner of the post-office?—Yes; I think we shook hands with Mr. Mills one day.
152. Do you know a man named Mr. Sutherland?—Yes.

153. Was he present?—I cannot say; I think so. I do not know who was present, but it was out in the Square.
154. Do you remember Mr. Mills shaking hands with both yourself and Snow?—Yes.
155. From what direction did Mr. Mills come?—He came across from the corner, in the direction of Adams's shop.
156. After he had shaken hands with you, did any conversation take place?—Not much; I do not remember any.
157. Did you make any remark to Mr. Mills?—No; I just shook hands with him, and asked him how he was getting on.
158. Did Snow make any remarks, so far as you remember?—I do not remember; it is a long time ago. I cannot say that he said anything.
159. Did Snow make a remark about Satherley?—I think he said something about Satherley.
160. What was the remark he made, so far as you remember?—I think he said Mr. Mills was not taking much interest in the Satherley affair, or something like that.
161. What did Mr. Mills say?—I do not remember. Blackman was near there, and he called me away.
162. Did you see Mr. Shaw and Mr. Jellyman come over to the post-office?—No.
163. Did you see Mr. Mills speak to Mr. Snow again?—Yes; he was speaking to him a good while after I went away.
164. Did you see Mr. Mills leave him after you went away?—Yes.
165. Do you remember any break in the conversation; do you remember Mr. Mills going into the post-office?—He went to the post-office just as I went away, and then he came back again.
166. Then the conversation was renewed?—I went away on to the Square.
167. Did you see the conversation renewed?—I saw Mr. Mills going back to Snow. I do not know what they said to one another.
168. Did you hear any conversation then?—No.
169. Did you hear Jeffries's name mentioned?—No.
170. After the conversation between Mills and Snow was over, did you join Snow and walk up the road with him?—Yes; I think we went down to the Working-men's Club.
171. I suppose you had some conversation?—No, I do not remember; it was so long ago I cannot say; we were yarning about work, and one thing and another. I would not like to say what we said.
172. Where was Mr. Mills? Was Jeffries referred to?—I do not know.
173. *Mr. Mills.*] You have never heard any conversation between Mr. Snow and myself with reference to Constable Jeffries?—No.

WILLIAM GAMBLE, examined on oath.

174. *Mr. Tunbridge.*] You are an expressman, living in Blenheim?—Yes.
175. Do you remember the day that the late Mr. Satherley was reported as missing?—Yes.
176. On the 10th July did it come to your knowledge that Mr. Satherley was stated to have been missing since the previous night?—Yes.
177. In consequence of that statement coming to your knowledge, did you communicate to the police or to any other persons that you had seen him?—I was asked whether I seen Satherley on the Saturday by a man named Gillon, and I said, "Yes; I had seen him about ten minutes past 9 o'clock in the morning."
178. Had you seen him?—Yes.
179. Where?—Down a road leading off Manse Road and going into Customhouse Street.
180. Where were you?—I was in Customhouse Street going towards town.
181. How far away from you when you saw him was Satherley?—About forty yards.
182. It was daylight?—Yes.
183. Do you know Satherley well?—Yes.
184. Have you any doubt that the man you saw at that time was Satherley?—No doubt at all.
185. *The Chairman.*] Was he facing you?—Yes.
186. *Mr. Tunbridge.*] What time would it be since you saw Satherley until you first made this statement which you repeat here?—I saw Gillon on the evening of the same day.
187. Was it possible you could have confused that morning with the preceding morning?—No.
188. You are certain of that?—Certain of it.
189. Where were you on the Friday morning at the same time?—I was carting chaff from St. Leonards, about three miles away, to town.
190. What time did you get into town?—About 9 in the morning.
191. Were you in Customhouse Street with the chaff?—No.
192. In another part of the town altogether?—I did not go anywhere near Customhouse Street when I was carting chaff.
193. You made a statement to the police on the following Monday, the 12th July, to the effect you are now stating?—Yes.
194. Have you since repeated that statement on oath?—Yes, at the inquest.
195. Were you called at the trial?—No.
196. Have you told anybody, or led anybody to believe, that you had no doubt about the truthfulness of your statement?—No.
197. If any one suggests you have done so they are not speaking the truth?—That is right.
198. *The Chairman.*] You were within 40 yards of Satherley?—Yes; he was walking.
199. Was he walking as a sober man?—Yes.
200. Did he appear to be suffering from any injuries?—No; he had his head bent.

201. What sort of a street is this you saw him in: what are the character of the houses in it?—They are respectable houses. It is a large upstairs house, with a lot of fir-trees about it.
202. He was facing you, and walking as a sober man, with his head bent, and you have no doubt of his identity?—No doubt at all.
203. In the face of all the subsequent discoveries, have you any doubt about his identity?—None whatever.
204. Are you aware that on that day a search was being made for him?—Yes.
205. Did you take any part in the search?—I did not.
206. Did you inform the people who were engaged in the search that you had seen him?—Yes; I stated to some of them that I had seen him.
207. Did they believe you?—No.
208. Notwithstanding what you told them they continued the search?—Yes.
209. *Colonel Pitt.*] How did Gillon come to ask you if you had seen Satherley?—Gillon was coming towards town, and it had been reported that Satherley was missing, and he asked me if I had seen anything of Harry Satherley, as he had not been seen since last night.
210. It was a general inquiry?—Yes.
211. Are you aware it was said that Satherley had not been at home that Friday night?—Yes; Gillon told me.
212. Are you aware of any one who had stated where Satherley was that Friday night, after he had left the Marlborough Hotel?—No; I heard that one man had seen him an hour after me on the Saturday morning.
213. Do you know who that man is?—No.
214. How do you know that?—Detective Cox told me.
215. *The Chairman.*] Has that man ever been produced to give evidence?—To give private evidence; it was not taken in Court.
216. What did you know of Satherley previously: were you on intimate terms with him?—I had known him for some years.
217. Did you know him pretty well?—Yes; he used to ride to and fro with me. I used to pick him up when going towards his house.
218. Do you know what sort of a hat he had on?—He had a cap on.
219. Was he dressed in the same clothes you usually saw him in?—Yes.
220. *Mr. Poynton.*] How far would it be from the place you saw him to where the body was found?—It would be a distance of about a mile and a half.
221. And how far to where the notes were found?—It would not be many chains, just round the corner—about two minutes' walk.
222. Were you as positive in your statement to Sergeant Kiely on the Monday morning that you had seen him as you are now?—Yes.
223. *Mr. Tunbridge.*] You mean, when you say a mile and a half, by following the course of the river?—Yes.
224. But as a crow flies in a direct line?—It would hardly be a quarter of a mile if he went over in a boat straight across the country.
225. Was there a bridge near where you saw him?—No.
226. *Mr. Purser.*] You say you saw this individual, whom you assume to be Satherley, about ten minutes past 9 on the Saturday morning?—Yes.
227. Who else did you see in the same locality?—Nobody.
228. Which way was he going?—He was going straight towards the river.
229. Were you going from town or going to town?—I was going to town.
230. Where did you start from?—From home.
231. How far was that from where you thought you saw Satherley?—About a minute's walk.
232. You did not see anybody else at that time in the morning?—No.
233. Do you remember the first conversation I had with you?—Yes.
234. That was a day or two after the inquest?—It was while the inquest was going on.
235. Did I ask you then if you still persisted, knowing that Satherley had been found and an inquest held, in saying you saw him on the Saturday morning?—Yes; and I told you "Yes."
236. Now, did I not draw your attention to the injustice you were doing by persisting in what must have been a mistake, and say that in common justice to the widow you should openly admit it, by saying you now felt sure you were mistaken?—You told me the public would either think I was a lunatic or was screening the murderer.
237. *The Chairman.*] And you persisted in the statement?—Yes.
238. *Mr. Purser.*] Did you not at the latter part say, "I still believe it was Satherley I met, but I might have been mistaken?"—No, I did not.
239. Now, as a matter of fact, are you not pretty clear in your own mind that the man you think you saw on the Saturday was not Satherley, but no other than Andrew Watson?—No.
240. You know Andrew Watson?—Yes.
241. Is there any great resemblance between the two men?—I do not think so.
242. *The Chairman.*] You are certain it was not Andrew Watson?—Quite certain.
243. *Mr. Purser.*] You told us of some other man who gave information to Detective Cox that he had also seen Satherley?—Yes.
244. Do you know who he was?—No.
245. *Mr. Tunbridge.*] You knew Andrew Watson by sight long before this?—Yes.
246. And you have no hesitation in saying it was not Andrew Watson you saw, but Satherley?—It was Satherley.
247. And that has been your belief all the way through?—Yes.

248. *Mr. Poynton.*] You did not inform Sergeant Kiely you thought it might have been Watson?—No.

249. Did the name of Watson crop up at all?—No.

ARTHUR HUME, examined on oath.

250. *Mr. Purser.*] You heard the evidence of the last witness?—Yes.

251. And you remember that he said that another individual had told Detective Cox that he saw Satherley on the Saturday morning?—Yes.

252. Have you a record of that in your department in Wellington?—Yes; if it happened.

253. Is there any further amendment to that suggestion that this man whom Gamble referred to was not Satherley, but Andrew Watson?—I do not know. I can tell the Commission in Wellington.

254. I presume you have had pretty considerable experience in police matters?—A fair amount.

255. Is it in your experience that it sometimes happens that the police get hold of a wrong theory?—Yes, sometimes.

256. Is it not an admitted fact that they sometimes often stick to these theories and reject evidence rather than appear to have made a blunder?—No; that is not my experience.

257. You do not think there are any cases in which they would—at least, I may use the term—ignore evidence that would prove that their theory is wrong?—No, I do not think there are.

258. Is it not a fact that the department, from almost the disappearance of Satherley, have bolstered up the theory that he was lying low and still alive?—We thought that at one time; but at the same time we got all the information we could that would throw any light upon it in another direction.

259. Even up to the 12th August—that was more than a month after Satherley's disappearance—the police held that theory?—That is what they did think

260. Although there appeared to be every reason to look at the case from another point of view?—I do not admit that at all; if there was sufficient evidence to look at it from another point of view, I have no doubt that the detectives did look at it from another point of view.

261. Do you remember my visiting Wellington about the middle of August?—Yes.

262. Did you not tell me then you knew almost where to put your hand on him?—No, I did not tell you that.

263. Did you not tell me you were almost certain he was lying low, and that you could put your hands on him in forty-eight hours?—I did not say we could get him in forty-eight hours; I said I thought he was lying low, and that we could get him.

264. Had you the least grounds for making that statement?—I am not in the habit of telling a falsehood. I should not have said that if I had not had grounds for saying it.

265. About the 11th August did not the police hand in a paragraph to the *Marlborough Express* to the effect that Satherley had been seen in Christchurch?—I do not know. I do not think the police are in the habit of handing in statements to the newspapers.

EDWARD PURSER, further examined.

266. *The Chairman.*] Can you give us the contents or the essential part of the letter which suggested that Satherley had been seen in Christchurch?—Yes; this extract is a true copy of the original letter—namely, “What a way Mrs. Satherley would be in about her husband. If they have not heard any news of him, I can tell you where he was on the 24th July I see by the morning paper that Satherley is not found yet, so I will tell you where I thought I saw him—I am almost sure it was Satherley. I was in Christchurch with little Charlie; we were walking down High Street, a street that leads to the station, when all at once Charlie said, ‘Look, mother, there is Mr. Satherley!’ I said, ‘So it is.’ I was going to speak to him, when he walked quickly past me, and looked at me as much as to say, ‘I don’t want you to recognise me’; but when he had passed me he raised his hat and smiled.”

267. *Mr. Tunbridge.*] This was a letter from Mrs. Campion?—I think so.

268. Mrs. Campion and family lived in Blenheim?—Yes.

269. Nearly opposite to Satherley?—Yes.

270. When she left Blenheim, Satherley took the house she vacated?—I believe so.

271. Mrs. Campion knew Satherley very well?—Yes.

272. And her little boy knew him well?—I believe so.

273. What is your complaint against the police in connection with making inquiry into the truth or otherwise of that letter?—Generally, I say, they started on a wrong theory, and have been endeavouring to uphold that theory, and ignored anything else that led off from that theory.

274. Do you wish to state that the police should have ignored that letter altogether?—Yes; they should have taken it for what it was worth. They should not have said they had seen him in Christchurch, and could put their hands on him. That letter does not justify them saying he was in Christchurch.

275. Do you suggest the police should have ignored that letter?—They had their own way of doing things; probably it would have been better if they had taken it for what it is worth.

276. Do you think the police did anything wrong in having Mrs. Campion interviewed?—No, they did perfectly right.

277. Then what part, what action of the police in connection with that letter do you object to?—I object to the police coming to the conclusion that he was absolutely in Christchurch when the woman said she only thought she saw him in Christchurch.

278. Do you know on what the police were acting at the time?—No.

279. At that time Satherley's body had not been found?—No.

280. So that it was not unreasonable for the police to attach some importance to that letter in the light of the fact that Satherley's body had not been found?—Yes.

281. A woman, who is admittedly known to have been well acquainted with Satherley, makes this statement, that on a certain date she saw him, that her little boy thought it was him, and that the man turned round and raised his hat to them?—That very fact ought to have assured them it was not him. Raising his hat was a thing he was not guilty of doing.

JOHN JEFFRIES, recalled.

282. *Mr. Mills.* Who instructed you to leave Picton and go down to Pelorus Sounds to adjust the roll?—Sergeant Möller, by written instructions.

283. You had no other instructions?—No.

284. Did you receive a telegram from Sergeant Möller when you were in Havelock?—No, I have no recollection of having received it.

285. Did Constable Egan, stationed at Havelock, convey the purport of a telegram in any way to you?—I have no recollection of Constable Egan speaking to me on the subject.

286. Did you receive any other instructions beyond written ones when you were in Havelock with regard to an alteration of the roll?—No, I have no recollection of it. If I had they would have been embodied with the others, copies of which I put in.

287. After you returned from Havelock to Picton did you receive any other instructions then from Sergeant Möller with regard to altering the names on the roll?—No.

288. I understand you to say, then, that you received no other instructions to those contained in this letter of the 21st October, 1896, and that you acted on them?—Yes, my instructions were as follows:—

Police-station, Blenheim, 21st October, 1896.

HEREWITH is a roll and claims of voters for you to correct where necessary. As it is reported that a number of names and claims have been sent in, and that Maoris not possessed of £25 worth of property are amongst them, please do your utmost to have them made correct. All persons on the western side of the Pelorus Sounds are outside the district. I think it is principally at Cullensville and part of the Sounds that the trouble will arise. As you know the district better than any other member of this Force, I have selected you, and you know, of course, the grounds of objections. Some of the claims are not witnessed by duly authorised persons, and a number of names are said to be on the roll which should not be there. There are two names "Talbot" on the roll at the Sounds. They used to be at Havelock, and the witness is not properly qualified. £10 has been authorised, chargeable to Colonial Secretary.

Constable Jeffries.

S. MÖLLER, First-class Sergeant, No. 33.

Police-station, Blenheim, 22nd October, 1896.

Re Electoral roll: I expected you here to-day. As you did not come, I saw Mr. Cawte from The Grove. He will assist you in every way, and so will Mr. Cullen and Coombe. There is no bother or doubts about the correctness of the roll anywhere but at Cullensville, The Grove, and the Sounds down from Havelock. You can get a steamer at Havelock for £2 a day, and it will not take more than two days from there down and back. Brownlees people will assist in every way. If you cannot go, let me know by wire to-night, and I will go myself *via* Kaituna to-morrow. If there is no better means of getting to Cullensville from Picton, you could come up to-night and go by coach to Havelock from here at 9 a.m. to-morrow, or come on Friday afternoon and go by Saturday's coach to Havelock, and telegraph to Egan to have the steamer ready that afternoon.

Constable Jeffries.

S. MÖLLER, First-class Sergeant, No. 33.

289. Your instructions are that every one on the western side of the Pelorus Sounds were outside of this district?—Yes, that is what I was informed by my instructions—that is from the mouth of the Sound up to the Wakamarina River.

290. You went down the Sounds to see that all these claims were either placed on the Wairau roll or the Nelson roll?—No, to see about the opposite side. Suppose a roll said, "Thomas Johnson, settler, Pelorus Sound, residential," and it did not say whether he was on the eastern side or the western side, I went down to rectify those on the eastern side. With regard to the western side I had no instructions. I went to find names on the eastern side, and had nothing to do with the western side whatever.

291. And what distance down the Sounds did you go?—I went down as far as Akaloa Bay.

292. And on that trip you made no inquiries with regard to these claims on the western side of Pelorus Sounds?—No.

293. How was it, then, that you gave information about Mr. Black and others being on the western side, and that they ought to be on the Nelson roll?—Mr. Black's name was down for Meadowbank, if I remember rightly.

294. Was it not a fact that you had to obtain correct information as to where these parties resided who were on the old Waimea-Picton roll, so that the new roll could be properly adjusted?—I had no other instructions than those conveyed to me by Sergeant Möller.

295. When you received the letter containing the paragraph you referred to on Saturday in connection with my request for further information about the electors, who sent it on to you?—Sergeant O'Malley, who was in charge of the Blenheim district at that time.

296. Was it the usual way for any correspondence to come to you?—Certainly.

297. Will you kindly explain what made you think that that paragraph was something of a hit, as you say, against you?—Because it was publicly rumoured that you were doing your utmost to get me shifted from Picton because I had worked against you, and had manipulated the roll in some way, and I suppose you had concluded I had done so, and hence you said, "Probably Constable Jeffries can explain."

298. I simply added—to convey to the Police Department—that you would be the best man to give the information; as you had been there?—I replied, and said I was unable to afford the desired information.

299. Could you not at that time have given me the information asked for in the letter, and said that you had literally obeyed instructions?—I said I was unable to give you the desired information, and you had these instructions at your disposal by asking Mr. Stoney for them.

300. Did you have anything in any way, direct or indirect, from me personally which would lead you to think I was doing what you supposed?—Not from you personally, nothing whatever, beyond what you said, which I took was a hint to the department that I could give the information.

301. How long have you known me?—From boyhood, you may say.

302. Do you recollect meeting me in Wellington when they removed you from the West Coast?—Yes.

303. Do you remember asking me to do what I possibly could to get you into a country station?—No, I do not recollect asking you that. I met you after I was transferred from the West Coast to Wellington, and was placed on street duty there. I was a very heavy man, and the work was positively killing me and killing others.

304. Did you not tell me that the work was really too heavy?—Yes, I did.

305. Did you not ask me to interest myself on your behalf?—I might have said if you could see your way to interest yourself I would be thankful.

306. I did so?—I am unaware of it.

307. Do you recollect writing to me a letter after you were in Picton?—I never wrote you a letter in my life, either before or after my removal to Picton.

308. Did you afterwards ask Mr. Card, in Picton, to write and ask me to try and get some additions and improvements to the buildings, which were too small for your family?—I do not recollect it, but, at the same time, I will not say I did not; it is quite likely, because, of later years, if we do not move members of Parliament we would get nothing done.

309. Were the additions ever made to the house?—They were. Inspector Pender came over, and he strongly urged the necessity of more accommodation, and an additional room was erected.

310. Did you ever ask Mr. Card to write me again about having you made a sergeant, a position you thought you were entitled to?—No, in matters of promotion I never asked for anything; all I have ever asked a member to do for me was to get me transferred from street duty in Wellington and get improvements for me. For promotion I do not care a rap, although I have been hardly treated in not obtaining it.

311. *The Chairman.*] On both these occasions was Mr. Mills the member through whom you operated?—I may have asked Mr. Mills in Wellington to do something for me, but I have no recollection of having done so then or subsequently.

312. Did you ask Mr. Card to do it for you?—I have no recollection of having done it. I scarcely think I did. I have no doubt but what Mr. Card did do it, because he is a friend of mine, and we had several talks on the subject; but I feel sure I never sanctioned his moving in the matter.

313. *Mr. Mills.*] Do you recollect Mr. Card showing you a letter from me—I think in September of 1896—in which I said that information had been sent to me saying that you had used threatening language to some publican to the effect that it would be bad for him if I were returned?—Yes, but it did not say anything about threatening language. Mr. Card showed me a letter in which Mr. Mills said he had been informed that I was using political influence against him, and that it was his intention to run the Wairau seat, and he had heard that Jeffries was working against him.

314. Did you not tell Mr. Card to write back and deny it outright?—Yes, I did.

315. Did you not ask Mr. Card the first time I came over to bring me along, and you would deny it to me?—I did.

316. The first time I saw you personally regarding that letter was in your office?—Yes, you and Mr. Card came in.

317. In your evidence before the Supreme Court here some time ago you said: “Mr. Mills never asked me to vote for him.” Is that correct?—You did not ask me to vote for you, but you asked me to support you.

318. What did you tell me with reference to voting?—I told you I was not going to vote at all.

319. What led to the conversation about voting?—I really forget the exact words. You told me you were going to run for the Wairau seat, and I had also seen it announced then.

320. Did you not ask then who was my informant in the letter which Card showed you?—Yes.

321. Did I not tell you that I was perfectly satisfied with your own assurance that it was untrue?—I will not say you did not, but I cannot say that you did. It is quite likely you did say so.

322. Did you not ask me then to give you the name?—Yes, I asked you before.

323. Did I not say then, “It is no use troubling any further about it; I am perfectly satisfied with what you have stated”?—Yes.

324. Did you say to me then it was your intention to take your name off the roll?—I was not aware I said so then, but I said so to others. I said to Mr. Card I would take my name off the roll, and he advised me not to.

325. Did I not laugh at the time and say, “What foolishness! Leave your name on the roll; vote as you jolly well like, but do not take any active part in the election”?—Yes, I recollect you saying a person had a right to vote as they liked. That is right.

326. We then parted on very friendly terms?—Yes.

327. *The Chairman.*] Was this prior to the election?—Yes, in the month of September.

328. *Mr. Mills.*] And personally I never gave you any reason to think that I would do anything like what is being imputed to me from the Press?—No, you did not.

329. *Mr. McNab.*] You did not get the name of the person who went to Mr. Mills in Wellington?—No, he said he had received it in confidence, and that it would be an “abuse” to divulge it, and he would not do so.

330. That was in September, 1896?—I believe so.

331. Was not September, 1896, the time you had this trouble with "Takapuna Tom"?—Yes.

332. And "Takapuna Tom" threatened you he would go to Mr. Mills and Colonel Hume?—Yes.

333. Of course, coupling Seward's threats with being told of the letter sent to Mr. Card, you had little doubt but what Seward had been at work against you?—I thought it was likely that Seward had been using some influence in the matter.

334. As a matter of fact, you did not vote, did you?—No.

335. It was quite true at that time you had taken no active part in the election, or at any time before you went down to Pelorus Sound? Did you take advice in Havelock as to the best way of getting down, and who to go to?—I did.

336. Who did you go to?—To Mr. Gustavus Mathieson and to Mr. Reynolds, who were leading supporters of Mr. Mills.

337. You thought that the words added to Mr. Mills's letter, to the effect that "probably Constable Jeffries can explain," were a slur upon you?—Yes, I did think so.

338. And that you had not carried out your duties properly?—Yes, it was decidedly a blow aimed at me.

JOHN JEFFRIES, further examined on oath.

339. *The Chairman.*] You are desirous of making certain suggestions which you have embodied in a written statement?—Yes. It is as follows:—

"Memorandum re Evidence.

"*Re fuel and light:* Constables in out-stations (so-called) are directed to provide themselves with these necessaries, which is deemed to be a hardship and an injustice.

"*Repairs and improvements to stations, &c.:* Constables occupying stations are directed that they must, when needed, repair and improve such stations at their own cost, which is particularly hard on constables, inasmuch as that, when effected, the probability is they receive orders of transfer to some other station, where similar work will have to be started—at least, that is my experience. The result is stations are to a considerable extent kept in repair and good order at the expense of the unfortunate constables, who can ill afford the outlay, and, to a more or less extent, it really means paying rent; but if it is not done, the stations in time become so dilapidated that they are unfit to live in. (State of the condition of the Port station on 28th July, 1897—cockroaches and rottenness.) But some policemen are quite satisfied to live in any hovel, while others bitterly grumble at their treatment, but endure it in consequence of being afraid to complain to their officers, as likely it would lead to a transfer, and perhaps to a worse station.

"Then, again, some constables are permitted to remain at one station for ten, fifteen, twenty, twenty-five, thirty, or thirty-five years, while others are removed every two or three years without having the slightest idea as to the cause of it, not being aware that they have done wrong in any way. Many transfers are certainly not in the public interest, whatever else may be said in support of them, but are merely the outcome of capriciousness and prejudice on the part of those who wield authority, and it is the cause of considerable complaints. I myself, since the abolition of the provinces in 1876, have been transferred six times, and during Colonel Hume's commissionership, lasting about seven years and three months, I have been transferred four times, being a transfer every year and a half. While in Picton, in consequence of this circular on the subject—and thinking I should be there at least from eight to ten years, and also that it would make things much more comfortable and add to the appearance of the place generally—I effected considerable improvements by clearing the police-station and Courthouse paddock (about 3 acres) of gorse, broom, and other noxious growths, by digging up and burning &c., and in picking up and wheeling out all surface stones and other rubbish; made a drain to lead away the waste and other water (drainage) from the water-supply tap, and bricked and concreted a platform under the tap; also fenced in a garden and planted it with fruit-trees. I also planted several fruit- and forest-trees about the place, raised the ground around the back part of the station some 12 in. or 15 in., erected a washhouse, wood- and coal-shed, varnished the unpapered rooms, put up hat-racks and clothes-hooks, shelving, and lamp-stand, and carried out other necessary improvements in order to make the place comfortable and homely. But upon my leaving there I was in no way recouped my outlay, or the actual money expenditure, although I was led to believe I should be, owing to my having made application for compensation, and in consequence of Sergeant O'Malley being instructed to value it on behalf of the department. I am therefore of opinion that the late Commissioner (Colonel Hume), by declining to allow me some monetary consideration, did not act fairly in the matter, and deprived me of what is justly due to me, but it is of no use going into this matter now.

"Another cause of discontent is that constables and their families who are shifted about have to travel steerage, no matter how small the vessel may be or how bad the accommodation, and are thus forced to herd with all sorts of dirty and questionable characters that may be travelling, including Hindoos, Afghans, Assyrians, Chinese, Maoris, and others, or otherwise pay the difference themselves in the cost of travelling in the saloon, or else place themselves under an obligation and humiliation by begging from the owners or agents of the boats a saloon passage; and I do not think it right such should be the case, as officials in other departments of the public service, such as the Postal and Telegraph, Customs, Railway, and others are allowed saloon fares.

"Another hardship on constables, and particularly upon those who are getting well up in age, and who are and have been members of friendly and benefit societies for upwards of forty years, as I have been, and who may have one or more of their family delicate and ailing, is that on occasions of transfers they are too frequently put to considerable inconvenience and expense for medical attendance, as, under the circumstances, stated they cannot call upon the doctors of other lodges to

attend either on themselves or their families other than in the ordinary way, and which, of course, has to be privately paid for. Even though a constable may be in the best of health himself when transferred, which is not always the case, if his wife or any of his children are ailing or in the least unwell, affiliation, or the right of receiving doctor's attendance, is refused, although quite willing to pay into the local lodges (if any) all medical pence.

“ Again, the system of advancement and promotion is most peculiar, and certainly not understood by the subordinate members of the Force, as it is not in all cases by a good many the reward of long and faithful service, accompanied by a good character for steadiness, sobriety, morality, and a general knowledge of police duties and ability to rightly carry them out, but is too frequently the result of influence. The fact cannot be ignored that too often the advancement of constables of merit, and who are from every point of view deserving, besides are entitled to it by seniority alone—other things being equal—are passed over from some cause, while juniors and less capable men receive the favours; and the reason of it is never explained or made known to those concerned or affected by it, which, I opine, ought to be done, as not doing so causes much dissatisfaction, and the idea prevails that ill-feeling exists towards them on the part of their immediate officers or the head of the department; and, although it is asserted that partiality and prejudice is not practised, it nevertheless looks a great deal like it. I see that Colonel Hume, in his evidence before the Police Commission of Inquiry, said that the practice of appointing juniors over the heads of seniors had been stopped. But such is not correct, as last January the practice was in force. I also think that constables having the longest service to their credit, and when fitted for it, ought to be transferred to stations where appointments may be accepted by them that carry emoluments, such as Clerks of Court, bailiffs, Court cleaning, Public Trust Office work, inspectors of factories, and other appointments at the disposal of the local bodies, and to which some small remuneration is attached. Although doing this duty for years until deprived of it, still I do not approve of it being done by the police, as it too frequently is the cause of considerable ill-feeling against them, and unquestionably often prevents them securing information relative to subjects that are strictly police matters and work. This would to some extent compensate them, and be a recompense for worthy conduct. But, as things are, that is not done. The whole thing appears to be one of favouritism, junior men being put in charge of ‘plum’ stations, while senior ones, often with large families, are kept at places where heavy house-rent has to be paid by them and no advantages are obtainable. Some constables have big benefits over others, who are dissimilarly situated, and are almost constantly being transferred; the one can save money, while the other, and particularly if with a family of half-a-dozen children or more, has all his work to do to live, and, although practising every care and economy, cannot always keep out of debt; and especially is it so when there is sickness in the family and doctors' bills to be paid; the one can save money while the other is kept poor. Then, as regards constables who become ill, I have often heard it stated that all are not treated alike, that favouritism is shown, and it is complained that some cannot always obtain the usual twelve days of yearly leave, it being stopped if the applicants had been unwell, and in consequence off duty for any time during the preceding twelve months. A return might well be called for; it would cost nothing, and would clear the question up, showing each member's illness yearly for the last five or six years, and what pay he received during the time, and whether it affected in any way his ordinary leave of absence. Then, again, concerning leave, the annual twelve days, of itself, is of very little use or benefit to the majority of constables, as it does not allow of sufficient time in most cases for members to visit their homes, parents, or friends, and remain with them any time if they reside far distant from where the constables are stationed. It would be greatly appreciated were it allowed to accumulate for five years, so as to give members sixty days' leave.

“ Then, again, touching constables' merits and defaulters' sheets, although office documents, every member on application ought to be shown them, as they contain so much of interest usually, either for or against them; still it is what they are never permitted to look at—at least, that is my experience—neither are they informed if anything is entered thereon to their credit, or of anything that may militate against them. On this subject complaints are many, as few only know what their records are, one way or the other. I think it would be but fair that members applying to see them should be permitted to do so, or otherwise furnished with a copy.

“ Another thing considered to be wrong is the practice of the department receiving anonymous and confidential communications, which are acted upon or not just as it may. The bulk of the officers are known, and men are frequently punished—as being transferred means severe punishment to a constable with a large family, some of whom may be in employment earning a few shillings—for what they are not guilty of doing, and they even remain ignorant of the cause of their removal. Although Circular No. 5/92 directs that any correspondence containing charges against any member of the Force, he, the person concerned, shall be made aware of it, it is not always done, and if statements made are true the circular is more honoured in its breach than in its observance. The circular is as follows:—

(Circular 5/92.)

Police Department, Wellington, 28th March, 1892.

As some misconception appears to exist in reference to confidential reports against non-commissioned officers and constables, the Hon. the Defence Minister has been pleased to direct that in future no confidential report is to be forwarded to this office containing charges against any member of the Force without such member having been made aware of such report, which is to be perused by him, with every facility given for a reply, and he will, after perusal, mark it as noted, and initial it. In all cases the non-commissioned officer or constable whose conduct is called into question shall, on application to the Inspector, have a right to copy such report against him, and shall be entitled to reply to it, which reply shall be forwarded with report to this office.

By order.

A. HUME, Commissioner.

“ Colonel Hume is reported by the papers to have said, when giving evidence before the Police Commission at Wellington, that he approved of confidential reports by Inspectors and others. In my humble opinion nothing could be more pernicious in practice and tend to subvert and destroy

confidence in the *bona fides* of police work generally and the purity of its administration, not only by its subordinate members, but by the public, as there are officers who are not above abusing their position and trust to attain their ends or carry their purpose, and the privilege of confidential reporting would be right into their hands. In fact, I am of opinion there are men in the ranks who, for nobility of character and disposition, are far in advance of them, and are their superiors in every way but by appointment. Yet from information furnished in a confidential communication by an Inspector, or by an official of some other department, or by somebody else, and forwarded on mere suspicion only, and perhaps obtained from a third person, and may be basely untrue, or the accusation or charge may be the outcome of an imaginative mind and quite groundless, yet it often results in the unfortunate constable against whom it is brought being punished in some way, perhaps by removal or dismissal, after years likely of honest and faithful service, and then most probably would be ruin to him, as but few old constables are fit for other occupations or pursuits. The suggesting and advocating of such a system is worthy of a Star Chamber, the Czar of Russia, or some other despotical potentate. If this thing is once approved and admitted it will do more to impair the service than anything else, as a practice of espionage will then obtain—the first step on a dirty road—and nearly every man will be doubtful of his fellows. Bad and all as things have been during the past few years such an introduction will not improve matters, but make them decidedly worse, and it is very questionable if any good men would remain, as malice, treachery, and mendacity may at any moment land them in trouble. Hence the better class men would leave as opportunity offered to them of getting into other employment, and the bad ones (those who, although afraid of and not trusting each other) would continue on. Such methods or usage may exist, and perhaps be necessary, in large gaols amongst downright criminal prisoners for the purpose of detecting conspiracies, attempts to escape, &c. But to usher it into the working of the Police Department, amongst a body of men who are supposed to be, and ought to be—even if some of them are not—upright, truthful, manly, and reasonably intelligent, in whom the public may have confidence and place reliance, would be monstrously wrong, according to the generally accepted ideas of what constitutes right, and, although doubtlessly some few persons possessing power, the nobler minded would not, and the public would soon lose trust in the service to a greater extent than prevails at present, and it could not be wondered at, when they—the police—would be invited and encouraged to act underhanded and deceitfully to each other. A great deal too much of that sort of thing is the case already, and the sooner steps are taken to stamp it out the better.”

CHARLES HOUGHTON MILLS, examined on oath.

340. *The Chairman.*] You are a member of the House of Representatives for the Wairau Electoral District?—Yes.

341. *Colonel Hume.*] This Wairau electorate was a new electorate?—Yes.

342. Now, this new electorate extends right down to the Sounds somewhere?—It takes in all the Sounds excepting the western portion of the Pelorus Sound.

343. You were not satisfied, or were you satisfied, with the way in which the rolls were prepared in the Sounds?—No, I was not.

344. Tell the Commissioners the action you took?—I had communications from various settlers asking me in which electorate they would now be placed when the last division of new electorates was authorised by the Commissioners, and I suggested to the Government that some steps should be taken to see that every elector was on the proper roll. The department authorised the police in Blenheim to send some one down the Sounds. Constable Jeffries, I believe, was sent to make the necessary alterations, and, as I understand, to make full inquiries and ascertain whether some who were then residing on the western side of Pelorus Sound were not then on the Wairau roll, or *vice versa*. During the time Constable Jeffries was in Havelock making these inquiries I received a telegram from Mr. Reynolds, schoolmaster at Havelock, stating that Constable Jeffries was giving instructions to move certain names off a portion of the Wairau electorate on to the Nelson roll, and that this ought not to be done. I waited on Mr. Stoney, the Registrar of Electors in Blenheim, and asked him if he had given instructions to the constable to do this. Mr. Stoney said no, and referred me to the police. I borrowed a map of the electorate, and went down and interviewed Sergeant Möller, explaining the true position to him satisfactorily, and in my presence he wrote a telegram, directed to Mr. Egan, constable in Havelock, saying: “Tell Jeffries not to remove off the roll the names of those residing in Bulwer Township and Admiralty Bay.” I understood then that the error mentioned by Mr. Reynolds had been put straight. Shortly after the election complaints reached me from the residents on the western side of this peninsula I will call it—from that portion of the western side within my district—that they were not allowed to vote for the Wairau election. I then wrote to the Registrar of Electors asking him if he would kindly make inquiries as to how this mistake arose, and he replied:—

DEAR SIR,—

Blenheim, 18th December, 1896.

In reply to your note of even date herewith, asking me to explain how it was that all the names of settlers living in Admiralty Bay were not enrolled in the Wairau electorate, I have to state that so far as this office is concerned I am unable to offer any explanation.

Yours truly,

C. H. Mills, Esq., Blenheim.

J. B. STONEY, Registrar of Electors, Wairau, Blenheim.

I then wrote to the officer in charge of the police-station, Sergeant O'Malley, as follows:—

DEAR SIR,—

Pelorus Guardian, Havelock, Marlborough, 19th December, 1896.

Will you kindly make inquiries how it was that all the names of settlers living in Admiralty Bay, Pelorus Sound, which is in the Wairau electorate, were either not enrolled when the applications were sent in, or otherwise struck off the Wairau roll and placed on the Nelson roll. Probably Constable Jeffries can explain.

Yours truly,

The Officer-in-charge, Police Department, Blenheim.

C. H. MILLS.

Forwarded to Constable Jeffries for his explanation—JAS. O'MALLEY, Sergeant.—21/12/96.

Sergeant O'Malley.—Am unable to furnish this desired information.—JOHN JEFFRIES, Constable.—22/12/96.

I was seeking for further information which could not be given me by the Registrar of Electors, and my only reason for putting the remark with reference to Constable Jeffries was from the fact of knowing that he had been down the Sounds, and, as I understood, to adjust the boundaries, or rather to adjust the names of the electors, and see that each of them was placed on the proper roll, and of course this was strengthened, in my opinion, by the telegram that was sent in my presence from Sergeant Möller telling Egan to tell Jeffries to do so. I was simply making an inquiry to clear up what at that time appeared to be somewhat of a mystery. There could not be a possible doubt that someone made a big blunder, and thus disfranchised a number of electors, who were unable to record their votes, and these electors residing in these isolated places look upon the member chiefly as the one who should look into these matters and ascertain why they were not able to vote. The reply received is on the back of this letter, sent by Sergeant O'Malley to Constable Jeffries, and the reply from Constable Jeffries is: "Am unable to furnish this desired information." It was, of course, impossible for me to allow the matter to rest at that point. I had to make further inquiries when neither the Registrar of Electors nor those who had been instructed to attend to this matter could give me this information, and I had to make inquiries from the Colonial Secretary's Department. I wrote to the Colonial Secretary's Department as follows:—

DEAR SIR,—

Havelock, 7th January, 1897.

You will recollect me, before leaving Wellington, urging the necessity of some responsible person being sent to the Sounds to see that, on the last alteration of boundaries of the electoral districts, no injustice was done to the electors.

Constable Jeffries, from Picton, was sent—I do not know why—as the constable here could have done all that was required at less expense, and very much better, as the enclosed names were in some cases omitted altogether, and in other cases placed on the Nelson electoral roll.

I wrote to the Registrar of Electors for an explanation, and enclose the reply. I then wrote to the officer in charge of the police, and enclose his reply, which is most unsatisfactory so far as Mr. Jeffries is concerned, because his instructions were very clear, and he actually went down the Sound in the steamer to make certain and satisfy himself about the claims to be enrolled. It is, therefore, quite evident that some one has blundered, and I shall be glad if you will make further inquiries.

The Hon. James Carroll, Wellington.

Yours, &c.,

C. H. MILLS.

N.B.—I send you copy of *Guardian*, with article referring to the matter.

Names of settlers who should have been on the Wairau Roll: James Steward, Ellen Steward, Elsie Steward, David Steward, James Elliott, Henry Hope, Elizabeth Hope, Edward Fear, William Turner, Mrs. Turner, Isaac Turner, Mr. Swarton, Mrs. Swarton.

SIR,—

Police Station, Blenheim, 21st December, 1896.

I am in receipt of your letter of the 19th instant, requesting me to make inquiries as to the reason the settlers in Admiralty Bay were not enrolled in the Wairau Electoral District.

I beg to inform you that I have searched the records of this office, and can find no instructions relative to the matter.

I will, however, send your letter to Constable Jeffries for his explanation, and when obtained will inform you the result.

C. H. Mills, Esq., M.H.R.

Yours, &c.,

JAMES O'MALLEY, First-class Sergeant.

SIR,—

Police Station, Blenheim, 23rd December, 1896.

Re attached memorandum: I have since seen Constable Jeffries personally in this matter. He states that he received written instructions from Sergeant Möller to adjust the names on the electoral roll between the boundaries and Wairau electorate from the Pelorus Sound to the Wakamarina. He proceeded there, and carried out the work. He states he did not interfere with the names on the roll in Admiralty Bay, Port Legean, Bulwer Town, or Pig Bay.

After returning he states that he furnished the Wairau Electoral Officer (Mr. Stoney) with a list of names that should be placed on the electoral roll of Nelson.

Constable Jeffries suggests that, if an application was made to Mr. Stoney, probably he would furnish him with a copy of the list.

C. H. Mills, Esq., M.H.R., Havelock.

Yours, &c.,

JAMES O'MALLEY, Sergeant of Police.

I may explain that in conversation with Sergeant Möller, when I went to him about the alteration of the boundaries, he told me that Constable Jeffries was sent down the Sounds to absolutely see that every one was on their true roll, and I was asking for further information to clear the whole matter up. I made no complaint to the police at all—none whatever. I wrote to the Colonial Secretary, asking him to get me some information that I could not get through Mr. Jeffries, or through Mr. Stoney. I may say that I sent in the names as given to me—thirteen of them—all those who felt aggrieved.

345. What did he reply?—It is as follows:—

SIR,—

Colonial Secretary's Office, Wellington, New Zealand, 11th January, 1897.

I have the honour to acknowledge the receipt of your letter of the 7th instant, requesting that inquiry may be made as to the omission from the Wairau electoral roll of names of certain settlers living in Admiralty Bay, and to inform you that inquiry shall be made.

C. H. Mills, Esq., M.H.R., Havelock, Blenheim.

I have, &c.,

W. C. WALKER, Acting Colonial Secretary.

The next letter on the file is from the Colonial Secretary's office:—

SIR,—

Colonial Secretary's Office, Wellington, 12th January, 1897.

I have the honour, by direction of the Acting Colonial Secretary, to enclose a list of persons living in Admiralty Bay, Pelorus Sound, whose names, it is asserted, should have been placed upon the Wairau electoral roll, but have not been so placed, and to request you to be good enough to inquire and report whether all or any of these names appeared on the general or supplementary roll of the late Waimea Sounds Electorate, or whether they had forwarded applications for enrolment.

The Registrar of Electors for Wairau, Blenheim.

I have, &c.,

HUGH POLLEN.

ENCLOSURE.—List attached to Mr. Mills's letter to Hon. J. Carroll, of 7th January, 1897.

I had no feeling against Constable Jeffries as far as he was concerned, but I wanted to know whether he had made a mistake or not.

346. *The Chairman.*] Our inquiry is how far your interference in the matter has led to the removal of which Constable Jeffries has complained. Did you take any further action in connection with the removal of Jeffries beyond the correspondence you have read?—No. I had no more idea that Constable Jeffries was going to Takaka than that I was going there myself.

347. Did you take any steps, by virtue of your position as member of the House, to bring about the transfer of Constable Jeffries?—No; In Nelson I received a private telegram from Mr. Card, of Picton, stating that Constable Jeffries was to be removed from there, and asking me if I would do what I could to prevent his being removed from Picton. I replied that I must decline to do anything interfering with the departmental arrangements; and I received other communications also from those who were interested in the matter. On the following day I sent a telegram to the Minister of Justice in Auckland, stating that many people in Picton were anxious that Constable Jeffries should remain there. I received no reply until I came to Blenheim, and I then wrote to Mr. Card, saying, "On my arrival here I found a reply to the letter I wrote to the Minister from Nelson, saying, "I have declined to alter my arrangements;" so I wired again to him, stating what the feeling was in Picton, and have no reply yet, but will let you know when it comes to hand. Tell others interested I have written Phillipotts." Three days afterwards I wrote to Mr. Card again, on the 19th February: "Late last night I received the following wire from the Minister in reply to mine, 'Unfortunately dissatisfaction exists in many places in regard to transfers; I regret I cannot please everybody, all my arrangements *re* transfers must stand. This applies both to O'Malley and Jeffries.'" That was the action so far as I was concerned with regard to Constable Jeffries; and, as he told the Commission on Saturday, he was removed subsequently. I was again asked if I would use some influence for Constable Jeffries to be removed from Takaka to Nelson, and I mentioned what I knew of the affair to the Minister of Justice, and I said if it did not interfere with the departmental arrangements Constable Jeffries would like to go to Nelson. To my astonishment, later on, I was accused through the Press of doing something very different with regard to Constable Jeffries.

348. You have now stated the real history of your connection with the transfer of Jeffries?—Yes.

349. Though you never in any way yourself urged it or applied for it; but you did represent to the Minister the fact that there was a desire that he should be retained?—That is so.

350. You have taken no steps whatever, beyond the correspondence which has been produced, which would tend to bring about the transfer?—No; I did try actually two or three times to get Jeffries promoted to sergeant.

351. *Colonel Pitt.*] When was that?—It would be in 1895 or 1896.

352. You evidently did not succeed?—No.

353. *The Chairman.*] Have you on any other occasion endeavoured to use your political position with a view to promote the advancement or degradation of any other member of the Police Force?—I have repeatedly, at the wish of my constituents, forwarded their petitions or otherwise with regard to retaining policemen; and if any of the constituents have written to me saying that any one in the Police Force ought to have a better position, and explained the reason, I have forwarded the letter simply as a member of the district.

354. Members of the Police Force are members of your constituency, and if an application comes from a member of your constituency who is a member of the Police Force, you endeavour to advance their interest. Have you done so?—I have forwarded communications at times—not from policemen, but from their friends, I presume.

355. Have your efforts in that way used as a politician been successful in any case or cases?—I think not that I can recollect. I forwarded from Blenheim, at the request of a large number here, a petition with reference to keeping Sergeant O'Malley.

356. But the reply came back, you say, that no alteration could be made?—I simply did my duty, as I thought, as representing my constituents, in forwarding their wishes.

357. Are you aware that it is contrary to the Police Regulations for any constable, either directly or indirectly, to solicit or secure outside influence to bear on the department with a view to bettering his position in the Force?—I have heard so.

358. And that any constable having resorted to such influences is liable to dismissal for so doing?—I was not aware of that.

359. *Colonel Hume.*] Can you tell the Commissioners when I first told you that Jeffries was to be removed from Picton?—I cannot recollect your saying anything about Constable Jeffries. In 1896, when I spoke to you in regard to the condition of the police building, you then said probably Constable Jeffries might be removed. That was in regard to my asking that further accommodation should be provided for Jeffries.

360. You stated you did not use any influence with the Minister to get Jeffries removed?—No.

361. Did you use any influence with me?—Not the slightest.

362. Do you know who succeeded him?—Constable Nash.

363. Did you know Constable Nash before that?—Not personally.

364. You never asked that Constable Nash should be sent to Picton?—No.

365. Neither the Minister nor myself?—No, I never knew he was being removed until I heard Constable Jeffries was going to Takaka.

366. *Mr. McNab.*] Have you ever applied to Colonel Hume to have Constable Jeffries made a sergeant?—I cannot recollect whether I spoke to Colonel Hume that time or to the Minister. It was Colonel Hume, I believe.

367. I want you to fix the date of that; was it before the election or after?—A long time before the election, quite two years before that.

368. Let me read to you Colonel Hume's evidence in the Supreme Court, namely: "After the transfer was ordered, Mills asked me to make Jeffries sergeant." Is that right?—I think it was a mistake on the part of Colonel Hume, I understood him to say it was before the election.

369. You are quite clear that it was in 1895 or 1896, and before the election, that you asked that Jeffries' rank should be raised?—Yes, I am quite clear about that; the application came from Picton.

370. In the first letter in the series which has been put in, you opened the ball by saying,

“Probably Jeffries can explain.” Then, in your letter of the 7th January, you say, “that the explanation is most unsatisfactory, so far as Jeffries is concerned, because his instructions were quite clear.” Now, do you not consider these two things, taken together, amount to a charge against Jeffries?—No, I do not think so; I am asking them to inquire from him. It is not a charge; I simply state facts.

371. Do you not, as a reasonable man, consider this a charge against Jeffries in your position as Government Whip?—Not at all; you overlook the fact that I had been a witness to the telegram sent by Sergeant Möeller to Constable Egan.

372. You have been a member of Parliament for years?—Yes.

373. Do you know how these rolls are compiled: is it by making claims and transfers?—Yes.

374. What was the date of Jeffries's transfer?—I do not know; I cannot tell you.

375. Your letter of the 7th January is followed by Jeffries's immediate transfer on the 3rd February; would not any reasonable person, putting two and two together, blame you for that?—No; because the correspondence was going on. I read just now a letter from the Colonial Secretary asking for further inquiry, and I thought they were not going to shift Constable Jeffries until this matter had been cleared up.

376. Your letter of the 7th January was followed on the 3rd February by the immediate removal of Jeffries; and you think your letter had nothing to do with it?—Certainly not.

377. Had you any private conversation with the Colonial Secretary yourself about your letter, and did you not emphasize in your conversation that Jeffries's explanation was unsatisfactory?—I cannot say that I emphasized it; I told him exactly what I wrote.

378. Did you not “rub it in”?—No; I asked him, and I could not get a reply from the department, and I have not got a reply until this day.

379. How could it be given?—Well, they acknowledge that five names were transferred by some one; that was quite enough to influence the election.

380. Do you think these continued complaints, taking your first letter, and the last one on the 7th January, backed up by your conversations with the Colonial Secretary, would have some effect?—I think they would have some effect in getting the matter cleared up.

381. Do you think the effect was to get Jeffries removed?—No, because the department have told you this move was contemplated months beforehand.

382. The gist of your complaints was as to the electors at Bulwer Town and Admiralty Bay?—Yes.

383. And both of these places are on the western side of Pelorus Sound?—Yes.

384. As to the telegram of Mr. Reynolds: he held a high position as one of your supporters in Havelock?—Yes.

385. And did he not tell you that telegram was sent to you through Constable Jeffries going to him?—Yes; and does that not convince you that Jeffries was sure there was a mistake?

386. Now, Mr. Mills, you have kept copies of these later letters to Mr. Card; have you got the copy of the letter that you wrote to Mr. Card in September, 1896?—These are the original letters I wrote.

387. Do you remember that you wrote to Mr. Card in 1896? In your cross-examination of Jeffries you asked him, “Do you recollect a letter written to Mr. Card in September, 1896, accusing you of threatening language to certain electors if they supported Mr. Mills?” Was there anything more in that letter; was that the gist of it?—That is so.

388. Who gave you the information that Jeffries was using undue influence with the electors and using threats?—I cannot tell you now, I would have to look back to ascertain who did so.

389. Do you know Mr. Holdsworth?—Yes.

390. Did not Holdsworth and Mrs. Seward see you in Wellington about Jeffries in September, 1896?—I do not recollect them seeing me; but I could tell you that neither Mr. Holdsworth nor Mrs. Seward ever said anything to me about trying to get Jeffries removed.

391. But they made complaints about him?—No, I do not recollect either of them waiting on me—at any rate I am very clear as far as my memory goes that nothing of the kind was ever brought before me.

392. In September, 1896, your seat was in danger; an election was pending?—Yes.

393. And you wrote to your friend, Mr. Card, complaining that you had received information that Constable Jeffries had been speaking to people in Picton and using threats if they should support you at the coming election. Do you mean to tell the Commissioners seriously that you thought it was a serious enough matter to write to Mr. Card about in Picton, and you do not remember the person who told you that?—I mean to tell the Commissioners that I do not remember with sufficient accuracy to tell who told me that; but neither Mr. nor Mrs. Seward were one of these. I told Mr. Card that I was perfectly satisfied with Constable Jeffries's explanation.

394. Of course, it was a matter of the Government in or the Government out in the coming December. Did you tell the Colonial Secretary or the Minister of Defence that Jeffries had been using threats in Picton to affect your seat?—No; if I wished to do anything I ought to have asked them to remove Constable Jeffries before the election, and not afterwards; that is, if I wanted to do anything so despicable as that.

395. He heard the evidence given by the man Snow this morning?—Yes.

396. In your cross-examination of him you said, “Did I not say, ‘Did not Mr. Jeffries think that by his action he might be taking the bread out of my family's mouth’?”; did you make that remark to Snow?—No.

397. Why did you ask him that in cross-examination?—Simply to test his memory. I knew I had never said anything of the sort he suggested.

398. Is that the only explanation you can give?—That is so. I never said to Mr. Snow anything like what he has said there; it is quite a misapprehension on his part.

399. Then, why do you attempt to put such words in his mouth?—I wanted to find out if he was so positive about the exact words he alleged I used. I may ask a question as I please in cross-examination, the same as you do.

400. You did not say anything to Snow about Jeffries?—I did not.

401. Can you explain why you asked him such a question?—I can explain, but it refers to another circumstance altogether.

402. Then, was Jeffries mentioned by you to Snow?—To the best of my recollection Constable Jeffries' name was not mentioned at that time at all, and the other witness simply disproved what Snow said.

403. He does not remember?—So witness said. He was sure that Porter heard our conversation; and he said they went up the street together and conversed about it; and Porter, when called, said it never occurred.

404. *Colonel Hume.*] I take it that exception was taken to this very abrupt answer of Constable Jeffries, "Am unable to give the desired information"?—Yes.

405. At the time you did not know what the constable's instructions were, did you?—No, I had never seen those written instructions. I was only informed by the Sergeant of Police what instructions he had given to Constable Jeffries, but I had never seen the written instructions.

406. And had he taken the trouble to explain what he has explained to-day you would have been satisfied?—Quite so.

407. *The Chairman.*] When you interviewed Sergeant Möller did he produce or show to you the instructions under which Jeffries was acting?—No.

408. Did you ask him to produce them or to show them?—No, I simply explained to him that a mistake was being made, and he said they would rectify it.

409. Were you aware that Constable Jeffries was acting under written instructions?—No.

410. *Mr. Poynton.*] You also believed a telegram was sent to rectify the error?—Yes, I saw it sent.

411. You were not aware until some time afterwards that Constable Jeffries did not receive that telegram?—No, not till he told me so himself.

ARTHUR HUME, further examined on oath.

412. *Witness:* Early in February, 1897, in Wellington, Constable Jeffries came to my office and asked me why he was being transferred from Picton. I said, "Because it has been considered you have been in Picton long enough." He said, "I have only been there six years." I said I thought that was a pretty good innings, and I pointed out to him then that it was not usual for constables to come and ask why they had been transferred. He said, "The reason I came was because I understand I am being transferred for the part I took in the late general election." I said, "What part did you take in the general election?" He said, "I did not even record my vote, and took no part." I said, "Now, Constable Jeffries, you know Picton is a very small place; you must have talked about the election." "Well," he said, "I did talk about it, but I did not record my vote." I said, "What is this about some names being struck off the roll, or not being put on the roll, down in the Sounds somewhere?" He said, "It is not true, and I was wrongfully accused, and I want an inquiry." He said, "I only acted up to instructions; it is very hard to be accused of what you have not done, and I want an inquiry." I said, "If you want an inquiry you will know how to get it." He said, "Well, I shall always think I have been transferred on account of political reasons." I think that is how he put it. I said, "You can think what you like." Before that I also said to him, "I think you made two mistakes: I think you were foolish in not recording your vote, and very foolish in talking about it." Then I showed him a regulation which said constables were only to record their votes, and were to take no part in politics. Constable Jeffries' transfer from Picton was, as far as I was concerned, determined on the 24th May, 1896.

413. *The Chairman.*] What was the date of the election—December, 1896?—I think the 24th May, because it was a general holiday, and I had some time to myself that day and I went to fix up several transfers. So far as my memory serves me, the Minister was away at that time. When he came back, the House was about to assemble for session, and I spoke to him about these transfers, and he said, "Oh, you know I do not like to make transfers when the House is in session; let them stand over."

414. Did you make any record of them?—No, I made a record of the circumstance in my own mind; I must have written it down somewhere, but I could not find the memorandum.

415. Were the transfers submitted in writing when the House was sitting?—The House began about the 20th or 21st June. Then, immediately session was over, Ministers went away to their constituencies as a general election was pending. The general election came on, and I do not think my Minister returned to Wellington at all. I think he stayed in Auckland for the Christmas holidays; at any rate, if he did come down to Wellington it was only for a day or two; and then the Christmas holidays intervened, and my Minister did not return again from the Christmas holidays until the end of January, or somewhere late in January, and, on the 2nd February, I submitted a list of transfers, in which this transfer of Constable Jeffries from Picton to Takaka was one. I may mention, to show how these transfers had accumulated at this time, that there were over thirty on this list, and it is the usual thing to have no more than three or four on a list at a time; and this list of transfers was approved on the next day, the 3rd February, by the Minister.

416. You have no previously prepared list of transfers?—No. Then the usual number of petitions followed.

417. Was your mind influenced in any manner by pressure brought to bear by Mr. Mills, or any outside power?—No, I had made up my mind long before that; in fact, I had come to the conclusion that Constable Jeffries should never have been sent to Picton, that is where I made the mistake in the first place.

WELLINGTON.

WEDNESDAY, 18TH MAY, 1898.

JOHN BENNETT TUNBRIDGE, Commissioner of Police, examined on oath.

1. *Witness*: I was appointed to the position I now hold on the 13th October last. I had previously served upwards of twenty-six years in the London Metropolitan Police in all ranks—from constable of the lowest grade up to that of Chief Inspector of the Criminal Investigation Department. I retired from the Metropolitan Police, with the rank of Chief Inspector, on pension of two-thirds of my pay, on the 22nd September, 1895. I had served in the foot-branch as constable and sergeant, in the mounted branch as station-sergeant and Inspector, and in the Criminal Investigation Department from February, 1881, till the time of my retirement as Inspector and Chief Inspector. My duties in connection with the Criminal Investigation Department took me to many parts of the world, including the British colonies—Australasian and South African—which afforded me ample opportunities of studying the various police systems. Of course, since coming here, I have endeavoured to make myself acquainted with the New Zealand Force, and from my observation I wish to make various suggestions which, in my opinion, would improve the Force of this colony. The present system of enrolment, to begin there, appears to me to be capable of very considerable improvement. My opinion is that all candidates, before taken on in the Force, should be brought to Wellington and examined, firstly, by a medical officer, who should be appointed by the Government, and not at the expense of the men themselves; that they should then be called upon to pass an educational examination—simply reading, writing from dictation, and arithmetic—say, the first four rules. If they pass these examinations satisfactorily they should be taken into a depot as probationers only; should be kept in that depot under a sergeant—of course, one specially qualified for the work—who would instruct these probationers in the police regulations, the statutes regulating police work, such as the Police Offences Act, the Criminal Code, the Licensing Act, and, I think, the Justices of the Peace Act; and, also, instruction in drill, such as marching and forming fours. They would be examined from time to time while in the depot, and if it was found that these men did not display the necessary intelligence or aptitude to suppose that they would develop into intelligent police officers, their services should at once be dispensed with. If they passed the examinations successfully at the end of three months they should be drafted out to the stations where vacancies might have occurred.

2. *The Chairman.*] Three months—is that the time you suggest they should be kept in the depot?—Yes. My opinion is that is ample training to an ordinarily intelligent man. Part of the three months—say, during the last month of their probation—they should receive practical experience in police work by doing half a tour of duty each day or night with a constable on beat. The age of enrolment should be, in my opinion—minimum, twenty-one; maximum, thirty. At the present time it is forty, and that, I consider, too old. The recruiting should not be confined to any particular class, but should be spread over all classes of the community. My experience tells me that men from rural districts develop into better police officers than those who have been brought up in towns. Of course, there are exceptions to that, as to every other rule. The appointments should rest, in my opinion, with the Commissioner of Police.

3. Appointments to the Force?—Appointments to constables and sergeants should rest with the Commissioner of Police. In support of that I may say that it is the rule in all Forces that I am acquainted with, which include the Metropolitan Police, the City of London Police, the principal boroughs and cities of England, and the Royal Irish Constabulary. That I know of my own knowledge; and, in going through the papers, I find it is so so far as the Australasian Colonies are concerned. In Western Australia—

4. I understand you to refer to all the English Forces with which you are acquainted?—All the large Forces. In some of the smaller boroughs the watch-committees appoint, but in all the principal Forces the appointments rest with the head of the Force. The executive head of the Force has the power of appointment. That I know from my own knowledge, and I see from the reports of the various colonies it is so in Western Australia, Queensland, South Australia; but in South Australia the appointments are made by the Commissioner, subject to approval by the Colonial Secretary; in Victoria the appointments are made by the Commissioner, but subject to the veto of the Governor in Council to discharge or dismiss. The same practically applies to New South Wales, where the Inspector-General appoints, but subject to being disallowed by the Governor. That applies in each case, I may say, to sergeants and constables. The officers are invariably appointed by the Governor in Council.

5. In the English Forces, to which you have referred, is the power of the head of the police absolute, or is it subject to approval by any other authority?—In the London Metropolitan Police, the City of London Police, and in counties, the power of the chief is absolute, but with reference to some boroughs and cities there is the right of veto by the watch-committee. The watch-committee, I may say, in England is a committee of the Town Council or Corporation appointed to deal with police matters. The appointments are made by the head of the Force, subject, of course, to the approval of the watch-committee. That, I think, deals with the question of enrolment. I will now go on to deal with the men in the Force. I may say that I think the uniform should be provided by the Government, and, in support of that, I may say in every Police Force in England or the United Kingdom the uniform is provided by the police authorities. As regards the Australasian Colonies, the New South Wales Government provides the uniform, or gives an allowance in lieu thereof; in Victoria, the Government provides great-coats and helmets only, the men providing themselves with the rest of the uniform; in South Australia, I am not quite certain, but I find there is an item on the estimates of £3,700 for clothing and equipments, so from that I conclude that the Government provides the uniform; in Queensland there is no vote on the esti-

mates, and, therefore, I take it the men have to provide their own uniform; in Western Australia the uniform is provided by the Government—"uniform free to constables and sergeants, detectives and Sub-Inspectors." There are other reasons why I think Government should find the uniforms. At present the style of uniform in New Zealand varies somewhat, through being made up by local tailors in any part of the colony where a man may be stationed. That, I may say, is in addition to the general feeling that the Government should find the uniform. Again, the department is called upon continually to make good articles of clothing—which, of course, belong to the constable—which have been damaged. Then again, as there are no regular issues of clothing, you find one man wearing a very much worn suit, and another probably quite a new one, the difference being so noticeable that it is almost impossible to imagine that they were ever made from the same material.

6. The cloth is supplied to the men?—Yes; the cloth is supplied to the men from the depot here, at contract price.

7. Do you know what price that cloth is supplied to the men at?—I am not able to give that information. I believe it is at about 4s. 6d. a yard. As regards lodging-allowance, the present system of constables being in charge of stations causes a good deal of feeling among the men, owing to their getting free house-accommodation when they are placed in charge. I think that all constables not provided with quarters by the department, after they have been in the service, say three years, should be given an allowance at the rate of 1s. a day. I find that is the rule in some of the Australasian Colonies. I may say it would not be a very serious item if that suggestion were adopted in New Zealand.

8. You would apply the increase at the end of three years only to those who are not provided with quarters, and you suggest it as a lodging-allowance?—Yes. It would not be a very serious item of expenditure, because the single men at present are provided with lodgings in nearly every case, and all officers in charge of stations are also provided. The hardship falls more particularly upon married constables who are stationed in large towns. To have an efficient force in the large towns, it is necessary to keep a certain number of old and experienced constables; but, owing to the present system, these men cannot in justice be kept in the centres of population, as by keeping them there they are deprived of the free quarters which they would enjoy if sent out to the country districts.

9. You think it a desirable thing to keep married constables in towns?—A certain number, decidedly. As regards pay and classes, these two headings may be dealt with, I think, as one. I would abolish classes altogether in all ranks. In support of that, I may say that the class system years ago in the various forces that I am acquainted with was almost universal. That has now been superseded by what may be termed a system of increments. When a constable is taken on as a constable from a probationer, he is a constable to all intents and purposes. The public know no distinction between the constables, and I do not see the necessity of there being any distinction. The same applies to sergeants. In any other Force that I know, there is no distinction between one sergeant and another. When a man is a sergeant he should have three stripes, and he is known to the public as a sergeant. The pay, in my opinion, should be for this colony—a probationer, 6s a day so long as he is a probationer; immediately he is advanced to the rank of constable he should get 7s. a day; after serving four years, he should be advanced to 7s. 6d. a day, assuming he has not in the meantime misconducted himself and has been retarded for that misconduct; if he has been retarded that should be a part of the punishment awarded, and so recorded on his defaulter's sheet. Assuming that a man commits an offence, instead, perhaps of fining that man, you would retard him in his increment for twelve months.

10. That is, at the end of four years, the pay would be 7s. 6d.?—Four years, yes; eight years, 8s.; twelve years, 8s. 6d.; and then, as a reward for long service and good conduct, all well-conducted men of over twenty years' service, who have not attained promotion to the rank of sergeant, should be entitled to an additional 6d. a day, making the maximum pay 9s. a day for constables. As regards sergeants, they should start at 9s. 6d. a day, rising every three years up to 10s. 6d.—that is, after being three years in the rank of sergeant, the pay would be 10s. a day, and after six years 10s. 6d. The periods I make shorter in this case because, of course, the men are getting on in service, and unless the periods were reduced, in many cases a sergeant would not perhaps reach his maximum at the time of his retirement. As regards Inspectors, they now start at £300 a year and rise to £400—that is, a third-class Inspector receives £300 a year, a second-class £350, and a first-class £400. They should, in my opinion, rise by increments of £25 every two years.

11. *Mr. Poynton.*] You would abolish classes?—Altogether. After an Inspector had been appointed two years he should receive £325; after four years, £350; after six years, £375; after eight years, his maximum, £400. I have the same reason for reducing the period as I stated with respect to the sergeants. They at present receive £50 a year house-allowance, and I suggest that should continue.

12. The same applies to sergeants?—Yes, the 10s. a week allowance should remain. Before a man is promoted to the rank of sergeant he should be called upon to pass an examination. This examination should be an advanced educational one—that is, advanced from the examination to be passed when joining the Force—and should also include questions on practical police work, but not a competitive examination. The questions upon police work and practice should be prepared by a Stipendiary Magistrate, but the educational examination should be a fixed one.

13. *The Chairman.*] Do you propose a standard of examination?—Yes, I do.

14. What do you suggest?—Well, of course, there would be reading, writing from dictation—

15. You do not suggest any present recognised scholastic standard? I am not acquainted with your scholastic standards. It should be reading, writing from dictation—of course, the dictation

would be of a more difficult character than that given to the recruits—and arithmetic, going up to compound proportion; also, reporting upon some matters relating to police work, questions upon which would be given him: in fact, I may say, it should be *précis* writing, to bring out his knowledge of English composition, and his knowledge of police work. That would be in addition to the questions propounded by the Stipendiary Magistrate, which of course, would be of a legal nature.

16. *The Chairman.*] Half in jest I threw out a suggestion the other day, and on consideration I think there is something in it. I refer to training men in enunciation of their words, making them not only read a book, but reading it so as to make themselves distinctly heard from one end of a room to the other, as they do in the State schools?—That should be a part of the training of the probationer while in the depot. He would attend the Magistrate's Court in the morning—say, a couple of hours each morning—to observe the way constables gave their evidence, and give him a knowledge of the way to conduct a case in the Court, and that sort of thing. Promotion from the rank of constable to that of sergeant should be left to the Commissioner, and the main point to be observed should be efficiency. Seniority should, of course, receive attention, but efficiency should be the great point. Promotion from the rank of sergeant to that of the lowest grade of officer should be made by the Minister or the Governor in Council. I mention Governor in Council because in nearly all the Australasian Colonies the Governor in Council has the appointment. I have omitted the detectives on the question of pay; I would like to deal with them. So far as detectives are concerned, their classes should be abolished in the same way as the others, and they should rise by increments—from the minimum to the maximum—by periods similar to those in the case of sergeants, for the reason that the detectives by the time they attain that rank are men of considerable service, and three years would be quite sufficient time between each rise. I think the pay of detectives at the present time is ample. The men who are employed on plain-clothes duty should receive an allowance of 1s. per diem while so employed, and that should also, in my opinion, apply to men who are employed on clerical work in offices. In the case of plain-clothes men they are money out of pocket in pursuing their inquiries, which can only be made up by some such allowance as this; and in the case of clerks—men employed on clerical duties—they perform usually very many more hours' work than the ordinary constable. They are men, of course, of superior educational qualification, and in consequence they deserve some recognition. I would like now to go on to the question of pensions. A system of pensions and gratuities should, in my opinion, be started. I do not see how it is possible to maintain a really efficient Police Force without it. At the present time there are quite a number of men in the service who, owing to age and infirmity, are scarcely equal to the proper performance of police work. At the present moment there are in the Police Force six sergeants and three constables between the ages of sixty and sixty-five; one sergeant and two constables upwards of sixty-five. As to Inspectors—though I think it is hardly necessary to mention them at the present time—I may say there is one Inspector between fifty-five and sixty, three between sixty and sixty-five, one between sixty-five and seventy, and one upwards of seventy. My opinion is that constables and sergeants should retire at the age of sixty compulsorily. With reference to Inspectors, I am not prepared to recommend any retiring-age. As regards service as distinct from age, at the present time there are twenty-two of all ranks in the Force with upwards of thirty years' service. These men have given the best of their lives to the service of the country, and it would be a great hardship to compel them to leave the service with their present allowance—namely, one year's pay. This allowance of one year's pay the men are not able to demand. It is simply conditional: it may be granted them or it may not; though it is only fair to state that, as far as I know, it has never been refused, but the men have no claim to it. Unless there is a pension system adopted these men must sooner or later be sent out of the Force with the allowance I have named.

17. *Colonel Pitt.*] Suppose they die, is there anything for their widows at present?—Usually a similar allowance is made to the widow as would have been made to the officer had he retired during life. I would like to recommend a system of pensions and gratuities, and in doing that I may say that I am basing my recommendation upon what may be termed, I think, the minimum. The scale of pensions and gratuities I recommend is as follows: Any constable, with not less than five years' service or more than fifteen years' service, should, if he is compelled to leave the service through ill-health, receive a gratuity at the rate of one month's pay for each year of service. If he has completed fifteen years' service he should receive a pension for fifteen years at the rate of fifteen-fiftieths of his pay; that this pension should increase by one-fiftieth for each year of his service up to and including thirty years. That would give him, after thirty years' service, three-fifths of his pay as a pension, and that should be his maximum. No matter how long he remained in the service he should get no more than three-fifths of his pay—that is, the pay he is receiving at the time of his retirement. If he has completed twenty-five years' service, and is not under fifty-five years of age, he should be allowed to retire if he wishes with the pension that is due to him at the time of his retirement; but if he has less than twenty-five years' service he shall not retire on pension unless returned as medically unfit—I mean, he shall not have the option of retiring, but shall only be retired on medical certificate; but after twenty-five years' service he should be allowed to retire without medical certificate if he wishes, provided he is not less than fifty-five years of age. To provide for this pension fund deductions should be made from the men's pay, in the first place, at the rate of 4 per cent. from the time of their joining. I mention 4 per cent. because I find in some colonies a lower rate was fixed at the formation of the pension scheme, and it had to be increased. If a man dies in the service the whole amount of the deductions made from his pay during his service shall be paid over to his widow, or any person he may name to receive it—the next-of-kin, in fact—that is, assuming he dies not from injuries received in the execution of his duty. If he dies from injuries received in the execution of his duty his widow should receive a small pension so long as she remains a widow, and any children he may have left should receive a compassionate allowance from this

pension fund until they attain the age of sixteen. Should a constable receive injuries in the execution of his duty which necessitated his retirement from the Force, each case should be taken into consideration with the view of assessing the pension he shall be entitled to. The scale I have laid down should not apply in that case. Men who voluntarily resign the service, who are compelled to resign or dismissed, should not receive back their contributions to the pension fund. In addition to the deductions from the men's pay, all fines and penalties imposed under the Licensing, Gaming, and Police Offences Acts should be paid into the police pension fund. The amount at present standing to the account of the Police Reward Fund should also be paid over to the Police Pension Fund. All salaries and emoluments received by constables in connection with offices they hold outside that of police constable should go to the pension fund. All Government departments for which the police at the present time perform work gratuitously, should pay over to the pension fund an annual sum commensurate with the work so performed by the police. I may say that at the present time the Justice Department pays something like £800 annually to Clerks of the Court who are policemen. My opinion is that if those suggestions I have made were carried out, it would need no very considerable annual grant from Government to meet the call on the pension fund—very little, if anything, more than is at present being paid in the way of retiring-allowances. The outside offices held by the police do in a measure hamper the discipline of the Force—hamper the action of the Commissioner in dealing with the discipline of the Force—but I am unable to see my way to recommend that constables should not carry out these duties. The cost to the country to employ other officers would be too great, more particularly with reference to the duties performed by constables for the Justice Department.

18. *The Chairman.*] That is the only ground for not making that recommendation?—Yes; it is on the ground of general economy to the colony that I recommend the retention of those offices by constables. I think a police surgeon should be appointed, certainly in every populous centre, and as many other places as it would be possible to get any number of men together under a surgeon. A contract should be made by the Government with a surgeon to attend these men. No man should be placed on the sick-list until certified unfit for duty by the police surgeon. When a man is on sick-list, unless it is owing to injuries received in the execution of his duty, a small stoppage should be made from his pay—about 1s. a day. These stoppages should also go to pension fund.

19. Is the 1s. a day to cover medical attendance?—No; it is not. It is so that men shall not get so much pay while not working as they are when working.

20. Are they to receive medical attendance gratuitously?—Yes.

21. That is the only stoppage you would make from their pay?—Yes.

22. A man would receive his full pay barring the 1s.?—Exactly. A medical officer would be appointed and paid by the Government, and would give his attendance similarly to that in the case of a friendly society—by contract.

23. Not limited to cases connected with duty—all illnesses?—All illnesses—every case of illness.

24. And his family?—Not his family; no. That is the system in vogue in many Forces I am acquainted with, and it is found to work well.

25. Do you go so far as to suggest that medical attendance should be provided for all constables when suffering from illness, whether connected with the discharge of their duty or not—I am referring to localities where there would not be a police medical officer?—I am afraid there would be some difficulty about appointing surgeons to deal with every case of illness; but certainly if a deduction is made from the constable's pay the medical expense should be paid by the department, and all certificates of unfitness for duty, whether by the authorised police surgeon or not, should be paid for by the department, not by the constable.

26. *Colonel Pitt.*] In a country district, for instance, you would deduct a shilling a day from a man's pay if he was sick?—No, not unless he was getting free medical attendance. In the cases of men belonging to benefit societies, when they are sick they are receiving probably 15s. a week more than when they are working, and in the case of an unscrupulous man, it is a premium on malingering. I am not saying it exists, but that is the position.

27. *The Chairman.*] Do you extend this to sergeants and other officers?—All ranks of the Force. I would like to deal now with the strength of the Force. The Force, as at present constituted, I think, is undermanned. The numbers might be sufficient, or nearly sufficient, providing the men were always available for beat duty, but unfortunately they are not, and never will be. Owing to absence from their beat duty through illness, leave, escort duty, and Court duties—attending the Supreme Court and so on—I think it might be taken that there is at least 5 per cent. of the men always absent from beat work. I say 5 per cent.: that is the very lowest; I think it is nearly 7½ to 10 per cent.; 5 per cent. is certainly the very lowest. Therefore, to fill the places of the men so absent it requires an augmentation of, in my opinion, fifty men. That is, to include the probationers who would be in the depot. I take it that each of the four centres of population require a reserve of five men to fill the places of those absent for the reasons I have named; that the headquarters of the other three districts would require two men each; then there should always be six men in the depot in training; and at the present moment there is need of opening new stations and strengthening other existing stations—that is, increasing the strength of the suburbs of the large towns—the number required being eighteen men, making in all about fifty men. For instance, the populous suburbs of Christchurch and Wellington require the Force to be increased every year.

28. Is this, then, for increasing the number and strength of the suburban stations?—It is for establishing a reserve at the headquarters of each district, the depot, and filling up what may be termed present needs owing to the increase of population. I also think that there should be an officer between the rank of sergeant and Inspector at the headquarters of the four principal centres—namely, Auckland, Wellington, Christchurch, and Dunedin. I think this officer should be classed

as a Sub-Inspector. The duties of this officer would be to have general control of the city where he is stationed, under the Inspector, to attend Magistrates' Courts, and in the absence of the Inspector from headquarters to take charge of the district.

29. *Colonel Pitt.*] Would you not let him inspect at all?—No. He should not go away from headquarters to inspect out-stations: that should be the work of the Inspector.

30. What about the rank of sergeant-major in the Force?—It should die out with the present two officers holding that rank. There are only two holding the rank, and immediately those men retire or are promoted I think the rank should die out. There is one acting sergeant-major: that merely carries an extra stripe and no extra pay. These Sub-Inspectors would be in training for the rank of Inspector. At the present time, in my opinion, the step from sergeant to Inspector is too great. A man who is promoted from sergeant to Inspector does not realise his position properly, except in very exceptional cases. Some men of course, would rise to the position right away, but only in a very few cases, the duties of an Inspector are so different to those that a man performs when he is a sergeant. Then, again, the Inspector in charge of the districts I have named would have more time at his disposal to visit the outlying stations of his district. At the present time I know that many of the out-stations are visited once a year only by the Inspector, and unless some such system as I have suggested be adopted I do not see how the Inspector is to visit them more often. His tours of inspection at present mean that he runs away for a day or two whenever he can get the opportunity. He is not able to go on any actual tour of inspection owing to the accumulation of work at his district station and the probability that something may happen that would necessitate his being recalled.

31. *The Chairman.*] In your opinion, how often should these out-stations be visited?—At least once a quarter, in my opinion. I think the men would be kept very much better to their work, and the public would be very much more satisfied, by a greater supervision over the men. I think the leave should be allowed to accumulate up to twenty-eight days for men who do not desire to leave the colony. In the case of men who have relatives residing in the other colonies, or who have business which they wish to attend to in the other colonies, it should be cumulative up to six weeks.

32. *Colonel Pitt.*] Would you alter the annual leave?—No; I think twelve days annually is a fair period.

33. *The Chairman.*] It would be rather awkward to have an accumulation of twenty-eight days for an annual twelve days' leave?—Well, if a man foregoes his leave for three years he should be allowed to take twenty-eight days.

34. And twenty-four days at the end of two years?—Yes; I think it is necessary to have some sort of restriction upon men piling up their leave, as it were. I think money rewards should be abolished, for this reason: it does not matter much how you reward the men some are sure to be dissatisfied. If a man specially distinguished himself by saving life where he endangers his own life, or in the detection of crime, there should be a record on his sheet, which would, of course, be taken into consideration when his name comes up for promotion.

35. *The Chairman.*] Would you class those side by side as of equal merit?—Of course, the officer who would take into consideration the man's merit-sheet would be able to form his opinion. I think it would be rather difficult if you were to make classes of merit.

36. Do you think a distinguishing mark, such as ribbons or medals, for saving life would be more satisfactory?—For saving life, of course, there are societies—the Royal Humane Society of Australasia, for instance—who grant medals. I do not think medals should be granted by the service for saving life.

37. What should be done with rewards paid by companies and private individuals for special police services?—At present there are no such payments.

38. *Colonel Pitt.*] Supposing a private individual gives £2 for services rendered by a constable at a fire?—Oh, that is a gratuity.

39. *The Chairman.*] What would you do with those gratuities?—I think the present regulations may stand. It is submitted to the Commissioner, and if the Commissioner approves the man receives it.

40. Do you think they rightly appear on the man's merit-sheet?—Oh, no. Gratuities are never entered, as far as I am concerned, unless they are paid by the Government. I think I am right in saying they have never been entered on the merit-sheets in recent years.

41. *Colonel Hume.*] We got £100 from the fire people in Nelson: what would you do with that?—If it was not for the special service of any individual constable or constables it should go to the pension fund. If it is for the special service of individuals, and not of the whole body, it should go to the individuals to whom it is given, but should not be entered on the merit-sheets, unless the circumstances are such as would justify a record being made on their merit-sheets independent of any money reward. The mere fact of the money being given should not be entered on the sheet. I would like to call attention to the licensing-laws. At present the fact of a person being found on licensed premises during prohibited hours is no offence at law as regards that particular person. This, I may say, makes it very difficult for the police to keep a check on breaches of the Licensing Act in the way of illegal trading. I would suggest that the first three paragraphs of section 25—or something equivalent to that—of "The Intoxicating Liquors Act, 1872" (35 and 36 Vict., chapter 94), be made the law of this colony. That section reads as follows: "If, during any period during which any premises are required under the provisions of this Act to be closed, any person is found on such premises, he shall, unless he satisfies the Court that he was an inmate, servant, or a lodger on such premises, or a *bona fide* traveller, or that otherwise his presence on such premises was not in contravention of the provisions of this Act with respect to the closing of licensed premises, be liable to a penalty not exceeding forty shillings. Any constable may demand the name and address of any person found on any premises during the period during which

they are required by the provisions of this Act to be closed, and, if he has reasonable ground to suppose that the name or address given is false, may require evidence of the correctness of such name and address, and may, if such person fail upon such demand to give his name or address or such evidence, apprehend him without warrant, and carry him, as soon as practicable, before a Justice. Any person required by a constable under this section to give his name and address who fails to give the same, or gives a false name or address, or gives false evidence with respect to such name and address, shall be liable to a penalty not exceeding five pounds." I think if the law were amended to include that, a good deal of the present outcry against illegal trading would be put a stop to.

42. *The Chairman.*] That statute provides for certain closing-hours on Sundays?—Yes.

43. Can you tell us what those hours are?—As regards Sunday, they vary. In some places they are open from 12.30 p.m. to 2.30 p.m., and from 6 p.m. till the hour of closing on Sunday in the particular district, wherever it may be, and in other places it is from 1 p.m. till 3 p.m., and again, of course, from 6 p.m. Those are the hours of Sunday opening in England. In Scotland and Wales there is no Sunday opening. The hours of closing on Sunday in London are 11 p.m.; on Saturdays at midnight, and other days of the week 12.30 a.m.

44. *Colonel Pitt.*] And reopened?—At 5 a.m. In the country districts the closing-hour is 10 p.m. every day. In the larger boroughs and cities it is 11 p.m.

45. In some parts of America they are open all night?—In South America they are open as long as the people like to keep them open. There are no closing restrictions in South America.

46. Are not the hotels in New York and San Francisco open all night?—I cannot say at present. I have been in New York, but I really could not tell you whether they are open all night or not. There is another slight amendment I think should be made in "The Alcoholic Liquors Sale Control Act Amendment Act, 1895." Section 22, subsection (5A), should be amended by inserting the words "or lodger" after the word "traveller" in the last line of that subsection. At present it reads: "It shall be lawful for, but not obligatory upon, a licensee to sell liquor at any time to any person being really a lodger living or staying in the licensed premises, or a *bonâ fide* traveller seeking refreshment on arriving from a journey: Provided that the liquor so sold is personally consumed on the premises by such traveller and by no other person." By inserting the words I have mentioned, it will read: "It shall be lawful for, but not obligatory upon, a licensee to sell liquor at any time to any person being really a lodger living or staying in the licensed premises, or a *bonâ fide* traveller seeking refreshment on arriving from a journey: Provided that the liquor so sold is personally consumed on the premises by such traveller or lodger and by no other person." The reason I make that suggestion is this: It frequently happens that persons who are neither lodgers nor *bonâ fide* travellers are found on licensed premises during prohibited hours. There are evidences of drink having been supplied them, and perhaps they are found with drink before them, or taking it. It is said that the drink has not been purchased by them, but that it has been provided by a lodger in the house. Well, in cases of unscrupulous licensees there is very little doubt at all that a convenient lodger is frequently kept on the premises—that is, a man is kept on the premises, or is there as a lodger, who is prepared to state that he has paid for the drink that those people are consuming. That has been the defence in many cases. The police are not able to prove that the drink has not been paid for by the lodger, consequently the charges have to be dismissed.

47. *The Chairman.*] You are suggesting that a lodger, and a lodger only, should be allowed to consume the drink he pays for, and must not provide it for his guest?—Well, he would be allowed to provide it under certain circumstances, but not in public bars and so on. If he could prove these people were his guests it might be held to be a reasonable defence.

48. The onus of proof would be on him?—The onus of proof would be on him. I do not go so far as to say a lodger should not be allowed to have a guest in the hotel with him—say, to take dinner with him. The thing is to place a restriction upon lodgers shouting for people who may come and stand at the bar and drink.

49. Of course, it is quite understood in making these suggestions you do so with a view to efficiency of administration of the licensing-law by the police?—Certainly; in order that the police may be able to check breaches of the law—evasions of the law. I may say the police get blamed in a great measure for abuses that they are unable to prevent owing to the ineffectiveness of the law. As to gambling, more particularly as to street-betting, at present the police are unable to deal with street-betting unless they can prove that it is betting on what is termed totalisator odds, or unless the persons who are betting in the streets cause an obstruction. That being the case, it is practically impossible for the police to deal with that evil. In London there is an Act, called the Traffic Regulations Metropolis Act, which gives the power to the police to arrest any two or more persons assembled in the street or any public place for the purpose of gambling. I would suggest that section 4 of "The Police Offences Act, 1884," be amended by the addition of the following new subsection: "(1.) Any two or more persons assembled together in any part of a street for the purpose of betting shall be deemed to be obstructing the street, and each of such persons shall be liable to a penalty not exceeding ten pounds, or in default of payment thereof to three months' imprisonment with hard labour. (2.) Any police constable may take into custody without warrant any person who may commit such offence in view of such constable." The foregoing is on the lines, although somewhat more drastic, of section 23, 30 and 31 Vict., c. 134, Traffic Regulations Metropolis. As an alternative proposal to the above, I suggest that the before-mentioned section (4 of the Police Offences Act 1884) be amended by the addition of the following new subsections: "Who shall be found frequenting any public place for the purpose of betting or wagering on any event or contingency of or relating to any horse-race, or other race, fight, game, sport, or exercise"; and "Any police constable may take into custody without warrant any person who may commit such offence in view of such constable." With respect to illegal totalisators, I suggest that section 3 of "The Gaming and Lotteries Act, 1881," No. 10 (45 Vict.), be amended by adding after the word "money,"

and before the words "found therein" in the first paragraph of that section, the following words, namely: "Books, letters, circulars, and other documents or papers," and that these words be added in the same manner to the second paragraph of the same section where power is given to seize; also, in second paragraph of section 4, forfeiting same to Her Majesty, upon conviction. I also suggest that section 13 of the above Act may be amended by adding thereto words to the following effect, namely: "It shall be deemed to be sufficient proof that the owner of any house, office, room, or any other place knowingly and wilfully permitted such place to be used as a common gaming-house if it shall be shown to the satisfaction of any Court of justice before which such owner may be brought that such owner had received due notice from the police that there was reasonable cause to suspect that such house, office, room, or any other place was being used for the purposes set forth in section 11 of the aforesaid Act." The latter suggestion is to make the owner more fully responsible for the conduct of any premises he may have, as well as the person who is using them. Of course, these suggestions I have made would need to be very carefully gone into by the law draftsman. They are only crude suggestions of my own, and they would require very careful scrutiny. I do not pledge myself to the actual wording of these suggestions, because they may be found to clash with some other law. With regard to the suggestions I have made as to the pay of the police, pension, &c., of course it would require increased expenditure, and in connection with that I would like to draw attention, although Colonel Hume has already drawn attention to it, to the cost of police in New Zealand as compared with the cost in the adjoining colonies. As regards New Zealand, the cost per head of population for 1896-97 was 2s. 7½d. This year—that is, up to the 31st March last—it will work out to about 1d. per head of population more, making it 2s. 8½d. I am not able to give you a forecast of what the cost would be if the suggestions I have put forward here were adopted, because that is impossible, but I think I may say, without fear of contradiction, that if the whole of them were adopted it would not raise the cost per head of population more than 1s., or, I may say, not 1s. 1s. would be above the mark. But, assuming it would be raised 1s., it would then be 3s. 8½d. per head of population. Now, in the sister colonies the cost is as follows: Victoria, 4s. 2½d.; New South Wales, 5s. 1½d.; South Australia, 4s. 3d.

50. *The Chairman.*] What year are you quoting from?—1896-97 in each case. Queensland, 6s. 9d.; Western Australia, 11s. 3d. At the present moment the police to the population run: In New Zealand, one policeman to every 1,461 of the inhabitants. I have not worked out the figures, but by increasing the Force by fifty men it would practically mean adding on to the Force one-twelfth, which would come to about one policeman to every 1,400. The sister colonies run: Victoria, one policeman to every 832 of the population; New South Wales, one to 692; South Australia, one to 1,041; Queensland, one to 579; Western Australia, one to 349-54. The figures as regards Western Australia are for last year, a year later than the others. If the suggestions I have made were adopted the New Zealand Police Force would then be very considerably cheaper than any other Force in the sister colonies, and would also be much lower in proportion to the inhabitants than any other; in some cases it would still be very little more than 50 per cent. of the strength of the Forces in the sister colonies. With respect to some of the other colonies New Zealand is rather unfavourably placed with respect to police supervision. In New Zealand there are four centres of about equal importance as regards population. The means in New Zealand of ingress and egress are almost innumerable. In the other colonies they have, with the exception of the capital, very few towns of any importance, or, at least, but very few towns in any way approaching the capital. With respect to Victoria, South Australia, and Western Australia, they have really but one port of any importance by which criminals can either get in or out of the colony by water. Of course, in New South Wales they have more ports, and there is land-communication between the colonies in Australia which does not exist here. So far as police supervision goes, I consider New Zealand is placed at a disadvantage, for the reasons I have stated, as compared with many of the other colonies. In support of some of the suggestions I have already made I would be glad to quote from the other colonies. In reference to pensions I wish to say that in New South Wales they have pensions, the rate being half-pay for a man who has been from fifteen to twenty years in the service, two-thirds pay for a man who has been above twenty years and less than twenty-five, three-fourths pay for a man who has been above twenty-five and less than thirty, and not exceeding full pay for a man who has been above thirty years in the service. If a man is under sixty years of age it is not lawful to grant a pension unless it is certified to by two medical men appointed by the Government that the man is incapable in mind or body to discharge the duties of office. In Victoria they have pensions. They commence from ten years' service. After ten years' service a man gets ten-fiftieths of his pay, and rises one-fiftieth per annum up to thirty years' service. In South Australia they have no pension system, but an allowance is given of one month's pay for a man over twenty years in the service, unless it is on abolition of office or retirement on the ground of ill-health. In Western Australia they have no pension system, but they have what is termed a Police Benefit Fund, to which the whole of the men subscribe and the Government contribute.

51. *The Chairman.*] How is that fund distributed?—Principally by gratuities, apparently, of one month's pay for each year's service. In Queensland they have a pension system. After fifteen years' service a man is entitled to one-fourth of his pay, with an addition of one-sixtieth of his pay for each additional year's service, but the superannuation allowance in no case exceeds two-thirds.

52. *Colonel Pitt.*] How much do the police contribute?—In Queensland they contribute 4 per cent. In Western Australia it is not on a percentage of pay that the men contribute, but the various ranks contribute differently. For instance, a Sub-Inspector subscribes 6s. a month and a sergeant 5s. a month.

53. But in places where they have a pension scheme, what do the men contribute?—In Victoria 2½ per cent., in New South Wales 3 per cent., and in Queensland 4 per cent.

54. *The Chairman.*] Do you gather that that 4 per cent. supports the fund?—No; there is an annual grant from Parliament. As regards lodging-allowance, in New South Wales all unprovided with quarters are allowed 1s. a day. In Victoria 1s. per day is allowed to the men in Melbourne, and 6d. per day elsewhere. In South Australia no allowance is made. In Western Australia lodgings are provided or an allowance in lieu thereof. In Queensland 1s. a day is allowed to men with over five years' service not provided with quarters. From Tasmania I have no information on the point. As regards pay, in New South Wales probationary constables receive 6s. per day; ordinary, 7s; first-class, 7s. 6d.; and senior, 8s. Respecting the Victorian police, I may say that a few years ago their pay was very much reduced. It stands now at 6s. per day when they join, and a senior constable receives 7s. 6d., but in addition the constables receive 6d. per day extra after six years' service, and 1s. a day extra after ten years' service, which means, briefly, that after ten years' service the constable is receiving 8s. 6d. per day. In South Australia the pay of the constables ranges from 7s. to 8s. In Western Australia the pay ranges from probationers at 6s. a day to first-class constables at 8s. 6d. In Queensland they have supernumerary constables at 3s. per day, and the pay of the constables is given annually in the papers I have before me, the minimum being £122 and the maximum £132. Then, as to additional pay, sergeants and constables with over four years' service get £4 extra, with over eight years an additional £4, and with over twelve years a further addition of £4. In addition, all constables with over five years' service get 1s. a day, also an allowance to meet the increased cost of living in outside districts. Some of the rates I have given might appear less than the scale I have suggested for the New Zealand Force, but the wages to labourers and others in New Zealand are considerably higher, and the hours of labour shorter, than is the case with labourers in the other Australasian Colonies; consequently I think the police should be paid in proportion to the pay the labourer receives:

55. *Mr. Poynton.*] How does the pay of the Home constables contrast with the pay of the class of persons from whom he is usually recruited?—It is a considerable advance. I should think that, roughly, it would be an increase of from 30 to 50 per cent. on the wages of the labouring-class. I may say that at least 80 per cent. of the Police Force at Home are recruited from the labouring-class, not from mechanics.

56. Many of them, I suppose, were agricultural labourers?—Yes.

57. And the increase they get encourages good men to apply?—Yes. In connection with the question of the pay of a policeman as compared with the pay of the class from which he is drawn, I may say that a police constable is not allowed to engage in any other business or profession, nor is his wife allowed to do so.

58. *The Chairman.*] That applies in all countries I suppose?—Yes. Here, as in other countries, that shows that the men are in many cases placed at a disadvantage when compared with the class from which they are drawn. The wife, for instance, might be in a position to earn something. The police also have to reside wherever they are directed to live, which in some cases may be at a rather expensive part of the city. They are also compelled to live in a respectable neighbourhood and to have respectable neighbours. I now put in, for the information of the Commissioners, the reports I have obtained from the other Australasian Colonies.

59. *Colonel Pitt.*] What do you think of the sufficiency of the present districts in the colony?—I think that if there were four Sub-Inspectors appointed there would be no necessity to break up the present districts. The boundaries of the districts might in one or two cases be revised, and perhaps the headquarters of the district, more particularly what is now called the Wanganui and West Coast district, the headquarters of which are at New Plymouth. I think the headquarters should be at Wanganui, and part of the Wellington district, including Palmerston North, which is very large, should be transferred to the Wanganui district.

60. *The Chairman.*] What about the district of Blenheim?—Is it conveniently attached to the Wellington district?—Geographically it looks as if it was not properly attached. The only thing to be said in favour of Blenheim being attached to Wellington is that the Inspector from Wellington can get to Blenheim and Picton in a shorter time than the Inspector from the West Coast, who is at present stationed at Greymouth.

61. Or even if he was stationed at Nelson?—Yes, he could still get from Wellington in a little less time than from Nelson. Nelson is the most populous place on the West Coast, and if made the headquarters of the West Coast district, then Blenheim and Picton should be transferred to that district.

62. Is there any advantage at all in having the Inspector at Greymouth?—No. As a general rule, I think every Inspector should be stationed in the principal town of his district.

63. *Mr. Poynton.*] That would be Nelson?—Yes. There may be exceptions if the town is at the extreme end of the district, but on no other grounds should the towns of less population be made the headquarters. The Auckland district is a very large one, but it is not large enough to justify dividing it into two districts. It is so situated that it is impossible to transfer any portion of it to any other district, and therefore, unless two districts were made of it, I do not see how it could be altered. If a Sub-Inspector were appointed there it would meet all requirements.

64. *Colonel Pitt.*] What about Otago and Southland?—I think it could be worked very well in the same way, provided there was a Sub-Inspector at Dunedin to relieve the Inspector, who would then have more time to devote to the outlying parts of his district. With the exception of Central Otago, there is very little of the present district that it is not possible to get at within a period of twelve hours by rail.

65. Does your scale deal with the men who at present have long-service pay?—If the scale of pay I have suggested were adopted, the men with over twenty years' service would be receiving an equivalent to the men who are now receiving long-service pay.

66. *The Chairman.*] It would be practically long-service pay?—Yes.

67. *Colonel Pitt.*] But I was referring to those who have got it now?—I would not take it from

them, but they would not be increased, and men would not be placed over them as regards pay. The present system of classes and the long-service pay are the causes of a very great deal of dissatisfaction in the Force, and I am sure that so long as it is allowed to continue it will be a source of dissatisfaction. For instance, there are men in the Force now who have been in it ten years or thereabouts without receiving any rise at all. Again, there are men with sixteen or eighteen years' service who are only second-class constables. My knowledge of police system tells me that if a man does not make himself a good constable by the time he has been seven or eight years in the service he never will be one.

68. Do you not think it would be wise that an age should be fixed for the Inspectors retiring?—I do not think it is necessary to fix any age; at any rate, if an age is fixed it should be a mature one. I would not fix any age less than seventy. I may say that at present the oldest Inspector I have in the Force I look on as second to no other. It bars promotion, no doubt, but if the pension system were adopted these men would retire voluntarily, and would be very glad to do so. If this increment system I have suggested were adopted, it would, I think, strike a blow at what is now termed "political influence." In saying that I do not wish to admit that there is political influence. I only say there is a feeling abroad that some men do use influence to get advancement. Beyond the rumour I have heard I have nothing to substantiate it. It has not come under my notice since I have been in New Zealand; at any rate, it has not been used to forward a man's interest.

69. What about the transfer of the police?—I think the Commissioner should have a free hand to transfer the men. I would not recommend that the Inspectors should transfer the men themselves, but they should recommend transfers to the Commissioner.

70. *The Chairman.*] What is your view with regard to the desirability of frequent transfers?—I think it should be guided entirely by circumstances. If a constable gives general satisfaction and carries out the law, he should be let alone; and if he does not do his duty it will soon come to the notice of his superiors. I am a believer in letting well enough alone.

71. You do not suggest any hard-and-fast rule for periodical transfers?—No, for this reason: The men who perform their duty best in a district are those who know the people best among whom they are living, and if you are going to transfer men about very quickly, it is impossible for those men to get a knowledge of the people in a short time, and thereby you are likely to destroy the efficiency of the Force. On the other hand, it can soon be ascertained, with proper supervision, whether a man is doing his duty properly, and if it is found he is not, he should be transferred immediately. Years ago, in the Royal Irish Constabulary, the men were transferred periodically, but that system had been gradually altered, more especially in the populous districts. For instance, in cities like Belfast and other places, the men are not transferred as they were in former years, as it was found they were not in touch with the people, and were not able to give such good results as were the older men—the men who knew the people better.

72. But looking at the peculiar position in which constables in remote districts are placed, do you think the circumstances are such as to render transfers desirable?—I think if there is anything radically wrong going on it will come to the ears of the authorities, and the man could then be transferred; but if he is giving satisfaction all round it is proof that he is doing his duty satisfactorily.

73. *Colonel Pitt.*] And what about the undesirable stations?—They would require special consideration. You mean in the goldfields?

74. Such a place as Clyde?—A man should certainly not be kept long in a district like that. It is punishment to keep him there long.

75. *The Chairman.*] You recognise, then, that there are certain stations in which frequent transfer should take place?—Yes, where the cost of living is much higher than it is in a great many parts of the colony. Constables should not be kept there long.

76. What is your opinion with regard to special allowance for those special stations?—It is difficult to estimate an allowance for all cases, and the best way to deal with it would be to, as far as possible, allow the men to take the stations in rotation. It is not possible to have a fixed rota laid down, but as far as possible the men should go to those stations for a short period (for three years, say), and then be transferred to a cheaper district.

77. We have heard a good deal of evidence as to the extra cost of living in the goldfield stations. Should that be the ground of a special allowance?—I see a great difficulty in giving any allowance that would meet all cases.

78. Could not an allowance be made attachable to a particular station? Say that A, B, and C stations are recognised to be expensive for a man's maintenance, should the men there not receive a special allowance?—I am afraid it would create a great difficulty. If you give it to one man the man on the adjoining station might maintain that his station was equally costly, and it would be difficult to draw the line. Those on the West Coast would say that the cost of provisions was quite as high as in Central Otago.

79. *Colonel Pitt.*] What is your opinion as to a man's good conduct entitling him to have the entries on his defaulter's sheet expunged?—I do not think it would be a good policy. It would not be a proper thing to do, for this reason: that a man who had never had any entries on his defaulter's sheet would be in no better position than the man who perhaps for years had been a badly conducted man. Therefore, there would be little, if any, encouragement to the man who had been well conducted from first going into the service. On the question of retarding, I think that if a man is to be retarded in any way it should be done at the time the fault is being dealt with, and should be considered as part of the punishment.

80. *The Chairman.*] And having been entered on his defaulter's sheet it should not debar him from future promotion?—No; unless it is so stated.

81. *Colonel Pitt.*] Supposing there are two men of equal attainments, the man who has the entry on his sheet, and for which he has been punished, would find that it stood against him in his promotion?—His record would stand against him in his promotion to the rank of sergeant.

82. *The Chairman.*] Is it just or reasonable that for a technical police offence a mark should be a permanent bar to a man's progress?—Not a technical one, but a serious one should.

83. Then you say it should only be serious?—Yes.

84. We have heard, for instance, of men being barred because they were late on parade?—Yes; that was years ago, I think, when they were looking round for reasons for not promoting a man.

85. Looking at your police experience, do you tell us that the best men in the Force are the men who have the cleanest sheets?—No; as a rule, it is not so. Very often the man who has been unfortunate enough to get a bad sheet is a very good constable.

86. So that you would not accept the clean sheet as the passport to promotion?—From the rank of constable to sergeant, you mean?

87. Yes?—Distinctly not.

88. And you would not allow a mark on the constable's sheet, unless it was of a serious character, to debar his promotion to sergeant?—No. In making promotion from rank to rank, which is the only promotion that I consider should be so designated—I do not think an advance in pay in a rank should be considered promotion at all—you should be guided mainly by merit. Seniority should be considered, but merit is the principal thing. A man may have a good merit-sheet and a bad defaulter's sheet, and I think the merit-sheet outweighs the other. The defaulter's sheet may go to show that a man has broken some of the regulations, but the merit-sheet, on the other hand, may prove that he is a good man, and he should be looked on as fit for promotion if the marks against him are not of a serious nature.

89. You think that seniority should be considered when other things are equal?—Yes.

90. These marks would not in any way affect the man's right to increase of pay except so far as his progress had been retarded by your system?—That is so. What I mean is this: A man has completed, we will say, four years' service. He is then entitled to his first increment. His defaulter's sheet should not in any way be considered, except to ascertain if he has been retarded; if not, then he is entitled to his rise.

91. Do you consider that instruction in first aid to the injured should be given to the men at the depot?—Decidedly. It should form part of the instruction received by the men at the depot; and the police surgeon would, of course, give that instruction.

92. With regard to the state of the quarters and lock-ups, some of them that we visited certainly require improvement of some kind?—Improvements and repairs are being made continually.

93. Some of the lock-ups appeared to me to need improvement in the way of ventilation. Have you formed any opinion on that subject?—No, I have not. The lock-up accommodation requires to be increased at some places, and as it is increased more modern cells will be erected. Of course, safe custody has to be considered as well as other things, but where there is need of ventilation the remedy should be effected at once.

94. Do you suggest that men should be rewarded for special police service—special efficiency in any particular case—I am referring to the system which has prevailed of giving money rewards for arrests?—Where a man has shown great merit I think that, if it is necessary to consider the case further than by giving him a record of merit, a man should be advanced a year towards his particular increment; or, if it is a very extraordinary case, it might be that the man should be given an increment at once. That would not be done to the prejudice of other men. At the present time, owing to the number in each of the classes being a fixed number, if you promote a man out of his turn you do it to the prejudice of every senior man to him in the same class, and thereby you create dissatisfaction among those men; whereas if men are advanced periodically you may advance one man for meritorious conduct, and it does not prejudice any of the others who get their promotion in the ordinary turn.

95. You would use the reverse, then, of the retarding power?—Yes, exactly; but it would be used only in extraordinary cases.

96. Witnesses have told us of the dissatisfaction in the Force caused by working side by side with men who are getting higher pay. Do you think that feeling would continue to exist under the system you now suggest?—I do not. Of course, there would be men working side by side receiving different rates of pay under any system; it must necessarily be so whatever system you work under; but I think a great deal of the dissatisfaction that has been spoken of is owing to the long-service pay having been abolished. It may happen that there are two second-class constables working side by side, one receiving the long-service pay while the other does not get it, and can never get it, and therefore this man is dissatisfied.

97. Under your scheme one man may have it, and the other man will get it when his turn comes?—Yes.

98. *Mr. Poynton.*] A constable increases in efficiency after a few years' service?—Yes. I think that until a man has been seven years in the Force he does not attain the height of his efficiency.

99. Where there is no difference in rank, and two constables were together on duty, would the senior be in charge?—If a man is reported for neglect of duty he might be so considered. There is no such thing as one man giving orders to another in the street. It is understood that if two constables were together, and both were in default, the senior would be looked on as more to blame than the junior. They are both constables, and they should know how to act.

100. How would you deal with the present ranks—abolish them or allow the system to apply to future recruits?—Abolish them at present, and apply the system at once.

101. Would that not cause dissatisfaction?—No; because no man would lose. The present first-class constables with long-service pay would be no better than they are at the present time.

102. You know there is no other service in New Zealand getting pensions now?—I believe not.

103. You recognise that policemen are specially exposed to danger?—Yes. In the Civil Service

men may serve until they are old men, and, although old men, they can still go on and perform their duties as clerks; but a constable has to tackle roughs and is supposed to be able to walk his beat for eight hours, and therefore a man in the police must necessarily be more active than in the Civil Service.

104. He is exposed to greater danger—attacks by burglars, robbers, and lunatics?—Yes; and he is out in all weathers and at night.

105. Speaking from your experience as a London policeman of all ranks, have you known anything of illicit Sunday trading there; is complaint as rife there as here?—There is very little of it now, and once it becomes known to the police it is easily dealt with.

106. The English people drink beer at their dinners, and it is necessary that the hotels should be open so that they may get fresh beer?—I do not know about the necessity. It is the law, and I suppose they do not consider there is any evil attached to it. The community appear to recognise it.

107. The custom of drinking beer for dinner is more universal than here?—Yes.

108. If that was an argument for keeping the hotels open on Sunday in England it would not apply here?—No. Beer-drinking is a national habit in England, more particularly at meals.

109. You know that many hotels in New Zealand are well conducted, and do not trade on Sundays?—Undoubtedly; and my opinion about the illegal trading is that the great majority of the hotelkeepers would be only too glad to conform to the law, for this reason: Their argument is this, "My customers come to me on a Sunday, and if I refuse them drink they go to another house where the landlord is not so scrupulous, and they get it there. The consequence is that they go there during the week as well, and, unless I am prepared to run the risk and supply them with drink on Sunday, I will probably lose their custom altogether." They would be very pleased if the law were observed all round.

110. This reform you suggest would only be felt by the unscrupulous to be harsh?—Yes.

111. It would give to the policeman a power to deal with the unscrupulous publican that he has not now?—Yes. My opinion is that the community generally, knowing that by going on to licensed premises they were amenable to the law, would refrain from going, and only the unscrupulous would go.

112. Do you not think that a person prohibited from drinking liquor should be punished if found under the influence of drink?—I am not prepared to go that distance, but any measure that would prevent a prohibited person from getting drink I would like to see strengthened if possible.

113. *The Chairman.*] With regard to Sunday trading generally, apart from the liquor trade, is there much of it in the colony, as far as you know?—I think there is very little; I think that Sunday is very well observed.

114. How does it compare with Sunday as observed in England?—There is a great deal more general trading done in England. For instance, the tobacconists' shops and the fruit shops are open all day in England, and in the low neighbourhoods the butcher and the greengrocer are open till 11 o'clock on Sunday morning.

115. Here we have only the oyster-houses and the restaurants open on Sunday?—Yes; I do not see how you can very well close them. People who come into the towns require food and refreshment.

116. *Mr. Poynton.*] Do you think that the person who buys liquor in an illegal manner should be punished as well as the man who sells?—He should be made equally amenable to the law. As it stands at present the law is one-sided.

117. *The Chairman.*] What is your opinion on the question of appeals from the decisions of Inspectors regarding complaints made against constables?—At present the men have the right of appeal to the Commissioner, and personally that is all I think they can reasonably ask for, for this reason: The Police Force is something like an army, in that you have to maintain discipline, and if the authority of the head of the Force, who is responsible for the discipline, is in any way interfered with it would be practically impossible for that officer to carry out the discipline of his Force. The present system of inquiring into complaints is such that the constable or any officer against whom the report is made is present when the evidence is taken, and he has the power to cross-examine and also call witnesses in his defence. If the officer conducting the inquiry had power to administer the oath it would materially assist the department in getting to the bottom of complaints. I do not think that any one would suggest that the commanding officer of a regiment or the captain of a ship should not have the power to deal with the men under him.

118. Is not an Inspector of Police a Justice of the Peace *ex officio*?—All Inspectors of Police are Justices of the Peace, not *ex officio* but appointed in the ordinary manner.

119. And why cannot he administer the oath?—The Police Act gives him no authority to do so. There are cases, no doubt, which it would be better for a Board to inquire into. It might be better if the constable had the right to appeal to such a Board. I do not recommend such a course, but in the Royal Irish Constabulary the men have the right to appeal to a Board, which is composed of officers, and that Board has the right to take evidence on oath. There is no appeal beyond it. My objections to outside appeal are twofold—(1) that it would undermine the authority of the Commissioner; and (2) that an outside authority such as a Magistrate does not seem to appreciate the difficulty of maintaining discipline in the Force. He is too liable to look at the legal aspects of the case only.

120. Would a Board of officers not be derogatory to the position of the Commissioner?—No, not a Board of the police-officers; but I am afraid it would be impracticable in New Zealand.

121. It would be difficult to gather them together?—Yes. We will say that a complaint arises at Christchurch: the officer at Christchurch could not sit on the Board, and it would therefore be necessary to call the Inspectors from Dunedin and Wellington to go to Christchurch and sit on the Board.

122. Would it do to make any one below the rank of Inspector a member of the Board?—If there were Sub-Inspectors they might act.

123. *Colonel Pitt.*] You object to inquiries by Stipendiary Magistrates altogether?—Yes. A Magistrate might form a member of a Board provided police-officers were also on the Board. If the Board were set up it would be necessary to place some restrictions on the men bringing appeals, inasmuch as a man might appeal for a very trivial matter, and in that case the cost of the appeal should be borne by the man if it was held to be frivolous.

124. *The Chairman.*] Summarising your remarks then, you say that you think the only practicable and proper appeal is from the Inspector to the Commissioner?—Exactly.

125. If that were so, how do you suggest the Commissioner should hear the appeal?—The evidence taken should be submitted to him.

126. He would decide on the documents transmitted by the Inspector?—Yes.

127. And there would be no further evidence taken by him?—No. If the person against whom the charge is laid has any evidence to bring forward he has the opportunity.

THURSDAY, 19TH MAY, 1898.

PETER PENDER, examined on oath.

1. *The Chairman.*] You are Inspector of Police in charge of the Wellington District?—Yes.

2. We wish to examine you in reference to Constable Pratt's complaint. You know Inspector Buckley?—Yes, I have known him for over fifty years.

3. Did he serve under you?—We served as sergeants together in the Irish Constabulary for some years, and for a short time he served under me as sergeant.

4. Did he serve under you in New Zealand?—Yes.

5. In what capacity?—I was Inspector and he was sergeant and sergeant-major. He was subsequently appointed Inspector in Canterbury.

6. Can you tell us anything about the mode of administration of his duties? It is alleged that he was very severe and tyrannical and partial. Have you any reason to believe there is anything in these charges?—I would never believe he was anything but a thorough disciplinarian; he was well up in discipline and training from his youth; he was an honourable and straightforward man, and in my opinion he was quite incapable of any undue severity or harshness towards any man; he was thoroughly impartial and conscientious and anxious to perform his duty properly.

7. Any general accusations of severity appear to you to be unfounded?—I would not believe them.

8. It is suggested, I suppose, in reading his letter, that he was influenced as a Mason in his conduct towards other members of the Police Force who belonged to that body. Have you any reason to believe there is anything in that?—I know he is a Freemason, but I am quite confident that the fact never influenced him in any way in the discharge of his police duties.

9. Your opportunities for observation enable you to express a decided opinion?—Yes. I knew him well in Ireland and Victoria and Canterbury.

ARTHUR HOBBS WRIGHT, examined on oath.

10. *The Chairman.*] You are Clerk in the District Office, Wellington?—Yes.

11. Were you Clerk at Invercargill under Inspector Buckley?—Yes; from 1882 to 1888.

12. Do you remember Constable Pratt, who was at Wyndham?—Yes; he was at Gore when I first went down.

13. Do you remember any complaints being made against him by Mr. Winter?—Yes. Mr. Winter was a saddler, at Wyndham.

14. Are you aware whether any inquiry was held by Inspector Buckley into that complaint?—I can hardly speak from memory, as it is such a long time ago. Of course, there was an inquiry made, but in what way I cannot say at the present time. I know a lot of complaints were made against Constable Pratt by different people.

15. Are you in a position to express any opinion as to the manner in which Inspector Buckley conducted his inquiries?—I think so; I used to know everything he did pretty well. Of course, I was in a confidential position there, and he used to tell me things. I always found him very fair and straightforward in his dealings with the men. He was strict, and if a man did what was wrong he had to bear the consequences. I never knew him to excuse any one. He was thoroughly impartial, and treated them all alike. At the same time he was a good-hearted man, and used to make allowances if it was an honest mistake. If a man neglected his duty and was careless he had to suffer.

16. You believe he was impartial?—Yes, thoroughly impartial and fair; one of the most straightforward men I ever had any dealings with at all. I wish to refer to a personal matter: I noticed in some of the southern papers that a constable down South, reflected on the promotion I got some years ago. He said he was a second-class constable when I joined as a third-class, and that I was afterwards placed over him, inferring, I suppose, that I got promotion by some under-hand means. I think Constable Remer, at Balclutha, made the statement. I would like to put in the *Police Gazette* of 1890, page 38, to show the reason for my promotion. I came out top on the list of the first examination with 179 marks, and Commissioner Gudgeon gave the first four on the list a step up. Constable Remer was eleventh on the list, with 130 marks. I only mention this to show I used no influence.

ARTHUR HUME, examined on oath.

17. *Witness.* I produce the papers in reference to a complaint made by a man named Winter, a saddler, against Constable Pratt; it is dated, Wyndham, 26th April, 1887. Winter complains

that this constable does not look after the district, and that a considerable amount of larceny has been committed, and that the constable goes to people he suspects and speaks to them before making an arrest. This is directed to the Minister of Justice. Major Gudgeon tells Inspector Buckley to report on this matter; he says: "Of course, if the constable is inefficient to the extent mentioned herein he must leave, as the idea to foist him on to some other district is absurd." (The saddler wanted him transferred to some other district). Inspector Buckley sends in a long report dated, Invercargill, 31st May, 1887, in which he says he does not think there is much in the saddler's complaint, but he says: "I had occasion to transfer Constable Pratt from Gore to Wyndham on the 13th December, 1883, on account of his not being able to carry out the duties of the Gore sub-district satisfactorily. Since then, police duties at Wyndham have been steadily increasing, and, latterly, the constable does not appear to be able to cope with them, and he is not giving satisfaction either to myself or the public, and I therefore think he is not fit to have charge of a station or to do mounted duty." Inspector Buckley further goes on to say: "Constable Pratt is a very steady man, and, after his length of service of twelve years, I would be sorry to say he is wholly incompetent for any position in the Force. I believe he would make a very good foot-constable for beat duty." On that, Major Gudgeon minutes: "I hope to see you within a month, and will settle this on the ground.—W. E. GUDGEON.—7/6/87." Then there is the following minute: "The Commissioner dealt with this case at Wyndham on the 4th ultimo.—BUCKLEY.—8/8/87." And the final minute: "Ordered to be transferred to Invercargill.—W. E. GUDGEON.—29/9/87."

18. *The Chairman.*] Have you any memorandum from Major Gudgeon in connection with the petition praying for the retention of Constable Pratt at Wyndham?—Yes, as follows: "Inspector Buckley, please inform Constable Pratt that I did not remove him without due cause; that he is not the best possible judge of his own fitness for any position; and that if I find that he uses outside influence in matters connected with the discipline of the Force, I will recommend his discharge.—W. E. GUDGEON.—29/9/87."

19. Constable Pratt said that at Invercargill he was in some remarkable manner called out of the ranks and offered a station. Is there anything to show that he got a station?—Here is a telegram dated 17th April, 1888: "Inspector Weldon, Dunedin—Please transfer Sergeant Green to Lawrence, where he will be appointed gaoler, and send Constable Bowman to Invercargill, *vice* Pratt, who has been ordered to Balclutha.—JAMES G. FOX." Mr. Weldon writes, on the 27th March, 1888: "I beg to submit for your approval that the strength of Lawrence Station should consist of one sergeant and two constables, instead of three constables as at present. The transfer of Sergeant Green to Lawrence and a married man sent to Balclutha would meet the case." That would be the reason why that was done. Commissioner Gudgeon sends to the Under-Secretary of the Justice Department on the 28th April, 1888: "Constable James Pratt has been ordered to proceed to Balclutha, and can be appointed Clerk of the Resident Magistrate's Courts at that place and Kaitangata, *vice* Sergeant Henry Green, transferred." Here is another telegram from Commissioner Gudgeon to Inspector Moore, Invercargill: "Please send Constable Pratt to Balclutha. He will be replaced by Constable Bowman." The date of it is 28th April, 1888.

20. *Mr. Poynton.*] There is nothing on the papers to show why Pratt was selected in view of the fact that he was previously reported as being unfit for a station?—No.

21. *The Chairman.*] You cannot give any explanation of that?—No; I can only say when I was Commissioner I have done the same sort of thing. I have brought a man in, and if I have thought he has pulled himself together, I have given him another chance.

22. But all this was within six months?—I cannot account for that.

ALFRED HAMMOND, examined on oath.

23. *The Chairman.*] What is your rank?—Third-class constable, stationed at Wellington.

24. You appear with Constable Cameron, as delegates from the local Force, to bring under the notice of the Commission, what?—We appear simply as delegates from the men who have joined since 1895, and who receive only £10 per month. We wish to make the following representations; namely: About three years ago the pay of a third-class constable was reduced from £127 15s. to £120 per year, a still greater reduction being that constables joining within this last three years are compelled to insure in the Government Life Office for the sum of £200, to be drawn at the age of sixty years, or payable at death. A constable joining at the age of twenty-three years, his premium costs him 8s. 4d. per month, which leaves him only £115 per year to live on, and has to find himself in uniform, and it is necessary for him to keep himself neatly clad at all times. The present pay is not sufficient. This system in reality makes a fourth-class constable, and the only real difference is the scale of pay, and has a tendency to cause jealousy and dissatisfaction amongst the men, as they are both termed third-class constables and doing the same duty. Whilst one receives £127 15s., the other receives only £115 per annum, being £12 15s. per annum less than the former. We respectfully suggest that the scale of pay be as follows: First year, 7s. per day; second year, 8s. per day; at the end of five years' service with good conduct to be further increased by 6d. per day, and at ten years by another 6d. Promotions to be made by merit, combined with seniority—that is, any member of the Force being at the head of the seniority-list who has a good-conduct record, and who is a person fit to perform the duties required by the place vacant, that he be promoted; but if he is senior on the list and is not considered competent enough to perform the duties required that he be passed and the next suitable man promoted to the vacancy. We respectfully ask that the police pension scheme be adopted, and then the scheme could take over the policies of the men that have been compelled to insure, and have their premiums refunded to them, as a constable could not afford to pay up his premiums and pay into the pension scheme the proposed 5-per-cent. reduction on his pay. It is a great draw on constables to have to provide themselves with uniform. At times we have to per-

form very disagreeable duty, and in the course of which our clothes get damaged to some extent. Uniforms cost about £10 per year. We respectfully suggest that an allowance be made for uniforms, so that constables may be measured by the tailor who has the contract. They would then be sure of a perfect fit, and it is much nicer to see a man dressed in a neatly fitting uniform. We respectfully suggest that annual leave be increased to fourteen days, whereas at present it is only twelve; also, that, if a member of the Force wishes, his annual leave be allowed to accumulate for three years, in order that it gives any member of the Force who has relatives in any of the sister colonies an opportunity of visiting them occasionally, whereas at present if a member allows his leave to go over the twelve months he loses it altogether; also, that when on leave members of the Force be allowed a free pass on all Government railways within New Zealand. When on leave a police officer is liable to be called on to do duty at any time."

ALLAN CAMERON, examined on oath.

25. *The Chairman.*] What is your rank?—Third-class constable, stationed at Wellington.

26. You have heard the recommendations put in by Constable Hammond: do you agree with them?—Yes; in addition, I think we require the service of a police-surgeon, and that the Government should find such. We have to pay always for a certificate when on sick-leave, and in many cases we have to get a doctor's certificate where it is only a cold which prevents us from doing duty, and in many such cases with the money we pay for the certificate we could get sufficient medicine from the chemist to cure us.

ALFRED HAMMOND was further examined on oath.

27. *The Chairman.*] What is the matter you wish to bring before us?—I was transferred from the Permanent Artillery to the Police Force on the 1st May, 1895. At that time I had not been informed, nor was I aware, that the police pay had been reduced, and it was not until I had done a month's duty, and I went to sign the pay-sheet, that I became aware of the fact that I was only to receive £10 per month. I refused to sign the pay-sheet at the time, but ultimately I did so.

28. When did the reduction take place?—I believe from the 1st April, or was supposed to, but it was contradicted in the different newspapers.

29. You knew nothing about it until you went to sign your first pay-sheet?—That is so. I am now in the Police Force just three years, and am still receiving £10 per month, out of which I have to pay 9s. 2d. for insurance, besides finding my own uniform, &c. I believe that on all transfers from the Artillery to the Police Force prior to mine, and since mine, it is stated on the transfer the amount of pay to be received. In my case it was not done; there was nothing whatever on my transfer as regards pay. My transfer came to the depot just about the 25th April. At that time there had been rumours about the reduction of the police pay, and the following paragraph appeared in the *Evening Post* of the 22nd April, 1895: "The Defence Minister has issued instructions that in future all men who may be transferred from the Permanent Artillery to the Police Force shall sign the monthly pay-sheet for the receipt of £10 per calendar month. Recruits up to the present have received 7s. per diem, with a rise of wages as time progresses, but the new regulations means to recruits a reduction of 6d. per day. It is rumoured the Government intend issuing a revised rate of pay for the Force which will prove slightly beneficial to the good-conduct men who have served as constables for a certain number of years. In the *New Zealand Times* of the following morning (23rd April, 1895) appeared this paragraph: "It is not correct, as our evening contemporary asserts, that the Defence Minister has issued instructions that in future all men who may be transferred from the Permanent Artillery to the Police Force shall sign the monthly pay-sheet for the receipt of £10 per calendar month. Our contemporary is a trifle too previous in the matter. Lieut.-Colonel Hume has been engaged drafting new regulations, but they have not yet been submitted to the Defence Minister, and, as a matter of fact, as he has issued no instructions whatever of the kind referred to, the Government have not yet considered its intentions." I made exhaustive inquiries from all whom I thought could give me information on the subject, with the result that I came to the conclusion that it was only a rumour, and that there had been no reduction, and that I would receive 7s. per day. Before being sworn in in the district office I asked the district clerk what pay I was to receive, and he said he had received no instructions as to what pay I was to receive, and that he supposed I would get the ordinary pay. I made inquiries from Major Messenger and Sergeant-Major Richardson, and they could give me no information. Sergeant-Major Richardson said there had been rumours, but he believed there was nothing in them, and that the best thing to do was to go and get into the police and get 7s. a day before the reduction came on. I may say there is only one man in the Force senior to me who is receiving this £10 per month, and that is Constable Hay, of Napier. We joined about the same date. Had I known the rate of pay I would certainly have remained in the Artillery, and if I had done so I would be better off now. I believe, when the clerks were making up the pay-sheets for the month of May they really did not know what amount of pay I was to receive, and had to wait for further instructions. I respectfully ask the Commissioners, if they will think fit, to recommend that the men who have joined since 1895 may be refunded the amount of back pay. I submit that, under the circumstances, my appointment to the police was under a misrepresentation, as my rate of pay was irregular, and I joined under a misrepresentation. I respectfully ask to be placed on the same footing as men of the same rank as myself who only joined a few days prior to me, and the amount of back pay refunded to me. I think if my transfer was produced there would be found no mention of pay on it; in all other cases the amount of pay was mentioned.

30. *Colonel Hume.*] Who did you ask for information in the Police Department, anybody besides Sergeant Wright?—Not directly.

31. Well, you got a communication about the 25th April?—Yes, about the 25th or 26th of April.

32. And you joined on the 1st May?—Yes, I was sworn in then.

33. Then, in that five days you asked Major Messenger and Sergeant-Major Richardson for information? Did you ask anybody belonging to the Police Department as to the amount of pay?—I made inquiries indirectly from men.

34. Why did you make inquiries?—Because of the rumours going on that the pay had been reduced.

35. Though you did not think of going to the police office and asking?—I made inquiries from the police office in an indirect manner.

36. Who did you ask?—I certainly say I should not like to divulge my informants in the matter.

37. It must have been either Mr. Tasker or Mr. Evans?—Not through them personally.

38. You did not come to me?—No.

39. Did you go to Inspector Pender?—No. I did intend to ask Inspector Pender before being sworn in that morning, but I did not.

40. Then, you believed the district office did not know how to make out the pay-sheets?—I am of that opinion.

41. Are you aware that there is a telephone from that room to my room?—Yes, a telephone from the police-station.

42. Does it not strike you that if there was any doubt about the pay they would ring up the telephone and ask?—I think they did consult you afterwards about my pay. When they went to make up the pay-sheet Sergeant Wright told me that he had no instructions whatever as to my pay; that was the morning before I was sworn in.

43. At the end of the first month you protested before you signed the pay-sheet?—I did.

44. Who to?—Sergeant Wright.

45. Did you ask to see Inspector Pender?—Yes, I did.

46. Were you enabled to see him?—He was not at the station; he was out of town.

47. You never asked to see me about it?—To tell you the truth, I was afraid it would lead to serious consequences if I made too many inquiries, as I had no influence behind me, and I was led to believe that a new scheme was being drafted that would leave me in a better position.

48. How did you think it would tell against you if you asked to see me?—I thought it would have told against me. I did not know exactly how to approach you in the matter, but I thought it would not do to make a great deal of it.

49. But did you try to see me?—No, I did not.

50. Although you were much aggrieved at this rate of pay you never saw Inspector Pender, nor asked to see me?—No; I did not think it would be any good.

51. Why?—I supposed he would have referred me to you.

52. Would that have been useless?—I supposed the answer would have been, "You can take it or leave it."

53. When these months elapsed and you found this new scheme had not come out, did you not think it was worth while saying anything about it?—No; simply because I had no influence to back me up. I was only "on my own." I did not think I could have done anything in the matter, as other men had joined at the same rate of pay, and there appeared to be plenty of men willing to take it.

54. *Colonel Pitt.*] You made no application to be transferred to the Permanent Artillery?—No.

55. Have you done any gun-drill since you have been in the police?—No.

WILLIAM THOMAS MASON, examined on oath.

56. *The Chairman.*] You are sergeant-major of police, stationed at Wellington?—Yes.

57. We wish to examine you with reference to evidence given by Mrs. Thompson, one of the witnesses called by Mr. Taylor in Christchurch. I will read you my notes of the evidence given by Mrs. Thompson, as follows: A little after 11 p.m. I had occasion to go from my home to my place of business in Colombo Street to use the telephone. I saw a constable standing at the A1 corner. As I crossed from Lonargan's corner to my shop a constable came and asked me, "What are you doing out at this time of night?" I told him he was a disreputable low blackguard and scoundrel to speak to a woman like that. I knocked his hat off. He said he would lock me up. I told him to go with me and they would see he was drunk. I went next morning to the station and described to Sergeant Mason what had happened. He said the man must have been drunk or mad; he was a married man, and he would get into trouble.—I have a general recollection of such a complaint by Mrs. Thompson some three years ago, but whether the complaint was made to me personally or not I cannot say. From my knowledge of Mrs. Thompson I should say she did not complain to me directly.

58. How would a knowledge of the complaint come to you if it was not made to you?—It would come to me, necessarily, in writing.

59. If you have any recollection of the matter referred to by Mrs. Thompson, can you say how the constable who acted in this matter was dealt with?—My recollection in the matter is this: that the constable reported all the circumstances, that the matter was investigated, and that the constable was completely exonerated—in fact, it was admitted he had done nothing but his duty.

60. Are you aware that the matter went up to the Inspector?—I cannot say. I have known Mrs. Thompson for years, and I know her disposition, and I know that if the Inspector was present she would not report to me, and that if the Commissioner was present she would not report to the Inspector: she was bound to see the head person on the station. From what I remember of the case the general circumstances were these, and she must have explained these particulars to me fully, but whether she reported the matter in the first instance to me I cannot say: Mrs. Thompson lives on Cambridge Terrace, and her shop is in Colombo Street. She had a sick child, and had

nothing in the house to meet the requirements of the case, and she hurried across to the shop, knowing she had some remedies there. She was running across the road to enter the shop when she was stopped by a constable, whether on the road or near her door I cannot remember. The constable asked who she was, and when she explained she was the proprietress of the shop the constable took no further action.

61. What about her knocking his hat off and calling him names?—That is the first I have heard of the matter. If she had knocked his hat off I think he would have brought her to the lock-up.

62. Her suggestion was that the constable was drunk, and that she challenged him to take her to the lock-up, as the officer in charge would see that he was drunk?—That is not the position. The question of drunkenness would be impossible. She never reported that the constable's hat had been knocked off, or that he was drunk. The sergeant brings the relief in at 5 o'clock in the morning, and of course he would report as to the men's sobriety; and no question of this kind was raised.

63. You cannot recall the man against whom this was alleged?—No, I can only recall the general circumstances.

64. Do you know whether there was any inquiry?—I cannot say positively, but I think it is very probable such a thing could not pass unnoticed.

65. If there was an inquiry the district clerk ought to know of it?—He ought to know of it.

66. And if the district clerk says there is no record of any inquiry, or any papers about the matter in the office, what do you say then?—It would be absolute evidence that there was no inquiry. There may have been no inquiry beyond the ordinary report from the constable and explanation.

67. Would there be any inquiry if Mrs. Thompson did not make a charge, but simply a report of the circumstance?—If she did not insist upon the inquiry there would be no inquiry except the general explanations. I may say that just about that time constables were reported under the most trivial circumstances. It was about the time that there was a charge against Constable Fitzgerald for nearly killing a man, of which the constable at the trial was completely exonerated; but about that time the public mind was excited, and a number of trivial complaints were lodged against the police, and unless one were to keep an actual diary it would be impossible to remember every case.

68. Were these trivial complaints, as you call them, inquired into?—Always. Such a thing could not pass me; I would have no interest in shielding the man.

69. The question is that you did shield this man. Is that so?—No.

70. Have you no recollection of telling Mrs. Thompson that the constable was a married man and that he might get into trouble if she pushed the matter?—I never did.

71. *Mr. Tunbridge.*] Assuming Mrs. Thompson came to the police-station and made complaints against the constable, would that not be entered in the diary as an occurrence?—It would not be entered in the diary, but it would be taken down in writing.

72. Then it would be referred to the Inspector?—Yes.

73. Would there be no record kept in the Inspector's office of these papers?—It might be recorded in the record-book of the district office.

74. But surely there is a system in vogue in connection with all papers passing through the district office, and there is a record of what becomes of them?—Invariably.

74A. How would it be possible to trace any papers assuming there was no record kept of them?—As a rule, every document was recorded.

75. Would you not expect to find some entry in the record-book in Christchurch of this particular matter?—There should be a record.

75A. Assuming there is no record, and we have been told there is no record, what is your explanation of that?—Without being on the spot I cannot give an explanation.

76. *Colonel Pitt.*] Suppose the charge was made, would there be a record?—Not at all.

77. *Mr. Tunbridge.*] If she came to you and made a complaint, and you got a knowledge of it in that way, or she made a complaint to somebody else, and the complaint was reduced to writing and submitted to you?—Yes.

78. If she had gone to the Inspector and made a complaint, and it was taken down in writing and referred to you, would there not be some record of that in the district office?—I should expect to find it.

79. Failing that record, does it not appear that the Inspector had nothing to do with it at all, and that you must have gained your knowledge from some other source than the Inspector's office?—I do not think I could be so definite about it if it was a matter that came to me as a trivial matter; I would have no recollection of it except as a merely immaterial matter.

80. How do you think you got your knowledge?—I think it must have been by writing.

81. Would there be any papers in your office in Christchurch that would not pass through the Inspector's office?—Not of that character; the only record I can think of would be a record on the back of the sergeant's sheet of the occurrence.

82. If she came to you, do you feel convinced you made a report?—Yes, unless she made a request that it should not go further.

83. Then, if she did make such a request you think there would be no papers?—If she made a request I certainly would not have reported it.

84. Can you give the approximate date?—No; it was about three years ago. There is one matter I should like to bring before the Commission. I do not wish to ventilate any grievances. I have read a good deal about the discipline and manner in which the service is being conducted. As I personally and all the senior non-commissioned officers are really more concerned in the matter than the Inspectors I should like to explain how the discipline has been carried out, and then, perhaps, the Commission would be able to see whether or not it is carried out on a basis worth considering and worth keeping up. I may say that the system of lectures has been carried on ever since the circular which was issued by Colonel Hume.

85. *Colonel Pitt.*] Where?—Under me here, and in Christchurch during the whole of the time I was there, on a basis of my own. There is no particular instruction as to the instructions to be given, but I conducted mine on a system that I think will commend itself to the Commission. Whether such a system is carried on elsewhere I cannot say. I produce a draft of my own lectures for the information and perusal of the Commissioners, and you will be able to see on what system the lectures were carried on, and how the men are instructed in police duties. In addition to this, and to show that there are no idle men in the service here, I produce drafts of every statute of the colony, condensed and codified, so that a police constable can see at a glance what the special duties are and the provisions of any particular Act.

86. Who prepared them?—I prepared them, and they have mostly been written by young constables who had never done police duties, and who copied them out at my suggestion. I will give the Commissioners an instance. A constable is sent down for a day to the Nelson district to try and detect fish-poaching. There are very few acquainted with the Fisheries Act. I simply put this codification of the Acts in the constable's hands, and he is thoroughly acquainted with every branch of the Fisheries Act, from 1877 to the present day. It shows all repeals and all sections of the Acts which constables actually have to deal with.

87. When did you do this?—This is the work of months and months. I have been working on them for a lengthened period.

88. Who did the writing?—Some was done by me and some by constables, by which means they have been gradually taught the statutes.

89. Do you wish us to understand that all young constables joining the Force and passing through your hands have been instructed in the matters you now lay before us?—Generally; as regards the lectures, particularly.

90. How many lectures have you got there?—Four, but these four actual lectures mean several weeks' work. I am not putting these things before the Commission for any object of my own, but to show that a system of work is carried on which the Commissioners are really not aware of. They have been perused by Magistrates before, and I have not the slightest hesitation in placing them before you.

91. You have condensed the Acts by extracting what is useful and essential for the police?—Yes, what is absolutely useful and necessary for the police. I may quote that I have dealt with here the Criminal Code Act, Indictable Offences Summary Jurisdiction Act, Stamp Act, Animals Protection Act, Licensing Acts, Gaming and Lotteries Acts, Adulteration Acts, Customs Act, Shipping and Seamen's Acts, and all the other important Acts, the object being that I can put my hand in a minute on any particular section of any particular Act that is required.

92. These are the laws in which the men coming under your care have been instructed?—Yes, they can always get the assistance of these papers if they want them. Lectures are given upon general police duties and upon any statute asked for. In addition to the statutes, instruction is given in the execution of warrants, and upon all duties appertaining to a constable in the street. When the young men who are being instructed come to the statutes they can go through them section by section and have them explained to them. This I explain, because if a constable is ignorant of his duties it is not through the fault of those above him.

93. Is there any work known to the police that gives sergeants or Inspectors material for their lectures to the men?—No; it entirely devolves upon the person who gives the lectures. Of course, every non-commissioned officer is not fit to lecture the men, and then he only reads the statutes and tries to explain them as far as he can. Even that is very great help.

94. *Colonel Hume.*] Were these documents in writing before the Commission assembled?—They have been written over two years; they were begun almost simultaneously with the lectures. When I saw the value of the lectures I compiled these statutes, and have gone on since.

95. Then, have the constables here been instructed in the city by-laws and Harbour Board laws?—Yes, they are constantly being instructed in the by-laws. If a constable acquaints himself with the Police Offences Act he pretty well has all the by-laws at his finger's end, because the by-laws are framed on the Police Offences Act, as a rule.

96. Then, in your opinion, if a constable here is ignorant of his duties it is his own fault?—Yes.

JOHN O'DONOVAN, examined on oath.

97. *The Chairman.*] What is your rank?—Third-class sergeant, stationed at Wellington.

98. I understand you have embodied the matters you wish to bring under our notice in a statement?—Yes. I have read the evidence that the Commissioner gave yesterday, and I approve of all he has said, and I think it is necessary that his recommendation should be carried out. I wish to state as follows: With regard to the compassionate allowance to the families of members of the Force who lose their lives while in execution of duty, I desire to say that better provision for compensation for the loss of life than now exists should be provided. At present the only provision made is such a sum of money as the Minister in charge of the department, guided by precedent and the circumstances of the case, is pleased to submit to Parliament for approval. First of all, the widow and family should be entitled to compensation as a matter of right, and not by way of gratuity or compassionate allowance. The greatest allowance hitherto granted, as far as I am aware, has been a sum equal to the pay of deceased for a year and a half. This is very little more than what is granted in the case of men dying from ordinary illness. In order to induce men to obey orders of their superior officers involving imminent danger to life it is necessary that they should be conscious that in the event of their lives being lost their wives and families would be generously provided for by the Government, and be placed as nearly as possible in the same circumstances as they would have been in had loss of life not occurred. Provision should be made for the reasonable and decent support of the widow, and the children should be maintained and educated until they attain a certain age. Special facilities and assist-

ance to obtain employment in the public service should also be given them. It is generally understood that political influence has been exercised for a long time, either for good or evil. When resorted to by members of the Force it has in a great measure been induced by the harsh, discourteous, and overbearing attitude of many of the former Inspectors of the Force. Favouritism by Inspectors was also believed to prevail to a great extent, and men in many cases found that the only way to counterbalance it was to resort to political or personal influence. The inequalities in the nature of the duties and in the advantages of service in the country as compared with the city led to a good deal of discontent and heartburnings, and to political influence. As long as these inequalities exist, so long will they be a source of contention and jealousy. The only way to even partially equalise the two positions is to charge members of the Force in charge of country stations a rent about equal to what they would pay in the city, or to grant free residences to all members of the Force. One of the great causes which have contributed to the discontent prevailing in the Force was the relation of the Armed Constabulary Force proper to the Police Force. Here we had two distinct branches of one nominal Force. Many joined the Armed Constabulary for service in the Field Force alone, and others for service in the Police Force only. It so happened that owing to the greater numbers in the Field Force, the nature of service, &c., promotion was much more rapid than in the Police Force; but from time to time men who had got their promotion in the Field Force were transferred to the Police branch with the full rank attained in the former. They thereby became the seniors, without one day's police service, of men who were their seniors by enrolment and service in the Police Force. About the time it was rumoured that the Armed Constabulary Field Force was about to be disbanded, many of them took refuge in this way in the Police Force, to the serious dislocation of the seniority and other rights of members of the latter body. In addition to this, I have known many instances of Armed Constabulary men being placed in charge of stations, while married members of the Police Force who had done years of service in the cities looked in vain for charge of country stations. Further, almost all clerical or lucrative positions in the Police Force were filled by Armed Constabulary men. These things were due to the circumstance that the Police Force was to a great extent controlled at headquarters by Armed Constabulary officers. Since 1870 the Police Force has had at its head a military man having control over or connection with the Field Force. With regard to the duties of Clerk of Court, only constables who are fairly qualified by education, intelligence, and training should be appointed to stations where such duties devolve upon them. I say this from a police point of view only; how the matter affects the Justice Department does not concern me. If such constables are not so qualified a great part of their time is necessarily spent in blundering through Acts of Parliament, official records, and departmental returns, in attempts to do and master the duties. The result is that both the police-work and the Court-work are done badly. Further, it is to be remarked that the Department of Justice makes no effort to assist and instruct beginners. There should be a limit placed upon the number of plaintiffs to which a constable should be allowed to attend as Clerk of Court. This limit should be somewhere between one hundred and fifty and two hundred and fifty plaintiffs. Above that limit the duties should be taken over by an officer of the Justice Department. In all cases the Inspector of the district should be allowed to inspect the Court-work, in order that he might satisfy himself as to the duties done by the constable. A record should be made in the police diary of all time spent in Court or bailiff's work, and in the latter case of the particular duty. In my opinion, the abolition of the police examinations in 1890 has been detrimental to the efficiency of the Force, more especially as no substitute, such as a training depot, has been provided. Many members of the Force hailed the examination as a means whereby they could independently and creditably advance themselves and overcome the advantages gained by others by improper means. The examinations rendered it necessary to be well informed in police-law and police duties, and though numbers of men might fail in passing them, the fact itself shows the necessity of reading for them. If these examinations had been kept up nearly every man in the service would now have very fair instructions in his duties. The long-service pay allowed to men on certain terms of service has been the mainstay of the Force. It is safe to say that, in the absence of a pension, and the almost absolute stoppage of promotion, numbers of the best men in the service have been induced to remain in it by the long-service pay. With regard to travelling on the Government railways when on leave, I think some concession should be made to members of the Police Force if free passes are not allowed. At the very seasons when reduced or excursion rates are granted to the general public the police are absolutely debarred from availing themselves of the privilege, owing to the fact that they cannot then get leave. It should be borne in mind that whether on or off duty the police are bound to attend to any disorder occurring on the railways and to assist the railway officials. Some concession should also be granted to members of the Force on night duty who are required to attend Court. In many instances the charge against a prisoner is only one of simple drunkenness, and the prisoner usually pleads Guilty. In such a case the prisoner might be called upon in Court to plead, and if he plead Not guilty, to adjourn his case for evidence until, say, 2 p.m. With regard to the disposal of members of the Force of advanced years, perhaps provision for some could be made by the extension of the suburban-station system in the large cities. By this means the beats could be lessened and contracted to the strictly business part of the city, and the loss of police protection could be made up by patrol-men on bicycles. With regard to men on night duty, something should be done to relieve them. The long hours of duty without any means of obtaining refreshment throughout the night is a severe strain upon the physical resources of the men. I do not think I am betraying any secret when I say, from my own experience for years in this city, that about 2.30 a.m. or 3 a.m. the night-duty men are exhausted and worthless for the purpose of police protection. Some means should be devised whereby the men on night duty would commence duty at 11 p.m. or 12 p.m., and be released at 5 a.m. or 6 a.m. At the principal stations in the cities there is need for one extra sergeant to take up the duties of

such sergeant as may be on leave, sick, absent on duty, &c. It has frequently happened that for weeks at a time sections of men have been under the charge of the senior constable of the relief. At the principal stations, also, some provision should be made for office-cleaning. At present the watchhouse-keeper on early morning relief is obliged to do the office-cleaning as well as look after prisoners in the lock-up. It has often happened, when the watchhouse-keeper was stripped to the singlet, and reeking with perspiration while engaged in deck-washing the floors, that respectable women have had to make their complaints or reports to him on receiving his assurance that he was the constable on duty. I do not think that the extension of the franchise to the police has been detrimental to police discipline and efficiency in the large centres, or that any improper means have been resorted to to secure the police vote. With regard to the police in country stations, however, the possession of this privilege is certainly a questionable boon to the police. Here individual members of the Force are called upon in a small community to actively come into contact or collision with the public about election times. He may have to interfere to preserve or restore order at public meetings, and the manner in which he does so is subject to favourable or unfavourable criticism according to the political views of the persons affected. Either the police in rural districts should be disfranchised or the soliciting of their votes by any means whatever should be made penal. Some alteration is necessary in the make, material, and colour of uniform for police in the country. Owing to the various nature and circumstances of their duties it is impossible to keep the uniform as at present supplied clean and respectable.

99. *Mr. Tumbidge.*] Before you were promoted last January, I believe, you were in charge of the Stratford Station?—Yes.

100. You were Clerk of Court there?—Yes.

101. Can you give the Commissioners a brief outline of the work you had to do at Stratford as Clerk of Court?—The year I went there, terminating the 31st December, 1894, there were 297 plaints in the Court; in 1895 there were 435 plaints. There were no exceptional cases at all. In 1895 there were 547 plaints, and in 1897 there were 541. The average of criminal cases was about 108 or 110 for each year. They did not fluctuate much. The number of judgment summonses in 1895 were about fifty; in 1896 about sixty, and in 1897 there were ninety-one or ninety-two.

102. Well, now, while you were there you performed the duties of Clerk of Court entirely yourself?—Yes, as well as the police duties and numerous other duties; I had it also up to the 13th February last year, and then another constable was sent there.

103. What other offices did you hold?—I was Clerk of the Licensing Committee and Inspector of Weights and Measures, Inspector of Factories, and bailiff.

104. That left you very little time for actual police-work?—Very little time; on many occasions I had to neglect either one or the other.

105. As regards the duties of Clerk of Court, you were paid £10 a year for the work you did?—Yes.

106. What did you get as Licensing Clerk?—£25 a year.

106a. What is your opinion of these emoluments going to the pension fund?—I say, considering the hard work I had to do, I should be very sorry to see another man getting the benefit of all my work. I think it would be quite unfair in a case like that, where the Court-work is so heavy, and where a man had to carry all the burden on his own shoulders. The police-work was quite sufficient to keep a man going, and the Court-work would give another man a decent number of hours' work a day, and the bailiff-work would be almost enough to keep another man going.

107. That is the groundwork of your recommendation, that constables should not be made Clerks of Courts where there are more than 150 plaints a year?—That is so.

108. How often does the Court sit there?—Once a week; formerly it sat once a fortnight, now once a week.

109. Speaking of other places where the work of the Clerk of Court is not nearly so heavy, what is your opinion about the emoluments going to the pension fund?—My opinion is that in many country districts the constables would be almost unoccupied were it not for the Court duties, and in such cases as that they are only doing a fair amount of work.

110. And you think in such cases as that the salaries as Clerk of Court should come to a general fund for the benefit of the Force?—That is my opinion.

111. That is only in places that you have described where there is very little work to do that you would recommend that police officers should fulfil the duties of Clerk of Court, and you think in those cases it is only reasonable to suggest that the pay from the Justice Department should go for the benefit of the whole Force, and not for the benefit of the individual?—I think it is only reasonable, because constables are only too glad to get country stations in order to get free quarters.

112. *Colonel Hume.*] What do you mean by the statement that it is generally understood political influence has been exercised for a long time either for good or evil?—Well, it has been understood.

113. By whom?—By the Police Force.

114. Are you speaking generally for the Police Force or from your own personal knowledge?—I am speaking from the opinions I gathered from the men themselves.

115. It is not from your own personal knowledge you have made this statement?—I cannot state any particular case.

116. You cannot state any particular case; in your own instance have you worked political influence at all?—I have never gained anything by political influence so far as I am aware.

117. Have you tried it?—I have.

118. And failed?—I do not know whether I failed or not. I am not aware I gained anything by political influence.

119. But you tried?—I certainly did.

120. In your case it had not the desired effect?—I say I do not know whether it did or not. At the time the Stratford Station was vacant I applied to political friends to get me that station. I got the station, but I do not know whether it was due to that fact or not, but being the senior constable in Wellington and Taranaki at that time I was entitled to it, I considered.

121. Had you any reason to suppose you would not have got it, though you were the senior constable in those districts?—I had every reason to believe from what had happened many years previously. I have already stated that Armed Constabulary men were promoted to country stations when men doing duty in the city for years were debarred from getting that privilege.

122. Have you found that has been going on for the last five years?—I cannot say. I have been for the last three years and a half completely removed from political influence. I have had absolutely nothing to do with it, and have not been in any way in touch with it.

123. You were transferred to Stratford three years and a half ago?—Yes.

124. Take a couple of years before that. Had you any reason to suppose that you, being the senior constable in the district, would have been passed over?—I thought it was very doubtful in regard to my getting it, and that was the reason I sought aid, because personally I am entirely against seeking political aid. I believe in a man standing on his own merits: he should sink or stand on them.

125. If I were to tell you that the seniors entitled to country stations always got them in my time, would you deny it?—I would not deny it. I cannot say.

126. I suppose you knew when you were trying to work this political influence you were disobeying the regulations?—I knew perfectly well that I was.

127. You say that when this political influence has been resorted to by members of the Force it has in a great measure been induced by the harsh discourteousness and overbearing attitude of many of the former Inspectors in the Force. Is that your own experience or what the man in the street, or, rather, the man in the police barracks, has said?—I may say some instances have come under my own knowledge.

128. I want to know something about those instances: will you state them?—In the year 1881 the Police Force at the central station here were catered for by a contractor. There was great dissatisfaction amongst the men about the manner in which the mess was supplied and carried out, and they made representations to the then Inspector requesting him to allow the men themselves to carry on the control of the mess. These representations were not successful, and the trouble went on for some time afterwards, and eventually several of the men jointly signed their names to a requisition to the Inspector that the men should be granted the privilege of controlling the mess themselves. That was done for the purpose of showing the unanimity of the men on that particular point. The result of it was, I believe—I am not absolutely certain—that Detective Chrystal and Constable Collerton were charged with improperly combining against the regulations. There was a regulation forbidding men to combine for any purpose whatever: They were charged with a breach of that regulation and fined, as far as I am aware. The mess has since been managed by the men themselves. I consider that a tyrannical exercise of authority by the Inspector, and the controlling of the mess by the men themselves has worked satisfactorily ever since the Inspector in 1884 allowed them to control it themselves.

129. Was that due to political or personal influence?—There was no political influence. It was simply this: the mess gave the Inspector so much trouble that he was glad in the end to allow the men to carry it on themselves.

130. Can you give us a case in which it was necessary to resort to political influence in support of this statement of yours?—All I can say is this: I have met numbers of men from other districts in Wellington who would not serve in certain districts if they could possibly avoid it, such was the reputation of the Inspectors in those districts for overbearing and discourteous conduct towards the men.

131. Then, are the Commissioners to understand that this statement of yours is based entirely on what other people have told you?—It is based principally on statements made to me by other members of the Force who served in other districts. I simply state that that was the reputation of the Inspectors. I am not responsible for the institution of that reputation. I know these men have told me themselves that they would resort to political influence in order to overcome it.

132. *The Chairman.*] Overcome what?—To avoid serving under some of the Inspectors.

133. *Colonel Hume.*] Now, how long ago are you talking about?—I am going back to the time when Inspector Broham said that the powers of Inspectors began to be taken away from them.

134. When was that?—He said eighteen years ago—somewhere about 1881 or 1882.

135. I suppose you know who the Inspectors were?—Yes. If you want another instance I will give you the instance of Inspector Bullen, whom I served under. If you look up the records you will see the steps I took to leave his district.

136. Is Inspector Bullen in the Force now?—No, he is not in the Force. He died in an asylum.

137. Did any of these others die in an asylum?—No, as far as I am aware.

138. That would be quite an exceptional case, then?—It is an exceptional case as far as the lunacy part of it is concerned.

139. Have you the names of those Inspectors: are they still in the Force?—Some of them are dead.

140. *The Chairman.*] Are there any in the Force now in the position of Inspector?—Yes, there is one. I cannot give any instances myself. I am only speaking as to reputation. I never served under him.

141. *Colonel Hume.*] You say that the inequalities in the nature of the duties and in the advantages of service in the country as compared with the city led to a good deal of discontent. I suppose you will agree with me in thinking that seniors should get the first chance of going to the

country, should they not?—I do not say that. I say the man that is most fitted to fill any particular station should be sent to it, not necessarily the senior man.

142. Then, you think that in country stations a rent ought to be charged against the men?—I say this: I do not say it ought to be charged against the men. I say inequalities ought to be removed in order to avoid jealousy, because discontent and jealousy arise through the difference in the two positions. My argument is in favour of free rents for the men in cities.

143. But could not that difficulty be got over by transferring men from the country after they had been a certain time in the good stations and letting others fill their places?—Yes, that might be done; but it seems to me the men in the country stations seem to have a lease of them, and it is only by misconduct or some chance that one of them ever becomes vacant.

144. Are you not speaking somewhat feelingly, having been brought in from a country station to the town?—No. I may say I came into the city at my own request.

145. *The Chairman.*] You found the work of the station too heavy?—No, it was not that, but owing to some private circumstances. I may say the Commissioner, when he was inspecting Hawera Station, gave me the choice of coming to the city if I desired to come, owing to some remark that fell from me, and that choice I accepted.

146. What is this discontent that you talk about prevailing in the Force?—There is a great deal of discontent owing to want of promotion. For instance, in Wellington City there has not been a single promotion from 1882 to 1898—not a single promotion at this station.

147. Is this discontent confined to want of promotion?—No, it is not. There has been a great deal of discontent owing to some of the causes I have mentioned, such as the difficulty in getting country stations when the right to have them had accrued.

148. But according to your account discontent could only prevail amongst men who thought they were better fitted than those who were sent to country stations?—There has been a good deal of real cause for discontent, and some of those reasons have been pointed out by me, such as not sending seniors to country stations who were entitled to them.

149. What period are you talking about?—I am talking of the time of the disbandment of the Armed Constabulary Force.

150. Do you think during the last seven or eight years that the men have had cause for discontent as to the distribution of country stations?—No, I do not. I have not one word to say about your administration. I believe the Commissioner himself has been very fair and very kind—in fact, courtesy itself—to the men when he was in charge.

151. And is not the fact of the Armed Constabulary being absorbed into the police the main cause of the want of promotion?—It has had a good deal to do with it. I am not posted up with figures. I have not the means of supplying figures, but I remember a good many cases. I remember the case of several Armed Constabulary men being transferred from the depot and the Field Force and put in stations in localities where they were camped.

152. And another cause was the number of sergeants they had of all ranks in the provincial police?—The most of the provincial police were in the service when I joined it.

153. Retaining the ranks they had at the abolition of the provinces?—Oh, yes.

154. I gather from what you have said that latterly the discontent arises from want of promotion only, and not from the selection of men for country stations?—Latterly the chief cause of discontent was the want of promotion—of course, taking into account the discontent engendered before that.

155. Prior to doing away with the Armed Constabulary Force in 1886 men coming from the Armed Constabulary Force to the police retained their seniority in the police which they brought from the Armed Constabulary?—In some cases they did. In some cases they came in with a slight reduction, such as a reduction of one degree in rank. One first-class constable came in as a second-class constable, but that is the only one, as far as I can remember.

156. After the Armed Constabulary Force was done away—after 1886—a man counted his date as constable from the date of enrolment in the police?—Yes.

157. I suppose you admit that was fair?—That remedied a great cause of discontent. The police were simply swamped by the Armed Constabulary men coming in, and had every prospect of being still further swamped until the Armed Constabulary Force was disbanded.

158. You say you have known cases of Armed Constabulary men being placed in charge of country stations, while men who had been doing duty in the city for years were passed over: what do you mean by Armed Constabulary men?—Men who served as Armed Constabulary men. Some men joined the Armed Constabulary Force alone, and despised police-work.

159. These men who came straight from the Armed Constabulary Force to charge of country stations were men who had not been doing beat duty while in the Armed Constabulary Force?—Yes. The trouble caused by that still continues in the Force.

160. With regard to the duties of Clerks of Court, you say that only constables who are fairly qualified by education, intelligence, and training should be appointed to stations where such duties devolve upon them: do you know a case where a man has been appointed Clerk of the Court who was not fit to do the duty?—Perhaps it would be improper for me to point out specific cases. I would suggest the examination of a Stipendiary Magistrate who has had anything to do with constables as Clerks of the Court, and you will find what his answer will be.

161. That is a matter that rests with the Justice Department, and I suppose the Justice Department would very soon complain if it had a Clerk of the Court who could not do the work?—I do not think so. The Justice Department does not make complaints about the way the police do their work. It is entirely in the hands of the Stipendiary Magistrate, and the Stipendiary Magistrate does not like to hamper the police in any way. A constable must be very bad before a Stipendiary Magistrate would make a complaint about him.

162. Do you think so?—Yes, I am certain of it.

163. I do not quite follow you about these suburban stations. If I understand you rightly you would make a lot of suburban stations to provide billets for men whom you would not consider fit for beat duty?—I say this: numbers of men have been brought in from the country and sent on beat duty in the town, and they are worse than useless, because they are physically unfit to do night duty—to tackle rough drunks, or to do any of the heavy work incidental to the Police Force.

164. You suggest they should be given suburban stations?—They would be useful for beat duty in suburban stations, where they would still be under the direct control of the Inspector. I would not necessarily give those men suburban stations who misconducted themselves.

165. The work suddenly increased very much at Stratford while you were there?—Yes.

166. And you were sent a second constable to assist you?—I was sent a second constable in February, 1897.

167. The two of you were able to manage the work?—Yes, we were able to manage the work up to the time I left.

168. You told us you had several billets at Stratford, and amongst others you were Clerk of the Licensing Bench?—Yes.

169. Why did you take that billet?—It is incidental to the position of Clerk of the Court.

170. Why do you say that?—Clerks of Court are appointed Clerks of Licensing Committees. I was simply appointed as a matter of course. I was paid by the County Council which had the administration of the affairs of the licensing district.

171. It is a County Council appointment then?—No, it is not. I may say county clerks and others had done the work before, but the Justice Department found it necessary, owing to the leakage in stamps and things of that sort, to have the Licensing Court in charge of the Clerk of the Court.

172. You did not make any protest against accepting it?—I never represented that I had too much to do. I was always willing to do what I could.

173. As to police examinations, did you go up for that examination?—Yes.

174. And passed?—Yes.

175. And you think had those examinations been continued it would have been a good thing?—Yes.

176. Were you asked the question how much lace a sub-lieutenant in the navy wears on his sleeve?—No, I never saw the question. I never got that question.

177. Do you think questions of that sort would do much good in educating constables for their duties?—I do not think so; but that is entirely the fault of the examiner, and the appointment of the examiner, I understand, is entirely in the hands of the Commissioner. If the examiner is not a proper one he should be superseded.

178. Does it not give constables in charge of small stations where there is not much work a very unfair advantage over men at stations where there is plenty of work?—Perhaps it would. I suppose there would be always some little inequality. I certainly would say those men would not have the same advantage, but not necessarily a great advantage. The constable at a larger station necessarily ought to be better qualified in any case than the man at a small one. He ought to be a better educated man at a large station.

179. *The Chairman.*] Do you think he has more opportunities of acquiring a knowledge of his business?—I say the duties at any country station should not be so great as to debar a man from getting the time to study for an examination.

180. *Colonel Hume.*] I take it you had no complaint to make during the time I was Commissioner?—I had not a single complaint.

181. *Mr. Tunbridge.*] Do you not think it is a mistake that all the senior men should be taken away from towns like Wellington?—All should not be taken away.

182. At the present moment, if they are retained in Wellington, according to the conditions of the service, they have no chance of getting house-allowance, or a house to live in?—That is so.

183. If you are going to keep the senior men here in a place like Wellington you must necessarily do these men an injustice?—Yes.

184. Therefore it means large towns are denuded of well-trained and senior constables unless the constables happen to be single men?—I do not know that the vacancies are fast enough in the country to strip the town.

185. For instance, in Wellington, with the exception of two or three men who have been brought in here for misconduct, is there a married man who is fit for a country station over seven years in the service?—I do not know. I have been out of Wellington for some time.

186. But your knowledge of the men here is sufficient to tell you that all the young men, or nearly all, are kept in a place like Wellington?—Yes. My own belief is this: only young men should be employed in the city to a great extent.

187. Why?—For the simple reason that the alternations of night and day duty are too severe altogether upon men who are at all advanced in years.

188. What you mean to say is, it is very hard on the old men that they should be called upon to perform that duty, or men of experience?—Yes.

189. Do you not think it is very hard on the ratepayers in big cities like Wellington that they should always have to trust to young men?—I say no man should be sent out on police duty until he has received proper training.

190. He can only get that training in cities like this?—Yes; but he should get training in a depot also. I think after a course of six months' instruction in a depot, and a little experience from time to time on the streets, he is fit to do almost any duty on the street.

191. *Colonel Pitt.*] How many beats are there in the City of Wellington?—There were eight or nine night beats when I was here before, and about five day-duty beats.

192. Do you know how many men were available for beat duty in Wellington?—On the night relief when I was here before it varied from seven to ten, according to the men on leave, sick, and so forth.

193. How would you arrange the duties so that the night duty should only last from 11 p.m. to 5 a.m., as you suggest?—My own experience is this: it is no hardship on any man to remain out at night until 12 o'clock.

194. But how would you arrange the duties?—It can be altered in this way: send the night-duty men out at 11 o'clock and let them off at 5 a.m.; then a beat goes on from 5 a.m. to 9 a.m.; then 9 to 1; then I would get half the night-duty men out from 1 to 3; then from 3 to 7 and 7 to 11. By that means the night-duty men would be two hours on on alternate days. I say there is a great loss of police protection owing to the length of the night-duty shift.

195. *Mr. Tunbridge.*] The night-duty relief would be arranged in this way: one-half would perform eight hours one day and the other half six hours?—Yes.

196. At that rate, you would have the day-duty men on the streets till 11 o'clock at night?—I said a moment ago it is no hardship for a man to remain on duty till 11 o'clock at night.

197. The day-duty relief is about half the number of the night relief?—Yes.

198. You would continue that half-number, as it were, into the night, till 11 o'clock?—Yes.

199. Do you not think it would be an improper thing to do to keep the town with, we will say, five men till 11 o'clock at night?—No, I do not. The city would be lighted up and the suburban-station men would be on duty.

200. Do you not find that the majority of drunks are brought in from 9 to 12 at night?—Yes.

201. How are you going to deal with drunkenness and disorder in the streets if you have only got five men out in the whole city?—Of course, there would be some difficulty about that. That might be met by assistance from the detective department in the way of patrolling the streets.

202. Do you know that some years ago they tried the system of dividing the night duty into four hours and a half?—I do not know. I do not agree with dividing the night duty into two periods of four hours.

203. What you think is the eight hours should be reduced?—Yes, and the result in the way of protection to the public and relief to the police would be far better.

204. *The Chairman.*] Supposing the men who go on at 5 p.m. could be kept on duty till 11 p.m., giving them six hours, and the men who go on at 11 p.m. were kept on till 5 a.m., giving them six hours, how would that work?—The difficulty would be this: you would have one lot of men doing ten hours and the others six hours.

205. *Mr. Tunbridge.*] Do you know of any Police Force where they do not do eight hours' duty at night?—No, I do not. I say this from my own knowledge of the Police Force: at 3 o'clock in the morning the Police Force is utterly demoralised.

206. Do you think if constables can do eight hours' night duty in London they can do it here?—I may say men who have been in the Irish Police Force have told me they found it easier to work in Belfast, where their beards were frozen with icicles, than in New Zealand. I have heard them say that.

207. You think the duty here is harder to perform than in England?—Not the duty. I do not know what may be the cause of it, but the men who have served in both countries say they can stand the winter at Home far better than they can here. It may be owing to frequent changes of climate here.

208. *Mr. Poynton.*] In addition to your having passed the police examination, you have also passed the solicitors' law examination?—Yes.

209. Do you find your knowledge of law of advantage to you as a police officer?—I may say it has been of the greatest advantage, since I went to the country especially, both as Clerk of the Court and in police-work. I have had some very difficult cases to deal with in the country.

210. Speaking with your knowledge of law, do you think there should be a pass-examination before a man attains the rank of sergeant?—I certainly say there should be some standard whereby a man's qualifications could be tested. The only way to do this would be by examination, and, of course, his general conduct, character, and efficiency, and so forth, should also be taken into account. Some men might pass an examination and be worthless. I wish to explain with regard to my remarks about the night relief: as things are arranged now the men coming off at 11 o'clock would come on duty at 5 o'clock. That is rather a short period, but the other relief ought to go on at 5 in the morning—the relief that got off at 7.

211. *Mr. Tunbridge.*] Do you think it would be acceptable to the day-duty men to perform nine hours' work a day?—I believe that would be a good thing, but the trouble is to make the hours fit in with meal-times.

ARTHUR HUME, examined on oath.

212. *Mr. McNab.*] During your administration, Colonel Hume, would there be any book kept which would show a man's transfer?—Yes, there is a register which shows where all the men have been.

213. When you make up your mind to transfer a man, would you enter that in a book?—Not until it had been approved by the Minister.

214. You said you made up your mind on Queen's Birthday, 1896, to transfer Jeffries; there is no entry whatever of that?—No. If I had happened to have kept my memorandum of it I could have produced that. I put it on a piece of paper along with other proposed transfers. I looked for it, but I could not find it.

215. You are quite clear it was on the Queen's Birthday?—Yes; because the next holiday was when the House was in session, and I know it was before the House was in session.

216. What time of day was it when you made up your mind?—I cannot say. I went down to my office and did it.

217. As a matter of fact, were you not at the Otaki races on the 24th May, 1896?—No; I have never been to the Otaki races in my life.

218. In the Supreme Court, I think, you swore that, as far as your knowledge was concerned, no charge of having interfered in the election was made to your department against Jeffries?—That is so.

219. Why was it, Colonel Hume, you said to him, “What is this about some names being struck off the roll”? How came you to ask him that question when no complaint had been made?—Because Mr. Pollen, the Under-Secretary in the Colonial Secretary’s Office, came to me one day and said, “Where is Jeffries now?” I said, “What do you want to know for?” He said, “There is something here about preparation of the rolls.” I said, “Leave me the papers, and I will let you know by-and-by.” I looked over the papers.

220. You had the papers?—Yes.

221. You saw that letter of Mr. Mills of the 7th January—the last letter?—Yes; I saw all the papers on the file.

222. Did you not, when you read that letter of Mr. Mills of the 7th January, consider that was a complaint against Jeffries?—No, I did not think so; because I understood from Mr. Pollen that he was not to blame—that he could not make out that he was to blame—and I certainly would not have said the man was to blame unless it was proved against him.

223. At all events, you had the reading of those letters?—Oh, yes. I asked Mr. Pollen to leave the file with me. He left the papers with me for two or three hours, if I remember aright.

224. You said you had come to the conclusion it was a mistake appointing Jeffries at all to Picton?—Yes; because he had so many relatives there.

225. Did it take you six years to find out it was a mistake?—Oh, no. I found out long before; but you cannot shift a man immediately you transfer him to a place. He was not incapable of performing the duties, but, unfortunately, he was sent amongst his relatives. He seemed to be related to people in Picton, Blenheim, and so on, and it is the rule not to send men to places where their relatives are.

226. How was it that Jeffries got transferred four times within six years?—He was sent from the West Coast to Wellington. I had orders to transfer men from the West Coast who had been there a long time. He was brought to Wellington until a place could be found for him. It was not intended to keep him on the streets in Wellington, and Picton becoming vacant he was sent there. I did not know he had relatives there or he would not have gone there. Then he was transferred from Picton to Takaka, and a mutual friend, I understood, of everybody concerned came and asked me if I could arrange a transfer for him; that Jeffries did not like Takaka, and would like to get to Port Nelson. I sent him to Port Nelson to oblige him and the other man that was there.

227. About these improvements: If you thought that he had no just claim for these improvements at Picton, why did you direct O’Malley to make a valuation of them?—I do not know. I suppose I wanted to see what the value of them was. Perhaps the Minister told me to. Naturally, if a man makes a claim of that kind you would ask what the value of the improvements were. I imagine that is the reason.

228. Why did you not raise the point at once which finally settled the matter—that it was a breach of the regulations to make additions or improvements without the sanction of the department?—I cannot say now. The probability is if it had been a matter of half a sovereign I would have passed it.

229. Is it not a fact you saw these improvements being made and you rather commended Jeffries for doing them?—Quite so.

230. Do you not think those improvements ought to be paid for?—I do not think so.

231. Has not the department got the benefit of those improvements?—Quite so; but my contention is, where is it to stop? You would never know how you would stand at all. I have no doubt if he had asked me for a washhouse he would have got it, or a coalshed, but you must draw the line. There is the regulation. I would not sanction constables putting up buildings of their own. He might have got the material if he applied for it, and have been allowed to put the building up himself. I have done that in many cases.

232. You refused to allow Jeffries to remove anything?—Yes.

233. In your evidence in the Supreme Court you referred to Mr. Mills having asked you to make Jeffries a sergeant: was there not some slight mistake about the date?—No. I am under the impression he asked me more than once. I am under the impression he asked me some time before the election, and I am under the impression he asked me afterwards. He certainly asked me more than once, and I am under the impression it was both before and after the election.

234. And, so far as you are concerned, there was no political influence in the matter at all?—Not a bit.

235. You shifted Jeffries of your own motion?—Quite so. There is another thing, I may state, which also helped me to make up my mind—that was, the lawn-tennis business in Picton.

236. Neither Mrs. Seaward nor a man named Holdsworth approached you?—Neither of them; no.

FRANCIS RUMSEY, examined on oath.

237. *The Chairman.*] Where do you live?—Otaki.

238. What are you?—Splitter.

239. What is your complaint against Constable O’Rourke?—I prosecuted Hancock at Otaki, at great trouble and expense, for larceny. He was ordered to pay the value of the stolen goods and a fine. Some time was allowed him to get the money. After that time had expired I went to O’Rourke and inquired from him whether the money was paid, or how was it the man was not arrested. He told me the money was not paid, so I asked him whose duty it was to look into it,

his or mine. He made some short answer, so I said I would send down to the Inspector to see whether he would move in the matter. I went to the telegraph-office with that intention, and the officer in charge said I would have to put it in writing and send it down that way as the telegram would do no good. I waited on that, and O'Rourke, I believe, then looked after Hancock and hunted him up. Hancock paid the fine only. He then showed me the books, and showed me it was an error of the Justices of the Peace, that they had omitted to put down the cost of the article that was stolen. I saw the Justices about it, and they told me it was their judgment, and if they gave the judgment in mistake they would see about rectifying it. I afterwards saw O'Rourke about the matter, and he told me if I had not been in such a hurry and bustle, talking about writing to the Inspector, he would have put it all right. His reason for not putting it right was on account of my threatening to write to the Inspector. Mr. Small, one of the Justices, promised to see the other one and they would make it right out of their own pockets, and since then he has told me he would do nothing of the sort. The other man has gone away and left the colony.

240. Has it ever been put right?—No.
241. Have you ever been paid for the value of the goods that were stolen?—No.
242. The Justices have done nothing to correct their error?—No.
243. *Colonel Pitt.*] What was the value of the goods?—£1 10s., but they gave judgment for 15s.
244. When was it?—Last September twelve months.
245. *The Chairman.*] Who was the other Justice that has gone away?—Frederick Browne.
246. *Constable O'Rourke.*] When you came to me to ascertain if the money had been paid, what did I tell you?—You told me that it had not been paid.
247. Did I tell you any more?—Not that I recollect till I asked you whose duty it was, yours or mine.
248. What did I tell you then?—You told me it was yours.
249. Did I tell you any more?—When I spoke about writing to the Inspector you told me the Inspector had nothing to do with it—that he had nothing to do with the Clerk of the Court. I said he had something to do with policemen.
250. Did I tell you the order of the Court was that it was to be paid weekly?—No. This was some three or four weeks after the time had expired.
251. You said I gave you a short answer?—Yes.
252. What was the short answer?—That was the short answer—when I spoke about writing to the Inspector you said, “The Inspector has no authority over the Clerk of the Court.”
253. I told you it was through an error of the Justices?—Yes.
254. Are you quite clear on that point?—I am quite clear you told me that was all they had put down.
255. I did not say, then, it was an error of the Justices?—Not at that time, but you told me afterwards.
256. You say the Justices ordered the value of the goods stolen to be refunded to you?—Well, to be paid into Court for me.
257. Did they make that order?—They made the order verbally in Court. I could not say what they wrote down.
258. You are of opinion it was my duty to rectify that error, if it was an error?—You told me you would have done so had it not been for my talking about writing to the Inspector.
259. When you came to me, did I show you the book in which the entry was made?—I would not take the money until I saw the book, because I could not understand it.
260. *The Chairman.*] You refused to take the money offered to you?—I refused to take the money offered to me because it was not sufficient until he showed me the book.
261. How much money was offered to you by the constable?—It was 15s. short of the verbal judgment.
262. He tendered you all your costs?—Yes, but no expenses for my witnesses.
263. *Constable O'Rourke.*] When did you write to the Inspector?—I never wrote to the Inspector in my life, because I was told by the time I got an answer back from the Inspector O'Rourke would have hunted him up and got the matter settled before he would have to reply to the Inspector.
264. What was the order of the Court with respect to the witnesses?—I do not know. There were two witnesses—two farmers named Jones and Taylor—two respectable men.
265. *The Chairman.*] Did the constable offer to pay you the money for the Court costs?—Yes.
266. *Colonel Pitt.*] And your own expenses?—No, not my own expenses. My own expenses were what I paid for the subpoenas.
267. *The Chairman.*] You refused to take that?—Until he showed me the book. He told me I could have no further ground of action in the matter, that I could have only summoned the Justices.
268. Have you received your costs out of pocket up to the present time?—Yes, I have received costs.
269. When did you get them?—I got them the same day that I saw the book.
270. Then subsequently you took the money?—Yes.
271. What you complain of now is that you have not had your 15s.?—I have not had the 15s., and Hancock is really in pocket by stealing.
272. What is your complaint against the constable?—My complaint is not rectifying it, neglecting to point out the error. When they gave judgment they did not make any alternative, so they came and made the alternative afterwards. He knew this mistake had been made, and as Clerk of the Court he should have rectified it, but he would not rectify it on account of the spite he had against me. I was told the man wanted to pay the 15s., and went in to pay it, but he told him he had given too much.

273. *Constable O'Rourke.*] How do you know they came back and made an alternative?—Hancock's son-in-law told me.

274. *The Chairman.*] Now, with regard to your complaint as to administration of the licensing-laws?—At the hotels on last licensing-day there were no less than two waitresses under sixteen years of age. One was pregnant, and the other was not, although it was not her fault it was not so. I have seen O'Rourke playing cards up to 10 o'clock at night in the publichouse—at the Jubilee Hotel—and he knows positively drink is carried out of that bar into the adjoining place night after night up to 12 o'clock, and on Sundays when people are going backward and forwards to church people are drinking in all the passages looking right fair on the main road.

275. With regard to your complaint as to the management by the constable of a deceased person's estate?—There was an old lady died. She was receiving charitable aid at the time. There was a leasehold property, and it was for sale by O'Rourke. He was the officer under the Intestate Persons Act, or something of that sort. I complain of the way that property was sold.

276. What was the neglect?—In not getting its fair value. He offered it for sale to me. He asked for an offer. I offered £5 for the lease, and the lease only, with two years and a half to run, and a two-roomed cottage on it. I asked him if there was any necessity to put it in writing, and he said a verbal offer would do. Some time afterwards I heard he had sold at the price I had offered, and he had sold not only the lease but the two-roomed house at the price. The house has since been removed by the man he sold it to. The house was worth £15.

277. *Constable O'Rourke.*] How do you know I sold that house?—You told me yourself. You told me it was Cockerell's. I said, "What did he give for it?" You said, "£5."

278. You have no knowledge of the facts?—I have no knowledge other than what the party himself told me.

279. *The Chairman.*] You say, as regards prohibited persons in hotels, there is a neglect of duty?—This man was named Brennan. O'Rourke got the man prohibited. He was a hard-working man, and was hanging about hotels that long, and was such a nuisance, that he got him prohibited. After he was prohibited the man was continually drunk about the street, selling the clothes off his back to obtain drink. Any child under thirteen years of age can be supplied with drink for prohibited people at Otaki, and he knows it well enough.

280. *The Chairman.*] Can you give us any particular instance?—This man has been particularly supplied. I have seen children going and bringing, and the children have told me, although I have never asked who it has been for, because I knew I should get into fights and rows.

281. What were the ages of these children?—About eleven. I have told O'Rourke myself of it—that while he was sitting and watching people playing cards children were in the bar to get a billy of beer.

282. You said a little while ago you saw the constable in a hotel at night, playing what?—Playing cribbage, and in more than one hotel. I have seen him playing at three different hotels.

283. What about fighting in the public road that you refer to in your letter?—I was attacked by a man in the street. I endeavoured to keep the peace until I was accused of being a coward, and then I started to fight too, and Cockerell sent for O'Rourke. I was standing outside a fruiterer's shop, and O'Rourke says to me, "I heard you have been fighting." I said, "I look like a fighting man, don't I?" I was advised to get out of the way.

284. Do you suggest O'Rourke saw you and this man fighting?—No. He was sent for, and when he came the fight was over.

285. What did you want him to do then?—Summon the two of us.

286. Were not either of you summoned?—No; he only threatened. I went for a summons to the Court, but he would not summon me, because I was not in fault, he said. The law had been broken, and I had a right to be either punished or protected.

287. *Colonel Pitt.*] Was the other man summoned?—No, because he was in fault. That is where his neglect of duty came in.

288. *Constable O'Rourke.*] Are you aware how Brennan obtained drink?—Yes; by sending children.

289. Did you tell me that?—I do not know that I told you, because you know very well how things go on if you are about the place at all.

290. Do you claim I did not do my best to prevent him getting drunk?—You did not do your best.

291. I took out a prohibition order and did not enforce it?—Exactly. If you had arrested that man for drunkenness that man would have told you, for he is a thorough coward, who supplied him. I have seen you shoving him about when he was drunk because he was making a public show—wanted to have a yarn with you.

292. How often have you seen me playing cards in hotels?—If I kept account I suppose it would have amounted to between a hundred and two hundred times during the whole time you have been there.

293. And about these youngsters that have been supplied with drink to my knowledge?—You know that I told you of that child. When you see a child going along with a bottle or billy you know where that child is going, and it is easy to see where they go. You were watching them playing cards in the publichouse when that child of Wallis's was served with a pint of beer in a bottle.

294. So you are a respectable man that is looking after the benefit of things generally in Otaki?—I attend church and put sixpence in the plate, and I hope to go to heaven.

295. Do you think the colony would be better without a Police Force?—I do not. I believe it would be a good deal better with policemen that did their duty.

296. Has any policeman that you have come across in Otaki done his duty yet?—No, not one.

297. And not likely to get one?—I do not know. If they shifted them a little oftener they might, so long as they are not paid by the publicans and do not get their hands greased occasionally.

298. You are a man of good character?—Better than yours.

299. Have you ever been convicted?—Of what?

300. Of any offence?—Misdemeanours I have. I am the only man in the British Empire that any Government has paid £3 1s. to get me fined 5s.

301. *The Chairman.*] What were you fined 5s. for?—The charge was a trumped-up one of drunkenness to get me out of the place so as I should not give evidence against another party. The expense of the Government was £3 1s.

302. *Constable O'Rourke.*] Were you convicted besides that at all?—Of petty misdemeanours every time you can get me in front of a Justice of the Peace, and every time I get in front of a Magistrate I am not convicted.

303. *The Chairman.*] Following is a list of convictions and charges against you at Otaki, handed to me by Constable O'Rourke:—26th April, 1880: Drunkenness, &c., fined 10s., or forty-eight hours' imprisonment; obscene language, discharged; drunk and disorderly, fined 10s., or forty-eight hours' imprisonment. 27th April, 1880: Assault, fined £5 and 5s. costs, or one month's hard labour; malicious damage to property, fined £1 and 5s. costs and £1 damages. 29th April, 1880: Drunk and disorderly, fined £1, or forty-eight hours' imprisonment; obscene language, fined £1 and 5s. costs, or forty-eight hours' imprisonment. 8th June, 1880: Escaping from legal custody, withdrawn. 9th August, 1880: Rescuing a prisoner, committed for trial. 14th September, 1880: Obstructing police, dismissed; wilful damage to property, dismissed. 27th October, 1880: Attempting to murder, committed for trial. 2nd March, 1881: Drunk and disorderly, fined 5s. and costs £3 11s., or nine days; assaulting police, fined £5 and 7s. costs, or one month. 4th February, 1882: Contempt of Court, apology accepted. 25th August, 1886: Obscene language, dismissed. 28th February, 1887: Abusive language, discharged. 11th July, 1887: Insulting language, dismissed; obscene language, two months' hard labour. 21st September, 1887: Insulting language, bound to keep peace for three months. 8th July, 1889: Drunk and disorderly, three months' imprisonment. 18th February, 1891: Contempt of Court, fourteen days' imprisonment. 27th April, 1891: Disturbing a public meeting, fined £5, or one month's hard labour, and sureties for twelve months of £25 each and self £25.

304. Do you say that the list of convictions is correct?—Yes, but I say that every case before a Magistrate or Judge was dismissed.

305. When you were committed for trial you were always discharged?—Yes.

306. *Constable O'Rourke.*] Long before I arrived in Otaki the police and yourself had various differences?—Yes, through the publicans. All my offences commenced through the publicans.

307. You are not friendly with the publicans up there?—I allow no one to take liberties with me. I am an independent working-man, and I expect to be treated as one.

308. You do not drink?—I get on the sober for a couple of years and then have a month or two's bursts. I have periodical fits of spree and periodical fits of sober.

309. Besides that, you are otherwise a good living man?—Yes.

310. Are you a married man?—My Mrs. was in the hospital when I was sentenced to three months on the trumpery charge of drunkenness.

311. Was she your wife then?—She was a deserted wife, and we lived together for seventeen years until death parted us.

312. Have you been living with anybody since?—No.

313. Did not you take a house with anybody since?—There was a woman I was paying my addresses to, and I gave her £5. She was cook at the publichouse, and she took bad with *la grippe*, and I rented a house for her. As regards other immorality, there was nothing of the sort.

314. *Mr. Tunbridge.*] When did you last see Constable O'Rourke in a publichouse playing cards?—Somewhere about two months ago.

315. What house was that?—At the Jubilee Hotel. The men he was playing with were Mr. Browne, Mr. Toomath, of the dairy, and Mr. McBeath, the publican.

316. Was he in uniform?—No; he was in plain clothes.

317. What time was it?—They pulled out their watches to see whether it was 10 o'clock or not—it would be about 10 o'clock.

318. On what other occasion have you seen him playing cards?—I have seen him playing cards when Tommy King kept the other house. He was continually playing there. When I am on the sober I do not go to the hotels, and so I would not see him.

319. How long ago was that?—About two years ago.

320. What hotel was that?—The Family Hotel. I have seen him playing with a man named Webber, who drives the coach, and others often.

321. Were you drunk when you saw him playing on these occasions?—I never get drunk. I get on the spree, but I never get drunk.

322. How long ago is it since you say this child was served with drink while O'Rourke was watching them playing cards?—Last October twelve months.

323. Was he in uniform then, or plain clothes?—Plain clothes. He is never in uniform unless it is Court day. It is a very rare thing to see him in uniform. A stranger would not know there was a constable in Otaki as regards uniform.

324. You say that drink is continually carried away from the publichouse between 10 and 12 at night: where is it carried to?—Into the next place; they call it a club-room.

325. What hotel is that?—The Jubilee.

326. Do you know that of your own knowledge?—Certainly. I have seen it.

327. When?—On Saturday nights I have sat and played cards till 11 o'clock, and I have seen drink carried through the passage, and you can hear where the drinks are going to.

328. How long ago since it was carried there?—About two months ago.
329. Who are the people in this club-room?—There is Morgan, Carkeek, and Bennett.
330. People residing in Otaki?—Yes.
331. You say you have been playing cards till 11 o'clock in this hotel?—Yes, it is nothing unusual.
332. Playing for money?—No; only for boozes.
333. Play for drinks and pay for them?—Of course; you bet.
334. You have done it up till how recent a time?—I have got on the sober again; about two months ago.
335. Who were playing with you: can you give the names of any?—Bob Lee, Tommy Roache, and McBeath. We are good "stickers" when we are on the booze a bit. There are often other strangers in.
336. These men you have mentioned are residents of Otaki?—Yes; that I have played with myself often. I have lost and won—both.
337. Would you be prepared to swear that before a Magistrate up at Otaki?—Yes, before half a dozen Magistrates.
338. You suggest O'Rourke is friendly with McBeath?—Yes; because he must know it. It is impossible for a man to live in the place without knowing it.
339. *Inspector Pender.*] Is the club-room a separate building, or is it on the premises?—It is another building, but it is joined to it by a little passage.
340. They are under the same roof?—There is a passage connects the two buildings.
341. Do you know whether or not it is part of the licensed premises?—No, I do not know whether it is part of the licensed premises or not.
342. What communication is there between the publichouse proper and the club-room?—A short passage.

FRIDAY, 20TH MAY, 1898.

JAMES O'MALLEY, examined on oath.

1. *Mr. McNab.*] You are sergeant of police, stationed at Masterton?—Yes.
2. *Colonel Pitt.*] What class are you?—First class.
3. *Mr. McNab.*] You succeeded Sergeant Møller in Blenheim?—Temporarily—for about three months.
4. At the time of your removal from Blenheim, was there not an agitation on behalf of the Borough Council to keep you there?—I believe so; I heard of it.
5. Was not Mr. Mills, M.H.R., also anxious to keep you there?—I have heard so.
6. Did you not have a conversation with Mr. Mills on the subject?—He said he would see and keep me there.
7. And you objected to being kept on political grounds?—I objected, and said I would rather go.
8. You objected to be under an obligation to Mr. Mills or any other politician?—After a time I said to him that I would rather go.
9. At the same time, did Mr. Mills make any objection, written or verbal, to you about Constable Jeffries' conduct in relation to the electoral rolls?—About the middle of December I received a letter from Mr. Mills, who had been residing at Havelock.
10. Did he make complaint of the preparation of the rolls for the district of Pelorus Sound?—The complaint was to the effect that Constable Jeffries was sent there to put voters on the roll at Admiralty Bay, and that he put some voters on the Nelson roll who should have been on the Wairau roll.
11. Did you inquire into that yourself?—No. I met Mr. Mills two or three days later, and I told him that before I could take any steps in a matter like that I would like my instructions to come from headquarters.
12. Mr. Mills communicated with you directly instead of through the department?—Yes. I returned Mr. Mills's letter subsequently with an indorsement to the effect I have stated.
13. When you had that conversation with Mr. Mills, was he not on his way to Wellington?—I believe he was.
14. Did he not say that his object in going to Wellington was to keep you at Blenheim and to shift Constable Jeffries from Picton?—He said, "I am going over to Wellington and will see about keeping you here," but I do not remember that he referred to Constable Jeffries.
15. Did he not allude to Constable Jeffries at all?—Nothing more than what I have stated in his letter to me.
16. Did you understand that he would also see the department about Jeffries' case and the roll?—He did not say so, but that was the impression he left on my mind.
17. You have not any reasonable doubt that that was his object?—It is a hard thing to say that.
18. *Colonel Pitt.*] Do you say that you gathered from Mr. Mills that he was coming to Wellington to see the department about the roll, and also about the removal of Constable Jeffries?—No, about retaining me in Blenheim.
19. Did you not say to Mr. McNab that Mr. Mills was going to see the department about the rolls, and, as I understood you, also about Jeffries?—He did not say so.
20. What was he going to see the department about Jeffries for? For not having made the rolls up properly, or was it about moving him?—About not making the rolls up properly. He said nothing personally to me about getting Constable Jeffries removed.

21. *Colonel Hume.*] In your case political or other influence failed to keep you in Blenheim?—It appears so. The fact is that I did not want to stop there after a fuss had been made about keeping me there.

22. But political influence was at work to keep you there, and failed?—I inferred from Mr. Mills that he was going to keep me there, but he did not do so.

23. *The Chairman.*] What did you do when you found that political influence was at work?—I saw Mr. Mills and told him that I would rather be in a place where my hands would be free.

24. *Colonel Hume.*] You understood that the arrangement that you should go to Blenheim was only a temporary one?—There was nothing said about it.

25. You did not take your family over?—No.

26. It was because of the sudden illness of Sergeant Möller that you were sent there?—Yes.

27. Did you tell any one that Mr. Mills told you that he was going to get Constable Jeffries removed?—Not that I am aware of. I have no recollection of it.

28. You could not give him any satisfaction about the roll?—No. I saw Constable Jeffries, who took a copy of the letter Mr. Mills had written to me, and I think he wrote to the effect that he was unable to explain it. I sent the letter to Mr. Mills at Havelock. I also told Mr. Mills that if he wanted the matter to be inquired into by me I would have to get instructions from headquarters.

29. But nothing was said, directly or indirectly, about the removal of Constable Jeffries at that interview?—No.

TIMOTHY O'ROURKE, examined on oath.

30. *Colonel Pitt.*] Your name?—Timothy O'Rourke.

31. What rank do you hold?—I am a first-class constable, stationed at Otaki.

32. *The Chairman.*] You heard the evidence given here by Mr. Rumsey yesterday. What do you wish to say about it?—I will reply to the charges he made separately. The first is that I assisted J. Hancox, when found guilty of theft, to evade justice through an error of the Justice. I wish to say that I did not assist Hancox to evade justice. The order of the Court was complied with. The information against Hancox for theft was laid on the 2nd September, 1896, and the summons was duly served by me, and he appeared before the Court at its first sitting on the 30th September, when he was fined 15s. and costs, to be paid monthly. The costs were not stated in the conviction, but by implication they would be the costs the complainant was out of pocket. I served notice of the order of the Court, and the fine and costs were paid into Court on the 27th October, twenty-seven days later. The fine was fixed in stamps, which have since been cancelled, and the accounts duly audited, and the costs were paid over to Rumsey on the 31st October, 1896. The costs were 13s. My accuser says that I would have liked to rectify the order of the Court, but that is not true, because I would be ignorant of my duty to think I possessed such power. I told him no such thing, and made him no promise of any kind. The second charge is that I abused my office when acting for the Public Trustee in the estate of Mrs. Freland. I have asked for the correspondence in this case, and I ask that it be put in.

33. You are not an officer of the Public Trustee's department?—No, although I perform the duties as they are required in my district. I took an inventory of the property possessed by Mrs. Freland at the time of her death. On her death she held a parole lease. I sent an inventory to the Public Trust Office, asking what should be done with the property, and in due course I was instructed to sell it. When I got that instruction I communicated with the Clerk of Intestate Estates, and pointed out that I did not know how I, as a seller, could convey a title to the purchaser. The matter was referred to some person in authority, and as a result I was instructed to interview Mrs. Webber, the landlady of the property, and ascertain what she would give for the interest Mrs. Freland had possessed in the estate. I was told to accept £5. I am speaking of all this from memory. I interviewed Mrs. Webber, and she offered to give £6 to the estate of the deceased in consideration of her relinquishing all claim (if any) to the interest in the tenement. I accepted that amount, and got her certificate for the payment of that £6. I hold in my hands the receipts, signed by the purchaser, of all Mrs. Freland's worldly goods when she died.

34. You did not sell to S. H. Cockerell?—No.

35. Were you offered £5 by Rumsey?—Yes, but I did not accept it, holding as I did that I could not sell. Everything that Rumsey has sworn in connection with this case is deliberately false, because I informed Rumsey some time ago of what had been done. The next charge is with regard to prohibited persons—a general charge, and I have to go into it. There were some people in Otaki who were in the habit of frequenting the township and remaining there a long time, and I took upon myself to take out prohibition orders against them.

36. Did you take out all the prohibition orders that are now in force in the district?—Not all, but in the cases in which the men had no friends I did. I did my best to enforce the orders, and my zeal was so great that complaint was made to the Justice Department that the persons were unable to follow their calling. There is a record of that in the Justice Department.

37. Who informed you of that complaint?—Benjamin Pepper, one of the prohibited persons, told me. I understood from him that my zeal was so great that my conduct was complained of, as I was hampering his business. I tried my best to prevent John Brennan being supplied with drink, and I am not aware that he was supplied with drink, but my moral belief is that he was supplied with drink while the order was in force against him.

38. Have you seen him drunk?—No.

39. Have you seen any of these other persons in a state of drunkenness?—I could not say they were drunk, but I could see that they had taken drink. I never saw Brennan drunk during the currency of the order.

40. Did you obtain the order in the case of Brennan?—Yes. As regards the conduct of the hotels in Otaki, I may say that I am independent of any man or any influence that I know of in

the trade in New Zealand. I have no interest or connection with any hotel, nor have I any relative in the trade that I know of. I have supervised the hotels as well as I could, and I have been accused, probably rightly, of preventing several persons from being the licensees of hotels at Otaki. There was a man named King whose conduct of the hotel I objected to, but owing to the difficulties under the licensing-laws in the way of getting a conviction against the man I had no remedy except through the Licensing Committee, who, I may say, knew me well. He sold out to a man named McDermott, who conducted the hotel in a way that was not to my satisfaction. He complained of losing money. One Mr. McLellan got into the same hotel, and the conduct of the house has not been good under him. I have reported the matter to the Committee. I have gone to his house and I have got in, and he will then tell me to wait till he gets the key, but when I get in the place is closed. I have not been able to get sufficient evidence to justify me in bringing a case against him. I have not neglected my duty in any way. There is another charge against me, as regards fighting on a public road, but of that I know absolutely nothing. There was a complaint made to the Justice Department some time ago about two men fighting, but long before the correspondence had reached the department I had laid an information, and the men had been brought before the Court.

41. Mr. Rumsey says that you took no action on one occasion when there was a fight. Is that so?—I know nothing about that. It is absolutely false. I believe that in a stable in Otaki he was struck by a man named Smith, but he did not complain to me. Probably that is the time he refers to.

42. Did the case come before the Court?—No; I knew nothing about it.

43. Did Rumsey make a charge in respect to it?—No. I do not think it comes within the power of the police to interfere in a case like that. Rumsey went further yesterday, and made some charges against me personally. One was that I was playing cards in the hotel. He has sworn in evidence that I played cards once in two years. That is the only part of his evidence that is true. I played one game of cribbage with Mr. Toomath, of Wellington, and Mr. Browne, of Otaki, but I have yet to learn that that is an offence against a statute or against the police regulations. My movements have been well shepherded.

44. *Colonel Pitt.*] That was in the hotel?—In the hotel that he alleges.

45. *The Chairman.*] How long ago is it since you played that game of cards?—About four or six months ago.

46. Is that the only occasion on which you have been playing cards in an hotel?—I did not say that. I am not aware of what Rumsey refers to when he speaks of Webber and King's Hotel, but I may say it is unlikely that I was in that hotel, as I was not friendly with the landlord owing to the way he was conducting his business.

47. Do you say it is no breach of the police regulations to play cards in an hotel?—I am not aware that it is. Clause 55 of the regulations is the nearest regulation approaching it; it has reference to the frequenting of hotels by the police. I may as well be candid and say that I do not consider it an offence to play cards in an hotel if I do not neglect my duty. I may add that it is very rarely that I play cards in an hotel. On the occasion in question I went into the hotel, and there were there Mr. Toomath and Mr. Browne, and they asked me to have a game of cribbage with them. I said I did not know much about the game, but I played with them. After we had finished one game they wished to start another, but I objected to do so, saying there would not be time before 10 o'clock. I may also say that I have had drinks in hotels, but sometimes I go for two, six, or twelve months without touching it. If I deemed it necessary to have a drink in an hotel I would have it, even in the presence of my superior officers. I do not look on that as an offence.

48. *Colonel Pitt.*] What about children frequenting hotels?—Rumsey complained to me about a child named Charlie Bell being in an hotel, and I told him that I had no power to exclude the boy from the hotel. I said there was no statute that gave me the power.

49. *The Chairman.*] What was the age of the boy?—About ten years of age. I told Rumsey that the only provision in the Act regarding children was to prevent them when under thirteen years of age being supplied with drink, and I also said that while the boy was in the hotel with his father and was not being supplied with liquor I could not interfere.

50. *Mr. Poynton.*] He also said that in October, twelve months ago, a little girl was supplied with drink. I have no knowledge of it.

51. *The Chairman.*] His statement is that it is a common thing to see children going into the hotel and being supplied with drink, which they take home to their parents or to prohibited persons. I have not seen it, and I verily believe the statement to be as false as the rest of his testimony.

52. Do you say the boy Bell was in the hotel with his father?—Yes. Rumsey has made a number of other complaints against me. One is that I failed to get possession of a tenement from a Chinaman, but I have no power to take action in a case of that kind. It is ignorance of the law that leads people to believe that the police can take a matter like that in hand.

53. *Mr. Poynton.*] Do you know the child of Charlie Wallis that he speaks of?—I do not. I know there are Wallis children, but I do not know the one he speaks about. I wish also to say that I have not come here to defend the hotels. If I get sufficient evidence I will prosecute any one of the licensees. I never obtain drink from them without payment, and I am not under any obligation to any private individual or any institution.

54. *The Chairman.*] I understand Rumsey was arrested last night?—Yes; I went down to the police-station this morning to bail him out so that he might be here, but he would have nothing from me. I wish also to say, in justice to the hotelkeepers, that I have travelled through New Zealand a good deal, and, without fear of my reputation being injured, I say positively that the Jubilee Hotel of Otaki, the conduct of which has been questioned by Rumsey, is one of the best equipped and best conducted hotels I have seen in New Zealand. It is a model of cleanliness and comfort. I have seen men drinking in the township, and I have gone to that hotel and asked the

licensee not to supply them with drink; and I know of my own knowledge that the licensee has refused drink to those men, and that he has bundled them out of the house and told them to take their money home to their families.

55. *Colonel Hume.*] You say you have seen prohibited persons under the influence of drink but not drunk?—Yes.

56. Did you take steps to find out where they obtained the drink?—Yes, and I have even had persons watching for me. I obtained one conviction against a man named Dunn, but that was the only conviction.

57. You say one hotel has not been conducted to your satisfaction by three different proprietors?—Yes.

58. Did you report each one to the Licensing Committee as unsatisfactory?—Yes. I may say the Licensing Committee of the district know me fairly well, and are themselves cognisant of what I reported to them.

59. Was it in consequence of what you reported that the house changed hands?—It was alleged I would not allow them to make a living.

60. You were specially promoted not very long ago, were you not?—I do not know that I was specially promoted.

61. I mean that you were promoted out of your turn?—Well, I have not a record of the number of men who were above me, but from what you told me I believe I was.

62. You were promoted?—Yes.

63. Did you use any influence to get that promotion?—Yes, I did. I used my influence with you and with various departments for which I had worked, and I showed by stubborn facts that I was performing more work than any other man in New Zealand.

64. You are quite sure you have never seen children taking liquor from the hotels?—Yes.

65. And you do not believe it is done?—No, and I believe it less of the hotel that has been charged with it than any other. Ministers of the Crown, the Judge of the Native Land Court, the Stipendiary Magistrate, and respectable residents of Otaki will say that no rough is allowed into the hotel, and that nothing is allowed that is contrary to proper conduct.

66. Might they not have been selling to children in the hotel that is not properly conducted?—He did not refer to that hotel in his evidence.

67. There are several hotels, are there?—Five, and I look after them all.

68. I understood you to say you have been watched?—Yes, I have been shepherded.

69. You were watched in the way in which you performed your duties?—Yes.

70. By others than those belonging to the department?—Yes; there has been very good supervision over me.

TIMOTHY O'ROURKE, further examined on oath.

71. *Witness:* I am here, by permission of the Commissioners, to be heard in defence of my character. The *New Zealand Times*, of Wellington, on the 4th or 5th March, contained a report of the examination by Mr. Taylor of Colonel Hume. According to that report the examination was as to the conduct of a sergeant in charge of the Mount Cook Station and the men under him. The gist of the examination was that the men were leading a grossly immoral life. The replies were to the effect that the Commissioner of Police, now the ex-Commissioner, was unaware that such was the case. After some questions had been put Mr. Taylor called for the career-sheets of Sergeant Shirley and Constable O'Rourke. My friends addressed me in the matter, as I am the only constable of the name of O'Rourke in the New Zealand Force, and as I felt aggrieved I applied to be heard before the Commission. I wish to state now that I have never been inside the door of the Mount Cook police barracks, where, it was alleged, the immoral conduct took place, neither do I know any of the men who have been stationed there. I believe I have seen Sergeant Shirley, in Wellington, once. I do not know him.

72. *The Chairman.*] Were you ever at Stafford?—Yes.

73. As far as I can see by my notes, you are not connected with Mount Cook at all, although the papers might say you are. I have no reference to any charge of immorality against you, or any connection between you and Mount Cook?—I imply from what is in the papers that I was implicated.

74. Well, you were never at Mount Cook, and therefore cannot be associated with the charge. You have now put yourself right in that respect. Is that the only matter you wish to mention to us?—I have another matter I wish to refer to. It was also alleged that I conspired with others against Constable Slight with reference to his removal from the Manners Street Police-station. What Charles Slight said in his evidence against me in that respect is absolutely untrue.

75. *Colonel Hume.*] He says: "A combination, consisting of Inspector Brown, Sergeant Ready, and O'Rourke, Hadden, and Hattie, was formed against me."—I neither intrigued with any individual nor did I form any part of the combination for that purpose. I communicated no facts to the department, verbally or in writing, respecting Constable Slight. At the time—it must be twelve or thirteen years ago—I was practically a recruit, and, as far as I know, I never approached Inspector Shearman, who was then in charge of the district.

76. When did you enter the police service?—I think it was in September, 1883.

77. And you got to Otaki in due course?—Yes.

78. And you were ordered from Otaki to Stafford?—Yes.

79. Did you go?—Yes.

80. How soon after you got the order?—At once.

81. Did your wife go?—No.

82. Why?—Because she was ill in bed. It was an illness resulting from nursing a child, who was under the care of three doctors, with a bad leg, and it was within a few weeks of her confinement.

83. Who relieved you?—Sergeant Hannan.
84. Did he arrive at Otaki before you left it?—Yes.
85. Did he bring his wife and family with him?—Yes.
86. And they could not go into the quarters?—No. I met him at the station, and expressed my regret that I could not let him into the place owing to my misfortune.
87. And I found a house for him somewhere else, did I not?—Yes. There was a complication of difficulties at the time for me. The child got ill again, but I submitted to the regulations of the Force and went to Stafford by myself. After I had been there for a time I got leave, and went back to Otaki to see my family.
88. Then the confinement came on?—Yes.
89. And you were transferred back?—I was.
90. You went back to the Coast after that leave, did you not?—No. I was transferred from the Coast for being unsuitable, I believe.
91. But you do not know?—I have a good idea. The Magistrate reported that I was not able to perform the clerical duties of the Court.
92. Who was the Magistrate?—Mr. Macfarlane.
93. Was it not in consequence of Hannan being ordered back to Stafford that you were put back to Otaki?—I do not think it was. Otaki is a place where the population is half Maori and half English, and things did not go on well during my absence, which was partly, I believe, the reason that I was sent back. As far as I understand, there was a combination of circumstances that got me back there.
94. You got promotion not long ago?—Yes.
95. And to what influence do you attribute your promotion?—I went to you, Sir, and I laid before you a list of the duties I had performed for the Government of New Zealand. I said I had been hard worked, and that I would have to communicate with the various departments for which I had worked, as I had not been compensated for the work I had done, sometimes as much as sixteen or eighteen hours a day. My returns when called for showed that I was doing more work than any other man in New Zealand.
96. The influence you used, then, was with the head of the department?—Yes. When you told me you had good men in the service who could not get promotion I said I would try and show that mine was a special case, and that I had done something for which I deserved special promotion.
97. And that is the only influence you know of that got you promotion?—I have sought no other influence.
98. Did I say I was specially pleased with you because you had identified two or three criminals passing through Otaki, which led to their arrest?—You told me I was an excellent man and all the departments had the same opinion, but you could not do anything for me owing to the number who were above me on the list. You also said I had done good work for the other departments, but you could not recognise that, as a constable, I should be paid by them for what I had done.
99. *The Chairman.*] Did you ever appeal to any member of Parliament to forward your claims for promotion?—I have never asked a favour from any politician or any political organization.
100. *Colonel Hume.*] Or religious?—Or religious.
101. To hark back to the Otaki business: you used no intrigue whatever to get your wife to remain in the house?—No. The records are here to show it. Three independent doctors were in consultation as to the condition of my child.
102. *Mr. Poynton.*] How long were you at Ross?—About ten days.
103. Was it during that ten days that Mr. Macfarlane reported?—Yes.
104. How long have you been at Otaki?—For seven years.
105. Are you Clerk of the Court there?—Yes.
106. How many complaints would the year average?—At times the average would be over 300 per annum. Since that question has been asked, I may say that Mr. Stevenson, the Audit Inspector, told me I was doing as much work for £10 a year as some clerks were doing for £180.
107. *Colonel Pitt.*] Had you anything to do with the gold-mining work at Ross?—Yes, as Receiver of Gold Revenue.
108. *Mr. Poynton.*] Had you any training in Warden's Court work?—No; but I could soon have acquired a knowledge of it.
109. There was no one to instruct you in the duties? Sergeant Hannan had left?—That is so. I was transferred to Stafford, but through some cause or other when I got there I was not allowed to jump off the coach. Before I left my seat I got my walking-ticket for Ross, where I may say there was no doctor, and rather than take my sick child there under those circumstances I would have left the Force.
110. *The Chairman.*] You did not stop at Stafford?—No; I went to Ross. I went on in the same coach.
111. *Colonel Hume.*] You were Clerk of the Warden's Court at Ross?—Yes.
112. There was a good deal of revenue there, was there not?—Not very much. The only trouble there was to get enough money to buy the necessaries of life. Everything was very dear.
113. *The Chairman.*] How many complaints were there at Otaki in 1894?—There were 308. They have decreased in number since, as there is now a Court at Levin. But the number of complaints does not show the work that has to be done, because, as the population is half Maori, every document issued out of the Court to Maoris must be translated into Maori, and must be shown in Maori as well as English.
114. Are you the interpreter?—No; but I have done all my own Court-work, which involves an acquaintance with the Maori language, and I do not charge the department for it.

115. *Colonel Hume.*] Has any Stipendiary Magistrate reported you for inefficiency since you have been at Otaki?—No. I have served under five Magistrates there, and there has been no complaint against me; in fact, I have testimonials from them.

116. *Mr. Poynton.*] How many offices do you hold at Otaki?—It is rather hard to count them. I am constable, Clerk of the Court, bailiff, Clerk of the Licensing Committee, Inspector of Weights and Measures, Inspector of Factories, agent for the Labour Bureau, Ranger, Inspector of Slaughterhouses, and agent for the Public Trustee. At one time I was also dog-tax collector.

117. How much do you get for your duties as Clerk of the Licensing Committee?—£25; and the only salary I get for the duties outside that of constable is £10.

118. *The Chairman.*] Do you get any emoluments?—Mileage is looked on as an emolument, but I get nothing from it. The line is a private one, and I have often to pay my own fare.

119. *Mr. Tunbridge.*] Do you get anything for your duties as Inspector of Slaughterhouses?—Yes. I get the fees, which amounted last year to about £4 or £8. It is shown on the return. I would also like to say that up to recently I was the Registrar of Electors. I held the office up to the last election. I look on this as the ground of my promotion. Otaki was created a new electorate. I was supplied with maps, and by a provision in the statute I had a right to call for the rolls in respect to the parts of the district that were merged into Otaki. I did this, and I compiled the provisional roll myself, in addition to all my other duties. I may add that I had the assistance of my wife in this work, but she received no salary.

120. *Colonel Pitt.*] You think you were promoted for that?—I tried to show to the department that I had burnt fire and light, and that I had saved the Government £75 by my work. I worked so much that I lost my health.

121. *The Chairman.*] You prepared the roll?—I prepared three rolls, and the Under-Secretary complimented me for the work I had done.

122. *Colonel Hume.*] What Under-Secretary?—The Under-Secretary for the Colonial Secretary, Mr. Pollen.

123. If I say that you were promoted for some other reason you will not contradict me?—No, but I say that I had a right to promotion for my services.

124. *Mr. Tunbridge.*] As to your promotion, do you understand that you were promoted in the police for work you did for other departments?—I was promoted for my efficiency in the police and for my assistance to other departments.

125. You got only a compliment from the Under-Secretary of the Colonial Secretary's Department?—Yes.

126. But you got an increase in salary from the Police Department?—Yes.

127. That was more substantial?—Yes.

128. And from Colonel Hume you now understand that your promotion in the police was for police-work and not for work in other departments?—I am glad to hear that. I would accept no appointment from any department except through the Commissioner of Police.

129. Your main reason for going to Colonel Hume with the idea of getting additional pay was that you had performed work for other departments?—And that I had done more police duties than any other man in the colony. There were sixty-two criminal cases in my hands, and only three were undetected. I had an excellent record.

130. *Mr. Poynton.*] How many children have you?—Six.

ARTHUR HUME, examined on oath.

131. *Constable Gillespie.*] On a certain day, in November, 1897, I think, you caused me to be removed from Foxton to Wellington?—The removal was approved by the Minister on the 21st October.

132. *The Chairman.*] What is the date of your recommendation?—The 16th October.

133. *Constable Gillespie.*] What caused you to transfer me from Foxton to Wellington?—I will read the correspondence to show. My recommendation to the Minister was as follows: "The Hon. the Minister of Justice. Mr. Haselden seems to have gone very fully into these matters, and I certainly fully concur in his opinion that Constable Gillespie is unfit for charge of an out-station, and recommend that he be brought into Wellington for street duty, and that he be severely reprimanded for having played cards in a publichouse." That was approved by the Minister on the 21st October, 1897, and the following memorandum was addressed to Inspector Pender on the 22nd: "Please inform First-class Constable J. Gillespie that owing to the part he took in the De Ridder cases he is deprived of the charge of a station and transferred to Wellington, and for playing cards in a publichouse he is severely reprimanded, and in each case an entry will be made in his defaulter's sheet.—A. HUME, Commissioner."

134. Did you authorise Mr. Haselden to hold this inquiry?—No; I had no power to order him.

135. Can you say what was the cause of the inquiry being held?—I expect the matter was laid before the Minister, and the Minister probably ordered an inquiry, and very properly.

136. When was the matter laid before the Minister?—I could not say. It was previously, I suppose. Several letters from De Ridder led up to it.

137. Did you send any communications to me that you had received from De Ridder?—I do not suppose I sent them, but I imagine Inspector Pender sent them. I should have sent them to Inspector Pender, and not to you.

138. Did you send any communications to Inspector Pender to be sent to me?—I should think so. This is another case that is sprung upon me, and I cannot say until I look up the papers referring to the case. The papers would be sent to you through Inspector Pender for your reply.

139. Did you send to me letters of 1st June and the 10th July, 1897?—On the 3rd July I sent this memorandum to Inspector Pender: "Please proceed to Foxton as soon as possible, and make inquiry into this matter, and report upon it." On the 18th June, 1897, I wrote to Inspector Pender:

“ Mr. De Ridder makes complaints against Constable Gillespie. Please call upon Constable Gillespie to report fully on these complaints.” I sent the letters in the usual course.

140. There were two letters, of the 1st June and the 10th July, sent by De Ridder to you, and I want to know when you received them, and what you did with them?—The letter of the 1st June is here among the correspondence. It was copied and sent to Inspector Pender for Constable Gillespie.

141. When did you receive them?—I cannot tell you.

142. Did you receive them from the Minister?—Probably I did. On the 18th June, apparently, I sent it to Inspector Pender. I got the letter about the 14th. I wrote to De Ridder: “As requested in your letter of the 1st instant, I am directed by the Minister of Justice to acknowledge his receipt of it, and to inform you that your complaint will be duly investigated, and you will in due course be told of the result of the inquiry.”

143. Did you send that letter to me through Inspector Pender?—Yes.

144. When?—On the 18th June.

145. Now, will you turn to the letter of the 10th July?—Yes.

146. When did you receive that letter?—I suppose it was the next day, but I do not know. I replied to it on the 14th, and I got it between the 10th and the 14th.

147. When did you send that letter to me through Inspector Pender?—On the 21st September, 1897.

148. Did you send the letters to Inspector Pender to be forwarded to me?—Yes.

149. Why did you retain them for such a length of time—from the 10th July to the 21st September?—I asked Inspector Pender in the meantime to go and hold an inquiry.

150. It was before that?—On the 3rd July. The whole of the papers went to the Crown Prosecutor in the meantime.

151. Who referred them to the Crown Prosecutor?—I sent them to Inspector Pender to send on to Mr. Gully.

152. When did you tell Inspector Pender to send those two letters to Mr. Gully?—On the 13th July.

153. Why did you send the two letters?—Because I wanted his opinion on the whole of the papers.

154. Why did you send the letters to Inspector Pender to forward to Mr. Gully before letting me have them for my reply?—I do not know, but Inspector Pender will very likely be able to say.

155. He cannot answer for you?—Oh, yes, he can.

156. *The Chairman.*] You say you never saw Mr. De Ridder's letters?

Constable Gillespie: I got copies of them only on the day before the inquiry.

157. *Witness.*] The letters were with the other documents.

158. *Constable Gillespie.*] Why did you send those letters to Inspector Pender to forward to Mr. Gully without first sending them to me, seeing they contained thirteen charges against me and three criminal charges?—Because I thought I was doing the proper thing in what I did.

159. Before asking me for any explanation?—Yes; that is right.

160. When did you ask me for an explanation about those letters, either through Inspector Pender or through Mr. Gully?—On the 21st September.

161. Whom did you send them through—Inspector Pender or Mr. Gully?—The Inspector.

162. Have you got the replies to the two letters?—I cannot answer that question.

163. Is it not a fact that you never sent those two letters to me at all?—I sent copies of them. I did not say I sent them to you. I sent them to Inspector Pender to send on to you.

164. Was there not an order in force in your office that any complaints made by the public against any constable were to be sent to the constable for his reply?—No.

165. Did not Mr. Seddon, when in office, make an order to that effect in March, 1892?—No. Mr. Seddon would not make that order. I would make it.

166. Did he not give you instructions that any complaints sent in against any of the police constables or officers were to be sent directly to the parties complained against for an explanation before being dealt with?—He may have; but I should use my own discretion as to what to send to any one.

167. If the Minister made an order you would in all probability not obey that order?—I should use my own discretion.

168. You are aware that the two letters contained three charges against me under the Criminal Code Act?—I thought they contained more than that.

169. You saw the letters?—Yes, and read them.

JOHN JACKSON JOHNSTON, examined on oath.

170. *The Chairman.*] What is your rank?—Second-class constable, stationed at Wellington.

171. What do you wish to bring to our notice?—I come as a delegate. My object is that I wish to amend a certain portion of the testimony I gave at the previous sitting of the Commission on the 10th March last. I allude to the pension scheme. I have been requested by my comrades to come and lay before the Commissioners the definite decision they have arrived at in respect to this matter. The members of the Wellington Police Force held a meeting some five or six weeks ago; they considered the matters regarding pensions. The result of the meeting was that the men were unanimously in favour of a pension system as opposed to a retiring-allowance previously favoured by some members of the Force.

172. They realise in asking that that it means a deduction to a certain extent of their pay?—Yes.

WILLIAM THOMAS MASON, further examined on oath.

173. *The Chairman.*] You are Sergeant-Major, stationed at Wellington?—Yes.
174. *Constable Gillespie.*] How long have you been in the Police Force?—Nearly thirty years.
175. You have been stationed in the Wellington district for some time?—Nine or ten months.
176. I think you have known me since November last?—Yes.
177. I have been under your immediate supervision since then?—Yes.
178. During that time have you seen anything in my conduct that would indicate to you that I am an unfit person to hold the position of constable or to take charge of any station in the colony?—Quite the contrary.
179. Have I ever given you any cause for complaint, or have there ever been any complaints against me, since I have been under you?—I look upon you as a sober, intelligent, reliable man, and one who perfectly understands his duty.
180. *Colonel Hume.*] Do you know anything about the constable's previous history in the Force?—Nothing whatever. I did not know him until he came here.
181. You have stated about his sobriety and intelligence, what do you think about his tact?—I found him always a very tactful man, so much so that he has been acting as sergeant repeatedly here in charge of reliefs during the absence of other sergeants.
182. What do you call "repeatedly"?—A week at one time, a fortnight another, and so on during the last six months, any time a sergeant has been absent. He is the next senior constable.
183. Your actual experience of him is since he has been here from Foxton?—I can only speak since he has been here, and I am perfectly satisfied with him.

ARTHUR HUME, examined on oath.

184. *The Chairman.*] What do you wish to state?—When the Commission was sitting at Westport a constable named Brophy complained that he was not given a certain allowance when he was sent to take charge of a station at Seddonville. He sent in a claim amounting to £16 2s., from the 27th May to the 29th July, as the amount allowed to constables when absent from duty on their stations. Inspector McGovern says, "The attached voucher is forwarded for your instruction. As Constable Brophy is a single man and occupies free quarters I hardly think his claim comes within the meaning of the circular, No. 5/91, but perhaps you may be pleased to grant him some allowance to cover the difference of board at Westport and Seddonville." I minuted that back to McGovern, "Constable Brophy, I presume, lived in the police quarters and fed at the hotel. I should therefore be glad to know what he has been paying for board. Is the board at Seddonville more than a single constable's pay in Westport?" Inspector McGovern sends this on to Sergeant Emerson at Westport, with the following minute: "Please let me know without delay the amount of a single constable's pay for board per week in Westport, also the amount Constable Brophy has been paying for board in Seddonville. This information is required for the Commissioner." Sergeant Emerson replied, "It will be seen by the attached telegram that Constable Brophy says he paid £1 per week for his board in Westport, and that he is paying £1 10s. per week at Seddonville." My final decision was this: "Inspector McGovern.—Constable Brophy being a single man is not entitled to any personal allowance while stationed at Seddonville."
185. Did you consider there was nothing exceptional in the position he occupied?—No; being a single man I considered it was all the same to the department where he was.
186. You used the expression that his case was unique?—That was referring to a single man being in charge of a station, and the Commissioners will recollect I said there had never been a woman in the lock-up at Seddonville, and there was not likely to be one, and that was how it came about that a single man had temporary charge of the station.
187. If so, do you think he was entitled to any special allowance in respect of his board?—No, I do not think so at all; but what I wanted to impress on the Commissioners was that it was a very exceptional thing for a single man to be in charge of a station.
188. *Colonel Pitt.*] Was he not put to some extra expense in being sent there? He says he paid £1 per week in Westport and £1 10s. in Seddonville?—Well, my experience is this: I lunched one day at Seddonville, and I paid 2s., which is the same as I pay anywhere else.
189. *Mr. Poynton.*] He also said that had he known he was going to be there for such a long time he would have bought some cooking utensils, &c., and that the Inspector told him he would not be there more than a couple of weeks?—Of course the Commissioners can form their own opinion about that sort of thing. My idea is that a bachelor constable, when ordered to any place, has simply to pack up his swag and go as a bachelor. He was not told he was going to be a week, or a fortnight, or three weeks.
190. Do I understand you to say that if you send a bachelor constable living in barracks to another station temporarily he gets no consideration?—No, not if he gets house-quarters. We only house them; we do not board them. I can quote many instances of single constables being taken out of the barracks in large towns and sent to out-stations as extra men, and in these cases they have got no extra consideration. If we recognised such claims they would be endless. I would like to refer to the cases of Constable Brophy and Constable McDonnell, which were brought before the Commission at Westport. A letter was received from Mr. Harden, solicitor, of Westport, who wrote to the Minister on the 12th September, 1896. His contention was that, under section 12 of the Police Offences Act, these charges against the two constables ought to have been heard by a Stipendiary Magistrate. I sent the Minister this explanation of it: "The offence for which these two constables were fined, as entered in their defaulter's sheet, was this: 'Disobedience of orders in not remaining near the s.s. "Dingadee," and being found in a hotel when on duty.'" There is no provision in the Police Force Act, section 12, for the rehearing of a case before a Magistrate. These two constables were ordered by the sergeant in charge to watch the s.s. "Dingadee," and instead of doing so they were found at the time they should have been alongside the steamer in the room at

the back of the bar of the Royal Hotel, and Constable Brophy had his shako off. I consider they were both leniently dealt with. The fines inflicted were: Constable McDonnell, who was a senior man, 10s.; and Constable Brophy, who was a junior, 2s. 6d.

JOHN BENNETT TUNBRIDGE, further examined on oath.

191. *Mr. Taylor.*] I wish to ask you a question in regard to what passed between you and the Premier and the Agent-General as to the reason of your appointment, and as to whether any statement was made as to the condition of the Force necessitating the appointment of a new Commissioner?—I was living at Hythe, in Kent, at the time, and the first intimation I had of it was by a letter from Scotland Yard at the end of June or the beginning of July last year, and written by direction of Sir Edward Bradford, Chief Commissioner, and stating that the Premier of New Zealand had been to Scotland Yard with the idea of getting an officer from the Metropolitan Police to go to New Zealand to take the appointment of Commissioner of Police; that it was necessary that the officer, in addition to having considerable experience in police-work, should have experience in the criminal branch, and that Sir Edward Bradford had consulted Dr. Anderson, chief of the Criminal Investigation Department, on the subject, and had come to the conclusion that if I would accept the position they would be prepared to recommend me for it. Briefly, the conditions were given to me as to the salary and that sort of thing, and I was asked to reply as early as possible. It was on a Sunday morning I received that letter, which also said something about meeting the Premier. I replied that I should be prepared to give the matter my consideration upon knowing more about it, and that I should be pleased to meet the Premier to talk the matter over at any time he pleased to appoint. I replied to that effect on the same day. On the following day I received a telegram from Sir Edward Bradford asking me to meet the Premier at the Savoy Hotel on the following day at 12 or 1 o'clock. I went there and saw the Premier, who stated that there had been considerable dissatisfaction expressed in New Zealand as to the way the police had been managed for some years past, that it had caused the Government a good deal of embarrassment, and that they would be very pleased to get some officer to take the whole thing over, and the responsibility. He said it would relieve the Government very much if they could get an officer of police experience to take the whole thing over, or something to that effect.

192. Does that mean to relieve the Ministry of the responsibility?—Of the practical control of the Force. He also stated that there was a good deal of dissatisfaction among the men themselves at not having an experienced police officer over them. I remember that as one point he mentioned. I was not with the Premier for more than a quarter of an hour, I should think, altogether, and what I have briefly stated is practically what took place. I do not pledge myself to the exact words used. I asked him the terms as to passage out, and said of course I expected passages for myself, my wife, and daughter, and he agreed to that, and the salary was, as already fixed, £500, rising to £600. I do not think I saw the Premier again until after my arrival here, and I never saw the Agent-General on the matter at all. The question of passages and so on was transacted with the Secretary.

193. The Premier practically admitted the unsatisfactory position of the Force here?—He said there was a good deal of feeling among the men in the ranks and the public too. He said there was a feeling on the part of the men that they should have a practical police officer over them, and that the public were also dissatisfied with the Police Force. That is practically what he said.

194. Was anything said subsequently about the method of making appointments by Ministers—were any details discussed?—No.

195. Has that been discussed since your arrival here?—No, none whatever.

196. Do you recognise that it is within the province of the Minister of Defence to make appointments to the Police Force?—Yes, I recognise that. The Police Act, as you will observe if you look at it, gives the power to the Governor, and I take it that is the Governor in Council; and therefore I do not feel that I have the power, and consequently have no right to question it.

197. Upon your arrival here, did the question of the appointment of the Commission come up as between the Government and yourself?—Yes, on the day of my arrival; it was a conversation between the Premier and myself, late on the night of my arrival.

198. What was the end of the conversation?—Your speeches in the House were referred to. The Premier said all sorts of charges had been alleged against the police, and he referred to the charges you brought forward in the House, and gave me a brief outline of the allegations against the Police Force, and asked my opinion on the matter. I told him that if these charges were true, the sooner there was an inquiry the better, so that the Force might be purged of men of bad character, or undesirable men. If, on the other hand, the charges were not true the inquiry would probably disclose the fact, and the Police Force would be the better for the inquiry. Therefore I thought the Force could only be the gainer by having an inquiry, whichever way the report of the Commission might go.

199. The Premier wished you to go as one of the Commissioners?—I do not think he mentioned that at the time, but, if he did, there was nothing decided about it, and, as a matter of fact, I have had very few conversations with the Premier since I have been here. I cannot say whether it was that night or not or on a subsequent occasion that I saw him, that he mentioned the question of my being put on the Commission in some way. I said, "Well, my experience in the colony is a very brief one, and I must leave it to you." That was practically what I said to him. It was very soon after my arrival.

200. You did not decline positively to go as a Commissioner?—I did not.

201. Has the question come up, either with the Premier or any other Minister, at any conversation, and you have declined to go?—No, I never declined to go, but I have expressed my opinion that I thought it would be a mistake if I were put on the Commission. I may say I was taken somewhat at a disadvantage in being asked to express an opinion so soon after my arrival. I think I should have been placed in a false position if put on the Commission before I got to know the country better. I think I have expressed this opinion to Mr. Thompson, but not to the Premier.

202. Since you have been here, have you been permitted by the Minister in charge of the department to administrate the Force without interference from him?—I have.

203. Without interference from any Minister?—Yes.

204. Take the case of Constable Crawford, at Timaru. He told the Commission he was ordered for removal and the order was countermanded?—Yes. I was under the impression that Constable Crawford wanted a station. I had not been to Timaru at that time. He was a senior constable, and a vacancy had occurred in the district at the Coalgate Station. I appointed him to the station. I then learned that Constable Crawford was already living in police quarters at Timaru, that he was a very good man there, and that he himself did not wish to go to the place. I therefore cancelled that transfer and appointed another man.

205. From whom did you learn of his objection?—The cancellation of the transfer came about on this report :—

Police-station, Timaru, 24th December, 1897.

REPORT of First-class Sergeant C. Fraser, No. 29, relative to transfer of Constable Crawford to Coalgate.

In reference to the transfer of Constable Crawford, I respectfully draw your attention to the fact that the other members of the Force here available for police duty are young and practically inexperienced constables. Since I have come to this station I found Constable Crawford's local knowledge and lengthy police experience of the utmost importance; more especially since Detective Livingstone has been on temporary duty in Christchurch for the last two months. Every offence reported during that period has resulted in the offenders being arrested, and convicted, with one exception, which is still being investigated. Constable Crawford has asked me to report that he would be very glad if the department would reconsider his transfer and to allow him to remain in Timaru as at present, or in the event of a vacancy in the detective office here he would be willing to undertake the duties of that office with his present rank and pay. He has also requested me to make it distinctly understood that this application is not made with any insubordinate feeling.

CHAS. FRASER, First-class Sergeant, No. 29.

T. Broham, Esq., Inspector in charge of the district, Christchurch.

This was forwarded to me by the Inspector, and I minuted it as follows: "If Constable Crawford does not want a station by all means let him remain at Timaru, where he appears to be doing good service."

206. Did the Hon. Mr. Hall-Jones not see you about it?—No; I can say that quite confidently.

207. The matter was not discussed with any Minister?—None whatever.

208. It was quite a departmental affair?—Absolutely.

209. It was not referred to the Minister for confirmation?—No; I have not done so in any case of transfers. I may say that I had in some cases mentioned to the Minister that I have proposed transferring officers, but I have never gone to him to get his permission.

210. Neither for transfers nor promotions?—No. In the case of promotion to sergeants I got the recommendations from the Inspectors, and I mentioned to the Minister that these were men I intended to promote to sergeants.

211. Roughly speaking, how many promotions of constables have been made—I mean in class—since you came?—There have been seventeen first-class constables promoted to sergeants, to begin with; twenty-six second-class constables promoted to first-class constables; and twenty-eight third-class constables promoted to second-class constables—seventy-one altogether promoted. Then there have been three men appointed fourth-class detectives. Those are practically all the changes.

212. Sergeants were appointed on the recommendations of Inspectors, I understand?—They were.

213. What rule was followed in the case of the constables?—I took them from the seniority-book and consulted their defaulters' sheets. I took the seniority-book and took the senior men, and if these men had good records on their defaulters' sheets I advanced them.

214. Without any personal knowledge of the men at all?—Yes, without any knowledge at all.

215. Was Constable Matthew O'Brien one of the men promoted in these batches?—No; he was advanced to first-class constable in February, 1897, before I arrived. I may say, in making these advancements and in taking the men's defaulters' sheets, if the men had any serious conviction against them during the past two years I passed them over, but for trivial convictions, unless very recent indeed, I did not pass them over.

216. Had you any personal knowledge of those fifty-four men who were advanced?—None whatever.

217. As a matter of fact, a constable's general conduct might be very bad and still there be no record of it on his defaulter's sheet?—Unless a man is convicted I do not think you can take any notice of it.

218. In your experience as police officer, might not a man's conduct be generally bad and the man be inefficient and lacking in intelligence and still there be no offence recorded on his defaulter's sheet?—I do not think so. I think if a man is generally bad there would be an offence recorded against him.

219. Supposing an Inspector were to report to you that a constable was a tippler and had all the appearance of being a common sot, would you promote that man?—No, I should not.

220. That would not be on his defaulter's sheet?—Oh, yes. If an Inspector reported such a matter to me I should at once take steps to have the man examined by a Medical Board to show whether he was as stated by the Inspector. I should never let the matter rest there.

221. Did you give as an excuse for not acting in a matter like that the fact that no definite charge had been made against him?—No. If a man was reported to me by the Inspector as being a confirmed sot I should say that this man should be brought before a Medical Board of some kind to see if he was suffering from the effects of alcohol, and, as a matter of fact, I have done it within the last few weeks.

222. You took no definite steps to ascertain what the general conduct of these fifty-four men was?—No. Unless a matter was recorded against them I think it would be manifestly unfair. I do not know how you could do it in accordance with the regulations of this service. There is a

circular in existence which does not allow Inspectors to make confidential reports to the Commissioner as to the conduct of any man. If I called upon an Inspector to make reports on the men I should have to refer these reports back to the men themselves, and I do not know where I would find myself.

223. Do you approve of confidential reports being furnished by Inspectors?—I do in some cases. I do not think the circular should be a hard-and-fast one.

224. Did you discuss these promotions you have made with the Minister since you arrived?—No. I will tell you what I did. I took out a list of the men from the seniority-book, and I said to Mr. Thompson, "There are so many vacancies in the Force in the various classes. I desire to make up these classes to the full strength, and these are the men who stand next for advancement." I said I proposed to advance them, and he looked at them and simply indorsed the list, and that was the end of it. I never consulted him at all before I made up the list. I took the list and showed it to him, and there was an end of it.

225. Do you not think that the fact of seventy-one advancements having been made since your arrival would very largely remove the discontent that has been a feature of the Force for some years past?—Well, of course, every man who gets advancement or promotion is pleased, and therefore any discontent he might have had before on that score would disappear; that is a natural consequence.

226. Well, now, do you think it was wise to make these promotions so quickly after your arrival, before you had any opportunity to acquire a knowledge of the men promoted?—It would have taken me years before I could have acquired a personal knowledge of all these men. These men, according to my looking at it, had been long entitled to advancement, and it would have been an injustice to have continued to keep them back. If you are not to go by a man's defaulter's sheet I do not see the use of having defaulters' sheets at all.

227. Have you been consulted about any appointments since you came here?—About every one. These candidates' acquirements in every case have been considered by Mr. Thompson, and I have generally been present.

228. Then you have been consulted practically?—Yes, I have.

229. You remember the papers of Constable Haydon, a new man?—Yes; the man was appointed from Lyttelton.

230. Do you remember who recommended him?—Yes; I think Mr. John Joyce, M.H.R., was one of those who recommended him.

231. Was an inquiry made into his past record?—The same system was pursued as in all other cases. No outside inquiry was made beyond the recommendation. I think it is a mistake; but if you wish to know anything further I may say I have had confidential inquiry made since about that man on a suggestion that came to my knowledge, and I was unable to verify the suggestion. It was suggested that the man had been before the Court and had been convicted. I made inquiries, but was unable to verify that.

232. Do you think it is wise to continue the enrolment of men into the Police Force without making inquiry into their moral character?—No, I do not.

233. Do you intend to alter it?—Yes, if it is possible for me to do it. I think as soon as application is received from a man it should be referred to the Inspector of the district, and an inquiry made by the Inspector into the man's character.

234. Now, as a result of your investigation so far, do you regard the Force, so far as your knowledge of it exists, as being absolutely efficient?—No; it is inefficient more in numbers than anything else; that is my opinion.

235. In the standards of intelligence?—Generally, as a Police Force it compares favourably. The work the men of this Force have to perform is work that I never knew any other Police Force to perform.

236. In variety?—Yes, and in general character; for instance, the work of Clerks of Court and agents to the Public Trustee, and Clerks of Licensing Committees, is work I never knew any other Police Force to be called upon to carry out.

237. What steps do you purpose taking in regard to the men in the Force who are inefficient?—As soon as I discover them I hope to weed them out.

238. Do you think you can do that in the absence of a pension fund?—I suppose you are referring to inefficiency through old age.

239. Or lack of intelligence?—Of course it can be done, but it would have to be done devoid of all sentiment, and by throwing a man out upon the world with a year's pay after he has given the best years of his life to the service. I think the only way to keep up a really efficient Force is to have a pension fund, and I do not see how you can do it otherwise.

240. Did you hear Inspector Broham make a statement to the effect that a large number of offences by constables were not reported to the Inspector because the sergeant felt that the men had political influence at their back?—I heard Inspector Broham give his evidence, but I am not sure that that is quite the answer he gave.

241. Is such a feeling existing in the Force of the Old Country?—No.

242. The discipline there is complete?—As near as it can be. Of course, there are scandals occasionally in the Home Force. They had one in 1877 in the Metropolitan Force, in the detective branch, and had one quite recently in Manchester. You are sure to find these things occurring in every Police Force, I take it. It is common knowledge that the New York Police Force was the most corrupt Force in the world.

243. Do you think that the character of the New Zealand Police Force would be much raised unless a different system is adopted in regard to enrolments?—I have advocated a different system myself, and I do not know that I can say much more than that. I think the Force would be very much improved if that system were adopted.

244. Have any suggestions been made to the Minister so far that the enrolment should be handed over to the Commissioner?—No. I may say that the Minister agrees with me in several points that I have brought before the Commission. There certainly will not be any opposition on the part of the Minister of Justice in regard to some of my suggestions. I have not discussed the whole of them with him, but I have some of them, and he is in sympathy with me.

245. In regard to promotions, you are bound to have the sanction of the Minister, are you not?—The Police Act does not say so.

246. I think you said you submitted your list of promotions to the Minister and he approved?—He did; but I did not submit them to him for approval. I submitted them to him for his information. I told him I was going to make these advancements.

247. How did you manage to make promotions which must necessarily involve a considerable increase of expenditure without the sanction of the Minister?—Well, a parliamentary grant allows a certain number of men of each rank, and I found that the numbers were beneath that authorised, and I increased the classes to the full strength allowed by Parliament.

248. You found you could make these promotions within the limit of the parliamentary estimates?—Exactly; in other words, the authorised classes of the Force were so many men under strength.

249. Therefore you do not think it necessary to go to the Minister about it?—No. As regards the licensing-laws, I may say that I have never been approached, either directly or indirectly, by any Minister or other person here to influence me as to the way the licensing-laws should be carried out in the colony, and I have nothing to lead me to suppose that Ministers have any desire to prevent the law being properly carried out. I say it because some men have stated that they have reason to believe they would incur displeasure if they were to carry out the law.

250. *Mr. Poynton.*] Have you taken any step to remove that impression?—I have taken every step I possibly could consistent with not making it appear that there was any reason to suppose the men were not performing their duty—by that, I mean, if I issued a general order to the Force it would be practically equivalent to admitting that the men were not performing their duty. I have not felt justified in issuing that order; but in conferring with the Inspectors and other officers of the Force, when I met them, I always impressed upon them the necessity of seeing that the licensing-laws were properly carried out.

251. *Mr. Taylor.*] Do you think that the present method of inspection is calculated to secure conviction for breaches of the law, so far as Sunday trading is concerned; I mean the mere formal inspection in uniform?—I say I have given instructions, and it has been done, for men to go round in plain clothes; and I have gone so far as to direct two batches of men in plain clothes—a sergeant and constable, to start at different ends of the town simultaneously, so as to try and counteract the influence of the telephone. I may say we have not been successful in getting the necessary evidence to bring very many prosecutions. That has been done more particularly in Auckland, and here in Wellington I have directed men to go in plain clothes, and they have succeeded in bringing several cases before the Court; but, owing to the unsatisfactory state of the law, we have not been able to get many convictions. I was rather surprised, when in Christchurch, to hear that similar steps had not been taken there, because I was certainly under the impression that they had been taken. As soon as I knew they had not been taken I directed that men should go in plain clothes, because I feel that if the publicans will stoop to subterfuge to evade the law, the police are perfectly justified in adopting the same tactics, although it does not meet with the public approval generally, but I do not mind that.

252. As a matter of fact, do you know that one of the very few convictions for Sunday trading in Christchurch, was secured by two plain-clothes constables sent specially for that duty from Wellington?—I do not admit that there were very few cases, there were several last year.

253. Do you know that in one instance Commissioner Hume sent down two private men from Wellington, and they secured two convictions?—Yes, I do; I believe there were exceptional circumstances in that case, when the men were sent down from Wellington.

254. *The Chairman.*] Have you, since taking office, discovered any trace of any influence exercised by Ministers to check in any way the enforcement of the licensing laws?—Not the slightest, either directly or indirectly.

255. If not in your own office, have you found any trace of any influence in Inspectors' offices or in the departments you have visited?—I have not.

256. As a matter of fact, have you, since your appointment, been left entirely alone, except in regard to appointments to the Force?—That is so. I should like to say that, even in the matter of the appointment of constables, I am not by any means sure that Mr. Thompson would not like to get rid of the duty of appointing candidates to the Force; I am inclined to think he would be glad to get rid of it. I know this much, that it causes a great deal of anxiety to him.

257. *Mr. Poynton.*] Your opinion as an expert is that you should have the power of appointment?—Yes; I confess that on my experience of other Forces I know of no other Forces in the world where the Commissioner has not the power of appointment of candidates, of all constables and sergeants. I do not say in regard to commissioned officers.

258. *Colonel Hume.*] You promoted seventeen first-class constables to be sergeants?—Yes.

259. You recommended that third-class sergeants be done away with?—No; I recommended that all classes should be done away with.

260. Consequently, these seventeen appointments you made would create greater difficulties, doing away with that class of sergeants?—No, not at all; they will get their increase of pay at the end of three years. They are getting sergeants' pay, but they will get the increment of 6d. a day at the end of three years under the system I have suggested.

261. You found these vacancies existing when you came?—All except one.

262. And you are aware that I had recommended that the class should be done away with?—I have never seen the papers; but I have heard you say so, and I believe it was so.

263. You think that more inquiry should be made about these candidates?—I do.

264. Can you go very much behind the last five situations these candidates have filled?—I think inquiry should be made as to their personal character; and, more than that, also into the question of their associations, and so on, I think by the Inspector of Police or sergeant of police who is in the district. Employers are just situated this way: a man works eight hours a day, and the employer knows nothing of what a man is doing during the other sixteen hours. There are matters within the knowledge of the police of the district that might be unfavourable to a man, and yet the employer might know nothing about them. I do not say the man is not an honest man, or not a good workman, but there are other things to be considered before making a man a policeman.

265. Would you have inquiries made by some police official in the district?—Yes, I would have the papers referred to the Inspector of the district, for a report as to what is known by the police of this particular individual.

266. You would have an inquiry made by the Inspector, and would not delegate it to some constable?—No; it would be made by the sergeant of the particular sub-district, and the Inspector would be responsible for it, unless it was at a place where the Inspector himself could make the inquiry.

267. Do you not think that the candidates would have a fair grievance over that?—I do not think it should be considered.

268. That the police were making inquiries about them?—I do not see that they should complain. I think it is open to the person employing them to make any inquiry they think fit.

269. Would you be surprised to hear that, when the question came up about the Inspectors of Police inquiring into the characters of the young ladies whom the constables wanted to marry, that the House thought that a most improper thing to do?—I am not at all surprised at it, and I would not be surprised if some one in the House made some representations about these inquiries as to the characters of candidates, but I do not think we should be influenced by such statements in the House. I know this system is in vogue in other Forces, and I know most searching inquiries are made as to the characters of men, and so much importance is attached to these inquiries that officers have been reduced in rank through conducting them negligently.

270. *Colonel Pitt.*] Several police officers and members of the Force who have been giving evidence before us have advocated the same thing?—Yes. In giving these answers to Colonel Hume, I do not wish for a moment to throw doubt upon the certificates given by the employers, but I say there are many things not within the knowledge of an employer. A man gives the names of his last five employers, but the persons who recommend him may never have employed him. Those men who have employed the candidates are not called upon to give a character. They may or they may not be called upon.

271. *Colonel Hume.*] You think that the Police Force is inefficient in respect to numbers?—I do.

272. Now, from your experience in other Forces, do you think that the Police Force of any country that you know of would come before a tribunal, such as the one this Police Force is at present appearing before, and would come out much cleaner?—I do not think so. I think, up to the present, this Force is coming out of the inquiry pretty clean; there are individual cases, of course, that are very questionable; but, taking the Force as a body, I think the Force is coming out remarkably well.

273. If you were told that members of the Force, discharged members, and others with grievances, had been putting them before a member of the House for the last eighteen months or two years, I suppose you would be surprised that more did not come out?—I am not very much surprised at anything brought forward in that way.

274. Well now, in your experience in England, could such a thing happen as a member of the House of Commons inviting the members of the Police Force to make complaints to him?—You say, "could it"? It could, of course; but I never knew of such a thing happening.

275. In talking about how the tone of a Force could be raised, just now, do you think it ever could be raised so long as the men felt they could rush to any member with some petty grievance which would at once be listened to and taken notice of?—I take it that applies more to a question of maintaining discipline in the Force. It would be very difficult to maintain discipline in the Force if the constables were to feel that there was a power behind the Throne, as it were. A member of Parliament is not a responsible official, and if members of the Force got it into their heads that they could go to irresponsible officials, I do not see how you could maintain discipline.

276. Have you ever known members of the House of Commons to watch publichouses to see how the police were doing their duty?—I have not.

277. Of your knowledge, have any complaints come in recently from a member of the House about the manner in which the constables were carrying out their duties in Christchurch?—No, not to my knowledge. I think not.

278. Has no fault been found about their being employed about the Governor's house, to your knowledge?—Not directly to me. I am not quite sure who made the complaint. I do not know how it arose.

279. Then, in what form did it come to your knowledge?—I am not sure that it was a complaint at all. There was a little misunderstanding as to what force should be drawn for the protection of the Governor at Christchurch. The police were ordered to perform the work, and they were removed to make room for the Permanent Artillery; that is all. I believe something was said as to the police being short in Christchurch, and that they ought not to be taken from their duty in Christchurch to perform duty at Elmwood.

280. *The Chairman.*] Is the Police Force framed with the idea of the police acting on escort duty to the Governor and so on?—No.

281. *Colonel Hume.*] Have you received any complaint from a member of the House about the police being employed at Elmwood?—I have not.

282. You do not know what the complaint was?—No, it never came to me.

JOHN BENNETT TUNBRIDGE, further examined on oath.

283. *The Chairman.*] What is it you wish to bring before us?—When the Commission was sitting at Westport, Constable Harris called attention to an entry on his defaulter's sheet, for overstaying his leave. The papers are now here, and I should like to read Inspector Cullen's report, as follows:—

SIR,—

3rd December, 1897.

I beg to submit the attached memoranda, &c., re Constable Harris overstaying his leave. The constable was granted leave from the 5th to the 18th November, both days inclusive, but it appears he left this station at 7 p.m. on the 4th, and did not return until 1 p.m. on the 19th. His excuse for overstaying his leave is not, I submit, a valid one, as he was well aware that the steamers are very rarely up to time at Westport, and that by waiting for the s.s. "Wainui" he could not reach his destination before the 19th. His explanation, dated the 24th ultimo, clearly shows that he had no intention of reporting himself before 9 a.m. on the 19th. If the constable had travelled by either the s.s. "Te Anau" or the s.s. "Rotomahana," that arrived in Wellington from Lyttelton on the 14th ultimo, he could have come on by the s.s. "Mawhera," which left Wellington on the night of Monday, the 15th, and reached Westport on the night of the 17th. As the constable's leave was granted by the Commissioner, and I am practically the complainant against the constable, I do not see my way clear to deal with the case, and therefore submit it for the consideration of the Commissioner.

My minute was: "The constable's leave expired at midnight on the 18th ultimo, and not at 9 a.m. the following day. He is reprimanded, and cautioned to be more careful in future." This is further minuted: "Constable Harris has been informed of the decision in this matter.—J. CULLEN, Inspector."

284. *Colonel Pitt.*] Harris's grievance was that he was reprimanded, and was not aware that an entry had been made on his defaulter's sheet?—He said he was not aware, and he quoted a circular in support of his contention; but that circular is made to apply only to Inspectors. The circular says that, when Inspectors are dealing with defaulters' sheets they are to acquaint the constable who is affected with the decision, if it is to be recorded on his defaulter's sheet.

285. *Mr. Poynton.*] Why should that only apply to Inspectors?—In any matter dealt with by the Commissioner, if he decides the matter and imposes a punishment it is recorded on the defaulter's sheet, as a matter of course, and a constable knows that; and he was informed of the decision of the Commissioner in this case.

286. Why should it not apply to the record of the Commissioner?—There is no reason why it should not apply, beyond the fact that it is understood that he is to be notified of it. In all cases the constable is notified of the decision of the Commissioner. If the Commissioner imposes any punishment on a man in any way it is placed on his defaulter's sheet as a matter of course.

287. Is that the opinion throughout the Force?—It is understood, I take it. The regulation dealing with the matter says: "67. On a constable misconducting himself the particulars of the case will be entered on a "Defaulter's Sheet," which will be forwarded with him to any other district to which he may be transferred. On a constable who has never misconducted himself being transferred a "Defaulter's Sheet," containing his name and description only, will be forwarded with him. In like manner a "Record of Merit" will be kept, in which an entry shall be made of each reward granted, or distinguished service specially acknowledged." Now, when a constable has misconducted himself, and the matter has been reported to the Commissioner, it is entered on his sheet, and the decision of the Commissioner is marked up against that.

288. *Colonel Pitt.*] Then, practically, before the matter is referred to the Commissioner it is put on the defaulter's sheet?—Yes, and the Commissioner's decision is marked up against it, whether a man was found guilty or not. Therefore, for men to say they do not know what is on their defaulters' sheets means that they are ignorant of this paragraph.

289. If they are to be informed when the Inspector awards punishment, why should they not be informed when the Commissioner does?—I am inclined to think that in years gone by some men were scarcely ever told in a formal way that they were reported. If an Inspector saw a man committing an offence in the street he was prosecutor, Judge, and everything else, and went down to the office and put an entry on the defaulter's sheet, and the man probably knew nothing more about it; and I presume Colonel Hume issued that circular to prevent a possibility of Inspectors doing that. If regulation 67 were carried out there is actually no need whatever for that circular.

SATURDAY, 21st MAY, 1898.

ARTHUR HUME, examined on oath.

Witness.] I desire to put before the Commission papers relative to certain cases. The first is in reference to a complaint made by Constable Philpott, of Charleston, in regard to an entry in his defaulter's sheet. Inspector Pratt inquired into the matter, and here is his report, upon which I said an entry should be made in the constable's defaulter's sheet:—

RESPECTFULLY submitted to the Commissioner. This charge was made by Marley directly he entered the office to give evidence on the other charge. The constable admits speaking to him, but denies the threatening language; and I certainly believe him. In the confusion of or suddenness of the charge, the constable had forgotten the fact of his telling me that Marley had threatened to put a nail in his coffin; but that does not free the constable of blame, as he drew it on himself by speaking to him in the manner he admits having done. From my advice to him I do not think that he is likely to commit the like again. I would respectfully suggest to the Commissioner that a caution to be more careful in future would meet the case.

JOHN PRATT, Inspector.—12/6/96.

INSPECTOR PRATT.—I concur. Please caution the constable accordingly. An entry is to be made in Constable Philpott's defaulter's sheet.—A. HUME, Commissioner.—18/6/96.

The entry in his defaulter's sheet is: "10/6/96.—Irritating language to A. Marley.—Caution." The next thing is with regard to Constable McGlone, of Greymouth, and the police horse. In this case the Inspector says:—

RESPECTFULLY submitted to the Commissioner. I dealt with the charge of neglect of duty in not reporting the injury to the horse's leg, nothing being said about it till called on for an explanation about 4.30 p.m. on the 8th instant, for which he was fined five shillings. The charge of neglecting to pay proper attention to the troop-horse in his charge I beg to refer to the Commissioner to be dealt with by him, as, from section 140 of the Police Regulations, it is regarded as a serious offence. In reference to the charges, they were first brought to my notice by the farrier, who requested me to accompany him to his forge to examine the troop-horse, then there to be shod, as he did not consider him in a fit state to be shod. I found the troop-horse at the forge with his near foreleg extended, as if in pain. The fetlock was much swollen, and extended half-way to the knee, and gave with the slightest pressure, showing he was suffering. The farrier advised bathing, bandaging, and vinegar being applied, and that it would not be right to shoe him in his then state. The farrier, when asked by me as to how the injury could have occurred, replied that he did not like to give an opinion, but thought he must have got some rough usage. When I handled the horse's leg it did not appear to me that embrocation had been used, as stated by the constable. When charged, the constable had nothing to add to the statement attached. Should the constable show want of proper attention in the future I will ask to have him dismounted. The Commissioner may consider a fine sufficient, or the one I have inflicted would meet the case.

JOHN PRATT, Inspector.—9/4/97.

INSPECTOR PRATT.—For neglecting to properly attend to the troop-horse in his charge, Constable McGlone is severely reprimanded, and cautioned that if he repeats the offence he will be dismounted.—A. HUME, Commissioner.—12/4/97.

The next matter I desire to refer to is that of Constable McClelland, of Christchurch. You were told that I had given an assistant district clerk at Christchurch 6d. a day as an office-allowance. In 1891, Constable McClelland applied for promotion, or a slight increase of pay. I minuted the application to the Defence Minister: "This is a peculiar case. In consequence of the situation of the police-station at Christchurch this clerk has to live near it, and consequently has to pay higher house-rent than if he was able to live further away. He is also deprived of making money by awards. As he has had a considerable increase of work by the enlargement of the district, I recommend he be granted 6d. per diem towards house-rent, as long as he gives satisfaction in the district office.—A. HUME, Commissioner.—18/9/91." On the same day I wrote to Inspector Pender, at Christchurch: "Constable R. McClelland is granted an allowance of 6d. a day towards house-rent while employed in the district office, payment to commence from the 1st instant.—A. HUME, Commissioner." Now, with reference to Constable Jeffries: On the 14th May, 1897, Constable Jeffries applied for permission to remove certain improvements effected by him while at Picton Station. He sent in a bill amounting to £14 4s. 6d. One of Constable Jeffries's contentions was that I asked for a valuation of these things, and therefore I must have had some intention of paying him. I never asked for anything of the kind. There was a valuation made, but not at my instance—probably by Inspector Pratt. My first memorandum is dated 20/2/97: "Inspector Pratt.—Please inform Constable Jeffries that as these expenses were incurred without permission I regret the department cannot pay any compensation.—A. HUME." On the 6th May, 1897, I wrote to Inspector Pratt: "As the materials, &c., referred to by Constable Jeffries are fixtures they cannot be removed." With reference to the complaint by Mr. Nickless against Constable Bennett, Inspector Pratt reported as follows on the 3rd June, 1896: "The Commissioner of Police.—Sergeant Fraser having knowledge of the parties concerned, I consider he acted properly in declining to take further proceedings, and leaving complainant to take action if he chose. A bailor can himself act where property is stolen from him; but, under the circumstances stated in Mr. Fowler's letter, he should have consulted him before laying a charge against any person." I wrote to Inspector Pratt on the 8th June, 1896: "I fully concur in your minute of the 3rd instant. Please inform Mr. Nickless in terms of your minute." With regard to the complaint of Constable Matheson, of Tapanui, it appears from his defaulter's sheet that for "leaving his beat to change his clothes between 9 a.m. and 1 p.m. without permission" he was fined 2s. 6d. by Inspector Broham on the 6th March, 1891. The constable complained that he had no knowledge of it being on his sheet; but I may point out the fine would be deducted from his pay at the end of the month. He did not lose promotion by the record on his sheet. He was promoted on the 1st January, 1894, and he got £15 in rewards in 1896.

NAPIER.

WEDNESDAY, 25TH MAY, 1898.

JOHN EMERSON, examined on oath.

1. *The Chairman.*] What is your name?—I am a first-class Inspector of Police, stationed at Napier, in charge of the Napier and East Coast District.
2. How long have you been in the Force?—Since July, 1864.
3. Where were you first stationed as Inspector?—At Blenheim, Marlborough. Then I went to Tauranga, next to Westland, back to Tauranga (where I was stationed two years), then I went to Hamilton (the headquarters of the Waikato district), and from Hamilton to Napier five years ago.
4. When were you appointed to the charge of this district?—I arrived here on the 13th January, 1893.
5. What Force have you in your district?—Forty-eight men all told, comprising one Inspector, one detective, four sergeants, and forty-two constables of various classes.
6. What is your district?—From Woodville to Rotorua, taking in the Urewera country as well; and I have a policeman stationed at Te Whaiti, which is sixty miles beyond Rotorua.
7. How many out-stations have you in your district?—There are twenty-seven outside Napier.
8. Will you give us a list of the stations and the number of men at each?—Woodville, 1; Dannevirke, 1; Ormondville, 1; Herbertville, 1; Waipawa, 2; Waipukurau, 1; Hastings, 3; The Spit, 1; Carlyle Street, 1; Gisborne, 6; Ormond, 1; Tolago Bay, 1; Waipiro, 1; Tuparoa, 1;

Port Awanui, 1; Te Puke, 1; Tauranga, 1; Katikati, 1; Opotiki, 1; Whakatane, 1; Taupo, 1; Rotorua, 2 (one being a Native constable); Te Whaiti, 1; Galatea, 1; Napier, 11; Taradale, 1; and Clive, 1.

9. Is the detective stationed at Napier?—Yes.

10. Can you give me the details of the members of the Napier Force as to classes?—There is one first-class Inspector, one second-class detective, one second-class sergeant, one second-class constable, and seven third-class constables.

11. What is your opinion as to the efficiency of the Force under your control in Napier?—I have nothing to complain of. They are very good men indeed.

12. Do you consider them efficient in their duties?—They are always instructed in anything they do not know. They learn from the sergeant or myself. As they are now I regard them as efficient.

13. Are there any recent recruits among them?—Yes; some of them are in only a few months.

14. How many out of the seven are less than twelve months in the service?—Two; they get instructed in drill and also in police, and they are very good men.

15. Have you had any complaints made to you by the public as to the manner in which the men perform their duties?—No; except frivolous matters which, on being inquired into by me, were found to be groundless.

16. Do you find the Force sufficient to enable you to carry out the laws of the country?—Yes; but I consider that we want two or three more men in the district, as I have reported to the Commissioner. One is wanted for Tauranga and one for Dannevirke, and I would also like to see another man at Woodville, where we now have a train stopping for a considerable time. I would like to see the policeman at the train there always; but one man cannot do the duties of the town and be at the train as well.

17. Are you satisfied with the Force you have in the town?—Perfectly. The men never grumble at the duties they have to perform, although they have often to do more than the regular number of hours on duty.

18. Is the present Force sufficient to enable you to preserve order and deal with crime in the city?—Quite so.

19. Are you enabled to enforce the observance of the liquor laws?—Pretty well. When we find any one committing a breach of the licensing-laws he is summoned, and we sometimes get convictions. The place is orderly and the houses are well conducted. The police, including myself, go round the town at different times and visit the hotels to see things for ourselves.

20. Are the houses also visited during closed hours?—Yes.

21. At night and on Sundays?—Yes.

22. The laws are fairly observed?—They are. I may say I have seen the report of the Commissioner's evidence, and I agree with what he recommends—that the law should be amended as to men going into publichouses after hours.

23. You suggest, then, that the English law should be adopted here, to make persons found on licensed premises after hours liable to punishment?—Yes; that is my opinion.

24. How are the gaming-laws observed here?—There are no complaints about them.

25. Are you aware whether shops known as "tote" shops exist in this town?—It is thought there are such shops, and I have instructed the men to look after them.

26. Are there any reputed "tote" shops here?—Two. It is hard to get a conviction against them.

27. Is there much undetected crime in Napier?—Not a great deal. The police are smart and attentive.

28. You are satisfied with your men in respect to crime generally?—Decidedly. They are excellent men, and do the best they can. They are very smart in the enforcement of the licensing-laws.

29. Of course, there are other laws besides the licensing-laws. I speak of undetected crime generally?—I think they are capital men, and I do not wish for better.

30. Have you anything to say on the subject of pensions for the Force?—I saw the report of the Commissioner's evidence, and I agree with his suggestions as to pensions, and my men also agree with them.

31. You understand it would mean a deduction from their pay?—Yes; and they are willing to allow it.

32. And, further, that the pension would be at the cost of all emoluments and outside pay of constables?—Yes. I might mention that heretofore the district clerks, in my opinion, have not been very well paid. In my office I have a man doing the clerical work of the whole district, and frequently he is in the office up to 10 or 11 o'clock at night. The Commissioner suggests that the pay should be increased by 1s. a day in the case of these men, and I do not think it is too much. I also think that men paying for quarters for themselves should have an allowance on the lines suggested by the Commissioner, single men as well as married. I have myself been in lodgings for several months, as my house was burnt down.

33. All men not provided with quarters should have house-allowance?—Yes. A suit of uniform every year should also be allowed. The pay is not much, and it is expensive to get nice uniform. I quite approve of the Commissioner's suggestion as to recruiting.

34. Is there anything in the Commissioner's evidence that you take exception to?—Nothing whatever, except as I have stated, that the district clerks might get more than 1s. a day of increase. I think it ought to be 2s. The men want long training to be able to do the work. I think the recent promotions carried out by the Commissioner were very much required. I do not think it is right to allow any man to remain a third-class constable for eighteen or twenty years. This has

frequently occurred with men, although there was nothing against them. If the promotions were carried on as suggested by the Commissioner the men could not grumble.

35. What do you mean when you say that the promotions were required?—I mean that men had been in the Force a long time without any promotion and without any increase in pay.

36. They were required to satisfy—what?—In the first place, to satisfy the claims of the men.

37. There is a suggestion made by Mr. Tunbridge that I would like to refer to specially, and that is that all classes in all grades should be abolished. Does that commend itself to you?—Yes.

38. Have you anything to say regarding the pay of the Force?—I think that a man on probation should get 6s., as recommended by the Commissioner, which is sufficient. When he is appointed constable he should get 7s., and after some years' service he should get a further rise. At present when a man joins the Force he gets 7s., but I think 6s. would be sufficient for probationers. It would be a good thing to have headquarters at Wellington, where probationers might be stationed to be taught drill, as they are in the Royal Irish Constabulary.

39. The Commissioner also suggested that monetary rewards should be abolished. Are you satisfied with that?—Yes. I think advancement in the Force should be given instead of monetary rewards.

40. *Colonel Pitt.*] Would you give advancement in the service for anything except the detection of crime?—Yes, for saving life, &c. Anything of a meritorious nature should be rewarded by promotion.

41. Did you make any representations to the late Commissioner as to this block for want of promotion?—I do not think so.

42. Why not, if you thought men should not be eighteen or twenty years in the rank of third-class constable?—My impression was that the men applied for promotion themselves; but if there were no promotions to be had there was no use bothering the Commissioner.

43. What is your opinion as to the appointment of Sub-Inspectors?—I quite approve of it. It would give the Inspector an opportunity of inspecting his district as it should be inspected. All Inspectors should go at any rate four times a year to the out-stations, and those convenient to headquarters should be visited monthly, if possible, if they are of any importance.

44. Do you think there are a sufficient number of districts in the colony at the present time?—Some of them are very large. I think Otago and Auckland are too large for one man to manage each, also Wellington and Christchurch.

45. *The Chairman.*] You do not consider the Napier and East Coast District too large?—No, I think I can manage it myself.

46. *Colonel Pitt.*] Do you think those districts would be too large if Sub-Inspectors were appointed?—I think that is what is wanted. There should be a Sub-Inspector in each of the four large centres.

47. *The Chairman.*] Do you think you could visit all the out-stations you have named and do your duty as Inspector as well?—No; but when I go away I leave my office clerk in charge. He is an excellent man, and does everything pretty well as if I was there myself.

48. *Colonel Pitt.*] Are the constables in Napier mostly married men?—Yes. No man can get a house here at less than 8s. or 10s. a week, which is a large amount to come out of the pay of a third-class constable.

49. Is there no mess at this station?—No. There are not enough single men for it; there are only three.

50. *Mr. Poynton.*] Do you know anything about political interference in the administration of the Force—transfers and promotions?—I have no knowledge of it. There is none that I am aware of.

51. Do you know anything about such a feeling having existed in the Force?—I have heard so. No one has complained to me.

52. *Colonel Hume.*] You say you want an extra constable at Tauranga?—Yes.

53. You asked me for one in my time?—Yes.

54. Two years ago, I think?—Yes.

55. What do you want a second constable there for?—A lot of people go there from the diggings. They flock into Tauranga, and one man is no use when there are a lot of scoundrels, as some of them are, in the town. They come from Paeroa and also from Te Puke. When Colonel Hume went to Tauranga he saw it as a quiet place—and it generally is; but we get a few arrests there, and the constable has to escort the prisoners to Auckland by sea, which necessitates his being away for three or four days. Then there are race meetings and the different sports meetings, and one thing and another, and I have generally to send to Auckland to get a man to come into my district to assist. I think that should not be the case. There was once a gaol at Tauranga, but it was closed by Colonel Hume, and the constable was the gaoler. I must say, regarding Colonel Hume, that for the many duties he had to perform in the Gaol and Police Departments he was overburdened with duty. I never had to grumble regarding my Commissioner.

56. Do you know the reason that I closed the gaol at Tauranga?—I do not.

57. Did you ever know of any prisoners there?—We frequently had prisoners there.

58. How many?—Not many.

59. Were there three in the year?—Yes, for the last year or two.

60. Has this officer ever escorted prisoners to Auckland since he has been there by himself?—No, I do not think he has.

61. And that is about two years?—Yes.

62. *The Chairman.*] And how are they escorted?—We send to Auckland for a man.

63. Have you had to do that within the last two years?—I think so. Prisoners have also been taken from Rotorua to Auckland.

64. *Colonel Hume.*] But the Rotorua prisoners do not go by Tauranga?—No, they go by train; but we have then to send the Tauranga man to relieve the man at Rotorua.
65. If there was a prisoner going to Auckland, could he not be sent in charge of the officer of the steamer, as they are from the Bay of Islands?—A man charged with a serious offence is never sent in charge of the officer of a boat, or the purser.
66. But he could be sent in that way?—Yes, but it would not be safe.
67. How far is the nearest man from Tauranga?—At Katikati, and the next is at Te Puke.
68. You have a mounted man at Te Puke?—Yes.
69. And if the Tauranga man had to go away, the mounted man could come in?—Yes, or the Katikati man.
70. You say it is reported there are one or two "tote" shops in the town?—Yes.
71. Have you any idea of the sort of people who frequent them?—No.
72. Do you believe that children frequent them?—I do not.
73. Can you tell me the religious persuasion of the men in the Napier headquarters?—I cannot. I never inquire into that question; I do not care what religion the men are.
74. If I say that seven of them belong to the Church of England and six to the Roman Catholic you will not contradict me?—No; they can all go to their church once a day.
75. You approve of the Commissioner's suggestions as to recruiting?—Yes.
76. And acting on those suggestions, if you brought a man from the Bay of Islands to Auckland who failed to pass the educational test, what would you do with him?—He should not be sent there till he has passed.
77. But my question shows the Commissioner's suggestion?—To bring him to Auckland before the examination?
78. Yes?—I do not think that is the suggestion. I say he should be at the depot, as the Commissioner states.
79. And you say the recent promotions were much required. Do you say you do not want the rank of first-, second-, and third-class sergeants?—Yes.
80. You want only the rank of sergeant?—Yes.
81. Do you think a man gets any promotion, except an "Irishman's rise," by bringing him from a country station, depriving him of his house and of his position as Clerk of the Court, as well as various little perquisites, and giving him 6d. a day more?—I do not think a man in the police has any right to work for County Councils and other bodies in the country; and, if a man gets such perquisites, he has no right to think he can keep them.
82. I prepared a scheme, did I not, in which I had no class of sergeants?—I believe so.
83. And I said I was running out the third-class sergeants?—Yes.
84. Have you ever served as a Sub-Inspector under an Inspector?—No. My first promotion was from first-class mounted constable to mounted sergeant, and I was sent in charge of a station. Then I was brought into headquarters and appointed senior sergeant. In 1868 I was appointed first-class Inspector, in the provincial days.
85. You think your district clerk does not get enough pay?—No.
86. Have you ever known an Inspector who did?—I do not know anything about the other Inspectors. I made no inquiries from them.
87. Your district clerk is drawing more pay than any other man in his position in the Force?—I cannot say what the others are drawing.
88. You know he has not been promoted by seniority?—He has been promoted for meritorious conduct.
89. And he is now drawing first-class constable's pay?—Yes.
90. You cannot tell us what rank he would be holding if he had not been specially promoted?—He might now have been a second- or third-class constable.
91. Who takes charge in your district when you are away?—The district clerk.
92. Does he give orders to the sergeant?—No; he has nothing to do with the sergeant. The sergeant has independent command over the town duty.
93. *The Chairman.*] When you go away, the charge of the district is taken over by the district clerk?—Yes.
94. Does not that put him in charge of the sergeant?—No.
95. *Colonel Pitt.*] Does he not issue orders to the sergeant?—They work together.
96. *Colonel Hume.*] Supposing the constable at Hastings wants a detective at once, and telegraphs for him, what happens when you are away?—The clerk would send a man.
97. Without saying anything to the sergeant?—No; he would tell the sergeant.
98. Would he say to the sergeant to send the man, or would he ask him to attend to the telegram?—I cannot tell you.
99. *The Chairman.*] What do you mean by saying that the district clerk has charge of the district?—He is the best man for it. He does whatever he is told.
100. What would he do in the case mentioned by Colonel Hume?—He would send the man. He has instructions to open all official telegrams to me, and to attend to the district.
101. *Colonel Pitt.*] Is the position not this: He is your clerk, and receives all correspondence, and if anything wants attending to as regards the men he shows the letter to the sergeant, and asks him to act on it?—No doubt he does. He has no control over the sergeant.
102. *Colonel Hume.*] I think you have had some correspondence with me on this subject?—Yes. The papers are likely at headquarters.
103. At any time in your service have you been in the habit of recording offences on your constables' defaulters' sheets without informing them of the fact?—Certainly not.
104. During the last ten years have you known any cases of constables being given charge of stations who were not fit to take charge of them?—They were not recommended by me; they came from your office.

105. What?—The transfers.

106. But have you known a man sent to take charge of a station who was not fit to do it?—Yes.

107. Many?—One or two.

108. Will you name them?—I think it is unfair to name them. The man is still in the Force.

109. *The Chairman.*] You must give the name?—There was the case of Coughlan, at Port Awanui. He was sent there as Clerk of the Court and constable.

110. *Colonel Hume.*] Do you know another case?—I think that is all.

111. Do you recollect where Coughlan came from?—Auckland, I think.

112. *The Chairman.*] As to the various offices held by constables, have you found them in any way interfering with the performance of police duties?—No. In fact, I think that in out-of-the-way places it is all the better for the constable, as he can see the district, if he has to serve summonses and so on. An objectionable feature in the extra work was the collection of the dox-tax, but the police do not get that tax in now.

113. Have you formed any opinion as to the desirability of the members of the Force exercising the electoral franchise?—I do not see why they should not have it, as well as others in the Government employ.

114. Have you ever found the exercise of the privilege bringing them under political influence to the prejudice of their duties as constables?—No. Before an election I always tell my men to use their votes, but to do no canvassing.

115. *Colonel Pitt.*] How often are the stations in your district visited by you?—Some of them I do not visit more than once or twice a year. The others I go to as often as possible. Some of the near stations are visited every two or three months.

116. *Colonel Hume.*] You have had considerable experience with the younger hands. What is your opinion as to the men who have come from the Permanent Artillery to the police?—Some of them were very good and some very bad. I think a more careful selection of the men should have been made. I would like to see all the men drilled before coming into the police.

117. Do you think the good predominated over the bad?—I think they were about equal.

118. How did you find their educational attainments?—Right enough.

119. What were their principal failings?—Some of them were addicted to drink, and others went about publichouses and talked to people in the streets, and so on. If I found a man off his beat I had him punished, but it was seldom that happened. If once cautioned, there was generally no complaint to be found with them afterwards.

120. I suppose that when the police were recruited from the Armed Constabulary, in the old days, some indifferent characters got into it?—No doubt. I heard of one man who was only 5 ft. 5½ in., and another 5 ft. 6 in., but they were the best men in the district. I allude to Berryman and Cavanagh.

121. But at the present time all the men you have are thoroughly efficient, and of good character?—Yes.

122. *The Chairman.*] Do you think it is necessary that the out-stations should be visited four times a year?—Yes.

123. Do you consider it necessary that the visits should be so frequent by an Inspector?—Either the Inspector or a sergeant in charge of a sub-district. I believe some of the out-stations should be in charge of a sergeant, who should keep one of the stations himself.

124. Would there be any practical difficulty in the way of putting a sergeant in charge of an out-station?—He would be useless except for that station alone, but if he had an assistant he could go and visit the whole of his sub-district and report to me.

125. Taking your own district, do you think it could be so subdivided that a sergeant and one man could be placed with advantage in charge of a sub-district?—Yes. It could be done in more than one place. At Gisborne a man is in charge of a sub-district. Men might also be placed at Tauranga and Dannevirke.

126. And if that were done it would relieve the Inspector of the duty of visiting the out-stations—how often?—Once every six months.

127. That would become practicable without interfering with the duties of the head office?—Yes.

128. *Colonel Pitt.*] Do you think there should be an age-limit at which men should retire from the service?—Not until the pension scheme is in force.

129. *Mr. Tunbridge.*] As to sending prisoners in charge of officers of boats, I would ask you if it was in your district that a Native prisoner escaped a couple of months ago?—No.

130. Did you hear about it?—No.

131. Do you think that sending prisoners in charge of officers of ships is a safe way of sending them?—I do not.

132. As regards the special promotion of Constable Norwood, who is your district clerk: was he specially promoted for the position he held, or for some other reason?—I think it was for attempting to save life in the breakers.

133. Not because he held the office of district clerk?—No.

134. Have you not found that the fact of a district clerk holding a constable's rank only has caused trouble with other constables and sergeants to whom he has sent orders?—I have not heard any of the men grumble about the orders sent by Constable Norwood.

135. Do you not remember the case at Woodville, about two months ago, where Constable Williams took exception to orders given by another Constable?—Yes, just so; but in that case my signature was given.

136. But the order went out from the district clerk?—Yes.

137. Should not the officer who is left in charge of the district hold rank above that of constable?—I think so. It is my opinion and my wish.

138. I do not think you make it quite clear about the duties of your district clerk while you are away. As a matter of fact, he is left in charge, is he not?—Yes.
139. To fill your place when you are away?—Yes.
140. He minutes up correspondence with directions?—Yes, as I would do myself.
141. Are not those minutes orders to other men?—Yes.
142. Then, he is giving orders to other men?—Yes, in that way he is.
143. *Colonel Pitt.*] Does he sign for the Inspector?—Yes.
144. *Mr. Tunbridge.*] And if anything arises in Napier he would give an order in the same way to the sergeant?—Yes.
145. What you meant to convey to us was that he would not interfere with the sergeant's duties in dealing with the men in the town?—Yes.
146. *Colonel Hume.*] You think that the officer taking charge during your absence should hold the rank of sergeant?—I do not think anything of the sort.
147. Do you not consider that the officer performing your duties should have the rank of sergeant?—I do think so.
148. Well, when you go away why do you not hand over your duties to the sergeant you have, instead of to the district clerk?—It is optional with me to whom I leave the charge of the district.
149. You think a sergeant should take charge of your office while you are away, yet you do not employ the sergeant you have in that way when you go away?—The duty of the sergeant is to look after the town. I always leave in charge the man I have always left. He is the man I have confidence in, and understands the work of the office as well as I do myself.
150. Would he not understand the work as well if under the sergeant while you are away?—I do not know. He has never been put in that position.
151. *Witness :* My solicitor reminds me that I should say that since I have been here I have stamped out all the brothels and all the spielers in Hawke's Bay. It was reported that Hastings was the worst place in the colony for spielers. It is seldom, however, that a man of that class is found there now. The officers of the club point out these men to the police, and I have them sent away or prosecuted.
152. *Colonel Hume.*] There used to be a great many in Hastings?—Yes. They were at the racecourse, but they were always turned off.
153. About six or eight months ago there were a good many there, were there not?—No, there have not been many for years. It is seldom they come to the district, although they may come to Woodville.
154. For the last two years, then, Hastings has been clear of spielers?—I think so. The men would come to Napier, but they were watched, and were not allowed to go on the course.
155. *Mr. Taylor.*] Your statement, then, that you had stamped out the spielers was not quite accurate? You qualify it now, and say it is seldom they come?—On the racecourse there are none. My men and myself go to the course early, and we go round with the secretary of the club and turn off any spieler.
156. How long have you followed that practice?—For years.
157. For three years?—I should say for more.
158. What year was it that you gave up owning racehorses yourself?—My son had racehorses.
159. What was the year that you gave up owning racehorses yourself?—About eighteen years ago.
160. Since you gave it up yourself?—My sons were the owners of the horses, not myself.
161. What police-stable did your son stable the horses in?—Sometimes at Greymouth, with permission.
162. From whom?—I could not say, but I had permission. Sometimes it was at one stable and sometimes at another. I got permission to use the stable if I kept it in order. That was in the provincial days, and I had the sanction of the Superintendent.
163. Did you not say just now that you could not remember from whom you got permission?—I was not thinking of the matter when I said that, but I know the Superintendent had no objection to my using the stable if I kept it in order. My sons rode the horses and raced them.
164. Did they own the horses or did you?—They were the reputed owners.
165. Were you not the actual owner of certain horses?—I do not think I should tell you that. If I did anything illegal with the horses you might ask me about that.
166. Who was the Superintendent?—Mr. A. P. Seymour.
167. Is he alive now?—I think so; I hope he is.
168. Would you get verbal or written permission?—I cannot tell you, it is so long ago.
169. Did you not own racehorses eleven years ago?—Not to my knowledge.
170. When you left the Coast in 1888 or 1889, did you own horses?—My son owned them; he is in Invercargill now.
171. They were the nominal owners up to the time of your leaving the Coast?—I think so.
172. How did you stamp out the brothels in Napier?—By giving orders to the police serving under me to lay informations.
173. How many informations have been laid?—A good many. Detectives Kirby and Chrystal went for those kind of people as soon as they saw them in the town and got them to leave.
174. Did you lay informations in the Court?—Not against those who went away,
175. Did you condone the offence?—Condone the offence! What offence was it to come into the town just as you would do?
176. But did they not reside in the town?—They did no harm.
177. None of the brothels were here, then, for more than a day or two?—I believe they were here for longer than that before I came.

178. But not since?—Not to my knowledge. I gave the detectives instructions to look after those people.
179. Is there not a brothel in Napier to-day?—Not that I know of. Perhaps you know it.
180. I may be able to enlighten you. You personally do not know of one?—No, I do not.
181. As to the spielers, what do you think is a spielier as opposed to an ordinary bookmaker?—We never interfere with the bookmakers.
182. What is the difference?—We stop the men who have tables on the course and the men who go about with the totalisator.
183. Can you remember the names of any of the spielers?—No.
184. Do you say you do not remember the names of any of the spielers who have frequented the Hastings Racecourse?—I might remember them if you brought them to my recollection.
185. Cannot you remember the name of one of them?—One was named Robinson.
186. What was his other name?—I do not know.
187. Have you not heard him called “Murrumbidgee”?—Yes.
188. Do you recollect Adams?—No.
189. Give us the names of others?—That is all I recollect.
190. Did you warn Robinson off the course?—He was warned off the course.
191. Did you warn him off the course?—It was either myself or my men.
192. Are you sure that either yourself or your men ordered him off?—I am very certain.
193. Do you remember a spielier named John Martin?—No.
194. Do you remember being at the Woodville races during the last three years?—Yes; I recollect meeting a namesake of yours there.
195. Was he a spielier?—He was associating with them all the morning. He told us he had lost £3.
196. With whom was he associating?—Spielers.
197. How do you know they were spielers?—He told us he had given £3 to two spielers to put on the totalisator for him and that they had given him no satisfaction after the race was run.
198. He was associating with spielers all the morning?—Yes.
199. How do you know that?—He said so. He said he had given the money to the spielers, and no doubt he must have been associating with them.
200. Did you see the spielers on the course?—Yes; there were about a hundred of them.
201. And yet you say you had cleared them off?—I took two of them to the station, and on my way there your namesake came up to me and asked me to hear the facts of his case.
202. Was there anybody with you?—A gentleman named Wilson, who is an insurance agent, I think. Next day the two spielers were defended by a solicitor, but both were punished.
203. In your official capacity have you ever had any transactions with Mr. Wilson?—No.
204. Did you not prosecute him for arson?—No. He was the owner of the hotel at Palmerston North when I knew him first.
205. Now, to come back to Hastings. When were you there last?—About six weeks ago.
206. Were there races on then?—I was at the last races at Hastings.
207. On the course?—Yes.
208. Were there any spielers there?—None that I saw.
209. When were you there before that?—I go to every race-meeting, also to the Park, as it is my duty to go.
210. Were you there just before December, 1896?—I cannot tell.
211. To assist your memory, I may say that the general election was in 1896. Were you there just before that?—I dare say I was.
212. Can you remember being there when the Premier was there?—Yes. I was there at one time when the Premier was there.
213. Where did you stay?—I think I always stayed at the Hastings Hotel.
214. Who keeps it?—Mr. O'Reilly.
215. How long do you generally stay at Hastings?—Sometimes a day or two.
216. What would keep you for a day or two?—Sometimes I stop there at night instead of coming home and going back in the morning.
217. Would the inspection take you two days?—I was attending the race-meeting on one day.
218. But it was not at a race-meeting when you were there with Mr. Seddon?—I might have been there on duty.
219. For two days?—I cannot say how long.
220. Would it take you two days to inspect the Hastings Station?—Sometimes I go to Hastings and from there to other stations.
221. What other station would you go to?—To Woodville, or Dannevirke, or Waipawa.
222. And would it take you two days to inspect the Hastings Station?—I might have other duty to do.
223. What other duty?—Frequently I have gone to the country.
224. Would you not attend to the country business in the township?—No.
225. Then, what could keep you in town for two days?—I cannot tell you anything about it.
226. Then, you say you know of two “tote” shops in Napier?—There are two reputed “tote” shops.
227. Where are they?—In the town.
228. Does Eagleton keep one?—Yes, that is one.
229. Does Smythe keep the other?—Yes. They are reputed “tote” shops.
230. What steps have you taken?—I have given orders to the police to look after them, and to take proceedings if possible.
231. What kind of proceedings?—Lay an information and prosecute under the Gaming and Lotteries Act.

232. Have any prosecutions followed?—No.
233. Do you think it is to the credit of the police that no convictions have been obtained?—The shops have been looked after, and the police have had instructions to put down anything illegal in connection with them.
234. Have you ever had a complaint about them?—Very seldom.
235. What complaints have you had about them?—I do not see why I should tell you.
236. I want to know?—I have been in the shops myself, and I have seen that there was nothing that the police could take action upon.
237. Did you expect to find everything on the surface?—I had no warrant.
238. Could you not have got one?—I applied for one once, and it was not granted.
239. To whom did you apply?—To the Magistrate. I think it was Mr. Turnbull. I sent the detective for it.
240. What detective?—Detective Chrystal.
241. Was that as the result of the complaint made to you?—I think so.
242. Who made the complaint?—I do not know.
243. Have you a record of the complaints?—No.
244. No record?—I do not think there was any.
245. If I went to you and complained that I had been to one of the shops and that I had invested money, would you take it down in writing or would you take my verbal statement?—I would take it down in writing.
246. You say that occasionally charges have been made?—I heard it was likely that they were carrying on the game, and I told the detective to go and get a warrant.
247. Whom did you hear it from?—Probably from the detective himself.
248. Are you perfectly certain the warrant was refused?—I think I told you so. The detective stated so to me.
249. Did you make further inquiries as to why it was refused?—No.
250. Do you not consider that that was a lapse of duty on your part?—I do not think so.
251. You say you have been in the shops yourself. What took place?—I saw only people on business, getting their hair cut or getting shaved. I have gone in myself to get my hair cut.
252. Have you made inquiries as to whether they were laying "tote" odds?—Not likely. I could see there was nothing carried on while I was there.
253. Now, can you give me the names of other constables who were unfit for stations to which they were sent?—I gave the name of Coughlan.
254. And you do not remember a second?—No.
255. Where is Coughlan?—At Clive.
256. Has he been in the Wairoa district?—Yes.
257. Until when?—Until recently.
258. How far is Clive from Napier?—About four miles.
259. What was his defect?—He was not a good penman.
260. Was that the only defect?—That was all. I thought he was not smart enough to be Clerk of the Court.
261. In regard to the Permanent Artillerymen, you say some were addicted to drink. What did you do with them?—I reported them, and in some cases recommended their dismissal. Some of them were suspended by me.
262. Whom did you recommend for dismissal?—I could tell you from the books. I did not dismiss the men myself. I reported them, and sent my recommendation to the Commissioner.
263. Do you remember an inquiry into a charge against a constable at Hastings for drunkenness this year?—Yes.
264. Did you inquire into that?—Yes.
265. Did you recommend him for dismissal?—I suspended him, and, I think, recommended him for dismissal.
266. On the first charge?—I inquired into it, and sent my report to the Commissioner. There was an inquiry, which is in writing. The man was suspended, but continued drinking; and he was in the same state when he was dismissed.
267. I want to know what was your verdict as a result of your first inquiry into the man's conduct?—I sent the evidence to the Commissioner.
268. The charge was not proved?—It was not proved.
269. Have you the evidence, then, taken in Napier now?—I do not know.
270. Was there evidence taken?—Of course there was.
271. In writing?—Yes.
272. What has become of it?—You will get full records in my office of the whole affair.
273. Did you conduct the second inquiry?—I went to Hastings a second time when I heard that the man was still drinking, and I found that that was the case, and I then thought he was not a reliable man to be in the service.
274. What time elapsed between the two charges?—It was very short.
275. Did you think he was not a reliable man on the second occasion?—I thought so.
276. Had you more evidence that time?—I had the evidence from the constable in charge.
277. Had you no evidence on the first occasion from the constable in charge?—Certainly.
278. Then, you had the same evidence on the second occasion as you had on the first?—I had a little more.
279. As Inspector of licensed houses, do you ever visit the houses yourself in Napier?—Often.
280. How often?—Frequently.
281. What time in the day?—At different times. I go sometimes at night and sometimes in the day.

282. Do you visit them all in the course of a year?—Yes, more than once.
283. And what kind of inspection do you give them?—I go round to see that they are well conducted.
284. Do you ever take refreshments there?—I do not think that is a question to ask me.
285. I ask you the question again?—Not to my knowledge. I have often been asked to drink, but have generally said No.
286. You have generally said, No?—I am not a teetotaler.
287. You say you know of no case of political interference in connection with the Force?—I do not.
288. You have never used political influence yourself?—What for?
289. To gain an advantage in the Force?—Not to my knowledge.
290. What rule do you follow in regard to charges? If the charge is made that a criminal offence had been committed, would you undertake of your own motion to suppress it?—No.
291. Do you remember a case from Tauranga; it was a report that a criminal offence had been committed there within the last year?—No.
292. Who is the constable at Tauranga?—Sergeant Murray.
293. Who was there previously?—Bern.
294. Was a man named Sharp never there?—Not to my knowledge.
295. Where is Sharp stationed?—Goodness knows. I do not know.
296. Was Bern there in the latter part of last year?—I think so.
297. Did he report to you that evidence had been elicited in a Court case there in regard to a case of attempted abortion?—I do not think he did.
298. Would the record be in your office?—Yes, if it came.
299. Do you know a chemist in Tauranga named Hoyte?—Yes.
300. How long have you known him?—A good many years.
301. Twenty years?—About sixteen years or more.
302. Are you pretty friendly with him?—Just as I might be with any one else in the town.
303. Cannot you remember whether or not you received a report from your officer that a certain offence had been elicited in the Court in regard to an attempted abortion case?—I cannot remember that.
304. Was a charge made against a person in this town within the last few months for keeping a brothel?—Not that I know of.
305. Was a charge not made and then withdrawn?—Not that I am aware of.
306. Do you not remember the case of a woman in which an information was laid on Constable O'Brien's evidence and a case against certain men for frequenting the brothel?—I think she got notice to leave the town, and did so.
307. Was the information against her for keeping a brothel not actually instituted?—I cannot say.
308. Will there be a record of it?—Yes.
309. *Mr. Tunbridge.*] Is this the evidence you took at Hastings in connection with the complaint against ex-Constable Potter?—Yes.
310. Does that contain the whole of the evidence you took?—Yes.
311. Have you taken any other evidence in connection with the case at any inquiry whatever other than that which you now produce?—Not that I know of.
312. Inspector Emerson's report is dated the 11th February, 1898, and is as follows: "The Commissioner.—In consequence of a complaint made to me by a Justice of the Peace, of Hastings, I proceeded to Hastings on the 6th instant, and obtained a statement from the barman of the Carlton Club Hotel to the same effect as mentioned in my memorandum to Constable Smith, forwarded herewith. I also received complaints, from the licensees of the Hastings and Railway Hotels respectively, that Constable Potter made it a habit of going into their hotels in uniform and obtaining liquor from them without payment. It will be seen that the constable denied the charges, and at an inquiry I held at Hastings yesterday the witnesses modified their statements to a very great extent. As this constable came here from Auckland under unfavourable circumstances, with your directions for me to report on his conduct in six months' time, I forward you these papers for your information. I would suggest that Constable Potter be transferred back to the Permanent Militia, as he does not appear altogether a suitable man for police-work." That is the report on the first charge?—Yes.
313. And on that I ordered that the man should resign?—Yes.
314. Subsequently the man, while under suspension, was discovered by Constable Smith, who was in charge of Hastings, to be under the influence of drink?—Yes.
315. That was reported to me, and on that I dismissed the man?—Yes. I suspended him, after making inquiry. I found he was still drinking, and I suspended him, and reported him to the Commissioner.
316. On the 21st February did you telegraph to me as follows: "*Re* resignation tendered by Constable Potter, forwarded you on Friday last: On Saturday Constable Potter again absented himself from duty without leave, and came on duty at 9 p.m. under the influence of liquor. On receiving this complaint from Constable Smith by telephone I immediately suspended Constable Potter, pending your instructions"?—Yes.
317. Is this a copy of a telegram you received from me: "22nd February, 1898.—Inspector Emerson, Napier.—*Re* Constable Potter: Please let me have evidence bearing on the constable's conduct on 18th instant, before receipt of which I am unable to deal with his case. In the meantime he will remain suspended.—J. B. TUNBRIDGE"?—Yes.
318. On the 25th February you wired to me in these terms that the constable pleaded guilty: 'Constable Potter's statement pleading guilty to charge on 19th instant will reach you to-night'?—Yes.

319. And on the receipt of that I replied, on the 26th, "Constable Potter is dismissed the Force, with pay up to and for 19th instant. Let me know name of constable you recommend to succeed Potter at Hastings"?—Yes.

320. Is that the history of the case?—Yes.

321. *Mr. Taylor.*] Who made the complaint against this man at Hastings?—Constable Smith.

322. He reported the whole matter to you?—Yes.

323. *Mr. Tunbridge.*] Do you now produce reports bearing on the matter that occurred at Tauranga?—Yes.

324. You have reports from Constable Bern?—Yes.

325. I believe those reports contained a suggestion that a female had been supplied with medicines with the object of procuring abortion. Is that so?—That is so.

326. And did the district clerk here, in your absence, refer the reports and one of the bottles of medicine still in existence to a medical gentleman?—Yes.

327. *The Chairman.*] Was any inquiry made into the allegation?—Yes.

328. *Mr. Tunbridge.*] Did the doctor say that, so far as he could ascertain, the mixture contained in the bottle was not of that class that would bring on a miscarriage?—Yes.

329. It was considered there was not sufficient evidence to support a charge?—Yes.

330. The matter was never submitted to Wellington?—No.

331. Nor did you personally have anything to do with it?—No; I was away in the district at the time.

332. *The Chairman.*] Who expressed the opinion that there was not sufficient evidence to support a charge?—Constable Bern, of Tauranga.

THOMAS JOHN O'BRIEN, examined on oath.

333. *The Chairman.*] What rank do you hold in the Force?—Third-class constable, stationed at Napier.

334. When did you join?—About three years ago. I was sworn in at Auckland.

335. Where were you first stationed?—At Auckland. I then went to Coromandel, and from there to Hastings, and from Hastings to Napier, where I have been stationed about six months.

336. What is the matter you wish to bring before us?—On the 29th July, 1897, I was shipwrecked on the "Tasmania." I lost £80 16s. worth of my belongings, in clothing principally, and in jewellery and one thing and another.

337. Are you a single man?—Yes. I applied to the department for compensation for my loss.

338. What were you doing on the "Tasmania"?—I was on transfer from Coromandel to Hastings. I got no compensation from the department.

339. Were you ordered to proceed by the "Tasmania"?—By the first boat, which was the "Tasmania." I got the order from Inspector Hickson by telegram.

340. Had you any correspondence with the department in connection with the application?—Yes. I received replies through the Inspector from Colonel Hume. I saw the correspondence that was forwarded to him, and as soon as I had read it I sent it back to Inspector Emerson's office.

341. *Colonel Pitt.*] What reason was given for not allowing you anything?—If I remember rightly, Colonel Hume said I should have had my personal effects insured, that if a constable thought fit to drag about the country eighty pounds' worth of property he should have it insured, and, further, that there was a probability of the Tasmania being brought to light, and that my belongings might be saved. I would like the Commissioners to look at the correspondence on the matter.

342. What grounds did you urge why the department should pay you?—I did not point out the case very clearly in my correspondence to Colonel Hume, as I did not wish to brag about what I had done on the steamer. As a matter of fact, I was the last man to leave the boat, except the captain. My grounds were (1) that I was on duty although I was on transfer, and (2) I considered that I should have been paid, at any rate, for my uniform.

343. *The Chairman.*] Did you supply the department with a list of the articles you had lost?—Yes, I sent in a full list, also the value of them. I sent the list to the Inspector's office, asking that it should be forwarded to the Commissioner. Later on I applied for reconsideration of my case, and the application went before Commissioner Tunbridge. I pointed out that I had been rather harshly dealt with, and in reply to that the Commissioner said he sympathized with me upon my loss, but that he could not open a case that had already been decided by his predecessor.

344. You were about the last person to leave the ship?—Yes, except the captain. I was one of the first men to lower a boat from the vessel, and during all the time that all the people were running about trying to get into the boats I stood by the ladder and prevented them rushing in too fast, otherwise the ladder would have broken, and they would probably have been drowned.

345. Have you received any recognition in any way for your services?—I have not before this placed the matter before the department. From the shipping company I have received no recognition whatever of my services. I wrote to the purser of the boat some time ago asking him for a letter to explain my actions at the wreck, but I did not know his proper address, so I sent it to the office of the company in Sydney. He and I were the first to lower a boat.

346. *Colonel Pitt.*] Have you made any representation to the shipping company for recognition?—On the advice of a solicitor I did not. He said I had no claim on the company, and that therefore I would get nothing.

347. Was not the captain found in default?—Yes.

348. Had you any chance to save your effects?—I could have saved part of my effects, but I was taken up with other duties on the steamer. I could not have got my box.

349. *Colonel Hume.*] Under what Act or regulation do you make this claim?—I do not think there is any Act or regulation applying to it. I bring it before the Commission now as a last resource.

350. Did any one on the boat beside the purser know that you were a constable?—I suppose there were a few. The purser was the only one I knew personally.

351. I suppose other passengers helped to lower boats?—No; I do not think there was another. The crew helped.

352. There was another constable on board, was there not?—Yes, but he took no part in lowering the boat.

353. What did he do?—He was looking after the little girl Dampier, the violinist. He knew her, and she asked him to look after her.

354. And the captain did not know that you were a constable, although he and you were the last to leave the ship?—I did not make myself known to him.

355. Could you not have insured your effects?—It would have taken me all my time. I had only two days' notice. I think I got the notice on a Saturday, and I had to leave on the Monday morning.

356. If you had had a fortnight, would you have insured them?—I do not think I would.

357. It was principally wearing apparel that you lost?—Yes.

358. You had a violin too?—Yes; worth £10.

359. But you did not think it was worth insuring it?—I did not insure it, anyhow.

360. Do you consider that the duty you performed on the ship prevented you from saving any of your things?—It prevented me from saving the violin and some things I had in a bag below.

361. You seem to have made this claim in the hope that you might get compensation for your uniform?—Whatever compensation the department thought fit. I really expected fair compensation for my loss.

362. Did you expect to get £10 for the violin?—I would not have put the violin in at all if I had not been advised by a friend to do it. It was to show my total loss that I put it in.

363. You never thought of getting a line from the captain to show that you had performed what might be called police duties at the wreck?—I did not think it was necessary. I did not wish to brag about myself, but since I decided to bring the matter before the Commission I wrote to the purser, care of Huddart, Parker, and Co., Sydney, but whether he got the letter or not I could not say. I have had no reply.

364. Did the other constable get any compensation?—I do not think he applied.

365. You sent in a claim for £80 16s. in the hope that you might get some little compensation?—I put in my list the whole loss, but I did not expect to get the full amount, and it is ridiculous to think I did. I thought, however, that I would get fair compensation. I have been shifted about a good deal, too—from Auckland to Coromandel, from Coromandel to Hastings, and from Hastings to Napier, all in three years.

366. Do you consider that is a hardship on a single man?—I cannot say that. I may say I did not use any political influence in my favour at any time, although I have a little that I might have used.

367. Well, I understand you are now making it a grievance that you have been shifted so often?—I do not care if I am shifted every day. What I am doing now is laying the matter of my loss on the boat before the Commission.

368. *Mr. Taylor.*] So far as your experience goes, has there been a feeling in the Force that political influence has been used pretty extensively?—There has been that feeling.

369. Was any reason given for your frequent removals?—None whatever.

370. Have you been active in the enforcement of the licensing-laws?—I have been active in the enforcement of all laws.

371. Has it been suggested to you that there has been any special reason for your removals?—No.

372. How long have you been a constable?—For three years.

373. Have you instituted any prosecutions against licensed houses in that time?—Yes.

374. Where?—In Napier and in Auckland.

375. None in Coromandel?—No, nor in Hastings.

376. *Colonel Hume.*] You say there has been a general feeling that political influence has been used. What do you mean by that?—I have heard it said among the men that some of them could get shifted and that others could not, but personally I know nothing of such influence.

377. These men said they could get shifted?—I have heard them say that others could get shifted.

378. In what way—by using influence with a member of the House, with a minister of religion, or with whom?—I have not heard that said.

379. *Colonel Pitt.*] Were the values you put on the articles your own values, or were they valued by some one else?—They were what I considered the fair values myself. They were nearly all new things. For instance, I had two suits of clothes, which I had never worn, for which I paid £5 5s. each.

THOMAS JOHN O'BRIEN, further examined on oath.

380. *Mr. Taylor.*] Did you lay an information against Mrs. Mitchell, of Munroe Street, Napier, for keeping a brothel?—I did.

381. Was it in December last?—It was.

382. Was it on your own motion, or upon information collected by some other constable?—Information collected by myself.

383. Are you satisfied that your evidence was complete?—Yes.

384. What became of the case?—I heard no more about it.

385. *Colonel Pitt.*] You laid the information?—Yes.

386. And did it not come on in Court?—No.

387. *Mr. Taylor.*] That is really all you know about it?—I was told by Detective Chrystal that the case had been withdrawn.

388. Who withdrew it?—I think he said it was the Inspector.
389. Did you have an interview with men who were said to have frequented the house?—I spoke to some who had been seen about it.
390. Did you induce any of them to go in?—No.
391. Did you suggest that they should go in?—No, I did not.
392. Did you know either of the men you were talking to?—They both belonged to Hastings.
393. What conversation did you have with them?—They asked me if I could put them on to a woman, as far as I can recollect.
394. What did you say?—I told them No.
395. Then you had a general conversation?—No. They said to me, "Oh, you know right enough." Policemen are generally asked about that sort of thing. In Auckland hundreds have asked me the way to brothels.
396. Did you mention Mrs. Mitchell's house or not?—I do not know whether I mentioned it to them or whether they mentioned it to me. It occurred last December.
397. Did they go in?—Yes, and I saw them come out.
398. Did you wait outside while they were in?—Yes.
399. What happened after they came out?—I asked them how they got on inside, and they told me.
400. Is that the information on which you based your case?—Yes.
401. Did you have intimation that the brothel had been noticed?—Sergeant Mitchell gave me a letter signed "A Mother," in which it was stated that there was a house of ill-fame in Munroe Street, and I made inquiries and located it. I watched it for a week or so, and I saw a good number of people go in, and others hanging about.
402. Do you know of other men visiting the house?—I have seen them go there, but when I have spoken to them they have denied it.
403. Were there children in the house?—Yes.
404. What ages?—The woman had a family of six, whose ages were respectively seven, eight, eleven, thirteen, fifteen, sixteen. There were three boys and three girls. One of the boys was adopted.
405. Was this matter not the subject of an interview between yourself and the Inspector later on?—No.
406. Were you not interviewed by any of your superiors as to the methods you had taken to get information from those two men from Hastings?—No. I put my reports before Sergeant Mitchell.
407. *The Chairman.*] Did he rebuke you in any way?—No. It was under his instructions that I made the inquiries.
408. *Colonel Pitt.*] Was this house disorderly?—In the letter signed "A Mother" it was so reported, but I have no knowledge of that.
409. From your observation in the neighbourhood was there any noise?—No.
410. *Mr. Taylor.*] Is this your report?—Yes.
411. The prosecution was based on the information contained in that report as well as the evidence of the Hastings men?—Yes; but the evidence of those men was of no value.
412. Did you discover that cabs frequented the house and remained outside for a time?—Yes.
413. And that two girls came up by the express and went to the house?—Yes.
414. In your report you say that Mr. Scoble, Mrs. Mitchell's neighbour, states that "on the night of the town and suburban races he came home at 11.30. There was then a cab with two grey horses drawn up aloftside the footpath, and directly opposite Mrs. Mitchell's house. The lights of this cab were out. At right angles to Mrs. Mitchell's house, and about five chains distant, another cab with one grey horse attached was grazing on the side of the road. Mrs. Scoble informed me that two girls arrived by the express train from the south on Tuesday last." Did you take steps to verify those statements?—No.
415. You considered the statements reliable?—Yes.
416. *The Chairman.*] Was there anything remarkable in the fact of two girls arriving?—No.
417. *Mr. Taylor.*] From what you knew of the character of the house, what would you have judged about the two girls going there?—At the time I knew nothing of the character of the house, only from what I had heard.
418. And from what you heard afterwards what would you say?—Well, she carried on in such a quiet manner that I could see nothing against her.
419. *The Chairman.*] Did you know the two girls?—No.
420. Where did they come from?—From Palmerston North.
421. *Colonel Pitt.*] Did you make no inquiries yourself as to why the information was withdrawn?—No. Detective Chrystal told me, "That information is withdrawn," and I said no more.
422. *Mr. Tunbridge.*] Do you know that the woman left the town immediately?—Yes.
423. And has not been back since?—I have not seen her in the town since she left.
424. *Mr. Taylor.*] Where did she go to?—Palmerston North.
425. *The Chairman.*] Do you say you do not know anything of the circumstances which led to the withdrawal of the information?—I do not.
426. *Mr. Taylor.*] Before you laid the information Mrs. Mitchell admitted that these two men had been to her house for immoral purposes?—Yes; on the service of the summons she admitted it.
427. *The Chairman.*] Was that before the case was withdrawn?—It was on the day I served her with the summons.
428. Do you say you knew the men?—I knew one of them.
429. And they asked you if you could put them on to a woman, and you told them about Mrs. Mitchell's house?—They asked me if I could recommend a house, and I said I could not. They

kept at me for a time, saying a policeman was supposed to know that sort of thing, and I am not sure whether they said, "Do you know Mrs. Mitchell's place?" or whether I showed them Mrs. Mitchell's house.

430. Are you sure they told you what took place in the house and that Mrs. Mitchell also told you?—What they told to me I stated to Mrs. Mitchell. When I served her with the summons I told her I saw the men go in, and that I had spoken to them after they came out. I said, "It is a positive truth, is it not?" and she commenced to cry and said it was.

431. Is that a legitimate way for a constable to approach an accused person?—I think that under the circumstances it was fair enough. The conversation was brought about by Mrs. Mitchell asking how I came to serve the summons.

432. *Mr. Tunbridge.*] You say that people usually go to constables about a matter of this kind?—Yes.

433. Do you know of any other case of the kind?—I have been asked numbers of times in Auckland.

434. Do you know of any other policeman being asked?—They have told me so.

435. That people who want to discover an immoral house ask a policeman?—They ask the police if they know where these women live.

436. And you have been kind enough to tell these men?—No. I have treated them harshly when they have asked me anything like that.

437. When you have knowledge of these kinds of places existing, have you reported them?—Yes, in all cases.

438. Any knowledge you have had respecting a brothel you have made known to your superiors?—Yes, at once.

439. Do you know of your own knowledge whether action has been taken or not?—I would state the amount of evidence I had, and sometimes I would get a reply that there was not sufficient evidence. That was in Auckland. In some of the cases I brought there the accused were fined £5 or £10.

440. Prosecutions have ensued on the reports you have given?—Yes.

441. You do not wish it to be implied that you have kept knowledge of these places in your mind to impart to any one in the street?—No.

442. And this is the only case in which you have given information as to the locality of a brothel?—Yes.

443. *The Chairman.*] One of the men was acquainted with you?—Yes.

444. Did he apply to you as a personal friend or as a constable?—I thought he came to me as a constable. He did not know who I was until he got up to me.

445. Prior to this had you reported this matter to the Inspector?—No; but I had to Sergeant Mitchell, as a result of the letter signed "A Mother." He then instructed me what to do in the matter.

JOHN EMERSON, examined on oath.

446. *Witness:* Mrs. Mitchell's case was reported to me, and I ordered that an information should be laid against her, but two barristers in Napier came to me and said that up to that time she had been very respectable, and they asked me to give her a chance to go away. They said, too, that she was going off to Wanganui next morning. I said, "Very well." I always like to give these people an opportunity to leave the place. It was also pointed out to me that she had a lot of children, and that to bring the case on would only expose her, and that it would be better to let her go without exposure. I then said, "Very well; let her go."

447. *Mr. Taylor.*] Will you swear that these solicitors did not tell you how the evidence was obtained from the Hastings men?—They did not.

448. Did they not say that if the case was gone on with they would make a public scandal of it for your men?—No.

449. Do you withdraw many informations?—Sometimes we have to, but on this occasion I thought it was only right, as there was nothing against the woman before, to give her a chance of leaving. If I wished to get any one of that sort out of town I would give them notice, and let them go.

450. Even after an information is laid?—No; I did not say so. I may say that the barristers were Mr. Cornford and Mr. Lusk.

451. On whose behalf did they come?—They simply said it would be far better to let her go than to expose her.

452. Did they not say that one of your men had induced the two men to go to the brothel?—No. They are in the town here, and you can ask them.

453. Did you not try to get the children away from the house?—They all went away from the town the next morning.

454. Is it not your duty to have children in a house like that removed to a reformatory?—I only knew about the case the night before she went away, and the next day she went to Wanganui.

455. Was it not to Palmerston?—I was told it was to Wanganui.

456. And on whose behalf did these solicitors see you?—They said to me that instead of exposing the woman it would be better to let her go. She had been given notice to quit, and that night had everything packed up, and I then said, "Very well, let her go."

457. Is that all that passed?—I do not recollect anything else. Mr. Cornford is not a gentleman of many words, but I think he is a very moral man.

458. Did they come together?—I would not be certain.

459. Did they come separately?—I do not know, but I know my decision was to let her go.

460. Would you not regard it as your duty to remove children from a home of that description?—Yes; but it was reported that she was respectable, and that the children were the same, and I was satisfied she was respectable before she came here.

461. Who reported that to you?—I do not know, but I think it was Mr. Cornford.

462. Did you see a report dated the 2nd December from F. Bishop, of Palmerston North, in respect to this woman?—I do not think so.

463. Do you remember a report from Palmerston North bearing on her character?—I do not.

464. The summons to the woman is dated the 15th December, 1897. Now, had you seen the report from Palmerston of the 2nd December when you withdrew the information?—I do not know. I do not think I had seen it. I know that the barristers came to my office and said that as others had got the chance to go this woman should also have a chance.

465. Had you read Constable O'Brien's report of the 27th November?—Not to my knowledge.

466. Do you remember him saying, "Mr. Petherick informs me that he was acquainted with Mrs. Mitchell in Palmerston North, having lived in a house belonging to her in that town. He (Petherick) says that Mrs. Mitchell had a very bad name, and was, so he (Petherick) heard, keeping a very loose house. She was commonly looked on as a very shady character"?—I do not think I had any conversation with the constable.

467. It is not a conversation, but a report from him?—I do not think I saw it.

468. Did you not think it was your duty to look up documentary evidence?—I did not think there was anything of the sort. There was an information laid, and I thought it would be better to give her a chance of going away instead of prosecuting her.

469. You say you were satisfied she had lived a good life before she came here?—I was told that.

470. And did you not see these documents?—No.

471. *Mr. Cresswell.*] How long had she been living in the house?—About eighteen months, I was told. I did not know her house at all.

472. Do you know that she has a daughter well married in Napier?—Yes.

473. When the anonymous letter appeared in the paper, I think I interviewed you on behalf of the landlord of the place?—Yes.

474. And I gave Mrs. Mitchell notice to quit?—Yes.

475. She made arrangements to go to Wanganui?—Yes.

476. Her notice to quit expired between the service of the summons and the hearing?—Yes.

477. Did not the landlord and myself assure you that the landlord had been to the house and had seen the things packed up?—Yes.

478. And that she was ready to go?—Yes.

479. Had you any reason to suspect the house in any respect before that?—No.

480. As to the children—were they aware of the life their mother was leading?—I was told they were not.

481. She was never convicted of keeping a brothel or of being a prostitute?—No.

482. *Mr. Taylor.*] What anonymous letter appeared in the Press?—I did not see it.

483. You said just now that Mr. Cresswell saw you immediately after the anonymous letter that appeared in the Press?—He did see me about a letter that appeared in the Press.

484. Did you not show Mr. Cresswell the letter signed "A Mother"?—He came to my office about the same time as Mr. Cornford, and said the landlord had given the woman notice to quit.

485. *The Chairman.*] Did you see an anonymous letter in the paper about this house?—No.

486. *Mr. Taylor.*] Did Mr. Cresswell come to your place before or after the landlord?—I think it was the same day.

487. On whose account did he come?—He said the woman was ready to go.

488. Did you tell him what evidence you had?—No.

489. Did you consider that the evidence was sufficient to get a conviction upon?—I did not consider that; I only considered the request of the two barristers to let her go.

490. Have you ever before withdrawn a charge of this kind?—Not to my knowledge. I always gave them notice to go, and they went.

491. Is it your duty to abstain from prosecuting?—I think in that case it was better.

492. Does the law not say it is an offence to keep a house of this kind in the town?—Yes.

493. And on your own motion you undertook to suspend its operation?—I did; it was better to give her a chance of going than to expose her and her children.

494. *The Chairman.*] You consider that the moral welfare of the community is better served by keeping these cases out of the newspapers?—Decidedly.

495. *Colonel Pitt.*] Was the information called on in Court?—No.

496. You did not consult the Magistrate about it?—No.

497. But it would be called on and entered as withdrawn?—It was not called on.

498. *The Chairman.*] It would be entered in the books?—I do not think it was.

499. *Mr. Cresswell.*] Detective Chrystal used to take charge of the cases at that time?—Yes.

RODOLPH BLOFELD MATHIAS, examined on oath.

500. *The Chairman.*] There was an information laid by Constable O'Brien against Mrs. Mitchell about the 15th December, 1897. As Clerk of the Court, can you tell us what was the course followed in that case?—It was laid on the 14th.

501. Did the case come on for hearing?—No.

502. When and how was it withdrawn?—It was withdrawn on a date prior to the hearing. Mr. Lusk, Mr. Cornford, and Inspector Emerson came to the office and had an interview with the Magistrate, and on that the case was withdrawn. In the book it is in its proper place, and is entered up "Withdrawn, by leave of the Court." My note on the papers at the time was "Withdrawn, by leave of the Court, at the request of Inspector Emerson."

503. What was the date?—The case was to be heard on Monday, 20th December, and it was probably on the Friday or Saturday previously that the case was withdrawn.

504. *Mr. Tunbridge.*] Were you present when the conversation took place between the two legal gentlemen and the Magistrate?—For part of the time.

505. Did the gentlemen say whether they wished the summons to be withdrawn?—There was a general conversation, in which I understood that the woman was leaving the town and on that understanding, and on the request of Inspector Emerson, the Magistrate allowed the case to be withdrawn.

506. Was anything said as to the methods employed by the constable in obtaining the evidence?—Not while I was in the room.

507. Did either of the gentlemen represent to the Magistrate that they had been engaged by the two men who were to be called as witnesses to get the case settled?—I do not know. Part of the conversation took place before I was in the room, and then the Magistrate told me to get the papers, and I heard the balance of the conversation.

508. You heard no threat to create a scandal?—Nothing of that kind was said while I was in the room. Nothing was said about the method of getting the evidence.

ARTHUR HUME, examined on oath.

509. *Witness:* In giving my evidence in Wellington I stated that I ranked Hastings as the place where the greatest number of spielers were in the colony. My reason for doing that was that on the 10th February, 1896, the Town Clerk of Hastings wrote to the Defence Minister and forwarded the following resolution of the Borough Council, passed at a meeting held on the 6th of that month: "Having regard to the growth of this borough and the prevalence of larrikinism, this Council is of opinion that at least one more constable is urgently required; that a copy of this resolution be sent to the Defence Minister, and that he be respectfully requested to station a second constable in Hastings." I referred the letter to the Inspector, who says, "I am of opinion that Sergeant Mitchell and Constable O'Connor are quite sufficient for the requirements of Hastings, and the remarks I made on a similar application sent to you on October 4, 1894, are still applicable to the present request for more police." Consequently, another man was not sent. Then, on the 28th September, 1896, the Council wrote to the Inspector of Police at Napier, asking for additional police at Hastings. The Inspector sent the application to me, and said, "The population in the Hastings police district is rapidly increasing. It now totals 5,289 souls, and, owing to the large number of horse-training establishments in the neighbourhood, employing jockeys, stable-boys, &c., who as a rule require considerable attention from the police, I think the time has arrived for an additional constable being stationed there. The mounted constable has a big district to patrol, and Sergeant Mitchell's time will be very much taken up for some time to come in attending to work in connection with his appointment as Registrar of Electors. The racing season has now set in in this district, which usually attracts gangs of spielers and other undesirable classes, and I beg to strongly recommend that another constable be sent to Hastings as soon as possible." That was dated the 29th September, 1896. On the strength of that I tried to get Sergeant Mitchell relieved of the duties of Registrar of Electors, thinking that that might get over the difficulty. In December, 1896, the Town Clerk wrote again to the Inspector of Police: "I am directed to point out that the present Police Force of this district is not sufficient to preserve proper order, more especially at this time of the year, when larrikinism is unusually rife. I refer to the destruction of property and the annoyance caused to householders by gangs of larrikins parading the district on New Year's Eve, lifting gates off their hinges, throwing down out-houses, and committing other acts whereby great damage is caused to many residents of the town. As this nuisance extends over a wide area it is an utter impossibility for the two members of the Force to cope with it." On the 11th May, 1897, the Town Clerk wrote again to the Inspector of Police, saying, "It is impossible for two men to exercise proper supervision and control over the town," and he encloses an extract on the matter from a Hastings paper. He does not say anything about spielers on that occasion. A third constable was afterwards sent to Hastings, and there are three there now.

THURSDAY, 26TH MAY, 1898.

JOHN EMERSON, examined on oath.

1. *Colonel Hume.*] Do you remember in the month of July, 1895, there was a question of some cattle-stealing at Woodville?—Yes.

2. A man named Gower, a resident of Woodville, and a Constable Treanor were concerned in it, and when the constable went to arrest the man he found he was not there?—He had left.

3. It seemed, then, a summons had been taken out instead of a warrant?—Yes.

4. Can you explain what took place?—I understood that a warrant had been taken out in the first instance. I do not know how the Magistrate and constable arranged, but I think the Magistrate thought a summons would be sufficient. This man Gower was very well known at Woodville.

5. Do you remember at whose suggestion the warrant was not executed, but a summons was taken out?—I think, at the Magistrate's.

6. Do you remember the name of the Magistrate?—No, I cannot say.

7. Then the man got away?—Yes.

8. Was everything done after he got away to effect his arrest if possible?—I did everything in my power. All the men in the district were communicated with by telegram, and we did our utmost to have him apprehended, and kept up inquiries in the other colonies as well.

9. And other precautions were taken, I think?—Men were sent in all directions to look for him.
10. And the family and letters were watched?—Yes, in Woodville, and Palmerston North as well.
11. Then, so far as your knowledge goes, the constable acted on the advice of the Justice of the Peace?—Yes.
12. The matter was not referred to you?—No, not till afterwards—until the man had left.
13. And you had some intelligence, probably, of the way in which he got away?—Yes.
14. And you took steps to try and intercept him?—Yes.

JOHN BENNETT TUNBRIDGE, further examined on oath.

15. *Colonel Hume.*] The other day you suggested there should be some change in the enrolment of the candidates and the mode of procedure?—Yes.
16. You thought that all candidates should be brought to Wellington to pass an educational examination in reading, and writing from dictation, and arithmetic—say, the first four rules?—Yes.
17. Then, if they passed, would you take them on as probationers?—Yes.
18. Now, what is the alternative? Suppose they do not pass, what would you do with them?—They would have to go back, of course.
19. Suppose a man came from the Bay of Islands, or Stewart Island, and failed to pass, it would be rather hard on him, having come down to Wellington?—If a man knew the conditions under which he would be admitted to the service, and chose to take the risk, it would be his matter, and not a question for the authorities. It should be made known to the men clearly the conditions under which they would be appointed.
20. Would that not debar men who might be eligible from endeavouring to get into the Force?—No, I do not think so.
21. What objection would there be to taking educational standards? Suppose a man had passed the Fourth Standard, would that not satisfy the requirements?—No, I do not think it would, because a boy passes the educational standard when he is fourteen years of age. When he applies for enrolment in the police he, under the regulations I suggest, will be between twenty-one and thirty years of age, and may have forgotten the greater part of what he was taught in his youth.
22. Then, would you take them on at the age of twenty-one?—Not less than twenty-one.
23. Well, now, is not putting a man on the street at the age of twenty-one rather young when he has to act on his own responsibility?—Well, considering I was put on the street when a little over seventeen years of age, and that was in London, and no very serious mistake was made, I do not know that there is much risk in putting men on at twenty-one years of age.
24. Then, is twenty-one the minimum age in London now?—It is the minimum age that counts for a pension. A man may be taken on a little earlier, but his service does not count for a pension until he is twenty-one.
25. Then you recommend a lodging-allowance of 1s. a day for those who cannot be provided with quarters?—Yes; if over three years in the service.
26. Then, for the first three years they would not get a lodging-allowance?—No.
27. Would you have their quarters inspected?—Oh, yes, decidedly, if necessary.
28. Just the same as if they were Government quarters?—Yes; they should be open for inspection, and the department should have the right of inspection. I do not know that it should be exercised, but there should be that right given to the authorities to inspect the quarters, and then, if there was any suggestion that the men were not living in proper places, there would be the right to inspect the places.
29. Then, you would put these men on probation for three months?—Yes, while in the depot.
30. How would you manage in the case of married men?—They would have to live as single men while in the depot, and it would probably be to their interest that their wives and families should not move into Wellington, because it would be a question of whether or not they would ultimately be taken into the Force. They would be able to live in the depot at a very reduced rate, and I have no doubt 6s. a day would support their wives and families, or go a long way towards it.
31. You probably observed that, in my report, I recommended this depot system?—I believe you have.
32. I notice you did not make any recommendation as to district and Native constables?—I did not.
33. What is your idea about them?—Well, there are so few of them in the service, and they are at such remote places, that I do not think the matter requires any special recommendation. I look on district and Native constables as ordinary members of the community who are merely given the powers of a constable in case they are wanted. It is simply a money-saving makeshift arrangement.
34. So far as you have seen, you think they should be where they are?—Oh, yes, they fill a want. It would be a considerable expense to the department if a police-station were established at some of these very remote places.
35. Then, you recommend that men employed in plain-clothes duty should receive 1s. a day?—Yes.
36. How do you think these men ought to be selected for plain-clothes duty?—By the aptitude they may show for detective work.
37. By whom?—By the Inspector of the district; of course, they should be recommended by the Inspector, and approved of by the Commissioner of Police.
38. How long would you keep them on plain-clothes duty?—That would depend entirely on the vacancies that might occur in the ordinary detective branch, and, further, where the men showed such ability as to justify their inclusion in the detective branch proper.

39. Then, after a very short time your Detective Force would be selected entirely by Inspectors of districts?—I say the Inspectors would recommend, and the Commissioner would have the approval. Of course, the responsibility would rest on the Commissioner.

40. But the suggestion would come from the Inspectors?—Certainly.

41. *The Chairman.*] Do you think there ought to be any exceptional mode of appointment of men to the detective service? Do you think it essential they should pass through the other grades of the service?—Decidedly, for this reason: a man, as soon as he is appointed a police constable, is given the power of arrest, and consequently ought necessarily to have a knowledge of the law and the ordinary duties of the police; therefore, it is necessary he should, first of all, have some knowledge of police-work. There are cases, of course, where it is better to employ men who have never been in the ranks, but that is only in special cases, such as sly-grog selling and cases of that kind.

42. *Colonel Hume.*] Then, you recommend that leave should be cumulative up to twenty-eight days?—I do.

43. Would not that cause a great deal of inconvenience if you had to let two or three from the same district away at the same time for a month each?—There would be no “having to let them away”; you would let them away at your discretion. Under the present system, two or three men are never away from one station at one time.

44. In such cases they are only away for twelve days; but if it was a matter of twenty-eight days would it not cause inconvenience?—So far as any inconvenience is concerned, I think the inconvenience would be less, for this reason: on a man going away, we will assume for twelve days, a constable has to be sent, in many cases, from quite a distance, to relieve that man for the twelve days. Now, if that man allowed his leave to accumulate for three years, the constable who relieves him would simply have to make one journey to do so. So I think, taking it all round, the inconvenience would be less.

45. Then, you recommended that the Licensing Act should be altered in the same direction as I have previously recommended?—That is so.

46. Do you not think the term “*bonâ fide* traveller,” needs some new definition?—A “*bonâ fide* traveller” is a person who has slept three miles from the place where he wants to get a drink.

47. Do you consider that is sufficient?—I realise there would be very considerable difficulty in carrying out any alteration in that law. I may say New Zealand is not the only place where the difficulty is experienced. We have the same difficulty in England in reference to the licensing laws, and there are thousands of men who on a Sunday morning travel three miles for the express purpose of getting a drink; they comply with the letter of the law on the subject, and I do not see how it can be altered.

48. *Colonel Pitt.*] Has it not been decided that those who travel purposely for drink are liable under the Act?—There may have been some special case; but I know this abuse—that is what I call it—still goes on in England; and many houses in the suburbs of London do more trade with the so-called “*bonâ fide* traveller” on a Sunday than they do all the rest of the week.

49. *Colonel Hume.*] The publichouses are open twice on Sundays at Home, are they not?—Yes, in England.

50. Do you think that the difficulty of this Sunday trading might be got over by opening them here on the English system?—I would not recommend it.

51. Well, now, you suggest the police should have pensions?—Yes.

52. Well, now, why should the police have pensions more than any other branch of the service?—Will you mention any particular branch?

53. Take the Prisons Branch?—The police are exposed out of doors in all weathers, night and day: that is one reason. Another reason is that after a man has given twenty-five to thirty of the best years of his life to the service, and becomes unfit for hard work, I think it is right that he should expect something from the country. Policemen, if you wish to have an efficient Force, should retire at an earlier age than a man who is not liable to be called on to cope with a disorderly rough. The Police Force should consist of none but thoroughly able-bodied men, and unless you have a sort of pension system it is impossible to get rid of men when they attain the age which unfits them for active police-work. Therefore I think these men ought properly to have a pension. Another thing is that a policeman is subject to very great temptation from persons who wish to evade the law, and the prospect of a pension when approaching old age would certainly tend to keep a policeman honest. I think it will tend to that end, and deserves the most serious consideration. I know Police Forces where there is no pension system, and I know that as a rule they are the most corrupt of any of the Police Forces. The reason is that the men while in the Force endeavour to feather their nests by legitimate or illegitimate means. These remarks, of course, do not apply to this colony, but they do apply to some Forces I know.

54. Do not these reasons apply with equal force to the prison service?—No; warders, for instance, have not to perform night duty in the open air; they are not subject to the temptations of publicans and other people who wish to break the law. A prison warder has to perform a sort of routine duty, and nothing more; he is never brought into contact with the public; he has simply to deal with the prisoners, therefore he is not subjected to the same temptation as a policeman.

55. Would you be surprised to hear that a prison warder was offered £1,500 to let a prisoner go?—Just so; of course, there is a certain amount of temptation, but it is not a daily matter; the one you mention is an isolated case. You probably, throughout the whole of your long experience, only know of this one case. I take it that you and every one else knows that every hour a policeman is on duty he is subjected to temptation.

56. Then, you say that if the fines under the Licensing Act and the Gaming and Lotteries Act were put towards the pension fund the Government would not have to supply a very great sum?—I do not say that alone; I say, if the men contribute 4 per cent. If the fines under these Acts and the

emoluments now received by the police for outside work were paid into a pension fund, I do not think the Government would have to provide very much more than they now provide for compensation.

57. But, if these fines were paid to the pension fund would not the Justice Department have a shortage to the extent of all these fines?—Certainly; but the same system prevails in England. The police in a great measure are alone responsible for carrying out those particular laws, and therefore I think it is only just to the Force that the pension fund should get some benefit from the fines imposed, especially as we are looking round for the means to provide the necessary funds to meet what I consider is a very great want.

58. *Colonel Pitt.*] The Justice Department save a good deal of expense at the cost of the police?—Decidedly so.

59. *The Chairman.*] It becomes a charge on the State, but only under another name?—Exactly.

60. *Colonel Hume.*] Then, do you think it would be right and proper to make a man do extra work and then not pay him for it or pay him directly, by putting the emoluments into a pension fund?—You yourself stated that the men who perform the duty of Clerks of Court have very little else to do; therefore I do not consider a man is performing extra work. I consider a man who is doing eight hours' duty in a large town is doing very much more than a person who is acting as Clerk of Court, and I do not see why a man who is getting a soft job in the country stations should receive more pay than a man who is doing harder work on the streets.

61. If you found out that a man was doing work in his own hours—that is, over and above his eight hours per day—would you then perhaps be inclined to give him something for it?—Well, a policeman has no hours of his own; he is supposed to devote the whole of his time to the Force; and I do not think a man would have to work more than eight hours a day, except in exceptional cases, as in Stratford, where the Court-work is very heavy.

62. Then, the way to get over the difficulty in such places would be to appoint a civilian Clerk of Court?—Yes, that will come about without this; in one or two places civilian Clerks will have to be appointed.

63. *The Chairman.*] Do you realise that it is desirable that there should be an understanding with the Justice Department that when the amount of clerical work required of a Clerk of Court exceeds a certain number of plaintiffs it should cease to be performed by a constable?—Yes, or when the work becomes very heavy. I do not know about a hard-and-fast line as to any particular number of plaintiffs, but certainly a private Clerk should be appointed where it interferes very materially with the police duties. That is a matter more for the Stipendiary Magistrate to deal with than for me. I am not conversant with the work that has to be done by a Clerk of Court.

64. *Colonel Hume.*] Supposing a man rides about fourteen miles to serve a summons and has to swim a horse across a couple of creeks at, perhaps, the risk of his life, do you think the money he gets for that should go to a pension fund?—I have not dealt with the mileage work. Of course, where a man is out of pocket he has a right to have some compensation. I referred only to salaries and fees. He should be allowed to charge the whole of his out-of-pocket expenses.

65. Perhaps he risks his life by swimming a couple of rivers?—That is a contingency I do not think likely to arise, and does not require attention. I do not think a constable is very likely to risk his life for the sake of serving a summons.

66. At present, when a man leaves the Force through no fault of his own, he may, at the discretion of the Minister, receive twelve months' pay. Would not the difficulty be got over by paying the police on the same principle as is in force in the other branches of the Civil Service—namely, by giving him a month's pay for each year of service?—That would be an advance on the present system, but not nearly so good as a pension. At the present time a man leaving the service may risk the whole of his compensation in a business and lose it all, and then his family would have to suffer; the pension would be insured to him as long as he lives, unless he misconducted himself.

67. I think you have gone over a good many records of the service, and, from the way you have made yourself *au fait* with the work, do you think that the department has used its utmost endeavours to detect and suppress crime?—I do, with the means at its command.

68. In selecting detectives or acting-detectives to look after any particular case, would you be guided by their length of service?—No.

69. Would you take a man who had been only a week in the Force if you thought he was the best man?—I would not make that man a detective, decidedly; I would put him in plain clothes as a temporary measure. I may say it is pretty well understood that a detective is born and not made; if Nature has not endowed him with the necessary intelligence to become a detective, he never will become one.

70. Consequently, length of service would have very little weight?—It is necessary a man should have some police experience, because he requires a knowledge of law to guide him in exercising his power of arrest.

71. Then, in your experience, have you found any disorganization in the Force?—No. That, however, is rather a wide question. I have not found disorganization, but I think the Force is capable, if I may put it in that form, of a more perfect system of organization.

72. But you would not say that the Force is disorganized, or was disorganized?—No; I do not go so far as that. In my opinion it is capable of improvement. That is only my opinion.

73. Do you think that the number of offences committed by the members of the Force is excessive?—No.

74. How would they compare in proportion to the offences committed by the London police?—It would not be a fair comparison, because the conditions are altogether different here. This Force is more nearly approximate to the Constabulary Forces at Home. Of course, the percentage of

offences here in the New Zealand Force is very much lower than they would be at Home in London, but not so in reference to the Constabulary Forces.

75. I suppose you have found in your experience that complaints against constables and detectives in the Home-country are not altogether an unknown quantity?—Not by any means; I may say it is very difficult for an active police officer to go along without complaints of excessive zeal on the one hand, and, on the other hand, unless he is pretty active, there are complaints from those who wish to urge him on.

76. Now, do you believe in giving a man a second chance: for instance, the regulations say that if a constable is found drunk on duty he shall be dismissed?—I do not think the regulations demand that. The regulation gives the Commissioner the power of discretion.

77. You believe there should be that discretion?—Certainly.

78. You recommend the appointment of police surgeons at the four centres?—Yes, I recommend them wherever a sufficient number of men can be got together to be placed under a surgeon, I do not confine it to the four centres. If possible, I would have every man in the Police Force under a surgeon.

79. Then these police surgeons would be paid by the Government?—Yes.

80. And the men would get free attendance?—Yes.

81. And what about medicine?—And medicine, of course.

82. And what about their families?—No, they would have to provide their own medical attendant for their families. You will remember that I also said a small deduction should be made from their pay if we give them free medical attendance, so much per day when sick; it is the custom in most Forces I am acquainted with.

83. You are probably aware that a great many of these constables belong to friendly societies?—Yes.

84. Would it not interfere a good deal with that?—I do not see how.

85. Then there is that subject of Court orderlies. Are you in favour of police performing the duties of Court orderlies?—I do not see any objection to it.

86. Do you think it instructs a constable at all in his work as a constable?—Undoubtedly it does. It gives him a knowledge of Court work. What makes it of greater value in New Zealand is the fact that the men later on have to perform the duties of Clerks of Court. Speaking strictly from a police point of view I do not think a police-officer is very much benefited by this experience; but, considering that they have to perform the duties of Clerks of Court later on, it is a great advantage to them.

87. *The Chairman.*] In reference to your remark that district constables are a money-saving makeshift, do you apply that also to constables being employed as Clerks of Court?—No; I do not suggest that to be a makeshift. It is undoubtedly a very economical arrangement, and of very great advantage to the colony generally.

88. But with regard to police duties and the contact between the public and the constables?—There is no denying the fact that it does in a measure hamper police discipline, but I think the advantage accruing from the employment of these men is more than equal to the disadvantage in the way it acts on police discipline, and I do not see my way clear to recommend that the police should be relieved of that work.

89. Do you see any disadvantage in the community being brought into contact with a constable in his character as a police-officer and also in his character as Clerk of Court?—No; there may be an isolated case where a man may use the information he obtains in his capacity as Clerk of Court and bailiff improperly. Of course, there has been one questionable matter brought up before the Commission, but that is an isolated case; and, while it remains so isolated, I do not think it attacks the general principle, because you will find these isolated cases crop up in every condition of life.

90. *Colonel Hume.*] So far as economy is concerned, these Court orderlies are the reverse of that?—Well, the Court needs an orderly, and if a policeman is performing the work there is no necessity for a private individual to perform it.

91. Is it not a fact that you could get an outsider for half the money?—I do not think so. At the present time a labouring-man here is getting as much pay as a policeman, and I do not know that you would be able to get a man to perform the duties of Court orderly at very much less than an ordinary labourer gets. Then, again, there is another thing: a constable can be utilised for ordinary police-work in cases of emergency.

92. Have you found in your experience in the colony that many of the younger members of the Force are physically unfit to perform their duties?—No; not many.

93. Then, if an Inspector said he considered many of the men who had been appointed in his district were physically unfit you would think he would be exaggerating?—I think he would be speaking without mature consideration.

94. Supposing an Inspector said to you that he considered his men were deficient in the spirit of obedience and sense of duty, who would you blame for that?—Why, the Inspector himself, in a great measure.

95. Do you consider that Inspectors are given sufficient power at present?—Yes. I do not know that their power needs extending.

96. Well, since you have been out here have you seen anything in the Force that you consider would justify a member of the Legislature in saying that the whole of the Police Force is honey-combed with abuse?—I decline to pit my opinion against what any member of the Legislature may choose to say in the House of Representatives, but I will qualify it in this way: I am responsible for all I say, whereas a member of the Legislature, in a measure, is irresponsible.

97. Have you found many abuses existing in the Force?—I think the Force compares very favourably with other Forces I have been connected with and know of.

98. Do you consider drunkenness is rampant in the Force?—No, I do not consider it rampant; there are cases of drunkenness, of course. "Rampant," of course, is an expression that, as I said before, is used perhaps without very much consideration.

99. Do you think it possible that there are dozens of constables drunk every day in the Force in the colony?—I do not think that, certainly.

100. Then, do you consider the conduct of the Force is worse than any other section of the community?—Well, it would not be saying much for the Force if I said that, because I look upon it a man has no right to take any liberty when he becomes a policeman. It is his business to see the law is carried out, and he should be one of the very last to break it; and therefore it is no excuse for a policeman to say that he is no worse than other members of the community. A policeman, I take it, should be, if anything, a little better than other members of the community.

101. Now, I understand you do not think they are worse?—I do not; but I repeat that I do not think it is saying much for the Force if I do say so.

102. *Mr. Poynton.*] Do you think that, instead of sacrificing the whole of the emoluments now received by Clerks of Court in country places for the clerical work and other work they do, it would be better to give them a small portion of it?—I think the Justice Department should be asked to contribute a little more than they do at present. Where an officer on a station has a great deal of work to do in his capacity as Clerk of Court I think he should receive some little consideration, but in outlying stations, where there is very little police-work proper to do, I do not think they should receive any part of the money paid by the Justice Department.

103. Now, the work of a bailiff differs: a bailiff has to serve a summons, even if he has to make a dozen journeys, or he may have the good fortune to catch a man at the Courthouse door. Do you not think that, if we gave that man anything more than his out-of-pocket expenses, it would lead to carelessness?—No, I am familiar with similar duties which police on the outskirts of London perform. They act as summoning officers to the Petty Sessional District, and I have never known the duty to be neglected. It is accepted as part of the police duty, and as such the duty is not neglected. I certainly think the men should be paid all the money out of pocket.

104. If there is a drawback connected with these duties in relation to police discipline, do you think the knowledge obtained by the officer of the circumstances of the people in the locality, and also the knowledge of the country, is of advantage to him?—Undoubtedly it is, and a discreet officer would not attempt to use the knowledge he obtains in that way improperly. If he uses it properly it is an advantage, decidedly.

105. Do not you think the advantage almost sets off the disadvantage?—I think it more than sets it off. We have had only one case before this Commission in which an officer has been said to have used his knowledge improperly.

106. I am not speaking of a constable disclosing official secrets, but I mean, are not the drawbacks to a policeman in attending to these duties more than compensated for by the knowledge that he obtains?—I think so, decidedly.

107. *Colonel Pitt.*] In your recommendations about the pension fund, do you propose that bailiffs' fees should go to the pension fund?—Fees, as fees, Yes; but all the expenses out of pocket should be paid him, even if he has to go four or five times to serve a summons, because he would be out of pocket each time.

108. *Mr. Taylor.*] You said, in reply to Colonel Hume, that, so far as the means at their disposal went, the department has done pretty well in the detection of crime?—Yes.

109. What is the result of your investigation of the records of the department so far as political control of the department is concerned? Has it seemed to be pretty bad?—I have not discovered any political control since I have been here as Commissioner. I may say I have not had time to go through the whole of the departmental records.

110. I am speaking to the records you have searched, because, I take it, your answer had reference to what happened before you came here?—The records disclose nothing beyond the cases brought before this Commission. The records appear, on the face of them, to point to the fact that there has been some little interference occasionally by members of Parliament.

111. Do the records give any idea as to what the discipline of the Force has been in the past?—The defaulters' sheets show that.

112. What about other documents? Have you examined files in the office to any extent?—I have examined any papers that have been brought under my notice, but I have not looked at the files generally.

113. You have made no search of the departmental documents?—I have had no time.

114. Supposing Inspector Broham said many faults by constables had not been reported because the sergeants were afraid of political influence being used by the men so reported, would you contradict that statement?—I am not prepared to speak of anything that occurred before I came here, especially if it is not recorded on paper: how can I?

115. You have heard the men say that political influence in the Force was necessary in order to get promotions and transfers. You are not able to contend against that statement?—No; because it has not come within my knowledge.

116. *Colonel Hume.*] Would not Inspector Broham be grossly neglecting his duty if he allowed that sort of thing to pass?—Of course he would.

THOMAS HOPPER HUSTWICK, examined on oath.

117. *The Chairman.*] Where do you reside?—In Wellington.

118. What is your occupation?—I am an analytical chemist, and Inspector under the Licensing Act.

119. *Mr. Taylor.*] When were you appointed to that position?—Two years ago, on the 1st May.

120. Where did you do duty?—In the police districts of Wellington, Hawke's Bay, and Taranaki.
121. Was Gisborne in your territory?—It was.
122. Do you remember being there on Sunday, 2nd May, of last year?—Yes.
123. Did you see Inspector Emerson there?—I did.
124. Where were you staying?—At Mrs. West's. I do not know the name of the street.
125. Where did you see the Inspector?—I saw him on the wharf.
126. Do you see Inspector Emerson pretty frequently in the Hawke's Bay District?—I have seen him whenever I have visited Napier.
127. Have you seen him in any of the townships outside Napier except Gisborne?—No.
128. Has he always been sober on other occasions?—He has invariably been perfectly sober when I have seen him at Napier.
129. How often have you seen him?—A good many times, because I have been in constant and daily communication with him when I have visited Napier in the discharge of my duties.
130. Did you complain to the district clerk about the Inspector's conduct at Gisborne on the 2nd May, 1897?—I did not complain, but I saw the district clerk about it as a matter of precaution.
131. Did you complain to Sergeant Black about the same thing?—No; I made no allusion to Sergeant Black at that time about it, nor did he to me.
132. Did you have any conversation with Sergeant Black about the Inspector at any time?—Not on the first visit, on this memorable occasion.
133. Did you on any visit?—Yes, on my last visit.
134. How long have you known the Inspector?—I have known him personally for twenty-two years.
135. And you spoke to these two police-officers—Black and Norwood—in what you considered the Inspector's interests?—As regards Norwood, decidedly so; but as regards Sergeant Black, it was simply a matter of conversation between us. The inquiry was all over, and we just canvassed the matter.
136. But it was really in the Inspector's interests that you were chatting about these things?—It was in nobody's interest.
137. *The Chairman.*] I understood you to say you spoke to Norwood in the Inspector's interest?—Decidedly.
138. *Mr. Cresswell.*] You say your appointment was that under the Licensing Act?—Yes.
139. For what purpose?—For the inspection of licensed premises generally, as to their condition and accommodation, &c., and also for the examination of the liquors they sold.
140. Inspector Emerson, during the time you were Inspector under the Licensing Act, was also Inspector of licensed houses for Hawke's Bay?—I think he is, by virtue of his office.
141. Did he accompany you throughout your inspection of Hawke's Bay or throughout Napier?—No, I do not think that he did.
142. Partially or otherwise?—I am not quite sure. I think the first time I was here he went out with me one afternoon, but I am not quite clear about it.
143. Do you keep an official diary?—Yes.
144. Have you made entries of all things that came under your notice officially in that diary?—All things in connection with my duties. It is not a diary so much as it is an itinerary, showing the places I visited and the hotels I visited.
145. You know Colonel Hume?—I do.
146. How many years?—I have known him by repute for a long time.
147. You know the position he has held for some years?—Yes.
148. At any time during the past two years have you in your official capacity made any report to Colonel Hume in regard to Inspector Emerson or his conduct?—No, certainly not.
149. When you spoke to Norwood, did you know that he was a clerk in Inspector Emerson's office?—I did.
150. Did you speak to him officially, or privately as man to man?—Well, more officially than otherwise, because I considered Norwood ought to know what took place, so that if anything ultimately happened he would know the reason.
151. *The Chairman.*] What do you mean by saying "if anything happened he would know the reason?"—I looked at it in this way: supposing any accident or mischance had happened to the Inspector whilst he was on this particular trip, that Norwood might be able to account for it in some way.
152. I think you must explain a little more. What particular trip do you refer to?—To this Gisborne trip of the 2nd May.
153. You are referring to the trip of the steamer which left Gisborne on the 2nd May?—Yes.
154. And you thought that if anything happened to the Inspector that Norwood ought to know how to account for it?—Just so.

JANE SHEEN, examined on oath.

155. *The Chairman.*] Are you married?—I am a widow.
156. Living where?—At Gisborne.
157. What are you?—Hotelkeeper. I am licensee of the Turanganui Hotel.
158. *Mr. Taylor.*] Have you been in Gisborne long?—Yes; over four years.
159. Does Inspector Emerson ever stay at your house?—Never.
160. Has he been in the house?—I have seen him in the house occasionally. I have seen him calling with some of my boarders.
161. Were you called as a witness in connection with the inquiry before Mr. Kenny?—No.

162. Was it your house the Inspector was supposed to leave as he went on board the steamer "Dingadee," in May, 1897?—I cannot say.

163. Do not you remember he was supposed to have seen a reverend gentleman there, and somebody else, just before going to the steamer?—Yes; but I did not see him before leaving. I have so many duties to look after in the house that I never notice what any one individual does.

164. Were any of your servants subpoenaed on that inquiry?—I cannot say. I was away from home when the inquiry was held.

165. Do you often see the Inspector at Gisborne?—Very seldom.

166. You do not know much about his movements there?—I do not.

HERBERT ROSCOE, examined on oath.

167. *The Chairman.*] What are you?—Stoker.

168. *Mr. Taylor.*] Do you work at Holt's timber-mill, Napier?—Yes.

169. Do you know Inspector Emerson?—I do not know him personally; I know him well by sight.

170. Do you remember being on the Marine Parade, seeing the s.s. "Westralia" off, early this year?—Yes.

171. What date?—The 7th January.

172. Are you sure it was the "Westralia"?—Yes.

173. Did you see Inspector Emerson on that occasion?—I did.

174. Who was with you?—My mother, and wife, and sister, and a lady named Miss Barney.

175. What time about?—About 8 o'clock in the evening.

176. Would it still be daylight?—No.

177. Getting dusk?—Yes.

178. You saw the Inspector that evening?—Yes.

179. What did he do?—I just looked round, and heard somebody ask if I could see numbers in the moon: "a big 2 and a small 3."

180. Who was the man talking?—Inspector Emerson.

181. Was he sober?—No.

182. Was he drunk?—Yes.

183. Did the Inspector touch any of your party?—Yes, he touched my wife.

184. Put his hand on her shoulder?—Yes.

185. Did you answer him at all?—No, never spoke.

186. What did he do afterwards?—Went back over the road to the Marine Parade Hotel.

187. Did he go into the hotel?—Yes.

188. Have you any doubt as to his condition?—No.

189. You consider yourself a good judge as to whether a man is drunk or sober?—I do not know. I think I can tell whether a man is drunk or sober.

190. Was he silly in his conduct altogether?—Yes, I think so.

191. *Mr. Cresswell.*] Then, from one of your last answers, I take it that the Inspector was on the Parade opposite to the Marine Parade Hotel?—Yes.

192. Which way was he going when you first saw him?—I do not know where he came from. I just looked up, and he asked if I could see numbers in the moon.

193. I suppose you have heard of the man in the moon?—Yes.

194. Are you sure he did not ask you if you did not see the man in the moon?—I am quite sure it was numbers.

195. Did you ever look for the man in the moon yourself?—No.

196. What first drew your attention so particularly to him?—His asking this question: If I could see "a big 2 and a small 3" in the moon.

197. Do you know that at that time he was living at the Marine Parade Hotel and boarding there?—I do not know where he was living.

198. Did you know his family was living there with him?—No.

199. Do you remember his being burnt out at Napier?—Yes.

200. And you do not know where he moved with his family after his house was burnt?—No.

201. Did you go to where the boat was?—This was after I came from the boat.

202. Between the time of leaving the boat and meeting Inspector Emerson who did you see on the Parade?—I saw a lot of people.

203. Tell us one?—My mother, for one.

204. Who did you see between the time of leaving the boat and your getting up to where the Inspector was standing: tell us one person?—I am blown if I could tell you that. I was speaking to nobody particularly. I said "Good night" to some.

205. I suppose you took particular notice of the Inspector?—After he left.

206. How was he dressed?—Just in ordinary clothes.

207. How was he dressed?—He was dressed all right.

208. What colour of a coat had he on?—I do not know. I never looked at his colours.

209. You cannot tell the colour of the coat he had on?—No, I cannot.

210. Can you tell us what colour hat he had on?—No, I cannot.

211. Did he have an umbrella or walking-stick with him?—I do not know. I did not take that much notice of him.

212. Up to this time had you ever spoken to Inspector Emerson?—No.

213. And before that night did you know him by sight?—Yes.

214. You had seen him before, then?—Yes.

215. *Mr. Taylor.*] You had no particular reason for remarking his appearance so far as his clothes were concerned?—No.

ISABELLA ROSCOE, examined on oath.

216. *Mr. Taylor.*] Are you the wife of the last witness?—Yes.
 217. You live in Napier?—Yes.
 218. Do you remember going down to see the “Westralia” away, early in January this year?
 —Yes.
 219. Who was with you?—Mr. Roscoe, Miss Roscoe, and Miss Barney, and my mother-in-law.
 220. Just a group walking together?—Yes.
 221. Did you sit down on one of the benches?—Yes, coming back.
 222. Do you know Inspector Emerson?—By sight.
 223. Did you see him that night?—Yes.
 224. What did he say to you? Tell us what happened, and where he came from?—I do not know where he came from. All I remember is that he touched me on the shoulder and asked me if I could see any numbers in the moon: “a big 2 and a small 3.” He told me he saw them quite distinctly three times. That was all.
 225. Was he drunk?—I think he must have been.
 226. What is your judgment?—Oh, yes, I think so.
 227. Did he act as an intelligent man, or was he silly: what was his manner?—It was that of a drunken man, I think.
 228. Where did he go to when he left?—To the Marine Parade Hotel.
 229. Did you answer him in any way?—No, we laughed at him.
 230. Did you notice what his particular dress was—what the colour of it was?—No, I did not take any notice of it. I just remember who he was.
 231. The fact of it being Inspector Emerson would draw your attention to him?—That was all.
 232. *Mr. Cresswell.*] Did you notice anything in his hand?—No.
 233. Did you see him with a telescope?—No, nothing at all. I did not take that much notice.
 234. He might have had a telescope in his hand for all you know?—He might.
 235. When were you first asked to give evidence before this Commission?—Yesterday morning.
 236. Have you ever mentioned this to anybody else?—No; we just talked of it as a joke, and bothered no more about it.
 237. Then, am I to understand yesterday morning is the first time you have mentioned this to anybody?—Yes, the first time.
 238. I think you and your husband are staunch teetotalers?—Yes.
 239. *Mr. Taylor.*] You have talked about this matter amongst your family?—Just amongst our friends—amongst the lot who were with us.
 240. *The Chairman.*] What is the difference between your having spoken of it before and having spoken of it yesterday: what was the difference in your manner of speaking of it yesterday?—I heard I had to come and be a witness yesterday.
 241. How did you hear that?—My husband told me that when he came home.
 242. Did anybody else tell you you would have to come and give evidence?—No.
 243. Have you spoken to anybody but your husband about it up till yesterday?—No.
 244. Did you speak to anybody about it but your husband yesterday?—Only my sister-in-law and the other witness who is coming here.
 245. Why did you say, in the first place, you had not spoken of it up till yesterday?—I just spoke about it yesterday on account of having to come as a witness.
 246. Did you speak of it to outsiders yesterday?—No, not outside my own family.
 247. *Mr. Poynton.*] Were you sitting on the bench when he touched you on the shoulder?
 —Yes.
 248. Was he behind the seat?—Yes; he came up at the back of me and put his hand on my shoulder.
 249. Had you seen him before he put his hand on your shoulder?—No.
 250. Were you sitting in the centre or near the end of the seat?—At the end. I had a perambulator at the end of the seat.
 251. Was the moon shining?—Yes; it was a moonlight night.
 252. *Mr. Taylor.*] You have never spoken to him before?—No.

ELLEN BARNEY, examined on oath.

253. *Mr. Taylor.*] You are a single woman?—Yes.
 254. What is your occupation?—Domestic servant.
 255. Living in Napier?—Yes.
 256. Do you know Inspector Emerson by sight?—Yes.
 257. Do you remember going down to see the “Westralia” off, early in January last?—Yes.
 258. Who was with you?—Mrs. Roscoe, Mr. Roscoe, and Miss Roscoe.
 259. All friends of yours?—Yes.
 260. Were you seated on any of the benches?—Yes; in front of the Marine Parade Hotel.
 261. After the steamer had gone?—Yes.
 262. Was it a moonlight night?—Yes.
 263. Did you see the Inspector that night?—Yes.
 264. What did he do?—He came over from the hotel to us when we were sitting on the seat.
 265. Did he come up at the back of the seat?—Yes.

266. What did he do?—Put his hand on Mrs. Herbert Roscoe's shoulder.
 267. Did he say anything?—He asked us if we could see numbers in the moon.
 268. Was he sober?—I do not think so.
 269. Do you remember any other details of his remark: did he mention any particular numbers?—He asked us if we could see a "2" and a "3" in the moon.
 270. Did any of you speak to him?—I am not aware that we did.
 271. Where did he go to?—He went back to the hotel.
 272. You do not remember the particulars of his dress that night?—No.
 273. *Mr. Cresswell.*] Was there any particular harm in what he did?—No.
 274. Is it possible he might have mistaken Mrs. Roscoe for somebody else when he went up to her?—I cannot say.
 275. Do you know any of Inspector Emerson's daughters?—No.
 276. Do you know he has grown-up daughters?—I have heard that he has, but I do not know.
 277. Do you know at that particular time he was living at the Marine Parade Hotel?—No.
 278. Do you belong to any teetotal lodge?—No.
 279. When did you first mention this to anybody after that night?—I have not mentioned it to anybody.
 280. Until?—Now; not to any, outside my friends.
 281. Whom do you mean by your friends?—Mrs. Roscoe.
 282. Outside Mr. and Mrs. Roscoe and Mrs. Roscoe, senior?—No; I have not mentioned it to anybody else.
 283. Have you seen Inspector Emerson before that night and since that night?—No, I have not.

HETTY ROSCOE, examined on oath.

284. *Mr. Taylor.*] Do you live with your mother in Napier?—Yes.
 285. Do you remember going to see the "Westralia" off in January last?—Yes.
 286. What time was it, so far as you remember?—Between 8 and 9 in the evening.
 287. Did you sit on any of the benches after the steamer had gone?—Yes, we sat on one outside the Marine Parade Hotel.
 288. Were your brother and sister-in-law, and your mother and Miss Barney, with you?—Yes.
 289. Did you see Inspector Emerson that night?—Yes.
 290. What did he do?—He came and asked us if we could see numbers in the moon, or on the moon.
 291. Did you make any remark, or laugh at him?—We looked and could not see any, and we laughed then.
 292. Was he sober?—I do not think so.
 293. You are not out on the street much: you do not see many drunken men?—I see some when I go up to town sometimes.
 294. Do you, from what you know of the appearance of a drunken man, say that the Inspector was drunk?—Yes, I do.
 295. Where did he go to after he had spoken in this way?—Into the Marine Parade Hotel.
 296. Have you spoken of this matter to anybody except your own family?—No.
 297. Where is your mother now?—In Woodville.
 298. *Mr. Cresswell.*] He is rather an amusing man, is Inspector Emerson?—I do not know. I have never spoken to him before.
 299. Did you know him by sight before that?—Yes.
 300. I suppose when sitting on that seat on the parade you would be facing the moon?—Yes.
 301. Did you have a good look to see if you could find those numbers?—Yes.
 302. You looked upon it as a bit of fun?—Yes.
 303. I suppose you all had a look and a laugh over it?—Yes.
 304. Was there anything more serious in what was done that night than a simple harmless joke?—No, I do not think so.
 305. *Mr. Taylor.*] Do you think it is right and proper for a stranger to put his hands on anybody's shoulder?—No, I do not think so.
 306. Did he put his hand on your sister-in-law's shoulder?—Yes.

JOHN HODGSON AISLABIE, examined on oath.

307. *Mr. Taylor.*] Are you secretary of the Gisborne Race Club?—No.
 308. Are you connected with it in any way?—No.
 309. Not a member?—No.
 310. Were you present at the races there in July last year?—I can hardly call to mind that I was. I think I am generally invited as secretary. I am secretary of the Poverty Bay Turf Club, and I get a complimentary ticket always.
 311. Who is secretary of the club under whose auspices the races were held last July?—Mr Nasmith.
 312. Do you remember July the 6th and 8th?—Yes.
 313. Were you present at the course?—I was.
 314. Both days?—Yes.
 315. Were you in the luncheon booth?—I was.
 316. Did you see Inspector Emerson there?—I did.
 317. Did anything special attract your attention that day in connection with him?—No.
 318. Was he not unwell?—Yes, he was very unwell.
 319. What was he like?—He was suffering from a very bad cough all the time.

320. Did you help him when he was unwell from the luncheon-room to the stewards' room?—Certainly not.
321. Did you go with him from the luncheon-room to the stewards' room?—Certainly not.
322. Did you see him go?—No.
323. What time in the morning did you see him first?—I got on the course about 11 o'clock, and I suppose two races were run before I saw him. That would bring the time up to about half-past 1 o'clock when I first saw him. That was when he came in to lunch.
324. Do you remember when he went out from lunch?—No, I do not remember.
325. What attracted your attention first?—What attracts any man's attention when he comes in to lunch?
326. You say he was unwell: What attracted your attention to that first?—Because he was coughing very much. The table was like this: there were two or three seats about me. I sat here, and Mrs. Aislable sat next to me. We came in before Inspector Emerson, and we very nearly "came to grief" getting into the seat. The fact was this: there was about a 6 in. board provided as a seat, and this was up close to the table, so that when you sat down, instead of sitting behind on it, it caught you on the knees, and my wife and I, when we went in to lunch, very nearly got a "toss," and then we took care in sitting down. The next man who came in was Inspector Emerson, and we thought that he would fall over it, judging from our own experience, and we had a bit of a chuckle over it, as people will when they are waiting for a joke to come off, and we waited to see what would happen. The inevitable came off. The seat toppled over with him, but we were ready for it, and I put my arm round my wife, and put my hand on the table, and so saved ourselves from going over too. Inspector Emerson fell off the form. There was just this 6 in. board provided as a seat to the lunch-table, and this seat was on a sandy bottom, which did not hold it securely.
327. How long were you at luncheon that day?—About twenty minutes.
328. Was the Inspector there the whole time?—He came in after us, and therefore I cannot tell you what time he left.
329. Did you not see him after luncheon?—Yes, just after luncheon.
330. Where?—I saw him after luncheon in the grand stand.
331. Did anything attract your attention to him there specially?—No; except that he was continually coughing, and I thought to myself, having known Inspector Emerson a number of years, I was sorry for him being in bad health.
332. Sort of bronchial catarrh?—He was coughing, and put his hand on his chest, and I was sorry for him.
333. When did you see him after that?—I did not see him after that. I was in the grand stand after lunch, and I saw him coughing away there, and I thought to myself: "I am sorry to see the old man so bad; he is breaking down and will have to leave the Force."
334. Was he absolutely sober?—I think he was certainly sober. At luncheon he was talking to my wife across myself, and during that time he was thoroughly sober. If he had not been sober I should not have allowed him to talk to her.
335. Were you in the stewards' room that day?—No.
336. Not at all?—Not at all. I was only a visitor at that club.
337. Were you not near the stewards' room on that day?—No.
338. Not near the door?—No, not near the stewards' room all day. I might have gone in to draw a cheque to go on the totalisator, because I was "broke."
339. Did you go in?—I do not believe I went in.
340. Neither day?—No, I do not think so; neither day.
341. Did you see the Inspector on the second day of the races?—The only time I ever observed the Inspector was the time he came and sat down beside myself and Mrs. Aislable; and that day, after luncheon, I met him walking on the terrace in front of the stand. He was coughing.
342. *The Chairman.*] Was that the second day of the races?—I do not know what day. It was the day on which he had the accident at the form.
343. *Mr. Taylor.*] Are you quite clear you only saw him twice during the race meeting?—I cannot say that. You pass and repass lots of fellows lots of times at a race meeting and you do not take any notice of them.
344. What is your definition of a drunken man: when do you think a man is drunk?—I am "dashed" if I know.
345. You do not know?—Oh, yes, I know. I am almost in aquandary. Far abler heads than mine, I think, have been unable to define drunkenness. I say a man is drunk when he cannot look after himself.
346. Never before that?—Oh, yes, before that; but I am "dashed" if I know where you draw the line.
347. Did you have any refreshments with Inspector Emerson?—I did not.
348. Did you see him have any?—I did not. He had a cup of tea alongside of us that day. That is all I know.
349. You are quite clear he was not drunk?—I am quite clear he was not drunk on that day.
350. *Mr. Cresswell.*] Are there any steps leading down to the luncheon-room at that pavilion?—Yes, some very narrow steps leading down.
351. How many?—I suppose about eight or ten, at least.
352. What width are these eight or ten steps you have to walk down?—About 6 in. or 8 in. I think.
353. If a man were under the influence of liquor, could he have walked down these steps upright?—A great probability of falling down.
354. Now, has the floor of the luncheon-room an even surface?—No; it is sand. I have spoken to the officials of the club about getting it floored, but they have no funds.

355. Then, I gather from your evidence that you nearly had a fall over this particular seat, and you and your wife were watching to see who would come down and take your place, and you were expecting to have a bit of fun at their expense?—Yes.

356. Was any one sitting at the back of where Inspector Emerson was sitting?—I think so.

357. Do you know who they were?—I think Mr. Sheridan, of the Government Life Insurance.

358. Any ladies there?—Mrs. Sheridan was with her husband.

359. Was there anybody else besides your wife and yourself expecting to see a bit of fun arise out of this particular seat?—I cannot say there were.

360. When Inspector Emerson fell back, did he fall against any one?—He fell against the lady who was sitting behind him.

361. When he righted himself, did he say anything to the lady or the gentleman?—Yes, he apologized to the lady. He said, "I regret very much my accident; I think it is time they had a floor down on this room."

362. Now, you say he was not drunk. Was he at any time during that day to your knowledge under the influence of liquor?—I would not like to say anything of that sort, for this reason: that I saw him at lunch and after lunch; and during lunch he was not drunk, and during the time I saw him after lunch he was not drunk. What happened afterwards I am unable to say.

363. You have seen him on duty at Gisborne on other occasions?—Yes.

364. Now, on any occasion other than the 2nd May last year, did you ever see Inspector Emerson under the influence of drink?—I have seen Inspector Emerson lots of times. In my capacity as race secretary I am frequently in the Masonic Hotel; and anybody who is in Gisborne generally passes backwards and forwards through the Masonic Hotel; and I have frequently seen Inspector Emerson when passing through on duty, besides the time I have already spoken about, and during all that time I have never seen Inspector Emerson the worse of drink—not once in my life.

365. Have you ever known him to be addicted to gambling?—No; I do not gamble myself, and I have never seen Inspector Emerson gamble either. I never play a game of cards for chance, and I never saw him play a game of cards for chance either. I can say that honestly.

JAMES PRICE, examined on oath.

366. *Mr. Taylor.*] You live at Gisborne?—Yes.

367. What is your occupation?—Stable-keeper.

368. Do you remember the races at Gisborne in July last year?—Yes.

369. Were you engaged in your ordinary business on that day?—Yes.

370. Driving from the township to the racecourse?—Yes.

371. Do you remember Inspector Emerson being a passenger with you that day?—Yes.

372. Who was in the cab with him?—Nobody.

373. He was by himself?—Yes.

374. *The Chairman.*] You were driving between where?—Between the Park racecourse and the Gisborne Hotel.

375. *Mr. Taylor.*] Where did you pick up the Inspector?—Up in the racecourse.

376. What part of the racecourse?—Just outside the grand stand gate.

377. What time of the day would that be?—Between 1 and 2 o'clock, I think.

378. Who was with him?—Mr. Joyce.

379. Did Mr. Joyce come to the cab with him?—Yes.

380. Was that just outside the racecourse?—Just outside the grand stand.

381. What did Mr. Joyce say to you?—He asked me to drive Inspector Emerson to the Gisborne Hotel.

382. Did he help the Inspector into the cab?—No.

383. The Inspector got in himself?—Yes.

384. Who else went with the Inspector? How far did Mr. Joyce go with the Inspector?—He did not get into the cab at all.

385. Did you drive the Inspector to the Gisborne Hotel?—Yes.

386. What time did you get there?—I do not know what time.

387. What was the matter with the cab when the Inspector got out?—Nothing at all.

388. What was the condition of the cab?—Nothing at all. It was just the same as if anybody else had been in the cab.

389. Did he pay you?—No.

390. Who paid you?—He paid my partner.

391. Mr. Joyce told you to drive him to the Gisborne Hotel?—Yes.

392. Did the Inspector say where he wanted to be driven?—He said about the same time that he wanted to go to the Gisborne Hotel.

393. Did you drive him back again?—No.

394. What happened when you got to the hotel?—Nothing happened at all. He got out of the cab and went inside.

395. *The Chairman.*] Did he get out by himself?—Yes.

396. *Mr. Taylor.*] Was not the landlord of the British Empire Hotel with Inspector Emerson when he got into the cab?—No. Mr. Joyce and Mr. Emerson came to the cab at the same time. I was sitting on the box in front of the cab.

397. And no one else was with them?—Not that I noticed.

398. What was paid to your partner for that drive?—I forget exactly. It was either 7s. or 8s.

399. Is that the ordinary fare?—Yes, for one man at that time of the day from the course. It was a special trip.

400. What was Inspector Emerson's condition: had he a glass or two of whiskey?—Not that I noticed. The man seemed to be all right that I could see.
401. What else did he say to you besides the fact that he wanted to be driven to the hotel?—Nothing at all.
402. Have you talked this case with any one coming down on the steamer?—No.
403. Has any one interviewed you in Gisborne about this matter?—No.
404. Never?—No.
405. Do you not remember seeing a man named Haselden about it?—No.
406. Did you ever talk to a man with one arm about it?—No.
407. Did you never tell Mr. Haselden that the Inspector vomited in your cab that day?—No, I did not.
408. Now, did the Inspector vomit in your cab?—No, he did not.
409. Did you see the Inspector the second day?—No.
410. You often have seen him in Gisborne?—That was about the first time I saw him.
411. Was he in uniform?—I really cannot say. I forget now. I think he was in plain clothes at the time.
412. Had he not uniform on?—I do not think so.
413. Did you get down from your cab when you got to the Gisborne Hotel?—Yes.
414. What for?—To open the door for him.
415. What else did you do?—I opened the door, and the man got out.
416. Was he coughing very badly?—No.
417. Was he coughing at all?—I did not hear him cough at all.
418. How long was he in your cab?—I suppose a quarter of an hour, driving down from the course.
419. Did you hear him cough the whole time?—No.
420. You are quite clear Mr. Joyce came to the cab with him?—Yes; I think he must have come down from the grand stand at the time.
421. Did you see where they came from?—No; they came from the direction of the grand stand gate.
422. Did you see whether Mr. Joyce gave him a hand to the cab?—No; I got down and opened the door, and he got in himself.
423. Was the Inspector coughing then?—No; he was coughing when he was coming towards the cab a little.
424. What else was he doing: was he stooping down?—No.
425. He did not come arm-in-arm with Mr. Joyce?—No, not that I noticed. He came up to the side of the cab where I was.
426. Who spoke to you first?—They spoke about the same time.
427. Both spoke clearly?—Yes.
428. Did the Inspector seem as though unwell?—I did not take notice of everything.
429. Are you perfectly sure it was Mr. Joyce who came to the cab with him?—Yes.
430. Do you know Mr. Aislabie?—Yes.
431. Did you see him that day?—No, I do not think so.
432. Who was the landlord of the British Empire Hotel?—Mr. Bridges.
433. Did you see him that day?—No, not that I recollect.
434. Now, tax your memory. Did you not see Bridges that day: as a matter of fact, did not Mr. Bridges come out to the cab also?—No, he did not.
435. Did he not come outside after Emerson was in the cab?—I do not know. He might have come to the back of the cab while I was driving away.
436. And got in?—No, he did not get in.
437. Do you swear you did not tell Mr. Haselden that Inspector Emerson vomited all over your cab, and that he was beastly drunk?—I am positive I did not tell him any such thing.
438. Was your partner interviewed over this matter?—I do not know.
439. Now, you drove the cab?—Yes.
440. Have you seen Inspector Emerson since you came down from Gisborne?—Yes, I saw him walking along the Marine Parade.
441. Did you speak to him?—No.
442. Did you see anybody else about the matter?—No one.
443. Did you not talk over the matter with anybody?—No.
444. When on the steamer last night?—No.
445. Did you talk over the matter with anybody in Gisborne before you started?—No.
446. With your father?—No.
447. Your partner?—No. I saw him the day before I got the telegram.
448. Did you see him when you got the telegram?—No.
449. *Mr. Cresswell.*] Was the Inspector, at any time when you saw him on that day, under the influence of liquor?—No, I do not think that he was under the influence of liquor at all.
450. There is nothing unusual for two persons to go and hail a cab and only one to get in it?—No.
451. What hotel did Inspector Emerson tell you to drive him to?—The Gisborne Hotel.
452. Do you know he was staying at the Gisborne Hotel?—Yes; my partner told me afterwards that he stopped at the hotel.
453. Do you know he always stopped at the Gisborne Hotel?—Not before my partner told me I did not.
454. Did the Inspector, during the time you saw him on that day, in any way misbehave himself?—No.

EDWARD P. JOYCE, examined on oath.

456. *The Chairman.*] What are you?—Commission agent and land agent, at Gisborne.
457. *Mr. Taylor.*] Do you remember the races held at Gisborne last July?—I remember the races, but the date I cannot remember.
458. About the 6th and 8th July?—I think it was on or about the 6th or 8th.
459. Were you present at the races?—Yes, I was.
460. Did you see Inspector Emerson there?—I think it was on that day that I saw him at the races.
461. Where did you see him?—At the races.
462. What part of the races?—On the private grounds.
463. Near the grand stand?—No, outside the grand stand, between the grand stand and the judge's box.
464. Were you speaking to him?—I was.
465. Did you go into the stewards' room or the luncheon-room with him?—No.
466. You saw him in the stewards' room?—No.
467. Where did you first meet him?—On the grounds between the grand stand and the judge's box.
468. What conversation passed between you?—I cannot remember.
469. Did you leave him there?—I cannot say that I left him there.
470. Where did you leave him?—I cannot say that I left him at all.
471. Did you walk round the course with him?—I walked round the grounds inside the course for a time.
472. And did you bid him good-bye?—No; he left me.
473. Where did he leave you?—At some part of the ground; I cannot say from memory.
474. What part of the ground?—I cannot say; some part between the grand stand and the judge's box.
475. How many times did you talk to him that day?—That I cannot say. I spoke to him two or three times, and walked with him two or three times.
476. What time in the afternoon did you see him last?—I cannot say what time.
477. Would it be 4 o'clock in the afternoon when you saw him last?—I cannot say whether it was 4 or 5 o'clock.
478. It might be about 5 o'clock?—Possibly it might be.
479. So far as you remember, it would be 5 o'clock when you saw him last?—I cannot say, because I never looked at my watch.
480. Did he just leave you in the ordinary way on the ground?—He left me on one or two occasions, and walked back again, and then I happened to fall into conversation with him again, and we walked round the ground between the grand stand and the judge's box. We parted and met in with others.
481. Then, what happened when you spoke to him last: where did you last part with him that day?—He went into a cab when I last parted with him.
482. You took him to a cab?—I did not; he went into a cab.
483. Did you go with him?—I went to the cab with him. He told me he was not very well, and said he had a severe attack of this influenza; and he appeared to have a nasty hacking cough, and I said the best thing he could do would be to go home.
484. What time was that?—It was late in the afternoon. The races were not finished.
485. Were they nearly finished, do you think?—You want me to answer your imaginary question, and I really cannot tell you what time. It was in the afternoon late, so far as I can recollect.
486. Where did you have luncheon that day?—In the booth.
487. What time would it be?—The usual time is 1 o'clock. I dare say it would be 1.30, as near as I recollect.
488. Had you met the Inspector up to that time?—I met him before and after.
489. Did you walk with him several times after that?—I walked with him once or twice after luncheon.
490. And it was late in the afternoon when he went into the cab?—I do not say that it was late in the afternoon; it may have been late.
491. *The Chairman.*] Can you give us the time?—I cannot definitely. When I say "late," it was some considerable time after luncheon.
492. *Mr. Taylor.*] Did you go to the cab with him?—I did.
493. Did you open the door for him?—I do not think I did. I think the cabman opened the door. I would not swear he did; either I or the cabman opened the door.
494. What conversation passed there at the door of the cab with the cabman and Inspector Emerson and yourself, or anybody else?—I cannot remember what conversation took place.
495. Do you know where Emerson went to?—No, I told him to go home. He went into the cab, and after that I do not know where he went to. The cabman drove him away.
496. What did you say to the cabman as nearly as possible?—From memory I cannot say what words I used.
497. *The Chairman.*] Did you tell the cabman anything in respect to Inspector Emerson?—I cannot tell the words from memory.
498. *Mr. Taylor.*] What was the nature of the conversation?—We had no conversation. I cannot remember what I said to the cabman.
499. Did you tell the cabman to drive him to any hotel?—I cannot remember. I might have said something.
500. Did you tell him the Inspector was unwell?—I cannot say that I told him that.

501. Was he very unwell?—I am not a medical man. It was only by general appearance that I judged.
502. Had you any refreshments with him that day on the course?—Yes.
503. What did you have?—I had some whiskey.
504. How often did you have whiskey with him?—Once; but he had none though.
505. Then you did not have it with him?—I was in company with him.
506. He was in the bar with you?—No; he was outside of the shelf in front of the bar; he was standing outside. I had whiskey, and he had either a soda or lemonade.
507. How often did you have refreshments with him that day?—Only once.
508. Did you see him after he left the course?—No.
509. Did you not see him again?—Not after he went into the cab.
510. Did you see him on the 8th of July—on the second day of the races?—You are confusing me. I cannot tell you really whether what I have stated took place on the first or second day of the races; all I remember seeing of Inspector Emerson after he went into that cab, and during that race season, was two or three days after the races were held.
511. Had you known him previously?—A little—not much.
512. Have you ever met him in Gisborne before?—Yes.
513. When?—On two or three occasions in Gisborne.
514. Where did you meet him on previous occasions?—So far as I recollect I met him in the street, I believe.
515. Anywhere else?—I do not think so.
516. Did you ever meet him at any hotels?—No.
517. Of course he was perfectly sober on the day you refer to?—I do not say whether he was sober or drunk.
518. I will ask you whether he was perfectly sober?—What do you call sobriety?
519. Had he any drinks the day you saw him?—I do not know. He had no spirituous liquors to my knowledge during the time I was in his company.
520. Was he perfectly sober?—I would not say. I believe, so far as I could see, that he was perfectly sober, and able to take care of himself; that is, so far as I could see, and taking the average run of men.
521. Any sign of liquor on him at all?—How do you define any sign of liquor?
522. Could you see any signs of liquor on him?—No, I cannot say I have seen signs of liquor on him.
523. You do not know how to define sobriety, do you?—What I call sobriety is a man who speaks clearly, a man who acts respectably and decently, and just acts within the bounds of what I call a Britisher; without offence to his neighbour, and goes on his business quietly, respectably and orderly.
524. Did the Inspector tell you he was unwell that day?—He did. I told him first that he did not look well, and he said he did not feel well, and had been unwell for some time. I asked him what was the matter, and he said he had a very nasty turn of this influenza. I replied that he did not look well; and, leaving your cross-examination out of the question, he did not look well. And we walked backwards and forwards a good bit on the course, and then I think we parted.
525. Did you see Mr. Finn at all that day?—I suppose I saw him, because I saw nearly every one on the course.
526. Do you remember seeing him?—I cannot say that I could place him. There is scarcely anybody on the course you cannot see when you are within the grounds.
527. Were you in the stewards' room that day?—No.
528. Do you remember where you saw Mr. Finn that day?—I cannot remember.
529. Did you see the Hon. Mr. Carroll that day?—I do not know whether he was there; possibly he might have been. I might have seen him.
530. You do not remember seeing him specifically?—No.
531. Did you pay the cabman for that cab-fare?—I did not.
532. Do you know who did?—I cannot tell you.
533. *Mr. Cresswell.*] Do you swear that Inspector Emerson was at the races the second day in July last year?—I will not swear.
534. Will you be surprised to hear that he was not in Gisborne on the second day of the races?—I will not swear that.
535. You cannot say which day it was you are speaking of?—I cannot tell you whether it was the first or second day.
536. You are a well-known public man in Gisborne, and, I think, hold office in the Borough Council, Harbour Board, Hospital Board, Road Board, and several other public positions?—Yes; I think I was fourteen or fifteen years on or off in those positions.
537. During any time you have known Inspector Emerson, have you known him to be addicted to gambling, either in Gisborne or Napier?—No; I am not a gambler myself, and do not associate with gamblers; and I never knew Mr. Emerson to be a gambler; and I think in a small locality it takes a man all his time to look after his own affairs.
538. During any time you have known Inspector Emerson, have you known him to be the worse of drink, either in Gisborne or Napier?—What do you define as the worse of drink? I think not. I have seen Inspector Emerson have a drink with me, and he was as sober as I am now.
539. You have no objection to a man having a glass of whiskey or beer as occasion requires it?—No.
540. *Mr. Taylor.*] How often have you had drinks with Inspector Emerson in Napier?—About once.
541. What hotel was it at?—I think at the Criterion; I generally stop there.

542. Did he have a glass of whiskey with you on that day?—I do not know what he had; it was something.
543. Do you think it was a glass of whiskey; is your memory good enough to remember what it was?—Two, or three, or four years ago, possibly.
544. Was he in uniform?—No.
545. What time of the day was it?—I cannot tell you.
546. Was it day or night?—In the day.
547. You are certain of that?—Yes.
548. Do you know who came down from Gisborne on the steamer with you?—I know some of them.
549. Do you know Price?—Yes.
550. Did you have any chat with him?—No; I never saw him until I saw him in Napier.
551. Did you speak to him in Napier?—No; I do not talk to people about my business.

JAMES CRAIG, examined on oath.

552. *Mr. Taylor.*] You live at Gisborne?—Yes.
553. What are you?—Baker and confectioner.
554. Were you at Gisborne last July, on the 6th and 8th, on the occasion of the races?—I was at Gisborne, but I was not catering at the races at all.
555. Were you there?—No.
556. Who was caterer?—Mr. Erskine.
557. Were you present at the races?—No, I did not go to the races on either day. It is the Poverty Bay Turf Club I generally cater for.
558. *Mr. Cresswell.*] I understand you are a baker and confectioner, and you cater for the different racing clubs?—Yes, principally for the Poverty Bay Turf Club.
559. Do you know Inspector Emerson?—I know him by sight, by going to the Poverty Bay Turf Club races.
560. How many years do you think you have known him going to the races and to Gisborne?—Four or five.
561. Have you ever known him to be addicted to gambling?—No; he would go in with the late Sergeant-major Moore for his lunch. I never saw anything wrong with him.
562. At any rate, since you have known Inspector Emerson, have you seen him the worse for drink?—I have seen him having liquor, but have never seen him the worse for drink.

ARTHUR FRANCIS BRIDGES, examined on oath.

563. *Mr. Taylor.*] You reside in Gisborne?—Yes; lately a hotelkeeper.
564. Do you remember the occasion of the Gisborne races last year, on July the 6th and 8th?—Yes.
565. Were you there?—I was.
566. Did you see Inspector Emerson that day?—I did.
567. Did you enter into conversation with him?—No, I did not speak to him.
568. Where did you see him?—I saw him on the course.
569. Anywhere else?—Yes, I saw him in the luncheon-room.
570. What did you see in the luncheon-room?—I saw Inspector Emerson fall over a form.
571. An accidental affair?—Yes.
572. How did it happen?—He went to take a seat, and the form was an insecure one, and the floor rough and rugged; and the form overturned and left him on his back.
573. What happened after that?—He got up.
574. Did he pick the seat up again?—The seat did not go over, he went over the seat; he got up and resumed and had his lunch.
575. Did you see him after that?—No, I did not.
576. Were you in the stewards' room that day?—No.
577. You did not see him at all after that?—No.
578. Do you know when he left the ground?—No.
579. Had you any conversation with Price, the cab-driver, that day?—No.
580. Did you see him that night?—No.
581. Did you see him on the second day of the races?—No.
582. Have you seen him very often in Gisborne?—Three times altogether in two years.
583. Has he been in your house at any time?—No, not to my knowledge.
584. Where did you see him?—The first time I saw him was at the Magistrate's Court, about the 25th February, 1896.
585. After that?—The next time was in the street with Sergeant Black, and the third time, I think, was at the races.
586. Had he any sign of liquor on him at any of those times?—No.
587. He was perfectly sober?—I am quite satisfied about that. It was on such business that one could not possibly be mistaken about it.
588. *Mr. Cresswell.*] How many steps are there going down into the luncheon-room?—I should say about eight or ten.
589. What sort of steps are they?—Short concrete steps; very awkward steps.
590. Do you think they were such steps that a man under the influence of liquor could safely get down?—A man under the influence of liquor would not get to the bottom of the steps unless he fell.
591. When the Inspector sat down on this form, were you seated at the luncheon-table?—Yes.

592. Did you see Mr. and Mrs. Aislabie there?—No, I did not. I was seated at the last table on the right-hand side in the room.
593. Then, did you see Mr. Sheridan and his wife there?—Yes, I had lunch with them.
594. Then, theirs and your back were to Emerson's back?—That is so.
595. There was not too much room to spare at a lunch-table of that sort?—No, decidedly not.
596. When the Inspector fell, did he touch you or anybody else?—Yes, he touched Mr. and Mrs. Sheridan.
597. He did not fall to the ground, but simply touched their backs?—Yes.
598. When he righted himself did he say anything?—I heard him say something. I believe he apologized to Mrs. Sheridan.
599. At that time had you an opportunity of noticing whether he was at all under the influence of liquor?—Yes.
600. Now, was he at all under the influence of drink at that time?—Not so far as I could see.
601. Did he sit there and finish his lunch the same as any other ordinary mortal would?—He was continuing his lunch when I left the table.
602. Did you notice at any time that day if the Inspector had anything the matter with him?—No.
603. These races were in July?—Yes.
604. What sort of weather had you?—It was a bleak day; not an unpleasant day.
605. Were the seats to the luncheon-table very wide?—No; some seats were very good, and some were very indifferent. They are simply 8 in. boards, and are placed too near the table.
606. Did you think there was anything extraordinary in the Inspector over-balancing himself?—I do not think it was extraordinary, because it might have happened to anybody.
607. Before you went to Gisborne you were managing a life-insurance agency in Napier?—Yes, for six years.
608. And you knew Inspector Emerson during the whole time he was here, prior to your going to Gisborne?—Yes; I knew Inspector Emerson in various parts of Hawke's Bay.
609. *Colonel Pitt.*] When did you go to Gisborne?—On the 25th or 26th of February, 1896. I had to go to him for a police certificate.
610. *Mr. Cresswell.*] You used to travel a good deal in connection with your company?—Yes.
611. Now, on any occasion that you have known Inspector Emerson, have you known him to be addicted to gambling?—Never in any way. I am not a gambler myself, and I have not seen anything of the kind. I have stayed in the same hotel with him.
612. And on any occasion during that period have you known him to be under the influence of drink?—No.
613. Now, from your experience of Inspector Emerson, if a man told you that since he had been in charge of the Hawke's Bay District he has been a man of drunken habits, what would you think of the man who said it?—I should not think very much of the man who said it. I should give it a flat contradiction myself from my own knowledge of the Inspector.
614. Or if he had been accused during that period of being a man addicted to gambling?—I have never seen or heard of him gambling: I should say it was wrong.
615. Have you ever known any conduct of Inspector Emerson to be destructive of discipline and injurious to the public interests?—Certainly not.
616. Have you ever known him during these years to behave himself other than an Inspector of Police should behave himself?—No. I have never seen anything wrong with Inspector Emerson in any way.

FRIDAY, MAY 27TH, 1898.

JOHN NISBET, examined on oath.

1. *Mr. Taylor.*] You live in Gisborne?—Yes; I am a storeman.
2. Have you been there long?—Fourteen years.
3. Do you know Inspector Emerson?—Yes.
4. Have you seen him there pretty frequently?—Several times, at any rate.
5. When did you see him there last?—I believe it was on the 4th September, 1897.
6. And prior to that?—I do not know the date prior to that.
7. Do you remember the occasion of the last Gisborne races—July 6th and 8th, 1897?—I was not in Gisborne; I was in London.
8. Can you remember the date before September that you saw the Inspector?—I saw him in March.
9. Before you went Home?—It was on my way Home. I saw him in Napier on my way to Wellington.
10. When did you see him prior to that?—It was a long time before that.
11. Under what circumstances would you usually meet him in Gisborne?—I might meet him in the street.
12. And sometimes privately?—I never had occasion to meet him privately.
13. Where have you met him beside on the street?—I have seen him in the Gisborne Hotel.
14. When did you last see him there?—About two years ago.
15. Will you tell the Chairman the circumstances?—I do not know what I could say about the circumstances. I was in the hotel as a visitor, and he was there as a boarder. He stayed there when he was in Gisborne.
16. You met him there more than once in the hotel?—Yes.

17. Will you tell the Chairman the whole of the facts that happened on your meetings with the Inspector at the Gisborne Hotel?—It is a hard thing for me to say that I could bring anything to my memory. Nothing transpired that was out of the way.

18. *The Chairman.*] Were you there as a boarder?—No.

19. In what capacity were you there?—Well, sometimes I might be in one hotel and sometimes in another.

20. *Mr. Taylor.*] Have you played cards there?—Yes.

21. Have you ever played with the Inspector?—Yes.

22. Now, there was an occasion on which you had a disagreement with the Inspector after a game of cards, was there not? Will you tell us the facts?—I never had any disagreement with him over a game of cards.

23. Up to what hour have you played with him?—Up to half past 9 or 10 o'clock.

24. Not up to 1 o'clock?—No. The house was closed at 10 o'clock.

25. As a matter of fact, do the public always leave the hotel at 10 o'clock?—I do not know what the public do. I do; as I have my own business to attend to.

26. What game was generally played?—Generally it was euchre.

27. And for what amounts—small amounts?—No amounts at all. It was a friendly game of cards, and whoever lost generally shouted drinks.

28. You played for drinks, then?—Yes, for amusement. You cannot use a man's house and light for nothing.

29. How many times have you played with the Inspector?—Two or three times, at any rate.

30. Have you not on some occasions played for small sums of money?—I do not gamble.

31. But have you not played for sums of money that were just enough to make the game exciting?—No, I do not think we ever played for money itself.

32. If not for money itself, what other substitutes besides drinks have you played for?—Sometimes I took cigarettes.

33. What did the Inspector take?—I do not know. It never troubled me what any other person took.

34. On the average, how many games did you play in a night?—I could not say.

35. Half-a-dozen?—No, I do not think we would play that number. There were generally four or five playing.

36. Who else played with you?—I could not tell that. If I had known that I was going to be asked these questions I would have marked down the names.

37. What room did you play in?—I think the hotelkeeper calls it the bar parlour.

38. Have you no recollection, then, of who played there?—The hotelkeeper has played, but I could not swear to any others.

39. Who was the hotelkeeper?—James Martin.

40. Did you always play the games to a finish? Cannot you remember an occasion on which a game was interrupted?—I have often seen games of cards interrupted, but I would not swear that I remember any of these occasions on which a game was interrupted.

41. Was not one game interrupted owing to a dispute that you had?—I cannot remember what happened two years ago in a game of cards.

42. You do not say that such a thing did not happen?—It may have happened.

43. Have you no recollection of threatening to strike the Inspector?—I am quite sure I never threatened that.

44. You may not have carried out the threat; but did you not say you had a good mind to strike him?—Inspector Emerson is a man who is a good deal older than I am, and all my life I have never struck a man older than myself. I am sure I would not do such a thing.

45. I will ask you again: Cannot you remember whether on any occasion a game of cards you were playing with the Inspector was not interrupted?—Never in that manner, at any rate.

46. Give us the best idea you can, then, of any manner in which a game was interrupted?—People may have come into the room and spoken to one of the players, or one of the players might have been called out.

47. You do not remember who won and who lost on the last occasion on which you played?—I do not think you play cards yourself or you would not ask that question. I do not believe that people who play cards could tell you who won and who lost a game that had been played only two or three days before.

48. Would the honours always go to the one side?—No.

49. One party would shout and sometimes the other?—Yes, that is so.

50. Would there be drinks at the end of every game?—No, but there might be at the end of every second or third game.

51. You felt it incumbent on you to take something?—Yes.

52. Did any one else have a dispute with the Inspector when you were playing in the room?—I do not remember it. There may have been; but Inspector Emerson was always very quiet.

53. Will you swear that there never was a disputed game?—I will not swear that, but I will swear that I never had a disputed game with him.

54. Can you remember who it was that had a dispute with him?—No.

55. *The Chairman.*] Did you ever see a dispute in the hotel amounting to a quarrel?—No.

56. *Mr. Taylor.*] Have you ever seen any one from any cause refuse to finish a game with the Inspector?—No; I do not think that ever happened.

57. Have you any idea of the number of drinks the Inspector had on any of these occasions?—I could not say that he had any at all.

58. Are you prepared to say that the Inspector had no drinks?—He may have had cigarettes, or cigars, or drinks. It did not concern me what he took.

59. Have you seen the Inspector taking drinks on any other occasion than when you have been playing cards?—I am never in the hotel during my business hours. It is only when I am down the town after hours that I go to the hotel. Of course, I may have had drinks with the Inspector.
60. Have you or have you not?—It would be hard for me to say who I had drinks with two years ago.
61. When you met him in Napier two years ago, did you have a drink with him?—No. I met him in the street, and we did not speak together for more than five minutes.
62. You did not go to any hotel?—I am sure we did not.
63. Have you seen the Inspector half a dozen times in Gisborne?—I do not know that I have seen him that number of times; I may have. I generally saw him when he came up on his visits.
64. Would any other police-officer be in the hotel when the Inspector was there?—I never saw the police in the hotel.
65. Inspector Emerson was there?—Yes; he was staying there.
66. Have you ever seen any of the other police in the hotel on the occasions when you have been in?—No, I have never seen any of them in the hotel with the Inspector.
67. *Mr. Cresswell.*] Gisborne is looked upon as being a small place, and there are not many ways of amusing one's self?—In the winter months there is nothing doing, as a rule.
68. And with men who are hard at work in the day it is the usual thing for them to go to the hotel at night and have a harmless game of cards?—Yes; it is a common thing in Gisborne.
69. And when you play, you generally have drinks on the game, or on the rubber?—Yes; who ever lost paid for drinks every second or third game.
70. On the occasions you have met Inspector Emerson at the hotel, do you know that he was a boarder there each time?—Yes.
71. At any time since you have known Inspector Emerson, have you seen him under the influence of liquor?—No, I cannot say I have.
72. *Mr. Taylor.*] Can you tell the Court when you consider a man is under the influence of liquor?—It is a hard thing to define, but I never saw him in the slightest sense the worse of liquor.
73. You have seen that he had liquor on him, but you could not say he was the worse of liquor?—When playing cards he might have taken cigars or cigarettes.
74. But would you say that, although you have seen that he had liquor on him, you could not say he was the worse of liquor?—I cannot say I have noticed liquor on him.
75. Would you consider that a man is sober after he has taken half a dozen whiskeys?—Some men would take that number of whiskeys, and it would not be noticeable on them. It would be noticeable on myself; but I cannot say whether it would be on you, or any other person.
76. You cannot define, then, what is meant by being under the influence of liquor?—I have heard definitions of it, and I would say that I would know when a man was under the influence of liquor.
77. *Mr. Cresswell.*] Did you ever notice any signs of liquor on Inspector Emerson?—No.
78. *The Chairman.*] Have you always considered him to be in a fit state to perform his duties?—Yes, every time I have met him.
- GEORGE HESLOP, examined on oath.
79. *Mr. Taylor.*] Are you a resident of Woodville?—I am. I am a farmer, and a Justice of the Peace.
80. Do you remember on any occasion going from Napier to Wairoa in a steamer?—I do.
81. Do you remember the name of the boat?—I could not be positive, but I think it was the "Wairoa."
82. Can you fix the date?—I think it was the 11th September, 1896.
83. Was Inspector Emerson a passenger?—Yes.
84. When on board the boat did he solicit you to gamble?—I was asked if I would play a game of cards.
85. What were the circumstances?—I was lying on an open bunk in the cabin, and he came and asked me if I would take a hand in cards. I said I took no interest in cards, and did not wish to play.
86. Did you see him again?—He asked me a second time, and I gave him the same reply. I also said that I had told him before that I took no interest in cards, and that I had no desire to play.
87. Did the game go on?—Yes, a set was formed, and the game commenced.
88. Did they play for any length of time?—I think they played till well on for daylight.
89. At what time did you leave the wharf?—I went on board at half-past 9 at night, and they came on some time after that.
90. And at what hour did the steamer leave?—I think it was between 2 and 3 in the morning, but I am not positive.
91. Had the game started before the steamer left?—Yes, a considerable time.
92. And was it continued after she left?—No, I think not; but I would not be positive.
93. They knocked off in the early morning?—Yes; when we got on the way.
94. Could you see the game from where you were lying?—Yes.
95. Were they playing for money?—I think they were playing for both money and drinks.
96. How did they make up the set? Did any of the steamer's crew play?—They got a gentleman who manages for Mrs. Clendennie. His name is Mac—something. The other was one of the firm of Conroy and Co., of this town.

97. Did you notice whether the Inspector was drinking with the others that night?—I think he had drinks with the others.
98. Was there any sign of intoxication upon him?—I do not think he was intoxicated at all.
99. Do you know if the game was played to a conclusion, or interrupted?—I think some of the players fell out, and it was concluded in that way.
100. Some fell out?—Yes; they ceased playing.
101. Were there any words over the game?—No, I think not.
102. You heard none?—No.
103. *The Chairman.*] You would have heard if there had been any?—Yes, no doubt.
104. Who was the fourth man—one of the crew?—I could not be positive, but I think it was the steward.
105. You are clear that the game was played alternately for money and drinks?—I do not know that it was alternately, but they played for both.
106. Was the bunk you were lying on open on to the saloon?—Yes. One Mr. Herd, a passenger, was also solicited to play, and refused.
107. Where does he live?—At Tomoana.
108. Have you seen the Inspector frequently?—That was the first time I had met him. He was a stranger to me till he made himself known to me next morning. He sat down on the end of my bunk, and we had a conversation.
109. Were you surprised to find him soliciting people to play cards on the steamer?—Yes. I considered it was altogether out of place. I thought he was breaking the law to play and drink alongside the wharf.
110. They played alongside the wharf?—Yes.
111. That is contrary to the regulations under which the license is held, is it not?—Yes, I think so.
112. Did you remark next day on the playing?—Yes. He said to me, "I suppose you know me?" and I said I did not, and that I did not care. He said, "I am a detective;" and, the Kirby business being in my mind, I said, "Well, if you are a detective, you are a bad lot."
113. Did anything further pass?—This was said more in joke than anything. That was the extent of the conversation.
114. Did the Inspector mention any particular hotel at Wairoa as being a desirable hotel to stay at?—No; but to my mind he was touting to some of the others for Poyzer's Hotel.
115. You were surprised to find the Inspector taking an interest in any particular house?—Yes; I thought it somewhat out of place.
116. And undignified?—Yes.
117. *Mr. Cresswell.*] When you said, "If you are a detective, you are a bad lot," were you referring to the detectives generally?—I said it in joke really.
118. Were you referring to the detectives generally?—I did not mean to refer to any one. I had Kirby in my mind when I said it.
119. You meant that the detectives were a bad lot?—I only meant it as a joke.
120. On other occasions when you have been travelling have you not heard men saying to one another, "Well, which house are you going to stay at?" or, "I know this district, and I am going to stay at this house, or at some other house?"—Frequently.
121. And if you know a district and a publichouse, and you are asked, "What house are you going to?" would you not recommend the house you are acquainted with?—Yes; if I was asked by a friend.
122. You know the Wairoa very well?—Yes.
123. Which house do you generally stay at?—I could not tell you the name of it, but it is above the wharf, and this other house is below.
124. The house you stay at is the one Mr. Flint used to keep?—Yes.
125. The Clyde Hotel?—Yes.
126. If a gentleman met you on board a steamer who was unacquainted with Wairoa, and asked you to tell him a good hotel to stop at, would you have recommended him to go to the Clive Hotel?—Yes.
127. As to card-playing, is it not a common thing on the Union Company's boats for a harmless game of whist or euchre to be played among the passengers?—Yes. I have travelled a deal by the boats, and the Union Company's boats mostly have card-rooms.
128. And the passengers generally play a harmless game?—Yes.
129. If it had not been Inspector Emerson who was playing cards on the Wairoa would you have taken any notice of the game at all?—No; but I should have taken notice of the drinking, because it is illegal to drink alongside the wharf.
130. That was the only thing that struck you?—I thought it was very improper.
131. When did you first mention the matter to any one?—I mentioned it at breakfast at the hotel.
132. And since then?—I got into conversation with a Mr. Taylor at Woodville, and he told me some of his grievances.
133. When was that?—Probably a year ago.
134. Can you fix the time?—I think it is well on to a year ago.
135. Who is Mr. Taylor?—Mr. James Taylor, nurseryman, and Justice of the Peace at Woodville.
136. Is he in Court now?—Yes.
137. Did you know that it was a matter of notoriety in Woodville that he and Inspector Emerson are very much at cross purposes?—I know they had some difference.

138. In your capacity as a Justice of the Peace did you have anything to do with it directly or indirectly?—No.

139. Do you know that Mr. James Taylor laid an information against the Inspector for assault?—I think he told me that himself.

140. Was that on the occasion on which you told him what you had seen on the “Wairoa”?—I believe so, but I could not be positive.

141. Are you sure it was on the “Wairoa” that the card-playing took place?—I said before I was not positive about it, but I believe it was the “Wairoa.”

142. On the following morning, when the Inspector made himself known to you, did he tell you his name?—No.

143. When did you first find out that he was an Inspector?—I learned it from Mr. Herd.

144. On that morning?—Yes.

145. Is it not peculiar that if a gentleman in Inspector Emerson’s position should introduce himself to you, he should say he was a detective. Are you clear on the point?—It is a long while ago, but I feel certain he did not mention his name.

146. But he said he was a detective?—He asked me if I knew who he was; and I said I did not, and I did not care.

147. Then he said he was a detective?—Yes.

148. *The Chairman.*] Are you clear that he said “I am a detective”?—I am certain about it. I did not know his name till Mr. Herd told me.

149. *Mr. Taylor.*] As to touting for a certain hotel at Wairoa, did not the other passengers also complain?—They remarked at breakfast that it was peculiar he should do it.

WILLIAM WOOD FULLBROOK, examined on oath.

150. *Mr. Taylor.*] You are a gardener?—Yes, at the hospital.

151. Have you been here many years?—About twelve years.

152. Have you known Inspector Emerson since he has been here?—Yes.

153. Have you seen him pretty often?—Occasionally.

154. Where?—Generally in the streets.

155. Sometimes in the Working Men’s Club?—Rarely.

156. Have you seen him in any of the hotels?—No.

157. Has he always been perfectly sober when you have seen him?—To the best of my belief he has been.

158. Have you seen him on any occasion when his condition has attracted your notice?—I should not like to say that.

159. I ask you again, Have you seen him on any occasion when his condition has attracted your notice?—No.

160. Did you not make a different statement to a friend of mine and myself yesterday?—No, I did not. When you spoke to me at the hospital yesterday I said I could give you no information.

161. Did you not say that you could fix the dates when you had seen him not perfectly sober?—I said I could give you no information, and that I could fix no dates and give no instance on which I had seen the Inspector under the influence of liquor.

162. Did you not say yesterday, in the presence of myself and another person, that you had seen the Inspector when he was not sober?—No. I said I could give no evidence.

163. Can you remember every word that passed between us?—No.

164. Did you not say that you did not want to be a witness?—Yes. I said it would not be convenient for me to come from the hospital.

165. Anything else?—I said it would do me no good to be mixed up in the case.

166. Did you say you did not want to do the Inspector any harm?—I believe I did.

167. Did you say that the fact that you had left the Force might be brought up against you?—I cannot remember.

168. Did you not say that it might injure you to be mixed up in the business?—I believe I did say so.

169. What was the occasion for your saying that you did not want to get the Inspector into trouble?—I did not wish to do the man any harm.

170. But how could you do him any harm?—It was a general conversation we had, and I said I could not give any evidence at all.

171. And then what did you admit?—I said that because of the position I held I did not wish to be mixed up with the case. I said I had to do with the police, in my position as an hospital servant, and that to give evidence might cause a bad feeling.

172. Did you not say then that you had seen the Inspector under the influence of liquor?—I said I had heard a great deal, but that was not evidence.

173. And then what did you say?—You asked me if I had ever seen him under the influence of liquor, and I said I could mention no instance.

174. You said you could give no dates?—I said I could give no dates, and no occasion.

175. Did you not say you could give no dates?—I said I could give neither dates nor occasion.

176. Will you swear you said “no occasion”?—I cannot remember everything that was said. I told you I had no recollection of any date or any occasion, and that I could give you no occasion of any sort.

177. Do you remember mentioning the name of a member of the Working Men’s Club?—In what respect?

178. In connection with the Emerson matter?—I told you a matter I had heard about.

179. Did you mention a man’s name?—Yes.

180. Who was it?—Russell Beecham.
 181. Did you see the Inspector in the Working Men's Club?—Yes.
 182. Where?—In the bar. I do not think I ever saw him anywhere but in the bar.
 183. Did you ever play cards there?—Yes.
 184. Have you ever seen the Inspector playing?—No.
 185. When would you regard a man as being under the influence of liquor. There are many stages of drunkenness. A man might be under the influence of liquor and might still be able to do his duty, or he might be helplessly drunk.
 186. Have you ever seen the Inspector in either condition?—No.
 187. What did you leave the Police Force for?—I resigned.
 188. Under what circumstances?—I resigned.
 189. *Mr. Cresswell.*] You are also the porter at the hospital?—No, but I once acted as porter for a few months.
 190. Do you know that Inspector Emerson is Inspector of Clubs and Licensed Premises in Napier?—Yes.
 191. And, as such, has access to them at all reasonable times?—Yes.
 192. As you have known him since he has been in Hawke's Bay, have you ever seen him the worse of drink?—No.
 193. Have you ever known him, since he has been in Hawke's Bay, to be addicted to gambling?—No, I have never seen him play a game of cards.
 194. Have ever known his conduct to be destructive of discipline and injurious to the public interests?—No.
 195. *Mr. Poynton.*] How long is it since you left the Force?—About twelve years.

JAMES TAYLOR, examined on oath.

196. *Mr. Taylor.*] Where do you reside?—I am a Justice of the Peace, residing at Woodville.
 197. Do you remember the occasion of the Woodville races, in 1896?—Yes.
 198. Were there any spiellers at the meeting?—Yes, I believe there were a great many. It was so reported, and I met some myself.
 199. On what date were the races held?—On the 5th and 6th February.
 200. Had you any experience with these men?—Yes, but did not know them to be spiellers.
 201. What was the nature of it?—I was taken in by two of them, who led me to believe that they were horse-owners from Hastings, and that a horse of theirs, in the race about to start, was likely to win.
 202. What was the result? What did you lose?—I permitted one of them to draw £3 from my hand to fetch me three totalisator tickets, as he said it was useless for all of us to go to the ticket-box. He ran off, presumably to get the tickets, but I got no tickets from them, and no return for my money.
 203. Did you see the Inspector on the course?—I saw him with three constables. I went and spoke to him, but he would not listen to me. He said, "If you are such a — fool as to give your money to swindlers I will have nothing to do with you, or them either." I followed him and told him I was a Justice of the Peace, and that I did not consider he was doing his duty in treating me in that way. He said, "I do not care a — who you are, and if you do not clear away I will have you locked up." At the same time he made several lounges at me with his body and jostled me.
 204. Did you see him again?—I saw Mr. C. Hall, the then member for the district, and he spoke to Inspector Emerson about the matter. The Inspector then came to see me at the gate. He said he was sorry for what had happened. I said, "That is all right." He asked me if I would know the men again, and I said, "That is one of them that you have just been speaking to." He said, "Which?" and I said, "That man with the straw hat and the black coat." He said, "Oh, no; that is Mr. Profit's clerk, a respectable man." I said he was a thief, no matter how respectable he was.
 205. Are you sure that was the man?—Yes.
 206. Then the Inspector knew the man?—He was speaking to him.
 207. Did you lay an information against Inspector Emerson for assault?—Yes. But before that Inspector Emerson had said he would see what could be done, and he went behind the grand stand. He came back with Detective Kirby and two constables, and said I could have the use of them to find the men. Kirby afterwards said that it was a foolish thing to go about with men in uniform looking for the men. Afterwards I laid an information against Inspector Emerson for assault.
 208. What was the date?—It was to be heard on the 13th of March.
 209. Did you withdraw it?—Yes.
 210. Had you an interview with the Inspector?—No.
 211. Did you write to the Minister of Justice about the matter?—Yes.
 212. Did you get a reply?—Not for a fortnight. I wrote again, and got a reply within three or four days.
 213. Did you consider that the Inspector acted as he should have acted?—No; he acted like a brute.
 214. *The Chairman.*] Why did you withdraw the information?—My solicitor led me to believe that I would have to give Inspector Emerson a month's notice, under the Police Act; but, as I had gone to some expense over the matter, and as I intended to write to the Minister about other matters, I decided to withdraw it, and to lay the whole thing before the Minister for him to deal with.
 215. *Mr. Taylor.*] Did he do anything?—No.

216. You were told you had a remedy against Inspector Emerson in a Court of law?—Yes.

217. *Mr. Cresswell.*] When you were told that, did you seek any remedy against him in a Court of law?—No.

218. Do you not think that it is rather contemptible to come here now, under the cloak of a Royal Commission, and say all this when you would not take your remedy in the Court of law?—I do not consider it is contemptible at all. The Minister of Justice was the proper party to give me my remedy.

219. But you are now making the charges under the cloak of the Royal Commission?—I made the charges to the Minister of Justice, and not under any cloak.

220. Did you accept the reply of the Minister of Justice?—No; he did not do his duty.

221. And do you consider that it is manly to come here to-day as you do?—Yes.

222. How long have you been a Justice of the Peace?—For some years—about six.

223. Are you in the habit of going to racecourses?—No, I have not been on a racecourse since.

224. Did you go before that?—Sometimes.

225. Before that did you invest money on the totalisator?—Never before that in any way connected with racing.

226. I suppose you know how the totalisator is worked?—I have a good idea.

227. By investing your money with this man did you expect to get more than you otherwise would?—I thought I had a chance of winning rather than losing. I invested with no man.

228. Had you known either of the men before?—No, never.

228a. When you invested your money you fancied you were betting on a certainty?—If their opinion was well grounded it was. I was prepared to lose as long as the thing was fairly done.

229. When you invested the money you thought they were telling the truth?—Yes. I believed the men to be respectable, and allowed one of them to draw the money from my hand to fetch me totalisator tickets.

230. You expected, then, that you were betting on a certainty?—I had confidence that their horse was likely to be the winner.

231. Are you in the habit of associating with “welshers” and “spielers”?—No, or I would not have been taken in.

232. They were both “welshers” and “spielers”?—But I did not know it.

233. If the horse had won, and they had given you £15 for your £3, you would have been pleased?—I would not have come in conflict with Inspector Emerson.

234. But you would have been pleased?—Yes.

235. Then the converse holds good—that you were angry because of your paltry £3?—No. I was angry at the men cheating.

236. Were you not angry because you had lost the £3?—No.

237. Did you not say you had been robbed?—Yes.

238. Were you not angry then at being robbed of £3?—I was angry at being taken in.

239. Were you angry at being taken in to the extent of £3?—I was angry at being taken in.

240. You were taken in to the extent of probably £15?—How do you know?

241. There was the prospect of winning it?—I was angry, I tell you, at being taken in.

242. But you were angry at being taken in to the extent of £3?—I have answered the question already. I was annoyed at being taken in, and I was taken in to the extent of £3.

243. When you went and spoke to the Inspector, was he not in company with Constables Siddells and Treanor?—There were three of them with the Inspector—Siddells was one, but Treanor was not there at all, having gone to Woodville.

244. Had the police two spielers in charge at the time?—No, they had nobody, and were doing nothing—that is, Inspector Emerson and the police who were with him at the time had nobody in charge.

245. If Inspector Emerson and two policemen say that when you came up they were escorting two spielers to the station, will you deny it?—I will. Treanor had gone with the prisoners, as I afterwards found out.

246. Did you put your hand on Inspector Emerson?—I touched him on the arm to arrest his attention.

247. There were a great many spielers at Woodville?—Yes.

248. And few police?—Six.

249. Did the Inspector not tell you that if you interfered with him in his duty he would lock you up?—He did not say that to me. He said, “If you do not clear away and leave me alone I will lock you up,” and he launched out at me three times.

250. Was there not a crowd of spielers following up and interfering with the police when you spoke to him?—No; the course was almost clear at the spot where I accosted the Inspector.

251. Were not a lot of these men yelling and hooting at the police for arresting the two spielers?—I did not hear them. I did not hear of the arrest till afterwards.

252. *The Chairman.*] At the time you approached the Inspector, was the crowd yelling and hooting?—No; that part of the business was over, and the people had gone down the course towards Harding’s stables, and some were coming back.

253. *Mr. Cresswell.*] When you spoke to the Inspector, was he and the two constables endeavouring to keep the crowd back?—No; the crowd was in front of them at that time.

254. When you met Inspector Emerson the second time did you explain everything fully to him?—I explained the position as I have explained it here.

255. Did he not then say, “Well, I will give you the assistance of the police to find any men you want”?—Yes.

256. And did you express satisfaction with the Inspector’s explanation?—When he said he was sorry for what had happened, I said, “That is all right.”

257. You had received an explanation and you were satisfied?—No; the explanation was not sufficient for the treatment he had given me. He committed a gross outrage on me.

258. Did you not consider that the matter was at an end?—No. When I said, "All right," I meant it was all right in the meantime.

259. Did you not go round the course with the detective and the two constables?—Yes.

260. How long were you hunting for the men?—For a considerable time Detective Kirby and I went round by ourselves, and I went about by myself afterwards, and also next day.

261. Was Detective Kirby in uniform or plain clothes?—In plain clothes.

262. Did you say, "I will let the matter drop, because if it is exposed it will injure me in my position as a Justice of the Peace"?—No.

263. Or that it would deprive you of your commission of the peace?—No. They can have that at any time they want it.

264. Now, these races took place on the 5th and 6th February?—Yes.

265. When did you lay the information for assault?—On the 3rd March.

266. How do you account for the delay?—There was a difficulty in finding witnesses.

267. Did you issue subpoenas for your witnesses?—Yes.

268. And do you say that a solicitor advised you that you could not lay an information against Inspector Emerson without giving him a month's notice?—I do, and I will give you the name if you want it.

269. That was not your own interpretation of the Act, or Mr. Hall's interpretation, was it?—No.

270. Did you give the Inspector notice of action after that?—No.

271. You did not attempt to remedy the so-called defect?—No. I wished to lay other matters before the Minister of Justice, and I wrote about this one as well.

272. You have taken no proceedings from that day to this?—That was proceeding enough.

273. You have taken no proceedings from that day to this?—Do you mean in a Court of law?

274. Yes?—No, I have not.

275. Do you belong to any temperance lodge?—No.

276. Are you a Prohibitionist?—No.

277. Do you believe in a man having a glass of refreshment when he is inclined?—Certainly.

278. *Mr. Taylor.*] Do you have it yourself sometimes?—Yes; I had it this morning.

279. *The Chairman.*] You initiated legal proceedings after a month, which you withdrew?—Yes.

280. And then the Minister of Justice told you that your remedy was in a Court of law?—Yes; but it was some time afterwards that he told me that. It was on the 21st May, and in the meantime they had promoted Inspector Emerson to be a First-class Inspector without making any inquiry. I was sick of the whole thing after that.

281. You understood that your case was not prejudiced by the delay?—I understood that. The solicitor also urged that the bulk of the witnesses were constables, who, in his opinion, would swear whatever the Inspector wanted them to say.

282. The same solicitor told you that?—Yes.

283. Were you personally acquainted with Inspector Emerson before that day?—Yes. He conducted a case against some spielers when I was on the bench some time before that.

284. Had you reason to believe he knew you?—He might have remembered me. At any rate, when I spoke to him I told him who I was.

JAMES BUCKMAN ELMS HERD, examined on oath.

285. *Mr. Taylor.*] Where do you reside?—At Tomoana. I am foreman of the fellmongery.

286. Have you on any occasion gone from Napier to Wairoa by steamer?—Yes.

287. Can you remember about the date?—11th September, 1896, on a Friday evening.

288. What was the boat?—The "Tekapo."

289. Was Mr. Heslop, of Woodville, a fellow-passenger?—Yes.

290. Was Inspector Emerson also on board?—Yes. He came on the boat that evening in plain clothes. I did not know him at the time.

291. Do you remember when the boat left the wharf?—It was supposed to leave at 3 o'clock, but I do not think it left till half-past 3.

292. Is that not unusually late?—These boats for Wairoa leave at all hours to suit the tide.

293. Did you see any game of cards being played on board?—While Mr. Heslop and I were talking, a gentleman came to us and proposed that we should have a game of cards. That was about 9 o'clock. I said I did not make it a practice to play cards away from home, and Mr. Heslop said he could not play. The steward and the captain then sat down and took hands, and they went on playing for some time. I turned in about 10 o'clock, and shortly after two other men came down and took the places of the captain and the steward. I then went to sleep. About 2 o'clock there was a terrible row, and I turned to see what was going on. The man who turned out to be Inspector Emerson was the man who was doing all the talking. There were glasses on the table, some with liquor and some without, and the steward was drawing what I took to be a bottle of beer. I also saw what I thought was money on the table.

294. Was it a loud conversation?—Yes, very loud; the noise woke me up.

295. Did you hear any of the conversation?—I did not take any notice of it.

296. Did the game stop?—No; they went on playing, and I turned round and went to sleep.

297. Are you sure Inspector Emerson was one of the players?—Yes.

298. Had you watched the game before you went to sleep the first time?—Only when the steward and the captain were playing.

299. Were they playing for money, or drinks?—No; not until later. I saw no money or drinks till I woke up at 2 in the morning.

300. The captain and the steward were not playing for money as far as you could see?—No.

301. Did you hear Inspector Emerson referring to a hotel at Wairoa as being a good one?—Yes, on the Sunday; when we were going back he said Poyzer's was a good one, and that he had been on his usual inspection.

302. Did you see him at Wairoa?—Yes; I saw him with Mr. Poyzer.

303. Did you see the Inspector drinking on the steamer?—No.

304. The drinks were for the parties who were playing?—Yes.

305. Have you ever travelled with the Inspector before or since?—No. I had only seen him twice before that, and on this occasion he was in plain clothes.

306. *Mr. Creswell.*] Did you know during the night that it was Inspector Emerson?—No.

307. You went to sleep at 10, and up to then there had been no playing for drinks or money?—No.

308. Have you travelled on the Union Company's boats?—Yes, and on the "Wairoa" and on the Huddart-Parker steamers.

309. Have you ever seen cards played on the steamers?—Yes.

310. On the large boats they have special rooms for card-players?—I do not know that. I am not a card-player myself.

311. Do you wish us to infer that the Inspector was at all under the influence of drink?—No.

312. When speaking to Mr. Poyzer, was he under the influence of drink?—No. I only saw him speaking to Mr. Poyzer as I was riding past.

313. When at Wairoa, was he incapable of doing his duty?—No.

314. And on returning from Wairoa he was praising Poyzer's Hotel?—Yes.

315. Is that the new hotel?—No, the old one.

316. Was Mr. Heslop on the return voyage?—Yes.

317. Did he say that in the presence of Mr. Heslop?—Yes.

318. Did you hear the Inspector speaking to Mr. Heslop on the morning you went to Wairoa?—Yes.

319. At that time, did you know who Inspector Emerson was?—Yes.

320. Are you aware whether Mr. Heslop then knew?—Yes. Mr. Heslop told me it was Inspector Emerson.

321. *Mr. Taylor.*] Did you hear the Inspector introduce himself to Mr. Heslop?—No.

FRANCIS LOGAN, examined on oath.

322. *Mr. Taylor.*] You are a barrister and solicitor?—Yes; in Napier.

323. Do you know Inspector Emerson?—I do.

324. Were you ever a fellow-passenger of his on any steamer leaving Napier?—Yes.

325. What was the steamer?—I could not tell, and I could not say the year, but it was certainly within a fortnight of Inspector Emerson's appointment to this district.

326. Have you any special reason for remembering that trip, so far as he is concerned?—Yes.

327. In connection with his conduct?—Yes.

328. What was his conduct on that occasion?—He was not sober.

329. Where was the steamer going to?—I went from Napier to Gisborne.

330. Was it the "Southern Cross"?—Probably it was.

331. Did his condition attract the attention of other passengers?—I could not say it did.

332. Can you remember the names of any of the other passengers?—There is only one other I can remember—Mr. Horace Baker, who was also going to Gisborne.

333. Was Mr. Jardine not on board?—I could not say. I have travelled with him to Gisborne, but whether he was on the steamer at this time I could not say. He may have been.

334. Was the Inspector's condition quite noticeable?—The only place I saw him was in the saloon, and that was probably two hours after we had started.

335. He was not sober?—No, he was not.

336. Was his conduct objectionable?—He spoke to me, but I took no notice of him at the time. I did not know who he was.

FREDERICK FORBES, examined on oath.

337. *Mr. Taylor.*] What is your occupation?—I am a hotel employé.

338. Have you been in this district long?—I have been in Napier on two or three occasions.

339. Where is your regular home?—Gisborne.

340. Have you worked in any of the Napier hotels?—Two—the Criterion and the Clarendon Club.

341. Which did you work in last?—The Clarendon Club.

342. When did you leave there?—About eighteen months or two years ago.

343. And prior to that you were in the Criterion?—Yes.

344. Do you know Inspector Emerson?—By sight.

345. Have you seen him frequently since he has been in this district?—I have seen him often.

346. Sometimes in the street?—Yes.

347. And sometimes in the hotel?—I have seen him in the hotel.

348. Which one?—Sometimes in the Criterion.

349. In what room?—I cannot say any particular room.

350. Have you seen him in the bar?—I cannot say that, but I have seen him in the passage.

351. In what rooms have you seen him?—In the club-room.

352. How often do you reckon you have seen him?—Perhaps once or twice—not frequently.

353. Was he sometimes sitting down and sometimes standing up?—I cannot say that.
 354. Was he there resting?—I cannot say that.
 355. What time of the day?—I have seen him go through of an afternoon.
 356. Can you say you have seen him there of a night or of an evening?—Not to my knowledge.
 357. Have you seen him having refreshments?—No.
 358. *Mr. Cresswell.*] Did you ever see the Inspector the worse of drink?—No.
 359. Did you ever know him to be addicted to gambling?—No.
 360. Did you ever know him to act other than as an Inspector of Police should act?—No, I cannot say I have.
 361. Did you ever know him guilty of conduct that was destructive to discipline, or injurious to the public interests?—No.

HORACE BAKER, examined on oath.

362. *Mr. Taylor.*] What are you?—I am a surveyor and land agent.
 363. Did you travel from Napier to Gisborne on one occasion?—I have often travelled on that route.
 364. Do you remember being a fellow-passenger with Mr. Logan on one occasion?—I have some recollection of that—a good many years ago, I think.
 365. Was Inspector Emerson also on board?—Yes.
 366. Did the Inspector's conduct attract your attention?—I was not very well, and I turned in pretty early.
 367. Did you see him at all?—I have no doubt I saw him on board the boat.
 368. Was he sober?—It depends on what you call sober.
 369. If Mr. Logan says he was not sober would you contradict him?—Men's opinions differ.
 370. What is your opinion?—It is so long ago I cannot remember.
 371. It was while the Inspector was in this district?—I think he had just come.
 372. *The Chairman.*] Can you answer the question as to his sobriety? What is your opinion?—I should not like to say that Inspector Emerson was drunk.
 373. *Mr. Taylor.*] Was he sober?—If he was not drunk he would be sober.
 374. *The Chairman.*] Do you consider he was sober?—He had had something to drink, no doubt.
 375. *Mr. Taylor.*] Was his conduct objectionable?—It was rather objectionable to myself.
 376. Did you attribute it to the fact that he had had liquor?—I suppose that would be the natural inference.
 377. Would you have liked to see him in that condition in your own home?—It depends on circumstances.
 378. Well, ordinarily, would you like to see a man in that condition?—I have told you that I turned in after the boat got outside the heads, and, further than that, I do not know that I saw Inspector Emerson at all. There was laughter in the saloon and a little noise.
 379. Did you not express surprise at the man's conduct?—I believe I did.
 380. He made himself obnoxious to you?—Yes.
 381. And you attributed his conduct to the fact that he had liquor?—That is the inference I drew.
 382. *Mr. Cresswell.*] I suppose you have seen men sea-sick on steamers?—Yes.
 383. And there is a similarity in the appearance of a man who is sea-sick and a man who has had liquor?—Yes; a man staggers about if he is sea-sick.
 384. And, seeing a stranger, it would be difficult to say whether he was suffering from sickness or drink?—Yes.
 385. Do you know that, as a matter of fact, Inspector Emerson was in charge of the district?—I cannot say for certain whether he had been appointed or not.
 386. You say that Inspector Emerson was not drunk?—I said he was not actually drunk.
 387. Of course, you recognise that there are degrees of drunkenness?—Yes; there are many stages of it.
 388. A man might be suffering largely from the effects of drink without being drunk?—Yes.
 389. *The Chairman.*] Was he in such a condition as to render himself offensive to others?—I did not see him all the time. I was lying in my berth alongside the saloon, and there was a noise going on, and I believe I was cross because I had been wakened up; but I do not remember going out of my cabin to see what was going on.
 390. *Mr. Poynton.*] Is it the conduct that you refer to while you were in your berth that you considered objectionable?—Yes.
 391. *Colonel Pitt.*] It was not a personal insult to yourself?—Not that I can remember. It is a good many years now since it happened.
 392. *Mr. Poynton.*] You referred to laughter and noise?—I was annoyed at there being a noise. I wanted to go to sleep.
 393. *Mr. Taylor.*] You are clear as to who the offender was?—I think so. There were others in the saloon.
 394. But you observed sufficient of the Inspector to know that you had cause to be dissatisfied with him?—Yes, I think so.
 395. Did you not say that the man ought to be thrown overboard?—I believe I did say something of the sort.
 396. *The Chairman.*] On that occasion was he in a condition to transact business in an ordinary, decent manner?—I cannot say the fact of a man being jolly on board a steamer would prevent him doing his duty.
 397. Had that state of jollity reached a stage that would render him unfit to perform his duty?—I cannot answer that question.

WILLIAM JAMES GRUNDY, examined on oath.

398. *Mr. Taylor.*] Are you in business here?—Yes, I am a draper in Napier.
 399. Do you know Inspector Emerson?—Yes.
 400. You have known him since he came to the district?—Yes.
 401. Are you president of the Working-men's Club?—No.
 402. But you have been?—Yes.
 403. For what terms?—I was president for one or two years.
 404. Who was the secretary?—Mr. C. P. Lound has been secretary for some years.
 405. Have you a large committee to manage the club?—Twelve or thirteen.
 406. Was Inspector Emerson a member of the club?—Yes, at one time.
 407. Did he not cease to be a member on one occasion?—I cannot answer that without looking at the books, as I am not sure about it.

JOHN FERGUSON JARDINE, examined on oath.

408. *Mr. Taylor.*] What is your occupation?—Commission agent.
 409. How long have you been in Napier?—About fourteen years.
 410. Do you occasionally travel to Gisborne by steamer?—Yes.
 411. Has Inspector Emerson ever been a fellow-passenger with you?—He was once.
 412. Can you remember about the date?—It is a long time ago.
 413. Just after he came to the district?—Immediately after.
 414. Do you remember anything as to his conduct or condition that attracted your attention on that voyage?—We noticed that he was not sober.
 415. His state was sufficient to attract the attention of the other passengers?—Yes.
 416. *Mr. Cresswell.*] This was in the saloon, I understand?—We were at the wharf, if I remember rightly.
 417. But you saw Inspector Emerson in the saloon?—I saw him on deck first.
 418. Were you in Mr. Logan's company?—We were going to Gisborne.
 419. Do you know whether Inspector Emerson suffered from sea-sickness on that trip?—I could not say.
 420. Was he any more than jolly in the cabin with the other passengers?—He made a considerable noise in the cabin, and we could not go to sleep.
 421. What was the noise—laughter?—Yes, and shouting.
 422. The others with him were laughing and joking too?—I could not say. I did not go into the saloon.
 423. Were the others laughing and joking with him?—There may have been one, but not more.
 424. It was the laughter and noise that the Inspector and some one else made that kept you from going to sleep when you wanted to go to sleep?—Yes.
 425. That is all you complain of?—I do not complain of it at all.
 426. Is there anything you complain of, then?—At the time I complained of the noise.
 427. *The Chairman.*] Do you know the difference between the noise of hilarity and noise the result of drunkenness? Can you tell me under which head it would come?—I am afraid it would come under the latter.

WILLIAM JAMES GRUNDY, further examined on oath.

428. *Mr. Taylor.*] Can you tell us the dates of your presidency of the club?—From November, 1890, to November, 1891; from November, 1892, to November, 1894; and from November, 1896, to 1897.
 429. You missed one or two terms?—Yes.
 430. During which of those periods was Inspector Emerson's conduct the matter of discussion before your committee?—To the best of my knowledge it was never under discussion. According to the books you will find it was never under discussion.
 431. Is there no record in the minute-book?—I think not.
 432. Is the correspondence of the club copied?—Yes.
 433. Have you examined the letter-books?—I cannot get to them, as I am now out of the presidency.
 434. What was the nature of the communication that you had with Inspector Emerson?—No communication that I know of at all.
 435. Neither written nor verbal?—No. A rumour is nothing.
 436. What do you know of Inspector Emerson's conduct while a member of your club?—As far as I know of Inspector Emerson's conduct as a member of the club he behaved himself as a gentleman.
 437. Were you not commissioned to speak to him about some misconduct of his?—No.
 438. Did you speak to him?—I do not remember. If I did I have altogether forgotten it, but I was never commissioned by the committee to speak to him.
 439. Did you speak to him apart from the committee?—I cannot say I did.
 440. Did you not have a conversation with him about the transgression of certain rules of the club?—No.
 441. Did you see him about any matter?—Personally?
 442. Yes?—No.
 443. Did you instruct any one else to see him?—No.
 444. As president of the club, do you know whether any one else saw him about certain matters?—I do not know.

445. You do not know that he was seen by any officer of the club?—I do not know that. Perhaps the steward or some one else spoke to him.

446. Who was the steward at that time?—At what time? I should like to know what the charge is.

447. I want to know who was steward at the time Inspector Emerson's conduct was discussed among your members?—I have just said it was not discussed among the members.

448. Did you not talk about his conduct among your members?—Only on rumour, but nothing was brought before the committee.

449. Who was steward at that time?—If you would say the time I would answer you. The late steward was Mr. Beecham.

450. Was he the steward the whole of the time you were there?—No.

451. Who was steward at any other part of the time?—The present steward is Mr. Dunlop.

452. I come back to the question, then: Do you swear you had no conversation with Inspector Emerson about the rules of your club?—You are going back a long way—about five or six years.

453. Inspector Emerson has not been in the district six years?—He became a member of the club in 1893; but as to having a conversation with any one that time ago, I could not remember it.

454. It would not be an ordinary conversation. Cannot you remember a conversation with him about a breach of rules of your club?—I have never had a conversation with him in reference to the rules of the club, and Inspector Emerson, I believe, can bear me out in that.

455. When did he cease to be a member?—The secretary will say that.

456. You know he did cease to be a member?—He gave over his membership for the time being.

457. You do not know the date?—It might be six or twelve months after he joined.

458. Did he resign in writing?—I do not think so. It is not necessary.

459. Was he written to about his resignation?—The secretary can answer that.

460. Do you know?—I am not permitted to know that. If I was president of the club I would not get every letter of resignation of members.

461. Do you know of your own knowledge whether his resignation was the subject of correspondence?—I do not. In fact, as far as my memory carries me, it was not the subject of correspondence.

462. Do you know whether Inspector Emerson's name as a member of your club has been mixed up with a breach of your rules re' gambling?—From my own knowledge it has never been. It might have been from rumour.

463. *Mr. Cresswell.*] Though you are a draper you are a good deal about the town?—Yes.

464. And since Inspector Emerson has been here how often have you been in the habit of seeing him?—Not daily, but pretty regularly.

465. Almost daily?—Getting on that way.

466. And sometimes more than once in the day?—Possibly.

467. On any occasion have you ever seen him the worse of drink?—No, I can safely say that.

468. Have you ever known him to be addicted to gambling?—No. This is the only rumour I have ever heard of, and the only time it has been brought under my notice.

469. Have you ever known his conduct to be destructive to the discipline of the Police Force?—No.

470. Could you say he is a man of intemperate habits?—I should say not.

CHARLES PHILIP LOUND, examined on oath.

471. *Mr. Taylor.*] Are you secretary of the Working-men's Club?—I am.

472. Was Inspector Emerson a member?—Yes.

473. When did he join?—In the beginning of 1893.

474. When did he resign?—He paid up as far as the end of June. As far as I remember, he never sent in his resignation. It is not usual to do so. Some do and some do not. He ceased to be a member from the end of June, 1893.

475. Have you your letter-book or your minute-book?—No.

476. Can you remember, without reference to them, what communications passed between the club and Inspector Emerson?—I do not remember any, except a notification of his acceptance as a member.

477. Do you not remember a letter going from the committee to Inspector Emerson?—I do not.

478. Do you write all the letters?—I am supposed to.

479. Do you?—I believe I do.

480. Did you get a letter from any member of the club complaining about Inspector Emerson's conduct as a member of the club?—I do not remember.

481. Did you get any complaints as to his conduct while he was a member of the club?—I cannot say I did.

482. Was not his conduct a matter of discussion before your committee prior to his resignation?—I do not remember.

483. Well, try and remember?—It is a long time to look back—over five years.

PATRICK BLACK, examined on oath.

484. *Mr. Taylor.*] When did you join the Force, Sergeant Black?—Twenty years ago next July.

485. Where have you been stationed?—Dunedin, Wellington, Dargaville, Auckland, and Gisborne.

486. How long have you been at Gisborne?—About fourteen months.

487. Where were you before that?—Auckland, where I was stationed for close on two years.
488. Has Inspector Emerson visited your station frequently since you have been at Gisborne? —I think he has been at Gisborne three times since I went there.
489. Have you met him on his arrival?—Yes.
490. And have you been with him pretty well all the time he has been there?—Not all the time.
491. Has he been perfectly sober all the time on each occasion?
492. *The Chairman.*] Excluding the 2nd May, 1897. You must bar that date in answering the question. Was one of the occasions, the 2nd May 1897?—Yes.
493. *Mr. Taylor.*] You have seen him on two other occasions?—Yes. Once when Mr. Kenny came there to inquire into the 2nd-of-May charge, and the other time was when he came there to inspect the station.
494. When was that?—Last July. I met him at the wharf, and after that I saw him off and on while he was there.
495. What was the date in July?—He arrived at Gisborne by the "Tarawera" at 7.30 a.m. on July 3rd, 1897, and left at 7 p.m. by the "Waihora" on the 7th July.
496. Was that the day between the two race-days?—Yes.
497. He did not stay for the second day of the races?—He did not.
498. Did you see him on the 3rd day?—Yes.
499. And on the 4th, 5th, and 6th?—Yes; I saw him each day while he remained.
500. Where was he on the 6th?—I saw him at the Gisborne Hotel, in which he was staying. He went out to the racecourse with Constable Clark and I.
501. Where did you see him after that?—On the course.
502. Up to what time?—I will not be certain when he left, but I think it was between 3 and 4 o'clock.
503. Did you see him leave?—Yes; but I was not close to him.
504. Whom was he with?—When I saw him last he was walking in front of the grand stand with Mr. Joyce.
505. Did he get into a cab?—Yes.
506. When did you see him after that?—Next day.
507. Not that night?—No.
508. Did you go to the Gisborne Hotel that night?—Yes; but I do not think I saw him.
509. Did you ask for him?—Yes; and I think the barman told me that Inspector Emerson had gone to bed, as he was not feeling well.
510. What time was that?—In the evening.
511. You are sure you did not see Inspector Emerson that night?—I do not think I did.
512. Did you not go into a room and see him sitting there?—Not that night. I will not swear positively that I did not.
513. On which night did you go into the hotel and see him?—I was in the hotel to see him almost every night he was there.
514. Whom was he playing cards with on any of these nights?—I cannot say he was playing cards.
515. Will you say he was not playing cards?—I cannot remember. I will not say he was not playing cards.
516. Do you mean to say that if you saw the Inspector playing cards on a night in last July you would have forgotten it by now?—I mean to tell you this: that I saw Inspector Emerson playing cards on one occasion in the Gisborne Hotel; but he made two visits there, and I cannot swear which of those times I saw him, for the simple reason that I did not take note of it, and I will not swear to it.
517. With whom was he playing?—I cannot say. I do not remember the names of the men.
518. Was Mr. Whitby in the room?—Is that the storekeeper?
519. Yes?—He may have been there. There were a number of men.
520. Was Nisbet there?—He may have been, but I do not recollect seeing him.
521. Was Martin there?—I think Martin was in the bar.
522. Is Martin the landlord?—Yes.
523. Was Martin not in the room where the playing was going on?—I do not think so.
524. I see that you have publicly given a definition of drunkenness. In speaking of a certain person you said he was not drunk, nor did he appear to have taken too much. Now, when do you think a man has taken too much?—It is a difficult matter to define drunkenness. There are many different stages of it, and there is a long distance between sobriety and drunkenness.
525. Was the Inspector betwixt and between on the occasion on which you saw him in the Gisborne Hotel?—I saw him on a number of occasions, but when I saw him playing cards he was sober.
526. Was he absolutely sober?—As far as I could see.
527. Would it be equally easy for you to say whether a man was drunk or sober if he was your superior or your inferior officer?—Do you mean that it would be more difficult to determine whether my superior was drunk than whether a civilian was drunk?
528. Yes?—Well, I would judge one as easily as the other.
529. Was Inspector Emerson perfectly sober on each of the other occasions on which you saw him in the hotel at night?—I will not say he was.
530. Have you seen him in a condition likely to cause his men to look upon him disrespectfully?—I do not think I am in a position to answer that question, as I cannot answer for other men. I can only answer for myself.

531. Do you think, then, that he has always acted up to the responsibility of his position?—I do not think it is a fair question to put to me, and I will not answer it unless the Bench order me to do so. It is asking me to pass judgment on my superior's conduct.

532. *The Chairman.*] You must answer it?—I will answer it in this way: I do not think it is calculated to raise a man in the estimation of his superiors or his inferiors if he ever shows the slightest sign of intoxication. In answering the question I am not referring to Inspector Emerson more than to any other person.

533. *Mr. Taylor.*] Of your own knowledge, have other people been about when the Inspector was not perfectly sober?—I suppose they have.

534. You think that other people will have remarked his condition?—I could not say what other people have done.

535. Is it possible for him to have been in that condition without attracting the attention of the people in Gisborne?—It might have been.

536. Without any one seeing him at all, except the hotel people?—The people in the immediate vicinity of the house might.

537. Would not the Inspector's habits be likely to influence nervous members of the police in their enforcement of the licensing laws?—I cannot speak for others. It has never influenced me.

538. What effect might it have on the younger members of the Force?—I am not in a position to answer that.

539. As an experienced officer, what effect do you think it would have on the younger members of the Force?—It would depend very much on the disposition and the temperament of the man. It might affect one and not another.

540. Did you have a conversation at any time with Mr. Hustwick?—Yes. I have accompanied him in his visits to the hotels.

541. Did you see the Inspector when he left Gisborne on the 7th?—I saw him on board the launch.

542. Was he then apparently ill?—I cannot say he was.

543. Was he coughing badly?—I did not notice.

544. Did you notice him coughing on the racecourse on the previous day?—I was not with him much on the course.

545. Was he coughing on his way to the racecourse in the cab?—I could not say.

546. If he had been coughing continuously you would have noticed it?—After this lapse of time I could not say.

547. *The Chairman.*] When you said you had found the Inspector not perfectly sober, did that refer to other occasions during the visit between the 3rd and the 7th?—I do not think I had seen him in that state on other occasions. I confined it to one occasion.

548. *Mr. Cresswell.*] Could you say that Inspector Emerson is a man of intemperate habits?—I could not. I have only known Inspector Emerson since the 2nd May, 1897.

549. From what you have seen of him, would you say he is a man of intemperate habits?—I could not say that. I have not seen enough of him to be able to judge.

550. From your knowledge of him, is he addicted to gambling?—I never saw him gamble. On the occasion I saw him playing cards I cannot say he was gambling. It might have been a game for amusement.

551. When he went up in July it was to see about the erection of a telephone?—Yes.

552. And he was a good deal in your company on that visit?—Yes. I am almost certain that on that occasion he also visited the Ormond Station, and that I went out with him, but I will not swear to it.

553. That is about twelve miles from Gisborne?—Yes.

554. *The Chairman.*] Do you remember what day that was?—I think it was the 5th.

555. *Mr. Cresswell.*] Did he go on duty?—Yes, as far as I understood.

556. Steamers do not leave Gisborne frequently, do they?—In the winter months they do not, but in the summer there are two weekly services.

557. If the Inspector had not caught the boat on the 7th July for Napier was there a likelihood of his getting a boat within a week of that date?—I think if he had not caught the boat on the 7th he would have had to wait till the following Wednesday. The 7th was a Friday, I think.

558. Do you know of any duty that would have kept him there from the Friday till the following Wednesday?—Not unless he had chosen to remain to go to the races.

559. But, outside going to the races on the second day, is there any duty that would have kept him there till the following Wednesday?—Not that I know of.

560. *The Chairman.*] Do you consider that because a man plays cards every day of the week he is necessarily a gambler?—I have not said so.

561. But I am asking you the question?—I do not know much about gambling, but my opinion is that in playing cards unless you play for money or a stake there is no gambling in it. If men play cards for amusement I do not consider it gambling.

PATRICK BLACK, further examined on oath.

562. *The Chairman.*] What is your rank?—I am a second-class sergeant, stationed at Gisborne. I joined the Force in July, 1878.

563. *Mr. Taylor.*] When were you on duty in Wellington?—I cannot give you the date. I was transferred from Dunedin in 1885 or 1886.

564. Did you remain in Wellington long?—I think I was there for seven years.

565. Were you an Inspector of licensed houses in Wellington?—That was part of my duty.

566. Do you remember being in company with Constable Kenny on any particular Sunday afternoon when you were inspecting hotels?—Is this man Kenny still a member of the Force?

567. No. Do you remember about March, 1893, when you inspected a certain licensed house with Kenny?—It is difficult without something to fix my memory.
568. Do you remember anything special occurring in connection with the inspection of the Commercial Hotel while you were in company with Kenny?—Yes, I remember something that occurred on one occasion, but I could not give the year or the month.
569. When you met Kenny, did you ask him to accompany you to visit certain hotels?—That was the practice.
570. Do you remember asking him to go into the Commercial Hotel, when he said, "You had better not"?—I cannot remember what he said.
571. Do you remember going into the Commercial Hotel on any particular Sunday?—Yes.
572. What time of the day would it be?—I think it was between 3 and 4 o'clock.
573. Did you go into the bar?—No.
574. Into the private bar?—No.
575. Where did you go?—Into the passage.
576. Did you open the door leading into the private bar?—No.
577. Were you within view of any place in the house where liquors were served?—Yes, there was a window that opened out of the bar into the passage.
578. Was there some drink there?—No.
579. Was any one standing there with drink before them?—I cannot say there was drink before them.
580. Was the barmaid in the bar?—I cannot say who was in it, but it was a woman. I saw the elbow of a dress, but who the woman was I could not say. I did not go forward to see.
581. You do not remember whether there was any drink there or not?—I cannot say whether there was or not. I did not go to the window where the party was standing.
582. Had you to knock for admittance?—No; the door I entered by was open.
583. *The Chairman.*] Was Kenny with you?—Yes.
584. *Mr. Taylor.*] You do not remember the constable suggesting that you had better not enter the house?—No, and I am inclined to think he did not. If he had suggested such a thing and had given a sufficient reason I probably would not have gone in.
585. Who was it that was talking to the woman?—Colonel Hume. He was standing there, and evidently talking. I did not hear him say anything.
586. Has there not been a feeling among the men in the Force that the use of political influence has been very prevalent?—Yes, that has been the general feeling for a number of years past.
587. *The Chairman.*] You say you saw a woman's sleeve through the window at the bar?—Yes.
588. And where was Colonel Hume?—He was in the passage, and the woman was inside the bar. Whether they were talking I could not say, as I did not go close enough to hear. I might also say that I did not go near enough to the bar to see whether there were any glasses on the counter or not.
589. *Mr. Taylor.*] Did you finish your inspection of that house?—No. I turned and walked out of the house.
590. Have the men not felt that the use of outside influence in connection with various matters affecting themselves was forced on them because other men used it?—I cannot say they considered it forced on them, but, as far as I could gather, the majority of the men were under the impression that if they did not use influence of some kind they would be left behind by other members of the Force who did use influence.
591. Has that not created a good deal of dissatisfaction among the men?—Yes, I believe it has.
592. Do you not think that the discipline of the Force and the condition of the Force would be much improved if they were left entirely to some responsible head such as the Commissioner?—I not only think it, but I am almost sure of it.
593. *Colonel Hume.*] On the occasion of your visit to the Commercial Hotel, did you come down Willis Street or along Lambton Quay?—Along Lambton Quay.
594. Did you see me go into the hotel?—I did not.
595. How many seconds would it take you to go from the corner of Lambton Quay to the door of the hotel?—Not much more than a minute.
596. You could not see who the female was that I was talking to?—No.
597. Do you happen to know who was barmaid at the hotel at that time?—I cannot recollect.
598. Do you know who was housemaid?—No.
599. What did I say to you when you looked down the passage where I was standing?—I said, "I beg your pardon, sir," and you said, "It is all right, sergeant; do your duty." I then did the right-about turn, and walked out.
600. Could the constable see me as well?—From what he said after we came out I am satisfied he saw you.
601. If the constable had said to you when going along the street "I do not think we had better visit that house," would you not have told him to mind his own business?—If he had said such a thing, I think I would have first asked him his reason for saying it, and if his reason had been satisfactory I probably would not have visited the house.
602. If you did not see me going in he would not have seen me?—I cannot say that.
603. He came along Lambton Quay with you?—After this lapse of time I cannot swear whether I picked him up at the end of the street or not, but I am inclined to think I did. I think I had been through the hotels with the constables on the other beat.
604. As regards the political influence, do you know whether for some time past there has been a feeling among members of the Force that if they have any imaginary grievance they have only to

write to Mr. Taylor, as member of the House, to ventilate it?—There is no particular case that has come under my notice; but I am inclined to think that a certain class of the Police Force have had that feeling. They have thought he would be a source of getting any grievance redressed.

605. *The Chairman.*] Do you refer to that as political interference also?—I cannot give any particular case, but I am inclined to think there was the feeling among the men that it would benefit them to represent matters to Mr. Taylor—that is, since the matter of the Commission was introduced into the House.

606. *Colonel Hume.*] Would not a feeling of that sort be extremely prejudicial to the carrying-out of discipline?—I think it would depend very much on what the communication was, and what they wanted Mr. Taylor to do.

607. *Mr. Taylor.*] Have you, directly or indirectly, communicated with me or had any communication whatever with me about police matters?—Never.

608. Have you ever seen me before?—Not before I came to Napier. I cannot mention the case of any person who has had communication with Mr. Taylor.

AGNES PATTON MOORE (formerly Fullbrook), examined on oath.

609. *Mr. Taylor.*] You reside in Napier?—Yes.

610. You were divorced from your husband some time ago?—Yes, in June, 1896. I am now taking my maiden name.

611. Were you once living in Hitchings's Lane?—Yes.

612. Do you know Inspector Emerson?—Yes.

613. Do you remember any particular Sunday night that he called at your house?—Yes.

614. Was your son at home?—Yes, my eldest boy.

615. Did Inspector Emerson come into your house?—Yes.

616. How long is this ago?—I think it was in 1895. It was soon after I returned from Christchurch.

617. Was the Inspector sober when he went into your house?—I would not say he was perfectly sober, and I would not like to say he was drunk.

618. Were you annoyed with his presence?—I know my eldest boy was annoyed at seeing him come in.

619. What did he say to the Inspector? Did he order him out?—The firebell rang while he was in the house, and some of them said that the bell was ringing. The Inspector did not go at the time; and my boy said to him, "Do you think we keep a brothel?"

620. He was annoyed at the Inspector being there?—Yes.

621. Did the Inspector make any remark about the firebell?—I do not remember.

622. Did he not refuse to leave the house?—I know he did not leave the house at the time.

623. Did he not say, "Oh, — the firebell"?—I would not say that.

624. How long did he stay?—Not long.

625. An hour?—I do not think so. It was early in the evening.

626. Would it be much less than an hour?—It would not be an hour. I know I had applied to him to get me some permanent work, as I was very much depressed with the family.

627. But he did not come that night to see you about the work?—No, I do not think he would come that night about the work. I got permanent work at his house afterwards every Monday. The family were all very good to me.

628. Did you know the family intimately before this?—Yes; I knew the Inspector and his family in 1880, in Tauranga.

629. Did he leave soon after your son made the protest?—He did not stop long.

630. Your son was very angry about it?—Yes.

631. What did the Inspector reply when your son said, "Do you think we keep a brothel"?—I do not remember what conversation passed.

632. Was the Inspector quite in the mood for ordinary conversation?—Yes. He did not say anything insulting to me during the time he stopped.

633. Did you want him to leave?—I did not ask him to leave. My eldest boy was capable of looking after the house. He was going on for sixteen.

634. You are quite clear that he was not sober?—I would not say he had not got liquor, but I would not say he was drunk.

635. He was not incapable?—No; I never saw him incapable.

636. Had you ever before seen him in the condition he was that night?—No; I did not come in contact with him except when I would go to the house to work in the mornings.

637. *Mr. Cresswell.*] It is well known in Napier that before and since your husband's divorce you have been in very distressful circumstances?—Very much depressed.

638. And you went to all and sundry persons for assistance to go to Christchurch at times, and to come back and to maintain yourself and family here?—It was through Inspector Pender that I got back last time.

639. You got assistance from persons in Napier to go to Christchurch?—Yes.

640. And also to Palmerston and Gisborne?—No.

641. Only to Christchurch?—Yes.

642. Did you not go and see all the persons you thought could assist you with the view of getting them to help you to maintain yourself and the children?—Yes.

643. You were very handy with the needle, or you do washing?—Yes; I made a mistake, and there are many who were kind to me before who will not speak to me now.

644. Did you go to Inspector Emerson to ask for assistance?—Yes, I applied to him and his family.

645. And also to his daughters?—Yes, I have had to go to them for food.

646. Has not Inspector Emerson done his best to assist you by referring you to people, and using his influence in your favour?—Yes.

647. On this occasion, you say, he never said anything insulting to you. Has he ever said anything to you that he should not have said?—No, I do not believe he has.

648. During the time you were in distressed circumstances you were ejected from six or seven different houses in Napier by landlords?—I do not remember how many times I have been ejected.

649. Am I right if I say seven or eight?—I believe you are correct.

650. And I think the Stipendiary Magistrate has had occasion to visit you when you were in distress?—That was when Jubal Fleming put the bailiff in.

651. But has he not been to your house to talk about it?—Only when the bailiff was put in.

652. Was there anything wrong in that visit?—No, I do not say there was.

653. Do you wish the Court to infer that there was anything wrong in the Inspector's visit to your place?—No, I have no reflection to make on the Inspector, and I do not know how I was entrapped into this case. It was against my wish. I could not go against the Inspector and his family.

654. For what reason?—They have never done me any wrong.

655. They have been kind to you?—Yes.

656. Do you remember once sending to Inspector Emerson saying you had not a bed to lie on?—And we had not. We were sleeping on the floor, and we are not much better now.

657. Did he go with his daughter to speak to you and leave his daughter outside while he went in to see what you wanted?—His daughter and Mrs. Lindergreen came once to my place with some food.

658. And you have nothing to say about him but what is kind?—No, I have nothing against him.

659. *The Chairman.*] What is the present age of your boy?—He is now going on for twenty.

660. *Mr. Taylor.*] Did Inspector Emerson see you about the notice you got from Mr. Fleming to quit your house?—Yes. He told me I would have to leave, as the house had been leased to a coachdriver.

661. *Mr. Cresswell.*] When you got that notice did you send to the Inspector?—Yes.

662. Did you ask him to get an extension of time from Mr. Fleming?—I asked him to speak to Mr. Fleming for me, and I believe he did speak. I do not remember asking for an extension of time.

663. And as a result of the conversation he told you the house had been let to a coachdriver?—Yes.

THOMAS CHARLES MOORE, examined on oath.

664. *Mr. Taylor.*] You are a medical practitioner?—Yes.

665. Have you been in Napier long?—Nearly thirteen years.

666. Do you remember any occasion in connection with a certain gathering here when Inspector Emerson's conduct attracted your attention?—Yes.

667. What was the gathering?—It was on the Recreation-ground, where sports were being held.

668. Can you give us an idea of the date?—Probably it was three or four years ago.

669. Why did the Inspector's conduct attract your attention?—He was walking along with a friend, and I heard him use the word "damn," or something of that kind.

670. Was he sober?—He was quite capable of taking care of himself.

671. But was he sober?—I should say he had had some liquor.

672. It was noticeable upon him?—Yes.

673. Did you attribute the conversation you heard to the fact that he had had liquor?—I thought he was forgetting himself a little bit.

674. Did you take any steps to bring his conduct under the notice of Colonel Hume, the Commissioner?—No.

675. Did you have a conversation with any one about what you had heard?—I must have had, as some one came and asked me questions about it.

676. *Mr. Cresswell.*] You say his conduct was noticeable. Do you speak as a medical man—that it was noticeable to you as a medical man? Would it have been noticeable to any civilian, not a medical man?—I do not say he was drunk, but I thought he was using language that was not proper. There were ladies about. I thought he had momentarily forgotten himself.

677. Since then have you been in the habit of seeing the Inspector frequently?—I see him frequently.

678. Have you seen him the worse of drink?—No.

679. Do you see him at all times, day or night?—I do not think I ever see him at night, but I frequently see him in the day.

680. Would you be prepared to say he is a man of intemperate habits?—No, certainly not.

681. From your knowledge of him, would you say he is a man addicted to gambling?—I know nothing at all about that.

682. Did you ever know him to be guilty of conduct that would be destructive and injurious to the police interests or the public interests?—That is the only thing I ever saw that was in any way doubtful.

683. And even you are doubtful now as to the extent of it?—Yes.

684. Since you have known the Inspector, do you know that he has suffered severely on different occasions from influenza?—Yes. I know that a short time ago he had a very bad attack of influenza and a very bad cough.

685. He is a man well on in years, and he has been thirty-four years in the Police Force.

What effect would a severe attack of influenza have on a man of Mr. Emerson's years?—It might affect him very seriously.

686. Would it tend to make him shaky in his walk and his appearance?—Yes.

687. More especially so if accompanied by a severe and hacking cough?—Yes.

688. If witnesses—not medical men—have said they have seen Inspector Emerson when he looked shaky and has had a severe cough, might they not think he was under the influence of liquor?—Yes.

689. *The Chairman.*] When did he have the attack of influenza?—Within the last year.

690. *Mr. Cresswell.*] You know of only one attack?—Yes. I have been in his office with him and noticed he was bad.

691. On the occasion you have spoken of—the Recreation-ground—was he walking all right?—I do not think there was any unsteadiness in his gait.

692. Do you think he was able to do his duty?—Yes, I think so.

693. *Mr. Taylor.*] You seldom see the Inspector at night-time?—I do not see him at night-time.

694. He might indulge pretty freely and you would know nothing about it?—It is only in the day-time that I come across him.

695. *Colonel Pitt.*] Was it the language, rather than the condition of the Inspector, that you objected to?—Yes.

696. *The Chairman.*] And you attribute the language to his condition?—That is the mental note I made at the time.

697. Having had many opportunities of observing his conduct since that happened, would you give us your opinion of his character with respect to temperance or intemperance? As a public officer has he been in a condition to perform his duty?—As far as my observation goes, I have never at any other time seen signs of intemperance on him.

698. And you have had frequent opportunities?—Yes. I have never attended him as a medical man, but as gaol surgeon and as a Justice of the Peace I have had frequent opportunities of seeing him.

ANNIE PARKINSON, examined on oath.

699. *Mr. Taylor.*] You are a widow?—Yes.

700. Your husband was minister here of St. Augustine's Anglican Church?—Yes.

701. Have you been in Napier long?—Fourteen or fifteen years.

702. Do you know Inspector Emerson?—Not personally, but I know him by sight.

703. Do you see him often in Napier?—Not lately.

704. Have you seen him on any occasion when his condition attracted your attention?—Yes.

705. When?—About fifteen months ago, I think.

706. Are you clear as to the incident?—Yes.

707. What was his condition?—He was quite incapable.

708. *The Chairman.*] Where did you see him?—In Brewster Street. I was living next door to him.

709. *Mr. Taylor.*] Was he standing up?—He was in a cab coming home.

710. Did you see him get out of the cab?—I saw him helped out.

711. What time of the day was it?—About 3 in the afternoon.

712. Was it a holiday?—No.

713. Was there any holiday about the time by which you could remember the date?—No. I saw him on two occasions in the same condition.

714. How long between each occasion?—I could not answer that.

715. Some months?—I should say only a few weeks.

716. On an average, how many times have you seen him weekly since you have been in Napier?—I could not say. When he lived in our street I had an opportunity of seeing him.

717. Did he come home in a cab on the second occasion?—Yes.

718. And you are satisfied that he was intoxicated?—Quite satisfied.

719. *Mr. Cresswell.*] Are you a Prohibitionist?—No, I am not.

720. Do you belong to any temperance bodies?—No.

721. Being the widow of a clergyman I suppose you have a great horror of drink?—Yes; but I may tell you that I have been brought here against my will.

722. Naturally, you have a great prejudice against any one having any connection with drink at all?—No, I was not brought up that way. My people were not so strict as some are.

723. But since you have been married?—Yes, my husband was strict.

724. Are you prejudiced against it, then?—I do not wish to see drinking going on, if you mean that.

725. Would you like to see all the publichouses wiped out of existence?—No.

726. I suppose you are aware that you have come here to lay two very grave charges against Inspector Emerson?—Yes, and I say exactly what I saw.

727. You also saw the cabmen?—Yes.

728. Owing to the gravity of the charges I wish you to tell us the names of the cabmen?—I could not tell you.

729. After having been here for twenty years I suppose you know every cabman in Napier?—I could not give you the names at all.

730. What kind of a cab was it on the first occasion?—It was a closed cab on each occasion.

731. How many horses?—Two horses, I believe; but I will not swear about that. Nearly all these cabs have two horses.

732. Do you think it was the same cab?—I could not say.

733. On the first occasion what colour were the horses in the cab?—I could not tell you.

734. Can you tell me the colour of the horses in the cab on the second occasion?—No; it was purely by accident that I was at the gate at all.

735. Would you recognise either of the cabdrivers again?—No; I did not take that much notice.

736. How was Inspector Emerson dressed on the first occasion?—I could not say, but I think he had a grey suit, with a belt round it. I am not certain about that.

737. That was on the first occasion?—On both occasions. He was dressing that way at the time.

738. Do you distinctly recollect seeing the belt round him on either occasion?—No.

739. What sort of belt was it?—It was the same as his coat.

740. Had he an umbrella with him?—I do not think he was able to carry an umbrella.

741. Did he have a walking-stick?—I could not say.

742. Was there anybody else about on either occasion?—There were some children.

743. No adults?—Not that I am aware of. There may have been some lower down the street.

744. When did you first mention this to anybody?—About the time it happened.

745. Have you mentioned it since?—Not lately.

746. *Colonel Pitt.*] Can you fix the date?—It is within the last eighteen months.

JAMES SMITH, examined on oath.

747. *Mr. Taylor.*] Are you a police constable at Gisborne?—Yes.

748. Are you mounted?—Yes.

749. How long have you been in that district?—About two years and four months.

750. Have you seen Inspector Emerson frequently during that time?—I have generally seen him on his visits to Gisborne.

751. Where did you usually see him?—At the police-station.

752. Did you accompany him sometimes from one station to another?—No.

753. Where else besides the police-station have you seen him in Gisborne?—In the street.

754. Where else?—I have seen him at his hotel.

755. And on the racecourse?—Yes.

756. Can you remember when you last saw him in his hotel?—It was during the time that Mr. Kenny was sitting in Gisborne.

757. Prior to that did you see him at the races in July?—Yes.

758. How often did you see him in July—he was there from the 3rd to the 7th?—I do not remember.

759. Have I ever seen you before to-day?—Yes.

760. Where?—In Wellington.

761. To speak to?—No.

762. Do you know that I went outside the Court to-day and asked for you?—I do not know that.

763. Where were you when I went outside?—I was on the parade on the opposite side of the street.

764. Did you come towards me?—Yes.

765. Before I spoke to you?—Yes, some one had beckoned to me.

766. Some one called you?—I believe so.

767. And you came towards me before I had spoken to you?—Some one either beckoned or called to me, and I met you on the middle of the road, but I was not coming to meet you.

768. Did I ask your name?—You asked if I was Constable Smith.

769. *The Chairman.*] When did this conversation take place?—About three-quarters of an hour ago.

770. *Mr. Taylor.*] What else passed between us?—You told me that Sergeant Black had admitted in the box that Inspector Emerson was drunk on one occasion.

771. Did I not say "tight"?—You said "drunk."

772. And did I not also say that my only desire was that the police should tell the whole truth?—Yes, you said that.

773. Did I suggest to you what you should say?—I took it to be so.

774. Did I not say that I only wanted the truth?—You made some reference of that kind.

775. You remember that I said I only wanted the truth?—Yes.

776. Now, did I put any words into your mouth or prompt you in any way as to what you should say in the Court?—No.

777. Was the condition of the Inspector such on any occasion as to attract your attention?—No.

778. How often have you seen the Inspector altogether?—That is more than I can say.

779. Have you seen him a dozen times in two years?—Probably I have.

780. Do you think you have?—Yes, I suppose I have.

781. Where were you stationed before you went to Gisborne?—In Wellington.

782. When did you join?—In 1892 or 1893.

783. In Auckland?—In Wellington.

784. Were you in Auckland before?—Never.

785. You were not stationed at Masterton?—No.

786. On each occasion you have seen the Inspector has he been absolutely sober?—Bar one occasion.

787. *The Chairman.*] Was that on the 2nd May?—No.

788. *Mr. Taylor.*] Can you remember the time?—It was either in June or July of last year.

789. At the time of the Gisborne races?—Yes.

790. Where was the Inspector?—On the Gisborne Park Racecourse.
791. On what part of the course did you see him?—On the lawn.
792. Was the fact that he had had liquor noticeable?—I do not think it was noticeable to many.
793. You could see liquor on him?—I could see he had had a drink or two.
794. Did you judge from his manner?—From his looks.
795. Was he coughing badly?—Yes, he had a cough.
796. Did you see him when he was leaving the course?—Yes.
797. With whom did he leave?—He left by himself in a cab.
798. Were you in the luncheon-room that day?—Yes.
799. Was the Inspector there?—I saw him come in.
800. Did you see him leave the luncheon-room?—I did not.
801. You did not see him in the stewards' room afterwards?—No.
802. Who left the luncheon-room first?—I did.
803. You left him there?—Yes.
804. Was he at a table?—He was.
805. Can you remember about what time he left the course that day?—It was between 3 and 4 o'clock.
806. Did you not see him after that at night?—No.
807. He left Gisborne the next day?—Yes.
808. You have not seen him at any other time other than that when his condition attracted your attention as far as liquor is concerned?—I have not.
809. Do you not consider that it is likely to destroy the discipline of the Force if an officer holding the responsible position that Inspector Emerson holds takes liquor?—Do you mean in the state he was in in Gisborne that day?
810. Yes?—No, I do not. He was capable of doing his duty.
811. Where was he in the hotel when you saw him there?—In the sitting-room, upstairs.
812. Who was with him?—You ask me something I cannot tell you.
813. Were there several there?—I cannot tell you.
814. Were they playing cards?—No.
815. Was this on the night of the races?—No, previous to the races.
816. During the same visit?—No.
817. Was he perfectly sober then?—He was.
818. Have you ever had any refreshments with him?—Never. As a rule, Inspectors do not drink with constables.
819. Have you ever seen the Inspector drinking with any constable?—No, I have not.
820. *Mr. Cresswell.*] I suppose you know what evidence was given by Mrs. Aislalie, Mr. Joyce, and Mr. Price yesterday?—No. I only arrived here by the "Westralia" at 2 o'clock this afternoon.
821. You are now on your way back to Gisborne?—Yes.
822. When you were told by Mr. Taylor that Sergeant Black had admitted that the Inspector was drunk on the racecourse what did you think of it?—I thought Mr. Taylor wanted me to say the same.
823. Would he have had any other reason to speak to you than to get you to swear the same thing?—Not that I know of. I thought it was to influence me to say the same.

SATURDAY, 28TH MAY, 1898.

WILLIAM JAMES GRUNDY was recalled.

1. *Mr. Taylor.*] Have you looked up those matters which were held in abeyance yesterday?—I may say, so far as the minute in the book is concerned, that yesterday I said to the best of my recollection I did not remember anything of the sort except a rumour, but since then I have found there is a minute on the books in reference to it.
2. Had the minutes reference to the infraction by Inspector Emerson of one of your club rules?—Yes.
3. Was that rule a rule referring to gambling?—Yes; Rule 28, in reference to all offences.
4. Did you turn up any of the correspondence?—No, I had not access to that; I am not on the committee.
5. As a matter of fact, did not the committee decide that the Inspector should be asked to resign?—I think you had better call the secretary with the minute-book, as I cannot trust my memory, and I find I was wrong in the statement I made yesterday. I have not got the actual wording of the minute.
6. *Mr. Cresswell.*] Was this offence a very serious one; was there a large amount of money involved?—I cannot say anything about it. As I said, it slipped my memory altogether yesterday.
7. Now, having refreshed your memory, are you prepared to swear that you ever interviewed the Inspector on that matter?—I can safely say I did not interview him. Inspector Emerson, I believe, left the club soon after the little trouble, or whatever it was.
8. He left voluntarily?—Yes.
9. And can you swear of your own knowledge that he had any notice of this having been brought before the committee?—I cannot. I believe that the committee said that the president should interview him, but personally I never saw Inspector Emerson in reference to it or the other charges.

10. Did you ever go as president of the club and inform Inspector Emerson that an inquiry would be held by the committee as to his conduct?—That I cannot say. Not personally, I never.

11. A great deal of card-playing goes on in the club?—Yes; but not for money.

12. But what do they play for invariably?—I suppose when they finish a game they generally go down and have a drink, or cigars or cigarettes, at the expense of those who lose.

13. Really, they play as to who shall pay for drinks?—I do not know; it is more as a compliment to those who play.

14. Is it not a fact that you go there and have a game of cards and the losers are supposed to pay for refreshments, or whatever a man likes to have—drinks, pies, coffee, or cigars, or cigarettes?—No, it is not a rule.

15. Is it the custom of members?—It is the custom; yes.

16. Has it not been the custom ever since you have been the president of the club?—Yes.

17. And still prevails?—I do not know about the present time; I have not played cards there for a long time.

18. *The Chairman.*] It is not the rule, but the custom, for those who lose to pay for refreshments?—The rule distinctly states that no gambling or anything of that sort shall be allowed on the premises.

19. *Mr. Cresswell.*] If a man plays a game of whist or euchre for a shilling, of course the club would simply warn him, or perhaps expel him?—Yes.

20. But if four men go in there and play euchre, as has been the universal custom there, and the losers pay for refreshments, such as drinks, pies, coffee, cigars, or cigarettes, that is not gambling?—I am not a lawyer. I do not know exactly what is the definition of gambling.

21. Is that the definition you put on it as president?—I do not say that is gambling. I do not say it is not gambling. I say, according to my own opinion, it is not gambling.

22. Then, it is not gambling if they play for drinks or pies or coffee, but it is gambling if they play for money?—Yes.

23. *The Chairman.*] In some clubs it is the custom to play to take instead of drinks or coffee boxes of chocolate—is that the custom here?—No.

24. *Mr. Taylor.*] Although you had no regular interview with the Inspector, had you a conversation with him in the club?—No, I am not certain about that.

25. As a matter of fact, do you not remember his saying, “Well, it is only a trifling affair after all”?—No.

26. Do you know anything about the game of euchre loo?—No, I do not know what it is.

27. Can you not remember that the matter was discussed before the committee, and that it was a game of euchre loo for half-crown points which had been played?—No; I told you I had really forgotten all about this particular affair.

28. But there was money involved in it?—When the minutes are read you will see.

CHARLES PHILIP LOUND was recalled.

29. *Mr. Taylor.*] Have you the minute-book of the Working-men’s Club?—I have the letter-book.

30. I want the minute-book?—I am instructed by the president and officers of the club not to produce the minute-book.

31. *The Chairman.*] Who has charge of that minute-book?—The president has charge.

32. Who is he?—Mr. Holder.

MARY ELIZABETH TANNER, examined on oath.

33. *Mr. Taylor.*] You are the wife of William Tanner, of Napier?—Yes.

34. Have you resided in Napier long?—Yes.

35. How long?—Six or seven years.

36. Do you know any shop in Napier kept by a man named Eagleton?—Yes.

37. Do you know where Eagleton’s shop is?—Yes.

38. Do you know Mr. Smythe?—By sight.

39. Does he keep shops in Napier?—A stationer’s shop, and nothing else that I know.

40. Will you tell the Commission what transactions you have had with Mr. Eagleton?—I have had no transactions with Mr. Eagleton.

41. Not personally, but indirectly?—I have had nothing to do with him.

42. No business transaction?—I have had no transaction with Eagleton.

43. Were you in Napier in January last?—Yes.

44. Where are you living now?—At Taupo at present.

45. How many children have you got?—Four.

46. What ages are they?—Nineteen, seventeen, ten, and three.

47. Were they all living with you last January?—Only the little ones were at home last January.

48. What age is the eldest of the two little ones?—Ten.

49. Do you sometimes use the children for message purposes?—No, I never do; unless to send them to the draper’s or grocer’s shop—not otherwise.

50. On what occasions have you sent them messages with letters?—I have sent them several time to the post-office.

51. In Napier or Taupo?—Napier.

52. Where were your other children last January?—My daughter was at home. My son was out, as he has to work for his living.

53. Then, they were living at home?—Not the boy; the girl is working at home.

54. You said you had only two at home last January?—I had to keep my daughter at home, as I have to work.
55. *The Chairman.*] What is the sex of the child who is nineteen years of age?—The boy is nineteen and the girl seventeen. The other two are boys.
56. *Mr. Taylor.*] What is the boy aged ten named?—Charley.
57. What is your daughter's name?—Polly.
58. Is your son at work?—Yes, on a station.
59. Did you ever send your daughter on a message anywhere?—Yes.
60. Did you ever send her with a letter for delivery to any one in Napier other than the post-office?—No; I never did.
61. Do you know by repute a horse named Rangipuni?—I have heard the name several times, but I do not know one from another.
62. Do you know a horse named Target?—No.
63. Do you know the names of racehorses?—Yes, I know the names of several horses.
64. Did you ever send any message either by your children or anybody else to Mr. Eagleton?—No, I have not. I do not invest money in that style.
65. Have you been yourself to a shop?—Yes; I have been there on private business—not business of that kind.
66. Now, what kind of shop does he keep?—Tobacconist's shop and hairdresser.
67. When were you last there?—I was there some time ago with my little boy to have his hair cut. I have been in Taupo for months.
68. Try and remember when you were last at his place?—I cannot remember.
69. Was it two years ago?—No; it was about twelve months ago. I cannot remember things of that kind.
70. When did you go to Taupo?—In April of this year.
71. Did you not take your boy to get his hair cut in January?—I do not know. I take him when it is necessary and not otherwise.
72. What was the nature of that private business with Eagleton?—To have my children's hair attended to.
73. But that is public business—hair-cutting?—That is what I call private business. I go for no other purpose.
74. What was the nature of the business other than getting the children's hair cut?—There was no other business.
75. *The Chairman.*] Had that business any relation to Inspector Emerson?—Not the slightest.
76. *Mr. Taylor.*] When did you see Inspector Emerson last?—I saw him this morning.
77. Did you talk to him?—No; I have not spoken to him for twelve months. I do not know the gentleman, except by seeing him.
78. Did you ever see him in his office?—No.
79. Did you ever see him anywhere else?—Yes; I have seen him in the streets.
80. Do you know Detective Chrystal?—Yes.
81. Have you ever spoken to Chrystal?—Yes; he has come to our house to speak to my husband about work.
82. Do you know Smythe's shop?—Yes.
83. Ever been there?—Yes.
84. What did you go there for?—I went there and backed a horse.
85. How much money did you put on?—I put on £2 10s.
86. Will you tell the Commission what happened after that: do you remember the name of the horse?—I really cannot remember the name of the horse.
87. Was it Rangipuhi?—No.
88. Do you remember what dividend your horse paid?—Something about £10.
89. And you had two tickets and a half on it?—Yes.
90. Can you remember what day in January that was?—No; I really cannot. I really cannot say whether it was in January.
91. Where were the races being held?—I really cannot tell you. It is a long time ago, and I was so disgusted with the result that I have never backed anything since.
92. Was it at Hastings?—No; it was somewhere in an out-country place.
93. Was it at the Wellington meeting?—No, nothing connected with the Wellington meeting.
94. Do you remember what time in the day it was when you sent the money down?—About 12 o'clock.
95. Was the race run at 2 o'clock?—I cannot say.
96. What time did he send your money back and say it was too late for investment?—I do not know; I was away from home.
97. Do you say the money was sent back?—I do not say. I generally go out to sew, and I was out that afternoon.
98. When you got home were you not offered an envelope containing your £2 10s.?—No; I saw no money whatever. I saw the newspaper in the evening, and saw the horse had won, and I went down next day.
99. What happened next day?—Mr. Smythe would not pay out at first, but he ultimately paid out.
100. Did you get a cheque or cash ultimately?—Cash.
101. Do you remember whether it was in £10 notes?—It was gold and some notes. I really cannot remember; it was such a long time ago.
102. *The Chairman.*] How long ago?—I really cannot tell you.

103. Is it six months or twelve months?—It is about twelve months ago.
104. *Mr. Taylor.*] It is within a year?—I cannot remember. I know I did get the money, but that is all.
105. You have no memorandum?—No; I kept no memorandum of anything.
106. When did you see Detective Chrystal about this matter: the day after Smythe refused to pay out?—I do not know when I spoke to a solicitor about it. I consulted Mr. Cresswell about it, but afterwards Mr. Smythe sent for me and paid me the money in full. Of course I let the case drop then.
107. In the interval where did you meet any police-officer and mention this matter to him?—I do not know that I met any police-officer.
108. Surely your memory is good enough for that: can you not remember meeting either Detective Chrystal or Inspector Emerson and mentioning the matter to them?—No; I spoke to neither of them. I spoke to my solicitor, and that is the only gentleman.
109. What was his recommendation: were you told not to make a noise about it?—No; Mr. Cresswell said nothing to me about it. I merely asked him to speak to Smythe about the money, and the next day I was told I would be paid, and was told to say nothing about it, and of course I said nothing about it.
110. Do you swear positively you did not go into Inspector Emerson's office about this matter?—I never spoke to Inspector Emerson about this. I only spoke to my solicitor.
111. On another occasion how much did you invest with Smythe—when you had money on six or seven odd races?—I never had anything to do with other races since. I was so disgusted with that affair that I have had nothing to do with races since.
112. But you were there a fortnight after that?—I have never had anything to do with the people since. I have gone to the course and put my money on the totalisator, and not otherwise.
113. Have you known Inspector Emerson long?—I have known him five or six years, but I do not know the gentleman further than saying he is a straightforward gentleman. I know nothing further about him.
114. Did the police go to see you, or did Detective Chrystal go to your house to see you about the matter?—No; I have not seen Detective Chrystal.
115. You do not know him?—I know him by sight, but I do not know him to speak to.
116. Did you see Mr. Cresswell professionally about this matter: did he charge you for his services?—Certainly.
117. Have you not personally ever been in Smythe's shop and put money on the totalisator?—Never but once.
118. Now, have you not friends who patronise Mr. Smythe in this connection?—I know none. When I do business of that sort I do it of my own accord.
119. *Mr. Cresswell.*] When were you served with a subpoena on this matter?—On Wednesday night, I think.
120. When did you arrive from Taupo?—Yesterday afternoon, about 4.30.
121. When Mr. Smythe refused to pay this money out, you say you consulted me on the matter. Your intention was to lay an information against him?—Yes; but he sent to my place and paid the money, so of course I let the matter drop.
122. But was there anything said to you about your being equally liable to punishment with Mr. Smythe?—I do not remember.
123. Do you know now, if Mr. Smythe had been punished, that you were equally liable by law to the same penalty he was liable to?—I know now, but I did not know previously.
124. But in consequence of inquiries over this matter did you ascertain that fact?—No; I never knew anything about that.
125. *The Chairman.*] Did you find that out after betting with Mr. Smythe?—I heard of it afterwards.
126. Did you find that out at the time when you consulted Mr. Cresswell?—No.
127. When did you first learn about it that you were liable to prosecution yourself?—Shortly after the affair was withdrawn.
128. *Mr. Cresswell.*] Have you ever known Inspector Emerson to be under the influence of liquor at any time?—No; I never saw the Inspector drunk at any time, or under the slightest influence of liquor.
129. Have you ever known him to gamble in any way?—No; I know nothing about the gentleman.
130. Have you been in the habit of attending racecourses?—Yes, several times.
131. Have you seen Inspector Emerson at the racecourses?—Yes; I have seen him walking up and down, but I know nothing about the man's business.
132. Have you ever seen anything wrong in his manner or behaviour?—No, never.
133. *Mr. Tambridge.*] When you put this money on, what odds did you expect to get if the horse won?—I think it was 10 to 1.
134. When you put the money on, did you expect to get the same money that the totalisator paid?—I really do not understand the totalisator-betting business. I put £2 10s. on Crescent.
135. You put money on a horse called Crescent, and expected, if the horse won, you would get the same money as the totalisator paid: is that so?—I do not understand how they pay the money for races away from home. I simply put the money on to take as much as was paid out on the totalisator.
136. Is that what you understood—that you were to be paid totalisator odds?—I supposed I would get whatever the odds would be.
137. What did you tell Mr. Smythe when you went to see him?—I said, "I want to put this £2 10s. on Crescent," and if the horse won I supposed he would pay out.

138. You saw by the papers that the horse had won?—Yes.
139. Did you see what dividend was paid?—£10 and some odd shillings.
140. Then, when you went to Mr. Smythe did you ask for that amount: tell me what took place?—When I went to Smythe's shop only the boy was there. I went back, and he said the race had been run when I put the money on, and he would not pay out.
141. What did he pay you out?—About £30.
142. At the same rate as paid by the totalisator?—I really do not know.
143. If the newspapers showed the dividend was £10 and odd shillings, and if you put £2 10s. on the horse, that would mean that you would have to receive somewhere about £25?—Yes; I do not remember how much I did get, but I know I did get some money. I know it was something over £20.
144. Are you sure you did not pay Mr. Smythe £3?—No, £2 10s. I gave him two notes and half a sovereign.
145. So far as you remember, what was the amount you received from Mr. Smythe?—I think it was something over £20.
146. Did you ask or demand from Mr. Smythe according to the dividend that was paid by the totalisator?—No; I simply asked him for the money the horse had paid, and he said the race had been run.
147. Did you tell him what you saw in the newspapers?—No; I thought he would see the newspapers. I called in the morning at Smythe's for the money, and he said he would not pay, as the race was run when I put the money on. I said the race was not run. He said he would not pay. I left the shop, and two or three days afterwards he sent up to my shop and said, "I will pay you out," and he paid me the full amount coming to me; but what it was I really cannot tell you.
148. Did he mention odds?—He mentioned odds, but I cannot remember what.
149. When did he mention odds?—When I put the money on: there was no mention of totalisator.
150. However, when you saw the horse had won, and had paid a dividend of £10 odd, you knew you were entitled to something over £20?—I saw I would get something over £20.
151. Would you have been prepared to receive £10?—Not quite. The horse paid £10, and I should look to receive something similar.
152. Did you not expect to get a dividend at the rate of £10 odd?—I looked to get whatever the horse paid.
153. *The Chairman.*] Paid where?—On the totalisator.
154. Is that what you expected?—On the horse, whatever the dividend would be.
155. What odds did you expect to be paid when you called on Mr. Smythe for the money?—What the horse paid.
156. Where?—On the totalisator, I suppose, or the odds, whatever they were.
157. Did you not expect to receive from Mr. Smythe the same dividend that the totalisator paid?—I do not know what odds he gave.
158. Was any sum mentioned as to your claim when you instructed Mr. Cresswell?—No; I simply told him I put my money on the horse, and mentioned no money.
159. Where did the race take place?—The race was run at Otaki.
160. How long ago?—Some time ago.
161. There was a meeting two days ago?—I had nothing to do with that.
162. Was it the meeting before that?—I really cannot tell.
163. Would it be six months ago?—It would be over six months.

HENRY JOHN HOLDER, examined on oath.

164. *Mr. Taylor.*] Are you a resident of Napier?—I am.
165. Are you president of the Working-men's Club?—I am.
166. Have you got the minute-books?—I have.

WILLIAM JAMES GRUNDY was recalled.

167. *Mr. Taylor.*] Will you read the minutes which have reference to Inspector Emerson?—The date of the minute is the 2nd June, and it was confirmed on the 16th June. It is as follows: "Resolved, that the president interview Inspector Emerson and Mr. Russell Beecham, and inform them that it has been reported that they have played cards for money on the club premises, and that if the same occurs again they will be expelled."
168. How soon after did Inspector Emerson cease to be a member of the club?—So far as I can remember, I never saw Inspector Emerson on the club premises for a long time after that.
169. Until quite recently?—Yes; I believe he has been made an honorary member by one of our past presidents, but during my time there I do not think Inspector Emerson was on the premises. He might have been, but I do not know.
170. Is there any subsequent minute in reference to that transaction?—No, not in reference to that. Of course, I have not had access to the books.
171. What was the nature of the communication that was made to Mr. Russell Beecham and Inspector Emerson: were the letters copied when they were written?—I do not know. The president is here now, and can say.
172. *The Chairman.*] Do the minutes bear your signature?—Yes, they are signed by me.
173. *Mr. Taylor.*] Do you copy the correspondence of the club?—Yes, all correspondence, but in this case it says the president should interview the parties. Well, I believe I must have neglected my duty and not have done so. I never saw Inspector Emerson on this matter.

174. Well, how would Inspector Emerson get to know of the existence of this minute?—Inspector Emerson, so far as I know, never knew of this minute.

175. Why did he cease to visit the club?—I do not know. He will be able best to tell you that. I know personally I never saw Inspector Emerson about this matter.

176. When did Mr. Russell Beecham write to the club—immediately afterwards?—I know that Mr. Beecham ever wrote about the matter.

177. I think you will find that Beecham wrote to the club about it?—No, there is no in the minutes of the next two or three meetings.

178. Have you the letter book there?—Yes.

179. Is there any letter to Inspector Emerson or to Mr. Beecham?—There are two letters to Russell Beecham, but they have no reference to that matter.

180. How far does that minute-book go after the 2nd June?—It goes up to the 19th October.

181. Will you examine that carefully and see if there is any subsequent minute to the one you read: what did you report to your committee?—I do not see anything.

182. Would not that be regarded as rather an unusual incident in connection with your club? You would not very frequently have to deal with a similar matter?—I saw two or three letters as I was turning over the book with reference to complaints. We very often have complaints, and deal with them as quietly as we possibly can.

183. Do you think it is likely you did not report to your committee in connection with that resolution?—Well, I can give a reason for that. Just about the time that this occurred, or shortly afterwards, I was down in Wellington, and stayed there for the opening of the Working-men's Club in Wellington, so it might possibly have slipped my memory during that time, and all this might have occurred in the meantime.

184. Did Mr. Smith lodge the complaint that the committee dealt with?—That I cannot remember. The secretary might know. The record simply gives the minute as I read it.

185. *The Chairman.*] Would a matter of that kind be entered in a complaint-book or anything of that sort?—No, there is no such book as that kept. There is a suggestion-book.

186. *Mr. Taylor.*] Did this matter come up in any form in the minutes of the previous meeting?—No, there is nothing.

187. Would you deal with a complaint of that character if it was made verbally: would you not require it to be in writing?—Very often some of the committee make a bit of a report and it is dealt with.

188. Do you remember Mr. J. W. Smith on your committee at that time?—I do not think so. I think Mr. Smith was auditor, and he does not sit on the committee.

189. *Mr. Cresswell.*] Are you prepared to say that that matter was a rumour or an absolute report. I simply say what is in the book. It is a report.

190. You cannot say whether it was reported verbally? Would you not require it to be in writing?—I cannot say that. My memory would not carry me back to anything like that. It simply says it was reported.

CHARLES PHILIP LOUND, recalled.

191. *Mr. Taylor.*] When did Inspector Emerson cease to be a member of your club?—I have his resignation here. It is dated the 13th July, 1893. The resignation is indorsed on our form of demand for subscriptions.

192. Do you know whether the complaint referred to was in writing or verbally: have you any letters?—I have no letters referring to it.

193. Have you looked them up?—Yes, I have searched for any letters referring to the matter.

194. What has become of a letter from Mr. Russell Beecham: he wrote to the club about it?—I do not remember.

195. What becomes of your correspondence?—I keep it.

196. Have you a letter from Mr. J. W. Smith about the matter?—I have not seen one.

197. Have you looked for one?—I looked through my letters this morning to find that resignation of Emerson's.

198. *The Chairman.*] Have you found any letters from Mr. Smith about it?—No.

199. You did not see one?—No.

200. *Mr. Taylor.*] Was the matter referred to at any subsequent committee meeting to that at which the minute was confirmed?—I do not remember it.

201. Then it was practically dealt with?—I cannot say anything further about it than what I see on the minute. I have no recollection of it.

202. Do you not remember the charge: do you know that it was in connection with a game of euchre loo being played for half-crown points?—No, I do not.

203. Is that not on record in some of your papers or books?—No.

204. When the minutes were confirmed of the 2nd June Mr. Grundy signed them: what did he report in regard to the minute instructing him to interview the Inspector and Mr. Beecham?—I have no recollection of him reporting anything.

205. Would not that be regarded usually as unfinished business?—Usually, I suppose it would.

206. Would the minutes be confirmed unless the instruction was carried out?—I cannot remember.

207. Does it not follow that any unfinished business is dealt with before the minutes are confirmed?—It should be.

208. Would it be, do you know as secretary of an organization, that where definite instructions are given to an officer to do something he would have to report before the minutes are confirmed?—I do not know that that course is usually carried out with us. Confirming the minutes is the first thing done at the meeting, and the report would follow.

209. Do you remember what the nature of the report was?—I do not remember hearing of any report, and there is nothing, so far as I know, in the minutes of any report.

210. How recently did the Inspector commence to revisit the club. Within the last six months?—I cannot say exactly when I saw him there—very rarely.

211. As a matter of fact, is it not within the last six months?—No, I believe it would be further back than that.

212. For some period he was not in the habit of going to the club?—He resigned his membership, and I cannot say how long it was before he ever came to the club again. It would be some considerable time.

213. *The Chairman.*] You say you have no recollection of anything having been done in regard to the resolution?—No recollection whatever.

214. Have you made a search for any record, or correspondence, or note of action taken under that resolution?—I have looked in our letter-book, which I have here. There is no copy of any letter sent to the Inspector

215. Have you any other letter-book?—No; this was the only one in use at that period.

216. You have examined it, and find no record of any communication outward in connection with this matter?—No.

217. And you find no record in the minutes in connection with the action taken under the resolution?—No.

218. *Mr. Cresswell.*] And, so far as you recollect, did you ever notify Inspector Emerson, directly or indirectly, of that minute?—Never.

219. And are you aware that it never came to his knowledge before to-day?—No, I am not.

220. Did you ever see or hear of a game of euchre loo being played in the club?—I may have, but, as a rule, I take no interest in card-playing.

221. Do you know the game?—No, I cannot say that I do. I may have heard the term.

222. The Inspector, I believe, is an honorary member of the club at the present time?—Yes.

223. And he is also Inspector of Clubs appointed by the Governor?—I believe so.

224. Do you know that he is?—By hearsay. I have not been officially notified to that effect.

225. I suppose you are in the habit of seeing the Inspector very frequently?—Not very frequently. I see him from time to time.

226. You have been in Napier longer than he has been?—Yes.

227. And been secretary of the club for a great many years?—Yes.

228. On any occasion have you ever seen the Inspector the worse of drink?—No, I cannot say that I have.

229. Have you ever known him to be addicted to gambling?—No, not to my knowledge.

230. Have you personally ever known his conduct to be other than that befitting his office?—I never saw anything wrong with his conduct so far as it came under my observation.

231. *Mr. Taylor.*] How do you appoint honorary members to the club?—They are selected the same as ordinary members.

232. By vote of the club or committee?—By vote of the committee as a whole. All members are elected every meeting of the committee.

233. Had you any conversation with the Inspector about this gambling business?—Never.

FREDERICK BADLEY, examined on oath.

234. *The Chairman.*] What is your occupation?—I am a merchant at Dannevirke.

235. *Mr. Taylor.*] Do you know Inspector Emerson?—Yes.

235A. Have you seen him pretty frequently?—Not very frequently, just occasionally.

236. Do you remember any specific occasions on which you have seen him?—I have seen him on different occasions when he has been visiting our district.

237. What hotels have you seen him at?—I do not think I have seen him at any hotel at Dannevirke with the exception of the one he stays at—the Railway Hotel.

238. On that occasion where did you see him?—Just about the hotel.

239. What room?—I cannot say in any room in particular.

240. What other towns have you seen him in?—Napier.

241. Where else?—Hastings.

242. Where did you see him at Hastings?—I might have seen him in the street.

243. Have you seen him in a hotel there? Whose hotel was it: the Hastings Hotel, kept by O'Reilly?—Yes.

244. Where did you see him in the Hastings Hotel?—I might have seen him in the passages.

245. In some of the rooms?—Yes.

246. Did you on one particular occasion, or on any particular occasion, see him engaged in card-playing at Hastings?—Yes.

247. Where?—At Hastings, in the Hastings Hotel.

248. Do you remember where the room was?—Yes.

249. Where was the room?—The upstairs parlour.

250. What was the game?—Euchre.

251. Do you remember the stakes?—I cannot remember whether there were any stakes. It was for something or other. I played myself.

252. Some small sum on each game?—Yes, just to make it sufficiently attractive to keep one awake.

253. Can you remember approximately what hour you knocked off playing?—No, I cannot; we played for two or three hours.

254. Would it be as late as 2 o'clock in the morning?—Yes, it might be.

255. Was the Inspector sober on that occasion?—Yes.

256. Were drinks served during the course of the game?—On two occasions.
257. Who was present besides yourself and Inspector Emerson?—There were three besides the Inspector and myself; I do not remember who they were.
258. Was not a police constable present?—No.
259. They would be strangers to you?—Yes; I have no recollection of them.
260. *The Chairman.*] You say positively there was no police constable?—Yes, I say that positively.
261. *Mr. Taylor.*] Whoever were there were in civilians' clothes?—Yes.
262. And if they were constables you would not know them?—No.
263. On other occasions have you seen the Inspector card-playing?—No.
264. Has he, whenever you have seen him, invariably been sober?—Yes.
265. Absolutely?—I have never seen him the worse of liquor.
266. *The Chairman.*] How long is it since—referring to the card-playing?—It was the last time I was in Hastings, and that was on the occasion of the October, 1896, meeting.
267. *Mr. Cresswell.*] You have not been in Hastings since?—No.
268. Had you before then, or since, seen the Inspector with any signs of liquor on him?—No.
269. Have you known him to play cards before or since?—No.
270. Now, do you know whether the Inspector was boarding there at that time?—I think, if I remember rightly, he was staying at the house.
271. And with what object did you go there?—I went to the hotel for a bed. I had my dinner there, and intended to stay there for the night, but there was no bed available.
272. Did you stay in the hotel the whole night?—Yes.
273. That is a common thing at Hastings?—Yes, I think so, at race-times.
274. Were the other gentlemen who were there lodgers in the house, do you know?—I cannot say.
275. Did you make any attempt to get a bed there?—Yes.
276. Now, you say it was a private parlour you were in. Had the public access to that room that night?—No; it was upstairs.
277. And do you consider that the Inspector was committing any crime in having a game of cards with you and your friends? No, I do not.
278. *Mr. Taylor.*] Did the landlord take a hand in the game?—No.
279. Was a bottle of liquor left on the table when the game was finished?—Yes, I believe a bottle of whiskey was brought up by the landlord.
280. And the landlord knew the game was going on?—Yes.
281. *The Chairman.*] Did the landlord know you were playing for money?—I cannot say he did.

SIMON LINDSAY FLYGER, examined on oath.

282. *Mr. Taylor.*] What are you?—I am a baker, living in Napier.
283. How long have you been in Napier?—About thirteen years.
284. Have you any house property that you let?—Yes.
285. Where?—Shakespeare Road.
286. Were you summoned on one occasion for letting one of your houses to women of ill-fame?—Yes.
287. When was that?—September, 1896.
288. How long were the people in your house?—For a week, when I was told what they were, and I gave them a week's notice.
289. Who told you?—Sergeant O'Donovan told me on a Saturday, and on Monday I gave them notice to quit.
290. How did you find out what their character was?—I was told by him in the street on Saturday that I had women of ill-fame in the house.
291. And did you give them notice immediately?—I sent along notice on Monday.
292. And did they conform to it?—They left on the following Friday. They were in my house just a fortnight.
293. *The Chairman.*] Were you fined?—Yes.
294. *Mr. Taylor.*] Were you present at the time the charge came up in the Court against you?—No, I was in the country.
295. Was it dealt with in your absence?—Yes.
296. Is that the only time you have been charged with such an offence?—Yes.
297. Is that the only time your house has fallen into the possession of such people?—Yes.
298. Are you in the habit of letting your houses to people whose characters you do not know?—No, not at all.
299. Were you reluctant at all in giving them notice to quit?—Of course, when I found out who they were I thought it was necessary I should do so rather than damage my property.
300. Did not the police tell you that if you got rid of them they would withdraw the information against you?—Nothing of the sort.
301. *Mr. Cresswell.*] You say the charge was dealt with in your absence. After you got notice that an information was laid against you where did you go to?—I was out of town before I ever knew of it.
302. Where did you go to?—To Papakura.
303. To whose place?—Mr. Willan.
304. *Mr. Taylor.*] Where did these people go to out of your house?—Milton Road.
305. How long did they stay there?—About seven or eight days to a fortnight, I think.
306. Are they in Napier now?—Yes, they were up to a little time ago; one was living in White Road.

307. Was there any prosecution against them for keeping houses of ill-fame?—Yes, and I was fined for not appearing as a witness in the prosecution against these prostitutes.

308. *Mr. Cresswell.*] You say the case was adjudicated in your absence. Did you not apply for and obtain a rehearing?—That is so.

309. And did you not bring down Mr. Willan?—No, the police brought him down as a witness.

310. And on his evidence was not the original conviction sustained?—Yes, and you told me it was utterly useless for me bringing a case into this Court, because I could never get a satisfactory result.

311. On account of your bad name, did I tell you?—No, there was nothing about a bad name.

312. Did the Magistrate threaten that he had a good mind to consider whether you were guilty of perjury?—No, I never heard him say anything of the sort.

313. You were fined £4 odd for letting your house to two women for immoral purposes?—Yes, but there was no proof to show that I did.

314. Did you give evidence against the two women when they were fined in this Court for being prostitutes?—No; how could I when I was not here?

MONDAY, 30TH MAY.

ARTHUR JAMES COTTERILL, examined on oath.

1. *The Chairman.*] What are you?—I am a solicitor, residing in Napier.

2. *Mr. Taylor.*] Do you know Inspector Emerson?—Yes.

3. Have you seen him at any time when his condition has attracted your attention?—Yes.

4. Under what circumstances?—As well as I recollect, it was one evening about 6 o'clock about twelve to eighteen months ago. I was walking up the Shakespeare Road with some friends, and it was getting dusk. It was not broad daylight. When opposite my own office I saw Inspector Emerson under Mr. Carnell's verandah with two other persons, each of whom had hold of one of his arms.

5. Can you say whether the Inspector was sober?—I cannot.

6. What judgment did you form as to his condition?—I formed none. The only judgment I formed was that these two persons were supporting him.

7. Have you seen him in a like condition at any other time?—Never.

8. Do you see him frequently?—Very frequently. I am Crown Solicitor and have a deal to do with him.

9. Do you frequently see him after dark?—No.

10. *Mr. Cresswell.*] I suppose you have known a great many people suffering from this dreadful complaint influenza?—Yes.

11. Dr. Moore tells us that in a man of Inspector Emerson's age the influenza is likely to make him suffer, and that it would be difficult for a stranger to say whether he was suffering from influenza or from the effects of drink?—Quite possible.

12. Is it not possible that he may have been weak through influenza or any other disease?—Yes, quite possible. I have not said he was drunk.

13. You do not suggest that he was drunk?—I do not suggest anything. I just speak to facts.

14. Has the Inspector to attend the Supreme Court sessions here in his official capacity?—Yes.

15. The Court sits three times a year?—Yes.

16. Has he, outside attending Court, to attend you in your official capacity?—Frequently.

17. Leaving out this occasion, have you at any other time seen him with any trace of liquor on him?—I have not.

18. Could you say he is a man of intemperate habits?—I could not say that from personal knowledge.

19. Have you ever known him to be addicted to gambling?—My relations with Inspector Emerson are merely so far as our respective duties are concerned.

20. You like to attend the sport of kings, so-called—race-meetings?—Sometimes I go.

21. Have you ever seen Inspector Emerson at any of the meetings?—Yes.

22. Have you there or at any other time known his conduct to be other than it should be?—No, I have never observed anything.

23. With the exception of the time you went to England you have been Crown Solicitor here for many years?—I have conducted Crown prosecutions here since 1874, and I have been Crown Solicitor since 1877.

24. Continuously with the exception of the time you went home to England?—Yes, I was absent on leave.

25. *Mr. Taylor.*] Who were the persons who were assisting Mr. Emerson?—Mr. Swan, the Mayor, was one, but I forget who the other was.

JOHN FERGUSON JARDINE, examined on oath.

26. *The Chairman.*] What are you?—I am a commission agent in Napier.

27. *Mr. Taylor.*] Do you remember, in the company of Mr. Cotterill and Mr. Logan, on one occasion when Inspector Emerson's condition attracted your attention?—I do not know. It is a very vague question indeed. While I have been with these two gentlemen I suppose I have seen the Inspector many a time.

28. Do you remember seeing him in Shakespeare Road one evening about 6 o'clock?—I have no doubt I have seen him there. I see him every day.

29. Do you recollect seeing him assisted by two persons near Carnell, the photographer's?— I saw him with two people there.
30. Was he being helped by them?—He was walking arm-in-arm with them.
31. How near were you to them?—I was not near at all.
32. Were you on the other side of the road?—I think so, but I could not say.
33. *The Chairman.*] What was the locality?—At the corner of Brewster Lane, by Mr. Carnell's.
34. *Mr. Taylor.*] Did you pass on the same side of the street?—I think I did.
35. What was Inspector Emerson's condition? Was he sober?—He may have been ill.
36. What is your judgment?—I am not prepared to say what might have been my construction at the time. It is not fair. It was purely an inference.
37. What inference did you draw?—I thought he was being assisted.
38. *The Chairman.*] Are you an expert in these matters?—Certainly not. I could not say what his condition was.
39. *Mr. Taylor.*] What was your opinion at the time?—Is one obliged to give all the opinions one has come to at any time.
40. What conclusion did you come to at the time?—I thought he looked as if he was being assisted home.
41. Did you come to the conclusion that he was intoxicated?—I do not think there was anything about his behaviour to lead any one to say he was absolutely intoxicated. As I said before, he may have been ill.
42. Did that enter into your theory at the time?—No, it did not.
43. Was Mr. Swan one of those helping him?—I believe so.
44. Who was the other?—I forget—in fact, four days ago I could not have remembered anything about it. It was since the sittings of the Court that I was reminded of it. It made so little impression on my mind that I had almost forgotten all about it.
45. Is it not remarkable that an incident like that in connection with the Inspector of Police should make a slight impression on your mind?—It made only a slight impression.
46. Were you not surprised to see the incident? Seeing the position the man occupied, did not the incident strike you as very remarkable?—No, I cannot say I thought much about it at the time.
47. *Mr. Cresswell.*] Mr. Taylor has put a word into your mouth, saying they were "helping" him along?—I said they were walking arm-in-arm with him.
48. Is it not a fact that certain men in this town, whose names I need not mention, are in the habit of walking arm-in-arm?—Yes.
49. So that there is nothing extraordinary in that, whether the man be an Inspector or otherwise?—No.
50. You yourself have been attacked with influenza?—Yes.
51. And I think it is a matter of common report within your own knowledge that Inspector Emerson has suffered severely from it?—I was told so.
52. And Dr. Moore has told us that on a man of the age of the Inspector the action on him would be very like the action of a man under the influence of drink. Can you say whether this man was with friends through illness or through drink?—I could not possibly say. I should say that the other witnesses could say better than I can.
53. You are not prepared to say whether he was suffering from illness, or drink, or the effects of the influenza, or whether he was simply walking arm-in-arm with his friends?—No, I am not.
54. *Mr. Taylor.*] When you are suffering do you walk home arm-in-arm with your friends?—No; I would probably be in bed.
55. Did your influenza give you a hacking cough?—No.
56. Did it make you swear?—I expect it did.
57. Had you been on board a steamer would you have sworn in the presence of others?—I think the question is rather absurd.
58. Yes, like those that led up to it. Did the influenza suggest itself to you when you saw the Inspector on this occasion?—No.

GEORGE HENRY SWAN, examined on oath.

59. *The Chairman.*] You are the Mayor of the borough?—Yes, and I have been for thirteen years.
60. *Mr. Taylor.*] Do you know Inspector Emerson?—I do.
61. Can you remember on any occasion being in the company of Inspector Emerson in Shakespeare Road?—Yes, several times.
62. Can you remember any special occasion when his condition attracted your attention?—No.
63. Do you usually walk arm-in-arm with him?—No; but I have done so.
64. When?—I could not remember.
65. Do you remember walking arm in arm with him one evening about dusk?—Not on any special occasion. I remember one evening we walked up from the Napier Club round to the Marine Parade Hotel, and he took hold of my arm on that occasion.
66. Were you alone—he and you?—Yes.
67. He had hold of your arm in a friendly way?—Yes.
68. On another occasion can you remember having hold of his arm when somebody else had hold of his other arm?—No, I cannot say I do.
69. Do you remember being near Carnell's shop with him on one occasion when you had one arm and some one else the other?—No. I remember walking up in that direction with the Inspector, but whether there was anybody else there or not I could not say.

70. Did he have hold of your arm?—I think he did.
71. What was his state that night?—He was in his ordinary condition. He might have had a glass or two perhaps, but I should say he was sober and able to take care of himself.
72. Have you on any other occasion been with him when he has had a glass or two?—No; I have met him frequently, but I have never seen him the worse of liquor.
73. Never incapable?—No.
74. *Mr. Cresswell.*] Your own words were that you had never seen him the worse of liquor?—Yes.
75. You did not say “incapable”?—No.
76. Have you met Inspector Emerson frequently in different parts of the colony?—Yes.
77. Have you met him on racecourses?—Yes.
78. Have you ever seen anything in his conduct other than that befitting an Inspector of Police?—No.
79. Have you ever known him to be addicted to gambling?—No.
80. Have you ever known anything in his conduct to lead a person to say that he is a man of intemperate habits or a gambler?—Certainly not.
81. When he took your arm when you were walking up by Carnell’s place, was it taken for the purpose of assistance to himself, or why did he take your arm, or you take his?—I cannot remember, I am sure. That has happened more than once when we have been walking along. We have frequently got into conversation about one matter and another. We have always been on very friendly terms.
82. In his position as Inspector and in yours as Mayor, which position you have held for thirteen years, I suppose you have had many a quiet chat on the street?—Yes.
83. And you would take his arm as often as he would take yours?—Yes.
84. *Mr. Taylor.*] Who was with him on the occasion that you were near Carnell’s verandah?—I cannot remember. I am not sure there was any one.
85. Would it be a stranger?—I really cannot remember. I do not know the date or anything to guide me. On two or three occasions we have met about that quarter.
86. Would it be something unusual for you to have hold of one of the Inspector’s arms and somebody else to have the other? Your walks have generally been alone?—Yes.
87. *Colonel Pitt.*] Would that be your way home, or Inspector Emerson’s?—It is Inspector Emerson’s.
88. Do you remember when he had this attack of influenza of which we have heard?—I do not remember the date.
89. Was it before that time, or after, or at that time?—I cannot fix the date of the occasion that you speak of.
90. From your recollection, was he ill at that time from influenza or not?—I cannot say.
91. *The Chairman.*] As you cannot call to mind the occasion, I will ask you, Was he in a state of intemperance or intoxication when you were at Carnell’s shop when you assisted him, or when you walked arm-in-arm?—We may have had a glass or two, but he was quite capable of taking care of himself.
92. And if you did put your arm in his, was it for the purpose of preventing his staggering?—That I could not say. I do not think so. I have not a very distinct recollection about the matter.
93. If he was in such a state that he required to be steadied from staggering, would that have been such a circumstance as to have impressed itself upon your mind?—Yes, I think so.
94. Then, is it impressed on your mind that he was staggering from intoxication at that time?—No. I do not know how the circumstance came about.
95. You say that generally his conduct has not been inconsistent with his position as Inspector of Police?—Certainly not, as far as my observation goes, and I have come in contact with him a good deal in inspecting houses and one thing and another.

THOMAS HARVEY, examined on oath.

96. *The Chairman.*] What is your rank?—First-class constable, stationed at Napier.
97. *Mr. Taylor.*] How long have you been in the Force?—Thirty-three years on the 9th of the present month.
98. What districts have you served in?—Napier and the Spit the whole time.
99. Have you served under Inspector Emerson anywhere else than in this district?—No.
100. Have you not been stationed in any country stations?—No.
101. Have you seen the Inspector frequently?—Yes.
102. Tell us what you remember about the prosecutions of Robinson (“Murrumbidgee”) for spieling?—I arrested him on the Town and Suburban racecourse.
103. Who was arrested with him?—No one. He was arrested for laying totalisator odds, being given in charge by the secretary of the club.
104. Who was the secretary?—Mr. Louis Binnie.
105. What club is Mr. Danvers secretary of?—The Park.
106. Is he a resident of Napier?—Of Hastings, I think.
107. What was the result of the arrest?—I took him to the Taradale lock-up and searched him, and then went back to the course.
108. Did a prosecution follow?—No.
109. Do you know why?—He was released by Mr. Heslop, J.P.
110. How did that come about. Was he not a prisoner?—Yes.
111. How did the release come about?—The Justice of the Peace went down and released him.

112. *Mr. Poynton.*] He admitted him to bail?—No.
113. *Mr. Taylor.*] How did he come to be released?—I cannot say.
114. What is the usual course when you arrest a man for an offence like that—do you not make an entry in the charge-book?—Yes.
115. Did you do that on this occasion?—No. I was in charge of the course, and I went back there.
116. When did you put it in the book?—It was not put in the charge-book at Taradale that I am aware of.
117. *Mr. Poynton.*] Who had the keys of the lock-up?—Constable Thomas Leitch, who had charge of the district.
118. *Mr. Taylor.*] Where is he now?—In Auckland.
119. *The Chairman.*] When you left him at the lock-up, did you hand him over to Constable Leitch?—I think I did, but I would not be positive.
120. *Mr. Taylor.*] Did you get the keys from Constable Leitch?—I think I got them from Mrs. Leitch.
121. And you gave them back to her?—I do not know if I did.
122. When did you make a record in the charge-book about the matter?—I made none.
123. Why?—Because he was released before I had finished my duty on the course.
124. Did you make a report about the matter?—Yes, to the Inspector. Constable Kennedy also made a report.
125. Did anything result from the report? Were you examined by Inspector Emerson?—Not that I am aware of.
126. Would that report be in the police-office?—I am not sure.
127. Were you mixed up with the arrest of Adams or Martin?—No.
128. Do you know them?—I may have seen them, but I do not know them by name.
129. What Inspectors have you served under besides Inspector Emerson?—Inspectors Scully, Bullen, and Keiley.
130. *Colonel Pitt.*] Would you make an entry in the watch-house book, or would Constable Leitch?—I would.
131. *Mr. Taylor.*] On what occasion have you seen Inspector Emerson playing cards?—I think I saw him playing a game of cards one time at Wairoa.
132. At Poyzer's?—I think it was there.
133. Who was playing at the same time?—I think it was Mr. Poyzer.
134. Did you have a hand yourself?—I have never played cards in my life.
135. Who else was playing?—I could not say.
136. Cannot you remember?—No, I cannot. I think it was a stranger.
137. What were the stakes?—I do not think there were any. My Inspector was in the room sitting down, and I think the landlord also. I went and asked the Inspector a question and at once walked out again. I was not there two minutes.
138. Did you see what the game was?—I do not understand cards.
139. On what other occasions have you seen Inspector Emerson playing cards?—I do not remember any.
140. Not in this town?—No.
141. Have you not seen him playing in the Criterion?—Never.
142. Have you ever seen him with signs of liquor on him?—I might have seen him with the signs of a drink or two.
143. Can you remember when?—I think it was at Wairoa about twelve months ago.
144. Would that be on the same occasion that he was playing cards?—We went to the race-course on a wet, cold day, and I saw him in the evening, and I should say he had had a drink or two.
145. Was he at the hotel?—Yes, we stopped at the hotels. Inspector Emerson was at one, and I was at another.
146. Was he at Poyzer's?—Not at that time. He was at the hotel further up the valley.
147. In Napier, when have you seen him with signs of liquor on him?—I do not remember any occasion. I am seldom in the town.
148. Where are you stationed?—At Carlyle Street.
149. How frequently do you see the Inspector at night?—Seldom.
150. You are not in a position, then, to say what his habits are at night?—No.
151. Do you consider that under Inspector Emerson the discipline has been very strict?—It has been very fair.
152. On the occasion at Wairoa would not his condition have caused his men to regard him with disrespect?—Not the least.
153. How is that?—Because the man had no signs of drink on him to interfere with his work.
154. He was not drunk?—No.
155. But you noticed he had had liquor?—I would take it he had had a drink or two.
156. Could he talk coherently?—Yes, and he gave me instructions.
157. Do you think that so long as the Inspector is sober enough to give instructions his habits are not such as to cause the men to treat him with disrespect?—Certainly not.
158. *Mr. Cresswell.*] On the Taradale occasion you were in charge of the course?—Yes.
159. Was the Inspector there that day?—Yes.
160. Was he there before or after Robinson was given in charge?—Before and after.
161. I think Mr. Heslop was president of the club?—I think he was.
162. And at this racecourse, in addition to the police, the clubs have private detectives to watch the persons who lay totalisator odds?—Yes, some of them have.

163. This man Robinson was given in charge by the secretary, Mr. Binnie?—Yes.
164. And you took him to the watch-house which had the nearest lock-up?—Yes.
165. And Robinson was searched, had his boots taken off, and his bag and his money were taken from him?—Everything was taken from him, but his boots were not taken off.
166. And he was put in a cell?—Yes.
167. Constable Kennedy was associated with you in the arrest?—Yes; he was under my instructions, and assisted me to take the man to the lock-up.
168. You are not prepared to say whether Kennedy made an entry in the charge-book or not?—I am not.
169. I think Robinson was in the lock-up about an hour and a half?—He was in for some time, but I could not say how long.
170. And a Justice of the Peace went and released him?—Yes.
171. I think Robinson brought an action against the stewards of the club, and against you and Constable Kennedy also?—Yes.
172. Claiming £500 damages for false imprisonment?—Yes.
173. You and Kennedy both defended through your solicitor?—Yes.
174. You retained Mr. Lascelles, the club Mr. Sainsbury, and the secretary Mr. Cornford?—Yes.
175. And Robinson lost his case under section 35 of the Police Offences Act?—Yes.
176. You got your costs, as also did the jockey-club, as against Robinson?—Yes.
177. And I think the club officials paid your costs and Kennedy's?—Yes, they paid all costs. I would like to mention that I did not know the right name of the man at the time. He goes by the name of "Murrumbidgee."
178. Is your Inspector in the habit of getting the worse of liquor?—Not that I am aware of.
179. Is he a man addicted to gambling?—I never saw my Inspector gambling.
180. You have been twenty-three years in the Force, and you have served under a good many Inspectors. Have you ever known the conduct of Inspector Emerson to be other than that befitting an Inspector of Police?—No.
181. *Colonel Hume.*] How did you know that Mr. Heslop had released the man?—My Inspector told me he was going to release him.
182. Was that after you had got back to the course?—Yes.
183. Did he say why he was going to release him?—Not that I am aware of.
184. Had the secretary at that time laid any charge against the man?—He said he would give him in charge for laying totalisator odds.
185. But he had made no written charge?—No.
186. Did he go to the station and prefer the charge against the man?—No, not at the time.
187. Did he go afterwards?—I went to the secretary and told him he would have to sign the watch-house book, and he said he would do so after the races.
188. In the meantime the Inspector told you Mr. Heslop was going to release the man?—Yes.
189. Did the secretary tell you that?—Not that I remember. I think I saw my Inspector and the secretary having a talk after I got back.
190. *The Chairman.*] Can you say from your own knowledge that Mr. Heslop was president of the club?—I believe he was.
191. *Colonel Hume.*] Who handed the prisoner over to Mr. Heslop?—I do not know.
192. Were you present at the time?—No; I think Constable Leitch went down from the course.
193. Were you present at the civil action?—Yes, but the charge against Constable Kennedy and myself was withdrawn.
194. Did you hear at the trial what the reason was that the man was released?—No; we were outside.
195. *Mr. Taylor.*] Did you always regard the Inspector as being very diligent in dealing with spielers?—Yes, as far as I know.
196. Did it not strike you as being strange that he should tell you they were going to release the prisoner?—I thought it rather strange.

JAMES SIDDELLS, examined on oath.

197. *The Chairman.*] What is your rank?—Third-class sergeant, stationed at Dannevirke.
198. *Mr. Taylor.*] How long have you been in this district?—Eighteen years and four months.
199. You have served here all the time Inspector Emerson has been here?—Part of the time—two years—my station was attached to the Taranaki district, under Inspector Pardy.
200. Have you seen the Inspector very often?—Not very often.
201. Where did you last see him before to-day?—At the Woodville Station.
202. Have you always had a country station?—Yes.
203. When did you see him at Woodville?—Two months ago the Inspector and I went to the Woodville Station on a visit of inspection. Woodville is in my sub-district.
204. When have you been at Hastings with him?—At various times when races have been held.
205. Were you at the last race-meeting?—No.
206. Or at the one before?—The last time I was at Hastings when the Inspector was there was in October, 1897.
207. Were you with him at the Woodville races?—Yes, in January or February, 1896.
208. Do you know Sandel's Hotel there?—Yes; the Inspector and I stayed there.
209. What part of the hotel did you see him in?—In various parts. We were there for three days.

210. Will you tell the Chairman particulars of the card-playing at Sandel's Hotel on that occasion?—It was upstairs in the private sitting-room.
211. Who was present besides the Inspector?—My brother and I.
212. Who was the fourth?—I am not aware that there was a fourth.
213. What game were you playing?—Euchre.
214. What were the stakes?—There were no stakes.
215. How long did you play?—Not more than half an hour.
216. On what occasion did you play in the hotel till the lights were turned out?—Never; and I have only played with the Inspector on that occasion.
217. You played absolutely "for love"?—I think drinks were brought up once or twice.
218. Did you not play on either of the other nights you stayed there?—No; I had my work to do.
219. Do you remember the card-party at which you were only an onlooker?—No.
220. Is that the only recollection you have of seeing the Inspector playing cards?—Yes.
221. You did not see him play again?—No.
222. In ordinary conversation does the Inspector address the men in familiar terms or by their Christian names?—He does with me. The Inspector and my family have been intimately acquainted for thirty years. I have known the Inspector, for I suppose, twenty-eight years. He knew me as a boy in Blenheim, and he knows my mother, my father, and my sisters, and he would address me as "Jim."
223. In the presence of the other constables?—I do not know that he would do it in the presence of the other men, but by ourselves he has always treated me as a friend.
224. As a matter of fact, has he not in the presence of the other men said, "Come here, Jim," or "Do this, Jim"?—It is possible.
225. Is that the only occasion when you were present with him in Woodville at the races?—I believe the Inspector was there the year before, and the year after he was not.
226. Were you there?—I was there the year after, and also last year.
227. Were you there twice when the Inspector was there?—Yes.
228. On the former occasion, cannot you call to mind the card-playing that you saw take place?—I cannot.
229. Is that the only occasion in Woodville on which you have seen card-playing on the Inspector's part?—Yes.
230. You were at the Hastings races in October last year?—Yes.
231. Was the Inspector there?—Yes.
232. Where did you stay?—At O'Reilly's.
233. That is where the Inspector stays?—Yes.
234. What card-playing did you see going on there?—None.
235. You did not see the game at all?—No.
236. Were you with the Inspector in the evening?—I may have been.
237. Were you in the private sitting-room with him?—No.
238. You do not know whether cards were played there or not on that occasion?—No. I was doing plain-clothes duty in the town, and I would be about the streets.
239. Do you know Fred Bradley?—Yes.
240. Did you ever see him playing cards with the Inspector on any occasion?—No.
241. On what occasions have you seen the Inspector with signs of liquor on him?—I would not like to say that I have. He has always been perfectly sober at the times he has attended races with me.
242. I want to know on what occasions you have seen liquor on the Inspector?—I should not like to say that I have ever seen him under the influence of liquor. It may have been noticeable, and he may have taken a glass without showing the signs of it.
243. I do not suggest he was noisy or incapable. Can you say when he has noticeably had liquor?—I cannot give any dates.
244. How often have you noticed liquor on him?—My experience is that the Inspector has always been sober when attending the racecourse.
245. Did you not say that he might have had a glass or two?—Yes.
246. Would that be at Hastings?—I could not say where.
247. You would not like to give a definition of what constitutes drunkenness?—It is a wide subject to give a definition on.
248. How many nights were you at Hastings in October, 1897?—Two, I think.
249. Did you see the Inspector each night?—I am not clear that the Inspector stayed at the hotel at night.
250. *The Chairman.*] What year was that?—1896.
251. *Mr. Taylor.*] Did you see the Inspector on both nights when you were at the hotel?—No.
252. Was that the occasion when the Hon. Mr. Seddon was in the town?—No.
253. Do you remember being present when both the Inspector and the Hon. Mr. Seddon were at Hastings?—No.
254. In what other towns have you done duty when the Inspector has been there?—I think, at all the other racecourses in the district.
255. Have you ever seen the Inspector in Napier?—Yes.
256. Do you consider that his relations with the men are such as are calculated to maintain a high state of discipline?—I know nothing about his conduct with the other men. As far as I am concerned discipline is always maintained. Of course, different Inspectors have different modes of enforcing discipline. Some are very strict and others are more lax.
257. Were you ever present in plain clothes in Woodville or Hastings when the Inspector was gambling?—No.

258. *The Chairman.*] Were you ever present at any hotel in plain clothes when the Inspector was playing cards except on the occasion you mention?—No.

259. *Mr. Cresswell.*] Have you ever known the Inspector's conduct to be other than that befitting an Inspector of Police?—No.

260. Have you ever known him to be under the influence of drink?—No.

261. Do you remember the incident between the Inspector and Mr. James Taylor at Woodville?—Yes.

262. Can you tell us the date?—The 5th February, 1896.

263. Do you remember the subject of dispute between the Inspector and Mr. Taylor?—No.

264. Do you remember two spielers being arrested?—Yes.

265. Tell us what was done by the other spielers and the crowd when the arrest was made?—Constable Treanor had ejected a boy from the lawn and a large number of people congregated and objected. They began hooting the police and jostling them, and Constables Treanor and Reardon arrested two men. The people were howling at the police, and it was with difficulty that the men were removed. They were taken away in the direction of the township.

266. What was the Inspector, yourself, and the other men doing?—Keeping the crowd back.

267. Did you see Mr. Taylor come up to the Inspector at that time?—Yes. He spoke to the Inspector, but I did not hear what was said. The Inspector pushed Mr. Taylor to one side, and walked towards the constables. Mr. Taylor followed him and again spoke to him.

268. If Mr. Taylor or any one else had spoken to you at that juncture what would you have done?—I would have told them to wait till the men had been removed.

269. Was there any chance of there being a rescue?—Yes, the people were very excited.

270. And it took you and the others all your time to keep the crowd back?—Yes.

271. Was any civilian with the Inspector?—I noticed Mr. Wilson and several others helping.

272. On that particular occasion there were about a hundred spielers there?—There were a great many.

273. If the police had not been prompt in getting the prisoners away, do you think there would have been a rescue?—It is very probable.

274. *Mr. Taylor.*] Were the people in front or behind the police?—They were in front, going along the course.

275. Within fifty yards?—Nearer than that.

276. Was Mr. Wilson assisting to keep off the crowd?—I could not say that.

277. Was he talking with him?—I could not say that.

278. Will you swear he was not?—He may have been talking to him as they were going along.

279. How far would the prisoners be away?—Not more than twenty yards. We would naturally be close to them.

THOMAS REIDY, examined on oath.

280. *Mr. Taylor.*] What is your occupation?—A carpenter, working at Mr. Holt's mill in Napier.

281. When I spoke to you in the Court a few minutes ago did you not say, "You will get nothing out of me"?—I did, because I knew nothing.

282. Did I tell you I would call you in connection with "tote" business?—Yes.

283. And that I was attempting to prove that the police knew of the existence of a "tote" shop, and that they had not dealt with the matter?—Yes, and that they all knew about it.

284. Do you know a shop kept by Eagleton?—Yes.

285. Do you know one kept by Smythe?—Yes, a book-shop.

286. How often have you been in those shops?—That is my business. I go in to buy a bit of tobacco or a book. I cannot say how often I have been in.

287. How often have you had betting transactions with either of them?—That is my business. I refuse to answer the question. I earn my money, and I can bet or do what I like with it.

288. Have you been in either of the shops within the last three months?—Yes.

289. Have you been in there for "tote" business?—That is my business. I have been in to buy cigarettes.

290. Before December, 1897, what transactions did you have with either Smythe or Eagleton?—I am not going to give you any information whatever. I tell you straight I cannot tell you anything about it, and I will not. It is my business, and you can do what you like about it. I am not going to give information about anybody. You might strike out that last.

291. *Colonel Pitt.*] Have you been subpoenaed in this case?—Yes.

292. *The Chairman.*] Are you aware that "tote" betting was conducted in Eagleton's shop up to six months ago?—I refuse to answer that. It is none of my business whether they do or not.

293. Are you aware that "tote" betting was, previous to the last six months, carried on on Smythe's premises?—I refuse to answer.

294. Are you aware whether it is a matter of public report that "tote" betting is carried on on Eagleton's and Smythe's premises?—I have heard so.

295. Do you know whether Inspector Emerson was aware that "tote" betting was carried on on those premises?—I know nothing of the kind.

296. *Mr. Taylor.*] I wish to ask the witness whether, on the Wellington races in January last, he did not lay "tote" odds in one of those two shops?

297. *The Chairman.*] Did you make a bet in one of those shops on those races?—I refuse to answer.

298. *Colonel Pitt.*] You understand that if the Commissioners direct you to be prosecuted and you are found guilty you are liable to a penalty not exceeding £20?—Yes.

[Subsequent to the adjournment the witness was further examined on oath.]

299. *The Chairman.*] Are you aware that "tote" betting was, previously to the last three months, carried on in or upon the premises of one Eagleton in the Town of Napier?—I refuse to answer the question.

300. Are you aware that "tote" betting was, previously to the last three months, carried on in or upon the premises of one Smythe, in the Town of Napier?—I refuse to answer that question.
[A fine of £10 was thereupon inflicted upon the witness.]

ANNIE PANTON, examined on oath.

301. *The Chairman.*] Are you a married woman?—Yes. I live in Chaucer Road.

302. *Mr. Taylor.*] Do you know a book-shop kept by Mr. Smythe?—No.

303. Do you know Eagleton, the tobacconist's shop?—Yes.

304. When were you last at Eagleton's shop on business?—I went last week for tobacco.

305. When were you there last in connection with betting business?—I do not bet, except when I go to the racecourse.

306. Were you ever in Eagleton's shop in connection with betting?—No.

307. When did you go to Eagleton's shop to put money on the totalisator?—I do no horse-betting.

308. But you do on the course?—Yes, 5s. or half-a-crown, with other ladies.

309. Have you not put 5s. or half-a-crown in Mr. Eagleton's shop?—No. I never go there to bet, but I go for tobacco, cigarettes, scent, and other goods.

310. You never go there to put money on the totalisator?—No.

311. And you only bet on the course?—Yes, and when I am in Christchurch.

312. *Mr. Creswell.*] Do you know Inspector Emerson?—No.

BARRETT RUTLEDGE, examined on oath.

313. *Mr. Taylor.*] Where are you stationed, Constable Rutledge?—Taradale.

314. When did you join the Force?—1885.

315. How long have you been in this district?—Since the latter part of 1892.

316. Was Inspector Emerson the Inspector when you came here?—He was in charge of the district, but he was not here.

317. Have you done duty in Napier?—Yes.

318. And in what other parts of the district?—Gisborne, Wairoa, Woodville, and Hastings.

319. Temporary duty?—Yes.

320. Have you attended any race-meetings with the Inspector while you have been here?—I have.

321. Where?—At Wairoa, Hastings, and Taradale (Napier Park racecourse); and I attended the Kaikora races once, but I am not sure whether the Inspector was there or not.

322. Have you had anything to do with "spielers" at those meetings?—No. I am mounted, and my duty would be out on the course.

323. Have you been with the Inspector in the evening of any of the race-days?—Only when he was giving orders to the men to stay in different places for the night.

324. You have not seen him after that?—Only on the street, perhaps.

325. Were you at Hastings with him within the last eighteen months?—Yes.

326. Have you seen him card-playing?—I have never seen him in a hotel at Hastings.

327. At any other place?—Yes; at Wairoa.

328. Did you see him playing cards there?—No.

329. Have you never seen the Inspector when he has had signs of liquor on him?—No.

330. And you have never seen him playing cards on any occasion?—No, I have never seen him with a card in his hands.

331. He has always been perfectly sober when you have seen him?—As far as I could judge.

332. Are you a good judge?—Fairly good.

333. Has he always been absolutely sober when you have seen him?—Yes, always.

334. Has his conduct always been, in your judgment, such as was calculated to maintain a high state of discipline?—Yes, from what I have seen.

335. Were you ever in a private room with him in any of these hotels after any of the race-meetings?—No.

336. You never saw him in a private room?—No. At Wairoa I stayed in a private boarding-house, and the Inspector at the hotel, and at Hastings I stayed in one hotel and the Inspector in another.

337. And at Woodville?—I was never at Woodville at race-meetings.

338. What has been your experience as far as spielers are concerned? Do you know many by sight?—A fair number; but none of them have come under my notice at race-meetings, as my duty has kept me on the course proper.

339. Have you had any hotel prosecutions since you came here?—One.

340. Where?—In Napier.

341. Did you have any trouble over it?—The licensee reported me for taking another constable off his beat to the hotel, but nothing was done.

342. You were not reprimanded?—No.

343. Did the publican make any threat against you?—There was a rumour that he had threatened to get me shifted, but I was not.

344. How long after was it that you were removed?—Shortly after I went to Gisborne, and then to Wairoa.

345. *The Chairman.*] Was there a conviction?—No; the case was dismissed.

346. *Mr. Cresswell.*] Have you been subpoenaed to give evidence?—No.

347. Have you ever known the conduct of Inspector Emerson to be other than that befitting an Inspector of Police?—No. I have always found him the same as other Police Inspectors I have been under.

348. A good Inspector?—Yes.

ALFRED JAMES MITCHELL, examined on oath.

349. *The Chairman.*] What is your rank?—I am a second-class sergeant, stationed at Napier.

350. *Mr. Taylor.*] How long have you been in this district?—A little over five years, off and on.

351. You have practically been here since Inspector Emerson took charge?—No, I was in the Thames district when he took charge of this one.

352. How long have you been in this district the last time?—Since the 24th July last.

353. Where were you before that?—In Wellington for four months, and before that at Hastings.

354. Do you know Mr. Fred Bradley, a storekeeper, of Dannevirke?—No.

355. Do you remember Inspector Emerson being at Hastings while you were there?—Yes.

356. At a race-meeting?—Yes.

357. What meeting was it?—To the best of my recollection, he was present at every race-meeting.

358. When was the last race-meeting he was at while you were there?—Probably the New Year meeting of 1897.

359. Would it be a year previous to that that he was there before?—No. I think the meetings in Hastings take place three times a year.

360. Did the Inspector stay at O'Reilly's Hotel?—I think that as a rule he stayed at Gorman's Carlton Hotel.

361. Did you see him every night he was there?—I could not say from memory whether I did or not, but the probabilities are that I did.

362. Did you ever see him in the hotel?—I do not think I did.

363. Did you not see him in the private sitting-room?—No; not in any hotel in Hastings. If I went into the hotel at all it would be a matter of passing through the passage to see about any rowdyism that might have attracted my attention. I can say positively that I have never gone into any private room in any hotel in Hastings and found the Inspector there.

364. Have you ever seen him playing cards?—Never in my life.

365. Have you ever seen him with liquor on him?—No, and I have known him for nearly ten years.

366. You have never seen him with the signs of liquor on him?—No.

367. Have you had any convictions or prosecutions in licensing cases?—Yes; nearly everywhere I have been I have had them.

368. Were you mixed up with the prosecution of Mrs. Mitchell for keeping a house of ill-fame in this town?—I prepared an information and summonses in the case.

369. Had you anything to do with it prior to that point?—Yes; I think it was I who took the initiative step; by that I mean that I received an anonymous letter, and I instructed one or two of the constables to keep an eye on a house in Munroe Street, with a view of locating the residence.

370. Were you in the company of Constable O'Brien when he spoke to two youths who went in there?—No.

371. *Mr. Cresswell.*] During the last ten years you have known the Inspector you have had every opportunity of judging as to whether he is a man of intemperate habits?—I have had a great many opportunities.

372. During those ten years you have known him in different hotels in various parts of the colony?—Yes. During the time of the miners' strike at Huntly I resided under the same roof with him—in Herrie's Hotel—for some weeks. There were a number of men and the Inspector quartered at the hotel.

373. Have you ever known him to be addicted to gambling?—No; I have never seen him card-playing.

374. Since you have been in the Hawke's Bay District what sort of a time have the spielers had—an easy time, or otherwise?—It is not my fault if they have had an easy one. I have done my best to give them a rough time.

375. It is suggested that the police, and especially Inspector Emerson, have been lax in dealing with the spielers. What do you think the spielers will say to that?—I do not think they will say that has been their experience.

376. Generally, is the district better now than it was five years ago in that respect, or worse?—As far as Napier is concerned I do not know what it has been, except within the last twelve months.

377. Well, how does Hastings stand?—I think Hastings is now as it was four or five years ago, with the exception that there are a large number of stables there, and therefore a large number of hangers-on. I do not think any of the residents there could be termed spielers.

378. And, so far as the Licensing Act is concerned, do you find the same trouble there with the licensed houses as you did when you first came to Hawke's Bay?—No. I have no right to speak in other than a favourable way of the licensed houses in the district. I see that they "toe the line," and they do it.

RUSSELL BEECHAM, examined on oath.

379. *The Chairman.*] What are you?—A commission agent in Napier.

380. *Mr. Taylor.*] Do you belong to the Working-men's Club?—I do.

381. Do you know Inspector Emerson?—Yes.

382. Do you remember in 1893, in June, a question arising as to his having been gambling with you?—I heard it mooted in the club that such had been the case.
383. Did you receive correspondence from the club about it?—No.
384. No letter?—No.
385. Were you interviewed by any of the officials?—No.
386. Is gambling at the club very common?—I never saw it there.
387. Have not you yourself been more than once reprimanded for it?—Never.
388. If the letter-book of the club says you have, would it be wrong?—I should say so, certainly.
389. Did you see the committee about the rumour that was in circulation?—No.
390. Did they see you?—No.
391. Did any one see you about it?—Several of the members spoke to me, but the committee did not.
392. Are you not aware that there is a minute on the books of the Working-men's Club in reference to it?—There may be.
393. You know nothing about the record?—I do know something of the record, certainly.
394. What do you know of it?—I will tell you how it happened from the commencement. I was in the club one day, about half-past 4 or 5, and two gentlemen and Inspector Emerson were also there. They asked me to make one at a game of euchre, and I said I would. We went upstairs, and some one in a jocular way suggested that we should have "half a crown on." Nothing else was said. We were dealing the cards out for partners at the time. I may say I had heard that Inspector Emerson was looking round to try to get a case of gambling if he could; but, although I have been twelve years a member of the club, I have never known any gambling to be done in it.
395. Who invited you?—I do not know who it was.
396. Did you play for half a crown?—No. When the suggestion was made that we should play for half a crown, I said, "Oh, that's all right," and we then took our seats and the game commenced. Inspector Emerson was my opponent, and my partner and I lost.
397. *The Chairman.*] You had a game, then?—Yes; a rubber of three games.
398. *Mr. Taylor.*] What followed?—We went down and had a drink. I then said, "Oh, here's your half-crown"; and the fact of the matter is that I was the only one who had anything to do with it. That is the whole of the matter.
399. You have not been reprimanded on any other occasion for gambling?—No; I never gambled in my life before or since, whether at the races, on the totalisator, or anything of the kind.
400. No prosecution followed?—No.
401. And the Inspector did not get a case out of it?—It was mooted that he was trying to find one.
402. *The Chairman.*] By playing himself?—Well, that is the reason I made the offer. I wanted to see what would come of it. I wanted to see if he really did want to find a case.
403. *Mr. Cresswell.*] You say it was mooted that the Inspector wanted to find a case: was that before or after the gambling?—Before the day I met him. I had heard the rumour, and fancying there might be something in it I thought I would try if there was. After that it was said we had been gambling. It was the gossip among the members.
404. Did you ever see euchre loo played in the club?—I never heard of it till I saw it mentioned in the paper this morning, and I can solemnly say I have never seen it played in the club during the thirteen years I have been a member.
405. Have you ever seen cards played for money there?—No, nor billiards.
406. Did you provoke the Inspector to play with you?—No; it was the other two members, but who they were I cannot say.
407. Did you deliberately play for half a crown?—No, certainly not. It was done more out of bounce and fun than anything else.
408. Did the losers pay the half-crown?—I handed the half-crown to Inspector Emerson, but he would not take it. I had to pay for my share of the refreshments, my partner paying an equal share.
409. *Colonel Pitt.*] What do you mean by saying you understood they wanted to get up a prosecution, and that it was for that reason you offered to play?—I had heard that the Inspector was going round, and that he would be into the club to find cases. I said, "He won't get many cases here," and when the offer was made to me to play I said I would make one. I thought possibly he might have been trying to make a case.
410. Did you want to help him to make a case?—No; I wanted to see if such was his object, but I found he was acting in a very gentlemanly way—just having a game of cards.
411. *Mr. Cresswell.*] You have known the Inspector since he has been here?—Yes; I frequently see him when I am in the Court with cases.
412. But outside the Court, have you seen him?—Yes, numbers of times.
413. Did you ever see him under the influence of drink?—Never.
414. Omitting the occasion in the Working-men's Club, have you ever known him to gamble or play cards?—I have never met him in any place but the club.
415. Have you ever known him to play cards?—Only on that one occasion.

ALFRED THORNTON DANVERS, examined on oath.

416. *The Chairman.*] Where do you reside?—I am a veterinary surgeon, and also secretary of the Napier Park Racing-club. I reside at Hastings.

417. *Mr. Taylor.*] Can you remember on what occasions you have been to the Wairoa races?—Nearly every year for the last ten years. I am handicapper for the club.

418. How often has Inspector Emerson been at the meetings?—Nearly every time, I think since he came into the district. He may have missed once or twice.

419. Do you remember his being there in February, 1893?—I could not remember the date.

420. Is that the race month?—Yes.

421. Do you see much of Inspector Emerson when he is on the Wairoa racecourse?—I think we generally stop at the same hotel.

422. Do you meet him frequently apart from the race-meetings?—I often see him in Napier when I come in.

423. Have you ever seen him card-playing?—The only time I can call to mind was at Wairoa one evening after a race-meeting.

424. How long ago?—About three years.

425. Who was playing with him?—Two Hastings men—tailors by trade.

426. Do you know what they were playing for?—I do not think it was for anything, unless it was for drinks. I looked in for a horse-owner, and as I looked in the game was going on.

427. You cannot say, then, whether there were stakes or drinks?—No.

428. Do you remember when Robinson was on the course while Inspector Emerson was there?—Yes.

429. Was he arrested?—Not that I know of.

430. He was not arrested?—No. I remember that Inspector Emerson reported him to the secretary, saying he was there. The secretary said to him that as long as Robinson did not play or make a fuss they would not bother about him.

431. *Mr. Cresswell.*] Wairoa is a place where they allow games on the course?—Yes, they used to. Robinson has a monkey and a marble, and a goose and a pack of cards.

432. There were other policemen there on that occasion, and also Detective Kirby?—Yes.

433. And if Robinson had done anything wrong they would have taken him in charge?—Yes.

434. What sort of time do the spielers get on your course from the Inspector and his men?—We do not see any of them now.

435. Was it always so?—At one time things were very bad.

436. And whom have you to thank for clearing the spielers off the course?—No doubt we have to thank Inspector Emerson. When he came here he got instructions from me as to what to do in the matter, and a short time ago I wrote to him on behalf of the club thanking him for what he had done.

437. You wrote by direction of the club?—No, not by direction.

438. During the last few years have you had a known bookmaker, or his agent or clerk, on the course?—Not without being turned off immediately.

439. I suppose you attend the Hastings racecourse too?—Yes.

440. The Hastings racecourse holds some of the best meetings in the colony?—Yes.

441. You attend that course and also other courses in the colony?—Yes.

442. Does what you have said about the Napier Club hold good to the Hastings and other clubs?—Yes, to all the clubs in the district.

443. That is, the spielers have been cleared off, and if they or their clerks or agents are seen they are immediately turned off?—Yes.

444. To whom do you attribute that?—To the Inspector and the police generally.

445. It has been suggested that the Inspector has been rather lenient with spielers: is that your experience?—No; I am certain the reverse is the case.

446. Have you ever seen the Inspector the worse of drink?—Never.

446A. In your opinion, is he a man addicted to gambling?—No.

447. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No.

BARRETT RUTLEDGE, examined on oath.

448. *Mr. Taylor.*] Has there not been a feeling among the men in the Force that political influence was necessary to secure attention to their wants?—That is so. It has been commonly remarked in the service.

449. Has it not caused a good deal of discontent and dissatisfaction?—There are some men who would not be content if they were made Inspectors.

450. But has there not been considerable dissatisfaction because men have felt that political influence has secured irregular transfers?—I have heard it so rumoured.

451. Has there not been a strong feeling to that effect?—It has been rumoured.

452. In regard to the enforcement of the licensing-laws, has there been a feeling among the men that diligence in that direction would not usually lead to promotion?—The man who does his duty need be frightened of no one.

453. But have the men not talked among themselves to that effect?—I cannot say so.

454. Have you any knowledge of the use of political influence being used by the men?—No.

455. *The Chairman.*] How many hotels are there in your own district?—Ten.

456. Have there been any prosecutions for breaches of the licensing-laws in that district in the last twelve months?—None since I have been in charge of the district.

457. How long ago is that?—Since 1895.

458. *Colonel Pitt.*] And you have had only one case of drunkenness this year?—Yes.

459. *The Chairman.*] Are you prepared to take steps when you observe any breach of the law?—Certainly. When I went to the district I gave the licensees to understand that if they did not keep within the bounds of the law I would take steps to make them, and I am satisfied they are now keeping within the law; otherwise I should have reported them immediately.

460. Are there any complaints or representations made to you as to repeated breaches of the licensing-laws in that district?—No. The only complaint I ever got was through an

anonymous letter, and I inquired into the complaint and found there was nothing in it. I had been in the district only a few days when I got the letter.

461. Are you the only constable in the district in which there are licensed houses?—I am. The house furthest away is fifty-three miles distant.

462. Where is that?—At Tarawera, on the Taupo Road.

463. Are you a mounted constable?—I am.

464. Are you able to say for certain as to the way that house is conducted?—I pay it visits at times, and I am told about its good conduct by travellers.

465. How many of the hotels are within an area of seven miles of you?—Five, including the one in Taradale.

466. *Colonel Pitt.*] Are you able to carry out the police duties in your district?—Yes.

467. *The Chairman.*] Do you perform any other duties than those of constable?—Yes; I am Inspector of Factories (no extra remuneration) and Ranger for the Taradale Town Board (extra salary, £5 a year).

468. *Colonel Hume.*] You were concerned in the Gleeson publichouse case?—Yes; the case was dismissed. It was in 1894.

469. Your going to Taradale was a betterment for you?—Certainly, it was decidedly better.

470. Notwithstanding your having endeavoured to get convictions against this publican it told in your favour instead of going against you?—I should say so.

471. Do you know of any case where a man has exerted himself in getting convictions against publicans and his action has told against him in any way?—No.

472. As regards political influence, do you know anybody in the service who has been at all benefited by it?—I cannot say I know any one.

473. You have never used it yourself?—No.

474. And you have got on very well in the service?—Very well.

ALFRED JAMES MITCHELL, examined on oath.

475. *Witness:* I am a police sergeant, stationed at Napier. In reading the *Wellington Times* and *Post* I noticed that Commissioner Tunbridge proposed introducing a new grade at the four centres, one of the duties to be to take control of the district during the absence of the Inspector. This I regard as a step of great importance, inasmuch as it must necessarily tend to preserve discipline; but I would suggest that it might be carried a little farther and made to apply to all district headquarters as well. By that I mean that the principle of transferring the control and responsibility to the next in rank during the absence of the Inspector should be made to apply also to all district headquarters. I believe it has been said here by inference that the sergeant does not understand the work. I submit that that is no attack on the principle, but that the statement should be regarded merely as evidence to prove that the right sergeant is not in charge of the station, for surely it will not be suggested that a competent sergeant cannot be found in the service.

476. *The Chairman.*] As a matter of fact, is it not now as you suggest it should be—that when an Inspector leaves the charge is handed over to the sergeant in charge of the station?—No. Evidence has been given to the Commission that it is not so as far as Napier is concerned. I would like to add that I for one feel thoroughly convinced that any departure from the rule that the control should be undertaken by the next in rank during the absence of the Inspector must necessarily cause friction and unpleasantness, and tend to undermine discipline.

477. Do you refer to handing it over to a district clerk?—Yes, or any person other than the man next in rank. I desire to speak exclusively of the principle, without being personal in the matter. I think the rule that control should be handed over to the one next in rank should be a hard-and-fast one.

478. *Colonel Pitt.*] At present if a telegram is received by the district clerk requiring action he hands it to the sergeant in charge?—No; the sergeant knows nothing at all about it. The work in the district office is done without the sergeant's knowledge in any shape or form.

479. If a telegram came reporting that a larceny had been committed, and that the perpetrator was supposed to have come to Napier, what would be done?—The message would be opened by the district clerk and minuted by him, and sent by him where he should feel disposed to send it.

480. Not necessarily to the sergeant?—No, unless it had reference to Napier Township; then it would be minuted and handed to me.

481. I understand from you that the sergeant does not necessarily know anything that goes on in the district office in the absence of the Inspector?—Nothing whatever. There is one exception I might make, and that is that if the Inspector be absent from the station for one or two or more hours in the township he has invariably asked me (if the clerk be away) to open telegrams in his absence. But during the absence of the Inspector from the station on tours of inspection I naturally conclude that, being the next in rank, I should have the charge of the district; but I have no such thing.

482. *The Chairman.*] In the absence of the Inspector your position is not altered?—No.

483. And in the absence of the Inspector the district clerk takes charge of the district outside the town?—Yes; and correspondence that comes that should be attended to in the township is minuted by the clerk as the Inspector himself would minute it.

484. Under the present system of telegrams, is not the Inspector practically always in touch with the district clerk?—Yes, necessarily.

485. The clerk has only to repeat the wire to the Inspector and take his instructions?—I do not know that that course is pursued.

486. *Colonel Hume.*] You have been very active in looking after the publicans, have you not?—Yes; I am generally credited with it.

487. Did you get any credit for what you have done?—I do not know that I got any special credit, neither did I ever receive any censure. I have steered my own course independently of all others.

488. Has it told against you?—I do not think so, judging by the position I at present hold.

489. Has anybody in authority over you ever tried to prevent you from using that activity in keeping the publichouses in check?—Never. I have always been allowed to do as I thought fit. If I thought I had a case I laid an information, and did my best to get a conviction.

490. Have you used any political influence to get on in the service?—I have left no stone unturned to advance myself; but I do not know whether it would be termed political influence or not.

491. Do you mean that you have tried to advance yourself by your own exertion?—Yes, I have done all I could to bring myself under notice.

492. *The Chairman.*] Have you ever had recourse to the influence of those not connected with the department to secure your promotion or advancement in the service?—No.

493. *Colonel Hume.*] Have you gone to politicians, clergymen, or Freemasons to speak for you?—No. I have never left a stone unturned to go ahead, but I have always tried to do it legitimately; that is to say, not against the rules of the service.

494. *The Chairman.*] Have you induced any influence to be brought to bear on the department to secure your advancement?—No.

495. *Colonel Hume.*] The exertions you have used have been through the Inspector?—Yes; through the prescribed channel.

496. Can you tell the Commissioners of any case of political influence where a man has been improperly promoted or rewarded improperly?—No. I think every man in the service is doing his best to push himself ahead, and all credit is due to him for it. I am one of the crowd, and I am trying to go ahead as rapidly as possible.

497. You were in Wellington lately?—Yes.

498. You would probably get to hear the opinions there of a good many men in the Force?—Yes.

499. Do you consider that the Force has been disorganized?—I cannot say I have seen anything to warrant me in saying it was in a disorganized condition. In this Force, like all other Forces, there have been a few black sheep, but they have generally found their level. It has been only a question of time with them.

500. You have found men discontented because they were not promoted?—Yes.

501. But because there are a certain number of malcontents in a Force you would not say that that force was disorganized?—No, certainly not; I do not think any Force exists without that element.

502. *Colonel Pitt.*] In the districts in which you have served, do you think there has been much reported crime undetected?—No, I do not. I think a very fair percentage has been detected.

503. Do you think men should be promoted in the Force for other than the detection of crime?—I think the general ability of a man should be taken into consideration.

504. Should he be promoted for saving life, or for putting out fires, for instance?—I think not. It has a tendency to cause dissatisfaction.

505. *Mr. Tunbridge.*] You were an acting-sergeant for some time?—Yes. I was appointed acting-sergeant on the 1st May, 1893.

506. And you were advanced to third-class sergeant on the 1st January, 1894?—Yes.

507. Are you aware that Acting-Sergeant Dwyer was advanced to third-class sergeant on the 1st February, 1897?—I have seen that by the *Gazette*.

508. Do consider yourself senior or junior to Sergeant Dwyer in the rank of sergeant?—Senior, now.

509. Do you think Sergeant Dwyer has any right to be placed over your head, dealing with the matter on the point of seniority and not on the point of merit?—I think that if the thing be limited to seniority alone as the ground for promotion he would have no right.

510. *The Chairman.*] He is below you in seniority?—Yes. I was made a third-class sergeant before he was, and now I have been made second class, and he is still third class. I know that Sergeant Dwyer was in the service before me.

511. You say you have generally been credited with looking after the publicans: you do not wish it to go forth that you have devoted the whole of your attention to looking after the publicans?—No. I wish to say that if it came under my notice that a breach had been committed I would do my best to bring the offender before the Court.

512. As you would do if a breach of any other law had taken place?—Yes.

513. What you mean to say is that if a publican breaks the law he has a right to be proceeded against like any other person?—Yes.

514. And you have always acted on that principle?—Yes.

TUESDAY, 31ST MAY.

FRANCIS LOGAN, examined on oath.

1. *Mr. Taylor.*]—Do you remember seeing Inspector Emerson on any occasion when in company with Mr. Jardine and Mr. Cotterell?—Yes, I do.

2. Do you remember where it was?—Just at the bottom of Shakespeare Road on the opposite side from the post-office.

3. Near Carnell's photographer's shop?—About there, or Mr. Cotterell's office.

4. Was he in company with any one?—Yes; he was in the company of two other individuals.
5. Was the Mayor one of his companions?—Yes.
6. Was he being assisted by these men?—Well, he was between them, and they either had hold of his arm on either side or he had hold of their arms on either side—I cannot say which.
7. Did you consider him sober at the time?—Well, we had no opportunity of knowing whether he was sober or not; it was towards dusk.
8. What was your judgment at the time: what conclusion did you come to?—Well, I should, of course, conclude, as I concluded then, that he must either have been very ill or else intoxicated.
9. Had you any doubt in your mind as to what his condition was?—Well, of course, as I said before, I concluded nothing except that he was either distinctly ill or else he was intoxicated.
10. Did the suggestion of sickness come to you at the time?—No, I cannot say that it did.
11. Was your conclusion at the time that he was intoxicated?—Well, I can hardly say that I should have arrived at any conclusion; but I do not think I can say anything more than I have said: either he was ill, or, from the manner in which he was being assisted, he was intoxicated.
12. *Mr. Cresswell.*] Of course, you are not prepared to say one or the other?—No, I cannot say.
13. Now, I think you frequently take part at the Napier Park and the Hastings race-meetings?—Yes.
14. Have you seen Inspector Emerson at those meetings?—Yes.
15. What has been his conduct on those occasions?—I should say from my observation that his conduct was quite exemplary on the occasions I have seen him at the races.
16. And I think you are one of the stewards of the Hawke's Bay Jockey-club?—Yes.
17. They hold their meetings at Hastings?—Yes.
18. At one time you were troubled with spielers and like gentry on the course?—I do not think we have been troubled with spielers for some time back.
19. At one time were you troubled with them?—I cannot recall any particular occasion when we were troubled with spielers; but, as a matter of fact, there have been spielers in times gone by on the course from time to time.
20. But now in the last few years has Inspector Emerson taken any action so far as they were concerned?—I do not know. I am not sure whether he has taken any action, but the fact remains that for some time past we have never had any reports from the club officials that there have been spielers on the ground.
21. If they go there is it not a fact that they are immediately warned off, and if they refuse to go they are prosecuted?—Yes.
22. And, so far as you can speak, the Hastings course is practically free of that class of people now?—So far as my judgment goes, it is.
23. Can you say the same applies to the Napier Park racecourse?—Yes; I think the same condition of things exists there as at the jockey-club's meetings.
24. And even bookmakers and their clerks and agents are excluded also, as well as the speling gentry?—Yes, bookmakers are excluded from both courses.

JOHN CULLEN, examined on oath.

25. *The Chairman.*] You are Inspector of Police, stationed at Greymouth?—Yes.
26. *Mr. Taylor.*] When did you come to the Hawke's Bay District?—I came to Napier in February, 1887, as sergeant.
27. And remained here until when?—Until February, 1894.
28. Did you serve under Inspector Emerson from the time he arrived here until you left?—Yes; Inspector Bullen was here when I came, and when he retired he was succeeded by Inspector Kiely, and when he retired Inspector Emerson assumed charge of this district. This end of the district was attached to Inspector Emerson's district when his headquarters were in the Waikato.
29. What was your attitude in regard to the speling fraternity when you were here?—Well, spielers were not allowed at all here until the latter part of my time in Napier. During the time Detective Grace and myself were here together we made it very hot for the spielers.
30. Well, now, for the latter part of the time you were here what was the state of affairs?—From the time Detective Kirby replaced Detective Grace in October, 1892, the spielers flocked here. I can use no other expression.
31. Do you suggest that the presence of Detective Kirby was one of the explanations for their increasing numbers?—Decidedly it was.
32. Was it not a well-known fact that the detective was strongly sympathetic with that class of people?—That was the impression amongst police and public.
33. What was the attitude of Inspector Emerson in regard to them while Kirby was here?—How do you mean?
34. Was he, do you think, leaning towards them, or did he endeavour to suppress them?—Well, of course, I can only speak from my own experience. I do not know what he may have done otherwise.
35. *The Chairman.*] Was Inspector Emerson living at Napier at the time?—I think he came here about January, 1893, and I left in February, 1894.
36. *Mr. Taylor.*] And you left Kirby here?—Yes.
37. During the time you were here under Inspector Emerson were the same efforts made to suppress the speling nuisance as prior to the Inspector's arrival?—No; at least, efforts were made, but they were not successful. I made efforts, but they were not successful.
38. What did you attribute the non-success to at the time?—Well, principally to Detective Kirby's influence over Inspector Emerson.

39. Did he try to frustrate the efforts of the police to get at these men?—That is what I understood from his actions.
40. *The Chairman.*] That is the opinion you formed?—Decidedly.
41. You feel your action was opposed by Kirby?—Decidedly; he was working against us.
42. *Mr. Taylor.*] Do you remember the prosecution of Adams and Martin?—Yes, I do—Hyams, *alias* Adams, and Martin, *alias* Cleary.
43. Were these men well-known spielers?—They were convicted spielers, expert three-card-trick men and confidence-trick men.
44. Well known to the police?—Yes; notorious spielers.
45. Were they tried in this Court?—They were.
46. Who was in charge of the prosecution?—I was prosecuting.
47. Was Detective Kirby in the Court?—He was.
48. Was Inspector Emerson here?—He was.
49. Did Kirby give these men a good character?—He did.
50. Was he the first witness called for the defence, do you remember?—He was.
51. Did the Inspector take any part at all in that case?—Not as regards prosecuting or assisting to prosecute.
52. As a matter of fact, what happened in this Court, so far as you remember, on that occasion: where did the Inspector sit?—He sat here, alongside Mr. Dinwiddie, who was defending the accused, and Detective Kirby stood or sat behind him. I was at the opposite end of the table.
53. Now, did the Inspector carry on a pretty continuous conversation with the solicitor for the defence?—Yes.
54. What was your opinion at the time as to his conduct?—Well, I thought it was extraordinary conduct for an Inspector of Police to indulge in. I felt satisfied he was prompting Mr. Dinwiddie.
55. Could you hear any conversation?—No.
56. Now, did he approach yourself or the other officers engaged in the prosecution during the case?—No, he never came near us. He knew nothing of the facts of the police cases against the spielers.
57. Did you regard him as antagonistic to the prosecution?—Certainly I did.
58. What was the result of that action?—The case was dismissed against them.
59. Was the dismissal largely due to Kirby giving them a good character?—Undoubtedly it was.
60. Was the matter of their previous conviction brought up?—It was.
61. Do you remember whether these men cleared out of the district straight away?—Well, no; Martin did not. I was afterwards successful in getting Martin convicted here for assault, and then he cleared out.
62. And the other man Adams?—He went away the day after the case against him was dismissed.
63. Now, have you at any time seen the Inspector, either at Napier or on the racecourses, in an apparently friendly conversation with spielers?—I have seen him talking to them.
64. Pretty often?—Yes.
65. As an officer serving under him, what effect would such familiarity have upon you?—Well, it depends on the individual. So far as I was concerned myself, it was not likely to have much effect upon me, because I am not easily influenced.
66. Do you think it would influence some men prejudicially in the discharge of their duty?—Undoubtedly it would.
67. Do you remember a character named “Murrumbidgee,” or Robinson?—Yes, Thomas Robinson, commonly known as “Murrumbidgee.”
68. Was he frequently knocking about here and the racecourses?—Yes.
69. Do you remember his being arrested at Taradale races?—I remember he was arrested, but I was not there. I was at Napier that day.
70. Do you know whether the men under you in the district regarded “Murrumbidgee” as a privileged spielers from a police standpoint?—Well, of course, I do not know what the other men may have thought.
71. Did you regard him as being a privileged spielers?—Not so far as I was concerned myself.
72. Do you believe, then, so far as Robinson was concerned, he was on friendly terms with Kirby and the Inspector?—Yes.
73. *The Chairman.*] You yourself understood that he was on friendly terms with the Inspector and Kirby?—Yes; from what I saw I could draw no other conclusion.
74. *Mr. Taylor.*] Were you surprised to hear of “Murrumbidgee’s” release without a trial?—I was.
75. Did you hear at the time a sufficient reason for it?—No.
76. Now, in regard to the habits of the Inspector so far as sobriety is concerned, have you seen him at any time you were here with him under the influence of liquor?—Yes.
77. Can you remember any particular occasion?—I can call to mind one particular occasion. That was during the time he had his headquarters at Hamilton, and he was down here on inspection duty.
78. *Mr. Cresswell.*] How many years ago would that be?—I suppose in 1892.
79. *Mr. Taylor.*] Under what circumstances did you see him then?—On the occasion when he was going away by steamer.
80. Was he intoxicated?—He was noticeably under the influence of liquor.

81. Can you fix any other occasion when you saw him in the same condition?—No, I do not think I can.

82. Have you noticed liquor on him more than once?—Yes, I should say so, but never so perceptibly as on that occasion.

83. *The Chairman.*] You are speaking of the period from 1892 until you left in 1894?—Yes.

84. Did you see much of him during that time?—After he came to the station here about fourteen or fifteen months I saw a good deal of him, of course. That is, while he was on the station here.

85. *Mr. Taylor.*] Do you consider from your knowledge of the Inspector that his conduct was such as to maintain discipline in the Force and command the respect of the men?—No, it was not.

WALTER WILLIAMS, examined on oath.

86. *The Chairman.*] What is your rank?—Second-class constable, stationed at Woodville.

87. *Mr. Taylor.*] When did you join the Force?—I joined on the 7th August, 1883.

88. What Inspectors have you served under?—Inspectors Shearman, Emerson, Goodall, Pender, and then Emerson again.

89. How long have you been in your present station?—Two years on the 9th March last.

90. Where did you serve under the present Inspector previously?—In the Westland District, at Kumara and Ross.

91. Has Inspector Emerson been as strict in maintaining discipline as the other Inspectors whom you have named?—Well, no; I cannot say that he has been.

92. In what respect do you say that?—Well, I hardly understand what you mean.

93. Take Inspector Pender, for instance: does Inspector Emerson compare favourably as regards the maintenance of discipline?—Well, in my opinion, he does not.

94. Is he more familiar with his men than Inspector Pender?—Well, yes. Of course, I have not seen very much of Inspector Pender, but Inspector Emerson has been familiar.

95. Can you give any instance to support that?—In what way do you mean?

96. Give us an instance of any act of familiarity that you think would be prejudicial to discipline?—Well, he has called men by their Christian names, and in my opinion that is one thing derogatory to discipline—at any rate, it is not conducive to discipline.

97. Has that happened in the presence of other men?—Yes.

98. *The Chairman.*] Has he addressed more than one person by his Christian name?—Yes, I think I can say more than one. He has never addressed me by my Christian name.

99. One witness said he had known the Inspector from a boy, and for the last twenty-eight years he had always addressed him by his Christian name: do you refer to any other case than that where he calls men by their Christian names?—I cannot call to mind many instances, nor recollect the dates.

100. Have you heard him call any men other than Sergeant Siddells by their Christian names?—Yes; I have heard him call Constable Bowden, of Pahiatua by his Christian name.

101. *Mr. Taylor.*] Do you know where Bowden is stationed now?—At Pahiatua.

102. Now, as to his general demeanour towards the men, does it conduce towards discipline?—Well, it is free and easy. I may say that it is certainly not conducive towards military discipline.

103. Have you had military experience?—Yes.

104. Have you attended any race-meetings with him on duty at any time?—Yes.

105. In regard to the spieler question, have you believed that the Inspector desired you to suppress the spieler nuisance?—I do not think that he was desirous that I should suppress it on one occasion that I could mention.

106. When was that?—It was ten years ago, at Ross.

107. Has the Inspector always been absolutely sober when you have seen him?—Yes. I have never seen him the worse of drink.

108. Have you ever seen him card-playing?—Yes; I might have seen him playing a game of cards.

109. For stakes?—Never.

110. *Mr. Cresswell.*] What rank do you hold?—Second-class constable.

111. How long have you been a second-class constable?—I think about three years; I am not quite certain.

112. And because you are a second-constable do you think yourself competent to sit in judgment on the Inspector?—I simply answer questions as they are put to me.

113. Is it a complaint of yours that he is familiar with the men by calling them by their Christian names?—It is no complaint of mine.

114. What objection is there to it?—we had the case yesterday of Siddells, where he had known him for twenty-eight years, since boyhood, and always called him by his Christian name: is there any offence in that?—I should say it was not conducive to good order and discipline.

115. Would you not rather say it is childish of you to say so?—I should certainly not.

116. You think a man who has known another man from boyhood—a man who is old enough to be his father, who has known him right through, and served him, and calls him by his Christian name—is not conducive to discipline in your idea?—No, not if they are working in the public service.

117. What military service have you had?—I have served twelve years in Her Majesty's army.

118. What rank?—A trooper in the Life Guards.

119. Now, has there been a little bit of friction between you and the Inspector?—Yes, he has reported me on one occasion lately.

120. What for?—There were various charges.

121. Particularly one?—There was one charge of insubordinate language used towards him.
 122. What was done to you?—Nothing.
 123. Nothing beyond the report?—Oh, yes, I was cautioned.
 124. By the Commissioner?—Yes.
 125. Now, you say you have served in the police under four different Inspectors: did you ever serve under Inspector Bullen?—Never.
 126. I suppose you have heard a good deal about Inspector Bullen?—Yes.
 127. Was he the sort of Inspector you want to serve under?—I know nothing about him.
 128. I suppose you have served under different military officers—I suppose they were not all martinets?—I do not say the Inspectors were martinets.
 129. You say some men are stricter than others, and some carry out discipline in a harsher manner than others do: now, in what respect does Inspector Emerson differ in carrying out his duties as a police-officer from, say, Inspector Pender?—I think he is too familiar, in this way: he mixes too freely with the men to keep up a proper state of discipline. That is my impression.
 130. What opportunities have you had of judging that he mixes freely with his men within the last five or six years?—Within these last two years, and previously to that—from 1885 to 1889.
 131. Take these last five or six years?—I have had two years' experience under him.
 132. How many opportunities have you had of judging that he mixes with the men too freely: you do not come to Napier?—Yes, I have been in Napier since I have been here.
 133. On duty?—With prisoners and others.
 134. What opportunities, then, have you had of judging: have you had twenty opportunities of judging?—No, I have not.
 135. Have you had five?—Yes.
 136. Now, have you been in correspondence with Mr. Taylor?—No.
 137. Did you write to Mr. Taylor last Wednesday?—Yes, I wrote to him.
 138. Did you say in that letter you wrote to him it would be inadvisable to call you as a witness before this Commission?—Yes.
 139. Why?—Because I really did not want to be mixed up with it.
 140. No other reason?—No.
 141. *The Chairman.*] What reason had you to suppose that you would be mixed up with it?—Mr. Taylor informed me I would be called.
 142. *Mr. Cresswell.*] When?—When he came through Woodville on his way to Napier.
 143. How many letters have you written to Mr. Taylor in connection with this Commission?—One.
 144. When?—The one I mention on the 25th of this month, I think.
 145. *Mr. Taylor.*] When I told you as I was going through Woodville that I purposed calling you, did not you then tell me you would not appear?—Yes.
 146. *The Chairman.*] Did you say you would not appear without a subpoena?—Yes.

WILLIAM COUGHLAN, examined on oath.

147. *The Chairman.*] What is your rank?—First-class constable, stationed at Clive.
 148. *Mr. Taylor.*] You were stationed at Wairoa some time ago?—I was.
 149. How long have you served under Inspector Emerson?—Close on six years in Inspector Emerson's district.
 150. Do you remember any one in Wairoa reporting a case of furious driving to you just before the death of young Lindergreen?—Yes.
 151. Did they give you the names and addresses of the persons?—No.
 152. What information did you get?—The information I got was that young Lindergreen had been driving rather furiously.
 153. Did you take any steps to prosecute?—I did.
 154. What steps?—I sent a constable to make inquiry, but he could get no evidence.
 155. What constable did you send?—Constable Ramsay.
 156. Did Constable Ramsay board at the same hotel as Lindergreen?—Yes, he did at that time.
 157. Do you know whether Ramsay and Lindergreen were boon companions at Wairoa?—I know nothing beyond that I thought they were civil, as young men should be.
 158. Now, do you not know they were very friendly?—I believe they were, as young men would be when boarding in the same house. I heard that Lindergreen boarded there, but beyond that I do not know.
 159. Where did they board?—At the Wairoa Hotel.
 160. Who was landlord then?—Poyser.
 161. What was the report?—The report was that he could find no evidence to support the statement of the parties who said they saw Lindergreen driving furiously. He said there was no such thing as furious driving.
 162. After Lindergreen's death were you satisfied that Lindergreen and Ramsay used to drink together of an evening at this hotel?—Not from my own knowledge.
 163. How many hotels at Wairoa?—Three hotels.
 164. Did you ever have a prosecution against any of them?—Yes.
 165. Against which?—Against Crarer, for breach of the Beer Duty Act.
 166. Did you ever have a prosecution against Poyser?—No.
 167. Where used the Inspector to stay when he came to Wairoa?—Sometimes at the Wairoa Hotel and sometimes at the Clyde Hotel.
 168. Do you remember Constable Shaw prosecuting Poyser?—No.
 169. Were you not there then?—No.

170. How often was Inspector Emerson at Wairoa when you were there?—About four or five times.
171. Where did you use to see him when he was there?—Sometimes in the street, and once I called on him after 11 o'clock at night at the hotel to confer with him respecting a death that occurred owing to a football match.
172. Where did you see him?—I did not see him—spoke to him from outside the bedroom door.
173. Where did you see him on any other occasion?—In the streets.
174. Have you seen him under the influence of liquor at Wairoa?—No, nor anywhere else. I have never observed the slightest signs of liquor on him.
175. Where have you seen him besides Wairoa?—At Napier, Waipukurau, and Hastings.
176. Has the Inspector been up to Wairoa on more than one occasion to inquire into complaints?—I do not think so.
177. What was the nature of the complaint?—I think sly-grog selling in the back districts.
178. Where was the inquiry held?—At the police-station.
179. Who were the complainants?—I think it was the effect of an anonymous letter.
180. A charge against who?—Nobody that I know of.
181. Did the Inspector ever go up to inquire into the sobriety of any policeman in the district?—No, not during my time.
182. Were you there when Constable Shaw was removed?—No, I was not; I took his place.
183. What has been your feeling in regard to the enforcement of the licensing-laws in the Wairoa: had you the feeling that you had a perfectly free hand?—A perfectly free hand.
184. How long have you been in charge of a country station?—About eighteen years.
185. Ever had any complaints against your efficiency?—Very likely I may have.
186. On what score?—I do not remember. I have not known any.
187. I do not mean from the public, but from your officers?—No. I do not remember any complaints ever having been made of me in writing.
188. Did you make an application for removal to Clyde?—I did not. The man who was there said he was anxious to get away, and I thought the place would suit me best because I have a grown-up family, and it is near a place where they would find employment. That is why I felt inclined to exchange.
189. Did you make an application for the move?—No; I was asked through the constable if I was willing to exchange, and I said I would have no objection. We arranged it between ourselves.
190. Who was the constable?—Constable Kennedy.
191. Did he tell you why he wanted to go to Wairoa?—Yes; his wife was delicate, and he thought Wairoa would suit her.
192. Did you ever see the Inspector playing cards anywhere?—No.
193. Has he always been very strict in discipline with you?—Yes, very strict.
194. Did the Inspector ever complain to you about your inefficiency?—No. I never remember him to have found fault with me except in his minutes. I always found him very strict in his minutes.
195. That is, the correspondence you have had with each other?—Yes.
196. How long were you in the Force before you got a country station?—I have been seven or eight years.
197. And then you have been in a country station ever since you first struck one?—No; I was in the City of Auckland for about four years and a half.
198. How long have you been in charge of a country station?—Nearly eighteen years.
199. The whole time of your service?—No.
200. Did you make the application originally for appointment to a country station, or was it given to you without an application?—It was given to me voluntarily.
201. *Mr. Cresswell.*] I think you were stationed at Awanui, on the East Coast?—Yes.
202. Did the Inspector ever go up there to see you?—Yes; I met him there on one occasion.
203. Did you ever see him under the influence of liquor there?—No; never at any place.
204. Or card-playing there?—No.

SAMUEL PERCIVAL NORWOOD, examined on oath.

205. *The Chairman.*] What is your rank?—First-class constable and district clerk, now stationed at Napier.
206. *Mr. Taylor.*] How long have you been in this district?—About ten years.
207. Have you been here the whole of the time Inspector Emerson has been here?—Yes; he came here in 1893.
208. Do you remember Mr. Hustwick calling on you at all?—He has, on several occasions.
209. Do you remember a conversation regarding Inspector Emerson taking place with Hustwick?—I remember a confidential conversation with Mr. Hustwick.
210. Have you on any occasion ever seen Inspector Emerson under the influence of liquor?—Never.
211. Have you always been doing clerical duties since he has been here?—Yes.
212. Never street duty?—No.
213. Do you see anything of him outside of your office?—Very rarely.
214. Do you remember whether any correspondence took place with regard to the man Robinson at Taradale?—Yes, there was correspondence.
215. Is it in Napier?—No; the original is in Wellington.
216. Did you conduct the correspondence?—I recorded it in the books. I have full extracts in the office.

217. *Colonel Pitt.*] Do you see the Inspector daily at Napier?—Yes.
218. And every night?—Not every night. Latterly, this last six months, I have seen him nearly every night, but previous to that I very rarely saw him at night-time.
219. *The Chairman.*] You have seen him every day?—Yes, when in Napier.
220. Have you at any time when he has been in his office seen him at all affected by liquor?—I can truthfully say I have not.
221. *Mr. Cresswell.*] You have a very large amount of correspondence in your office?—Yes, about three thousand files in the year.
222. Who minutes the instructions on all correspondence?—I do at the Inspector's directions in most cases. In minor cases I do so myself.
223. But on all matters requiring attention he always gives you instructions as to the replies and as to the correspondence?—That is so.
224. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No, not from my personal experience.
225. Have you ever known him to be addicted to gambling?—My connection with the Inspector is confined to the office, and I have never seen him gamble.
226. Have you ever known the Inspector to be unwell?—Oh, yes.
227. What does he suffer from?—Influenza on two occasions—three weeks, I think, he was laid up.
228. Was he very bad?—Yes.
229. *The Chairman.*] How long since were these attacks?—The first one was about the time Kirby was arrested.
230. *Mr. Cresswell.*] That would be over two years ago?—Yes.
231. And the next time?—Sometime about the flood, in 1897.
232. On one of these occasions he was about three weeks ill?—On both occasions he was ill, I think, about three weeks.
233. Now, on these occasions used he always to walk to the office?—I think once or twice he came in a cab.

WEDNESDAY, 1ST JUNE, 1898.

HERBERT JOHN BENNETT, examined on oath.

1. *The Chairman.*] What rank do you hold?—Third-class constable, stationed at Wairoa, where I have been since last November.
2. *Mr. Taylor.*] When did you join the Force?—About three years ago.
3. Have you been under Inspector Emerson the whole time?—Yes.
4. In what stations have you done duty?—Napier, Hastings, and Wairoa.
5. Did you see the Inspector every day when you were in Napier?—I saw him pretty often, but not every day.
6. How often did you see him at Hastings?—Occasionally.
7. Have you been stationed at Hastings?—Yes, temporarily for two months.
8. Were you at any race-meetings at Hastings?—Yes.
9. Did you see the Inspector there?—Yes.
10. Has the Inspector always been perfectly sober when you have seen him?—Yes, at the race-meetings.
11. On what other occasions have you seen him when his condition has attracted your attention?—I do not know that there has been any occasion.
12. Have you on any occasion seen him when he was not perfectly sober?—I recollect seeing the Inspector on one occasion when he may have been slightly under the influence of liquor. It was in Wairoa.
13. What was about the date?—I do not know day or date, but it was during the last winter race-meeting there.
14. Where was he?—In Poyser's Hotel, where he was boarding.
15. Was he in the bar?—No; in a private room.
16. Were they card-playing?—No.
17. Have you at any time seen the Inspector card-playing?—No.
18. When in Napier have you on any occasion seen him with signs of liquor on him?—I do not recollect any occasion in Napier.
19. Have you ever seen him drunk in Napier?—No.
20. Have you seen him card-playing at any time?—No.
21. Not even in Hastings?—No.
22. Who was present at Poyser's when you saw him?—I do not know that any one was. He was in a private room by himself and was lying down. I went in to speak to him.
23. Is that the only occasion on which you can distinctly remember seeing him under the influence of liquor?—Yes.
24. Were you stationed at Wairoa when Constable Shaw was there?—No; Constable Coughlan was there when I was transferred to that place.
25. *Mr. Cresswell.*] When you went to see him in the hotel did you go on business matters?—No.
26. You went to see him privately?—I did not exactly go to see him. I went into the room and he was there.
27. Was he able to transact business?—I could not say. He did not attempt to.
28. There was no necessity?—No.

29. What makes you say you think he was under the influence of drink?—By the way he spoke.

30. Was he then suffering from any complaint?—Not that I am aware of.

31. So far as the spiellers are concerned on racecourses, what are your instructions from the Inspector?—I do not think I ever got any from the Inspector.

32. What are your instructions, then, from the sergeant?—To watch them closely, and to detect crime if possible.

33. Have you always carried out your duty in that respect?—I have; and, so far as I know, the other constables have done the same.

34. Have you ever known the conduct of Inspector Emerson to be other than that befitting an Inspector of Police?—He is the only Inspector I have ever served under, so I can hardly say.

35. Has his conduct been such as an Inspector's conduct should be?—I could not say.

36. Are you personally friendly with the Inspector?—Well, I am a third-class constable and he is an Inspector.

37. But you are well disposed towards him?—Yes, certainly.

38. *Colonel Pitt.*] When you say you do not know whether his duties as Inspector are properly carried out do you mean that you, being a constable, are not capable of judging?—I mean that he is the only Inspector I have ever served under, and that I do not know how other Inspectors conduct themselves towards their men.

39. *Mr. Cresswell.*] The Inspector had you on the carpet on one occasion, I think?—Yes, and fined me 10s.

40. You were rather annoyed?—Yes, as I did not consider I deserved it.

41. Have you communicated the fact to Mr. Taylor?—No, and I do not know whether Mr. Taylor knows it.

42. *The Chairman.*] Why do you think the punishment was not deserved?—I think the offence was trivial. The complaint against me was that I was a little late on the 5 a.m. relief. I told my reasons, and I was not asked to prove them. I forget what was put down as the time that I was late. Sergeant Mitchell told me he was quite satisfied with my reasons.

43. Who inquired into the complaint?—I do not know that there was an inquiry. I was called on by Sergeant Mitchell to explain why I was late, and I did so, and the next thing was that I was taken into the office before Inspector Emerson and fined 10s., without any further inquiry.

44. Do you feel, then, that the Inspector has done you an injustice?—It was the first time I had been reported. I have been nine years in the Government service in various branches, and I thought that, under the circumstances, the punishment was severe.

45. Does this feeling prejudice your opinion of the Inspector's conduct in any other matter?—No, not in the least.

46. Do you wish us to look into the complaint made against you?—No; I did not wish it to be brought up at all. I am under the impression that the punishment will not be put on my defaulter-sheet. I understand that when any mark is put on a man's sheet he is informed of it, but in this case I have not been informed that there is a mark. I do not know anything about it.

47. *Mr. Cresswell.*] What time are you supposed to be on duty in the morning?—At 5 a.m.

48. And at what time were you found in bed that morning?—I was not found in bed at all. I think I turned up to duty about 6 o'clock, but I am not sure.

49. Would it be nearer 7?—It was between 6 and 7, but I think it was nearer 6.

50. Are you a single man?—No.

51. Were you quartered at the station?—No; I was living in my own house.

52. Before the Commission sat did you say to any one that you expected to get that fine removed?—No.

53. Did you say that unless it was removed you would bring it before the Commission?—No.

54. What conversation did you have with Constable Ramsay about the matter?—I do not know.

55. Have you spoken to him about it?—Probably I have. It was the talk of the barracks at the time.

56. Did you say, "Unless the charge is wiped off the sheet I will bring the matter before the Commission"?—I do not recollect saying anything of the kind to Constable Ramsay.

57. *Colonel Hume.*] When was this offence committed?—I do not know the date. It was some time before I left Napier.

58. If you had not been asked a question about it you would not have brought it up?—No.

JAMES HANNAH SMYTH, examined on oath.

59. *Mr. Taylor.*] Do you live at Wairoa?—Yes.

60. Are you keeper of the bridge there?—I am the lessee of the toll on the bridge.

61. How long have you been in Wairoa?—About thirty-five years.

62. Are you a steward of the racing-club there?—I was previous to this year.

63. While you were a steward do you remember a written application coming from Robinson (known as "Murrumbidgee") for a right to play games on the course?—Yes.

64. Did the club accept £20 from Robinson for the right to play games of chance on the course?—No.

65. How much did they accept?—£15, I think.

66. Do you know what kind of game Robinson was playing?—It was a game with a machine—a table and a marble.

67. Did the people put money on certain numbers?—It was something like that—either numbers or colours.

68. As one of the stewards, did you regard it as likely that that game would ordinarily be interfered with by the police?—We knew the police might stop it.
69. Was Inspector Emerson present on both days when the game was being played?—Yes.
70. You were clerk of the scales?—Yes.
71. Was the man interfered with for playing?—Not that I know of.
72. You would have heard if there had been a prosecution?—Yes.
73. How long ago is this?—About two or three years ago.
74. Was the same game played by any other person at any time?—Years ago, but not lately.
75. Can you tell us why it has not been played lately?—Until that year the club set themselves against anything like that, as it militated against the totalisator.
76. As a steward of the club, were you under the impression that this game was played with the knowledge of the police and practically with their permission?—I could not say that. The police were there and could not help seeing it.
77. Did you at any time report a case of furious driving to the police at Wairoa?—Yes, about a week or ten days before Lindergreen's death.
78. To whom did you report the matter?—Constable Coughlan.
79. Was it a bad case of reckless driving?—Yes.
80. You would be a good judge of careless or careful driving?—Yes, but it did not require much of a judge in that case.
81. Were you interviewed by the police about the case?—I went to the police about it.
82. Did you tell them where they could get witnesses?—Yes.
83. Did the police in making inquiries come to you?—No.
84. Did you see Inspector Emerson about Coughlan when you came to Napier?—I saw him in Wairoa.
85. What did you tell him?—That Coughlan was utterly useless.
86. What did the Inspector say?—He said he knew he was.
87. Do you know who investigated that case of furious driving?—I knew nothing but what I saw in the paper—that Constable Ramsay was sent to investigate it.
88. Who was the man who was driving furiously?—Lindergreen.
89. Were Constables Ramsay and Lindergreen boon companions in Wairoa?—I have seen them together very often.
90. Do you remember on one occasion a serious disturbance by larrikins at a wedding?—Yes; I went to the place to see what was the cause of the disturbance.
91. Were the police there?—Constable Coughlan was there.
92. Was it a serious disturbance?—Nothing was broken, but the peace of the night was disturbed from about 11 to 2 o'clock.
93. And there was no prosecution?—No.
94. Did the larrikins have a good time with the police?—Yes; they played with the constable.
95. Do you remember reporting to Inspector Emerson the existence of a sly-grog-selling establishment in your neighbourhood?—Yes.
96. Can you remember when it was?—About four or five years ago.
97. Did he send any one to investigate?—I believe he did. I saw a man who came there.
98. Did anybody in the Wairoa district know his mission?—Yes. I do not know whether the Inspector sent him or not.
99. Was there a prosecution?—No.
100. Did you consider such an effort to detect sly-grog selling ridiculous?—Most ridiculous.
101. Have the liquor-laws been fairly well enforced in Wairoa?—I think so, lately.
102. Have you not seen drunken men and women lying there for hours?—Some Maoris, occasionally.
103. In the public streets?—Yes, but not since Coughlan left.
104. *Mr. Cresswell.*] You do not agree with the means the Inspector adopted to detect the sly-grog selling. Do you know what means he adopted?—No, I do not.
105. You are telling us something "the man in the street" said?—Yes.
106. Are you not the walking newspaper of Wairoa, Mr. Smyth?—Perhaps I am.
107. If a man wants to know anything about Wairoa, past, present, or future, he will go to you?—And he would have a very good authority.
108. You have known Inspector Emerson since he has been in the district?—Yes.
109. Have you ever known him to be the worse of drink?—No.
110. Has the Inspector always been in a fit state to transact his business when you have seen him?—Yes; I have never known him otherwise.
111. Have you ever known his conduct to be other than that befitting an Inspector?—No, not as far as I know.
112. So far as this game of Robinson's is concerned, do you suggest there was any unfairness about the game?—I did not attempt to play it, as I had my own work to do; but I do not suggest that there was any unfairness.
113. How was the game played?—I do not know; I never examined it.
114. Personally, have you any objection to the game?—Personally I have no objection to any game.
115. In your capacity as steward did you hear of any cheating by Robinson, or any unfair treatment?—No.
116. *Mr. Poynton.*] As a steward of the club, were you in favour of accepting the offer of £15?—No; several of us were against it.
117. *Mr. Tunbridge.*] You say you think Coughlan is useless?—Yes, because he will not do any duty.

118. Is he getting too old?—That may be the case, and too lazy too.
 119. Are the police duties in Wairoa now performed satisfactorily?—I think so.

ARTHUR HUME, examined on oath.

120. *Witness.*] I produce the file of papers relating to the result of an action, *Robinson v. The Town and Suburban Racing-club*, for false arrest, &c. The Inspector at Napier, in reporting the matter to me on the 2nd June, 1893, says: "Mr. Cresswell, solicitor to plaintiff, has informed me that he only intends calling the police as witnesses against the racing-club, and that the constables' names were inserted in writ for that purpose.—John Emerson, Inspector." As to the release, the papers merely say that Mr. William Heslop, J.P., released the prisoner. On the 26th May, 1893, Inspector Emerson wrote to Constable Kennedy, Clive, as follows: "Please report fully as to what part you took in the arrest of the man Robinson, otherwise 'Murrumbidgee,' on the Taradale racecourse on the 24th instant, narrating all conversation which took place relative thereto in your hearing." On the 27th May, 1893, Constable Kennedy reported:—

Police-station, Clive, 27th May, 1893.

Re attached correspondence: I beg to state that I was present on duty at Town and Suburban racecourse on the 24th instant, about 2.50 p.m., when Mr. Binnie, secretary to the club, came up to me and said, "I want you." I said, "What is the matter?" He replied, "There is a man here laying totalisator odds, and I want you to put him off the ground"; at the same time he pointed to Robinson, who was standing in the centre of a crowd taking money and issuing tickets on the race which was going to start. I replied to Binnie, "Inspector Emerson is on the ground, and Constable Harvey is in charge, you had better see one of them." Harvey was then on the course. Binnie went over to the rails, and called out to Harvey that he wanted him. Harvey came up to Binnie, when he told him that he wanted a man who was laying totalisator odds put off the ground. He pointed out Robinson to Harvey. Constable Harvey then requested Robinson to leave the ground. He refused to leave, saying he would not leave unless he was given in charge. Binnie then gave Robinson back his shilling which he paid for admission to the ground. Robinson still refused to leave, when Binnie called out, "Harvey, do your duty. I give him in charge to prosecute him." I insist on you taking him to the lock-up." Harvey replied, "Very well, you will have to prosecute him." Constable Harvey then took the man in charge. They walked down towards the entrance-gate. I walked close behind them. When near the gate they went on a few yards ahead of me. When I got to the gate Constable Harvey and the prisoner were in a cab in front of the gate. I spoke to Harvey, and said, "You don't want me now?" He replied, "Yes, I do. Come along in here." I then went into the cab. Harvey then told the driver to drive to the police-station, Taradale. When we got to the station I got out and spoke to Mrs. Leitch. She handed me the keys. Harvey and the prisoner went on to the lock-up. When I got to the lock-up the prisoner was counting his money. For fear of mistake I counted the money after him. He asked me if I would be good enough to put the amount in his pocket-book. I done so at his request. Harvey then put the prisoner in the cell, and closed the door on him. There was no charge entered up against the prisoner, and no property-sheets were made out. His money and effects were placed together in the police-office.

JOHN KENNEDY, Constable.

J. Emerson, Esq., Inspector of Police, Napier.

On the 26th May, 1893, Inspector Emerson wrote to Constable Harvey as follows:—

Police-office, Napier, 26th May, 1893.

Please report fully as to what part you took in the arrest of the man Robinson, otherwise "Murrumbidgee," on the Taradale racecourse, 24th instant, narrating all conversation which took place in your hearing relative thereto.

JOHN EMERSON, Inspector.

Constable Harvey, Spit.

On the 27th May, 1893, Constable Harvey reported as follows:—

Police-station, Spit, 27th May, 1893.

Report of Constable Thomas Harvey relating to the arrest of man referred to in the attached report.
 I beg to report to officer in charge that I was on duty at Town and Suburban racecourse on the 24th instant. About 4 p.m. I was on the racecourse when Mr. Binnie, the secretary of club, came and called Harvey, and said, "I want you at once." Binnie then said, "There is a man laying totalisator odds here. I want you to put him off the course." I then came up, and Binnie pointed out the man that was laying the odds mentioned. I then requested him to leave the course, but he refused to leave. Binnie then gave him back the shilling he had paid for admission, but he still refused to leave, and said he would not go unless he was given in charge. Binnie then said, "Harvey, I give him in charge; lock him up." I still refused to remove the man, when Binnie remarked, "Harvey, I insist on you doing your duty. I give him in charge; lock him up." I said to Binnie, "You will be responsible and have to prosecute." Binnie said, "Right." Constable Kennedy was present and heard all that passed. The man was given in charge by Binnie for laying totalisator odds.

THOMAS HARVEY, First-class Constable, No. 165.

J. Emerson, Esq., Inspector of Police, Napier.

On the 26th May, 1893, the Inspector wrote to Constable Leitch as follows:—

District Office, Napier, 26th May, 1893.

PLEASE report as to what you know in connection with the arrest of Robinson, otherwise "Murrumbidgee," on Taradale racecourse, on 24th instant, detailing any conversation you heard between members of the club and myself relative thereto, also as to charge entered up in books at Taradale watch-house.

JOHN EMERSON, Inspector.

Constable Leitch, Taradale,

Constable Leitch reported:—

Police-station, Taradale, 27th May, 1893.

REPORT of Constable Leitch re arrest of Robinson on Taradale racecourse on 24th instant:—
 I respectfully report that I was doing duty as mounted constable on the Taradale racecourse on the 24th instant. The other members of the Force present were Inspector Emerson, Detective Kirby, and Constables Harvey, Norwood, and Kennedy. After the fourth race had been run Constable Kennedy told me the secretary, Mr. Binnie, wanted to have "Murrumbidgee" removed from off the course, and that he was going to get Tom (meaning Constable Harvey) to go with him. I remained on the course for some time, and then rode round to the saddling-paddock. While there Inspector Emerson came to me, and told me that Robinson had been locked up and that there was no charge against him, and told me to get a Justice of the Peace and go down to the lock-up and have Robinson discharged. I went and found Mr. William Heslop, who is a Justice of the Peace, and brought him to Inspector Emerson, Mr. Binnie and whom we met, coming with us. Mr. Binnie then said that he had no charge against Robinson, and that he had not given him in charge to the police, but that he had requested Constable Kennedy first and then Constable Harvey to remove him from off the ground. Constable Harvey asked him (Binnie) if he would lock him up, and that he (Binnie) replied, "Lock him up, or do whatever you like with him, but take him away from here." I went to the lock-up accompanied by Mr. Heslop. I found the man Robinson in the lock-up, but no charge entered in the book against him. I found his property in the office, but no property-sheet had been filled in. Mr. Heslop then discharged Robinson, and I handed him over the property, getting a receipt from him.

J. Emerson, Esq., Inspector of Police, Napier.

THOMAS LEITCH, Constable, No. 304.

Constable Kennedy reported :—

Police-station, Clive, 1st June, 1893.

REPORT *re* service of writ for damages.

I beg to state that yesterday, 31st May, 1893; I was served with a writ for damages, £500, in the case of Robinson *v.* the officers and members of the Town and Suburban Racing-club, first set of defendants; Constable Harvey and Kennedy, second set of defendants; and Louis Binnie, third defendant. The case is set down for hearing at the first sittings of the Supreme Court holden at Napier.

J. Emerson, Esq., Inspector of Police, Napier.

JOHN KENNEDY, Constable, No. 432.

Constable Harvey reported :—

Police-station, Spit, 31st May, 1893.

REPORT of Constable Thomas Harvey, relating to writ been served on Constable by Cresswell, solicitor, Napier.

I beg to report to officer in charge that the writ referred to as above is relating to the arrest of Robinson, *alias* Murrumbidgee, on the 24th May, 1893, at Town and Suburban racecourse.

J. Emerson, Esq., Inspector of Police, Napier.

THOMAS HARVEY, First-class Constable, No. 165.

Inspector Emerson then reported the matter to me as follows :—

I beg to forward herewith correspondence relative to an action pending in the Supreme Court here on the 13th instant.

The facts of the case are as follows : On the afternoon of the 24th ultimo, after the fifth race had been run at the Town and Suburban races held at Taradale, I was informed that a man named Robinson, otherwise "Murrumbidgee," had been arrested by Constables Harvey and Kennedy for laying totalisator odds. I immediately went to the secretary, who informed me that he had only ordered Robinson's removal from the course, and repudiated any responsibility for Robinson's arrest. I made further inquiries from the president of the club, who also would not take the responsibility of the arrest. Robinson had been conveyed to the Taradale lock-up in a cab before I was made aware of the arrest. On ascertaining how the matter stood, and it being a well-known fact that laying totalisator odds on a racecourse was no offence, I obtained the services of a Justice of the Peace, and asked him to go to the Taradale lock-up with Constable Leitch for the purpose of having the man discharged from custody, which was accordingly done.

Robinson is now suing the racing club as the first set of defendants, Constables Harvey and Kennedy as the second, and the secretary as the third, set of defendants, to recover £500 for illegal arrest. As the matter at present stands, Constables Harvey and Kennedy assert that the secretary gave Robinson in charge for laying totalisator odds, the secretary is as positive that he did not. The constables are corroborated by Robinson, the plaintiff, who says that the secretary ordered Constable Harvey to take him (Robinson) in custody for laying totalisator odds after he (Robinson) had refused to leave the grounds at the secretary's request. There is no doubt that the steps taken by the constable throughout the affair were most irregular.

Regarding the latter portion of the leader in the *Hawke's Bay Herald*, I intend investigating this matter, and will also endeavour to find out who gave the information to the editor, as it appears from the tone of the article that it originated from police-quarters.

On the 15th July, 1893, Inspector Emerson wrote to me : "I beg to return herewith reports in connection with the case Robinson *v.* Town and Suburban Racing-club for illegal arrest, and to forward Press reports of the three Napier papers on the case. I think the report of the *Hawke's Bay Herald* is a fairly correct outline of the proceedings." The remainder of the Inspector's report deals with the manner in which certain information was obtained by the newspaper. His Honour the Chief Justice, in giving judgment, said :—

"It was quite clear that plaintiff had been given in charge not for any offence against the law, but in order to procure his removal from the course. He would not leave it, and a policeman was called in. The policeman wanted to know if the man was given in charge, and the reply practically was, 'Yes, I cannot get him away otherwise.' In his Honour's opinion the plaintiff was given in charge because he would not leave the course, and not for any breach of the general law. He would not leave the property of the club except by compulsion, and he was therefore taken away by force. The policeman did what was quite unnecessary, under the circumstances, in locking the man up, although the circumstances might have rendered such a course necessary. They might have waited to see if plaintiff would persist in coming back again after removal, when it might have been said, 'It's no use taking him away, he will persist in coming back again.' He could then have been arrested, but as a matter of propriety the policeman should not have resorted to the arrest at once. As a matter of law, however, the policeman was perfectly justified in taking plaintiff to the lock-up, but he ought then to have been taken as speedily as possible before a Justice. The Act contemplated that if a person wilfully trespassed on another's land and refused to leave when called upon to do so, that was an offence, and upon sight of that it was lawful for a constable to take a person so offending into custody, and to keep him in custody until a charge against him could be properly laid and investigated. In this case it was manifest that the stewards thought it was not necessary to lay an information after the arrest, and that they thought the constable had done more than he was wanted to do. All he was wanted to do was to remove the man and take him in charge if necessary. It was quite evident that the plaintiff was not entitled to recover. If his Honour had come to the conclusion that there had been a technical offence he would have given the smallest possible amount of damages, because plaintiff brought it on himself. Judgment would be for defendants, with costs on the middle scale."

121. *Mr. Taylor.*] Do you say the remainder of the Inspector's report states how the information leaked from the police-office?—Yes; it refers to how the information was got.

122. Was the charge that some person had divulged information inquired into?—Yes; and the men were paraded, and all denied it.

123. So far as you ascertained, then, the Inspector was wrong, then, in thinking that one of the men was to blame?—I did not ascertain it at all.

124. Do you know how the Inspector found out Robinson's intended defence?—The case was *sub judice*, and I did not interfere in it.

125. There is a paragraph in the Inspector's report saying that "Robinson says" so-and-so. Do you know that the Inspector had had communications with Robinson?—I do not know. I may say that Mr. W. Heslop, the Justice of the Peace who released the prisoner, has been subpoenaed to give evidence to show why the man was released.

126. *Mr. Cresswell.*] Let us suppose a case in which the police had not noticed a man laying totalisator odds, but it had been reported by the secretary that the man was laying totalisator odds. Would the police be justified in laying the charge against the man, or would they be justified in saying to the club officer, "Lay the information yourself and we will take the case"?—They should have said, "Lay the information yourself." The police had a right to put the man off the course, but, beyond that, they should have said, "Lay the information yourself."

127. Accordingly, when Binnie did not lay the information the police felt they were in an insecure position?—I should not like to say what the police felt.

128. *Mr. Poynton.*] Having heard that the police had made an illegal arrest, what would you have done as a responsible officer over the men who made the arrest?—I should have said, "I am sorry for you, but you must take the consequences now and go to Court."

129. But if the man who gave him in charge had said the arrest was not legal, what would you have done?—I should have let the man fight it out with him. I would not have released the prisoner, but I would not have objected to his getting bail.

HARRY ROLLS, examined on oath.

130. *Mr. Taylor.*] Do you live at the Spit?—Yes.

131. Do you know Mr. Eagleton's shop?—Yes; it is in Hastings Street, Napier.

132. Do you go there at times?—I do.

133. How often have you been there?—Not very often.

134. What do you go for?—I have been on different missions.

135. Have you been there to get your hair cut?—Yes.

136. What other business?—To enter for swimming-races.

137. And what other business?—I have taken letters there for my father.

138. What was the last business—was it connected with the totalisator?—I do not know.

139. Apart from your father, have you not yourself invested on the totalisator there?—Not at Eagleton's.

140. At Smyth's?—No.

141. Where, then?—At no shop at all.

142. What happened when you took a letter to Eagleton's?—I passed it over the counter and left.

143. What did he do?—I know not.

144. Did he not go upstairs?—I do not think he has an upstairs.

145. Did he not make an entry in a book?—Not that I know of.

146. Did he open the letter in your presence?—No.

147. Did he know who it was from?—Yes.

148. You told him?—Yes.

149. Did you ever give him the names of horses?—Never.

150. Have you been there for information about the totalisator for your father?—No.

151. You simply took the letters there?—Yes.

152. Can you remember when you took the last?—No.

153. Can you remember if it was near a race-meeting?—I could not say.

154. Will you swear it was not near one?—I will not swear anything of the sort.

155. How many letters have you taken there?—I could not say.

156. You got nothing in exchange?—Nothing.

157. *Mr. Cresswell.*] Your father is a storekeeper and baker at the Spit?—Yes.

158. And has been there for twenty or thirty years?—Yes.

159. Have you had to take letters to other places besides Eagleton's for your father?—Yes.

160. I think your father is rather a heavy man and does not get about the town much?—That is so.

161. Is not Eagleton the secretary of the swimming-club?—As far as I know, he is.

162. And the most active member we have in it?—As far as I know.

163. Does he not hold classes for teaching children and ladies swimming?—Yes.

164. And you get tickets for membership there and the meetings are held in his place?—Yes.

165. Do the rowing-men meet there?—I do not know that.

166. Can you not purchase tickets and book seats for the theatre at Eagleton's?—Yes, as far as I know.

167. Is it not so advertised?—Yes, as far as I know.

168. There is a plan of the theatre exposed there?—Generally, I believe, but I could not say for certain.

169. The *Telegraph* posts the results of races at Eagleton's?—I have seen extras there.

170. And is not Eagleton's a common resort for news and information?—Yes.

171. Mr. Eagleton is a sporting-man?—As far as I know.

172. Does he take a great interest in athletics?—Yes, as far as I know.

173. If you want any information about athletic matters or the latest news of races, where do you go?—I never want to know, and I do not go anywhere.

174. Where do the public go?—I could not say.

GEORGE BICKERSTAFF, examined on oath.

175. *Mr. Taylor.*] Do you live in Napier?—Yes; I work for Mr. R. T. Smyth, in Hastings Street. I have worked for him for eight years, for six years of which I worked only part of the day, and I was with him continuously for fifteen months, since leaving school.

176. What were your duties?—Errand-boy and shop-assistant.

177. *The Chairman.*] Is Mr. Smyth a bookseller and stationer?—Yes.

178. He has bibles and prayer-books, &c.?—Yes, plenty of them.

179. *Mr. Taylor.*] Did every one who went in buy bibles and prayer-books?—I could not say.

180. On race-day was the shop not particularly busy?—Not extra.

181. On race-days did you not receive telegrams?—A few.

182. What do you call "a few"?—I could not say. I am not in the shop all the day.

183. *The Chairman.*] How long ago is it since you left the shop?—About two months ago.

184. What age are you?—Eighteen.

185. What are you doing now?—I am a clerk at Mr. Fielder's (the Hawke's Bay Permanent Building Society).

186. *Mr. Taylor.*] Was Mr. Smyth always in the shop or were you sometimes alone?—I was often alone.

187. Did people come in at times and leave messages for Mr. Smyth?—Yes.

188. Did some of them refer to horse-races?—I could not say. I never open the letters.

189. Did you not get verbal messages?—Never.

190. Did he receive many letters?—Not a great many. Perhaps one now and again.

191. No transaction connected with horse-racing ever came under your notice?—I am positive of it.

192. Did you not know the nature of the business the people came in for?—No; my duty was to serve people with books or stationery.

193. And what did you do with the letters?—I gave them to Mr. Smyth when he came in.

194. If any one came in wanting to buy a book, what would be the procedure? Would Mr. Smyth take anything from them and go upstairs?—No.

195. Do you recollect stating to me yesterday that some of the transactions were connected with racing?—I said that we got a telegram or two, but I did not know what they were about. I said, "thought they might be about racing."

196. Did you not say that some of the transactions over the counter were about races, but that you were not supposed to know anything about them?—No.

197. *Mr. Cresswell.*—How long has Mr. Smyth been in business here as a stationer?—About eighteen years, as far as I understand.

198. Is it not a fact that Mr. Smyth is the leading stationer in Napier?—I believe so.

199. And his shop is in the Criterion Buildings—one of the leading streets?—Yes.

200. Is there an upstairs portion of Mr. Smyth's buildings?—No.

201. Mr. Smyth has to send you out with letters?—Yes.

202. And was there anything extraordinary in you going into a shop and leaving a letter here and another there?—No.

203. Is there anything extraordinary to see letters coming to Mr. Smyth?—No. It is quite a common thing.

204. Do you know Inspector Emerson?—Yes. I have known him ever since he lived in Carlyle Street.

205. Have you ever known him to gamble?—No.

206. Have you ever seen him the worse of drink?—No.

WALTER WILLIAMS, examined on oath.

207. *Mr. Taylor.*] At any time in your experience of the Police Force of the colony have race-horses been stabled in the police-stables of the colony?—I remember one instance at Ross, on the West Coast.

208. Were you in charge of the station?—Yes.

209. Were the horses quartered in your stable?—Yes. There was only one horse, belonging to Inspector Emerson.

210. When was that?—I think it was in the summer of 1888-89.

211. Did he stay there any length of time?—The races, I fancy, lasted two days. I am not certain whether it was one or two. The horse was not there all the time.

212. Have you seen an Inspector of Police rubbing a racehorse down on a racecourse in the presence of the public?—I have seen Inspector Emerson patting his horse on the course, but not grooming it.

213. Have you ever known an Inspector of Police arrange a pugilistic encounter for any of his men?—No.

214. Has there been at any time during your experience of the Force among the men a feeling that a strict enforcement of the licensing-law would probably bar promotion or bring about sudden transfers of the men?—I have heard the men say so.

215. Has it also been a general impression among the men that the use of political influence was forced on them by the conditions of the service?—It has been common talk among the men.

216. Do you think if the service was moved entirely from political control it would increase the efficiency of discipline?—I think it would.

217. *Colonel Hume.*] Have you ever been thwarted or threatened in any way if you carried out the liquor-laws?—Not directly.

218. Or indirectly?—I have been informed that threats have been made against me.

219. By whom were you informed?—By several persons whose names I cannot call to mind now.

220. *Mr. Poynton.*] Were you so informed by any one over you in the department?—No.

221. *Colonel Hume.*] Do you know of any constable or any other officer who has felt that for enforcing the liquor-laws or any other laws he has lost by it in any way?—No.

222. *Inspector Emerson.*] Was there any other horse in the stable at the time? Was there not a Government horse, then or at any other time?—No.

223. *Mr. Poynton.*] Was there any Government forage?—No; it was not a mounted station, but it had been in the early days.

224. *Inspector Emerson.*] Who was the means of sending you to the charge of the station?—I received my orders from you.

225. I suppose you consider that I removed the best men to the charge of stations?—I should think so.

226. Did you ever have any fault to find with me during your time at Ross?—No.
227. *Colonel Hume.*] You said you had heard something about political influence in the Force. What did you hear?—I heard it said that I would have to look after myself, or I would get removed from Woodville.
228. Who told you that?—I heard several say that. It was really “the man in the street.”
229. No one connected with the Force?—No.
230. You have been in Woodville for two years?—Yes, but I am going to be removed now.
231. Do you lose anything by being shifted?—Yes, considerably.
232. *The Chairman.*] When did you hear the rumour in the street?—About three weeks or a month ago.
233. *Colonel Hume.*] You are going to Patea?—Yes.
234. How do you lose?—I lose from a pecuniary point of view. I lose £25 a year as Clerk of the Licensing Committee, and I also lose the emoluments.
235. How do you know you are not going to be Clerk to the Licensing Committee at Patea?—Because I understand the Committee hold their meetings at Hawera.
236. What constituency is Woodville in?—Pahiatua.
237. Have you taken any part at all in politics since you have been here?—Never.
238. Do you think your removal is due in any way to political influence?—I do not think it is.
239. As far as you know, there is no political influence in it?—As far as I know.
240. *Colonel Pitt.*] In whose name did the racehorse run?—I think it ran in Mr. Emerson’s name. There was no concealment of the owner, as far as I remember.
241. If it was the Inspector’s horse and was running in his name his superiors would know it?—Yes.
242. *Mr. Poynton.*] It was in the stable during the race-meeting?—Yes. I think the meeting was only one day.
243. *Inspector Emerson.*] Can you not say whether it was my son’s name—Charles Stewart Emerson?—I could not.
244. Who brought the horse to the stable?—There was a jockey with the horse when I saw it.
245. Did my son not bring it there?—Your son was there.
246. And brought the horse to the stable?—I cannot recollect, but I saw him there with it. Whether he brought it I do not recollect.
247. *Mr. Tunbridge.*] Have you had to take action against any publicans since you have been in Woodville?—Yes, on the 11th of last month.
248. What action was it?—I summoned him for selling drink in prohibited hours, and he was convicted and fined £3 and costs, and his license was indorsed.
249. Do you attribute your removal in any way to the action of that publican?—No.
250. *The Chairman.*] You say that in the Force you have heard it generally said among the men that activity in action against publichouses was detrimental to promotion?—What I said was that unless a man had political influence his time would be short in the Force.
251. I am not referring to that. You said, I think, that activity in enforcing the liquor-laws would be detrimental to promotion?—I said there was an impression.
252. Do you say you have heard the men making that statement?—Yes.
253. Do you wish to say that although you have heard it you do not believe it, or do you wish us to understand that you do believe it?—I do not know what to say to that.
254. Well, speak the truth and say what you feel. Do you believe it or do you not?—I may say it has never made any difference to me.
255. Do you believe it or do you not?—I have no reason to believe it. I have no reason to think that such a statement has had the effect of deterring a man from doing his duty.
256. What was your object in stating it then?—I said that I have heard it.
257. But although you have heard it you have no reason to believe it?—No, I have no reason to believe it.

JOHN BENNETT TUNBRIDGE, examined on oath.

258. *Witness.*] I wish to hand in a report from Constable Egan with reference to the complaint of Constable Jeffries. Constable Egan reports:—

Police-station, Havelock, 23rd May, 1898.

REPORT of First-class Constable Eugene Egan, No. 280, relative to the attached memorandum from Sergeant Kiely.

I beg to report that Constable Jeffries arrived here from Picton on the 22nd October, 1896, with written instructions from Sergeant Möller to revise the Wairau electoral roll along the boundary of Nelson City and the Wairau electoral district.

According to Sergeant Möller’s instructions to Constable Jeffries, I think it was mentioned that the east side of the Pelorus River and Pelorus Sound was in the Wairau electorate, and the west side in the Nelson City electorate. Constable Jeffries had no map of the Wairau electoral district—he was inquiring for one in Havelock, and was not able to procure one.

Constable Jeffries returned to his station on the 27th October, having completed his work. After Jeffries had left for his station I received a telegram from Sergeant Möller giving further instructions to Constable Jeffries *re* the boundary of the Wairau electorate. That telegram, I think, instructed Constable Jeffries to include in the Wairau roll a certain portion on the west side of the Pelorus Sound which was not mentioned in the instructions he had already received. I think Fitzroy and Admiralty Bays were mentioned in the telegram to be included in the Wairau roll. On receipt of the telegram I telegraphed to Sergeant Möller that I could not deliver the message as Constable Jeffries had returned to his station. I also posted the telegram to Sergeant Möller which I had received from him *re* the boundary of the Wairau electorate, with a memorandum to the same effect as the telegram.

The telegram from Sergeant Möller was the only document I received in connection with the subject, and that telegram I posted to Sergeant Möller, with a view of Sergeant Möller seeing or instructing Constable Jeffries *re* the boundary.

Constable Jeffries had no knowledge of the telegram when he was in Havelock, and I am not aware that it was sent on to Picton after him.

Sergeant Kiely, Police-station, Blenheim.

E. EGAN, First-class Constable, No. 280.

THURSDAY, 2ND JUNE, 1898.

JOHN CULLEN was further examined.

1. *Mr. Taylor.*] When you were in Napier, Inspector Cullen, did you know the town pretty intimately?—Yes.
2. Were there any “tote” shops in Napier then?—I do not think so.
3. Did you know Eagleton’s shop?—He was carrying on a hairdresser’s establishment, but not carrying on betting.
4. Did you know whether Smythe’s shop was known as a “tote” shop?—No, it was not. He was carrying on a stationer’s business in a different part of the town to where he is now.
5. As the result of your experience, do you think that it is impossible to detect “tote” shops?—No, it is not impossible at all.
6. Is it fairly difficult?—It is fairly difficult; but I think if you go about it you can succeed. That has been my experience.
7. Was it reported amongst the men that it was unadvisable to strictly enforce the licensing-laws when you were here?—There was an impression amongst the men to that effect.
8. You think the men were reluctant to do their duty on that point?—Well, I can hardly say that, you know.
9. Well, now, were the men reluctant to interfere with the spieling fraternity?—They were very anxious to interfere with them in my time here until Kirby came, and until Kirby got an influence over the Inspector. From that out, of course, they saw it was not advisable to interfere with them.
10. Now, was the administration of the licensing-law as strict during the time you were here under Inspector Emerson as it was previously to his coming here?—No, it was not.
11. Of your knowledge, was the Inspector in the habit of frequenting publichouses in Napier?—I never followed him to see where he went.
12. Do you know of your own knowledge whether the Inspector used frequently to go to public-house apart from the regular inspection?—Well, I think he used to visit the publichouses.
13. Apart from the ordinary inspection?—Yes.
14. Frequently?—I cannot say how frequently.
15. Have you ever seen the Inspector card-playing?—Yes.
16. Where?—I saw him card-playing on one occasion. It was in the Clarendon Hotel, Napier.
17. Do you know if there were any stakes on that game?—It was euchre-loo, at half-a-crown a corner.
18. Do you know whether the habits of the Inspector injured the discipline of the Force whilst you were here?—I do not think he was a man who was likely to raise the discipline of the Force.
19. *Mr. Cresswell.*] He is not such an ornament to the Force as Inspector Cullen?—I do not wish to draw a comparison between Inspector Emerson and myself.
20. You have been under Inspector Emerson for a good many years in other places than Napier?—One other place, from 1877 to 1879.
21. What rank did you hold then?—I went there as a constable.
22. Now, how long did you serve as constable under Inspector Emerson?—Somewhere about two years, I think.
23. Did you get promotion while you were under Inspector Emerson?—I was promoted by Superintendent Weldon, who was in charge of the South Island at that time. Inspector Emerson was under Superintendent Weldon.
24. Did you get promotion while under Inspector Emerson?—Yes.
25. Of course, the Inspector had no power to promote you?—Certainly not.
26. Do you know if the Inspector recommended you for promotion?—I applied for promotion, and Mr. Emerson recommended me, and the application was refused, and the matter stood over for many months until Mr. Weldon came round on a tour of inspection. Then he decided there should be a sergeant at Blenheim. There was no sergeant at Blenheim, and Sergeant Paape was brought in from Kaikoura to take charge of Blenheim Station, and he resigned, as he had a farm at Kaikoura. Then Mr. Weldon recommended me for promotion, and I got it.
27. Do you know that Inspector Emerson did all he could to get you promotion?—He recommended me, and did all he could in the circumstances.
28. Do you know if he interviewed the Superintendent himself specially on your behalf?—There was a discussion in the office. I was clerk to Inspector Emerson at the time, and was present during the whole interview.
29. When you served under him at Napier what rank did you hold then?—I think, second-class sergeant.
30. And before you left Napier what rank did you hold?—First-class sergeant.
31. You were promoted a second time while serving under Inspector Emerson?—Yes.
32. Now, did Inspector Emerson endeavour to get you promoted from second- to first-class sergeant?—He did not.
33. Did he not recommend it?—He did not.
34. Do you remember going to Omaha over the Native disturbance?—Yes.
35. You took an active part in it in connection with the Inspector?—There was nothing to be done: there was a ridiculous fuss made about it by the Inspector.
36. Where you promoted to first-class sergeant in consequence of anything done at Omaha?—Certainly not; I was not promoted until years after that.
37. Have you been in correspondence with Mr. Taylor over this inquiry?—I have not. I have never communicated with Mr. Taylor on any subject.
38. Now, you have told us that on one occasion you saw the Inspector noticeably with signs of drink on him?—Yes, I did.

39. Was that the occasion when he walked down to the Spit?—That was on the occasion I referred to: when he was playing cards in the hotel. I went into the hotel to get him down to his steamer at the Spit, and I saw him playing cards in the hotel.

40. Now, he went down with you?—Yes.

41. Did you walk or drive?—We drove in a cab.

42. Can you tell us when it was?—About 1892, when he was down on one of his inspection visits.

43. Was the Inspector in your house on that day?—No, he was not.

44. If the Inspector says he went into your house that day and had a whiskey with you, and left there and went straight down to the Spit, is that correct?—It is not.

45. You say he was not in your house on that day?—He was not.

46. Has he ever been in your house?—He has.

47. On this particular day, when he left the Spit to go to Hamilton, you say he was not in your house, and that you did not ask him to have a whiskey?—I did not. I would not on any account have asked him to have a whiskey, seeing I wanted to get him down to the steamer and save him from making an exhibition of himself.

48. During six or nine months before you left here were you on speaking terms with the Inspector?—Yes.

49. Were you always on speaking terms with him?—Officially. I made no freedom with him.

50. As a matter of fact—and I think pretty well everybody knew it—there was a rupture between you and the Inspector?—There was no rupture, but I could place no confidence in him.

51. And, outside absolute duty, did you speak to the Inspector at all, or did he speak to you?—Yes; no such strained relations as that existed.

52. *The Chairman.*] Were there any friendly relations between you for the six months before you left?—No friendly relations.

53. *Mr. Cresswell.*] What was the cause of this rupture between you: was it not in connection with Kirby?—It was a good deal. Kirby obtained an influence over the Inspector, and he practically got him to do just as he liked.

54. Did you report Kirby on any occasion to the Inspector?—I do not think so; Kirby reported me.

55. But you do not think you reported Kirby?—No, I did not. I am sure I did not.

56. Did you write to the newspapers in connection with police matters?—No; I never wrote to a newspaper on any subject.

57. Did you ever get anybody to write to the newspapers in connection with police matters?—No, I never have.

58. You remember there was a correspondence in the papers about spielers?—Yes.

59. Now, directly or indirectly, did you know of that correspondence?—I saw the correspondence in the papers.

60. But otherwise did you know of it?—I did not know who was the originator of it. If it was inspired I had nothing to do with it, and I do not know until this day if it was inspired or who the author of it was.

61. From the evidence you gave the day before yesterday you neglected your duty in connection with spielers. Did the Inspector ever stop you in the execution of your duty in connection with spielers?—He did after that case was over against Adams and Martin. He had me in the office and censured me for the action I took, and he further told me that I was not to take action in any case whatever, no matter what it was, without referring it to him. I asked him to put that in writing, because it meant stopping the whole machinery of the police here, and he would not do so, and I simply went on as I had before.

62. Had you not a free hand so far as the licensing-laws were concerned?—It depends on what you call a free hand.

63. Did the Inspector restrict you in connection with your duty under the licensing-laws?—He told me on one occasion he did not want me to enforce the law too strictly.

64. *The Chairman.*] In respect to what?—Licensing matters and publichouses.

65. *Mr. Cresswell.*] But you yourself obtained many convictions under the Licensing Act?—Before he came here. I do not think there were any convictions after he came here and until I left.

66. What about the Clarendon Hotel?—That was before he came.

67. Are you sure it was before Inspector Emerson came here?—Yes. The papers will show when the convictions were obtained.

68. The Clarendon Hotel conviction was in 1893?—Well, it may be. It may have been immediately before he came. It was not after he came.

69. When these men, Adams and Martin, were brought up, do you know what they were charged with?—Having no lawful means of support.

70. I think you said you gave evidence, and Kirby gave evidence?—Kirby was called for the defence.

71. Did Strickland give evidence?—Yes, and Stevenson and some civilians, who proved to seeing them playing the "three-card trick" and "under-and-over."

72. And the result was that they were discharged?—Well, Kirby came into the box and said the men were earning an honest living.

73. Did they not prove it—that they were travellers?—They were not travellers.

74. But they proved that they were travellers?—No, they did not.

75. Did they not produce receipts here showing where they had purchased cloth and other things?—Martin did produce bogus receipts. Martin was what was commonly called a "dudder." He purchased a few yards of serge, and so on, at a warehouse wherever he was, and he made a

pretence of hawking that about the town for a day or two, and in the evening and nights he would go about town and take people down at the "three-card trick" and picking pockets. There were numerous complaints about him from the public.

76. Were they brought up here more than once at that time?—Martin was brought up for assault, and convicted and fined.

77. Will you swear that Martin was not before the Court here twice on that occasion?—They were arrested without warrants, and exception was taken to it, and I had warrants prepared, and they were arrested then.

78. The first day you arrested them without warrants, and they were discharged by the Magistrates?—Yes. It was all on the same day.

79. When they left the Court they were rearrested?—Yes, soon after.

80. And, notwithstanding that you gave evidence and that Stevenson and Strickland gave evidence, the Magistrate dismissed the case?—Yes, the case was dismissed.

81. Do you understand this game of euchre loo that you say you saw the Inspector playing? Do you know the jack of diamonds and the ace of spades?—Yes. I do not play cards, but I know the cards.

82. Who was with the Inspector?—The only one I remember was a fellow named Campbell, an insurance agent at the time.

83. Was that at half-a-crown a corner?—Yes.

84. Do you know that you cannot play euchre loo for half-a-crown a corner?—I do not. I am not a card-player.

85. *The Chairman.*] You say they were playing euchre loo at half-crown points?—It was either euchre or euchre loo.

86. *Mr. Cresswell.*] You swore distinctly it was euchre loo for half-a-crown a corner. Now, was he playing euchre loo?—It was either euchre or euchre loo; I do not know which.

87. *The Chairman.*] You do not know the game of euchre loo?—No; I do not play cards.

88. Do you know the game by that name?—Oh, yes. I may say I know it from the Inspector himself that there is such a game.

89. You say it was either euchre or euchre loo?—Yes.

WILLIAM HESLOP, examined on oath.

90. *Colonel Hume.*] Where are you living?—At Omaranui.

91. You are a Justice of the Peace, I think?—Yes.

92. Were you President of the Town and Suburban Racing Club in 1893?—Yes.

93. Do you recollect a race meeting being held on the 24th of May, 1893?—Yes, at Taradale.

94. Do you recollect a man named Robinson, otherwise "Murrumbidgee," being arrested on that occasion?—I remember him being put off the course.

95. Did you see him put off the course?—Yes.

96. Was he put off the course at your request?—At the request of the whole of the stewards. I moved in the matter. He was laying totalisator odds, and otherwise infringing the rules of racing which the Town and Suburban Club were compelled to race under.

97. Then, did you give him in charge?—I did not give him in charge.

98. Do you know who did?—The secretary of the club.

99. Do you know what for?—For laying totalisator odds, and otherwise—threatening behaviour.

100. When did you first hear he was in the lockup at Taradale?—Constable Leitch came to me and told me Inspector Emerson wished to see me.

101. What did you do?—I went over and saw Inspector Emerson. Inspector Emerson said, "You have locked this man up." I said, "No, I have not; it was Constable Harvey."

102. What else took place?—Inspector Emerson said to me, "Are the club going to lay a charge against him?" I said, "I do not know, but I will let you know in a short time. Do you wish to know now?" and he said "Yes." And I said, "Very well, I will go before the next race comes off and let you know." I came back and said, "The club does not wish to lay a charge against the man. They merely wish to have him removed off the ground." It was not their intention to lock him up at all: they merely wished him put outside the gates.

103. Before telling the Inspector that the club did not wish to lay any charge against him, had you seen the secretary?—Yes, I did.

104. Did the secretary tell you that he had laid a charge against him already, and that he was arrested on that?—I do not think the secretary told me that.

105. Then, what followed?—Inspector Emerson said, "Well, here is the man locked up, and no charge against him. I call upon you as a Justice of the Peace to go and release him." I said, "Well, I do not know, you have got Constable Leitch; he is in charge of the station; he can go and release him." Inspector Emerson also said, "Well, if your people had laid (or would lay) an information it would simplify matters."

106. It did not happen to strike you that the Inspector was a Justice of the Peace himself?—No; he being Inspector, it never struck me that he was a Justice of the Peace.

107. Did the Inspector say anything about this Robinson being a useful man to the police in giving information?—Not then he did not.

108. Did he afterwards to you?—Yes, some time afterwards.

109. On the same day?—No.

110. Well, then, what happened next with regard to Robinson, after this interview with the Inspector?—The Inspector said, "Well, you are interfering with the liberty of the subject; you have locked up a man without a charge against him"; and he said, "I call upon you, as a Justice of the Peace, to release him." I said to the Inspector, "Well, there seems to be some-

thing right in that. If there is a wrong done, the sooner you and I undo it the better. If you think it is my duty to go with Constable Leitch I will go with him," and I went with him to the lockup. When we got to the lockup, Constable Leitch put the key in the door and said, "Mr. Heslop, shall I release this man?" I said, "You got your instructions from Inspector Emerson, and you carry them out."

111. *The Chairman.*] What did you go, then, for?—I merely went down at the request of Inspector Emerson.

112. *Colonel Pitt.*] To release him?—Yes.

113. Are we to understand by these words that you endeavoured to avoid the responsibility and throw it on the constable?—Quite so.

114. Although you had gone down for the express purpose of letting him out?—I did not feel inclined to take any responsibility in the matter at all.

115. *Colonel Hume.*] Did Robinson say anything to you?—Yes; he said, "You are one of the stewards of the Town and Suburban." He said, "You have been the means of my being arrested and locked up." I said, "Your own conduct was the means of your being arrested." I said, "The stewards requested you to leave off laying totalisator odds, and you simply refused, and in a very threatening manner towards the secretary and myself." I said, "That is the reason you have been locked up." He said, "Do you release me on behalf of the club?" I said, "No, certainly not," and he said, "On whose behalf?" and I said, "On behalf of liberty, and I think you are a very lucky man to be released."

116. Did you ask the Inspector under what statute you could let him out?—I did not. I merely went down there at the request of the Inspector. I did not ask any questions of him at all.

117. Did you ask Mr. Emerson anything about the character of this man?—No.

118. I suppose you had seen him at race meetings before this?—No; that was the first time I had seen him at a race meeting.

119. Then, you do not know he was what might be termed a spieler or not?—Well, I very soon heard his character, but not before he was locked up.

120. *Mr. Cresswell.*] Did not the Inspector ask you directly whether you intended, as president of the club, to lay any charge against Robinson or not?—Yes, he did.

121. Are you aware whether he asked the secretary the same thing—whether he would lay a charge against him?—No, I am not. I do not think he did in my presence.

122. Then, did not the Inspector say: "Very well, if you will not lay a charge against him, I have no charge against him, and you had better go and release him"?—Yes; he put it to me in that manner, and said he thought it was my duty to do so.

123. As a matter of fact, you and the other stewards were very careful not to lay a charge against Robinson?—We did not want to.

124. I think you were one of the defendants in this action Robinson brought?—Yes, together with the other stewards.

125. And you gave evidence in the Court here?—No. I was never called.

126. You attended the Court?—Yes.

127. Now, have you seen the Inspector at other race meetings?—Yes.

128. Have you ever seen him under the influence of drink?—Never.

129. Since the Inspector has been in charge of this district are you as much troubled with spieler at race meetings as you used to be?—Not at the Park Club Races for the last three or four years.

130. Who has been the means of suppressing them?—The Police Force.

SARAH ERSKINE, examined on oath.

131. *Mr. Taylor.*] Do you live at Gisborne?—Yes.

132. How long have you been there?—About nine years.

133. Are you a confectioner and caterer?—Yes.

134. Did you cater for the races last year at Gisborne at any time?—Yes.

135. Were you the only caterer on the ground on that occasion?—Yes.

136. Were you in charge of the luncheon-room the whole of the day?—Yes; of the grand stand booth.

137. Did you see Inspector Emerson there any part of the day?—Yes, at lunch.

138. Was his condition such as to attract your attention?—Yes; rather much that way.

139. What is the floor of that booth; is it board or sand?—It is sand.

140. Is it concreted?—No.

141. Is it pretty level?—Quite level.

142. Is it pretty firm?—It is sandy and a little bit soft. When it is watered it is all right.

143. Is it full of ruts?—No.

144. Is it likely to trip a person up?—No. I have never been tripped on it.

145. Was the Inspector sober?—Not on that occasion.

146. What kind of seats had you there that day?—Wooden forms.

147. Were they forms with backs to them?—No; no backs.

148. Ordinary forms, or just rough boards?—Ordinary forms; not like those made for a church, but for a luncheon booth.

149. Were they plain wood?—Yes.

150. What width would the board be?—It was about 15 in. or 16 in., to the best of my knowledge.

151. About what time did the Inspector come?—He came directly the after gong went.

152. Did you notice his condition then?—I noticed him while sitting there.

153. You have no doubt as to his condition at all?—No, not the least.
154. Did the Inspector sit at the luncheon table very long?—Yes; he stopped until he was finished.
155. Did the seat capsize with him?—I do not know whether it was capsized by him, but it capsized.
156. Did he fall to the floor?—Yes.
157. Was your attention drawn to the Inspector by any other persons in the booth?—Not that I am aware of.
158. Where did he go to when he left the luncheon booth?—To the best of my knowledge he went to the grand stand.
159. Did you see him again that day?—Yes.
160. Later on?—Yes.
161. Was he in the same condition then?—Yes, he appeared to be.
162. Where was he when you saw him the second time?—On the grand stand.
163. Do you remember who was with him then?—No.
164. On the second occasion, was he drunk enough to attract other people's attention?—I cannot say for them.
165. Would he have attracted your attention readily?—Yes, he would.
166. Did you see him later on than that?—No, the last time I saw him was on that occasion.
167. You did not see him leave the ground?—I did not.
168. Do you know whether he was taken from your luncheon booth to the stewards' room?—I cannot say; I heard of it.
169. Did you see Mr. Finn that day?—Yes.
170. Was he in your luncheon booth?—Yes.
171. At the time Inspector Emerson was there?—I cannot say at that time.
172. Was the Hon. Mr. Carroll there?—Mr. Carroll was at the races, but I do not remember seeing him in the luncheon booth at that time.
173. Was Mr. Aislabie taking luncheon with the Inspector?—He was having lunch at a different booth—at the top of the table.
174. Are you sure he was sitting at the table with the Inspector?—Yes; he was sitting at the top of the table, to the best of my belief.
175. Do you remember, was Mrs. Aislabie with her husband that day?—Yes.
176. Did you see Mr. Porter there that day?—I do not remember seeing him.
177. *Mr. Cresswell.*] Had you known the Inspector before that date?—Yes.
178. You knew him by sight?—Yes.
179. To speak to?—No.
180. How was he dressed that day?—I did not take much notice of his dress; it seemed to be dark.
181. Was he in uniform or plain clothes?—I do not remember.
182. What were you doing in the luncheon booth?—I was looking after the table, and collecting money at the door.
183. Were you waiting at all?—Yes; sometimes.
184. Had you much time to notice the Inspector?—Yes; he was standing at the door.
185. Did you notice if anybody else had signs of drink that day?—I might have, but I do not remember names.
186. Where did you see people the worse of drink that day—in the luncheon booth or outside?—I am not sure where.
187. Now, Mr. Aislabie said he was sitting two off from the Inspector at the same table?—To the best of my belief he was sitting at the third table of the dining-room.
188. Do you know Mr. Bridges?—Yes.
189. He said he was also sitting close to the Inspector?—I do not know where he was sitting that day.
190. Both Mr. Bridges and Mr. Aislabie say that the Inspector was not the worse of drink?—That is for them to say. I am here to speak the truth, and I mean to do so.
191. Did you notice whether the Inspector was ill at all that day?—I did not notice.
192. Did you hear him coughing at all?—That I cannot say.
193. *Mr. Taylor.*] Do you think if the Inspector was coughing and striking himself on the chest the whole of the time he was there you would not have noticed it?—Yes, I would. I did not notice him doing that in my presence.
194. You would remember the Inspector more clearly than an ordinary person if you saw him under the influence of liquor because he was an Inspector?—Yes, I would.

WILLIAM JAMES QUIGLEY, examined on oath.

195. *Mr. Taylor.*] Do you reside at Gisborne?—I do.
196. What is your occupation?—Architect.
197. Have you resided there long?—Twenty-three years.
198. Were you at the race meetings last July?—I was not.
199. Do you remember the occasion of the race meetings on July the 6th and 8th?—I do not remember the dates: it was in July—the steeplechase meeting.
200. Can you remember the evening of that occasion, on July 6th?—I remember the evening of a race-day. I cannot say whether it was July 6th or not.
201. I would be one of the July days, you think?—One of the evenings of the July meeting; whether it was a race-night I cannot say.
202. What brings it to your recollection? Where were you on that night?—I was in town.

203. Which hotel were you at?—I was in more than one.
204. Were you in the Royal Hotel that night?—I was.
205. Can you tell us what attracted your attention there, so far as the Inspector was concerned?
—Nothing particular attracted my attention so far as the Inspector was concerned.
206. Did you see the Inspector there?—I did.
207. What was he doing?—He was sitting by himself in one of the private rooms.
208. Was he engaged in any games?—He was not.
209. What was his condition: was he sober?—Well, I would not swear he was sober; he had a drink or two.
210. What time would that be?—It would be about 9.30 o'clock.
211. What time do the hotels close there?—Eleven o'clock license.
212. Might it not have been 10.30?—At the time I left it may have been that.
213. That would be about half an hour before the hotel closed?—The hotel was closed when I went away.
214. Did the Inspector leave with you?—He did.
215. And who left also with you?—Mr. Martin.
216. Did you go to the Gisborne Hotel?—I did.
217. How long did it take you to get there?—We were there before the licensed hour of closing was up.
218. Did Mr. Martin and you assist the Inspector?—We both went down with him.
219. Did you not assist him physically?—No; I will not swear we assisted him physically. We went down with him. He was between the two of us.
220. As a matter of fact, were you not helping him?—It was a very dark night, and the Inspector not knowing the road, whilst I and Mr. Martin did, we thought it right to take him down home to where he stopped.
221. Was he capable of going home that night himself?—Well, it would have taken him a bit longer to get there.
222. Now will you swear that one of you did not actually carry him part of the way?—I will swear that neither of us lifted him; he never fell.
223. Do you remember a conversation that took place: do you remember Martin, proprietor of the Royal Hotel, saying, when Emerson tried to go down to his hotel, "Good God, do not let him go down in that state"?—No, simply because Mr. Martin and I previously arranged to go down with him.
224. You do not remember that remark being made by Martin?—No.
225. Did he remain in the same room all the time he was in the Royal Hotel while you were there?—He did.
226. Do you not know what room he was in prior to your arrival at the hotel?—I do not.
227. When you say the Inspector had a glass or two, was not the Inspector very drunk that night?—He was under the influence of drink.
228. I will press that question: was he not very drunk?—He had taken too much.
229. Did you see the Inspector after that, while he was in Gisborne at that time?—No, did not.
230. Did he come to Gisborne about a week after, so far as you know?—He was there a short time after.
231. Did he come to see you?—I went to see him.
232. Did he send for you?—No, I volunteered to go and see him over a certain letter I received which was signed by somebody called "T. Taylor," dated in Wellington, and posted in Napier.
233. Do you know whether it purported to be my signature?—It was signed "T. Taylor." I did not keep a copy of that letter. I gave it to Inspector Emerson, because I thought he should have a copy of it, seeing that it affected a case which was then *sub judice*. I have not the original of it.
234. When you went to see the Inspector, did you not discuss with him his condition on the occasion we are now talking about?—I did not.
235. Did he not discuss it with you?—He did not. He never mentioned it to me.
236. On previous occasions have you seen the Inspector in Gisborne?—Yes, I have seen him very time he has visited Gisborne.
237. Has he always been sober?—He has been; and at other times he has had drink. The last time he was there he would not have a drink.
238. Did you ever see him playing cards?—Yes, I have seen him playing cards for drinks. I have never played with him.
239. Have you ever seen him playing cards for stakes?—No.

ARTHUR JOHN COOPER, examined on oath.

240. *The Chairman.*] What is your occupation?—I am a bootmaker by trade, and am in business in the boot line in Gisborne.
241. *Mr. Taylor.*] How long have you been in Gisborne?—About twenty years.
242. Were you at the race meeting last July?—Yes, I was.
243. Do you remember whether it was on the first or second day, or both?—I was at both days' races.
244. Did you see Inspector Emerson either of those days?—Not to my knowledge.
245. Did you see him after the races anywhere?—Yes, I saw him at night.
246. Where?—About town.
247. Did you see him in any hotel?—I fancy I saw him in the Masonic.
248. Did you see him in the Royal?—No, I did not.

249. Did you see him in the Gisborne Hotel?—No, I did not.
250. Would you remember exactly where you saw him: are you sure it was in the Masonic?—I fancy it was.
251. Do you remember who was with him?—I think Father Aherne was with him.
252. Would that be on the first or second race-day?—I cannot say.
253. Are you sure it was one of the race-days?—Yes.
254. Where was he when you saw him?—In the back parlour.
255. Was he having refreshments?—I did not see him.
256. Was he sober?—I should say he was under the influence of liquor.
257. Can you remember about what time that would be?—About 9 o'clock.
258. If another witness says he saw him in another hotel at 9.30, do you still say you saw him in the Masonic at 9 o'clock?—I should think it was about that time.
259. When you say he was under the influence of liquor, can you tell us exactly what that means? In the ordinary acceptance of the word, was he drunk?—I should say he was "fairly on."
260. Were you there long?—No, I was not.
261. How long?—About five minutes.
262. Did you see him again that night?—No.
263. Have you seen him on previous occasions?—No; that is the only time I have seen him under the influence of liquor.
264. How many times have you seen him previously?—About half a dozen times.
265. Have you seen him on these other occasions in hotels, or on the streets?—Yes; I generally saw him at Martin's Gisborne Hotel. He stayed there, I believe.
266. Have you seen him playing cards?—Yes.
267. For what stakes?—I cannot say for what stakes.
268. For stakes?—Yes.
269. Do you know the game of euchre loo?—Yes, I know the game.
270. Can that be played for half-crown points?—I suppose it can. I do not see why it should not.
271. You are not sure?—No.
272. Do you remember who was playing with the Inspector on the occasion you saw him playing for stakes?—Mr. Nesbit was one.
273. Do you remember Nesbit's Christian name?—John Nesbit.
274. Are you perfectly clear that on that occasion Emerson and Nesbit were playing together they were playing for stakes?—They were not playing euchre loo on that occasion: they were playing bluff.
275. That is another game?—Yes.
276. Have you seen the Inspector playing euchre loo at all?—No, I have not.
277. Is that the only occasion you have seen him playing cards?—Yes.
278. *The Chairman.*] Where was this?—At the Gisborne Hotel.
279. *Mr. Taylor.*] That was on a previous occasion to the time you saw him at the races?—Yes; it must have been three years ago.
280. Do you know whether any police-officers were present on either occasion when you were there?—They were not.
281. Can you remember what time of night it was when you saw that game going on?—About 12 o'clock.
282. Were drinks being supplied?—Occasionally.
283. Was Nesbit a resident of Gisborne?—Yes.
284. How far from the hotel does he live?—I suppose a mile, or a little over.
285. Are you sure it would be after 11 o'clock when that game was going on?—Yes, I am positive.
286. Was the hotel closed to the public?—Yes.
287. *The Chairman.*] Do you know if Nesbit was lodging there that night?—No, he was not.
288. *Mr. Taylor.*] Do you know what time the game stopped?—I suppose 1.30 or 2 o'clock.
289. And that is the only occasion you have seen him playing cards?—Yes.
290. Did you see the Inspector in Gisborne soon after last July?—Yes.
291. Did he go to see you?—No.
292. Did you go to see him?—No, I did not.
293. Do you know what business took him there?—No.
294. *Mr. Cresswell.*] You understand some games of cards evidently?—Yes.
295. How is the game of euchre loo played?—To tell you the truth I do not know much about euchre loo.
296. You come here as an authority on the matter?—I do not come here as an authority.
297. You told us it was played for so much a corner?—I said I believed it could be. I know nothing about euchre loo, and I said that before.
298. Then, you know nothing about it at all?—No, I do not.
299. How long did it take you to walk from the Royal Hotel to the Masonic Hotel?—About seven minutes.

JOHN EUGENE WHITBY, examined on oath.

300. *Mr. Taylor.*] You live at Gisborne?—Yes.
301. Are you a produce dealer?—Yes.
302. How long have you been there?—Twenty-one years.
303. Do you remember the races being held there last July?—Yes.
304. Were you there?—Yes.
305. Were you there on the first day?—I was there both days.

306. Did you see Inspector Emerson that day?—No.
307. Not on the racecourse?—No.
308. When did you see him that day?—I do not know that I saw him at all that day.
309. Where were you that night?—At home. I must tell you that I am clerk of the scales, and my place is in the scales-room, and I do not leave it.
310. Did you not call at the Royal Hotel that night?—No. I was never in the Royal Hotel at night beyond three times for years.
311. You say you did not see the Inspector at all that day or night?—Not that I can swear to. I can say this: that I did not see him on the racecourse. I might have seen him in the morning. I am certain I did not see him after I came home at night.
312. Did you not go to any of the hotels at Gisborne that night?—No, not after 6 o'clock. I was home at 6 each night. I live in the country and do not come in again.
313. How often have you seen the Inspector up there?—As it happens the Inspector stops at the house where I get my lunch every day, and I have seen him every time he has been down on police duty.
314. Half a dozen times?—Oh, dozens. He sits on the next chair to me at the luncheon table.
315. Have you seen him after that?—Yes, on the street. I never spoke to him. We were not personally acquainted.
316. Have you ever met him at any time in the evening? Do you remember making a statement of any kind to Mr. Haselden about Inspector Emerson?—I do not know the gentleman.
317. Did you make a statement to anybody about Inspector Emerson's conduct?—No more than talking in the streets, as everybody else has done. That is where the trouble has come.
318. You have never been a participant in any incident connected with his conduct?—No, I have never seen the Inspector the worse for liquor.
319. You have seen him at luncheon time. So far as you remember, how many times at night time?—Never. About 5 or 6 o'clock I might have seen him.
320. Were you ever in the hotel after 8 or 9 o'clock?—I have never been there except at luncheon time.
321. You think you may have taken part in a general conversation about him?—I might have stopped listening to it. I have heard people talking.
322. Have you ever known the Inspector to play cards?—No, I have not. I tell you I have never seen the Inspector in any publichouse in Gisborne, excepting the one he stays at; and I never saw Inspector Emerson go to dinner yet when he could not behave like a gentleman.
- CECIL FRANCIS LEWIS, examined on oath.
323. *The Chairman.*] You are residing in Gisborne?—Yes.
324. What are you?—General merchant.
325. *Mr. Taylor.*] Have you been there long?—About eighteen or nineteen years.
326. Do you remember the occasion of the steeplechase meeting last July?—Yes.
327. Were you there?—I was.
328. Do you know Inspector Emerson?—Yes; I have seen him several times.
329. Did you see him there that day?—I did.
330. What time of the day did you see him?—To the best of my recollection it would be from 11 o'clock up till about 2, I should say. I cannot say exactly.
331. Did you see him at the luncheon-table in the luncheon booth at all?—I did.
332. Did his condition attract your attention?—Yes, it did a little.
333. Was he sober?—No, he was not.
334. Did you sit near him in the luncheon booth, or were you in there at the same time?—I cannot exactly say where I sat. I think it was opposite to him at the next table, but I would not be certain.
335. Where you a witness of the incident where the seat was capsized?—Yes.
336. Were the seats there awkward seats to sit upon?—Yes; they were not good seats.
337. Is the floor of that luncheon-booth very uneven?—Yes; it is in some places.
338. Sufficient to capsize anybody in a normal condition so far as sobriety is concerned?—If a man sat at the end of a form it would tip up with him.
339. I mean walking along the floor; is it likely to capsize a man in his ordinary state?—I cannot say.
340. Do you know what caused the seat to upset?—I think it was Inspector Emerson stumbling over the form in trying to get in to sit down.
341. And did any other people on the seat at the time capsize with him?—I cannot remember. I believe there were others seated on the form.
342. Was Mr. Aislabie capsized?—I believe he was seated on the same form, but I cannot swear positively.
343. If another witness said he was sitting at another table you would not contradict that?—No, I would not.
344. Did you see where the Inspector went to from the luncheon booth?—He came outside on to the lawn.
345. Did he go into the stewards' room, so far as you know?—I cannot say.
346. Did you see him leave the ground?—Yes, I did.
347. Who went with him?—Mr. Joyce, I think it was.
348. Anybody else?—I do not remember anybody else.
349. Was the fact that he was not sober quite noticeable at the time he went to the cab?—It was to me.
350. Do you know whether others observed it?—That, of course, I cannot say.

351. Have you seen the Inspector on any other occasions when he has been under the influence of liquor?—No, I have not.

352. Have you ever seen him card-playing?—No. I do not play cards myself, and consequently have never seen him.

353. Did you see him when he visited Gisborne a few days after this incident?—I do not think I did. I heard he had returned to Gisborne, but I do not remember seeing him at all.

354. You do not know what his business was on the second visit?—No.

355. *Mr. Cresswell.*] Do you know if the Inspector was suffering from any illness at that time?—Not that I know of; I heard him coughing once or twice.

356. Badly?—How I noticed it so much was that he was leaning on his stick coughing near a buggy, if I remember rightly, just outside the grand stand.

357. Did you notice him coughing at the table?—No, I did not.

358. Now, what are the width of these forms we have heard so much about?—The ordinary size, I suppose; something similar to the ordinary school form.

359. Are they fixed to the ground at all?—I do not think they are. They are fixtures in one of the club's dining-rooms, but I do not know which it is.

360. You are not sure that it is at the Gisborne Park course?—I would not like to swear.

ROBERT LITTLE, examined on oath.

361. *Mr. Taylor.*] Where are you living?—Gisborne.

362. What are you?—I am a farmer. I used to be a stablekeeper.

363. Have you been in Gisborne long?—Over sixteen years.

364. Were you at the races in July last at Gisborne?—Yes.

365. On the first day?—I attend all the races. I drive for them.

366. Did you see Inspector Emerson that day?—I believe I did.

367. What time in the day would it be?—At lunch time.

368. Were you in the luncheon booth?—Yes.

369. Did his condition attract your attention in any way?—I was just going in as he was going out. I had just taken my seat at the upper end of the table as he was going out at the opposite side of the booth.

370. Did you notice what his condition was?—Not much at the time. He was speaking to Mrs. Erskine as he was going out, and I just looked up and saw him.

371. Was she standing at the door where she takes the money?—Yes.

372. Did you see him subsequently?—No, I cannot say of my own knowledge that I did see him.

373. Do you swear he was sober when you saw him?—I cannot say that. I was not speaking to the man.

374. *The Chairman.*] You cannot swear as to whether he was or was not?—I cannot, at the distance I was away.

375. *Mr. Taylor.*] Had you any other opportunity of forming an opinion if he was sober?—That was the only time I saw him that day.

376. Did you at the time consider him sober, or do you say you did not see enough of him to know?—I did not see enough of him. If I had been speaking to the man at the time I might have seen.

377. Have you seen him pretty frequently in Gisborne?—Yes.

378. Has he always been sober when you have seen him?—No; I cannot say he was always sober.

379. Can you remember any other occasion when he was not sober, apart from this day altogether?—I cannot remember dates.

380. Where would you see him?—At the Gisborne Hotel; he stayed there.

381. Do you know how the game of euchre loo is played?—Yes.

382. Could it be played for half a crown a corner?—We play it for drinks as a rule. Oh, yes, you could have money on it if you wished.

383. Is that the way in which it is played?—It is according to whatever arrangement is made.

384. If you have plenty of money you sometimes play for money?—Yes, you can play for half-crown corners.

385. *The Chairman.*] Can you play euchre loo for half-crown corners?—Oh, yes.

386. *Mr. Taylor.*] Do you know John Nesbit?—Yes.

387. Do you know Henry Currie?—Yes.

388. Do you know James Martin?—Yes.

389. Have you at any time played cards with these men and the Inspector?—I have played cards with all these men you have mentioned, but I do not say all at the same time.

390. Was the Inspector present at the time?—I cannot say that I have played cards when the Inspector was there; but I would not say that these others were there at the same time.

391. *The Chairman.*] Have you ever played cards with the Inspector?—Not on that occasion; but I have played cards with him.

392. *Mr. Taylor.*] I want to get information about a particular game of cards that you have played with the Inspector: try and recollect whether you ever played with that card-party I have named—namely, James Martin, Henry Currie, John Nesbit, yourself, and Inspector Emerson. Can you remember any occasion when you played cards with that party?—No, not to bring them all together.

393. Can you remember any occasion when there was a stake involved in a dispute running to £2 or £2 7s. 6d.?—I would not be there that night to my knowledge when there was any dispute.

394. I do not mean a quarrel, but the stake was allowed to remain on the table, and the game continued: do you remember anything of that time?—Not to my knowledge.
395. What was the highest stake you have ever played for with the Inspector?—I have often played with him for drinks.
396. What is the highest stake for money you have played for: would you go beyond half a crown a point?—Not to my knowledge.
397. Have you played for half a crown a game?—Yes.
398. Would you go beyond half a crown a point?—Not on euchre loo. I have never played euchre loo with Inspector Emerson. I have played for heavier stakes than half a crown, but not with the Inspector.
399. Is euchre loo the Inspector's favourite game?—Yes.
400. Does the money accumulate pretty rapidly when you are playing euchre loo?—No.
401. Do you remember any occasion when any question cropped up as to whether the cards had been fairly dealt?—I cannot remember.
402. You cannot recollect that?—No.
403. You never heard any dispute arise at any of your games as to the Inspector dealing the cards unfairly?—No, I have not.
404. How often do you think you have played cards with the Inspector for stakes?—I really cannot say. Several times. He used to stop at the Gisborne Hotel, and I used to do a lot of work there, and I used to go up there and take a hand in the game.
405. Did you ever play after 7 o'clock in the morning?—No.
406. What is the latest game you have ever played with the Inspector?—I cannot say what time with the Inspector. The Inspector, as a rule, I know used to go upstairs about 10 o'clock.
407. Will you swear you have not played up till 2 o'clock with the Inspector?—Never downstairs.
408. Now, I want to go upstairs with you. What room did you play in upstairs: the private sitting-room?—Yes.
409. Whose room was it: the Inspector's?—I do not know.
410. Used he to have a sitting-room besides his own?—I do not know; I never asked him.
411. In the Gisborne Hotel?—Yes.
412. Would the play be continued later upstairs than down?—There is only one occasion I remember going up there.
413. Can you remember on that occasion anything approaching a quarrel in regard to the game?—There was no quarrel that game.
414. Was it euchre loo that night?—Yes.
415. Can you remember the hour you knocked off?—No.
416. Were drinks supplied at intervals?—Yes; we had several drinks.
417. Would that be after the house was closed when you were playing in the upper room?—Yes, I believe it was.
418. Has the Inspector always been perfectly sober when you have seen him?—No, I would not like to say that.
419. Have you on any occasion seen him drunk?—I have never seen him what I would call drunk; he was always fit to walk and speak right enough.
420. You have never seen him incapable?—No.
421. Have you ever seen him distinctly under the influence of liquor?—I have seen him when I knew he had liquor, but I have never seen him when he could not walk or do business right enough.
422. Did you see him on the night of the July race meeting last year?—I cannot quite remember: I might have, and I might not.
423. You do not remember seeing him in the Royal Hotel that night?—That is a house I never go to.
424. How often have you seen the Inspector when he was, as you say, able to walk and talk, but when he was not sober?—I really cannot say.
425. Have you seen him in that condition two, three, or four times?—I cannot answer that question.
426. Do you not remember when you were playing in that upper room one of the party complaining, and saying that Mr. Emerson was an Inspector of Police and Martin was a publican, and both ought to know their duty?—No, I do not remember that.
427. And you never remember an interrupted game?—No.
428. Can you ever remember if there was a stake of £2 odd on the table owing to a question arising as to the fairness of the game?—No.
429. I will put it plainly: you never heard the Inspector charged with cheating?—No.
430. *The Chairman.*] That is, you know of no cheating at the game in which you have been engaged?—No; I never have.
431. *Mr. Cresswell.*] At the time you speak of, did you go to the races both days?—Yes.
432. Was the Inspector there both days?—I cannot say for certain. I only took notice once that I can remember.
433. Was he in uniform?—No, not that I know of.
434. Do you know if he suffered from any complaint at that time?—Yes; he told me he had a touch of influenza, and he was coughing and tapping himself on the breast; but that was not at the races; but in Gisborne, when he told me that.
435. *The Chairman.*] Was it on the occasion of the same day?—I would not be certain.
436. *Mr. Cresswell.*] Did you ever play euchre loo with the Inspector for half a crown a corner?—Yes, I think we did on one occasion.

437. Do you play partners in this game of euchre loo?—You can play for yourself.
438. Do you play partners, or does each man play his own hand out?—It is according to arrangement.
439. Do you ever play euchre loo with partners?—You play for yourself as a rule.
440. *The Chairman.*] Is it a game you can play with partners?—Yes; if you wish.
441. *Mr. Cresswell.*] Do you put in a pool?—Yes.
442. Supposing you were playing for a shilling, you would put a shilling each in the pool?—Yes.
443. Who wins that pool?—The man who wins takes the pool.
444. Each man plays for himself, and according to the number of tricks he wins he takes the pool?—Yes.
445. Then, how do you play for half a crown a corner?—I can play the game right enough, but I am not a good hand at explaining it.
446. *The Chairman.*] Do you know what you would stand to lose if you played for half a crown?—Yes; you would lose half a crown if you lost.
447. That is, if you lost the game?—Yes.
448. So, instead of saying half a crown a corner, you mean half a crown on the game?—Yes.
449. *Mr. Taylor.*] Do you play an equal number of hands, or can five people play?—Yes.
450. That would be 12s. 6d. a game on the table?—Yes.

JAMES HARRIS, examined on oath.

451. *The Chairman.*] What are you?—Stablekeeper.
452. Living in Gisborne?—Yes.
453. *Mr. Taylor.*] How long have you been in Gisborne?—A good many years, off and on.
454. Are you in partnership with Mr. Price, who gave evidence the other day?—Not now.
455. Is he on his own account now?—Yes.
456. Do you remember the July race meeting of last year?—Yes.
457. Were you there?—Yes.
458. On the course?—Yes.
459. What time did you go in the morning?—I generally make two trips before the first race. I cannot tell you what time.
460. You would be there in the afternoon again?—Yes.
461. Do you know Inspector Emerson?—Yes.
462. Did you see him that day?—Yes.
463. Where was he?—He was walking about in the grandstand grounds.
464. Do you remember who he was walking with?—I cannot tell you.
465. What time would that be?—I cannot say.
466. After luncheon?—No, before.
467. Did you see him after luncheon?—Not that I remember.
468. Was there anything about his condition when you saw him in the morning to attract your attention?—No.
469. Did you see him that night at all?—No, I never saw him.
470. Have you seen him in Gisborne pretty frequently?—Yes, on several occasions.
471. Has his condition ever attracted your attention?—Nothing whatever.
472. What do you call several occasions: half a dozen times?—Yes.
473. What time have you seen him?—I have driven him on two or three occasions.
474. In the morning?—I have driven him when he came off the boat to the hotel. I drove him with Colonel Hume to Makaraka.
475. Have you ever driven him at night time?—No.
476. Were you in partnership with Price in July last?—Yes.
477. Who has charge of the vehicles so far as cleaning them is concerned?—I always clean my own cab. Price drives No. 11 and I drive No. 2 to the races.
478. What number cab was Price driving in July last?—No. 11.
479. Did you see that cab later in the day?—I saw it at the racecourse.
480. Do you know what its condition was?—No, I never heard anything about it.
481. You know nothing about it?—No.
482. Did you ever see the Inspector playing cards?—No.
483. Did you ever see him at all in any hotels there at night?—Not to my knowledge.
484. Did you book the Inspector's cab-fare from the hotel to the racecourse on the 6th July?—Yes.
485. Did you book it yourself?—Yes.
486. What is the ordinary fare from the hotel to the racecourse?—A shilling a head if you get a load.
487. Do you go with many single passengers on the race day?—No.
488. Do you consider it pays you to look to get a number of single passengers on race day?—I would if they paid me enough.
489. How much did the Inspector pay you?—8s., and that was including a fare from the boat—if I remember aright there was a fare from the boat to the hotel.
490. Did that include any special cleaning of the cab?—I do not know there was any special cleaning of the cab to be done.
491. Do you know of it now?—No.
492. Have you not made a different statement to any person at any time?—I have not.
493. Would you consider it undesirable to be mixed up in a case of this kind from a business standpoint?—No, certainly not.

494. Did you not tell your partner it was undesirable for him to be mixed up with it?—I never told him anything that I remember.

495. *Mr. Cresswell.*] What would be the ordinary fare to drive a person in from the Park Racecourse to town at 2 o'clock in the afternoon?—Well, you always get as much as you can.

496. But supposing if one person goes there and says, "I want to go to town to send a telegram, and I want you to drive me in to town," how much would you charge him?—I would charge him 10s.; my cab holds ten people.

497. When the Inspector paid you that fare, including the fare from the steamer, it was not a high charge?—No, certainly not.

498. And unless a person engaged you specially you would not go without a full load?—No.

499. *Mr. Taylor.*] Do you know what time the Inspector left the course that day?—I do not.

JAMES PRICE was recalled.

500. *Mr. Taylor.*] Do you swear that your cab was not in a dirty condition when you reached the Gisborne Hotel with Inspector Emerson?—What do you mean by a dirty condition?

501. I mean had he not vomited in the cab?—No, he did not.

502. Did you see him clearly when you left the course: did you see him sufficiently clearly to notice his condition?—I was sitting on the front of the cab when Mr. Joyce and the Inspector came up and asked me to drive him into town.

503. Do you swear he was absolutely sober?—He was sober so far as I could see.

504. How far was he off when you saw him first?—He came to the side of the cab where I was sitting.

505. Do you know who opened the door for him?—I opened the door myself.

506. Did you put your hand on him to help him in?—No, I did not.

507. Did Mr. Joyce?—I do not know: I did not see him.

508. Did you open the door for him when he got to the hotel?—Yes.

509. Did he walk in himself?—Yes.

510. Did he get out of the cab himself?—Yes; I opened the door and he got out himself.

511. You saw him then: do you say he was absolutely sober?—He walked straight enough.

512. Did you see if he had had any liquor?—I did not see any liquor about him at all.

513. Have you said it would be injurious to your business to be mixed up in this case?—No.

514. Would it not injure your business to be mixed up in this case?—No; I do not care.

515. Have you ever seen a man drunk in your life?—Yes.

516. Did you not report to your partner that the cab had to be specially cleaned that night?—

No.

ANNIE PARKINSON recalled.

517. *Mr. Cresswell.*] You told us the other day that you saw the Inspector on two occasions when he was evidently under the influence of liquor. I did not fix the position as to where you were standing when you saw him?—I was standing at our gate.

518. Now, were you inside the gate or outside?—Just outside the gate.

519. Which gate?—The gate nearest to Mr. Emerson's place—what we call "the front gate."

520. That is the one with the steps?—Yes.

521. Then, were you standing on the road or on the steps?—On the steps.

522. Now, how many steps are there up to this gate?—Three or four.

523. Which step were you on?—On the top step.

524. Now, I think it is generally known we have only two styles of cabs in Napier, the ordinary box-cab and landau. Now, which trap was it?—Landau.

525. Can you tell us whether it had one or two horses?—Two, I believe; I cannot swear to it.

526. And did the driver on either occasion get off the box when the Inspector got out?—He did not.

527. Then, the Inspector opened the door and got out and walked into his own place without assistance?—He did not.

528. Then, the Inspector got out himself?—There were two others who assisted him out.

529. They came up in the landau with him?—They assisted him out.

530. Who were they?—I cannot say.

531. *The Chairman.*] Men or women?—Men; I do not know them.

532. *Mr. Cresswell.*] Ever seen them since?—I should not recognise them if I did; I did not take that notice of them.

533. Did the cab pull up on the side of the street on which Mr. Emerson lives?—Yes.

534. I believe you are now living where Inspector Emerson lived at that time?—Yes.

535. What is the distance from the front gate to your front door?—About a couple of yards.

536. I mean in the place where you are now living?—I have not measured the distance, but I should say somewhere about 60 or 70 yards.

537. Is the house you are now living in built on the same site as the house Inspector Emerson lived in?—Yes.

538. So he then had to go practically 50 or 60 or 70 yards when he got inside the gate?—

Yes.

539. Did his friends go with him?—They did.

540. Right up?—They did.

541. Were you on the top step on both occasions?—On the second occasion I was on the verandah, where I could see quite plainly.

FRIDAY, 3RD JUNE, 1898.

THOMAS EDWARD TAYLOR, examined on oath.

1. *Mr. Cresswell.*] You are a member of the House of Representatives?—Yes.
2. And your occupation privately?—I am an importer and agent, residing in Christchurch.
3. How many months have you been working up this case against Inspector Emerson?—I have not been personally connected with it except during the past two or three weeks.
4. Of course, you have been communicating with persons with the view to getting information?—I have had information sent to me since about last October probably in connection with one matter, and the "Dingadee" matter before that.
5. And who are you representing in making these charges?—I am not representing any one.
6. Only?—I have no authority to represent any other person or organization.
7. Had you ever known Inspector Emerson prior to coming here?—I never saw him in my life until I met him in Napier this last week.
8. Are you being paid for prosecuting this matter?—I am not.
9. Are you doing it out of your own pocket?—It is on my own motion entirely.
10. Now, you have endeavoured to elicit from a number of your own witnesses a definition of drunkenness; what is your own definition of drunkenness?—I think when a man has taken liquor to the extent that it interferes with his normal condition he is under the influence of liquor.
11. Some people go so far as to say that a man taking one glass of whiskey or glass of port wine is under the influence of liquor?—That is accurate scientifically, undoubtedly.
12. Is that your view?—Not in the ordinary acceptance of the term. If you can notice that his manner is affected as the result of what he has taken, or if his judgment is influenced in any degree, then I say he is under the influence of liquor.
13. Now, there is a great gap between that and being drunk?—I cannot tell you until I hear your definition of drunkenness.
14. You know Constable Ramsay?—Yes.
15. Do you remember speaking to him on the 25th instant?—I have spoken to him since I came to Napier. I do not remember the date.
16. I think you accosted him yourself?—Yes, I did; I knew him in Christchurch.
17. Now, what did you say to him?—I cannot pretend to remember the exact words, but this is the purport of what I said to him, so far as I remember: I met him as he was on his way to or going in the direction of the police-station. After passing the time of day we mentioned the Lindergreen case, and I said, so far as I knew, the Lindergreen case would not come before the Commission in Napier. It would probably come up in some form, but I was not concerned with it. I said, as a matter of fact, my concern in Napier was in connection with the charges against Inspector Emerson, and my hands were full.
18. Anything else?—Yes; I told him that my desire was to get the facts out in connection with the Inspector's career and character, and Ramsay said he knew nothing detrimental to the Inspector, and I said, "Very well, if you know nothing you cannot say anything." That was the full purport of what was said.
19. Well, now, I will read what Constable Ramsay said about the matter. He said, "It would cost me a few pounds to defend the case"—that is, the Lindergreen case—do you remember that?—I do not remember, so far as my memory goes, that any such remark was made. I certainly never made any such remark. If Ramsay makes such a statement it is absolutely untrue.
20. Did Ramsay say that if he had to go on with it it would cost him a few pounds?—I do not recollect him saying it, but I am perfectly certain I did not.
21. Did you say that all that brought you to Napier was to get at the Inspector?—No; I am too wise to make any such foolish remark to any man.
22. Did you say that the Inspector was no good to the police or anybody else?—I did not use those words. I may have said the Inspector was a disgrace to the Force. I probably said that. I have held that opinion for some months now strongly.
23. And that you would like Ramsay to give evidence against the Inspector as to drunkenness at Wairoa?—I certainly did not express any such wish. If that is Ramsay's statement it is a concoction on his part.
24. And that if he gave evidence to that effect you would not go on with the Lindergreen case?—I made no such statement; absolutely, No. The Lindergreen case was altogether separate from the case of Inspector Emerson.
25. Did you state you intended to call all the constables in Napier?—I said I purposed calling a number of the members of the Force, and I have done so.
26. And that if he and the other constables stuck to you they would be all right?—I never made such a remark. It would be pure madness on my part to have said so.

FREDERICK SUTTON, examined on oath.

27. *Mr. Cresswell.*] You are a commission and insurance agent at Napier?—Yes.
28. A member of the Licensing Committee?—Yes.
29. Education Board?—Yes.
30. Any other bodies?—No; at the present time I do not think I am. I have held every office, local and general, in the gift of my fellows in the district with the exception of a member of the Napier Corporation. I was eight years a member of the House of Representatives representing this district.
31. I think until recently you were agent for Cook's Tourist Agency?—I was.
32. You have resided in Napier ever since Inspector Emerson has been here?—Yes, nearly forty-one years—long before any Inspector came here.

33. And you have had opportunities of seeing the Inspector frequently?—Very frequently—both Inspector Emerson and previous Inspectors.

34. Have you on any occasion seen any signs of liquor on the Inspector?—I have seen Inspector Emerson when I could understand he had a glass or two. I have never seen the Inspector in any way incapable or intoxicated, or behaving in an ungentlemanly manner. I have never seen him in any other manner than efficiently looking after his business. I have seen him at all hours of the day, and very often in the evening up till 10 o'clock.

35. When you were agent for Cook's Tourist Agency it was necessary to come into town?—Yes.

36. And that is when you have seen the Inspector?—Yes.

37. Have you ever known him to be addicted to gambling?—Certainly not. I have never seen the Inspector gambling. I once did see Inspector Emerson playing a game of cards, and I think it is very likely it would be the same instance as was referred to by Inspector Cullen. It was very shortly after his assuming command of the district, and before he came to live here. The circumstances were these: It was about 5 o'clock in the evening. Mr. Emerson, Sir George Whitmore, and another gentleman were waiting for a trap to take them down to the steamer, and they were having this game. I just dropped in at 5 o'clock to Mr. Peddie's to see the evening paper, and they had just finished what I understood to be a game of euchre. There was no gambling.

38. Do you know what euchre-loo is?—No. I do not even know what euchre is. Inspector Emerson told me it was euchre.

39. You enjoy a game of whist and cribbage with other men?—Cribbage is the only game I know. I know of no other.

40. Have you ever played for drinks or a shilling a corner?—I have played games where the loser paid. I think I had two or three games last night.

41. Would you call that gambling?—Certainly not. I have never played for money or more than the loser paying for the drinks. On that occasion that I referred to I should like to state that when I came into the room there was half a crown on the table, and the bell had rung for the waiter.

42. Now, were you aware that the Inspector was going to the boat that afternoon?—I was. It was the first time I had seen the Inspector in uniform.

43. *The Chairman.*] Where did it happen?—In the Clarendon Hotel.

44. *Mr. Cresswell.*] On that occasion was he at all under the influence of drink?—Not at all. He apparently had had a whiskey or two, but he was perfectly sober and perfectly competent to do his business. There was nothing suggested to me that there was any gambling going on. That is the only occasion on which I have seen the Inspector handling cards.

45. How many years have you been a member of the Licensing Committee?—Eight or nine, I think.

46. During the Inspector's time here how have the licensing-laws been carried out to your knowledge?—I think the licensing-laws are very well carried out. They have been very strictly carried out within the last month or two; but it is to be hoped that this reign of terrorism will not last much longer. There have been no complaints that I am aware of, and the Licensing Committee are perfectly satisfied with Inspector Emerson's conduct in regard to the hotels.

47. So far as the class of men known as "spielers" is concerned, are there any supposed to be about town that you know?—I do not know anything of the spieler crowd. As a matter of current report and absolute undoubted opinion, there are not anything like the same number that there used to be.

48. *Mr. Taylor.*] Are you a member of the Working-men's Club?—No.

49. Have you ever been?—No.

50. Did you ever go with the Inspector to Wairoa?—No.

51. Did you ever go to Gisborne with him?—No.

52. *Colonel Hume.*] In your forty-one years here you have seen a good number of Inspectors?—Yes, I have seen them all, and have been personally acquainted with them all.

53. In your opinion, does the conduct of Inspector Emerson compare with the conduct of other Inspectors?—I do not think the police duties have ever been as efficiently conducted as since Mr. Emerson has been in charge here.

PERCY WILLIAM MENZIES, examined on oath.

54. *Mr. Cresswell.*] You are a duly qualified medical practitioner practising in Napier?—Yes.

55. I think you have been medical adviser for Inspector Emerson for some time?—Yes.

56. Are you also medical officer to the lodge to which he belongs?—Yes.

57. How long have you known the Inspector?—Six years.

58. During any of that time have you seen him under the influence of drink?—Never.

59. Have you ever known him to behave in an indecent and improper manner?—Never.

60. Last year do you remember treating him for any special complaint?—He has been under my treatment two or three times.

61. For what generally?—The first time, in 1893, he was ill from June to September with bronchitis. Then, again, in 1896 he was ill with influenza from the 15th July to the 10th August; and then, again, from the 25th May to the 10th June in 1897 he was ill with acute bronchial catarrh and influenza.

62. Now, was this acute bronchial catarrh supervening on anything?—The Inspector is what I call subject to a winter cough, and he had an attack of influenza twice, and it occurred with this winter cough. You will observe all these attacks occurred in the winter.

63. Did he cough violently at times?—Yes, one would cough.

64. What effect would that have on a man of the Inspector's age?—A somewhat trying effect.

65. Was it calculated to make him shaky?—Yes; he nearly died during this first attack from June to September, 1893.

66. Do you remember him carrying on his duties contrary to your advice when he was suffering?—He has done that every time.

67. Generally speaking, from your knowledge of him what is his character?—From my knowledge of Inspector Emerson, I have never observed anything wrong with him myself.

68. *Mr. Taylor.*] Do you think one of the symptoms of bronchitis would be to cause the subject to be very noisy on board a steamer and keep passengers awake by hilarity?—I think the question is an absurd one. I do not see the connection.

69. The theory is that certain actions on the part of the Inspector are due to the sickness: now, I wish to know would such a feature give any colour whatever to the sickness of bronchitis?—I cannot answer a question like that; it is absurd.

70. Am I to understand that the Inspector was continuously from the 25th May to the 10th June, 1897, under your care: were you attending him the whole time?—On and off I was.

71. Did he go to your place?—Yes, or his son.

72. You did not visit him at the house?—No, not at that time. I saw him twice only.

73. Did you see him twice from the 25th May to the 10th June?—He came to my house, so far as I remember.

74. Do you think he came more than twice?—Possibly he may have.

75. Do you remember between the 15th July and the 10th August, 1896, how often you saw him?—During the time he was ill in 1896 I saw him at his house on the 15th, 16th, 17th, 18th, 19th, 20th, 23rd, 27th, and 28th July, and again on the 2nd and 6th August.

76. Have you the dates for 1897?—I did not see him at his house at all in 1897.

77. In 1893, from June to September, can you tell me how many times you saw him then?—Every day for nearly two months.

78. How often at night-time?—Practically never.

79. Do you see him very often in the day-time?—Yes; about the streets.

80. Once or twice a week?—Pretty well every day.

81. But practically never at night-time?—Not that I remember, unless it was at the theatre or any place like that, when I have seen him occasionally.

82. Do you think that ordinary observers—say, for instance, some of the witnesses such as Mr. Jardine, or Mr. Baker, or Mr. Logan, or Mr. Cotterell—would be likely to mistake the symptoms of influenza for those of intoxication?—I cannot undertake to contradict what Mr. Logan may say individually one way or the other. I was not there at the time.

83. *The Chairman.*] Did you for influenza prescribe alcoholic treatment?—I prescribed alcohol both times for the Inspector in 1893 and 1896.

DE BERDT HOVELL, examined on oath.

84. *Mr. Cresswell.*] You are Dean of Waiapu?—I am.

85. How long have you known Inspector Emerson?—I really can hardly say. I have seen him pretty frequently for the last twelve months—that is, conversationally.

86. And prior to that how long have you known him or seen him about town performing his duty?—I really cannot say.

87. Do you remember him coming here to take charge of the district?—I cannot say that I do.

88. At any time since you have known the Inspector or seen him have you ever seen him the worse for drink?—No.

89. Have you ever seen anything indecent or unbecoming in his conduct as a Police Inspector?—Of my own personal knowledge, certainly not.

90. *Mr. Taylor.*] Have you ever seen the Inspector at night-time?—No.

91. Have you ever travelled in a steamer with him?—No.

92. Did you ever meet him at Wairoa or Gisborne?—No.

93. As a matter of fact, is it more than a year ago since you really knew him: was he not pointed out to you about a year ago in the street, and you said, "Oh! is that the man"?—It is quite possible.

JAMES GILLIES PATERSON, examined on oath.

94. *Mr. Cresswell.*] Which church are you minister of?—The Presbyterian Church.

95. Is Inspector Emerson a member of your church?—No.

96. Of your congregation?—He belongs to the congregation, but he is not a member; he is a seat-holder.

97. Does he attend with his family at times?—Yes.

98. How many years have you known the Inspector?—I should think about three or four years; I cannot say definitely.

99. And during these three or four years have you been in the habit of seeing him frequently?—Yes.

100. Where?—In his house, and in the police office, and in the town.

101. During any part of that time have you ever known him to be under the influence of liquor?—No, certainly not.

102. Is he a man of intemperate habits?—Not to my knowledge.

103. To your knowledge, is he a man addicted to gambling?—Certainly not, to my knowledge.

104. Have you ever seen anything unbecoming in his conduct or behaviour?—No.

105. *Mr. Taylor.*] How frequently have you seen the Inspector during the last three or four years?—That would be very difficult to say.

106. Have you see him once a week?—Not always; he has frequently been away from the town.

107. Do you think, on the average, you have seen him once a week?—I should not say so.
 108. That would be a hundred and fifty odd times in the three years?—Perhaps not as much as that.
 109. Ever met him in a publichouse?—No.
 110. Have you ever travelled on a steamer with him?—No.
 111. Do you of your own knowledge know anything about his habits in the evening?—Not in the evening. I never visited him in the evening, and know nothing about him.

HYMAN PHINEAS COHEN, examined on oath.

112. *Mr. Cresswell.*] You are an auctioneer carrying on business in Napier?—Yes.
 113. What local bodies are you a member of?—I am a member of the Borough Council, Hospital Board, Charitable Aid Board, and captain of the Salvage Corps.
 114. I think also, amongst other honourable positions, you hold the position of Justice of the Peace?—Yes.
 115. How many years have you been holding public positions in Napier?—Sixteen years.
 116. Have you known Inspector Emerson since his arrival here?—Yes.
 117. Now, have you been in the habit of seeing Inspector Emerson frequently since he arrived?—Yes.
 118. How often in a week, do you think?—Well, it would vary sometimes; perhaps not once in a week, and sometimes four or five times in a week.
 119. Do you ever see him in the day-time and night-time?—Yes.
 120. And anywhere else than in Napier Town?—I have seen him on the racecourse—at Hastings, and the Park, and Waipukurau. I have seen him on all the racecourses I have been on.
 121. At any time have you seen him at all under the influence of drink?—No.
 122. Is he a man, to your knowledge, addicted to gambling?—I should say No.
 123. Have you ever seen, night or day, anything unbecoming in the conduct of Inspector Emerson?—No.
 124. Can you say how the licensing-laws have been carried out since the Inspector has been here?—I very seldom go into hotels at night-time.
 125. You attend the race-meetings: can you say if there has been an improvement at race-meetings since Inspector Emerson came here?—No doubt there has been great improvement.
 126. In what respect?—The bad classes and spieler are quite absent now from the racecourses.
 127. To whom do you attribute that?—I suppose to the Police Force.
 128. *Mr. Taylor.*] You say that the spieler are quite absent from the racecourses?—So far as I can see now.
 129. Supposing in correspondence in 1896 or 1897 between Inspector Emerson and the Commissioner of Police it is stated there by the Hastings local authorities that spieler swarm on the racecourse, would that be right or wrong?—I should say from my knowledge it would be wrong.
 130. Would you pretend to know as much about it as the local authorities in Hastings?—I do. My calling always takes me to the racecourses from early in the morning.
 131. What is your calling?—I am proprietor of the totalisator in Hawke's Bay. I am there very early in the morning, before the police even, and I can say there is a total absence of the "spieler" nuisance.
 132. Do you know that the improvement has been pretty general throughout the whole colony?—I cannot say.
 133. How often do you see the Inspector at night-time?—He has had occasion to call at my place as Chairman of the Charitable Aid Board very frequently.
 134. What is very frequently?—He sometimes called once a week at my house.
 135. Did you volunteer evidence?—No.
 136. Would you have volunteered evidence if you had not been subpoenaed?—No; if I had not been spoken to and subpoenaed I should not have been here.
 137. You say you have never met the Inspector in a hotel?—Yes, I have.
 138. Where?—In the Masonic; I have gone in and had a drink with him.
 139. What time of the day would that be?—In the evening. I would go into town with him perhaps to see some distressing case which has come under my notice as Chairman of the Charitable Aid Board, and I would ask him to go into the hotel and have a drink.
 140. Would he go into the public bar to have a drink?—Yes.
 141. Would he be in uniform sometimes?—No, always in plain clothes. I would never ask him or any officer to go in in uniform.
 142. Are you not aware a policeman is always on duty?—No, I am not.

CHARLES HUGH CRANBY, examined on oath.

143. *Mr. Cresswell.*] You are a merchant in Napier?—Yes.
 144. Do you remember Inspector Emerson coming here?—Yes.
 145. Are you a member of any local bodies?—Yes, of the Borough Council.
 146. Have you had opportunities of seeing Inspector Emerson frequently since he has been here?—Yes, very frequently.
 147. How often a week?—Sometimes once or twice, and sometimes not at all.
 148. Have you been in the habit of seeing him at night-time?—Yes.
 149. Have you met him anywhere else than at Napier?—Yes.
 150. Where?—At racecourses and at Dannevirke and Hastings. I have met him all over the country.
 151. Have you been to Wairoa with him?—No.

152. Now, on any occasion have you seen the Inspector the worse for drink?—I have not.
153. Would you say he was a man of intemperate habits?—Certainly not.
154. Is he, in your opinion, a man addicted to gambling?—I never saw him playing cards.
155. Have you ever at any time seen anything unbecoming in his conduct as a police official?—No, I have never seen anything.
156. Have you ever known his conduct to be prejudicial to the interests of the Police Force?—No; he has always been obliging, and given any information asked for.
157. Have you had much to do with him yourself personally?—Only a little.
158. *Mr. Taylor.*] Have you ever had refreshments with the Inspector?—Yes.
159. Where?—Various places.
160. Have you had drinks with him at various places?—Yes, both in Napier and in the country.
161. What is his drink generally?—I cannot remember.
162. Alcoholic drink of some kind?—Oh, yes.
163. How often has he been in uniform when he has had refreshments?—I do not think he has ever been in uniform.
164. As a matter of fact, is not the Inspector very frequently in plain clothes when on duty?—I believe so; but it is mostly at night-time I have met him.
165. Can you remember any particular hotel in Napier where you have had drinks with him?—Yes, the Masonic and Clarendon.
166. At the Criterion?—I do not know that I have ever been there; I might have.
167. Have you ever met him in Gisborne: have you ever travelled on a steamer with him?—I fancy I did, but I cannot be sure of it.
168. How often have you seen him at night-time?—Very frequently.
169. Once a week?—Yes.
170. You have no knowledge, of course, of what his habits are every night in the week?—No, I have not.
171. Do you meet him socially at all in your own home?—No.
172. Did you volunteer evidence?—No.
173. Would you have come if you had not been subpoenaed?—No, I would be only too please to stay away from this sort of thing.

SAMUEL CARNELL, examined on oath.

174. *Mr. Cresswell.*] You are a photographer carrying on business in Napier?—Yes.
175. You are a Justice of the Peace?—Yes.
176. Member of the Harbour Board?—Yes, I am a member of the Hospital Board.
177. I think until the last general election you were also a member of the House of Representatives for this town?—That is so.
178. Have you known Inspector Emerson since his arrival here?—Yes; I may say I have known him since the first day he arrived, but not intimately until he resided near to my place in Brewster Lane—he used to pass there two or three times a day. I have been in the habit of seeing him, when he has been in town, two or three times a day when passing to his meals.
179. Have you been in the habit at all of seeing him at night-time?—I have seen him three times at night, and that was during the time I turned out at night to attend to election matters.
180. Have you ever seen the Inspector under the influence of drink?—No, I have never seen the least signs of drink upon him.
181. It is a well-known fact that you are a temperance man?—Yes.
182. You are a total abstainer?—Yes.
183. And take a great interest in the temperance question?—Not more than this: that I believe I have taken an interest in it. For instance, I took a great interest in getting the direct veto passed. I am not a Prohibitionist.
184. Can you say from your knowledge whether he is a man addicted to gambling?—That I cannot say. I do not gamble myself, and I have never been where I should see it; but I did on one occasion smell drink on the Inspector.
185. Do you ever remember seeing the Inspector in company with Mr. Swan?—Yes; it was on a morning. I had not seen him about as usual, and I said to him, "Have you been away?" He said No, he had been laid up with influenza. Well, as I talked to him I could see the man was ill, and it was at that time I smelt the drink—whiskey, I think it was. It was fresh taken, because whiskey when imbibed some time becomes obnoxious. I advised him to go home. I said he was not fit to go to the office, and he said he had some work to do which he must do. I asked him to go into my place, and to ring up his clerk, Norwood, and instruct him and then go home; but he would not, and he went down to his office. The same night I was busy about my front office, and I saw the Inspector and Mr. Swan and some one else whom I do not know. What brings it vividly to my memory was the evidence given by Mr. Cotterell, and I remembered then quite well the circumstances. I have a pretty retentive memory. He was taking hold of Mr. Swan's arm with his left hand, and had his walking-stick in his hand and handkerchief, and he was coughing pretty frequently.
186. Are you prepared to say he was under the influence of liquor on that occasion?—I do not think so.
187. What did you think was the matter with him?—I thought at the time he was suffering from bronchial asthma.
188. In the morning you noticed he was unwell, and you asked him to telephone to his clerk and go home?—Yes, and he was coughing and breathing very heavily, and, contrary to his usual habit, he was not walking straight.
189. Have you ever known his conduct to be at all unbecoming an Inspector of Police?

Speaking of my own knowledge, I have never seen anything unbecoming. Perhaps I may say he has, in my own opinion, been too lenient with the men, and has been too kindly in his disposition towards them. There was one time, I think, we had a slight difference. I spoke to him about Kirby, and, from information that I received, I told him I thought Kirby was a bad lot, and he turned round on me sharply. I had information that, perhaps, the Inspector was not able to get, and he was very enamoured of Kirby.

190. *Mr. Taylor.*] Do you live at your studio?—No, I am there in the day-time.

191. Do you reside there permanently?—No, my home is on the Coote Road.

192. Then, would you have any opportunity of seeing the Inspector pass your shop in the dusk?—I am there sometimes till 8 o'clock, but I never see him after dusk.

193. Now, you say that the whiskey was fresh taken?—I know it was fresh taken because it smelt like whiskey; and when a man has had it on his stomach some time it is not otto of roses.

194. *The Chairman.*] Have you been a teetotaler all your life?—No.

195. You probably knew what the smell of whiskey was?—Yes.

196. *Mr. Taylor.*] You say you remember the morning you saw him was the day on which Mr. Swan assisted the Inspector home?—Yes, I remember it quite well.

197. Do you say positively that the Inspector was sober when you saw him and Mr. Swan together?—What is your standard of sobriety?

198. Supposing Mr. Swan said that on that occasion the Inspector had had a whiskey or two?—I am not responsible for what Mr. Swan says.

199. Do you express any opinion as to what the Inspector's condition was when you saw him going home with Swan?—My impression was that he had been working, and was much worse.

200. Might he not have been drinking and been much worse?—He might or might not.

201. You do not know?—I do not. I should imagine from the circumstances he had taken some little stimulant to hold him up, but I do not know.

202. Did you speak to him?—No.

203. Do you light your vestibule by gas-light?—No. If I am there late I am working behind the shop.

204. Do you remember exactly what time it was that night?—I should say about 5.30. I know at that time I was pretty regularly home at 6 o'clock to dinner.

205. Would you see the Inspector every day you were in your workshop?—No, almost every day, and sometimes two or three times a day.

206. Some days would go by when you would not see him at all?—Quite so; I did not watch him.

207. Do you think the licensing-laws have been pretty well administered under the Inspector's rule?—They have been pretty well administered. When first he came here I did not think they were, but that has greatly improved.

208. Do you think that matters have been improved in Napier in the administration of the licensing-laws since Detective Kirby was taken away?—I do.

209. Do you know that the Inspector and Kirby were very close friends?—Yes.

210. Did the Inspector defend him very warmly?—Well, he turned hotly round on me, and of course I did not say much. I told him I thought Kirby was a "bad egg," because I had been told from good authority that he had been taking money from players. I did not tell the Inspector so. I kept it to myself.

211. Have you any knowledge as to whether the police have been active in enforcing the gaming-laws here?—Yes.

212. Do you think they have—do you know whether there are any "tote" shops in Napier?—I do. I may tell you this: I spoke of it in the House in moving the second reading of the Totalisator Abolition Bill. I said there were three shops in Napier.

213. Where are they?—One of them is *non est* now.

214. Where are the other two?—Eagleton's and Smythe's.

215. Do you know they are "tote" shops?—I can swear one is a "tote" shop.

216. From your own knowledge?—Yes; the other, Smythe's, is by repute, but I think it is well founded.

217. Do you know Eagleton's to be a "tote" shop?—Everybody in Napier knows it to be a "tote" shop.

218. Well, now, do you think Inspector Emerson must have known that in common with everybody?—Well, if you want to know I will tell you. I spoke to Kirby during the time I was a member of the House, and I told him he ought to do something to put that down.

219. Did you speak to the Inspector about it?—I do not think I did.

220. Have you ever mentioned "tote" shops to the Inspector?—I do not think I have to the Inspector. I have to the sergeant.

221. Which sergeant?—Sergeant Mitchell.

222. *The Chairman.*] Did you tell the sergeant in the presence of the Inspector?—No. After interviewing the sergeant and telling him he must take action, as many young fellows were going to the bad here, I saw Inspector Emerson. I asked Inspector Emerson why the "tote" shops were not stamped out, and his answer was this: "We are trying all we can. The reason why I cannot do anything is that the Resident Magistrate has refused to grant me a search-warrant." That is how I know he has taken steps.

223. You are quite clear the Inspector said that?—Yes.

224. Do you, of your own knowledge, know that "tote" betting is carried on in these shops?—Yes.

225. Under what circumstances have you ever seen "tote" betting there?—Of course I have. I was in the habit of going to buy my tobacco at Eagleton's, and I used to see young men conning over a card of racehorses.

226. Have you even seen money lodged there?—Yes.
 227. That is at Bagleton's?—Yes.
 228. Who lodged it?—I did not know his name till the other day. He was a young fellow walking with a crutch; his name is Harry Rolls.
 229. Did he give evidence here?—Yes. How I know it was on the "tote" is: I was going home the same night, and I remonstrated with him for gambling on the "tote," and he said, "I always strike a div." How I know it was put on the "tote" is this: I asked him did he give you a ticket, and he said, "Oh, no; he does not give tickets." And I said, "Can you trust him?" And he said, "Yes, he has too much to lose; he will pay out right enough."
 230. *The Chairman.*] How long is this since?—I did not take any notice of the date. I think it was about the latter end of January or early in February.
 231. *Mr. Taylor.*] Have you on any other occasion seen money invested in connection with "tote" betting in that shop?—Yes; I generally see them standing round with this card and talking about it.
 232. Has the Inspector always been perfectly sober when you have seen him?—Yes.
 233. Did you take any means to find out if the Magistrate had refused to issue a search-warrant?—No; why should I?
 234. You took the Inspector's word for it?—Yes.
 235. *Colonel Pitt.*] Do you remember seeing Mr. Cotterill that evening on the occasion when you say you saw the Inspector and Mr. Swan?—No.

HENRY WILLIAMS, examined on oath.

236. *Mr. Cresswell.*] You are an ironmonger in Napier?—Yes.
 237. A Justice of the Peace also?—Yes.
 238. Member of the Licensing Committee?—Yes.
 239. Harbour Board?—Yes.
 240. Charitable Aid Board?—Yes.
 241. How long have you been residing here?—About thirty-six years.
 242. Have you known Inspector Emerson since he has been here?—Yes, ever since he came.
 243. Are you in the habit of meeting him frequently?—I have seen him at various times, of course.
 244. On any occasion have you seen him the worse of drink?—Never.
 245. Is he, in your opinion, a man addicted to gambling?—I never saw him gambling in my life.
 246. Have you ever known his conduct to be unbecoming an Inspector of Police?—No. Of course I have met him, more particularly as a member of the Licensing Committee, and I have always seen him in a fit state, and doing his duty properly and correctly.
 247. How are the licensing-laws enforced by the police during these last three or four years?—I think satisfactorily, so far as I know. I know nothing to the contrary.
 248. Do you attend the races?—Very rarely.
 249. *Mr. Taylor.*] You say you have seen the Inspector at various times: how frequently—once a week?—Sometimes.
 250. Do you think, on the average, you see him all the year round once a fortnight?—Yes, I think so.
 251. Have you ever seen him in the evening?—No, very rarely. I live in the country. In fact, I do not think I have ever seen him in the evening.
 252. Have you ever travelled with him to Gisborne or Wairoa?—No.
 253. Do you frequent publichouses?—Occasionally.
 254. At night-time?—No.
 255. Have you had refreshments with the Inspector at any time?—On one or two occasions.
 256. Where would that be?—I cannot say were. It is a long time ago. Just about twice, I think, in Napier.
 257. Just casually?—Yes.
 258. Can you remember what house?—I remember once at the Masonic here, and that was a very short time ago, when the Minister for Justice was here.
 259. Would that be Mr. Thompson or Mr. Seddon?—Mr. Thompson. Several of us were in the room together.
 260. What were the drinks?—I do not know. Some had wine and some had whiskey. In fact, I do not know whether Inspector Emerson had drink at all, but I know he was in the room. I do not remember any other occasion, except once at the Albion.
 261. On that occasion did the Inspector drink with you?—Yes.
 262. Would he be in uniform? Would it be in the day-time?—In the day-time. We were then on Licensing Bench business. We had some object in connection with the sanitary arrangements at the hotel, and I think, if I remember rightly, I asked Inspector Emerson if he would have a glass of something, and we each had one.
 263. *Mr. Cresswell.*] I think three of you were appointed a Committee to inspect the Albion, the Royal, and the Provincial Hotels in connection with the high-pressure water upstairs?—Yes.
 264. And the Inspector, as Inspector of licensed houses, accompanied you members of the Committee?—Yes.
 265. Do you know if it had been reported at the Licensing Committee that these things were required upstairs?—Yes. That was part of the report.
 266. And were the necessary alterations ordered by the Committee?—Yes. We recommended certain things necessary to be done.

FAIRFAX FREDERICK FENWICK, examined on oath.

267. *Mr. Cresswell.*] You are now manager of the Bank of New Zealand in Napier?—Yes.

268. And before assuming the managership I think you were manager of the Colonial Bank here?—Yes.

269. Have you known Inspector Emerson since his arrival in Napier?—Yes.

270. Are you in the habit of seeing him frequently?—I see him every day when he is in Napier.

271. Is he, in your opinion, a man of intemperate habits?—I am not aware of it. I have never seen any signs of it.

272. Have you ever seen him with signs of liquor on him?—No.

273. Have you had many conversations with him?—Yes.

274. Have you seen him at night-time as well as the day-time?—I have seen him at night. I do not often see him at night.

275. Is he, within your knowledge, a man addicted to gambling?—Not that I am aware of.

276. Have you ever known his conduct to be in any way unbecoming an officer in charge of police?—No.

277. Have you ever known his conduct to be injurious to the interests of the Police Force generally?—No.

278. Or injurious to the interests of the general public?—No.

279. *Mr. Taylor.*] Did you volunteer evidence?—I came on summons.

280. Would you have come if you had not been summoned?—No.

281. You say you see the Inspector every day he is in Napier?—I generally do.

282. Does he come to the bank to see you?—He never comes to my room to see me. I see him in the bank.

283. Where do you usually see him?—Either in the bank or in the street.

284. From your window?—No; I see him in the street.

285. How often do you see him at night-time after business is over?—As I say, I do not think I have seen him very often at night-time. What do you call night?

286. I mean after 5 o'clock?—Very likely I would see him more after 5 than any other time.

287. When you are going home?—I live on the bank premises, but that is the time when I very often do see him—after I leave the office; and, I suppose, after he leaves his office.

288. Between 3 and 5 you usually see him?—That is the likely time.

289. Do you frequent hotels at night at all?—No.

290. You do not see him in hotels at night?—No.

291. You do not gamble in hotels at night?—No.

292. Did you ever travel with the Inspector on a steamer anywhere?—No.

293. Do you of your own knowledge know how he spends his evenings?—No.

294. You know little about his habits outside the fact that you see him about the streets?—I know nothing about his habits, certainly, at night.

295. I would like to ask whether you are so convinced that the Inspector is a sober man and not addicted to gambling that your conviction on that point would have brought you here without a subpoena?—That is assuming I have read the evidence and come to the conclusion that he has been unjustly treated. I have scarcely read any of the evidence, and know very little of what is going on, and therefore it is not likely that I would come here and volunteer evidence.

296. You are not interested in Inspector Emerson's defence?—I am not interested in it, certainly.

JOHN GRIFFIN, examined on oath.

297. *Mr. Cresswell.*] You are a bridge-contractor in Napier?—Yes.

298. How many years have you been living here?—About twenty.

299. Have you known Inspector Emerson since he has been here in the district?—Yes.

300. Are you in the habit of seeing him frequently?—Yes.

301. Day-time and night-time?—Yes.

302. Have you travelled anywhere with him?—Yes.

303. Have you met him at places outside Napier?—Yes.

304. On any occasion have you seen him the worse of drink?—Never.

305. Can you say that he is a man addicted to gambling?—I am not aware of it.

306. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No.

307. Have you ever known his conduct in any way to be injurious to the public interests?—No.

308. *Mr. Taylor.*] Where have you travelled with the Inspector?—Once in the train when I was going up to Hunterville district, where I had a bridge building.

309. Have you ever had refreshments with him?—No.

310. Ever met him any hotels all night?—No.

311. Do you visit hotels at night?—Sometimes I might go in.

312. Do you gamble at all?—No.

313. You say you have seen the Inspector day- and night-time: how frequently at night-time?—Not very often, because I do not go often out at nights.

314. How often have you seen him in the day-time?—Often. My business takes me about the streets pretty much, and I generally come in contact with him, more or less, every day when he is in Napier.

315. Do you of your own knowledge know anything of his private habits at night?—No. I have no personal knowledge of his private habits.

RICHARD THOMAS WALKER, examined on oath.

316. *Mr. Cresswell.*] You are editor of the *Hawke's Bay Herald*?—Yes.

317. How long have you been editor of that paper?—Over nineteen years.

318. Have you known Inspector Emerson since his arrival in Napier?—I met him before he lived in Napier. He was Inspector of the district before he came here, and I was living in the Criterion Hotel when I was first introduced to him.

319. Then you have known him ever since?—I have known him off and on. I saw a great deal of him prior to the last twelve months.

320. Prior to the last twelve months you were in the habit of seeing him frequently?—Practically every day when in Napier.

321. On any occasion have you noticed him to be the worse of liquor?—Never. I may say I used to live opposite to him, and we walked down to work both day and night.

322. From your knowledge, is he a man addicted to gambling?—I never saw him with cards in his hands.

323. Speaking as a newspaper editor, how have the licensing-laws been carried out since Inspector Emerson has been here?—There has been a very great improvement. When I first came to Napier the laws were absurdly lax, and now they are very strictly enforced—that is, speaking of the Masonic and Criterion Hotels, which I know best.

324. To what cause do you attribute that?—To the police supervision, and partly to the character of the landlords, no doubt.

325. So far as objectionable characters on the racecourse are concerned, what do you say about them?—Some years ago life used to be a burden in hotels at race-times, but when I was living at the Criterion on the occasion of the last race-meeting there were no objectionable characters.

326. To what do you attribute that improved state of things?—To the police, I suppose.

327. *Mr. Taylor.*] Are you aware there has been a great deal of newspaper and other criticism on the lax administration of the licensing-laws during the last few years?—Yes.

328. Do not you think that has caused an improvement in the administration of the licensing-laws, rather than police action?—It may have spurred the police to take action—probably it did. I have written articles myself on the subject—not on the lax administration of the laws in Napier, but all over the colony.

329. Do not you know, as a newspaper man, that throughout the colony there has been a better administration of the licensing-laws than formerly?—Yes.

330. Do you know that complaints about the lack of vigilance on the part of the police in enforcing the licensing-laws have been pretty frequent during the past few years?—Yes.

331. Did you ever take refreshments with the Inspector at any time?—I remember on one occasion.

332. When was that?—Last week.

333. Where was that?—At the Clarendon Hotel, where he was living.

334. What drinks did you have?—Whiskey and soda.

335. And he had whiskey and soda?—He did.

336. Have you ever met the Inspector at the hotels in the evening?—Not of late years. I met him last week at the Masonic. I went round to see Commissioner Tunbridge, and I saw Inspector Emerson, and he said he wanted to subpoena me. I objected to being called, because I told him my evidence would be merely negative, and that I could not prove he was sober on any of the days he was alleged not to have been sober. But he pressed me to come, and I said, "Very well."

337. Do you know much about the Inspector's private habits?—I have never been in his house.

338. How frequently have you met him in hotels at night?—Very often years ago, but not recently.

339. Have you ever travelled with him on steamers?—No.

FREDERICK IRVING DE LISLE, examined on oath.

340. *Mr. Cresswell.*] You are a duly qualified medical practitioner?—Yes.

341. How long have you been in Napier?—Twenty-one years.

342. You are a member of the Hawke's Bay Licensing Committee?—Yes.

343. Have you known Inspector Emerson since he arrived here?—Yes.

344. Have you had opportunities of seeing him frequently?—Yes, fairly frequently. I have had official business with him.

345. Have you been on steamers with him?—Once.

346. Where was that?—Coming down from Gisborne to Napier last December.

347. On any occasion have you seen the Inspector under the influence of liquor?—No; I have never even smelt liquor upon him.

348. Then, as a medical man, and one who is in the habit of seeing him frequently, can you say if he is a man of temperate or intemperate habits?—From my knowledge I should say he was a man of temperate habits; I have never seen anything the reverse.

349. You give testimony as a medical man?—Yes.

350. From your knowledge of him, is he a man addicted to gambling?—I cannot say. I have never known him to gamble, and I have never seen him play cards.

351. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No; whenever I have had business with him he has always been as any other official should be—courteous, ready to advise, and ready to take action.

352. I think you have had some experience in Her Majesty's navy as an officer, and you are perhaps capable of judging?—Yes.

353. So far as the carrying-out of the licensing-laws is concerned during the last four or five years, have you anything to say on that matter?—From my own observation, I think there has been an improvement. I am frequently called professionally at night to the hotels, and I think there has been an improvement.

354. To what cause do you attribute the improvement?—I presume the police have something to do with it. It may be we have a more reputable set of publicans, but I should say the police have a good deal to do with it.

355. Now, so far as objectionable characters in Napier are concerned, have you noticed any difference during the last few years?—Yes; doctors see a good deal of the seamy side of life. I believe there are one or two houses in Napier, but they are kept very quietly indeed, but at one time there were several notorious houses here.

356. So far as the women themselves are concerned, have you ever known them to be prosecuted here?—Yes.

357. *Mr. Taylor.*] How often do you meet the Inspector?—I should say I meet him almost daily.

358. You said “fairly frequently”: do you meet him 365 times in the year?—No, because he is not in Napier the whole year. I am continually coming across him in the streets.

359. Do you very frequently see him at night-time?—No.

360. Do you know how he spends his nights?—No.

361. We have had definite testimony as to how he spends some of his nights: are you prepared to contradict that?—No.

362. Have you ever had refreshments with him?—No.

JOHN COMMONS McVAY, examined on oath.

363. *Mr. Cresswell.*] I think you are a member of the Borough Council?—Yes.

364. How many years have you been a member?—Off and on, for sixteen or seventeen years.

365. I think you are also vice-president of the Park Racing Club?—Yes.

366. How many years have you held office in that club?—Since its inception—ten or eleven years.

367. Have you known Inspector Emerson since his arrival here?—Yes.

368. Have you been in the habit of seeing him frequently?—Yes.

369. Have you ever seen him under the influence of drink?—No.

370. Have you met him anywhere else than in Napier?—Yes.

371. Have you travelled with him on steamers?—Yes.

372. From your knowledge, is he a man addicted to gambling?—Of my knowledge, he is not.

373. Of your knowledge, is he a man of intemperate habits?—Of my knowledge, he certainly is not.

374. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No.

375. Speaking as vice-president of the Park Racing Club, is there any improvement at race-meetings now so far as spielers are concerned?—Yes, a very decided improvement. Inspector Emerson has rendered the Park Racing Club, of which I am an active member, every possible assistance in the prevention of undesirable classes who associated at race-meetings from being there. When requested to do so by the stewards he has readily assisted them actively. So much so that I think I am right when I say that the club wrote on one occasion and thanked him.

376. Have his efforts been successful in clearing these undesirable people away from the course?—Yes, thoroughly successful. I am sure the courses I come in contact with are as free or freer of these objectionable classes than any racecourses outside Hawke's Bay.

377. *Mr. Taylor.*] Has there not been an effort on the part of the whole of the racing-clubs throughout the colony to get rid of these spielers?—Yes.

378. Have there been pretty numerous prosecutions by racing-clubs all over the colony?—Yes.

379. Can you say if a similar improvement has taken place anywhere else than here?—From my observation, not to the same extent.

380. Do you know Canterbury?—Yes.

381. Do you know Otago?—Yes, but it is four or five years since I have been there. I have been at race-meetings recently in pretty well every part of the colony, except Otago.

382. Do you meet the Inspector frequently at night-time?—Well, I have seen him frequently at night-time.

383. Have you ever met him at any hotels?—I have no definite recollection of meeting him at any hotels.

384. Have you ever played cards with him yourself?—No.

385. Did you ever have refreshments or drinks with him?—No.

386. Do you know much or anything about the way he spends his evenings?—No.

GEORGE THOMAS FANNIN, examined on oath.

388. *Mr. Cresswell.*] You are clerk of the Hawke's Bay County Council?—Yes.

389. And also clerk of the Hawke's Bay Education Board?—Yes.

390. How long have you held the position of clerk of the Hawke's Bay County Council?—Since 1875.

391. Do you know Inspector Emerson?—Yes.

392. Since he came to Hawke's Bay have you been in the habit of seeing him frequently?—I cannot say “frequently.” I see him generally when going to the office if he is on the road.

393. Do you pass his office when coming down from home?—Yes.

394. On any occasion have you ever seen him the worse of drink?—No.

395. Have you ever known him to be addicted to gambling?—I know nothing at all about it.

396. Have you ever known his conduct to be unbecoming that of an Inspector of Police?—I have never met with such.

[ROBERT BISHOP, examined on oath.

397. *Mr. Cresswell.*] You are resident manager at Napier for Sargood, Son, and Ewen?—Yes.
 398. How long have you known Inspector Emerson?—Twenty years.
 399. During the last few years you have been in the habit of seeing him frequently?—Yes.
 400. At any time have you seen him under the influence of drink?—No.
 401. Have you travelled with him or met him anywhere else than in Napier?—Yes, I knew him when he first took charge of the Westland District.
 402. Have you ever seen him with any signs of liquor on him?—No.
 403. Is he a man from your knowledge addicted to gambling?—I have seen him playing cards. I have played cards with him.
 404. Do you call that gambling?—No, I never gambled with him.
 405. *Mr. Taylor.*] Have you ever seen him playing for stakes?—I have seen him playing in a hotel, and I consider any one who plays in a hotel is there to play for money or drinks. It is usual for men to do so.
 406. Have you ever seen the Inspector playing for money in a hotel?—I have seen him playing in a public room of a hotel, but whether for money or drinks I do not know. I have played with him in a private room.
 407. How long is it since you saw him playing cards?—Not for the last ten years.
 408. That would be in Westland?—Yes.
 409. Have you seen much of him in this district?—No; I do not go out at nights much.
 410. Have you ever had refreshments with him?—Yes.
 411. In this district?—Perhaps; I think I have once or twice.
 412. In hotels?—Yes.

MAURICE NORMAN BOWER, examined on oath.

413. *Mr. Cresswell.*] You are the Town Clerk of Napier?—Yes.
 414. How long have you held that position?—Twenty-three years last March.
 415. Have you known Inspector Emerson since his arrival here?—I have.
 416. Have you been in the habit of meeting him frequently?—Yes.
 417. Day-time and night-time?—Day-time.
 418. Have you ever seen him the worse for liquor?—Never.
 419. Is he a man of temperate or intemperate habits, as far as you know?—Temperate, so far as I know.
 420. Have you ever known his conduct to be unbecoming that of an Inspector of Police?—Never; on the contrary, the borough has always been most courteously treated when any matter has been referred to him.
 421. *Mr. Taylor.*] How frequently have you seen the Inspector?—Almost daily, when he is here.
 422. Do you just see him casually as you move about town?—Yes.
 423. Have you ever met him at night-time at all?—Never.
 424. Did you ever have drinks with him?—Never to my knowledge.

JOSIAH PRATT HAMLIN, examined on oath.

425. *Mr. Cresswell.*] You are a licensed Native interpreter, residing at Napier?—Yes.
 426. I think you reside in Brewster lane?—Yes.
 427. And the entrance to your place is opposite to the entrance to the house Inspector Emerson used to live in?—The entrance to the Inspector's house is some yards from my own.
 428. Do you know where Mrs. Parkinson used to live?—Yes.
 429. I think you heard the evidence given by her in this Court?—I did hear a portion of it.
 430. Did you go and inspect the place afterwards?—Yes.
 431. Would it be possible for Mrs. Parkinson to have seen what she says she saw from the position she was in?—Not unless the trap was driven up to the middle of the road. If the trap was driven up to the side of the road near the Inspector's house I do not see how any person could see who got down.
 432. From the verandah could she have seen the trap?—No.
 433. Have you known the Inspector since he has been here?—Yes.
 434. Have you been in the habit of meeting him frequently?—Very often.
 435. Have you met him anywhere else than in Napier?—I met him once, I think, in Wairoa, and I think I met him up at Waipawa.
 436. In your opinion, is he a man of temperate or intemperate habits?—Temperate. I have never seen the Inspector with the signs of liquor upon him. I may say we very often used to meet at Carnell's corner and walk home together, and I have never seen the slightest signs of liquor upon him.
 437. From your knowledge, is he addicted to gambling?—Not that I am aware of.
 438. Have you ever known his conduct to be unbecoming an Inspector of Police?—No.
 439. *Mr. Taylor.*] Where did you stand when you went to Mrs. Parkinson's old house?—On the top step.
 440. Supposing you had stood on the second step from the bottom, could you have seen what was taking place?—That would be worse still.
 441. Do you know that there is a second gate leading into that property where Mrs. Parkinson lived, fronting the road?—I never noticed it.
 442. Supposing there is a second gate, are you prepared to say that a person standing at that gate could not see some one else come out of a cab if the cab was drawn right up at the gutter near the Inspector's house?—I do not see how any person could, for this reason: Between the Inspector's entrance and Mrs. Parkinson's late residence there is a building which would prevent any one from seeing it.

443. Now, have you been on the verandah of that house?—No.
 444. You do not know what view is obtainable from there?—I simply say that any one standing on the top step or the second step could not see who got out of a cab if it was drawn close up to the Inspector's entrance.
 445. Have you ever played cards with the Inspector?—No.
 446. Do you play cards at all?—I play cards sometimes.
 447. Have you ever had drinks with him?—Once.
 448. Where?—In the Napier Club, of which I am a member.
 449. Was that recently?—No, it was about twelve months ago. I asked him in there.
 450. At Wairoa did you stay at the same hotel with him?—No, I stayed at the Clive Hotel, and the Inspector stayed at the Wairoa Hotel.
 451. Do you see the Inspector very frequently at night?—No, very seldom.

THOMAS MORGAN, examined on oath.

452. *Mr. Cresswell.*] Are you headmaster of the District School here?—Yes.
 453. How many years have you held that position?—Six and a half.
 454. And prior to that, I think, you were headmaster of the District School in Gisborne?—Yes.
 455. How long have you known Inspector Emerson?—About three or four years. I did not know him the first couple of years he was here.
 456. Have you been in the habit of seeing him frequently since then?—Occasionally.
 457. How often in a week?—I might have met him in Hastings Street perhaps two or three times a week.
 458. Have you conversed with him on any occasions?—Yes; I have been to the office to see him.
 459. Have you ever seen him under the influence of drink?—No.
 460. In your opinion, is he a man of temperate or intemperate habits?—So far as I know, he is a man of temperate habits.
 461. From your knowledge, is he a man addicted to gambling?—I do not know anything at all about it.
 462. Have you ever known him to misconduct or misbehave himself in any way?—No.
 463. Do you ever see him at night-time?—Never.

THOMAS WAITT BALFOUR, examined on oath.

464. *Mr. Cresswell.*] You are now an insurance and general agent?—Yes.
 465. You were for a great many years manager of the Bank of New Zealand here?—Yes.
 466. When was it that you resigned your position as bank-manager?—In March, 1895.
 467. Now, have you known Inspector Emerson since he has been in Napier?—Yes, for the last five years.
 468. Have you been in the habit of meeting him frequently during that period?—Yes; very often in the street when walking about.
 469. From your knowledge of him, is he a man of temperate or intemperate habits?—So far as I know, he is a man of temperate habits.
 470. So far as your knowledge goes, is he a man addicted to gambling?—Not to my knowledge.
 471. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No.
 472. *Mr. Taylor.*] Have you really any knowledge of his habits at all?—I have not, further than through meeting him casually in the street.

THOMAS MORRISON, examined on oath.

473. *Mr. Cresswell.*] You are a journalist?—Yes.
 474. You are on the *Hansard* staff?—No; I am chairman of the Press Gallery and representative of the Press Association staff.
 475. I think you attend the session of the House every year?—Yes.
 476. Have you known Inspector Emerson since his arrival in Napier?—Yes.
 477. Have you been in the habit of seeing him frequently when in Napier?—Yes.
 478. Have you ever known his conduct to be unbecoming that of an Inspector of Police?—No.
 479. Is he a man of temperate or intemperate habits so far as you can judge?—So far as I know, of temperate habits.
 480. From your knowledge of him, is he a man addicted to gambling?—No; I never saw him playing cards.
 481. *Mr. Taylor.*] Have you ever had any drinks with him?—No, I do not think I have. I do not remember.
 482. Are you quite clear of that?—I am not quite clear. I think I have seen him in hotels.
 483. Have you seen him drinking in hotels?—I do not think I have seen him drinking in hotels.
 484. As a matter of fact, do you know anything about his habits other than the most casual observer might know?—No.
 485. *The Chairman.*] Do you know anything of his conduct to express an opinion that he is not of intemperate habits?—I think so; I have seen him very frequently.
 486. Do you think if he was of intemperate habits that the fact would come to your knowledge, he being a public officer?—Of course, I have heard reports, but I do not know of my own knowledge.
 487. You have heard reports?—Yes; but there is nothing within my own knowledge.

ALEXANDER ECCLES, examined on oath.

488. *Mr. Cresswell.*] You are a chemist, practising at Napier?—Yes.
489. How long have you known Inspector Emerson?—Since he has been in Napier.
490. I think you patronise race-meetings?—Yes.
491. Since you have known the Inspector have you been in the habit of seeing him frequently in Napier and at race-meetings?—Yes.
492. From your knowledge of him, is he a man of temperate or intemperate habits?—I should consider him of very temperate habits.
493. From your knowledge of him, is he a man addicted to gambling?—Certainly not.
494. Have you ever known his conduct to be unbecoming that of an Inspector of Police?—No.
495. *Mr. Taylor.*] How often do you see Inspector Emerson?—Pretty well every day when he is about the streets. He occasionally drops into my shop to have a chat about his health.
496. Do you say you have no knowledge of his gambling habits?—No.
497. None whatever?—None.
498. Do you know he is a patron of the "tote" shop?—No.
499. Do you know he is a patron of the totalisator?—No.
500. Do you see him in the evening at all?—Sometimes.
501. How often?—Not very often.
502. Do you practically know anything about his habits, except what the most casual observer could ascertain?—What I do know of his habits is all in his favour.
503. Do you know much about his habits?—I know him very well, and I cannot say anything against him.
504. Did you ever meet him in any hotel?—I am not much about hotels.
505. Have you ever had drinks with him at any hotel?—I may have had.
506. Can you remember any instance?—No, I cannot.
507. Have you ever played cards with him?—No; I do not play cards.

JOHN CRAIG, examined on oath.

508. *Mr. Cresswell.*] You are manager of the New Zealand Loan and Mercantile Agency Company in Napier?—Yes.
509. I think your building is next door to the Bank of New Zealand, in the main street?—It is.
510. Have you known Inspector Emerson since he has been here?—Yes.
511. During the time you have known him have you been in the habit of seeing him frequently?—Yes; I frequently see him in the evening, on the arrival of the express, when I go to clear my letter-box, and I see him frequently at St. Paul's church.
512. And during the daytime?—Not so frequently during the daytime.
513. From your knowledge of him, is he a man of temperate or intemperate habits?—I have no personal knowledge of his being intemperate.
514. I think you are a total abstainer?—Yes, practically, all my lifetime.
515. And from your knowledge of the Inspector, is he a man addicted to gambling?—I have no knowledge whatever.
516. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No.
517. Has he always been perfectly sober when you have seen him?—Always.
518. *Mr. Taylor.*] How often have you seen him?—I usually go to the post-office on the arrival of the express to get my letters, and I frequently see the Inspector there.
519. How often do you see him there—do you ever go there when you do not see him?—Yes, I have gone there when I have not seen him. If I was late or too early I would not see him.
520. Have you seen him there once a week on an average?—Yes, oftener than that.
521. Do you know, practically, anything about his habits?—I have no personal knowledge of his private habits.
522. You do not meet him except in the most casual manner?—Well, I have had to meet him on business on several occasions.
523. How many occasions since he has been here?—Two or three times.
524. *Colonel Pitt.*] If the Inspector were a person of reputed intemperate habits do you think you would have heard of it?—Of course, I have heard rumours that he has been seen under the influence of drink.

PATRICK BARRY, examined on oath.

525. *Mr. Cresswell.*] You are a wood and coal merchant in Napier?—Yes.
526. How long have you been here in business?—I have been here all my life, and I have been in business about fifteen years.
527. Have you known Inspector Emerson since his arrival in Napier?—Yes.
528. Pretty intimately?—Fairly; yes.
529. Have you been in the habit of seeing him frequently?—Yes.
530. Night-time and daytime?—Not so much at night as in the day. I went to Wairoa with him, and went up the line with him on a couple of occasions.
531. Have you ever met him at the racecourse?—Yes.
532. Have you ever seen him under the influence of liquor?—Never.
533. In your opinion, is he a man of temperate or intemperate habits?—Temperate habits, I should say.
534. Do you attend all the Hawke's Bay races?—Yes; I am and have been connected with the totalisator since it was started in Hawke's Bay.
535. Is he a man addicted to gambling?—I have only seen him about three times during all

the time I have been connected with the totalisator in the Hawke's Bay District invest a pound on the machine.

536. Have you ever known his conduct to be other than that befitting an Inspector of Police?
—No.

537. *Mr. Taylor.*] Did the Inspector put the money on the machine himself?—Yes.

538. Have you seen him in any hotel?—In Wairoa once.

539. Did you ever have drinks with him?—Yes, about three times.

540. Did you ever play cards with him?—No.

541. Do you know anything about his habits specifically?—No, only in talking with the Inspector when I have met him.

542. If he was a man of intemperate habits would it have come to your knowledge?—I think I would have heard it.

543. You never heard it?—No.

544. How often have you seen him at night-time?—I never see him at night-time. I am never out, as a rule, at night-time.

JOHN EMERSON, examined on oath.

545. *Mr. Cresswell.*] You are Inspector of Police in charge of the police-station in Napier?—Yes, and the East Coast district.

546. I think your first public service was in the Royal Irish Constabulary?—Yes.

547. And you joined the Royal Irish Constabulary on the 13th July, 1847?—Yes.

548. You produce your certificate of discharge?—Yes; it is as follows:—

County Inspector's Office, Cork, 18th October, 1857.

This is to certify that the bearer, John Emerson, served in the Irish Constabulary Force from the thirteenth day of July, one thousand eight hundred and forty-seven, to the twentieth day of October, one thousand eight hundred and fifty-seven, from which latter date he will be discharged, having voluntarily resigned to emigrate to Australia. At the period of his discharge he holds the rank of constable. He was six times specially rewarded by the superior authorities of the Force and awarded a "badge of merit" for saving life at the imminent hazard of his own. From his known personal intrepidity he was one of the Volunteers selected to be sent to the Crimea in December, 1854, where he distinguished himself as a Volunteer at the siege of Sebastopol, for which he obtained the Sebastopol Clasp. He discharged his Constabulary duties with intelligence, diligence, and fidelity, and was at all times sober and well conducted.

ALEX. KINGSTON FOX,

County Inspector of Constabulary in County Cork, East Riding, and City of Cork.

549. What other decorations have you besides the Queen's Medal and the Sebastopol Clasp?—I have the Turkish Medal, the New Zealand Medal, and the Royal Humane Society's Medal for saving life at Picton when I was sergeant of police there.

550. Was that in the year 1865?—Yes.

551. Now, when you came to New Zealand what position did you take up?—I joined the Police Force.

552. What year did you join in New Zealand?—In 1864.

553. In what capacity did you join?—I was a mounted constable.

554. How long were you there before you were promoted?—I was a year, I think, when I was made a first-class mounted sergeant, and went in charge of the Picton Station.

555. From that you have gone on steadily until you are now a First-class Inspector?—In 1863 I was appointed First-class Inspector. That was in the provincial days.

556. What rank do you hold now?—First-class Inspector.

557. Now, what family have you had?—Six sons and five daughters.

558. All born in New Zealand?—No; three in Victoria, and eight in New Zealand.

559. Now, have you been commended for meritorious conduct other than on one occasion when you got a medal for saving life in New Zealand?—Yes. I have been spoken of.

560. What notable events have you taken part in?—At Te Kuiti in 1892, at the arrest of Mahuka and twenty-two followers; at Waipiro in 1891, where there were four hundred armed Natives going to attack each other on account of a dispute over Native lands.

561. *The Chairman.*] Was that in connection with the police?—Yes. I was then Police Inspector. I went there with twenty-four men from the artillery and police.

562. *Mr. Cresswell.*] Was Sir George Whitmore residing in the district at that time?—He was at Waipiro then, and he said I must return, as he said it would have been as much as my life was worth as there were four hundred armed Natives and I had only twenty men.

563. What was the result?—I said No. He said he was communicating with the Government, but I said I had full control myself, and that I would go in and would do whatever was required to bring them under the law or put them in the lock-up and have them dealt with.

564. Did you disarm the whole of these Natives?—The third day I disarmed all the Natives, and I put the arms into Mr. Wallace's safe. He was manager of Mr. Williams's estate.

565. Do you remember a dispute with the Natives in 1880 at Rotorua?—Yes; in 1880 there was a man named Wilson locked up in Lake House by the Natives. He had fired on them the day before. I had five of the ringleaders arrested. There were only two constables and myself, and we arrested them, and had them committed for trial at Auckland.

566. And at Te Whaiti?—In 1893 at Te Whaiti the surveyors were interfered with by the Natives, and I was ordered up there, with sixty-two of the artillery and police, to assist the surveyors and see that order was carried out. I succeeded there in getting the Natives quiet, and remained for eighty-two days in that district. At Omahu, in June, 1891, the Donnelly and Broughton Natives were ploughing the land and raising a disturbance in the district.

567. Was there any Native shot on that occasion?—No; that was a short time before. I went out there and told them that, of course, if they did not knock off I would arrest them all, and with the assistance of Messrs. Donnelly and Broughton they came to my terms, and said they would have the matter tried in the Supreme Court.

568. You remember attending the races at Gisborne last July?—I do.
569. I believe you were only there on the first day?—That is all. I went to the Gisborne Station for the purpose of getting a telephone erected.
570. At the racecourse?—No, at the Gisborne Station.
571. Was that from Gisborne to Ormond?—Yes.
572. And you went to the races on the first day?—I did.
573. You heard the evidence of Mrs. Erskine: she said you were not sober at luncheon-time that day?—I say I was as positively that day sober as I am now, but I was very ill with influenza.
574. Was the evidence of Mr. Aislabie and Mr. Bridges correct?—Perfectly correct.
575. And the evidence of Mr. Joyce as to what took place?—That is true.
576. Do you remember seeing Mrs. Erskine that day?—I recollect talking to her at the door as I went in and out.
577. And were you at all under the influence of drink?—I certainly was not.
578. Did you finish your lunch that day?—I was very unwell, and I had some lunch.
579. Before you finished your lunch something happened to you: give us your version of that?—I recollect sitting down on the form. It was very narrow and very close to the table. I sat too far over on it and lost my balance, and I slid off the form backwards on to some parties who were sitting next to me.
580. You fell against those persons who had their backs to you?—Yes.
581. Well, now, was that fall in any way attributable to your having taken too much drink?—Not at all.
582. What was the cause of it?—It was a narrow form, and I sat too far out on it and lost my balance and came down.
583. Now, you have heard about Mr. Nesbitt: have you played cards with him in Gisborne?—Yes, I played euchre for sixpenny points. We played for a pastime, that was all.
584. Where?—In the Gisborne Hotel, where I was staying.
585. What becomes of those sixpences?—I do not know what became of those; some had cigars or cigarettes.
586. Was the pool spent in refreshment?—Yes.
587. On any occasion that you played with Nesbitt has there been any quarrel or disturbance of any nature?—Certainly not.
588. Has there ever been anything said as to unfairness in dealing by any person?—Decidedly not in my presence.
589. Have you ever played with Nesbitt where there has been a stake of as much as £2 or £2 7s. 6d.?—I decidedly did not.
590. And when you were in Gisborne at what hour did you retire?—I generally go to bed about 11 o'clock. I do not stay up late as a rule.
591. Have you ever played cards until 12, or later, with Nesbitt in Gisborne?—I do not think so.
592. Now, in his evidence Mr. Heslop said he saw you playing cards in the boat going to Wairoa?—I might have played a game of euchre, but not the other game that he suggested.
593. What did you generally play for?—Generally played to see who would pay for drinks—drinks or refreshments, whatever they were.
594. The Wairoa boat, as a rule, leaves at 12 o'clock at night?—Yes.
595. And very often at 2, 3, and 4 o'clock in the morning, according to the tide?—Yes.
596. You have frequently to go to Wairoa?—I have gone often lately.
597. Is it not a usual thing for persons to go down at 9 and 10 o'clock simply to play cards until the boat goes off?—Yes, to keep them awake until the boat leaves.
598. Now, Mr. Heslop told us that it was in September, 1896, and that is borne out by another witness?—Yes.
599. Did you hear Mr. Heslop also swear that the only time he mentioned the fact of this matter of playing cards was when he told Mr. Taylor at the time Taylor laid an information against you for assault?—I did.
600. Now, Taylor laid an information against you in February or March, 1896?—Yes.
601. Mr. Heslop has said that on the road to Wairoa you were touting for customers for Poyser's Hotel?—That is most decidedly untrue. I never touted for any hotel in the colony.
602. Have you stayed more at Poyser's than at the Clive Hotel?—I stay at both houses. I generally like to give each a turn so as to avoid any jealousy.
603. Is there any reason why you should go more to Poyser's than to the other?—Certainly not. They are both very good hotels—good enough for me.
604. Do you recollect Mr. James Taylor and the Woodville case?—I do.
605. Give us your account of what took place?—I was sending away two men who had misconducted themselves in the saddling-paddock. The stewards requested me to put them off the course. They would not go, and I was obliged to arrest them and send them away with Constable Treanor and Constable Reardon. There were a great number of spielers that day from Wellington, and when they found that their companions were being sent to the lock-up they commenced to hoot and roar at the police; and I thought, of course, they were going to rescue the prisoners. I followed up with one or two of the men, and threatened what I should do if they attempted a rescue. I had Mr. Wilson, who was an insurance agent, with me. He was a big man, and had been a publican at Palmerston North at one time. That is how I knew him. After some time, and as I was going and trying to keep the spielers back, Mr. Taylor came up and said, "Stop, I have been robbed." I still went on and kept the crowd back as well as possible. And I said, "What have you been robbed of?" and he said, "I gave £3 to two spielers to put on the totalisator on a horse they said was going to win." I ordered him to stand back and to allow me

to pass on to look after my men, as I was on very important duty. He jumped at me and put his hand on my breast and said, "Stop, or I will compel you to do so." From his attitude I thought that he was one of the spieler, and that he was merely trying to give the others a show to rescue the prisoners by keeping me back from doing my duty. I told him to keep back, and shoved him to one side. I then followed on after the constables until I saw them safe on their way to Woodville. I should say at this time there were fully a hundred men roaring after the police. I thought they were going to attempt a rescue, but I was determined to prevent it if in my power. I succeeded in getting the constables and prisoners away, and then returned to my duties about the course. I met Mr. Hall, who was then, I think, the member for the district, and he spoke to me about Mr. Taylor, and said he was a friend of his, and asked me for Goodness' sake to do nothing more to him, as he did not know he was committing a breach of the law in putting money on the totalisator and being with spieler. I considered he was as bad as any of the spieler in giving money to the others to put on the totalisator. Mr. Hall asked me to go and see Taylor and have some understanding. I said, Most decidedly not—I was not going to see him at all; he had been obstructing me in the execution of my duty. He has stated here in evidence that I went to him and apologised. Such is not the case. It is perfectly untrue.

606. *The Chairman.*] He hardly said you apologised. He gives the words which he says you used?—I certainly refused to do anything of the sort. It was Mr. Hall spoke about it, and I said, "Most decidedly not."

607. Taylor said that you said you were sorry it happened?—I never said so. I had no conversation with Mr. Taylor about it at all. I sent word to him that if he required a policeman I would give him a detective who was in plain clothes or any man he wished to go with him, and point out the spieler to whom he had given the money. I think I sent that message to him both by Mr. Hall and Detective Kirby. At all events, Kirby went round the course with Mr. Taylor and they could find out no one. He said I was talking to the spieler. That is perfectly untrue. Kirby came back and said that Taylor declined to have anything more to do in looking after the spieler, because he thought it would affect his position as a Justice of the Peace.

608. *Mr. Cresswell.*] Now, was any report sent to you on this matter by the department?—Yes. Mr. Taylor summoned me first of all to appear at Woodville for assault, and I think it was two days before the hearing was to come on I got a wire from the Clerk of the Court stating that the case against me had been withdrawn. Of course, as soon as the summons came out I got a brief from all the men who were there as to what occurred.

609. Did he report you to the department?—Yes.

610. And did you answer the report?—Yes.

611. And from that day to this has Mr. Taylor brought any proceedings against you?—No; certainly not that I am aware of.

612. Were you at all reprimanded by the department?—Decidedly not. I fancy, myself, I deserve very great credit, because I feel certain had it not been for the prompt action I took there would have been bloodshed on the course that day in rescuing the prisoners and in ill-treating the police.

613. You heard the evidence given by Messrs. Logan, Jardine, and Baker as to something that took place on the steamer between here and Gisborne: do you remember the occurrence?—Yes.

614. What condition were you in?—I was very seasick. I can swear positively I was not the worse of drink.

615. Was any complaint made to you by the captain or steward?—No, nor anybody else; and I never heard of it until I heard Mr. Logan talking of it here.

616. You have a distinct recollection?—Yes, I recollect that well because I was very sick.

617. Were you creating some noise or disturbance in the saloon?—That is not so. It might have been somebody else.

618. It was not you?—No.

619. Did Messrs. Jardine, Logan, or Baker remonstrate with you in any way?—They never spoke to me in any way.

620. Are you an honorary member of the Working-men's Club?—I am, and also Inspector of licensed houses and clubs. I first joined the club as an ordinary member about 1893. I never got any notice or letter from any member or official of the club about gambling.

621. Were you ever interviewed by the president or any member of the committee in connection with that charge?—Certainly not.

622. Had you then or have you since seen the rules of the Working-men's Club?—I do not recollect having seen them at all.

623. I think you heard some rumour about this matter yourself?—I did.

624. And you immediately resigned?—I resigned.

625. Did you visit the club again?—Oh, yes.

626. What interval elapsed between that time and the time you visited it again?—Some short time only elapsed between that time and the time when I was appointed an honorary member. I then went occasionally, but seldom.

627. You heard Mrs. Moore (formerly Fullbrook) give her evidence: what did you go to her place for on the occasion to which she refers?—One of her sons came to my place when we were living in Carlyle Street. He said his mother was sick and ill, and wanted some assistance, and that she wanted to see me, as she was very badly off. I said to my daughters, "We have been helping this woman, but we cannot give her all we have." I went to see her, taking my youngest daughter with me, and I found her very badly off and apparently unwell. She told me she was not able to work.

628. *The Chairman.*] Was this on the Sunday that she refers to?—Yes.

629. *Mr. Cresswell.*] Was her eldest son there on that occasion?—I did not see him.

630. On any occasion did the eldest son ask you to leave, or ask you what right you had there?—Certainly not. I went there as a matter of charity.

631. As a matter of fact, have not you and your family done all you possibly could do for her?—More than we had a right to do—more than I could afford to do, seeing I have a big family myself.

632. She was in great distress for some years here?—Yes. She told me that Miss Hitchings had given her orders to leave the house, as she could not pay the rent. I said I would send her something, and I sent her bread and meat and other things.

633. The Recreation-ground in Napier is a place where general sports are held?—Yes.

634. Who is the man who takes tickets at the gate?—Mr. Faulkner.

635. Are you in the habit of attending matches and sports on this ground?—Yes, frequently.

636. On any occasion have you ever been there the worse of drink?—Never.

637. On any occasion there did you use the terrible swear-word "damn"?—I am not in the habit of making use of bad language.

638. Did you use the word "damn"?—Certainly not.

639. Did you ever misbehave yourself in any way on the Recreation-ground?—No. I have talked to the men in the band, and in every way I have done what I could for them by placing the men in different positions for them as they requested.

640. How long did you live in Brewster Lane?—About a couple of years.

641. On any occasion did you ever go home in a cab the worse of drink?—I never went home in a cab to Brewster Lane or to any other place in the colony the worse of liquor.

642. Mrs. Parkinson says she saw you on two occasions going home in a cab, and that on both occasions you were helpless?—That is absolutely untrue.

643. From your knowledge of the locality, could Mrs. Parkinson have seen you as she said she did?—I would say positively not. I have since been to the spot from which she says she saw me, and I think it would be impossible for any one to see from there. She would have had to stand on the middle of the street.

644. You remember being in Hastings on the occasion that Mr. Fred. Badley has referred to?—I do.

645. At O'Reilly's Hotel?—Yes.

646. Did you play cards that night?—We did.

647. What game did you play?—Euchre.

648. Not euchre-loo?—No. We were playing sixpenny points, merely as payment for the light, and so on.

649. The sixpences went for refreshments?—Yes, as far as I recollect.

650. Did you on any occasion play there till after 12 at night?—No; I think we always stopped at 11.

651. I think you were boarding at the house at the time?—I always stopped there.

652. Had the public access to the room you were in?—No, it was a private room upstairs. Mr. Badley could not get a bed that night, and he said, "Come and have some pastime, and have a game of euchre."

653. Was there any police official there beside you?—No.

654. Was there any disturbance?—No; never had a disturbance at any time when I was playing cards there or anywhere else.

655. You have heard the evidence of Messrs. Cotterill, Jardine, and Logan as to the occasion when you were in company with Mr. Swan and some one else in Brewster Lane: what is your explanation of that?—I say I was not under the influence of liquor. No doubt, from having influenza at the time, I may have been coughing and spitting, and I think I recollect I was unwell that day. When I was bad with the coughing and spitting I sometimes took a glass of whiskey, but not more than one.

656. You were not under the influence of drink?—No.

657. Was it necessary that Mr. Swan should take your arm?—We often went along in that way. Mr. Swan and I are great friends, and frequently we talked over business and police matters, and we often went arm-in-arm together.

658. Can you give any explanation of the release or the arrest of Robinson, at the Town and Suburban racecourse?—The matter was reported to me, and I thought my men had a right to put him out, but to take no further proceedings, as the secretary and other officials of the club refused to have anything to do with a prosecution. They merely wanted the man to be put out, and they said they would not be responsible for anything further, so I thought the best thing to do was to send a Magistrate to the lock-up to see to the case at once.

659. Did you ask any of the racing-club officials to lay an information against Robinson?—Yes, and they refused.

660. Had you any right, then, to keep the man?—I thought not. I am not a lawyer, but that was my impression—that I had a right to bring him before a Magistrate as soon as possible.

661. For how many years have you known Sergeant Siddells?—I recollect him when he was a boy going to school in Blenheim.

662. And since you have been here he has served under you as constable and sergeant?—Yes.

663. Do you ever visit his parents?—Frequently.

664. You know all the members of the family?—Yes, every one.

665. You have been accused of calling him by his Christian name: do you do so?—I always do so.

666. Does that lessen your dignity as Inspector of Police?—No; I think the men would do more for me because I am not a martinet than if I was very strict with them.

667. You did have an Inspector here at one time who was a martinet?—Yes, but he is dead now.

668. Did you ever play cards at Woodville with Siddells?—I recollect that one evening he and his brother came to my room. They were waiting for something, and Siddells's brother suggested a game of euchre. We played for pastime and nothing else.

669. Had the public access to that room?—No, decidedly not.

670. Now, Inspector Cullen first served under you as a constable at Blenheim?—Yes, as my clerk.

671. He was promoted under you?—Yes. At that time the late Mr. T. K. Weldon was the visiting Superintendent for the South Island, and on one occasion he came to my station. Constable Cullen had made an application for promotion, but it was not entertained as he had been only two years in the Force.

672. Inspector Cullen said it was not through your influence that he was promoted?—I do not believe he would have had a stripe on his arm since if it had not been for the urgent way I went at Mr. Weldon to promote him. The next day Mr. Weldon said to him, "Upon my word, you are a handsome looking fellow, and I shall take your Inspector's recommendation; I cannot pass it."

673. And, I think, when he came to Napier he was again promoted under you?—Yes, to second-class sergeant. I did my utmost to get him promoted. I recommended him on all occasions. I put him forward at Omaha when I wanted a man to go with me, and I spoke very highly of him for the way he assisted me.

674. Say, for a few months before he left here, were you and he on friendly terms?—No. He took a great dislike to Detective Kirby, saying he had known him in Timaru, or somewhere else, and that he was a bad man, and that I should be on my guard against him. He had said this to me several times, and I said at last, "Very well, if you think so put it in writing, and I will inquire into it." I refused to take any verbal reports, but Cullen declined to put it in writing.

675. He says that on one occasion he saw you in the Clarendon Hotel playing euchre-loo for half a crown a corner. Is that true or false?—It is false. I recollect on one occasion when Sir George Whitmore and some others were waiting for the steamer I was with them. I left them to go and say good-by to Cullen and his wife and family. After I had done so Cullen said to me: "I have some very good whiskey here. It is cold, and I advise you to take a nip; it will do you good. I said, "No, thank you; no more for me to-night."

676. Can you play euchre-loo for half a crown a corner, or any other amount a corner?—No. I have been on the West Coast and so know how to play the game, and it is not possible to play it for half a crown a corner. There is no such thing as "corner" in euchre-loo; every man plays for himself.

677. You put so much in the pool?—Yes, generally sixpence.

678. And if you take three tricks how much do you get?—You take all that is on the table.

679. And if you are "looded," how much have you to contribute to the pool?—Half a crown, or whatever was on the table.

680. Then you went to the steamer. Did Cullen go to the port with you?—Yes.

681. Were you on that occasion under the influence of drink?—No.

682. Inspector Cullen speaks positively on the matter?—Yes, because he wants to do me an injury, and he is the man I promoted.

683. He says that on the occasion when Mr. Dinwiddie was defending two vagabonds you sat by Mr. Dinwiddie?—I may have been sitting beside Mr. Dinwiddie, but I never gave him any assistance against the police. I have never yet in the colony assisted any solicitor against the police.

684. You do not conduct cases in Court yourself, do you? You leave it to the sergeant or the detective?—Yes. Mr. Dinwiddie is in Court, and can be called to speak on the matter.

685. *The Chairman.*] Was Mr. Dinwiddie acting for the accused?—Yes, so I believe.

686. *Mr. Cresswell.*] Did you ever restrict Cullen in his duty respecting spielers?—No.

687. Or in the licensing-laws?—No.

688. Did he always have a free hand?—Yes; he was always acting under my advice; regarding spielers and every other case.

689. He says he has seen you speaking to spielers?—Yes, I have often done so to find out about spielers on the course who were not known to me.

690. Have you ever had to report Constable Williams, of Woodville?—Yes. I was up at the opening of the railway to Woodville. I had a parade of the men in the morning. I went to the stable and paddock to see if all was correct before I made an entry. I said to Williams, "This stable is in a filthy state, and you ought to be ashamed of it." I ordered him to get a carpenter to repair the place, and to put gravel in a hole in which any horse might have been injured. He said, "If you are going for me I will go for you." He was very impertinent to me, and I reported him to the Commissioner.

691. Have you reported him more than once?—No, only once. He was a good man when he was with me in Ross.

692. He also says that at Pahiatua you called a constable by his Christian name. How long have you known that constable?—It is Charlie Bowden he refers to. I have known him eighteen or twenty years.

693. Constable Bennett says he went into a private room at Wairoa and saw you under the influence of liquor. Is that so?—No. I was never under the influence of drink there or at any other place in the colony.

694. On any occasion when you have been at Wairoa have you been suffering from any complaint?—I was all right then. I had occasion to fine this man for not being on his beat duty.

695. Did you inquire into that charge?—Yes. Due inquiry was made, and a report was furnished to me by Sergeant Mitchell. I thought it a glaring affair that a man should be off duty at an early hour in the morning, when bad characters might have come along and perhaps robbed the bank or committed some other offence.

696. Bennett thinks he did not get a full inquiry?—He got the fullest inquiry. It was not satisfactory, and I consider I was very lenient with him. I fined him 10s.

697. Do you remember Mr. Smyth at Wairoa?—Yes.

698. He says he reported a case of supposed sly-grog selling to you?—That is true. I told Constable Shaw to get into plain clothes at once and to make full inquiries. I also went to Wairoa myself, but I could get no satisfactory information. Shaw said he had made full inquiry and that there was nothing to justify the report.

699. He says, too, that on one occasion Robinson had some games of chance on the course. Did you know that the club had licensed Robinson to carry on some games?—Detective Kirby and some other men from Napier were on the course to assist, and I sent Kirby to stop the man from playing. Kirby returned and said that the club had licensed the man to play, and he added, "I do not think we ought to interfere. It is their own ground."

700. Was any complaint made to you by any of the officials of the club as to the conduct of Robinson on that occasion?—No. I then told Kirby to look well after the man, and not let him swindle the Natives. The Natives were most anxious that he should be allowed to play, and I was told there would be a regular hubbub if they were not allowed that simple amusement.

701. They cared more for that than the horse-racing?—They did not seem to think much of the horse-racing.

702. Mr. Quigley says that one evening in an hotel he could see you had had a glass. Were you the worse of drink?—No.

703. He says he walked with you to the Gisborne Hotel?—Yes, I went to Martin's Hotel to walk off a sickness, and sat in a parlour for a time, but I had no drink.

704. Does Quigley live near the hotel?—Yes; and he walked down with me.

705. It has been suggested that he and his friend had to carry you?—I could walk as well as Mr. Quigley.

706. Did you fall?—Decidedly not.

707. Did either of them assist you?—No.

708. Were you on that day under the influence of drink?—No. It is said, too, that coming from the racecourse I vomited in the cab, but that is positively untrue.

709. Do you know Arthur Cooper at Gisborne?—Yes.

710. He says he saw you on one occasion with Father Ahearn in the back parlour of the Masonic Hotel. Do you recollect that?—Yes.

711. Were you under the influence of liquor?—No.

712. Is it likely you would be in the company of a Catholic priest and be under the influence of drink?—No. He and I were great friends. He was fond of looking at the races, and some times would come to the course and have a walk with me. He was a very temperate man.

713. Cooper also says that on another occasion he saw you in Martin's Hotel playing bluff. Do you know the game?—I do not. I know only euchre, euchre-loo, and whist.

714. Do you not know forty-fives?—No, but I think I played it when I was a boy.

715. Did you play any other game for stakes?—No.

716. Mr. Cooper must be mistaken then?—Yes.

717. You heard Robert Little say he had played cards in an hotel in Gisborne with you. Do you recollect playing with him?—Yes.

718. What did you play?—Euchre. We played either for refreshments or sixpenny points.

719. Did you ever play with him until after the hour of closing the publichouse?—No. I generally went to bed at 11.

720. When you played with him was it in a private room?—Yes.

721. Had the public access to it?—No.

722. So far as the carrying-out of the Licensing Act is concerned, since you have been in the district what steps have you taken to see the law carried out?—I have gone out myself day and night frequently round all the hotels. I have also inspected them, and I have given my sergeant a free hand, instructing him to see that nothing was allowed to go on that was contrary to law.

723. You have not restricted the sergeant or the men in any way?—No. The sergeant can speak to that for himself.

724. Is it not a fact that in the last five years the majority of the houses in Napier have had an indorsement?—A good many of them. The publicans here are well-conducted men, and we have little trouble with them.

725. So far as the spielers are concerned, what course have you taken to defeat them?—I have done all in my power to clear the racecourses of all spielers. I have gone early to the racecourse with my men to clear the spielers out. At the present time, and for the last two or three years, we have had nothing to complain of. Any spieler who has come along has been turned off.

726. Have you ever screened the spielers in any way?—Quite the other way. At first the club did not touch the bookmakers, but afterwards they were turned off like the common vagabond.

727. Have you been personally thanked by the club for your efforts?—Yes, by Mr. Luckie and Mr. Danvers, the secretaries. I think one of the letters is in the Commissioner's office.

728. Then, you are charged with being the worse of drink on the 7th of this year?—It is false.

729. Do you remember the occurrence?—Yes. I was living at the Marine Parade Hotel with my family, which includes two daughters. Two young ladies named Hooper were visiting them. On this night we had a very beautiful moon, and I thought I saw a "2" and a "3" in it—a small "2" and a large "3." My daughters were out, and I thought they were sitting on a form opposite the house. I went across to the form and put my hand on, as I thought, my daughter's shoulder, and I said, "Rata, do you see the figures in the moon?" I saw at once that I had made a mistake, and I said, "I beg your pardon, I thought I was speaking to my daughter." I then went back to the hotel.

730. Were you under the influence of drink that night?—No.
731. In whose company had you spent the evening?—My two daughters and the Misses Hooper, until after 10 o'clock.
732. Was there any event on that night?—I think a steamer was going away, and the girls had gone down to see it. Mr. Bascovich and his wife were standing near the hotel at the time, and I spoke to them and to the girls about the moon. Some of them saw the figures, and some of them did not.
733. The landlord and his wife are now out of the district?—Yes; I think they are in Auckland.
734. Do you know Messrs. Roberts, Reynolds, and Wilson?—Yes; they were staying at the hotel when I was there. Next night I met a friend of mine named Collins, and I said to him, "Jim, I saw some figures in the moon last night." He said, "I do not suppose there is anything in that," and I replied, "I saw them plainly."
735. *Mr. Taylor.*] In connection with Mrs. Erskine's evidence, do you say you were suffering from influenza at the time she refers to?—Yes.
736. Were you under medical advice?—I do not know now.
737. Do you remember Quigley referring to a letter he handed to you yesterday?—I recollect he sent me a letter signed "T. Taylor."
738. Have you got the letter?—No.
739. What was the purport of its contents?—It was putting him and others on their guard to try and do all they could against me as Christian men.
740. You did not keep the letter?—I did not.
741. When did Quigley give you the letter?—He sent it to me.
742. Did he not give it to you at Gisborne?—No.
743. If he says he gave it to you at Gisborne he is wrong?—I say he posted it to me.
744. Did you get it at Gisborne?—I do not know.
745. Did you go to Gisborne within a few weeks of the Gisborne race-meeting last year?—Not that I recollect.

746. *Witness.*] I wish to add to my evidence this: I think I said that in no part of Napier had I ever been the worse of drink. I desire to add that I have not been under the influence of drink anywhere else—Gisborne, Wairoa, or Woodville, or anywhere else. When I was ill Dr. Menzies told me to take a little whiskey, but it was seldom I took it.

747. *Colonel Pitt.*] Do you consider that a man is under the influence of liquor when he does not know what he is about, or if he is unable to attend to his business?—Yes, that is what I consider is being under the influence of liquor. If I was staggering or showed signs of liquor I would be drunk. At the Marine Parade Hotel I can swear positively that I had no drink during the day or the night.

HARRY FAULKNER, examined on oath.

748. *Mr. Cresswell.*] You are the caretaker of the Recreation-ground in Napier?—Yes.
749. How long have you been in that position?—Between six and seven years.
750. Who takes the tickets at the gates?—I do.
751. And since you have been caretaker have you missed a meeting?—Not one.
752. Have you seen Inspector Emerson there?—Yes, always when there are sports on, except small football-matches.
753. Is he in the habit of speaking to you when he goes there?—Yes.
754. On any occasion have you ever seen him on the Recreation-ground, or elsewhere, the worse of liquor?—No.
755. Did the Inspector go away before the crowd?—I have seen him about the gate or speaking to the police after the crowd had gone.
756. Did he also speak to you?—Yes; he would, perhaps, ask me if I had had any trouble at the gates.
757. Have you ever heard him use bad language on the Recreation-ground or elsewhere?—No.
758. Was any report ever made to you as caretaker as to his conduct on the ground?—No.
759. At one time, I think, he lived in Carlyle Street, close to the Recreation-ground?—Yes.
760. When were you in the habit of seeing him then?—When he was ill he often came with the aid of two sticks to see me, and often of a morning we had a chat together.
761. Did you ever see him the worse of drink?—No.

CHARLOTTE McMULLAN EMERSON, examined on oath.

762. *Mr. Cresswell.*] You are the second daughter of Inspector Emerson?—Yes.
763. In January last you were living with your father and the other members of the family at the Marine Parade Hotel?—Yes.
764. Do you know Miss Florence and Miss Peggy Hooper?—Yes, I know them well.
765. They were at the hotel spending the evening at one time in January last?—Yes.
766. Is there anything that brings it to your attention?—Yes, it was the time that father saw "23" in the moon—a large "2" and a small "3."
767. Where was you father standing when you first heard this?—He was standing outside the hotel by himself. Mr. and Mrs. Bacovitch were standing a little way from him.
768. What were they talking about?—About the large "2" and the small "3" in the moon.
769. Did you and the others have a look?—Yes, but I did not see anything.
770. Had you been anywhere that evening?—Yes, to see the boat off.
771. Did your father go over to a seat?—Yes. When we returned he told me he thought it was I who was sitting on one of the seats, and that he had spoken to me.
772. Your pet name is Rata, is it?—Yes.

773. Was your father at all under the influence of drink that night?—No, not at all.
 774. Were you living in the house in Brewster Lane with your parents?—Yes.
 775. Have you ever known your father to come home there the worse of drink?—No, I cannot say I have ever known him to come home the worse of drink.
 776. Your father suffers severely at different times?—Yes.
 777. Principally from what?—Influenza generally.
 778. And he is attacked badly?—Yes, he has very bad attacks.
 779. Your profession, I believe, is that of hospital nurse?—Yes.
 780. And on account of your father's weakness, through the influenza, you have had to give up your duties to nurse him?—It was not for that; I have been keeping house for him.
 781. *Mr. Taylor.*] At what time did you first have a look at the moon?—It was a little after 8.
 782. Is that before the steamer was away?—No, after.
 783. Where were you when you had a look?—On the footpath in front of the hotel.
 784. At what time did you go to see the steamer off?—Before 7. It was supposed to leave at 7.
 785. At what time did your father ask the landlord and the landlady about the numbers in the moon?—He had asked them just before we came up. He told me he had asked them.
 786. They were not there when you came up?—Yes; they were standing a little way off.
 787. You do not know if he had asked them some time before you came up?—It was just before I came up.
 788. You could not see the numbers?—No.
 789. Had your father a telescope with him that night?—No.

DAISY EMERSON, examined on oath.

790. *Mr. Cresswell.*] In January last you were living with your father and the other members of your family at the Marine Parade Hotel?—Yes.
 791. Do you remember a discussion one evening about something to be seen in the moon?—Yes.
 792. What do you recollect about it?—We went round to the boat, and when we came back father asked us if we could see any figures in the moon. I could see a "2," and one of the Miss Hoopers could see a "2" and a "3," and the other could see a "2."
 793. Did you all spend the evening together?—Yes.
 794. Was there anything the matter with your father that night?—No.
 795. Was he under the influence of drink?—No.
 796. Have you ever seen him under the influence of drink?—No.
 797. Your father stayed with you that evening too?—Yes.
 798. *Mr. Taylor.*] What time did you come back from seeing the steamer off?—A little after 8.
 799. What did you do then? Did you stay in or go out?—We stayed in.
 800. Did your father stay in?—Yes.
 801. Up to what time?—Half-past 10, I think, but I am not sure.
 802. What happened then?—We went to bed.
 803. You could see some of the figures in the moon?—Yes.
 804. Plainly?—Yes.

FLORENCE HOOPER, examined on oath.

805. *Mr. Cresswell.*] You reside with your parents in Napier?—Yes.
 806. You are a friend of the Misses Emerson?—Yes.
 807. Do you remember when they were staying at the Marine Parade Hotel?—Yes.
 808. Do you remember visiting them one night with your sister?—Yes.
 809. Do you remember a peculiar discussion that took place about the moon?—Yes; we were coming back from the breakwater after the boat had gone out, and Mr. Emerson asked us, as we were coming across the road, if we could see "23" in the moon. I could see a "2" but not a "3."
 810. Did you all have a look?—Yes.
 811. Until what time did you stay with the Misses Emerson?—About 10 o'clock.
 812. Did the Inspector stay too?—Yes.
 813. It is suggested that on that evening Inspector Emerson was under the influence of drink. Is that true or untrue?—Untrue.
 814. *Mr. Taylor.*] On your return where did you see the Inspector first?—We were coming across the road and he was under the verandah of the hotel.
 815. Did he speak to you or to one of the Misses Emerson?—To Miss Emerson.
 816. He did not speak to you until you got to the verandah of the hotel?—It was somewhere about there.
 817. You are sure it was on that side of the road?—It was in front of the hotel.
 818. It was not on the footpath adjoining the sea-wall?—No.
 819. Did he not meet you between the hotel and that footpath?—It was on the road that he spoke to us, in front of the hotel.
 820. But not on the side where the benches are?—No.
 821. What did he say to you?—He said to Miss Emerson, "Is that you, Rata?" He then asked us to look at the moon.
 822. What sort of a "2" did you see: how did it appear to you?—It was on the left side of the moon, and I thought I could see it.
 823. Who else saw it beside you?—My sister.
 824. Did you see the "3" as well?—I think so.
 825. Did it strike you as being remarkable?—No.

MARGARET HOOPER, examined on oath.

826. *Mr. Cresswell.*] You are a sister of Miss Florence Hooper?—Yes.
827. You are also a friend of the Misses Emerson?—Yes.
828. Do you remember, in January last, when they were staying at the Marine Parade Hotel?—Yes.
829. Do you remember going there with your sister and spending an evening with them?—Yes.
830. And you went to the breakwater to see a boat off?—Yes.
831. On your return did you see the Inspector?—Yes.
832. And what took place?—He asked me if I could see “23” in the moon. I saw it. We then went inside.
833. Your sister could see only the “2”?—Yes.
834. Did you girls have a discussion about it?—No.
835. You stayed in the hotel till about 10?—It was after 10 when we left.
836. Was the Inspector under the influence of drink that night?—No.
837. Did he stay in the house till you left?—Yes.
838. If he had been the worse of drink that night about 8 o'clock you would have noticed it?—Yes.
839. *Mr. Taylor.*] After leaving the steamer, where did you first see the Inspector?—Under the verandah.
840. You are sure it was not on the Marine Parade, near one of the benches?—Yes.
841. How did the numbers appear on the moon?—They looked like “23.”
842. What size were they—did they fill the whole surface of the moon?—No.
843. Was it full moon?—Yes.
844. They occupied only a small part of the surface?—Most of it.
845. Was it not a remarkable phenomenon?—I did not think so.
846. You say the Inspector was not under the influence of drink. Had he had a glass?—I did not notice it.
847. Are you a pretty keen observer?—Yes.
848. What time would this be?—A little after 8, I think.
849. To whom did the Inspector first speak?—I think he spoke to Miss Emerson first.
850. Whom did he ask first?—I think it was Rata.
851. Did she go away from you?—No. We were talking together for a time, and then we went inside.
852. Were you all together when he spoke to her?—Yes.
853. Miss Emerson did not leave you at all?—No.

HENRY CLARK WILSON, examined on oath.

854. *Mr. Cresswell.*] You are a clerk in the Union Bank in Napier?—Yes.
855. In January last were you staying at the Marine Parade Hotel?—Yes, I had my meals there, but I did not sleep there.
856. Do you remember Inspector Emerson and his family boarding there?—Yes.
857. Were you in the habit of seeing the Inspector at meal-times?—Yes, regularly.
858. In the evenings did you spend any part of your time there after tea?—Yes, most of my time after tea.
859. Did you ever see the Inspector under the influence of drink?—No, never.
860. You had every opportunity of noticing him?—I should say so.
861. *Mr. Taylor.*] How long have you been in Napier?—A little over two years.
862. How long did the Inspector stay at the hotel?—About three months.
863. What time did you go to dinner?—Six o'clock.
864. And you came out from dinner at what time?—About half-past 6.

RICHARD MAJOR ROBERTS, examined on oath.

865. *Mr. Cresswell.*] You are in the employment of Messrs. Kirkcaldie and Stains, of Napier?—Yes.
866. In January last were you boarding at the Marine Parade Hotel?—Yes.
867. Was the Inspector and his family boarding there?—Yes.
868. Did you see him frequently at the hotel?—Yes, very often.
869. Did you have any conversations with him at night?—Yes, occasionally.
870. Did you ever see him under the influence of drink there?—No; quite the opposite.
871. In your opinion is he a temperate man or an intemperate man?—Very temperate, from what I have seen of him.
872. *Mr. Taylor.*] Do you sleep at the hotel?—Yes.
873. At what time did you usually see the Inspector?—At all hours, and mostly before he retired to bed.
874. Always see him at dinner-time?—Yes, always.
875. Do you usually stay in after dinner or go out?—I sometimes go out.
876. How long was he at the hotel?—About two or three months.
877. Do you remember the 7th of January at all?—Yes.
878. Do you remember anything happening on that night?—No.
879. Do you remember if you saw the Inspector on that night?—I did not.
880. How do you know?—I was not in Napier.

SIDNEY REYNOLDS, examined on oath.

881. *Mr. Cresswell.*] You are a visitor in Napier, staying at the Marine Parade Hotel?—Yes.
882. Were you at the hotel in January last when Inspector Emerson and his family were staying there?—Yes.
883. During January did you see the Inspector at the hotel?—Yes, frequently, at meals.
884. And after dinner in the evening as well?—Yes, I would see him going in and out of the hotel at times.
885. Did you ever see him the worse of liquor there?—No, never.
886. Did you ever see him with the sign of liquor on him?—No.
887. *Mr. Taylor.*] Did you see him on the night of 7th of January last?—I cannot recollect.
888. Were you at the hotel every day in January?—Yes.
889. You are not sure that you saw him on the 7th?—I am not sure about the date.
890. In January did you hear anything about a peculiar phenomenon in connection with the moon?—No.
891. Did the Inspector not tell you he had seen numbers in the moon?—No.
892. Nor the Misses Emerson?—No.
893. Yet you saw them every day?—Yes.

JOHN WILLIAM McDUGALL, examined on oath.

894. *Mr. Cresswell.*] You are the editor of the *Daily Telegraph* in Napier?—Yes.
895. How many years have you been in Hawke's Bay?—About twenty, I think; perhaps more.
896. Do you know Inspector Emerson, and have you known him since he has been here?—Yes.
897. Have you had occasion to see him frequently?—Yes. At one time I saw him pretty frequently, and of late I have seen him occasionally.
898. At night-time as well as day-time?—In the early period—three years ago or more—I saw him at night.
899. On any occasion have you ever seen him the worse of drink?—No.
900. I think you are strong on the temperance question yourself, and take a great interest in the matter. Are you a total abstainer?—I am not a pledged abstainer, but at the same time I do not like to see people getting drunk.
901. You have never seen the Inspector under the influence of drink at any time?—No.
902. From your knowledge of him, is he a man of temperate or intemperate habits?—I have never seen anything to justify me in assuming that the Inspector is a person of intemperate habits.
903. Have you ever known him to misbehave himself in any way?—No.
904. Have you ever known his conduct to be other than that befitting an Inspector of Police?—I cannot say I have.
905. *Mr. Taylor.*] How often do you think you have seen the Inspector?—At one time I saw him frequently. I was engaged on the *Herald* then, which is a morning paper, and I did a good deal of my work at night. Occasionally I now see him in the day-time.
906. Two or three times in the day?—I might go a week without seeing him at all.
907. Do you consider that matters in connection with the Police Force have been on a satisfactory footing here for the past few years?—Considering that Hawke's Bay furnished the Kirby case, I do not think they have.
908. The Kirby case redeems it?—Yes, from the general monotony.
909. Do you think that Inspector Emerson has been strict during the whole of his term of office here with regard to the spieler fraternity and the administration of the licensing-laws?—I honestly do not think I am capable of expressing any valuable opinion on that subject.
910. Will you tell us if you have ever expressed it from a journalistic standpoint?—I think there have been times when I have written to the effect that the police administration might be better.
911. Having special reference to the control of Inspector Emerson?—No, I do not think I ever said or wrote anything that would bear that construction—that I was dissatisfied with Inspector Emerson's control.
912. Do you remember an article in your paper in connection with the Lindergreen disappearance at Wairoa?—Yes, I was exceedingly dissatisfied with that case.
913. Are you still dissatisfied?—Yes.
914. Do you think the inquiry was slummed?—I did not read all the details of the inquiry. My own opinion is that it was a very shocking affair.
915. If the Inspector had been a man of drunken habits or addicted to gambling you would have heard of it?—Yes, I think so. A journalist usually hears a good deal of what is going on, and I cannot say it has ever been brought prominently to my notice.
916. It has not been demonstrated?—It has never been brought prominently to my notice—nothing that would make me believe that the Inspector was given to drunken habits.
917. Did you ever see him in any hotels?—I do not think I have, but that is of very little force, because, unless I go on business, I do not go to hotels myself.
918. You have never known him to gamble?—No.
919. You do not frequent hotels for that purpose yourself?—No.
920. Do you know much about his personal habits?—Up to a little over three years ago I was frequently accustomed to see him, and to ask him questions in connection with cases in the Court.
921. Was he always absolutely sober every time you have seen him?—I believe he was. Never during the whole of the time did I see anything to lead me to believe he was under the influence of liquor.

922. Do you think the police have done everything they could have done in the suppression of "tote" shops in this town?—That is a very wide question. It is said there are "tote" shops in Napier.

923. Have you any personal knowledge of them?—No; I could not prove that there are any.

924. It is a matter of common report?—Yes; it is a matter of common talk that "tote" betting is common in Napier.

925. Do you think the police have done all they should have done to suppress such an illegal practice?—I do not see how I can answer the question satisfactorily. I think that if the police had been allowed to employ plain-clothes men—I do not know whether they are or not—they might have discovered something.

926. Was Kirby the matter of adverse newspaper comment long before he was arrested?—I do not think so, because I fancy that to a large number of people in Napier the Kirby case came as a great surprise. Kirby was a rather plausible individual, and I am bound to say that I was surprised myself. I lived not far from him, and I frequently walked with him to lunch, and it never struck me that he was the rascal that I now know he was.

927. Do you know that the Inspector and Kirby were on particularly friendly terms?—No, I cannot say that I ever saw them together.

928. *Mr. Tunbridge.*] You say that if the police were allowed to employ people in plain clothes there might be something found out?—Possibly there might.

929. Are you aware that legislation dealing with "tote" betting makes the person who tenders the money equally as guilty as the man who receives it?—Yes.

930. Do you, as a newspaper-man, advocate that the police should go and use such methods as that to get a case?—I am not advocating that they should.

931. On the other hand, would you say that they would not be justified in doing that?—I believe that the present laws in relation to gambling are very unjust, and I am not surprised that there is a disinclination on the part of the general public to give information about "tote" shops, because they can go on any racecourse and gamble as much as they please under the auspices of the Government.

932. I suppose you read other newspapers than your own?—Yes.

933. And quite recently some of the papers have been attacking the police methods?—In relation to plain-clothes men?

934. Yes.—I have seen references to that, and there are two sides to the question.

935. Well, except in very extreme cases, it would not be right for the police to go and incite a man to commit a breach of the law?—I think it would be very wrong.

HENRY CHARLES WILSON, examined on oath.

936. *Mr. Cresswell.*] You are a dentist practising in Napier?—Yes. I have resided here for thirty-two years.

937. Have you known Inspector Emerson since he has been here?—I have known him intimately since he has been here.

938. You have seen him frequently?—Yes, frequently.

939. Day and night?—Yes.

940. From your knowledge of him, is he a man of temperate or intemperate habits?—I should say he is a most temperate man. I have met him on certain occasions when there might have been an excuse for a man taking a glass too much, but I have always seen him temperate.

941. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No. I have always found him very obliging and kindly in every respect.

942. *Mr. Taylor.*] Did you ever meet the Inspector in an hotel?—Yes, when he was living in the hotel.

943. Have you had drinks with him?—Yes.

944. How often?—Not very often. He would take a teetotal drink or something of the kind, and I would take whiskey and soda.

945. How often have you had drinks with the Inspector?—I think I had drinks with him twice. I met him most frequently when he was living in the Marine Parade Hotel.

946. Have you met him at other hotels?—No.

947. Have you met him at the Working-men's Club?—Yes.

948. You have met him at private houses?—Yes.

949. And he has always been absolutely sober when you have seen him?—No.

950. Would you call him absolutely sober if he had had four or five whiskeys?—He has never had that.

951. If a man had had four or five whiskeys, would you consider him absolutely sober?—No.

952. Have you ever known him to play cards?—I have seen him playing.

953. How often have you seen him, apart from the time he was living at the Marine Parade Hotel?—Six times a week.

954. All the year round, have you seen him on an average once a week?—I think I have met him on an average once or twice a day.

955. Just casually in the street?—Yes.

956. How often have you seen him in the evening since he has been here—twice a week?—I do not know.

JAMES SPENCE, examined on oath.

957. *Mr. Cresswell.*] You are a storekeeper in Carlyle Street, Napier?—Yes.

958. How long have you known Inspector Emerson?—About twenty years.

959. How long have you known him in Napier?—Since he came here.

960. Have you ever known him to be the worse of drink on any occasion?—Never.

961. Is he a man of temperate or intemperate habits?—I should say he is strictly temperate, judging from all I have seen. I have been in his company at all hours of the day and night, and I have also travelled on the boats with him.

962. Have you ever known his conduct to be other than befitting an Inspector of Police?—No.

963. *Mr. Taylor.*] How often have you seen him, on an average, in the evenings?—While he was living in my neighbourhood I used to see him two or three times a day passing to and from his office.

964. In the evenings how often did you see him?—I have always seen him going home at 6 o'clock for his dinner.

965. And after that?—Sometimes I have seen him two or three times, and sometimes not at all.

966. Some weeks, I suppose, you would not see him once a week after 6 o'clock?—I think I would see him more than that.

967. Where do you live?—At my shop.

968. Who lives next to you?—My shop is at the corner of a street.

969. How often do you see your next-door neighbour—once a night?—I would not say positively that I do.

970. Do you see him as often as you see Inspector Emerson?—Yes.

971. Did you ever meet the Inspector in any hotel?—No.

972. You do not frequent them yourself?—No.

973. Did you ever see him playing cards?—No.

974. Do you know much about his habits apart from the times you see him on the street?

—Yes, I was in his house once.

975. Once in six years?—It was while he was living in Carlyle street.

976. Have you been in his house at any other time?—I may have been in once or twice subsequently.

977. And do you know much about his habits, then, apart from the times you see him on the street?—No, I know nothing more than what I have seen of him.

978. On the street?—I have been in his company frequently.

979. How often after 6 o'clock at night?—At Hokitika—

980. But that is twelve years ago. In Napier how often have you been in his company after 6 o'clock at night?—Very seldom.

FREDERICK SUTTON, examined on oath.

981. *Witness:* I wish to draw the attention of the Commission to certain matters in connection with the licensing-laws of the colony. Commissioner Tunbridge has brought before the Commission the desirability of making it absolutely illegal for persons other than lodgers to go upon licensed premises during closed hours. As a member of the public, I am bound to say that I think such an alteration of the law would be exceedingly harsh and undesirable, and not in the interests of the public. That the licensed part of a house is closed on a Sunday is no reason why persons should be prohibited from using some of the convenient rooms for reading papers, &c., without being reported, as it were, as semi-criminals. I understand that for some weeks back certain members of the prohibition party in Napier have been taking down in writing the names of all persons they see entering an hotel on a Sunday, which I think is extremely objectionable.

982. *Colonel Pitt.*] The law cannot prevent that?—As a matter of fact it is done, and those persons whose names are taken down are held up to ridicule. I think the total closing of licensed houses on Sundays is not in accordance with the wish of the people of New Zealand. It is an extremely difficult question, but I do hold that those who are in the habit of taking their glass of beer every day in the week—and I am one of those who have enjoyed a glass of beer for the last fifty years—should not be debarred from having it on Sunday, if they are unable from any reason to keep it in their houses. Speaking, as I believe I do, the opinion of the very large majority of the moderate drinkers, who comprise the large majority of the people of the colony, I say that some alteration of the law which will enable persons like myself and thousands of others to obtain refreshment on a Sunday without sneaking round the corner, with the possibility of a constable or a prohibition sneak taking down your name, would be a great advantage, and should be incorporated in the law. I suggest that the licensed houses should be open for one hour in the morning and one hour in the evening, which would meet the position. I am certain that it will require a Police Force ten times as strong as the one we now have, and any amount of espionage, which would be very undesirable, to keep people absolutely from getting a drink of beer on a Sunday, and I do not think it is at all desirable that legislation should go in that way. I feel that I have had a fairly long experience, and possibly it may be admitted that I am in a position to give my opinions on these questions with perhaps as much authority as many of the residents of the place.

983. Do you wish to represent any matter to us in reference to the Police Force?—I do not think there is anything except what I have just referred to—that I do think, whether I am rightly informed or not, that constables might be better employed than hanging about hotels for the purpose of seeing whether they can get a conviction.

984. Have you anything to say as to the condition or the constitution of the Force?—I believe the constitution of the Force is better than it has been in years past, and that generally police matters in Hawke's Bay have been much more satisfactorily conducted in the last five years than they have ever been. The Force has been a more intelligent Force, they have done their duty very well, and they have been fairly successful in keeping down crime.

985. *Mr. Tunbridge.*] You are aware that it is illegal to purchase drink on a Sunday?—I am aware that for the last twenty years it has been illegal. When I was a member of Parliament it was

illegal, but when I was in Wellington I always got my whiskey on a Sunday. It has been the law, but it has been allowed to fall into abeyance, and the sooner the law is put into a more reasonable form the better it will be.

986. You do not maintain that a policeman should discriminate where he should carry out the law and where he should not?—A policeman's duties, particularly in these matters, are not easy. It is difficult to decide, and I should like to see the law altered. I do not like to see Acts on the statute-book that are not carried out.

987. But while they are on the statute-book the police are bound to carry them out?—Yes; but the licensing-laws, so far as I have been able to form an opinion, were much more satisfactorily carried out to the convenience of the public, say, twelve months ago, than they are by the total prohibition that is in force now.

988. You say, then, that the majority of the people were more content that the law should not be enforced than they are now when an attempt is made to enforce it?—Decidedly.

989. Should not the majority make their voice heard in Parliament then, and have the law altered, instead of blaming the police?—Yes, but I know how laws are passed; and when that law was passed a majority in the House did not believe in it. There were four or five members of Parliament who held erratic views, and one of the parties in the House secured the votes of these men.

990. Are you acquainted with the laws in England?—I have not been in England for forty years.

991. Do you think that any law which would apply to England might reasonably be applied to New Zealand?—I do not know whether I could give an opinion on that. Things have altered vastly in England since I was there.

992. You see no reason why what is good for England might not be good for New Zealand?—I understand that in England two hours in the morning and two hours in the evening are allowed, but I think that is too long.

993. Do you think that if the houses in this colony were open for two hours at midday and two hours in the evening there would be no attempt made to drink between those hours?—I do not think there would. I think the general public would say, "This is fairly meeting the case, and we will not break the law."

994. And if the laws were altered to allow publichouses to open at certain hours during the day, would you then say that any person found on the premises during the closed hours should be prosecuted?—No. I do not admit the advisability of closing licensed premises to the public at all.

995. You would have them open all the day?—Not the licensed portion of the house. Why should I not be allowed to go into the commercial room of the Masonic, or the Criterion, or the Clarendon, to read a book or to read a paper and to smoke and yarn?

996. *Colonel Pitt.*] What law prevents you?—None; but I understand it is proposed to make it illegal for any person to be on licensed premises on Sunday.

997. *Mr. Tunbridge.*] You would go in without getting drink?—Yes.

998. The suggestion I make is that if a man is legally on the premises and has no desire to obtain drink, he is not illegally on the premises?—I understood that if a man was to go on the premises at all he was to be held to be liable.

AUCKLAND.

WEDNESDAY, 8TH JUNE, 1898.

FRANK LAWRY, examined on oath.

1. *The Chairman.*] What district do you represent in the House of Representatives?—Parnell.

2. I understand you wish to give a general contradiction to a declaration that Constable Nixon was ever on your election committee?—He never was on a committee of mine to my knowledge, and I am quite certain he never was a secretary to any of my committees. I am almost certain he never was on a committee of mine at all, and I never knew he worked in my interest. It is most likely that, knowing him to be a smart young fellow and bearing a good character, I gave him a recommendation in the ordinary way. Perhaps Colonel Hume will bear me out when I say that I never did more than simply give the young fellow what a member generally gives a young man on such occasions. Then it was more than insinuated that his appointment from ordinary third-class constable to a more important position of plain-clothes constable was due to my interest.

3. You gave him that letter, Mr. Lawry, on the strength of your personal acquaintance with him?—That is so, and in connection, if I remember rightly, with two other gentlemen—I think Mr. Seymour Thorne George and Mr. Duthie, of the National Bank. I wish to give the statement an emphatic denial that he ever was on an election committee of mine. From my own personal knowledge, however, I was not sure, and I appealed to the general chairman of my committee, and he informed me that constable Nixon was never on a committee of mine. It was stated that his occupation was that of a general canvasser; that is what he placed on his application; but I wish to state to the Commission that it must not be understood that he ever was a canvasser for me.

4. You say that from your own knowledge he never canvassed for you?—That is so, unless he did it on his own account, but never to my knowledge. I certainly have taken a general interest in the young man, but I never said or did anything to secure any advancement for him, and I have already endeavoured to impress upon him that promotion in the service must be a result of

his own merits. That is briefly my whole connection with the matter. Judging by the brief reports appearing in our local papers, my name was brought up in connection with some other constable who was dismissed and afterwards reinstated. I have no recollection of ever having taken any action in connection with the matter. If I did, it would be simply to have written him a letter in the ordinary way. I certainly never attempted to bring any influence on the department in connection with the matter. I do not remember ever having had anything to do with the reinstatement of Constable Carlyon. I think, speaking generally, both Colonel Hume and Mr. Tunbridge will bear me out in the assertion that I have never attempted to bring any influence whatever to bear on the department in connection with the appointment of constables; and I have very frequently congratulated Colonel Hume on his refusal to do that which he did not think right in the interests of the police and the department itself. I dare say I have been appealed to less than other man in the General Assembly, simply because I told members of the Police Force that if they had a bad case I would have nothing whatever to do with it. That is all I wish to say.

5. *Colonel Hume.*] You have told us you have not used political influence in the appointment of constables: have you used any political influence in removals or promotions or anything of that sort with either myself or the Minister?—No.

6. Now, if a man came to you and asked you to recommend him for the police or any other department, and you knew that he had been a member of your own or some other candidate's committee, would that prevent you from recommending him?—Not at all, if he was personally fit in physique and character; it would not matter to me if he was the secretary of an opponent's committee, I would give him a recommendation all the same.

7. I suppose you have had a good many applicants for other departments besides the police?—Yes.

8. And have you treated them in the same way?—Exactly.

9. That is, just written a letter that they were deserving?—Just so. I remember making almost a personal appeal to you to reinstate a young fellow who was dismissed in the South, but you did not act on my suggestion. You told me the whole of the facts of the case, and after I heard them I said I did not want to interfere, as the department had acted rightly in the matter.

10. You have been a member of the House, I think, for some considerable time?—About twelve years.

11. Well, now, do you know of your own personal knowledge any political influence that has been used in the Police Force?—Never.

12. You cannot quote a single case?—Not one.

13. I suppose you know a good deal of the Auckland police?—Yes, I am personally acquainted with a great number of them. I may say not one has asked me to do anything that I could not publish to the world.

14. Would you say the Force is honey-combed with abuse?—No, I should say it was the best Police Force in the world, taking all the circumstances into consideration.

15. From your own personal knowledge and acquaintance with the men, do you think that if a man had a grievance he would be likely to come to you?—I think if they had a substantial grievance I would be one of the first men they would come to.

16. And your action would be what?—To assist them if I thought they were right, and if I thought they were wrong I would tell them so.

17. *The Chairman.*] Are you aware that the cost per head of our Police Force in respect of the population is very much lower than in the other colonies?—I am aware of it.

18. Are you aware that the number of members of the Force bears a very much smaller proportion to the population?—Yes.

19. And that the pay is lower?—Yes.

20. And that there is no pension scheme?—Yes.

21. Knowing what you do of the character and constitution of the Police Force, do you think it is desirable that there should be a pension scheme?—Yes, I do.

ARTHUR HUME, examined on oath.

22. *The Chairman.*] Can you give us any statement in regard to the matter brought before us by Mr. Lawry?—I have heard Mr. Lawry's evidence, and it is perfectly correct.

23. In what respect?—Mr. Lawry has on one or two occasions, when he thought some member of the Force had a substantial grievance or a just grievance, come and asked me to investigate the matter; but beyond that he has never used or tried to use influence with me. As regards recommendations for the Force, he is perfectly correct in stating that he has forwarded recommendations the same as any other public man or employer of labour does.

24. Do the regulations require that the application of candidates for appointment in the Police Force should be recommended by any official or public man?—By two responsible persons.

25. But not by any official, or member of Parliament, or clergyman, or anything of that sort?—No, by "two responsible persons"—that is the wording of the paragraph; and, as I pointed out before, they have to show their last five employers. Some candidates send in as many as twelve or fifteen recommendations from Justices of the Peace, ministers of religion, members of Parliament, and others.

26. *Colonel Pitt.*] Have you any personal knowledge of Mr. Lawry having attempted to bring influence to bear on any Minister of the Crown in reference to members of the Force?—No, I have never known a case. I may add, too, that Mr. Lawry has on many occasions said, "Very well, I am perfectly satisfied with your explanation, and I shall do nothing more in the case."

JAMES HICKSON, examined on oath.

27. *The Chairman.*] What is your rank?—A first-class Inspector of Police, stationed in Auckland, and in charge of the Auckland Police District.

28. What are the boundaries of your district?—All up northward of Auckland. I do not go as far south as Tauranga or Rotorua. There are fifty-three police-stations in my district. It is the largest police-district in the colony.

29. How many men are there in the whole district?—119 sergeants and constables. There are three first-class sergeants; two second-class, and five third-class; there are twenty-four first-class constables, fifteen second-class, and fifty-three third-class; and there are one first-class detective, two third-class, and two fourth-class. There are eight district constables, and three Native constables, and one matron at the head-station in Auckland. There are ten police-horses, and one private horse allowed forage. In the Auckland head-station there are twenty married sergeants and constables, and twenty-nine single. At the head-station the strength at present is forty-nine, but of that number there are a great many absent on duty from time to time. For instance, there are eight absent at present out of the Auckland station; and there are two sick, one of whom is the senior sergeant in charge of the Auckland station, who met with a severe accident at a fire a little over a month ago.

30. How many mounted men are there in the district?—Eleven mounted men.

31. How many of these are in the city?—Two mounted men, who are single constables, are in the city.

32. *Colonel Pitt.*] Does the Force you have told us include the district clerk?—Yes, and the assistant.

33. *The Chairman.*] Are these men efficient?—All.

34. All fit to do their work?—It is questionable whether one of them is, but he is able to do the work he is at.

35. You are speaking of them physically?—Yes.

36. What is their efficiency as constables?—They are all fairly efficient; but a large number of them are young men, not long appointed, and they are as efficient as can be expected of inexperienced men.

37. Are these recent appointments on street duty?—They are.

38. How have they been trained for their duty?—No training that I am aware of, except perhaps a few of them have been trained in the Permanent Force.

39. That is, no training for the Police Force?—No, none; they have had no training for the Police Force. I have been obliged to put them on duty immediately after their appointment.

40. Do you put them on duty by themselves?—No. I generally send them out on night duty for a few weeks with a senior man or the sergeant in charge of night duty, who is specially instructed to devote as much care and supervision to them as possible; otherwise they go with a constable who has had some service. To show the drain on the head-station, I am often required to send constables to country stations where there may be only one in charge, and his place cannot be left vacant.

41. That causes a great drain on your Force?—Yes.

42. What do these men go to the country stations for?—On relief duty to replace constables who have to leave their stations on duty or for other reasons.

43. Now, in regard to the married constables and sergeants, are the sergeants receiving house-allowance?—Yes.

44. The constables?—No, with two exceptions—that is, the district clerk and the Inspector of Weights and Measures.

45. What allowance do the sergeants receive?—10s. per week.

46. Now, I understand the unmarried constables are now living out of barracks?—They are.

47. Why?—Because the old barracks have been condemned, and are being demolished for the purpose of new barracks being erected on the site.

48. And are they now, in consequence of living out of barracks, receiving any house-allowance?—They are, within the last month or two. They made representations that they are now put to much more expense through living out of barracks, and an allowance was granted to them.

49. Do I understand that single constables are getting more than the married constables?—They get 9d. a day more through having to live out of barracks.

50. So, as a matter of fact, unmarried constables are getting 9d. a day more than married constables?—That is all.

51. How many men have you out on night duty in the town?—On an average ten on night duty. But that is only since there was an augmentation to the Auckland Force. It has been going on for the last nine months. The Force in Auckland is now ten more than it was a year ago.

52. *Colonel Pitt.*] How many beats does that furnish?—There are ten beats in the city.

53. Do you keep all the beats full?—Lately I have been able to do so.

54. Is the Force now sufficient for the requirements of the district?—No; I have recommended the formation of certain new stations.

55. Take Auckland City—is the Force sufficient for Auckland City?—I do not think so.

56. How many men more are required?—There are two constables at Ponsonby, and one additional is required; and one additional at Newton, where there is a sergeant and two constables.

57. What about the district?—In the suburbs I have recommended that there should be a constable stationed at Ellerslie, one at Birkenhead, one at Te Kuiti in the King-country, one at Kaihu; an additional constable at Paeroa, where there is a sergeant and one constable; and an additional one at Waihi, where there is only one constable to a very large district. These two latter stations are on the goldfields.

58. Now, to supply these men and stations, how many additional men would be required?—One at each.

59. Have you had any complaints lodged with you as to the conduct of any members of the Force?—No, except a general one from a journalist named Mitchell, and I am inquiring into that. It is no specific complaint against the police; it is more against the publichouses.

60. Has there been any representation made to you by any society or body of men as to the conduct of the Force?—No, I cannot recollect any one.

61. Then, I may take it that you have received no complaints against members of the Force other than those you have mentioned?—None.

62. Now, with regard to young men going on duty untrained, what is your opinion on that subject?—I think they ought not to. I think there ought to be a depot established in Wellington where the men could receive some instruction. A little drill, but not much, is required for a policeman, and a good deal of instruction as to the performance of their duties and the several Acts which they have to administer, such as the Police Offences Act, the Licensing Act, the Industrial Schools Act, and a few other statutes. I can say that the conduct of the whole of the police in my district is on the whole satisfactory.

63. Do you have much trouble with them arising from any cases of intemperance?—Not a great many; but there have been two dismissed within the year ending March last, and since then there has been another dismissed. They were young men who had not been long in the Force. The last one who was dismissed had been only two months on.

64. What is your opinion as to the morality of members of the Force in your district?—I think it is very good, with two or three exceptions. I have made very strict inquiries lately respecting some allegations that appeared in the public papers, and I find there is no truth in them.

65. With regard to the suggestion which has been pretty widely published that there should be a pension scheme established in connection with the Force, what is your opinion on that?—I am very strongly of that opinion.

66. Do you think it would be acceptable to the Force on the condition that it was supported by the Force?—I believe so. I believe it would be a great means of making men more contented, and would encourage men of intelligence to remain in the Force when they see there is some provision made for them in their old days. I will tell you later on my experience of that.

67. Do you think you are expressing the opinion of the Force when you say that they would accept with satisfaction a pension scheme supported by contributions from the Force?—Yes; it should be a very small contribution from the Force though, considering that I think they are very poorly paid at present.

68. Would a very small contribution support a pension scheme?—Not by itself.

69. Where are the other funds to come from?—Fines inflicted on constables. It used to be the practice many years ago, and now relating to some cases, that the informants in any case are entitled to rewards. Instead of that reward being paid to constables in cases in which the police take the initiative and prosecute, I would recommend it be paid into the pension fund.

70. Now, there are many offices held by constables involving duties outside their duties as constables by which certain pay is attached. Do you think it would be wise and proper that these emoluments should go to a general fund so as to make all constables receive the same pay?—Yes. I do think so. Some of them are very highly paid for the little duties they do; but I am not in favour of many of these duties being performed by the police. Where they have very little to do and can perform these duties without interfering with their police duties; and when I call them to account, they say, "I have been engaged on clerical work, and could not leave the Court that day." I say that first and foremost you must do your police duty and other work afterwards.

71. *Colonel Pitt.*] If the Court has to sit?—I leave that to the Justice Department. I know in many cases they could find good men who would perform the duty for a very small salary.

72. *The Chairman.*] Would, in your opinion, the deprivation to the constables holding these outside offices of the emoluments they now receive tend to reduce the jealousies which now exist in the Force?—I dare say it would tend to reduce a great many of them, because I often find a difficulty in finding suitable men to fill the position of Clerks of Court at stations where a Clerk of Court is required.

73. Do you think, then, if constables and sergeants receive pay according to their rank that it would remove that jealousy, and remove one great difficulty in the way of transfers and promotions?—I think it would. There could be no reasonable cause for jealousy.

74. You, I suppose, have had a good many instances of men who objected to be promoted to sergeants because it would mean less pay to them?—A great many; and they considered it would be a great injustice to give them promotion.

75. And the effect of that is to deprive the Force of very good sergeants and to be detrimental to its management?—That is so.

76. *Colonel Pitt.*] Have you many constables acting as Clerks of Court in districts where the number of plaints is over a hundred in the year?—I think so—a great many. For instance, I was up at Rawene lately, and there were over a hundred civil cases in one day. There the Court does not sit but once a month.

77. *The Chairman.*] With regard to the pay, what is your opinion on that matter?—I think the pay is quite inadequate, and I think it would be in the interests of the colony that the men should be better paid. There would be some inducement then for intelligent men to join the force. At present I say there is no inducement. And I would recommend that married men be allowed a house-allowance. I may say that every country constable, as a rule, has a house provided for him in the police-station. With a few exceptions they are all married men with long experience. I would recommend that the police be supplied with uniforms free. I know that is the rule in Ireland. They get a jacket and dress-frock, and two pairs of trousers, and a hat.

78. With regard to the position of constables in respect to political matters, do you find the right to exercise the franchise tends to place them at a disadvantage?—I do not think so. I cannot see why the police should be deprived of the franchise and other Civil Servants allowed it.
79. You do not think it places them at a disadvantage in attending political meetings, and so on?—I discourage them attending any political meetings. They are sent there on duty, of course, but for nothing else; and they take no part in the meetings.
80. Do you find it affects their efficiency?—I do not think so. I have never known a case.
81. Have you had any case of constables taking any active part in elections, and so on?—I never knew a case.
82. Have any complaints been made to you on that subject?—Not one. A very vague statement was made to me not very long ago by a barrister in this city, who was a teetotaler and Prohibitionist, and who was at one time a member of Parliament. He told me that a certain district constable was opposed to him; but he declined to give me any particulars; and that is the only case I ever heard.
83. Now, Onehunga is part of your district. What force have you there?—One sergeant and one constable.
84. Do you find that sufficient for a place like Onehunga?—Oh, quite. In case of an emergency—and it is very rarely they have arisen—the head-station can be telephoned to, and a man can be sent out.
85. Is the conduct of those men very satisfactory?—Very; the sergeant is a very old and efficient officer. I have never heard any complaint against him. He is Clerk of Court and also Clerk of the Licensing Committee.
86. Any complaints of intemperance on their part?—No complaints; but I have had to check a constable for having the appearance of liquor.
87. *Colonel Pitt.*] What is your opinion as to the abolition of classes amongst sergeants and constables?—I think there are too many classes; and yet it seems to have been the custom in other places to have a number of classes.
88. What would you have?—I think it would be better if the men were paid in proportion to service and efficiency.
89. What is your opinion as to the number of classes you would have amongst sergeants and constables?—I think two in each would be quite enough; it ought to be. But instead of having classes, I would recommend an increase in pay according to service—say, after five, ten, and fifteen years.
90. What do you think should be the minimum pay of a constable?—I think the lowest pay for an efficient constable should be 8s. a day.
91. What do you think should be the lowest pay for a man joining?—Well, 7s. should be the lowest.
92. And to what rate should it be increased after fifteen years' service?—Up to 8s. 6d. a day.
93. And the sergeants, what should they get on attaining their rank?—9s., and then 9s. 6d., and 10s.
94. In your opinion what should be the age for constables and sergeants retiring from the Force?—Sixty, or very soon after.
95. You have served in other districts besides Auckland?—I have, and in other countries.
96. What is your opinion as to the size of the several districts in the colony?—Some of them are far too large. For instance, this is very large, and I am not able to exercise proper supervision over it, not even in the city.
97. You say Auckland is too large. What other district in the colony is too large?—Dunedin and Christchurch. I have had no practical experience in Wellington, and do not know how the district is worked.
98. Would you recommend additional districts or the appointment of Sub-Inspectors?—I think it would be better in some cases to have additional districts.
99. And for all districts do you recommend the appointment of Sub-Inspectors?—I think there ought to be in every district as at present constituted, because the Inspectors cannot exercise that supervision which they ought to. I find, for instance, that every time I go into the country I see and hear many things which would otherwise never reach my ears.
100. How often do you visit on an average the out-stations in your district?—Very rarely. I have not been able to visit all the stations in my district in one year.
101. Are there any you have not visited for two years?—I dare say there are.
102. And when absent from the headquarters of the district, who takes charge in your absence?—The district clerk takes charge of the office, and the senior sergeant takes charge, of course, of the duty. I would like to remark that the difficulties of travelling over this district are very great, and much more so than in any other district of the colony. I cannot here step into a train, as in Dunedin, and visit almost every station in my district.
103. When you are absent, do you communicate with the district clerk?—I address communications to the officer in charge. The clerk only deals with routine and simple matters. Any important matters remain on my table until I come back.
104. Suppose a telegram arrived that a criminal had come to Auckland and had to be arrested, who would deal with that?—The clerk would.
105. What would he do?—If it was very important, he would communicate with me; if not, he would act on his own responsibility.
106. Would he not hand that telegram to the sergeant?—He might. There is no rule in the case, because the clerk is very often a junior man.
107. When you leave, who takes charge the moment you leave town?—The senior sergeant takes charge of the duties.

108. Then, if you have any instructions to give, to whom do you write and send the instructions?
—The officer in charge.
109. Who is that officer in charge: would it be the clerk or the sergeant?—Very likely it would go to the clerk, and very probably, if important, he would show it to the sergeant.
110. If he did not show it to the sergeant, would he be guilty of a breach of duty?—He would if it was very important.
111. Then, in your practice is the clerk the medium between you and the sergeant?—Yes.
112. What rank is your district clerk?—First-class constable.
113. So you send through a first-class constable your instructions to the sergeant?—Yes.
114. Do you think that is contrary to discipline?—I do think it is wrong. I think there should be a Sub-Inspector. As a rule the sergeant knows nothing about the correspondence that may arise in the office.
115. Who do you leave in charge when you go on inspection duty from headquarters?—The district clerk.
116. And he is regarded then as the officer in charge?—Yes.
117. *Mr. Poynton.*] How are the licensing-laws carried out in Auckland?—Very well. The publichouses are, as a rule, better conducted here than in any other city or town I have been in.
118. Do you know how often the sergeants visit the hotels?—They are visited in the city every Sunday once or twice.
119. Is that the rule?—Yes.
120. Have you had any complaints about the laxity of the police in enforcing the laws?—No direct complaints. We have had charges against publicans, and have some pending now.
121. Taking into consideration the number of the hotels in Auckland, do you think that the charges brought against them are greater in proportion than in other centres?—I do not think so.
122. Do you think the licensing-laws as they are at present are sufficient, or do you think any amendment is necessary?—I think an amendment is necessary. I think the licensing-laws are very defective.
123. In what direction do you think an amendment should be made?—There is one case which I will quote from my yearly report of 1896, as follows: "In enforcing the licensing-laws considerable difficulty has been experienced in cases similar to the following: When passing a hotel after the hour of closing the bar and rooms adjacent are seen lighted up, and the noise of men drinking is heard; the police enter and find a considerable number of men drinking; the licensee states he believes they are all either lodgers or travellers, or he remains silent; the men refuse to give their names and addresses—there is no law to compel them. In such a case there could be no moral doubt but the law was being violated, but there was no evidence for the prosecution to warrant a conviction. I recommend that the onus of proving they were lodgers or travellers within the meaning of the licensing-law should be thrown on the licensee." I am still of that opinion.
124. Would you make the English law which affects persons found on licensed premises at unlawful hours to apply to the colony?—I would recommend it.
125. About sly-grog selling in the King-country, what steps have the police taken to prevent that?—As much as we could. I have sent up constables there in plain clothes several times, and they have succeeded, and many convictions have been obtained on information obtained by them.
126. Is there any special difficulty in preventing it there?—Yes.
127. Please explain?—The first is that a constable cannot be here very long before he is known to the residents of the city, and as many of the latter are interested in the sale of liquor in the King-country they take observations. The next is that at Te Awamutu especially they are watching the people going up by train, and if they see any people on board who are at all like constables the fact is at once telegraphed on to Otorohanga. That I know. They are watched by publicans and agents of the merchants who deal in spirits.
128. You say their presence is soon discovered?—Yes; and often telegraphed to the King-country.
129. Are there many Natives engaged in this practice?—There are some on a small scale.
130. How do they proceed: have they shops or stores?—Some of them have shops and stores. I hear there are a few going about there with a bottle and a kit.
131. *The Chairman.*] Do you mean the Natives carry it on as a trade?—Yes.
132. *Mr. Poynton.*] Do they carry it about in a kit?—Yes; but these cases are very few and far between.
133. Now, in Auckland, are there any suspected "tote" shops?—There are.
134. How many?—Four.
135. Have you had any prosecutions against them?—Yes; I have had three of the four convicted, and owing to the absence of an important witness in the fourth case we could not proceed.
136. *The Chairman.*] Do you mean there are four now?—They are supposed to be carrying it on now. They are more cautious now, and they are known as betting men and agents.
137. *Mr. Poynton.*] You have great difficulty in getting convictions. Would you suggest any amendment to the gaming-laws: do you think they are sufficient at present?—No, certainly not. For instance, there is no power given to the police to make forcible entry, although such has been done.
138. Is there much street betting in Auckland?—A great deal.
139. Of course, you are almost powerless to prevent that?—Almost. We have had a few convictions. I brought the matter under the notice of the City Council and recommended a by-law; but it was stated there were great objections in the way. In fact, one member of the City Council did propose the by-law, but he abandoned it.
140. Do you think that gambling is on the increase?—I think it is on the increase, especially with the juveniles.

141. What form of gambling do young people indulge in?—Mostly on racing, and betting about the streets. Vulcan Lane is notorious as being a rendezvous for all the betting-men.

142. And you say young people indulge in it?—Yes. The nuisance in Vulcan Lane has become so great that there have been many complaints from the public about it, and it has taken up the time of two constables to keep it clear. Lately the whole time of one constable has been taken up in keeping that street clear for traffic, and to enable pedestrians to walk up the footpath.

143. Is there much prostitution in Auckland?—There is a good deal.

144. Are there many young women on the streets in Auckland?—No; that has been very much exaggerated. There are young women of questionable virtue, and they make a great display; but there are not so many young prostitutes as has often been asserted in the public Press.

145. Have you had any complaints from the public as to the police failing to enforce the laws in regard to brothels that could be suppressed under the Indictable Offences Summary Jurisdiction Act?—They make complaints in this way: they write and say such-and-such a house is a brothel, and state the reason—say that drunken men go there, and that cabs are driving there at all hours up to this house. Of course, I have to make what inquiries I can; and, as we have no power to enter these houses, I cause a notice to be served on the owner of the house that after a certain date I will hold him responsible for the occupants of the house.

146. *The Chairman.*] Are there houses which you know to be brothels: drawing the distinction between houses occupied by women who receive friends and houses which are maintained by prostitution?—Not now; there were a great many when I came here.

147. You know of no existing legal brothel?—No. By the plan I have adopted of notifying the agent or owner of the house I have kept these women moving about from house to house.

148. *Mr. Poynton.*] In connection with sly-grog selling, do you think if the penalty was imposed by law on the person who purchases grog from an unlicensed person it would tend to stop the practice?—I think it would have some effect, but it would be very difficult to obtain evidence in such a case.

149. *Colonel Pitt.*] Have the police any difficulty with larrikinism in Auckland?—There is a good deal of larrikinism in Auckland.

150. What do the police do to suppress it?—If they see any misbehaviour on the part of these youths, they arrest them; but really what is called larrikinism now, I think is very much exaggerated. Often they are playing and making a little unusual noise in the streets, and it is called larrikinism; and some of the shopkeepers send me letters, or write to the public Press about it.

151. Is there any larrikinism in the form that obstructs traffic and insults passers-by?—There are cases occasionally of youths interfering with peaceable residents.

152. Are the police energetic in dealing with these cases?—They are as far as their power allows them.

153. *Mr. Poynton.*] Is the proportion of detected crime to the reported crime as great in Auckland as other places?—Yes, I think the proportion of crime detected in this district is equal to the proportion of detected crime in any other district.

154. *Colonel Pitt.*] What is the population of Auckland?—The present population of Auckland and suburbs is approximately 57,616.

155. *The Chairman.*] When did you first join the Police Force?—I joined the Irish Constabulary in 1850.

157. And when did you join in New Zealand?—1st of October, 1865, when Mr. Shearman was Commissioner in Christchurch. I was induced to come over here from Victoria.

158. In what position did you join?—I was a first-class sergeant.

159. When were you appointed Inspector?—I was appointed Sub-Inspector in 1870, and Inspector in 1872. On my appointment I was sent to Greymouth as Sub-Inspector, and while there I was promoted to be Inspector.

160. Were you in charge of the Greymouth district?—Yes; from Greymouth I went to Christchurch in the end of 1877. From Christchurch in 1880 I was transferred to the Lake district, with Clyde as headquarters. I was there for ten years; and in 1890 I was directed to assume command over the Southland district, still retaining command over the Lake district, with my headquarters at Invercargill. I was about sixteen months at Invercargill when I was directed to proceed to Dunedin and take charge of that district, still retaining command of Southland and the Lake districts. I was there until January, 1893, when I was transferred to Auckland, where I have been since. I replaced Mr. Broham in Auckland, Mr. McGovern in the Bay of Islands, and Mr. Emerson in the Waikato.

161. Was the Bay of Islands a district then?—It was, and it is still known as the Bay of Islands, and is part of my district. My district now comprises these three old districts. When I went from Greymouth to Christchurch I replaced two Inspectors in Christchurch—namely, Inspectors Buckley and Feast. Mr. Broham was then senior officer in command of Canterbury.

162. *Colonel Hume.*] You stated this morning that you have eight men absent just at present?—Yes.

163. That is something unusual?—No; it very often occurs. They average from seven to eight men absent from the men nominally attached to the headquarters station. I have known as many as eleven, twelve, thirteen, and fourteen to be absent on one day.

164. These eight men are not altogether in one place?—No; perhaps at eight different stations.

165. You went on to say that you thought the pay for the outside offices should go to the pension fund?—Yes.

166. Is it not a fact that these Clerks of Court do a great deal of Court work in their own time?—No doubt they do.

167. Do you think it would be fair to employ them in their own time, and that money to go to the police fund?—They would receive a benefit from it afterwards.

168. Indirectly?—Yes.

169. Then, would not the men who are not doing this work receive equal benefits from the work that these constables were doing in their own time?—They would.

170. Would that be fair?—I think it would, because it would do away with a great deal of jealousy existing amongst the men. Some men complain that they are not sent to these places; and of course the more intelligent men are appointed as Clerks of Court. In one sense I do not think it would be fair to have these men of indifferent education paid as well as men of superior education. If they were not Clerks of Court they would probably be advanced in the Police Department if promotion was not so slow as it is at present and has been for many years.

171. Can you account in any way for the promotion being so slow?—I believe it was owing to the transfers from the Armed Constabulary. There were a good many attached to the Armed Constabulary who were transferred to the police. Not a great many officers certainly, but a great many men of long service and non-commissioned officers.

172. And non-commissioned officers retained their positions and rank?—In many cases.

173. You said you did not think the pay sufficient?—I do not.

174. And there is no inducement for men to join the Force now?—No, not sufficient.

175. Are you aware there is a very large list of candidates at the present moment?—I have heard so.

176. Then, how do you account for there being no inducement for men to join the Force?—They may join, but they will not remain in it very long. I think they only make it a convenience.

177. Then you spoke about districts being too large?—They are far too large, in my opinion.

178. How often do you consider out-stations ought to be visited?—The more distant stations ought to be visited twice a year. I have not been able to do so.

179. Do you think any serious detriment has been caused through your not being able to visit out-stations twice a year?—Inquiries I have been directed to make I have not been able to make owing to the long time it takes to travel between some of these places. At Dargaville where I went I was detained a week, and the like of that would often occur. I was in Warkworth, and I was detained there for a week. I have been in Dargaville several times, and have been detained a week each time. If you are not able to do the work on the day you arrive you have to wait three or four days.

180. Why were you detained at Warkworth?—For a partly similar reason. There is a coach there every second day.

181. Could not you get back the second day?—No, I was not able to complete the inquiry the second day.

182. Then it was not the fault of the conveyance, but because the work was not finished?—It was partly the want of conveyance.

183. Now, as regards handing over the charge of the district when you go away on duty anywhere, what objection is there to handing it over to the sergeant, and the district clerk being then the sergeant's clerk the same as he is yours?—For this reason: that the sergeant has no knowledge of the correspondence.

184. But the clerk has?—Yes.

185. Then, what objection is there to his being the sergeant's clerk instead of your clerk for the time being?—Because I think the sergeant is not able to give him sufficient information in matters of importance.

186. Well, could not the sergeant telegraph to you?—Very lengthy communications would be necessary in many cases.

187. More so than if the district clerk had to do it?—Yes, I think so. For instance, up to a late time when Sergeant Ellison was my clerk I had no trouble with him, because he was very well versed in police matters, and very rarely had occasion to telegraph to me. It was not necessary for him to allow correspondence to accumulate as it did on a recent occasion when it took me three days alone to read the correspondence, because Sergeant Ellison had a thorough knowledge of police duty and the law relating to police-work, and was able to act in every case.

188. *The Chairman.*] Why is it necessary to have a Sub-Inspector when a sergeant could exercise all the powers in your absence?—He could not exercise powers in my absence. I could not delegate my powers to him.

189. *Colonel Hume.*] Are we to understand that your district clerk has more knowledge of police duties than the sergeant?—No. I say he has more knowledge of the routine clerical work than any sergeant; and then the sergeant has very little knowledge of the office-work.

190. Then, could not the clerk impart that knowledge to the sergeant in your absence?—Such a man as Sergeant Ellison could.

191. Take district clerks generally?—No, I do not take it that district clerks generally are efficient, capable, and competent to impart the necessary knowledge of the Inspector's office.

192. You served in the Royal Irish Constabulary and Victorian Police?—Yes.

193. In either of these have you ever known such a case?—I never knew an Inspector to be without a Sub-Inspector or an officer of similar rank. In the City of Limerick, where I served for some years, there was a County Inspector, a Sub-Inspector, and three Sergeants-major.

194. *The Chairman.*] In such a case had the Inspector much more to do than to look after the Sub-Inspector? Were the duties of his office very different to those of an Inspector here?—Very different. The Inspectors here have much more to do. I am more like a clerk than an Inspector, working in my office from early morning till late at night. I have no chance to go and visit my stations, and yet I am held responsible.

195. *Colonel Hume.*] But in either of these Forces have you ever known such a thing as a constable issuing orders to a sergeant, for that is what it amounts to?—No, I never have. In the absence of the County Inspector the Sub-Inspector takes charge, and in his absence the senior sergeant takes charge.

196. And that answers?—Yes, certainly.

197. And why should it not answer in New Zealand—the sergeant taking charge when the Inspector is away?—The sergeant has not had the necessary training to assume the duties of Inspector in the Inspector's absence.

198. Well, has the constable?—No, nor the constable either; and the consequence is that files of papers accumulate until my return.

199. You suggested a by-law to the City Council, but could not get it carried out?—Yes.

200. What about?—About the obstruction caused in Vulcan Lane, about which several complaints have been made to me. There was no statutory law on the subject that enabled me to take any action.

201. You have had a good many complaints from the Town Clerk at one time and another?—A great many on various subjects.

202. The general purport of them was to try and get the police to do work that ought to be done by the Council?—No doubt about it.

203. Has he troubled you much lately?—Not in the last couple of months. I have an occasional one from him, but not many.

204. You were promoted not very long ago?—I was, the year before last, from second- to first-class Inspector.

205. Now, did you use any political or religious influence to get that promotion?—None whatever beyond the representations I made to you that my district was the largest in the colony, and that I thought I was entitled to the rank and pay of a first-class Inspector. I was promoted first-class Inspector in 1872, and I think you hold my commission.

206. That was provincial?—No, it was not. Without any notification of a reduction in pay or rank I was dropped down to Inspector, and then second-class Inspector.

207. I believe in the same way two or three Inspectors went over the heads of others at that time?—Yes; Inspector Pender was senior to me, and I was put over his head as a first-class Inspector.

208. You had better tell the Commissioners how you got from first class down to second class?—It was never explained to me.

209. When did it occur?—I do not know how it occurred or when it occurred.

210. Was there any difference in pay?—There was no difference in pay, because when I was promoted to first class I was not promoted to the rank and pay then existing amongst first-class Inspectors.

211. You have had a good many of your recruits from the Permanent Artillery?—I have had.

212. What is your opinion of the men recruited from the Permanent Artillery?—My opinion is that they are not as good as eligible young men taken from the general public. They receive a training as soldiers which, I think, does them more harm than good in the police.

213. I suppose you have had some good policemen from the Permanent Artillery?—Undoubtedly I have.

214. Then, as to their educational attainments: what about that?—It was fairly good; they were as good as the average constables.

215. And as well educated as men who used to join the Force formerly?—Yes, they are.

216. Some of them still come from the Permanent Artillery?—Yes, but very few.

217. Have you found amongst recruits you have had to deal with men who had no sense of duty themselves and in whom there was no spirit of obedience?—Well, I have never found them disobedient. I cannot say anything against them in that respect. So far as I could ascertain from the manner in which they performed their duty, they were always ready to do their duties.

218. Now, if such a state of affairs existed, who do you think the blame would be due to?—It is not for me to express any opinion.

219. They are under you and your sergeant?—I say I have had no experience of such a thing. I have had very little cause of complaint or to punish constables.

220. Have you found that, owing to any sort of influence at all, a spirit of insubordination spring up amongst your men and that they did not look to their officers for advancement?—I have never experienced anything of the kind.

221. Then, as regards offences, do you think there are more offences committed now by constables than there were ten years ago?—I do not think so.

222. Do you think those which are committed are more serious than they used to be?—No.

223. Are you in the habit, or have you been since you held a position as officer of the Force, of entering crimes against men in their defaulter's sheet without letting them know that they were there?—No, I always informed them.

224. Did you tell them you would enter it?—I never remember any case in which I neglected to tell them. If it was only a mere reprimand or caution of a trivial nature I would not enter it, but just make a record of it on the cause of complaint.

225. *The Chairman.*] If you enter it upon their defaulter's sheet do you notify the men of the fact?—Yes.

226. *Colonel Hume.*] Do you think that any constable in your district has abstained from interfering in many points from want of knowledge of his duty?—No; they generally communicate with me when in doubt as to the performance of their duty.

227. But I mean men on the streets who perhaps see something but could not refer it to you?—Well, very few mistakes have been made by constables in the streets. I have often been surprised that they never made mistakes owing to their want of instruction in their duties.

228. Do you know of any case where duty has been neglected owing to that want of knowledge?—That is a very general question, and would require some consideration to remember if I know any particular case. The only case I do remember was the case of Constable McCarthy. I think if he had performed his duty he would have saved other constables who were severely punished.

229. *Mr. Poynton.*] He was an old man and a long time in the Force?—Yes.

230. And it was a want of tact more than a want of knowledge?—Yes.

231. He was not one of the recruits we have heard so much about?—No; he was over twenty years in the Police Force.

232. *Colonel Hume.*] Have you known any case of constables being given charge of stations when they were not competent to take charge of them?—There was one station where the man was appointed Clerk of Court, and if I had had my choice I would not have sent him there, because I did not think he was capable. That is the only one I remember.

233. Long ago?—Many years ago.

234. Do you know any case of constables occupying subordinate positions who have served with ability and distinction and others who have no claim to it have been put over their heads, either in charge of stations or in the matter of promotion?—I do not remember a case of the kind.

235. Is there any disorganization in the Force that you know of?—None.

236. *The Chairman.*] What are the relations between the uniform men and the detective branch?—The uniform men are aspiring to be detectives. There is no jealousy between the Forces that I know of.

237. *Colonel Hume.*] Have you been prevented by me, either directly or indirectly, from rigorously carrying out the liquor-laws?—Never. No one has ever interfered with me in any manner.

238. Or in other matters?—Never.

239. You mentioned this morning about a crowd collecting at Vulcan Lane, is it not a fact that you have used every exertion to disperse that crowd?—I have done so very often.

240. And been found fault with by the Press for doing so?—Not by the Press—I cannot say. The Press finds fault with the existence of such an evil. The Press, I think, have seen the difficulties I have to contend with, and they have been very mild in their remarks. As a rule, they only repeat statements and complaints of others. But the general public are not aware of the many difficulties surrounding that matter and that we have not such power as they think we have.

241. *The Chairman.*] Has any attempt ever been made to influence you, either by what is called the liquor party or by the Prohibitionists?—Never. No attempt has been made to prevent me discharging my duties by either party.

242. Nor has any officer of the department ever endeavoured to check you in any way in strictly enforcing the liquor-laws?—Never.

243. *Colonel Hume.*] On the other hand, have you been directed to strictly carry out the liquor-laws?—I have.

244. By the officers of the department?—Yes.

245. Now, in selecting constables for plain-clothes duty, are you influenced in any way by their length of service?—Yes, undoubtedly.

246. Then, supposing you had a man who was only a fortnight in the Force and you thought he was a born detective, would you refrain from putting him in plain clothes because of his short service?—I would not. Certainly not.

247. You would put him in plain clothes irrespective of length of service?—Certainly. The duties of detective are so very dissimilar from the duties of the ordinary constable that really it requires a special training as well as being above the average in intelligence.

248. In fact, you hold the same opinion as I have, that detectives are born and not made?—That is a fact.

249. Do you recollect that there was once an examination held?—Yes, for promotion.

250. Did you see the questions that were set?—I did.

251. Did it strike you they were likely to improve the knowledge of constables much in their duties if they were able to answer those questions?—Some of them, I thought, were very strange questions.

252. Well, do you think there ought to be examinations?—I do not know. I know that there was some abuse then which came to my knowledge, especially in Southland. That is, the contents of the papers were known to some men before they were called upon to answer the questions. That was in Invercargill, a good many years ago.

253. Then I take it you do not think it was much of a mistake in doing away with the examinations?—I do not think so, from my experience of them. I think they were not fair to some men.

254. *The Chairman.*] Do you think they were beneficial?—Perhaps they were, because it caused a certain amount of emulation, and made the men study the laws. There were many questions on laws which the police had to administer. I think they ought to have had some good effect in that manner.

255. Do you recollect that some two or three years ago a circular was issued directing lectures to be given to the men by the sergeants and Inspector?—Yes.

256. Has that been carried out in your district?—To a certain extent it has. It can only be carried out in the head-station.

257. *The Chairman.*] As a matter of fact, have any lectures been delivered?—Yes.

258. How often have lectures been delivered?—I cannot say.

259. Do you deliver any lectures yourself?—Yes, regularly once a month, on pay-day, when all the men of the city and suburbs are assembled.

260. What time does your lecture occupy, as a rule?—Half an hour.
261. That is, independent of the time occupied in paying the men?—Yes.
262. Are your lectures written?—No; just notes that I take of things that have occurred, and I point out mistakes and what is the law in such cases. As a rule I have all the junior men assembled at my office door, and the more experienced men stand some distance down the passage. There is very little room for the men assembling or parading.
263. *Colonel Hume.*] Do you think there are more men sick now than you used to have ten years ago?—No.
264. Notwithstanding the influenza?—Yes.
265. You had a constable named Russell who served under you?—Yes.
266. And he was dismissed?—He was.
267. He was afterwards taken back?—He was.
268. What sort of a constable was he—what was his character while he was under you?—For a long time I considered him a good man, but owing to information that came to my knowledge I learned that he was a tippler. He was stationed in the city, at Newton.
269. He was brought back and sent to Paeroa?—He was.
270. How did he conduct himself there?—I had some complaints against him there, but none that I could prove.
271. No entry was made in his sheet?—No. Then he was transferred to New Plymouth.
272. Do you believe in giving men a second chance?—I do in some cases. I think it would be a pity and a great wrong sometimes to dismiss a man for one offence if he is otherwise a good man.
273. Then, supposing a man was dismissed, do you think there are circumstances which might tend to his being reinstated without any detriment to the Force or discontent to others?—I think so.
274. Did you ever have Sergeant Mulville serving under you?—Yes, in Dunedin.
275. Was he particularly active in looking after licensed houses?—He was not.
276. *The Chairman.*] Do you know whether he obtained any convictions against licensed houses?—I would not like to say positively without reference to records that he did not. I cannot recall to mind.
277. If he did obtain any convictions against publichouses, did that fact prejudice his interest in the Force?—Not at all.
278. As a matter of fact, does activity in enforcing the liquor-laws prejudice a man's position in the Force?—Certainly not; never to my knowledge.
279. *Colonel Hume.*] On the other hand, are they not usually rewarded if they obtain convictions?—There have been many cases of the kind.
280. *Colonel Pitt.*] Are you satisfied with the way in which they perform their duties?—I am.
281. *Colonel Hume.*] Can you tell the Commissioners how many Protestants and how many Roman Catholics you have got in Auckland at the present moment?—There are twenty-three Protestants and twenty Roman Catholics.
282. *Mr. Poynton.*] Did you make any request to the department for assistance to deal with sly-grog selling in the King-country?—Yes, more than once.
283. How were your suggestions or requests met?—I took it they were met as far as they could. I was told to send up recently-appointed constables who were supposed to be unknown in the city. I did so, and in some cases they were successful, and in some cases they were detected as constables.
284. You were never thwarted in your efforts by the department?—Oh dear no. On the contrary, they always told me to do the best I could.
285. *Colonel Hume.*] In regard to the constables who were sent up there in plain clothes to look after the sly-grog selling, is it a fact that one of them wore his uniform-trousers?—Never. I remember Mr. Isitt spoke at a meeting somewhere in Canterbury and stated, as an example of the inefficiency of the police to detect sly-grog selling, that he had it that when I sent up two constables I marched them from the head-station to the railway-station, and that they wore uniform-trousers and carried camp equipages. I was asked if there was any truth in it, and I found there was none.
286. Then, in addition to these constables who were sent up there, was anybody else sent?—Yes, but not from here. I suggested a strange man should be sent up.
287. A detective from the South and a sergeant from Wanganui?—Yes.
288. And they obtained, how many convictions?—Thirty or forty.
289. *Mr. Tunbridge.*] You have given the number of men absent from various causes from headquarters here?—Yes.
290. What number of reserves do you think you need to take their places?—If I take as many men in proportion to the number of absentees, it would take eight men to meet these demands, which are not of unusual occurrence.
291. That is, to enable you to keep your beats full?—Yes.
292. Do you find in a great measure that the complaints from the public arise in many cases from the insufficiency of the police protection frequently brought about by your not being able to fill the beats?—Yes, always so. For many days I have only been able to send three men on duty in Queen Street.
293. You were asked about complaints, and you said you had had one complaint about the police. But you do not wish that to go forth as the only complaint that has been received from the public—as a matter of fact we seldom go very long without complaints?—That is true.
294. You are speaking about your district being very large?—Yes.
295. Do you not recognise that there would be some difficulty in breaking up the Auckland District in two?—Yes.

296. There would be also some difficulty in detaching any portion of the Auckland District and attaching it to some other district?—There would be, undoubtedly.

297. Owing to the want of communication between the various headquarters of other districts?—Yes; it would be better, I think, to have a Sub-Inspector appointed to assist the Inspector.

298. Do you anticipate there would be any friction between the Inspector and Sub-Inspector should one be appointed?—I do not think so.

299. Recognising, of course, that the Sub-Inspector would be entirely subordinate to the Inspector and would work entirely under his direction?—That is so.

300. You are saying that the out-stations should be visited twice a year?—Many of them.

301. Do you think twice a year is insufficient?—In some cases it would not be sufficient.

302. Do you not think it would be very much better if they could be visited every three months?—Undoubtedly; because when I go out I often hear from the general public matters that would never otherwise have been told to me.

303. As a matter of fact you think that in the Force, as at present organized, there is a want of supervision over the men?—Yes.

304. Now, with reference to the attempts on the part of the police to detect breaches of the Licensing Act in Auckland, have you not been doing all you possibly could to detect these breaches?—Yes; certainly.

305. By starting two parties out from various parts of the city at the same time?—Yes.

306. And also with reference to sly-grog selling?—Yes.

307. Now, as a matter of fact, the question of the liquor traffic or breaches of the licensing-laws cause you really more trouble than any other class of breaches of the law?—Certainly.

308. And you are continually making extraordinary efforts to meet these breaches?—Yes.

309. More so than in respect to any other class of crime?—Yes. The liquor-laws are more defective than other laws.

310. *The Chairman.*] I would ask whether you attribute that in any way to the fact that the laws may be hostile to the feelings of the community?—I would not use the word "hostile," but I would say they are opposed to the feelings of the community at large, especially the demands made by the prohibition party.

311. Does the community, so far as you have an opportunity of judging, regard these breaches as a moral offence against the law?—No.

312. *Mr. Tanbridge.*] To do more to stop breaches of the licensing-law, or to attempt to stop them, and to detect sly-grog selling, you would have to practically detail the whole of the Force at your command for that purpose?—Certainly.

313. And every other branch of crime would have to be neglected?—Yes, the more serious crime that affects the community at large would have to be neglected.

314. With the present men at your command you can do absolutely no more than you are doing at the present time?—Not a bit.

315. Now, as regards candidates and a pension fund, do you think that if there was a pension system started for the Force it would be the means of drawing a better class of men into the Force?—I do think so; and I would never have come to New Zealand if I had known that a pension fund was not in existence.

316. You were questioned as to whether you were aware of the very large number of applicants for the Police Force?—Yes.

317. Do you know that at least fifty per cent. of these men practically have no educational qualifications whatever beyond being able to write their own name?—That is all.

318. And it is, of course, to get a better class of men into the Force that you think a pension fund would assist?—Yes, it would be a great inducement to men of intelligence to join and remain in the Force, and not make it a convenience, as they very often do.

319. You know the system pursued as regards candidates at the present time, and the forms that are filled up: do you consider that a satisfactory way of selecting candidates?—Not sufficiently.

320. What would you suggest?—I would suggest a better test of their intelligence.

321. Would you suggest that some confidential inquiry should be made by the police officers into the moral character of the applicant?—Yes, undoubtedly, as to the moral character, and it should be some officer not lower than the rank of sergeant; and a better test than the present one ought to be introduced as to their ability and educational requirements. I would not ask to have a severe one. When I first joined I had to undergo an examination—not a competitive one.

322. *Colonel Hume.*] You want eight additional constables: do you think if you got eight additional constables they would prevent crime, or do you want them to detect crime?—I think prevention is better than detection. The police are watched, and when law-breakers see men go out in plain clothes and not fixed or attached to any beat, and they do not know when they may meet, the very fact of knowing that these men are patrolling the city at large has a very deterrent effect. I have never known them to catch a burglar in the act, but it had a very deterrent effect, in my opinion.

323. Do you think there is much undetected crime in your district at present?—Not more so than in other districts.

324. Do you recollect when there were Sub-Inspectors under the Inspectors?—I do.

325. Had you one under you?—No.

326. Can you tell me any place where there was any friction between the Inspector and Sub-Inspector?—I do not know of any place where there was any friction.

327. You were a Sub-Inspector under an Inspector?—I was.

328. Had you any friction with your Inspector?—I did.

329. But you do not know of any other case?—No.

330. How do you know that fifty per cent. of the applicants have no educational standard at all?—I am referring to the applicants in my own district, and I state that approximately. I have never calculated the numbers.

331. Have you had any recruits sent to your district within the last eight or ten years who have not passed the Fourth Standard?—I cannot answer that. They were never tested in that manner to my knowledge.

332. Then you are not aware that candidates have to certify or produce their educational certificate?—I am not aware of it. No candidate ever produced his standard of education to me, except one; and he had been a school-teacher.

333. *Colonel Pitt.*] Has no complaint been made to you of the failure of the police in this district to enforce any of the laws of the colony other than the licensing or gaming laws?—No, I have no recollection of it.

334. I suppose one of your men is Inspector of Weights and Measures?—Yes.

335. Have you to do with the manner in which he performs his duties?—Indirectly I have. When necessary, I direct him to go to a district and perform his duties.

336. Have there been any complaints as to the manner in which these duties are carried out?—No.

337. Who is he paid by?—The Police Department.

338. Not as Inspector of Weights and Measures?—No.

339. How often are weights and measures tested, on the average?—I cannot say. He very often makes a round of the city.

340. *The Chairman.*] I have understood that the Inspector of Weights and Measures communicates with the Colonial Secretary's Office: is that so?—He does.

341. *Mr. Tunbridge.*] With reference to the appointment of police surgeons, what is your opinion on that point?—I think it would be a very good thing if police surgeons were appointed in the chief centres of the colony.

342. You think it would be a check upon malingering?—I do; but I must say this, that I have never known a case of malingering in my district. I have heard of such cases, and if such cases existed there is no doubt that the medical officer appointed by the Government would have a good effect in checking anything like that.

343. At present it is a tax upon the men to procure medical certificates?—It is; and when a man reports himself sick to me I allow one or two days to pass, but no more, or I require a medical certificate.

344. And in the course of a week or two a further one?—Yes.

345. *Colonel Pitt.*] How long do you think the annual leave should be allowed to accumulate?—I think, for two or three years. I see no harm in allowing it to accumulate up to thirty-six days. At present it is not an uncommon thing for other Civil servants to get a month's leave, but the police have only been allowed twelve days. I would say it should be allowed to accumulate to twenty-eight days for two years, and thirty-six days for three years.

346. Do you think twelve days a year is sufficient leave?—No, I would make it certainly fourteen days. It has been only under special circumstances that the leave has been extended beyond twelve days.

347. *Colonel Hume.*] In consequence of the absence of police surgeons, has it ever come under your notice, or have you reason to believe, that men suffering from alcohol have obtained certificates that they were suffering from influenza or some other thing?—I have never known such.

348. *The Chairman.*] Have you heard of a case in this district where one of your men was at the hospital suffering from the effects of alcohol, and he was known to be suffering from other diseases?—I have known of one going into the Hagey Institute, but he had another complaint after being in the Hagey Institute and was removed to the hospital and got a medical certificate to that effect. It was influenza, if I remember right. I may say I encouraged him to go into the Hagey Institute.

349. Is he in the Force?—He is, but not in this district.

350. Is he in the Napier district?—Yes.

351. Has he been conducting himself well since?—Very well. He was a very good man before he fell away to the habit of taking too much liquor.

352. With regard to men who have been guilty of intemperance, have you found such men to be undesirable constables or have you found them to be efficient constables notwithstanding the offence of drunkenness?—Yes, they very often are efficient, but they are not desirable if they are in the habit of tipping, because it will ultimately unfit them for their duty and ruin their health. I have known men who were somewhat addicted to drink, and have reformed and proved excellent men.

353. Where men who have been guilty of drunkenness and kept themselves sober afterwards, are they efficient in their duties as constables?—Certainly. I have found many men to fall and be good constables afterwards.

MARTIN GRACE, examined on oath.

354. *The Chairman.*] You are a first-class detective?—Yes, stationed at Auckland.

355. How long have you been here?—I have been here about five years at present, but I was here before for some years.

356. How long were you here on the former occasion?—Five or six years. There was an interval of fourteen years between the two periods.

357. How many detectives are there here?—One first-class detective, one third-class, two fourth-class, assisted by three plain-clothes constables.

358. Do you find that force is sufficient for the work you are called upon to perform in this district?—It is scarcely. We are often so placed that I have only one detective in the city, and

there is a great strain on our staff from other parts of the colony in connection with the inquiries we have to make.

359. Do many of the criminal class pass through this district?—A great number.

360. By sea—for where?—To and from America, and also to and from Sydney—Sydney particularly.

361. Is there any large criminal class resident in the city?—We have a fair number; we are never without them.

362. To what class of crime are they especially addicted?—The usual kind, such as burglary principally, theft, forgery, false pretences, and other offences.

363. Have you many of the spieler class?—Most of these are criminals. The spieler class form a big proportion of the class I have just mentioned.

364. With regard to gambling, is there much of that in the city?—Very little, if any, at present.

365. Have you any reason to believe there is any class of gambling known as “tote” shops?—I strongly suspect two or three shops. Two or three were punished some time ago, but they have been very careful lately.

366. Have you any reason to believe that gambling is indulged in to any great extent by young people here?—I have no reason to believe that. There is no doubt a little of it is done, but to no extent.

367. Have you had any proceedings against gambling-houses in this district?—Yes.

368. How long since the last?—About eighteen months ago.

369. With what result?—We were successful in getting a conviction against each house.

370. Were they what you call “tote” shops?—Yes.

371. Have you any knowledge of the existence of any class of gambling-house that comes within the laws?—I have not at present. There was one, but they were dispersed some eighteen months ago.

372. Do you find that you and your Force are fairly successful in detecting reported crime?—Fairly successful.

373. What is on your books now as undetected?—Very little indeed—that is, of any serious crime. Of course, there are a lot of petty thefts.

374. With regard to prostitution, have you any brothels which come within the terms of the statute as such?—We have. An information has been laid against one to-day.

375. Have any of these houses you refer to as disorderly been the subject of complaint to the Police Department?—None that I am aware of. Whenever a complaint is made we act on it at once as best we can. There has not been one for some months.

376. Have you any knowledge of the existence of any disorderly house against which you have not at present taken proceedings?—No.

377. Have you any disorderly house the existence of which is connived at by the police?—None. We have brought a large number up from time to time.

378. Can you give us any information as to the existence of juvenile depravity or immorality amongst young girls of the town?—We have some.

379. Does it come under your observation?—We see girls of very tender years walking the streets, but they all have homes and live with their parents. It is suggested they are immoral. We had one or two cases lately, but the girls promised to go to the country, and the Magistrate discharged them.

380. You do not find young girls importuning or laying themselves open to the law?—No; they do not do that. If we catch them at it they are prosecuted.

381. Is there much of that in the city?—There are a large number of prostitutes in the city.

382. Has their conduct, then, caused any public scandal or public report or complaint?—None.

383. The police cannot keep women virtuous, or men either, but they can prevent any public demonstration of vice?—If there is any demonstration on their part we deal with them. Of course, so long as they are quiet and walk the streets we have very little control over them.

384. With regard to street betting, have you been able to do anything with that?—We have tried on two or three occasions, and each time we could not get a conviction, but the police have summoned a good number of men who bet for not moving on when requested to do so, and we were successful. By that means the end of Vulcan Lane has been kept pretty clear.

385. Have you any reason to suppose it is carried on to any great extent?—No doubt there is a lot of betting in the streets during race-times. I judge that by the number of people you will see assembled.

386. *Colonel Pitt.*] Are there many cases of sheep- or cattle- or horse-stealing in this district?—No; sheep-stealing is very rare. We have had a good number of horses stolen from time to time.

387. *The Chairman.*] You have nothing to do with the gumfields?—Except I am called there in pursuit of offenders.

388. *Mr. Poynton.*] You are knocking about the streets a good deal. What is your opinion as to larrikinism?—There is a good deal of it—there is no doubt about that.

THURSDAY, 9TH JUNE.

EDWARD THOMAS HOWELL, examined on oath.

1. *The Chairman.*] What is your rank?—Third-class constable, stationed at Auckland.
2. When did you join the Force?—In February, 1895. I was transferred to here from Christchurch last August.
3. Are you representing the members of the Force with the other delegates?—Yes,

4. What matters do you wish to bring under our notice?—These are the resolutions come to at the meeting of the members of the Auckland Force:—

“We, the undersigned members of the Police Force of New Zealand, acting as delegates from the members of the Force in the Auckland District, have the honour to respectfully submit the following suggestions to the Commissioners, which suggestions fairly represent the wants of the Force in this district, and which, if carried out, would practically do away with the dissatisfaction which at present exists.

“(1.) That classes in all ranks be abolished.

“(2.) That the minimum pay of constables be 8s. per day, and the maximum 9s. per day; to be attained by a rise of 6d. per day for each five years' service up to ten years; provided that in the meantime the constable had not misconducted himself, in which case the Commissioner be empowered to retard him for a time in getting his rise.

“(3.) That the promotion of constables to the rank of sergeant be left entirely in the hands of the Commissioner.

“(4.) That the main points to be observed in regard to promotion be efficiency and length of service.

“(5.) That constables and sergeants be compulsorily retired at the age of sixty years.

“(6.) That the present system of compulsory insurance be abolished, and a pension scheme as suggested by Commissioner Tunbridge be adopted in its stead.

“(7.) That the period of annual leave be fourteen days instead of twelve, as at present, and should be allowed to accumulate up to six weeks, so as to enable constables with relations in other colonies to visit them.

“(8.) That sergeants and constables be allowed to travel free on Government railways while on leave, as owing to the fact of their having to pay attention to any crime coming to their knowledge their leave is practically only a relaxation of duty.

“(9.) That lodging allowance of 10s. per week be granted to married constables as at present granted to sergeants.

“(10.) That one suit of uniform and two pairs of boots be allowed to all ranks every year.

“(11.) That constables permanently employed on plain-clothes duty be allowed 1s. per day extra.

“(12.) That travelling-allowance of 6s. a day while on temporary duty be granted, as the present allowance of 10s. 6d. a week for single men and £1 per week for married men is insufficient.

“(13.) That constables on night duty be allowed time off (as far as the requirements of the service permit) in lieu of time spent in Court and going on escort duty to the gaol.

“(14.) That sergeants and constables in charge of stations be granted an allowance for light and fuel, as they are compelled to keep the station open till 11 or 12 o'clock at night for the convenience of the public.”

5. *The Chairman.*] Are these the unanimous opinions of the men?—Yes; these resolutions were agreed to without dissent. They have been shown to the men, who agreed to them.

6. What are the names of the other delegates?—Constables Joshua Hutchison and Samuel Thompson.

7. You mentioned a pension scheme as suggested by Commissioner Tunbridge: do you understand that that means a direct charge on your pay?—Yes; at the rate of 4 per cent.

8. And a surrender of all emoluments received by constables from outside offices?—Yes, we quite understand that. Single men have a great dislike to having to insure in the Government Insurance Office, or having to insure at all.

SAMUEL THOMPSON, examined on oath.

9. *The Chairman.*] What is your rank?—Third-class constable, stationed at Auckland.

10. When did you join the Force?—In January, 1898, in Auckland.

11. Were you in the Artillery?—Yes; I was transferred from the Artillery.

12. What do you wish to bring under our notice?—I joined at a pay of £10 per month.

13. Are you speaking now as a delegate?—Yes; from those men who joined since 1895 at the rate of £10 a month only.

14. As a delegate from those who joined since 1895, what do you wish to say?—Prior to 1895 third-class constables were paid 7s. per day. Since then they have been paid only £10 per month. Now, third-class constables who have joined since then are called on to perform similar duties to those who joined prior to that date, and are actually receiving less pay.

15. You joined knowing what you were going to get?—Yes.

16. Then why should you grumble?—The fact of having to perform the same duties justifies us in thinking we should have the same pay. We think we should at least get the same pay for the same work.

17. You think £10 is too little?—Yes.

18. Does not the third-class constable perform the same duties as the first-class constable?—I suppose so; but if there was any responsible duty the first-class constable would be called on to do it; but the third-class constable has to enforce the law the same as the first-class constable.

19. And he does not get the same pay?—No.

20. Perhaps you wish us to suggest there should be the same rate of pay for each class?—Yes; there should be no difference whatever. Besides this, the constable joining since 1895 has his pay further reduced by having to pay compulsory life insurance.

21. Did you know at the time you joined that that was a condition of your joining?—Quite so.

22. Does that rule of compulsory insurance apply to men who joined prior to that date?—To the best of my belief it does not.

23. Do you agree with the resolutions handed into the Commission by the previous witness?—Yes, entirely.

JOSHUA HUTCHISON, examined on oath.

24. *The Chairman.*] What is your rank?—First-class constable stationed at Parnell.

24A. Do you agree in saying that the resolutions put in represent the views of the men of the local Force?—Yes. I was present at the meeting, and they represent the views of those who were there. Nearly all the men of the station were present.

25. Were the mounted men present?—Yes; and they have seen the resolution as brought before the Commission.

GEORGE EVERARD BENTLEY, examined on oath.

26. *The Chairman.*] What is your occupation?—I am a journalist, living in Auckland.

27. Will you just state what you wish to bring under our notice?—The first question that I wish to touch on is the treatment of sick inebriates while in the watch-house. I wish to state that during the two years and a half that I have been in Auckland I have been, on numerous occasions, unhappily, suffering from alcoholism while in the hands of the police.

28. Do you mean, in plain language, suffering from liquor?—No; that is a very different thing—that is the medium stage, or being intoxicated. I was suffering from alcoholism: *dél. trem.*, or *delirium tremens*. I have been on two occasions remanded for medical treatment to the gaol hospital. There, of course, I received medical treatment; but while in the hands of the police I regret to say that on one occasion I sent for medicine at my own expense, the police refused to get it for me. So far as my experience goes, not only here, but in other parts of the colony, there does not appear to be any provision whatever for medically treating prisoners under the circumstances I have described. I have asked for a return which the Commissioner says is in your hands, showing the number of prisoners who have died in the watch-house while suffering from alcoholism. Of my own knowledge there have been five or six deaths in Christchurch alone from alcoholism, which might have been averted had medical aid been obtainable or given.

29. *Colonel Pitt.*] How do you know, of your own knowledge: you are not a medical man?—No; but I go by what the newspaper reports have said. I am guided in saying that by the newspaper reports and the medical evidence. I have this knowledge: that in all the Australian lock-ups there is a supply of medicine kept in charge of the sergeant or watch-house keeper. I know this personally as a pressman.

30. *The Chairman.*] Do you know in what colonies of Australia this is the case?—Victoria, New South Wales, Tasmania. I know this personally, because I have been on the Press in all these three colonies. I am given to understand that the same rule obtains in others: medicine prescribed by a medical man suitable for cases of that kind, consisting chiefly of sedatives—medicine, in fact, suitable for treating the patient until he can be remanded to the gaol hospital—just to tide him over the interval, so to speak. Officers in charge of this medicine are carefully instructed as to its use and the quantity to be administered. I know, further, that it is a very inexpensive medicine.

31. *Mr. Poynton.*] Do you think this should apply to New Zealand?—Yes, I think, for the sake of common humanity alone, it should be applied here. I have not only felt the want of it myself, but I have seen others suffering most acutely for lack of it. I would add that the necessity for such medicine is demonstrated by the fact that directly the prisoner gets up to the gaol the doctor prescribes it for him.

32. Is that done here?—It is done everywhere. I would strongly recommend its being done here. I have said so on previous occasions to Colonel Hume. I told him that medicine should be provided for the several lock-ups. It is only in the principal cities that this medicine is required. I may add that I am pretty satisfied in my own mind, not only as an intelligent man and as a pressman, that more than a dozen lives have been lost in this colony during the last few years for want of proper attention. I have asked for a return of the deaths from alcoholism in the lock-ups of the colony. I see that return has been put in. It is from the 1st January, 1890, showing the deaths in Auckland, one; Canterbury, one; Dunedin, one. I challenge the accuracy of that return, because I know there was one in Napier about two or three years ago.

33. *The Chairman.*] Do you know the name of the man?—No, I do not.

34. What authority have you for saying there was one?—A telegram from Napier, which appeared in the local papers here. I also object to this return because it does not go far enough. I wanted it from something like 1880 or 1885.

35. What is your next subject?—The herding of prisoners indiscriminately together—respectable with disreputable prisoners—in the watch-house cells. Again I have to say that, owing to my unfortunate weakness for drink, having consequently been frequently locked up, I found myself thrown into contact with men who were really not fit to be touched—men who were teeming with vermin and in a state of filthiness. I have found myself lying side by side with other men who were literally crawling with vermin. The object appears to be to bundle men into these places indiscriminately. I have seen this here in Auckland. The only thing the police wanted to do, apparently, was to get their prisoners into the nearest place, herding them together indiscriminately, without any judgment as to whether they were fit associates or not.

36. Are you referring to men suffering from the same trouble as yourself, or do you suggest that men in any state of alcoholism are put in the cells with those who are not?—I am just referring to police offences—criminal, or of alcoholism, or whatever you like to term it. A man is just bundled in there without any discrimination, or without any regard to companionship, or anything of that kind. I have known men who were sent up to Mount Eden on remand—very respectable fellows and well-dressed men, who had never known in their lives what it was to be infected with vermin or to have vermin upon them—yet when they got to Mount Eden found themselves almost covered with vermin. That was partly to be attributed to the companionship of the men in the cells, and partly to the state of the blankets supplied to them in the cells. The latter constitutes

No. 4 of my charges. These two may be linked together. I do not know what may have taken place here during the last month in regard to these cells. Probably preparations have been made for the reception of the Commission. No doubt there have been such. I know of my own knowledge, from what I have heard and what I have seen of other prisoners who were confined with me, that they have been troubled with vermin after spending a night or two in the Auckland watch-house.

37. Do you attribute that to the condition of the blankets?—I do, most distinctly.

38. Are you in a position to speak as to the condition of the blankets?—Yes, I complained to Colonel Hume about the blankets in the watch-house, and the matter was referred to Inspector Hickson.

39. Did you ever make representations to the watch-house keeper as to the state of the blankets?—No, I did not; it would have been perfectly useless had I done so. I may state this: that I also complained that not only were the blankets vermin-infested, but were filth-incrusted. All the reply I got from Inspector Hickson was a denial that the Auckland watch-house blankets were in that condition, and that I myself was accountable for them being so on one occasion. I challenged Inspector Hickson for his proofs, and I never received any other reply from him. I wish to point out this: that men suffering from drink would be liable to vomit and nausea, and the blankets would naturally get into a very filthy condition. They would frequently require washing, but they seem to have been totally neglected in the Auckland watch-house, so far as my experience goes. It used to be the custom, I think, to send the blankets up to Mount Eden to be washed, but that has been discontinued of late years. It is a very unsavoury subject, so we will change it to charge No. 3—namely, confining the prisoners to the cells while detained in the watch-house here in Auckland. There is a regulation (I was given to understand that it is one of Colonel Hume's regulations) that when a man was locked up he was to be confined to his cell until removed to the gaol: that is, with the exception of being taken over to the Courthouse or going to the urinal.

40. Do you mean that he is allowed no exercise?—Yes; and I am speaking from my own bitter personal experience. There is a yard here in Auckland very suitable for exercise, but a prisoner locked up, say, on a Saturday morning too late to be taken before the Magistrate, would simply be locked in his cell until he would be taken before the Magistrate on Monday morning. Only those who have had the bitter experience know what that means. You are kept cooped up within the whitewashed walls of the cell. I have made inquiries about this matter, so far as Auckland is concerned, and have complained about it. I found that it was in accordance with orders issued by Colonel Hume, owing to the escape of a prisoner named Alley some two or three years ago, that the opportunity for exercise ceased. The fact of the matter was that the man who escaped accomplished a feat probably not one man in ten thousand could have accomplished, and not one man in ten thousand would have attempted. I consider it is an abominable shame. There is a yard there for exercise; there is a door into the yard which could be secured so that the men would be in perfectly safe custody. I think the order was not only not necessary, but excessively harsh. To some extent this abuse has been removed during the past few weeks, probably by Mr. Tunbridge's orders. I now come to No. 5 of my charges, as to the inaccessibility of Inspector Hickson. I think I can call to mind at least ten times when I called at the office and asked to see Inspector Hickson, and I was told that he was engaged. I called once on a very important occasion. I was employed as a private detective for the Commercial Union Fire Insurance Company. I succeeded in proving that the case was clearly one of incendiarism, but I could not prove which member of the family it was committed by. Mr. Graham, one of the agents, and I went to Mr. Hickson's office to see him with a view to instituting criminal proceedings. We were told that Mr. Hickson was engaged, and that we could not see him. Sergeant Ellison was in charge at the time. We called again later in the day and were told that the Inspector was engaged. On seven or eight occasions that I have called there, and endeavoured to get an interview with Inspector Hickson, I was always met with the same reply—that Mr. Hickson was engaged and could not see any one.

41. Have you any reason to doubt that he was?—Well, it would not appear to have been of much importance; only I find that I am not the only person denied access to him. It is a well-known fact in Auckland. You have another case in point—in the South case. Mr. South wanted to see the Inspector and could not. Had the Inspector been accessible to Mr. South there is not the slightest doubt that that affair would never have occurred. It was because he insisted on seeing the Inspector that the sergeant in charge abused and ill-treated Mr. South. I may say this: that I consider the Inspector ought to be accessible whenever required. In regard to the extreme difficulty of getting the police to convey messages to friends of prisoners at the watch-houses, I have known it over and over again in my own case and in the cases of other prisoners who have been locked up with me. I know that urgent messages have been sent to friends, or prisoners have tried to send them, but no attention was paid to their requests by the constables. Of course you will understand what that means to a man who is locked up. But the police may convey a message to a solicitor, or somebody of that kind. Messages to friends are very often of the greatest importance to a prisoner, and where there is reasonable ground for supposing that the message is of importance, instruction should be given to the police that such messages should be delivered. I have tried to do so in my own case repeatedly, but no attention has been paid to my request at all.

42. *Colonel Pitt.*] Did they refuse to take the message, or did they neglect to take it?—The police will simply promise to convey it, and leave the cell door; then nothing further is done in the matter.

43. *The Chairman.*] I understand you are making a distinction between messages to solicitors and messages to friends?—Yes.

44. There is no difficulty in getting messages conveyed to solicitors?—No.

45. What else have you to say?—Turning to charge No. 7, in regard to the prevalence of Sunday trading in Auckland in licensed houses, I again speak from my own experience. I do not

think there are more than three or four hotels in Auckland but are opened almost continuously up to midday for the sale of drink, and again in the evening. They may be closed for three or four hours in the afternoon.

46. Are you speaking of an existing or of a past state of things?—I am speaking now of the existing state of things as they have been ever since I have been in Auckland, that is for two years and a half. This is a well-known fact to the police. I am positive they know it. I would suggest as a remedy for that sort of thing—it will always go on, you cannot stop it; let the police be ever so zealous, they cannot stop Sunday trading—I would suggest that the same rule should apply as applies in the Old Country—viz., that hotels might be open for, say, two hours in the morning and two hours in the evening. There might have been, in my opinion, a good deal of this Sunday trading suppressed had the police been given a free hand to discharge their duty.

47. All the police witnesses we have had before us say that they have had a free hand?—There was a case which occurred here only a few months ago in which Sergeant Black lodged an information. He had the clearest case imaginable, as he had caught seven men at the bar drinking. The police took proceedings, and there was a sort of qualified conviction. Mr. Northcroft, the Stipendiary Magistrate, told the licensee he need not come to him for a renewal of the license, but must dismiss the case on the weight of evidence for the defence.

48. What was the result?—Sergeant Black was removed to Gisborne and Mr. Northcroft was removed too. There is not the slightest doubt in my mind that the two removals emanated from that prosecution. I do not blame the police at all in reference to this Sunday trading, because it is a well-known fact here that the brewing interest overwhelms everything. I should like to say that I believe honestly that the police would institute more vigorous measures if they were not afraid.

49. Have you any reason for this belief?—Yes.

50. What reason have you?—I am speaking as a man who knows the subject in all its details, and one who is able to discern.

51. But you must be aware that that sort of evidence will not help us?—No.

52. We want to get hold of the root of the thing; if there is any ground whatever for the suggestion that the men are afraid to perform their duty, we want to get at that?—Of course, I cannot help you any further.

53. *Colonel Pitt.*] Wherever we have examined sergeants and constables, they have told us that they are not hampered at all?—They say so because they are afraid.

54. But they are on their oath?—Yes, they are on their oath; but, all the same, are afraid to admit the truth.

55. How long after that prosecution was it that Sergeant Black was removed?—About two months, I think, I am not quite sure; but I do not think it would be over two or three months. It is generally recognised here in Auckland that his removal was owing to the action he took in that prosecution. I now come to another charge—the occasional unreliability of police evidence. From what I have seen myself, and from what I know as a Press representative, there seems to be a prevailing idea among the police (whether it be by *bond fide* evidence or by manufactured evidence, or whatever you like to term it) that it is necessary to secure a conviction.

56. *The Chairman.*] That is a serious charge to make?—It is; we can have no better proof of that than in the case of Mr. South, which I have just referred to. Two sergeants and three constables went into the box and swore that the man was intoxicated, while forty witnesses could have been brought to swear that he was not. The police were simply backing up each other. I have over and over again seen that. I have seen it when reporting police-court business. Their evidence is not always to be relied on. There seems to be a tendency among the police to back each other up so that the charge might be sheeted home, with the reason probably of gaining promotion by securing a conviction.

57. *Colonel Pitt.*] Do you mean that the police take a prejudiced view of the case, or that they deliberately say what they know to be untrue?—That they will back each other up. I have seen it over and over again as a Press man.

58. That is a suggestion of perjury on the part of the police as witnesses; but you say it occasionally occurs in police evidence?—Well, there is no doubt about that—that it does occasionally occur in police evidence, as it occurs in the evidence of other witnesses.

59. Then, because it occurs occasionally, do you impute general unreliability?—No, I do not; but I wish to throw out a hint to Mr. Tunbridge so as to impress on the Force generally that the truth and not a conviction is the primary object. Then, in regard to the persecution or hunting down of ex-criminals by the police, which is another of my charges—by that I mean that men who have been in trouble and are trying to get an honest living. Colonel Hume will recollect my writing an article in the *Canterbury Times* some ten years ago on that very subject, in which I said I was very glad that system did not prevail much here, at any rate not to the extent it did in Australia. But I am sorry to say that it prevails here in Auckland, and has done for some years past. There are three cases that I can call to mind of ex-criminals who were simply hunted out of their honest employment. One man was working for the late Judge Gillies, and another for Mr. McCullough, bank-manager; the third man was at the Victoria Hotel.

60. *The Chairman.*] What do you say constitutes “hunting down” in those cases?—The police giving information to the employers that the men have been in trouble. I think you will agree with me that it is cowardly—not only cowardly, but inhuman—to interfere with men who are trying to get a living honestly; and the Chief of the Police ought to give strict instructions that his men should not interfere with such persons so long as they are trying to do what is right.

61. Except those two or three cases which you have referred to, can you call to mind any cases where there has been a “hunting down”?—Those are three isolated cases in this city; there may have been three thousand cases that have never been interfered with; but the fact of men being interfered with in that way shows the necessity of the Chief of Police issuing such instructions as I have suggested.

62. *Colonel Pitt.*] Suppose a man had been convicted several times of hotel robberies, would you think it wrong of the police to warn the hotelkeepers if they saw such a man getting a lodging at the hotel?—No, I should not in that case certainly, but in the case I have under notice the man was simply employed as hotel-porter, and not a lodger. I know from my unfortunate experience in Mount Eden that there have been, and are now, dozens of men who are there simply because the police would not let them alone. My suggestion applies not to habitual criminals, but to casual criminals: to men who for the first time in their lives have given way to the temptation to commit crime. I come now to my last complaint—the evil results of giving premature information to the Press. Now, as a pressman, here again I wish to offer a suggestion, and it is merely a suggestion, in connection with this matter. There is no doubt that the ends of justice are very often defeated through information leaking out in connection with criminals before their arrest. My suggestion is simply this: that the head of the department should give to his subordinates strict injunctions to suppress information as far as possible where it is likely to defeat the ends of justice. Only two or three weeks ago telegrams appeared in our local papers to the effect that gangs of burglars had left Christchurch for Wellington.

63. What reason have you for thinking that information came from the police?—I do not for a moment suppose that the Press representatives manufactured it.

64. *Mr. Poynton.*] On the other hand, would it not warn the general public not to leave their doors open as these undesirable characters were expected?—The general public are supposed to have sense enough to look after that without being warned.

65. *Mr. Tunbridge.*] I would like to know what justification you have for saying that the blankets do not go to Mount Eden now to be washed?—Simply because I have been told they are not seen there now.

66. By whom?—By prisoners up there, and by prison warders.

66A. Do you found your sworn statement on what you have been told?—Yes. I have been awaiting trial for the past six weeks on a charge of criminal libel, in default of bail, and I have ascertained from reliable sources that these watch-house blankets have only been sent to Mount Eden to be washed during the two or three months preceding the sitting here of the Police Commission, evidently to screen the local police.

67. Would you be surprised to hear that you are utterly wrong, and that they are still sent there?—I am very much surprised to hear it.

68. You say that you object to the return put in because it does not go back far enough?—Yes.

69. You know that this return goes back to the 1st of January, 1890?—Yes.

70. Is not that far enough?—No, I wanted it to go back to 1880 or to 1885.

71. Did you write asking for that?—I believe so.

72. You wrote asking that the return should go back to the time Colonel Hume was appointed Commissioner of Police; do you know now that Colonel Hume was appointed to that office in 1890?—I took it for granted that his appointment as Commissioner of Police was a similar appointment to his position as Inspector of Prisons.

73. Then, as a matter of fact, you object to the return because it gives exactly the period that you asked for?—I find that I have made an error.

74. Is that the only error that you have made to-day?—I do not know.

75. You also spoke of prisoners being refused to have messages sent to their friends?—Yes.

76. How many times have you been refused to have messages sent to your friends, or to have the visits of friends at the cell during the past twelve months?—I really cannot tell you.

77. Will you give an instance when you have been refused, or any instance of any other prisoner being refused of your own knowledge?—I remember on one occasion I wanted to send a message to Mr. King, the chemist, and the police refused to take it. Sergeant Clark refused to take it.

78. To what purport was it?—For him to come and see me, as I was suffering from the effects of drink.

79. Do you know that when a person is suffering from illness a medical gentleman is called in by the police?—It is news to me.

80. Do you remember being taken up to the hospital from the police-cell?—Yes.

81. Were you not seen by a medical man before you were taken up to the hospital?—I was taken to the hospital, I admit; I was found to be suffering from *delirium tremens*, but no medical officer saw me at the police-station.

82. But if the medical man was not brought to you, you were taken to the medical man?—Yes.

83. What more do you want than that?—That is only one case.

84. Have you been suffering from *delirium tremens* more than once?—Yes, four or five times. It was shown at the inquiry, on the evidence of Watchhouse-keeper Crean, that a medical man has only been called to the lock-up twice during the last two years.

85. That is your own idea?—Yes.

86. The police may not have thought that?—I may not perhaps have been suffering from *delirium tremens*, but I know that when I reached the gaol I had to be taken to the gaol hospital for treatment.

87. Now, as regards Sergeant Black: you say it is generally recognised that Sergeant Black was removed from Auckland because he had taken proceedings against a public-house?—Yes.

88. Are you aware that Sergeant Black's removal to Gisborne was promotion to him?—No, I am not; but his removal may have been attributed to undue influences all the same.

89. Are you aware that by being sent from Auckland to Gisborne Sergeant Black was placed in charge of a number of men, and had charge of a sub-district there?—No, I am not; it is news to me.

90. Now, as regards the police hunting down ex-criminals, will you tell us which is deserving of the most sympathy—the convicted thief or the honest employer?—I tell you candidly my sympathy would be with the convicted thief so long as he was trying to turn over a new leaf; if he showed no tendency towards honesty again, my sympathy would be with the employer.

91. How would you put yourself into the position of Judge Gillies. You have a servant employed in your house whom you believe to be an honest man; now, suppose such a man robbed you and it came to your knowledge that the police were aware of that—of the fact that the man was a convicted criminal—what would you say of the police for not having drawn attention to it?—That is mere assumption. I am taking it for granted that the man was trying to lead an honest life. You should trust him until you found him dishonest. The police are looking at it from one point of view; I am looking at it from another.

92. *Colonel Hume.*] You have said with regard to the exercise being taken away that it was done by order of Colonel Hume, and you afterwards said “you were given to understand” that it was by his order; which statement is correct?—I was told it was an order from Colonel Hume.

93. Did you ever see the order?—No; but I was told so by Sergeant Clark.

94. Then, the information did not come from a prisoner in Mount Eden?—No; from the watch-house keeper.

95. Now, as regards those blankets and the vermin, are you prepared to swear that you were not brought to the lock-up with vermin on you?—Never.

96. Then if I were to produce evidence to the contrary, it would not be correct?—Produce it: that is all I have to say.

97. You have been brought to the lock-up pretty often—in *delirium tremens* more than once?—Yes.

98. You are prepared to swear, or you can swear, that you were so far gone in *delirium tremens* that you were not in an unclean state as regards vermin?—Most decidedly; my mode of life and natural habits of cleanliness preclude the possibility of such a thing.

99. Do you know who succeeded Sergeant Black here?—No, I do not.

100. Would you be surprised to hear that his successor, although he had convictions against publicans, was put into this much-coveted billet that Black had?—I have no knowledge of it.

101. You say that the publichouses in Auckland are permitted to be open by the police during the whole of Sunday morning and also in the Sunday evenings: that the police wink at it?—What can you assume when you see the police take no steps to shut the houses up, or to obtain convictions; there has been a spasmodic effort made to obtain convictions in view of this Commission sitting here.

102. Do you know that thirteen prosecutions or informations were laid during the past year?—No, I do not.

103. If I tell you that is so, does it quite coincide with your assertion that the police take no action?—I still consider that a very inadequate number of prosecutions considering the available Force—it does not show energetic action considering the number of the police and the opportunities afforded. There might be ten convictions in a week, if the police were to bestir themselves.

104. *Inspector Hickson.*] Now, as regards my inaccessibility, do you know anything of your own knowledge as to whether I was in the barracks or not when you tried to see me?—I know that on ten or twelve occasions I was told by the orderly or the sergeant that you were engaged. It was so on the occasion that I and Mr. Graham called to see you.

105. Have you any reason to doubt that I was engaged when you called to see me?—Yes.

106. State your reasons?—I could state them, but I would implicate some one else to whom I said I would not mention it.

107. Do you know that Mr. Graham saw me in connection with the fire—I do not know whether it is the one you refer to or not?—No.

108. Where was the fire that you refer to?—It was at Mrs. Quin's, in Wellesley Street; it was the house furnished by the Helping Hand Mission, which was burnt down the night before they were to take it.

109. You have stated that you complained to me in writing about the dirty state of the blankets and that I replied, merely sending a denial?—Yes.

110. When did you send such a letter to me?—I sent it two or three days after I received yours.

111. Are you certain I put that in writing?—I am positive of it.

112. Are you quite certain it was not a verbal reply from either the watch-house keeper or Sergeant Clark?—No.

113. Do you know of your own knowledge that I ever refused to see you?—Certainly I do; I got word from the orderly that you were engaged.

JAMES HICKSON, Inspector of Police, examined on oath.

114. *The Chairman.*] What do you wish to state in regard to Bentley's complaint?—I have never been informed that Mr. Bentley desired to see me; what he has been informed of, or may have been informed, may have come through the clerk in the office, but I do not know that—I was not informed that Mr. Bentley wanted to see me.

115. Did you ever give instructions that he was not to see you?—Never; it is very likely that I was engaged when he did call, but I should think not so often as he has stated. I know that I am very often engaged when persons call upon me almost every day, so much so that a few years ago I issued an order of which this is a rough draft: “10th July, 1896.—As I have for a long time past been much impeded in the performance of my office duties by interruptions caused by persons calling to see me—many of these persons have called to see me in respect of very trivial matters, and could

have their questions answered either by the sergeant in charge or by a constable in reserve without interrupting me—I have therefore decided to keep the door leading direct into my office closed, so that all persons who may desire to see me will have to call at the outer office. Sergeant Ellison will direct persons who desire to see me personally into my office.” I may state that up to the present time there is scarcely a day that I am not engaged for the half of it in answering persons wishing to see me. I have never yet refused to see any one calling upon me.

PATRICK CREAN, examined on oath.

116. *Mr. Tunbridge.*] What is your rank?—Third-class constable, stationed at Auckland.

117. You are frequently employed as watch-house keeper?—Yes, I am day watch-house keeper.

118. Have you been in charge of the watch-house at any time while Mr. Bentley has been a prisoner there?—Yes, I have three or four times.

119. Has he ever made application to you to have messages sent anywhere?—I do not remember him ever asking me to send messages anywhere.

120. What is your practice when prisoners do make such a request?—If convenient I have sent the messages whenever I possibly could.

121. Do you mean if there is a constable available?—Yes; I have no other way of sending a message except by telephone. If I used the telephone I would go to it myself or get some constable who might be about to do so.

122. Is it true that you would tell the prisoner you would send the message and then take no further action?—No; certainly not.

123. Have you ever done that in any case?—Never.

124. Now, as regards persons who are ill in the cells, what is your rule in those cases?—I draw the attention of the sergeant in charge to them, and he orders what is to be done.

125. Do you allow any person who is ill to remain in the cell without any action being taken?—No. If I think the person is ill I draw the sergeant's attention to the man, and the sergeant goes and sees him.

126. If the man is suffering from *delirium tremens*, what do you do when he is very ill?—If he were very ill we would get a doctor to see him.

127. *The Chairman.*] Without consulting the sergeant?—No; I never call in a medical man without the sergeant's order.

128. *Mr. Tunbridge.*] But if a man is suffering from *delirium tremens* you consider that he is ill and requires attention?—Yes.

129. Now, as regards the blankets for use in the cells, if a blanket is soiled what do you do with it?—It is put out of the way and not used again until it is washed.

130. Where are the blankets sent to be washed?—To Mount Eden Gaol.

131. Right up to the present time?—Yes.

132. Has that practice ever been discontinued, so far as you know?—No; they have been washed twice this year already.

133. How many blankets have you there?—Twenty-six.

134. In the case of a blanket having vermin upon it?—I have never seen vermin upon one.

135. How often are the cells cleaned out?—Every morning; they are scrubbed every morning, if they have been used in the night.

136. *The Chairman.*] Have you any instruction as to what is to be done in the event of a prisoner making any request with respect to communication with friends: is there any rule or order under which you act?—I do not know whether there is any written order; it is an understood thing what we are to do and that we are to do what we can for them.

137. If you did not do so would you be guilty of any breach of regulations?—I am not aware of any regulation requiring me to do it.

138. Then, do I understand that you regard it as an act of grace?—Not as a matter of right, but as an act of kindness.

139. *Mr. Tunbridge.*] You have, of course, to discriminate where drunken persons make applications that cannot be acceded to?—When they are very drunk like that I do not take much notice of them until they are sober. When they are drunk like that they generally demand to see everybody in the station.

140. But, whenever a prisoner makes a reasonable application it is acceded to?—It is.

141. *Colonel Pitt.*] Are any medicines kept at the lock-up?—No.

142. How many are put into the cells together?—Well, it all depends; we have three cells for males, and two for females; we generally have plenty of room.

143. How many are put into one cell at a time?—If we were stuck for room we would put four in, but we never put in more than three if we can possibly help it.

144. *The Chairman.*] Have you ever had a death in a cell under your charge?—No.

145. *Mr. Bentley.*] You say it is the custom at the watch-house if you see a prisoner ill to fetch a doctor. Now, who is to judge whether a man is sufficiently ill for a doctor to be fetched?—The sergeant in charge.

146. How many times has a doctor been fetched, say, during the last six months?—I cannot say.

147. Has one been fetched at all on any occasion during the last twelve months?—Yes, two doctors, King and Walker.

148. When, and who for?—I cannot say when, but I am sure it is within the last twelve months. The first case was for a male prisoner; we did not know what was the matter with him. He was not arrested for drunkenness. I noticed that he was unwell, and I drew the attention of the sergeant to him, and the sergeant sent for the doctor. Dr. King came, and he ordered the man to be taken to the hospital. He was taken there. The second case was for a female who was charged with being drunk. She had been before the Court, and had been convicted and sentenced,

She had returned from the police-court, and the matron reported to me that she was unwell and that something should be done for her. I went round to the female portion of the lock-up and had a look at her. I saw that she was unwell, and reported the matter to the sergeant in charge, and the doctor was sent for. Dr. Walker came and saw her, but by that time she seemed to have got all right again; it was a sort of fit.

149. But in neither of these cases was the doctor sent for or fetched for alcohol?—The last one was a case of drunkenness.

150. According to your statement the doctor has been fetched only twice within your knowledge during the last twelve months. Now, have not scores of prisoners been sent to Mount Eden for medical treatment?—No.

151. How many have there been—dozens?—No, I am sure there has not been a dozen. During the last eighteen months, the time that I have been watch-house keeper in Auckland Police-station, there have been very few. I think Mr. Bentley himself has been the most frequent.

152. When you speak of a dozen do you refer to any one individual or to several occasions?—I mean “persons.” I do not mean each time. I cannot say there has been a dozen. There may have been a few.

153. As a matter of fact, taking the prisoners generally, would you fetch a doctor if you saw a man suffering acutely from excessive drinking?—I would if I thought he required it.

154. Have you not seen me terribly ill when I have been remanded for medical treatment?—I saw you last week pretty bad.

155. Did you fetch a doctor then?—No, I did not think you required it.

156. You told us a few minutes since that the blankets had been sent up to Mount Eden already twice this year?—Yes.

157. There are twenty-six blankets used at the watch-house, you say—that is, twenty-six blankets for 260 prisoners?—I do not know how many prisoners.

158. Do you think it conducive to cleanliness that blankets should be washed twice in six months when they are used by, probably, fifty people?—I think they should be washed every two or three months, taking into consideration the number of prisoners going through the station; it is done so now.

159. *The Chairman.*] As a matter of fact, can you tell us whether prisoners, as a rule, strip and roll themselves in the blankets, or do they put the blankets over their ordinary clothing?—I do not think the men strip off; they take off their boots; they keep their other clothing on.

160. Is there any bedding of any kind other than the blankets provided for the prisoners in the lock-up?—Yes; they lie on the floor.

161. Is there any difference made when persons of apparently decent life are brought to the lock-up?—Certainly, they are kept apart.

162. Any other provision?—The cells are all alike, but these are kept apart.

163. Were you watch-house keeper when some tourists were brought down from Rotorua?—No.

164. *Colonel Pitt.*] What exercise are prisoners allowed in the lock-up?—They are allowed as much as we can give them.

165. What is that?—The order is to give them two hours in the morning and two hours in the afternoon, but we cannot always do that.

166. Do they get it?—Not always.

167. Do they ever get it?—Oh, yes.

168. What prevents it?—Well, the yard is not secure for more than one prisoner at one time, and the sergeant in charge ordered me not to leave them in the yard without a constable being in charge of them. What I mean by the yard not being secure for more than one is that more could assist each other to escape.

169. Then, there is no order that the men are not to be exercised at all, but they must be kept in the cells?—No.

170. *Mr. Tunbridge.*] Does not paragraph 186 of the Police Regulations deal with prisoners suffering from illness: “When persons are arrested who are believed to be intoxicated, care should be taken to ascertain that they are not suffering from illness; if there be any doubt, such persons should be gently shaken or roused; if that fail, the fastenings about the neck should be loosened and the head raised, and, if deemed advisable, no time should be lost in obtaining medical aid. A person arrested in a state of helpless drunkenness should be visited while in the lock-up at intervals of not more than three hours, and proper remedies applied to prevent death from cold or exhaustion. Care should be taken that where possible all expenses incident to such cases, including the cost of his maintenance in any hospital, infirmary, or other place to which he may have been sent for curative treatment, shall be paid by such person. (See section 21, ‘Police Offences Act, 1884.’) Under no circumstances is a constable justified in leaving his beat to conduct a drunken person to his home”?—Yes.

171. That is the paragraph upon which you report to the sergeant?—Yes.

172. Is that rule strictly carried out?—Yes.

173. So far as possible do you carry out Rule 190, as follows: “In case of persons of known respectability being arrested for some trifling offence, they need not be searched, but should be requested to produce such property as they may have on their persons, and should, when possible, be placed in a cell by themselves, and provided with clean bed-clothes”?—Yes.

174. *Mr. Bentley.*] Have you ever read or seen these rules before?—Yes, I have a copy of them.

175. Have you ever done anything for me to alleviate my suffering?—You have been remanded for medical treatment.

176. When I have been nearly dying in the cells has anything been done for me?—I have never seen you dying in the cells.

ROSE O'BRIEN, examined on oath.

177. *The Chairman.*] You are matron of the Auckland Police-station?—Yes.

178. We want to get from you some information as to the means taken to keep the clothing and blankets supplied for the use of prisoners clean?—The blankets are sent to be washed about every nine or ten weeks, and oftener if necessary; if necessary they are sent to be washed after being used once.

179. Can you tell when blankets or clothing are vermin-infested?—Yes, you can see then. You can tell if a person is infected with vermin.

180. If there was a person in the lock-up you could tell whether such person was vermin-infested?—Yes.

181. What would you do with the blankets that had been used by such a person?—They would not be used again until they were washed.

182. Is there, in your opinion, proper care taken to give wholesome blankets to persons who are locked up?—Yes.

183. Have you two sets of blankets—one for cleanly persons and one for dirty persons?—I have always some in reserve.

184. Have you any suggestion to make for the better management of the lock-up with regard to female prisoners?—I would like a different cell for lunatics; there is no provision made for them; they have to be put in the same cell with the others; if we put them by themselves then they hurt themselves.

185. Have you ever had violent female lunatics in the cells?—Yes.

186. Have you any lavatory arrangements in your cells?—No, only just the bucket and tap.

187. *Mr. Tunbridge.*] Whenever you find any blankets which you consider not clean, if you wished them washed have you a perfectly free hand to get them washed?—Yes.

188. If you have any suspicion that the blankets are unclean you never allow them to be used again?—No.

FRIDAY, 10TH JUNE, 1898.

JOHN BELL, examined on oath.

1. *The Chairman.*] What is your occupation?—I am a ship's rigger, living at Auckland.

1A. Will you kindly state your complaint?—In 1894 I got into trouble with my family, and I was summoned to the police-court and tried as an habitual drunkard and destitute person. I brought evidence there of men who had known me for twenty-five and thirty years to prove that they had never seen me the worse of liquor in my life, and one witness in particular was the Chairman of this Harbour Board—Mr. Adam Porter. This evidence was held back when I petitioned the House, and the evidence against me only was produced in Wellington. This led up to an arrest. When I was tried and condemned as an habitual drunkard and destitute person there was an order made out against me by Mr. Northcroft, S.M., for £1 10s. a week for the support of my wife and family.

2. *Mr. Poynton.*] Was the case under the Destitute Persons Act for refusing to support your family?—I suppose that would be the meaning of it. I was suffering from influenza at the time and had had two different attacks of it from 1891 up to 1894. From May up to 29th June, 1895, I was bad. During the period from 4th March, 1894, up to that time I had made a second home though ill.

3. *The Chairman.*] Were your wife and family living with you in your second home?—No. I had been ill all the time, and I was working away through my illness, and had made a second home. During May and June, 1895, I had Dr. Watson attending me. In the meantime, though I was ill, there was a warrant issued against me.

4. What was the date of the warrant?—I cannot say exactly, but it must have been in May or June, 1895, for failing to comply with the order. I was tried before Mr. Bush, and was ordered to pay £24 or go to gaol for two months. During these two months I was in the house continually. I was never out of the house in consequence of continued illness.

5. *Colonel Pitt.*] Were you as well then as you are now?—No. I am not well now. Sergeant Gamble and Constable McClellan came continually to my house, and would poke their heads in the door, asking, "Are you nearly ready to come yet?" In fact, Constable McClellan came there several times, and stayed some considerable time with me in the house at different intervals, wanting to know if I was all right and ready to go.

6. Did he tell you he had a warrant for you?—Yes. The expenses of the doctor had amounted up to £5 5s. at that time, and as I was ill I did not know when I would be able to pay him. At any rate, I asked the doctor for his account, and I said, "You need not call again. If you give me the prescription I will make my way down to Mr. Pond's, the chemist, and get medicine as I require it." On the 29th June, a very stormy day—I was feeling very little better—I went down to renew the medicine at Mr. Pond's. I was muffled up, and when I was going along the street Constable McClellan came across to me and said, "I want you." I said, "What do you want me for?" "Oh," he says, "come on, no nonsense." "Come where?" I said. "To the lock-up," he replied. I said, "I am ill; I have got a doctor's certificate in my pocket. Surely you are not going to put me in gaol now?" He said, "Come on now, and no nonsense with you." He took me to the lock-up, and I had to leave the house where I was living unprotected. When I got to the lock-up I saw the position I was placed in. I asked him to go for Mr. McGregor, the solicitor, to visit me. He refused to go. I asked him to let me go up and secure the place which I had left unprotected. He took no notice of me, but went away. Constable Clarke, who was shifted afterwards, was also there, and he said, "Bell, I will go and see a solicitor for you." He telephoned first, and then left the place in charge of another gentleman, and went down to see if he could find Mr. McGregor. It was after 1 o'clock, and he could not see him. I had to stay there until

3 o'clock to wait to be taken to Mount Eden. During that time Inspector Hickson came in, and I put the question to him if he would allow me to go up and secure the place, and I told him my position, and he very kindly allowed one of the constables to go up with me until I secured the house. I was taken to Mount Eden, and was under the doctor's care there for nearly a fortnight in the gaol before Dr. Philson took me into the hospital. My suffering was very great inside the gaol, and Mr. Reston, the head Gaoler, could see the circumstances, and he treated me as well as he dared do.

7. *The Chairman.*] Did you go directly into the gaol hospital when you went there?—No; I was in the cell for over a fortnight unable to move, and could not eat. That is all in that case.

8. What do you complain of now? Do you think they were doing anything but their duty? My opinion, after hearing this evidence, is that they showed you great consideration. They came and visited you, and asked you if you were well enough to go, and they took no action against you until they found you out walking about the streets on a very severe day. What business had you out on the street on a very stormy day if you were ill?—I was forced to go for medicine.

9. I ask you whether you have, in the face of these facts, anything to complain of?—I do.

10. Does it not occur to you, as a sensible man, that the constable, seeing you out in weather like that, would think you were well enough to go to gaol?—Constable McClellan asked me a day or two before how I was and I said I was still ill. He said, "It is not my fault. Northcroft said you were scheming."

11. *Mr. Poynton.*] Do you think a man has no right to be arrested on a warrant if he had a medical certificate in his pocket?—He should not if a man is really ill and can prove beyond doubt that he is ill. I do not think it is right for any man to be put into gaol when he is ill—to be put in a dog-kennel without fire.

12. Supposing you had gone away on board a steamer, and then whoever applied for the warrant came to the police, would not the police be in a nice fix, having seen you walking about the street and failed to arrest you?—I had a stake in the country and would not leave.

13. *The Chairman.*] Is this the medical certificate you refer to, namely: "This is to certify that Mr. John Bell is under my care for strain of the muscles of the loins and kidneys, and quite unable to work at his employment. Contracted seven weeks ago, and seen by me to-day for the first time.—C. G. Watson, Surgeon, 18th April, 1895"?—No; there is another certificate somewhere.

14. Was that the last one you got from him?—Yes.

15. *Constable McClellan.*] Did I not go to your house and find you sitting inside the house?—You found me sitting and lying on a sofa.

16. Did I not sympathize with you in your house and say I was very sorry you were sick?—I know your kind of sympathy.

WILLIAM JOHN MCCLELLAN, examined on oath.

17. *The Chairman.*] What is your rank?—First-class constable, stationed at Auckland.

18. What is it you wish to state in connection with this complaint?—Mr. Bell was summoned and brought before the police-court for the maintenance of his wife and family. I do not know the amount he was to pay. After some time there was a warrant issued for his arrest for the arrears he had failed to pay. I went to Mr. Bell's house, and he had a great welcome for me. I was very sorry to go up. He was lying on the sofa then. There was no doctor's certificate produced to me, and I never saw one. On the 29th June, 1895, he was arrested. I went to his house on several occasions, and I found him sitting and smoking at the fire, with another man in the house with him. We had a very short conversation then, but, however, I went away again and left him in his house.

19. You found him ill, and you did not execute the warrant?—No, I did not; he said he was ill, and of course I did not want to be hard on the man. I said it would be better to allow it to remain over for a while. On the 29th June, 1895, I was going down a street, and I did not expect to meet the man at all, as I had other business to do. I saw him standing on the street gossiping with another man whom I do not know. I said, "Good morning, Mr. Bell. You know this warrant is out for you. You had better come up to the station with me." He never murmured, but just came along quietly with me. I brought him to the station and left him there, the warrant having been executed.

20. You say he did not show you a medical certificate?—I never saw any.

21. You acted on your own discretion in not arresting him?—I did.

22. You were satisfied at the time that he was ill from what he said and from what you saw, and you exercised your own judgment?—Yes.

23. *Mr. Bell.*] You say that you visited me in my house at one time and saw me sitting up on the sofa smoking?—The first time I went you were sitting on the sofa; the second time you were on the chair smoking.

24. Now you swear I was sitting up on a chair smoking?—I swear you were sitting on a chair.

25. *The Chairman.*] Was he smoking?—I know a pipe was in his hand or on the table.

26. *Mr. Bell.*] Will you swear I was smoking?—I think you were.

27. I was standing gossiping on the street?—Yes.

28. Had I a stick in my hand?—I do not know.

29. Had I a stick to support me?—I cannot say.

30. And was I lame with rheumatic pains?—I did not think so.

31. And you did not care one dump whether I was able to go to gaol or not?—You know very well I had great sympathy for you.

32. *Colonel Pitt.*] How long had the warrant been out—a week, or a month, or what?—About a month. I would not be sure. It was nearly worn out.

JOHN BELL, further examined on oath.

33. *The Chairman.*] You have made a complaint against Sergeant Lyons? What do you wish to say upon that matter?—Between November, 1895, and June, 1896, I had been addressing meetings continually, and have been continually stopped. On a certain Sunday Sergeant Gamble and Sergeant Lyons were down at the front of the Harbour Board watching me. I had a letter from Colonel Hume in reference to complaints I had made to him by letter. They had been watching me and keeping me from speaking.

34. Where were you at the time when they were trying to stop you from speaking?—On a particular occasion between these dates I went over to where they were standing watching. Sergeant Lyons, I think it was, went over to a cabman and asked him (Mr. Calvert) if Bell was going to speak that day.

35. What did they do to prevent you speaking?—I went over with a letter I had received from Colonel Hume to Sergeant Gamble and Sergeant Lyons, and showed them Mr. Hume's letter to me after I had made several complaints to him and to the Minister of Justice, and I said, "Will you allow me to speak on that?"

36. Did you show the body of the letter or only the signature?—Only the signature. It was a privileged letter. He said, "This is from the Chief Inspector in Wellington," and asked me to show him the body of the letter, and I said I would not. He said, "It is all right; I have got one of those on my table." I said, "If you have got one of these on your table you do not want to see mine." "Well," he said, "you can speak where you like."

37. *Colonel Pitt.*] Did you speak that Sunday?—No.

38. Why did you not?—Because I was not prepared to speak that Sunday.

39. *The Chairman.*] You complain of them stopping you prior to that letter being received?—What I complain of is, have the police in Auckland the power to stop freedom of speech? That is my question, and it has never been. I also think constables should wear their numbers in a conspicuous part of their uniform to enable them to be identified. The present system leads to confusion. I produce this correspondence:—

SIR,—

Police Department (Commissioner's Office), Wellington, 7th September, 1898.

In reply to your letter of the 2nd instant and telegram on the same subject, *re* police interference when you were addressing a large and orderly meeting, addressed to the Hon. the Minister of Justice, I have the honour to inform you, by direction of Mr. Thompson, that from inquiries made he finds that you had not availed yourself of the position in Quay Street which the police had pointed out to you as a suitable place for addressing such meetings, but you were addressing the crowd in a direct line from the end of Queen Street to the Devonport Ferry Tee, and thereby causing an obstruction, which cannot be permitted. It is also pointed out to the Minister that in your address you used personal and improper remarks regarding Constable Kennedy and Mr. Northcroft, the Stipendiary Magistrate, which were calculated to provoke a breach of the peace, and the police very properly ordered you to desist, which you at once did.

I have, &c.,

Mr. John Bell, care of Mr. H. F. Anderson, Queen Street, Auckland.

A. HUME, Commissioner.

WILLIAM LYONS, examined on oath.

40. *The Chairman.*] What is your rank?—Second-class sergeant, stationed at Auckland.

41. Do you admit that you did anything to prevent Mr. Bell addressing any gathering of people in the street?—I was not stationed here between the dates mentioned in the charge. I was in the Urewera country, with the exception of a few days.

42. Did you do anything to interfere with Mr. Bell addressing people?—I have no recollection of requesting him to move on.

43. Have you any recollection of having interfered with him in any way in the street?—No.

44. *Colonel Pitt.*] Do you remember any action when Sergeant Gamble and yourself saw Mr. Bell when he said you went over to a cabman?—I have no recollection of it.

JOHN BELL, further examined on oath.

45. *The Chairman.*] You complain "That since the month of March, 1894, and up to the present day, Inspector Hickson and Sergeant Kelly have, in connection with the various cases in the Magistrate's Court at Auckland, in which I have either been informant, complainant, or defendant, and also in any subsequent proceedings arising out of such cases, used their official positions to my prejudice and exceeded their duty therein; that the said Inspector Hickson and Sergeant Kelly have also, during the said period, made various official reports concerning my character, which have had no foundation." What do you wish to state in connection with this?—I wish to say that I see by the way the Commission is reasoning things out that I cannot possibly bring home to Inspector Hickson and Sergeant Kelly the charge of continually conspiring against me, but we can go on with the charge of conspiring to slander and injure me in other ways. This is a letter which was written to Mr. J. H. Hannon, of Victoria Street, Auckland, by Inspector Hickson, namely:—

SIR,—

Police Office, Auckland, 21st March, 1896.

In reply to yours of the 18th instant, I have to state, *re* your memorandum of 5th instant, addressed to Sergeant Gamble, in which you state that "Mrs. Smith, a tenant of yours in Chapel Street, complains she is annoyed by prostitutes who are living in a house of Mrs. Bell's," who, you say, lets her houses at a large rent for immoral purposes, and you asked to have inquiries made, and, if such is the case, to lay a charge against her under the Criminal Code Act as the owner of the property: Inquiries were made by Sergeant Kelly, who ascertained that two women of the town are living in a house of Mrs. Bell's; that Mrs. Bell is the wife of a ship-rigger, but is living separate from him, and has a protection order against him; that her husband is said to visit Mrs. Smith; that Mrs. Bell laid informations against Mrs. Smith, your informant, for assault, and she was, on the 6th instant, bound over to keep the peace for six months. I have further to inform you that the two women living in Mrs. Bell's house were living in it before Mrs. Bell became owner, therefore she could not have let it for immoral purposes; and that the rent she receives for it is not a high one.

I directed to have you informed of the result of inquiries made, and to further inform you that the police have no grounds to justify an information being laid. Sergeant Kelly replied that he informed you, and you replied you would report to the Minister of Justice.

In reply to yours of the 18th instant, I have to inform you Sergeant Kelly states he did not mention Mr. Northcroft's name to you, but in course of conversation he told you Dr. Giles's ruling in cases of vagrancy.

I would remind you that prostitution is not an offence against any statutory law; that the police have no power of entry into houses supposed to be brothels; that the last seven words of section 38 in City By-law No. 37 bar the police from getting evidence from inside against the keepers of disorderly houses; that I have twice written to the City Council pointing out the difficulties (this being one of the principal) the police have in obtaining evidence against keepers of brothels. The Council, in its wisdom, although admitting through their solicitor the correctness of my contention, yet they have not acceded to my request to amend the by-law.

With reference to your statement that on last Saturday evening some dozen or more prostitutes were accosting men in Chapel Street and using filthy language, I have to express my regret that a constable did not appear on the scene in sufficient time to note such misconduct. I shall direct a constable to call upon you immediately, and I request you will give him what information you can with a view to the offenders being prosecuted.

I have, &c.,

J. HICKSON, Inspector.

46. What is there in that in connection with your complaint?—Where he says that her husband (that is me) was visiting Mrs. Smith.

47. Do you consider that a libel?—It insinuates that I go to Mrs. Smith for immoral purposes. I have never visited Mrs. Smith in my life. I have been petitioning the Parliament of New Zealand, and such evidence as that has gone against me unbeknown to me. I made inquiries from the Minister of Justice, as I wanted copies of their report, and they denied me that. I could get nothing to rebut such slanders as that, and he has followed it up by belittling me in the face of my fellow-men. I had nothing to do with that case, and why should he bring me into it. There was a man named Hatfield came to me and asked me if I would go bondsman for his son. It was eight months ago, as near as I can remember, and I said, "Yes, I will go bond for him," knowing him to be a decent young fellow. I went up to the police-station, and Sergeant Clark said, "Are you going bond?" and I said, "Yes." "Well," he said, "you have nothing; you cannot go bond for him." I said, "If I had what the Government have robbed me out of I would have enough to bail any one out." He said, "I cannot take you; you have not got anything." I went down the street, and came back with £50, which he wanted. He said he would not take my bond unless I put £50 down on the nail. He took the bond of the man's father, who had not £50. He tried to belittle me in the face of my fellow-men and make it appear that I was a man of straw.

48. Did you not tell us that was your position?—Yes, it was my position while I was in gaol. I had nothing while I was there. I was made out a rascal when I was there, but outside I was a respectable man.

49. You mean you had the means of satisfying that order if you had chosen to do it?—Not at the time.

50. You acquired that subsequently?—In fact, I had not it then—I borrowed it.

51. Then they were quite entitled to raise the question and put you upon your oath to swear that you were of sufficient substance to go bond?—They did not do that. They have been continually persecuting me like this. If I came up to the police-office, or had anything to do in connection with the Police Department, they would put me to all the trouble they possibly could.

JAMES HICKSON, Inspector of Police, examined on oath.

52. *The Chairman.*] What can you tell us about these matters?—Some few years ago I received a letter from Mr. Bell—I think he was in gaol at the time—complaining that his house and effects were sold by his wife. I replied he had better consult a solicitor, as the police could not interfere because it was a civil action, and that the police had no power to interfere in family quarrels of that nature, and the police did not interfere in regard to the sale of his property. I have heard many complaints about Mr. Bell. I had a complaint, which is referred to in the letter to Hannon, about a house reputed to be of ill-fame. I caused inquiries to be made, and I gave the substance of the result of those inquiries to Mr. Hannon. I was informed he visited the house of Mrs. Smith. Some time afterwards I received notice that proceedings would be taken against me, but I heard no more about it. On one occasion it was reported to me that Mr. Bell made use of very offensive language to an assembly in the public street. Mr. Northcroft was referred to there in a very insulting manner, and I thought it right to lay the matter before him, and he said it was not worth while taking any notice of it, so no proceedings were taken. Some person, whom I do not remember, did lay an information against Mr. Bell under the Police Offences Act for using insulting language in a public place which was calculated to provoke a breach of the peace. He referred to his wife and son, and described them in most offensive language. The point was raised that as neither his wife nor son were present at the meeting it would scarcely cause a breach of the peace, and the case was dismissed.

53. Have you acted in any of these proceedings otherwise than what you considered was your duty?—Nothing but what I considered my imperative duty.

54. *Mr. Bell.*] Who gave you the information that I was visiting Mrs. Smith?—I cannot call to mind now.

55. Surely you made a memorandum or kept some record?—Yes. There are records in the office, but no complaint was made to me personally.

56. If Tom, Dick, Bill, or Harry came to you and said Mr. So-and-so was doing a certain thing you would take that as a fact and put it in writing: is that not so?—When a complaint is made to me I hand it over to the sergeant in charge to have inquiries made. Inquiries were made, and the result was this. I do not say it is a positive fact. I was so informed.

57. Was it not a fact that when Sergeant Kelly was speaking to Mr. Hannon—did he not tell Mr. Hannon that Mr. Northcroft told him not to bring Mrs. Bell there?—I do not know. I was not there.

58. You were on the West Coast in 1860?—I was.

59. Did you know me in Hokitika on the West Coast?—No, I do not remember you.

60. Did you know me on the West Coast at all?—I have no recollection.

61. Did you know a man named Adam Porter, Chairman of the Harbour Board here, when he was in business in the Buller?—No; I never was in Westport. I have never had any complaint against you.

62. Not from the detectives or policemen?—No.

63. I have never been in gaol for drunkenness?—Not to my knowledge.

JOSEPH SWINBURNE KELLY, examined on oath.

64. *The Chairman.*] What is your rank?—First-class sergeant, stationed at Auckland.

65. What do you wish to tell us in reference to this matter?—That I have never interfered with Mr. Bell, either in the Court or elsewhere. I have never seen him in the Court with a case, and have never been present in Court with him, and I have never had any conversation with Mr. Hannon, or said anything detrimental to him.

66. Did you make any inquiries as to his connection with a house occupied by Mrs. Smith?—If I did so report I was informed by Mrs. Bell. I never went to the house. I do not know where Mrs. Smith lives.

67. You have done nothing in any way to his prejudice in the Court, or to the prejudice of his case outside the Court?—Never.

68. *Mr. Bell.*] How long have you been in the Auckland Force?—A little over three years this time. I have been here nearly twenty years.

69. Did you ever know any one who knew me to be a drunkard?—No. I have always found you to be a hard-working man of industrious and sober habits. I have known you for eight years.

HENRY PATRICK KENNEDY, examined on oath.

70. *The Chairman.*] What is your rank?—Third-class constable, acting as plain-clothes constable, stationed at Auckland.

71. When did you join the Force?—In November, 1895.

72. Have you been stationed in Auckland all the time?—Yes.

73. You have some suggestions to make to us?—Yes, as follows: I here wish to make a suggestion as to the rewards paid to police in the colony, and in making the suggestions undermentioned I would like to point out, in the first place, why rewards should be done away with. Now, sirs, the biggest majority of constables in New Zealand do not, as a rule, apply for a reward—they generally leave it to their Inspector or Commissioner; but as we know there are some men who apply for almost anything, and these class of men do not scruple to paint their applications for rewards in glowing terms of their work, and very often make lying statements for the purpose of obtaining these rewards, so there is no doubt rewards obtained thus cause a lot of ill-feeling, as the Inspector and Commissioner are not to blame, as they depend on a man's report as truthful—which in some cases are not truthful—so I would respectfully suggest all rewards be done away with, and, where real tact and zeal have been displayed by a constable or detective, a mark should be placed on his merit-sheet; the Commissioner to have the Inspector's report on the case, not the man's; and by doing away with these rewards it would stop a lot of ill-feeling in the police, as several constables are fully aware of the cases in which some of the rewards have been got on this station lately, which, when truthfully known, makes it discouraging for other men. A good honest policeman or detective does not care about the money part of it, but thinks more of the merit-mark on his sheet, which to him is lasting. This, gentlemen, is all I wish to put before you, and Inspector Broham, of Christchurch, has also spoken about it in his evidence before you.

74. You think rewards should be granted by the Inspector without application to the Inspector at all?—Yes.

75. The Inspector having full knowledge of the facts, you think it should emanate from him?—Yes.

76. *Mr. Tunbridge.*] Do you think it is a good plan to reward informants?—Yes.

77. Although you advocate the discontinuance of rewards to the police, do you advocate that rewards to informants should also be discontinued?—No.

JOHN HINTON, examined on oath.

78. *The Chairman.*] What is your rank?—Second-class constable, stationed at Eden Terrace, Auckland.

79. When did you join the Force?—On the 15th September, 1868, I joined the Armed Constabulary. I have been doing police duty since 1871.

80. Where have you been stationed at different times?—All parts of the North Island. I came to Auckland the last time about seven years ago.

81. You wish to bring before us certain suggestions?—Yes, as follows: I respectfully suggest that there should be a police pension formed for the Police Force in New Zealand. A pension fund could be formed in this way: Say that the Government places £2,000 to form a pension fund, which could be done in this way: Say there are twenty men in the Police Force who would be entitled to receive one year's pay from the Government, retiring-allowance through old age, instead of the Government giving each man one year's pay let the Government place that amount to form a pension fund. A pension fund could be self-supported by stopping 1d. per day from each man's pay. Say a man just joining, he would have 1d. per day stopped; a man who has served in the police for the past ten years to have 2d. per day stopped; and a man who has served fifteen years, 3d. per day stopped; and a man who has served fifteen years and up to twenty-one or more to have 6d. per day stopped from his pay—all moneys so stopped to go into a pension fund for the police. If a member of the Force wants to leave before he has served seven years, or through bad conduct, he will forfeit all money paid into the pension fund by him. If at the end of fifteen

years he wishes to retire and has a good character he will receive the money so stopped, less 2 per cent. In the case of a constable serving twenty-one years or more and having a good character for the last three years, and wishing to retire, he to receive a pension of 3s. per day for the remainder of his life from the pension fund. In the case of a constable dying whilst in the police, his widow or family, if any, to receive one year's pay at the rate he was receiving at the time of his death from the Government. If a constable commits himself, for any breach of discipline his case to be heard before a Stipendiary Magistrate, and if convicted to be recorded on his defaulter's sheet; and there should be so much time taken from his service from the pension, instead of the constable being fined and his pay stopped. The Government to provide clothing-allowance—say, 5s. per month per man. The Prison, Railway, Postal Department, and the Volunteers of the colony are allowed clothing from the Government. The Government to provide light for the suburban stations, or 5s. per month. Relative to promotion: Respectfully suggest that the ranks of first- and second-class constables be done away with, and all below the rank of sergeant be classed as constables, with the distinction that all constables who have served fifteen years to be classed as senior constables and to wear a distinctive badge on the arm. A constable who has served five years to receive 6d. per day, and to receive 6d. per day for every additional five years' service. The standard pay for a junior constable to be 8s. per day for the first five years. Promotion to go by seniority of service only. The past system of promotion has caused a good deal of discontent among the older constables, junior constables having been promoted over the heads of men that have served in the Police Force half of their lifetime. Suppose a junior constable has the good fortune to make a good capture, or rescue a person from drowning, he should not be promoted over the heads of his seniors; he should get a good reward from the reward fund. No constable would then have any cause to complain. I have been in the Armed Constabulary and Police Force in New Zealand for the past twenty-nine years, and during that time have borne a good character. I have been all through the New Zealand War, from 1861 to 1864 and from 1868 to 1870, for which I have received the New Zealand War Medal, and I was one of the first that received the long-service and good-conduct medal, and after twenty-nine years continuous service I have only risen to the rank of second-class constable.

82. Have you any black marks on your defaulter's sheet?—I have two—a reprimand and a fine of 5s., last year.

83. You have had no marks on your defaulter's sheet until last year?—No.

84. *Mr. Poynton.*] Have you any actual knowledge of the things by which these young constables were promoted?—No.

85. *Mr. Tunbridge.*] What was the date of your transfer to the police?—I think it was in 1885, last time.

86. Had you been in the Police Force before?—Yes, in 1870.

87. Why did you go back to the Armed Constabulary?—I applied to be transferred back to the Armed Constabulary.

88. When you came in in 1885 you came as a third-class constable?—Yes.

89. Although your service in the Armed Constabulary counts for service, you are aware it does not count for classes?—It has done in other cases.

90. *The Chairman.*] You have stepped from third-class to second-class constable since 1885?—Yes.

91. Was your rank third-class when you rejoined the Armed Constabulary?—When I rejoined the police from the Armed Constabulary in 1885 it was as a third-class constable; and all men, whether sergeants or constables, in the Armed Constabulary joining the police joined as third-class constables at that time, with one exception.

JOHN DEAN, examined on oath.

92. *The Chairman.*] What are you?—A fruiterer and market-gardener.

93. Where do you live?—At Onehunga.

94. What is your complaint against Sergeant Greene?—One night, early in 1895, shortly after the Shop Act came into force, Sergeant Greene came into my shop. Previous to this he had called and told me I would have to live on the premises, and could not have an assistant if I wanted to keep my shop open. I told him I was going to live on the premises, and that I had no assistance, and was going to keep my shop open. He came in again that night and told me I did not need to sleep in the shop—it would be better for me to go home to my wife, or I would find some of those men who came from Auckland in bed with her. I think those are the words. There was nothing more transpired. Sergeant Greene walked out laughing. He smelt very strongly of liquor at the time. That is all I have to say.

95. Was any one present?—Yes, William Haggan and Frederick Neave.

96. *Sergeant Greene.*] Who heard this alleged insulting language I used?—I have got a witness here.

97. Did you make any complaint about it at the time?—No. I went home and told my wife about it, but I had nowhere to go to make a complaint.

98. Had you not the Stipendiary Magistrate to go to and complain, or the Inspector of Police?—When my horse was stolen I went in and asked Sergeant Gamble to see Inspector Hickson, and he told me to go away to a lawyer round the corner, as it was not a case for him. I not think it was any use going to him after that, because I could not get any satisfaction. I thought it was no use going to Sergeant Greene after the way you had insulted me.

99. You expressed an intention to reside on the premises during the first Shop Act?—Yes.

100. And did I not tell you it was unnecessary, with a view of making it more convenient for you?—I have just stated what you told me.

101. Are you aware that I have the highest respect for your wife, and that, so far as I know, there is no more virtuous or respectable woman in the colony, and that I could have had no cause

for saying what you allege?—No; I have no knowledge of such a thing. I am positive it is untrue, or you could never have used the language you did to me. My wife is respected by everybody—I am quite aware of that.

102. Did your wife believe that I said such a thing if you told her so?—Yes; she did believe it when I told her so.

103. Have you had any dispute with the Postmaster in Onehunga?—None whatever.

104. Have you had any dispute with the Borough Council officials?—No.

105. Will you explain to me how you kept this matter to yourself without complaining about it for three or four years?—I had no one to go to to explain it to.

106. Can you tell me any person to whom you mentioned this matter?—No, I did not tell anybody.

107. You complained to no person about it?—I may have told several persons about my grievance.

108. Just name a person?—I cannot remember any one.

109. Will you swear positively I used this expression towards your wife?—I have just taken God's word and sworn to it. I swear these words were used.

110. Are you of a quarrelsome disposition?—No, I am not. I have been twelve years suffering all sorts of persecution. Previous to this I was a very bad man, before I was converted. Since I have been converted I have suffered all sorts of persecution, and never retaliated.

111. You have kept this by for four years and now desire to retaliate?—Yes. When I saw this Commission was coming up I thought I would bring the matter before it.

112. Could you not have written a letter to the Inspector of Police at the time?—I am not scholar enough to do that.

113. Could you have not got some one else to do it?—Very likely, but I did not want to go to the trouble.

WILLIAM HAGGAN, examined on oath.

114. *The Chairman.*] Where do you live?—In Onehunga.

115. What are you?—I am driving a baker's cart.

116. How old are you?—Nineteen.

117. Were you at Mr. Dean's shop when Sergeant Greene came into it?—Yes.

118. Have you been very often in the shop?—Very often.

119. The occasion I refer to is an occasion early in the year 1895, when there was a conversation about closing the shop or living on the premises?—Yes, Mr. Dean wanted to live on the premises.

120. It is a long while ago—do you remember the conversation? Tell us what you remember?—Mr. Dean wanted to live on the premises so that he could keep his shop open on the half-holiday, and Sergeant Greene told him he had better go home to his wife and not live on the premises, instead of having men coming out from town to his wife.

121. *Colonel Pitt.*] Did Mr. Dean make any reply to that?—I do not think so.

122. *Sergeant Greene.*] How do you come to recollect this so well?—I was in the shop, and I can remember things pretty well.

123. You have been here in the Court when Mr. Dean was giving evidence. Did you hear his evidence?—Yes, some of it.

124. *The Chairman.*] Did you hear him giving the words which he said Sergeant Greene used?—No, I do not think I did.

125. *Sergeant Greene.*] Can you not be sure whether you did or did not?—I was ordered outside at the time.

126. The words he used were these: "He told me I did not need to sleep in the shop. It will be better for me to go home to my wife, or I would find some of those men who come from Auckland in bed with her." Did you hear Mr. Dean use those words in the Court-room just now?—Yes.

127. Now Haggan, was not this what I said: "Mr. Dean, there is no need to stay in your shop, as it is only for the sale of vegetables and suchlike. You had better go home to your wife, and not stop here"?—No, I do not think so.

128. You know Mrs. Dean is a highly respectable woman?—Yes, a highly respectable woman.

129. Did I not say "Dean, it is a vegetable-shop, and you had better go home to your wife and not stop here"? Is that not the language I used?—It was something like that.

130. When did you hear first about the men from Auckland?—I think it was at the shop.

131. Are you sure—has Mr. Dean spoken to you about it within the last few days?—Yes, he spoke to me this morning.

132. Did he repeat to you what he repeated before the Commission?—Yes, he did.

133. Have you ever heard me use disrespectful language to females?—No. I never heard you use disrespectful language.

134. To females or of them?—No.

135. You have known me a good while?—Yes.

136. Well now, have you heard me telling Mr. Dean that under the Shop Hours Act it would not be necessary for him to stay there, and that he had better go home to his wife? It has also been said that I used the additional words about men from town. Did you ever repeat that to any other people before appearing here?—No.

137. Where were you living then?—With my father at that time.

138. Your father knew me?—Yes.

139. When you went home that night, if I used the language I am alleged to have used, how is it you did not mention it to your father?—I would not think of mentioning it to my father.

140. Would it not astonish you that I should use such language of a respectable family?—Yes, it would.

141. When did Mr. Dean first speak to you about this matter?—He came to Mr. Ireland, my employer, yesterday afternoon and brought the subpoena.

142. What did he say then?—He told Mr. Ireland about it, and Mr. Ireland told me last night when I came home that I had to appear in this case. I was astonished when I heard about it. I did not see Mr. Dean then, and did not get the paper until this morning.

143. When did Mr. Dean first repeat the whole of these words to you about these men?—He repeated it this morning.

144. Where?—I was on my round when he met me and asked me if I did not remember you saying it.

145. What did you say then?—I said Yes, I thought I had some slight recollection of it.

146. *The Chairman.*] If Mr. Dean had not repeated these words to you this morning would you have had in your mind a recollection of the words used in that shop in 1895?—No, I would not have had them all in my mind.

147. Then are you not telling us really what you learned from Mr. Dean this morning, and not what you heard from Sergeant Greene's mouth in 1895?—That brought it up to my memory this morning.

148. Are you telling us what you remember to be the words used by Sergeant Greene, or are you telling us the words which Mr. Dean repeated to you this morning?—I am telling you the words Mr. Dean repeated to me this morning.

149. *Mr. Poynton.*] Do you remember anybody else being in the shop at the time?—No.

150. Do you know a man named Neave?—Yes, very well.

151. Was he about Onhunga at the time?—Yes.

152. Could he have been in the shop that night without your knowing it?—Yes.

153. Do you remember him being there?—I do not remember him being there.

154. Do you know his Christian name?—Ted, I think.

155. Do you know his occupation?—He used to be a butcher.

156. Do you know where he is now?—I last heard, at the Thames.

157. Do you know what he is doing there?—No.

JOHN DEAN, further examined on oath.

158. *The Chairman.*] What is it you wish to state in regard to the non-observance of the Licensing Act in connection with the Hibernian Hotel at Onhunga? Have you any facts within your own knowledge in connection with this matter?—On Saturday nights I have had occasion sometimes to wait for some one coming in by the boat when she came in a bit late, and I have seen this hotel open until 12.30 and 1 o'clock, and have seen people going in and out, and the door open.

159. Have you been in the hotel?—No. I have seen people coming out using bad language and the worse of liquor. I have seen that repeatedly.

160. Up to what time?—I have stopped till about half-past 12, and I have seen it open.

161. On what nights?—Saturday nights generally.

162. Can you name any one instance?—I cannot give dates, but when there has been a ball on in the public hall alongside the hotel I have seen Sergeant Greene standing there looking in at the ball, and people trooping in and out of this hotel in twenties and thirties. Sometimes I have stopped at my fruit-shop until 3 o'clock in the morning, and people have been trooping in and out all the time.

163. Is this a matter of frequent occurrence?—Yes; the Rechabites and Foresters have a ball there once a year.

164. *Colonel Pitt.*] Have you seen these people going in and out yourself?—Yes.

165. And you have seen the sergeant there?—Yes; standing outside the hall. I have never seen him all the time. I have been there up by that hotel when the hotels are closed.

166. *The Chairman.*] What hour do the hotels close?—10 o'clock.

167. You say the house was not closed at the usual hour?—No; the front door was closed, but the side door was always open. Sometimes the blinds are down and sometimes up.

168. Do you know if there are boarders at the hotel?—They very seldom have boarders in this hotel at all. There might be one or two.

169. You told us on Saturday nights it is frequently open until 12.30, and on ball nights it is open all night, and you say people are going in and out up to midnight, and you said the sergeant was outside by the hall on the dance nights?—Yes.

170. *Colonel Pitt.*] What do you mean by saying it is open all night when the balls are on?—Men are going in and out using foul language.

171. Up to what time?—Up to 3 o'clock in the morning.

172. Have you stopped there to see them?—I have stopped there, and then the hotel has been open when I went home.

173. What were you doing there at that time of the morning?—I was selling fruit and refreshments to the people dancing there.

174. *Mr. Poynton.*] Do people come from a distance to these balls?—Yes, but they are mostly Onhunga people.

175. *Sergeant Greene.*] How often do the Foresters have a ball there?—Every year—it is an annual ball.

176. And do Foresters come out from Auckland in vehicles?—I have no doubt but what Foresters do come out.

177. At one of these balls have you seen as many as half a dozen or more big coaches—I do not mean cabs—from Auckland?—Yes.

178. Are you aware that some come from Panmure?—Yes.
179. And Otahuhu?—Yes. I am not speaking of those, I am speaking of our own people in the town.
180. And from Mangere?—Yes; and surrounding districts.
181. How far is your residence from this fruit-shop—is it not about a mile?—A few hundred yards; I do not think a quarter of a mile.
182. Are you aware that at these balls they have some soda and fruit and other things?—Yes; sometimes they get them from me.
183. They do not go shopping after 10 o'clock?—Yes, plenty of them. Some of them have asked me why I do not stop as long as the publican, and I said I could not stand it.
184. Then you have never stopped up as long as the publican?—No.
185. What is the latest you have stayed?—Up to 3 o'clock.
186. I have never seen your shop open until 3 o'clock?—I have seen you standing there with Constable Brooking.
187. Have you seen any Onehunga people going into the hotel?—Yes, plenty.
188. Are you aware that people can go in in scores, and even hundreds, on a Sunday, into a hotel without committing any breach of the Licensing Act, save so far as they are concerned, or the licensee is concerned?—I do not understand the laws. Only, I think when I see them going in and out the worse for liquor and using bad language it ought to be stopped.
189. Are you aware that there is really no restriction under the Licensing Act to prevent people going into hotels during prohibited hours?—No, I am not aware of it.
190. *Mr. Poynton.*] Were you under the impression that Constable Greene could have stopped these people from going in?—Yes; I thought he was not doing his duty in not stopping them.
191. And you are under the impression that he had authority, and that it was his duty to stop people going in and out of the hotel?—Yes.
192. *The Chairman.*] Did you understand it was his duty to go into the premises and see what was going on?—Yes.
193. *Sergeant Greene.*] And stop them from going in?—No, I did not think you could stop them, because there are visitors and boarders. I have seen opposite Sergeant Greene's door, when going down to the Salvation Army meeting at 7 o'clock on Sunday morning, people going out of the hotel with kits and taking them home.
194. Why should you accuse the police of allowing it when in reality the Licensing Act allows it?—I was not aware the Licensing Act allows it.
195. Is the bar door open or the side door?—The side door.
196. Is the door closed?—I have never been in—I do not know.
197. There are seven hotels altogether: are the other houses not as bad as this house?—I am just living opposite this one.
198. Are the others not as bad as this house?—I cannot say. I do not go to watch the people, or to watch the publichouses. That is only what just occurs before me.
199. I believe your vegetable paddock is adjacent to this publican's house?—Yes.
200. And has it not been disturbed by the licensee's fowls?—His fowls come in and eat my seed.
201. Have you ever made any complaint about it?—No.
202. Have you ever threatened to shoot them?—No, never.
203. *Mr. Tunbridge.*] When did you last see any Onehunga people going into this hotel?—The last Saturday night I was in the shop. I have been laid up for about four months.
204. You know Onehunga people—give me the names of some of them who go in after hours?—I cannot give names. I do not think I could remember names if I tried.
205. Do you know everybody in Onehunga?—Yes.
206. And you say you cannot now give the names of any persons you have seen?—No, I cannot.
207. Try. Who have you seen going in on Sunday morning and coming out with kits?—It was a considerable time since, when I was going to a meeting on Sunday morning.
208. Can you remember the names of any of those you have seen going into the hotel with kits?—Yes, I do remember.
209. Three years ago?—Yes.
210. Give their names?—I cannot give names. I was just walking by and saw them going in.
211. You have not seen any these last three years?—No; I do not go and watch hotels. I do not watch people. This is only what has happened in front of me.
212. *Colonel Pitt.*] Why have you made this charge against Sergeant Greene?—I think he might in future have the hotels better regulated.
213. And you refuse to tell the names of any persons seen going in there?—I do not remember any—it is so long ago.
214. You said just now that if you did remember you would not give them?—I would not like to bring anybody in in that way.
215. *The Chairman.*] Do you know any business of your own knowledge going on inside the house after closing-hours?—I fully believe it does, but I cannot say.
216. You have seen people going in and out?—Yes, and the worse for liquor and using bad language.
217. After 10 o'clock at night?—Yes.
218. You are clear about that?—Yes.
219. Are you going to call any evidence in support of these statements?—No. I only wish to see the laws carried out.
220. Do you suggest that any special consideration is shown by the sergeant towards this house?—I cannot say.

ARTHUR HUME, examined on oath.

221. *Witness*: I wish to state that there was a reward given for arresting deserters from men-of-war of £8 per head—£5 given by the colony, and £3 by the ship. Some time ago—four or five years ago—the Government decided to stop the £5 reward, and the admiral in command of the Australian station at once stated that unless the reward was given he could not bring the men-of-war to these waters, or something to that effect. On the strength of his representations the £5 reward was again granted. Consequently, that is one class of monetary reward that cannot be done away with.

222. *The Chairman*.] It is not limited to the police?—No, anybody gets the reward who arrests them.

223. *Mr. Poynton*.] Do you not think, from your knowledge of the Force, that the suggestion is a good one that the recommendation for a reward should emanate from the Inspector, and not the constable?—Yes, it virtually is the Inspector's recommendation now.

BERNARD GREENE, examined on oath.

224. *The Chairman*.] What is your rank?—Second-class sergeant, in charge at Onehunga.

225. How long have you been in charge of Onehunga?—Some fourteen or fifteen years or over. I am Clerk of Court there, Clerk of Licensing Committee, and Inspector of Factories.

226. When did you join the Force?—In 1862.

227. How many hotels are there in Onehunga?—There are seven within the borough, and one outside; and within the borough the population is something under three thousand inhabitants.

228. You say there is one man with you?—Yes, a second-class constable.

229. How are these houses conducted?—Well, on the whole they are fairly well conducted. I visit them frequently on Sundays and after hours, especially on Saturday nights, as that is the night when there is a disposition to stay longer in the hotels.

230. What is the closing-hour?—10 o'clock.

231. Are you strict in having these hotels closed at 10 o'clock?—I am to the best of my ability, but, owing to persons who go in there not being liable to a penalty, they do it with impunity. I have had experience of seeing the Licensing Act carried out in the Old Country, and I have never heard complaints that are made in this country against the police for not putting the law in force, when in reality it is practically impossible to do so.

232. Have you had any prosecutions against hotels for breaches of the Licensing Act?—There have been three within the last three months.

233. Who brought the charges?—I did. There were two convictions, and one was dismissed.

234. Has any complaint been made to you by anybody as to the lax manner of enforcing the law against licensed houses?—No.

235. And has anybody lodged any complaint with you which in itself would form the basis of a prosecution without your taking action?—No. People are not disposed to act in that way in order to assist the police; and the worst of it is that the police may go in and find ten, fifteen, or twenty in a house during prohibited hours, and nothing can be done to them.

236. *Mr. Poynton*.] Have any complaints been made to the Licensing Committee, not by yourself but by others, as to the way the houses are conducted?—No.

237. Have you yourself brought complaints to the Committee?—Yes, I have.

238. *The Chairman*.] Have complaints been made to you personally by temperance people?—No; the temperance people have never complained about any laxity to me in any place I have been stationed. I have always found justice and fair-play from them in that respect. If the New Zealand Act were assimilated to section 25 of the English Act it would make it very easy indeed to give satisfaction, I think, to all hands and justice all round.

239. Are you referring to the regulation making it unlawful to be on licensed premises at unlawful hours?—Yes, and receiving supply especially. I consider that worse than being on the premises.

240. What is the section of the English Act you refer to?—Section 25. In my opinion, unless that section is adopted, there will never be satisfaction in carrying out the New Zealand licensing-laws. I believe, if that section were adopted, there would be no more complaints about the police. I have had personal experience of the working of that section at Home.

241. *Colonel Pitt*.] What have you to say about the hotel being kept open until 3 o'clock in the morning on the occasion of these balls?—There are strangers. I have done my utmost to prevent the Onehunga people going in there, but it is very difficult. There are people from Auckland who attend these balls, and I have seen as many as six, seven, or eight 'busses drawn up, and the occupants of these 'busses would be in the hall, and, as a rule, they return home about 3 or 4 in the morning.

242. You regard them as travellers?—Yes. Well, on account of the law as it stands, others can go in along with them, and it is impossible for the police to put a stop to it so long as the law remains as it is. I feel the police are not fairly treated by the Licensing Act.

243. *The Chairman*.] Does it happen that many of these visitors take their lodgings at the hotel?—Not any great number. At present there are some lodgers there. People from Waiuku stay there.

SATURDAY, 11TH JUNE, 1898.

JOHN McMAHON, examined on oath.

1. *The Chairman*.] When did you join the Force?—In 1877.

2. And you resigned when?—6th February, 1897.

3. You were then holding the rank of?—Second-class sergeant.

4. *Mr. Palmer.*] You remember the 18th December, 1896?—I do.
5. Had you been on street duty that day?—Yes.
6. What time did you go off duty?—About 4.45 p.m.
7. Do you know Constable McCarthy?—Yes.
8. Did he make any report to you?—Yes.
9. What did he report?—He reported to Sergeant Kelly and to me that a stray child was in the hands of the Salvation Army, and I told Sergeant Kelly to have it brought to the station.
10. And a gentleman named Mr. South was mixed up in regard to this report about the child?—Yes. He came to the watchhouse with the child afterwards.
11. When you went off duty did you go to the watchhouse?—Yes. We were paraded in the yard by Senior-Sergeant Gamble and dismissed. The matter of the child was reported to him before we were dismissed.
12. You were in the watchhouse off duty?—Yes, after going off duty.
13. You mean after you were dismissed you went into the watchhouse?—Yes.
14. You were then off duty?—Yes.
15. Mr. South came into the watchhouse about the child?—He did.
16. He did not address himself to you?—He did not.
17. And you took no part in the proceedings?—No.
18. Because you were off duty?—Yes.
19. And was there any other reason?—There was nothing particular at the time to cause me to interfere. The senior sergeant was on the station, and the watchhouse-keeper was responsible to the sergeant in charge of the station. I had no standing in the watchhouse off duty, and had no right to interfere with the watchhouse-keeper.
20. *The Chairman.*] Was the sergeant in charge of the station in the room?—Not in the guard-room, but in his own office in the station.
21. You say the duty of this watchhouse-keeper is to communicate in all cases with the sergeant in charge of the station?—Yes, to take all complaints or send all complainants to the senior sergeant.
22. *Mr. Palmer.*] Mr. South was referred to Sergeant Gamble?—Yes, he was referred by the watchhouse-keeper upstairs to Sergeant Gamble, and he was shown upstairs by Constable Quirk.
23. Sergeant Gamble, I believe, had him placed under arrest, and he was brought down again under arrest?—Yes.
24. You were in the guard-room when he was brought down under arrest?—Yes; and when Sergeant Gamble and Constable Quirke brought him down they charged him with being drunk and disorderly.
25. Had you any right to interfere with Sergeant Gamble?—No right whatever. It would be insubordination.
26. Besides Regulations 211 and 212, did you always understand during the time you were in Auckland what your rights would be in regard to the watchhouse-keeper?—Yes, I did. I understood well I had no right to interfere with the watchhouse-keeper in the discharge of his duties as watchhouse-keeper, whether on sectional duty or off duty, except when I was in charge of the station for the time being in the absence of the senior sergeant.
27. Then, I understand you to say, when you were in charge of the station you had a right to interfere, and when you were in charge of your section you had not that right?—That is so.
28. If you were in charge of a section and had wished anything done by the watchhouse-keeper other than as a compliment, what would you have to do?—I would go to the sergeant in charge of the station and request him to direct the watchhouse-keeper to do it, as it was from him he received his instructions.
29. That would be going, in that case, to Sergeant Gamble?—Yes.
30. There are many senior officers to the watchhouse-keeper on the station?—Yes; all the sergeants are senior officers. On this occasion the watchhouse-keeper was a first-class sergeant of long service and had been in charge of stations.
31. If any one but the sergeant in charge of the station had this right, and it was their duty to interfere with the watchhouse-keeper, would that lead to confusion?—Most decidedly; it must result in confusion and chaos.
32. You think that some one person must be the responsible head in charge of the station?—Yes, certainly, and I have not seen it otherwise in New Zealand or other places.
33. You think it is a necessary rule for the discipline of the service?—I do.
34. You do not remember ever having seen this rule broken?—No. I should think the watchhouse-keeper would have good cause for complaint to the sergeant in charge of the station if he was interfered with.
35. You have known officers to get into trouble through not breaking this rule?—Yes.
36. And you think, in the interests of the Force now, that the matter should be definitely decided one way or the other?—Yes, and redress received for the injuries given.
37. *The Chairman.*] Can you give an instance?—I believe I suffered myself.
38. *Colonel Hume.*] Who else was present in the watchhouse on this occasion?—There was Watchhouse-keeper Clarke, Constable Quirke, Constable McCarthy, and two or three constables of the section which came off with me.
39. Was there a lunatic there?—Yes, sitting at the table.
40. And what were you doing at the time in the watchhouse?—I was writing out my duty return for the day.
41. There was a considerable disturbance going on in the watchhouse?—There was some noise, and a good deal of talking.

42. If that lunatic had been assaulted by anybody, would you have interfered?—Yes, most decidedly. I would always interfere to assist the police in their duty.

43. You were off duty?—Off duty or on duty I would interfere to assist the police. I would do so now.

44. Then if a certain man said he was being maltreated in there, would you have interfered?—Certainly I would.

45. Then, notwithstanding this instruction you mention you would have interfered?—I would interfere to prevent a breach of the peace or a disturbance—why not?

46. Is that not interfering with the watchhouse-keeper?—No; it would be assisting him to keep down a disturbance.

47. Then was there any disturbance on this occasion?—There was no disturbance—there was the removal of a man from the guard-room, but that was not an unusual thing.

48. What did they remove him from the guard-room for?—I heard Constable Clarke complaining about him disturbing some papers on the table, and he was removed. Not with violence, but he was removed outside.

49. You saw him being removed?—Yes.

50. When did you first hear of this rule or regulation?—I have never known any system to the contrary.

51. When did you hear of the rule?—When I came into the station at Auckland fifteen years ago.

52. Who told you?—Constable McGilp told me. He was watchhouse-keeper then. Constable Carroll told me afterwards under Inspector Broham.

53. What did he tell you?—That he was responsible for the guardroom, and that nobody else could interfere.

54. I suppose you mean by the guardroom the watchhouse?—Yes, certainly.

55. Now, was Constable McGilp watchhouse-keeper then?—Yes.

56. What rank did he hold?—First-class constable.

57. Fifteen years ago?—I think so. I am not positively sure as to the rank.

58. What rank did you hold?—I was sergeant.

59. Then, would the sergeant take instructions from a constable?—He was not giving me instructions, he only told me, I said. I knew it as well by the system. I did not require any instructions at all for I knew that that was the system.

60. Who was the Inspector?—Inspector Thomson and Sub-Inspector Parry.

61. Who was sergeant in charge of the station?—Sergeant O'Grady.

62. Now, did you ask Mr. Thomson, or Mr. Parry, or Sergeant O'Grady, whether that rule was right or not?—I did not. No occasion arose to do so.

63. Then, were you in the habit of waiting for an occasion to arise before you asked what were the rules and regulations?—I could read the rules and regulations.

64. Can you read us that one about the watchhouse?—There is nothing in the regulations about the watchhouse-keeper.

65. Which is the rule that does not let anybody interfere with the watchhouse-keeper?—There is no rule in the regulations.

66. You said it was not necessary to ask because the rules were in front of you?—It was an understood rule which was not in the book of regulations; but still, it is discipline, and understood by all experienced policemen, and I have long experience.

67. During your service in the police have you ever seen a third-class constable in charge of the watchhouse?—I have.

68. And would you not attempt to give that man any instructions as regards the watchhouse?—I certainly would not interfere with him when the sergeant in charge was there.

69. Do you mean when the sergeant in charge was in the watchhouse or in the station?—I mean available in the station for any emergency, or to give any information that was required.

70. Now then, will you tell us how far the office of the sergeant in charge of the station is from the watchhouse?—It is upstairs, on the next landing; it is no distance. He has the means of telephoning down direct to the room, and he often does so.

71. Had he the means of telephoning down fifteen years ago, when you first went there?—There was no telephone up or down.

72. Then he had to go to his office, or somebody had to communicate with him?—Yes, if he required anything.

73. *The Chairman.*] Did the sergeant in charge occupy the same room then?—No, I think his room was downstairs then, if I remember aright, on the same floor as the watchhouse-keeper, or outside the door, in the building which is now the Charitable Aid Board offices. The Inspector's office, I think, was where the detective-office used to be, and where the female searcher is. There have been great alterations in the last fifteen years.

74. *Colonel Hume.*] This Commission has been told that a policeman is always on duty. Do you hold with that?—No. I see no regulation to prove that. There is nothing in this book to say so, and nothing in any regulation that I have ever seen to say so.

75. Then, if you came down the street when off duty and saw some breach of the law taking place, would you interfere?—Yes, I would.

76. When you are off duty?—Yes, that would not prevent me doing duty—necessary duty.

77. Then, how can you say you consider a policeman is not always on duty?—Because he is not always on a particular duty—he is taking rest, preparing for other duties.

78. How could he arrest or take action in this breach of the law that he sees being carried on?—If it occurs under his notice, he would be a very poor policeman who would not interfere. He should be always ready for duty.

79. Now, is it not a fact that you did not know what was going on in the watchhouse on this particular occasion?—It is not a fact that I did not know.

80. Have you said you do not know?—I did not notice everything, because I was writing and attending to my own business, and did not take an interest in what was going on. It was a matter for the watchhouse-keeper.

81. *Mr. Tunbridge.*] You say you have known officers to get into trouble for not breaking some rule?—I have known myself to get into trouble.

82. What rule?—The rule as to the guard-room.

83. You admit there is no rule preventing you from interfering with the watchhouse-keeper?—No written rule, I admit, but I would be liable if I interfered with the watchhouse-keeper in the discharge of his duties.

84. Under what regulation?—Because the watchhouse-keeper gets his instructions from the superior officer, and is responsible; and not for anybody else am I to interfere, except through the sergeant in charge.

85. Can you give any regulation to prove that?—I can call witnesses to prove that the Inspectors give such instructions.

86. Now, if the watchhouse-keeper is not to be interfered with by the sergeants, what is the meaning of Rules 212 and 213—namely, "Every sergeant in charge of a subdivision will occasionally visit every part thereof, at uncertain hours, during the day and night; and, when on duty, will attend the Court and visit the watchhouse at least once during the day and once after midnight. Every sergeant in charge of a subdivision will be responsible for, and will take immediate charge of, the lockups situated in that division"?—These rules prove to me that only the sergeant in charge of the station is to interfere with the watchhouse-keeper.

87. Does not Regulation 213 give sergeants general power over the watchhouse-keeper?—No; it does not give a sectional sergeant power. It gives the sergeant in charge of the station, or his substitute, as the case may be, but not the sectional sergeant.

88. If you went into the watchhouse and saw the watchhouse-keeper drunk, what would you do?—I would tell Sergeant Gamble, who was in charge of the station.

89. Suppose Sergeant Gamble was not there?—I would tell the Inspector.

90. Suppose the Inspector was not there?—I would report him for being drunk.

91. Then, you admit that under these circumstances you would interfere?—Certainly. I would go and tell the sergeant in charge, and would report the matter to him. He is responsible for the state of his men.

92. Would you report that the man was drunk, and thereby committing a breach of the regulations?—Yes.

93. Well, now, did you report the watchhouse-keeper for allowing Mr. South to be expelled from that room by two constables on two or three occasions?—I did not commit any error in not doing so. The complaint was that the other man was doing wrong in disturbing the watchhouse, and had a right to be removed.

94. You say that if you found the watchhouse-keeper under the influence of drink or drunk, you would take action?—No, I did not say that at all. I said I would inform the sergeant in charge of the station.

95. Is that not taking action?—I do not call that taking action. I would bring it under the notice of the proper officer, who has a right to take action.

96. Then, assuming you came into the watchhouse and found the watchhouse-keeper allowing any other breaches of the regulations to go on, would you take action?—I would do the same as I would if he had been drinking. If I found anything I considered was wrong I would complain the same as if I was on the street. I would complain if I thought it was my duty or part of my duty.

97. Now, then, if you saw the watchhouse-keeper allowing some person to be improperly ejected from the place, would you take action?—No, I would not. That would not be part of my duty. That is a discretionary power that he has. That was for him to judge.

98. Would you allow that to go on?—I would have to inquire to find out who was right or wrong before I could report the matter to the sergeant in charge of the station. It is quite customary to turn men out of the watchhouse.

99. If you had any reason to suppose that the watchhouse-keeper was acting improperly, do you not think it would be your business to interfere to see who was right or wrong?—I do not think I have a right to suppose or make myself satisfied while there is an officer to do that. I would be interfering with his duty.

100. You are speaking about the general regulations of the service?—I am speaking only of this watchhouse.

101. Speaking of the general rules of the service, is it not a general rule that every sergeant has authority over constables?—I have never known a sergeant off duty to interfere with a constable on duty. If he sees him, or if he found him doing anything wrong, he would report him to the sergeant in charge.

102. Is complaining to the sergeant in charge taking action?—It is a very mild form of interfering to bring it under the notice of the proper officer.

103. You admit that you would draw the attention of the officer in charge to it then?—I would draw his attention to it, but I would not presume to dictate to him what was wrong. I would tell him what I saw.

104. If you saw a constable drunk and rolling about the street, would you take any action other than informing the sergeant?—No, I would report him to the sergeant. If there was a sergeant or constable present it would be their duty to take him away, but if there was no one about I would not have that disgrace to the service in the street, and I would remove him to some place where he would not be seen. I would do that to a civilian, or a policeman, or anybody.

105. *Colonel Pitt.*] You say if you were not on duty, and you saw the watchhouse-keeper being attacked or assaulted you would deem it your duty to assist him?—Certainly. If a man was assaulted I would assist him.

106. Supposing you saw him assaulting some one in the watchhouse would you deem it your duty to interfere then?—I would prevent an assault if I could.

107. *Mr. Tunbridge.*] You say you were off duty on this particular occasion?—Yes.

108. What were you doing in the watchhouse?—Making out my return for sectional duty for the day.

109. *The Chairman.*] When do you understand the duty of the sergeant in charge of the section ceases—when is he off duty?—As soon as he is dismissed in the yard by the senior sergeant.

110. Does he fall in with the men, and is he dismissed with the men?—Yes; he is paraded and inspected by the sergeant, and goes out and returns with the men, and he is dismissed with the men.

111. And in the case under review you give the case of a sergeant who is dismissed in the yard?—Yes. I might have gone home right away.

112. *Mr. Tunbridge.*] Is it not part of your duty to put in your report before you go home?—I could go home and write it at home, as long as I had it in before next morning. Most of the sergeants on duty here write their reports at home and put them in the sergeant's box before 9 o'clock in the morning, as well as other reports.

113. Was Inspector Hickson in charge of this district at the time you refer to?—He was.

114. How long had he been in charge?—Four or five years.

JOHN STRATHERN, examined on oath.

115. *Mr. Palmer.*] You are Inspector of the Charitable Aid Board?—Yes.

116. You were formerly a detective in the Police Force?—Yes; stationed in Auckland and Dunedin.

117. How long were you in the Force?—I joined in 1876, and left in 1884. I served under Inspectors Broham, Thomson, Weldon, and Sub-Inspector, now Inspector, Pardy.

118. Now, what is the practice in regard to the watchhouse-keeper and his senior officers?—The practice of the lockup-keeper is that you might say of supreme and absolute control of the watchhouse. He is directly responsible to the officer in charge.

119. Was that the rule while you were in the service?—Yes.

120. Did you ever know the watchhouse-keeper to turn anybody who was his senior out of the room?—Yes; I remember being turned out myself once. I was then a detective.

121. As a detective, what rank are you equal to?—A sergeant, according to class.

122. *The Chairman.*] Did you hold the rank of sergeant?—I was a fourth-class detective, and a detective is supposed to equal the rank of sergeant.

123. *Mr. Palmer.*] Then you think that the rule was that the watchhouse-keeper was directly responsible to the officer in charge of the station, and to him only?—Certainly. There is no doubt about it, and quite right too.

124. *Colonel Hume.*] Have you ever seen this regulation anywhere?—It is an unwritten law.

125. Who told you about it?—I joined under Inspector Broham and I was told of it.

126. Did Inspector Broham tell you?—Well, of course he told us so many things that I cannot remember all.

127. Who told you?—I cannot say. It is a well-known fact—it is an unwritten law.

128. Who turned you out of the watchhouse on this occasion?—One of the lockup-keepers, Constable McGilp.

129. What for?—It was partly my own fault because I was interfering with him as lockup-keeper; proving that he was in charge, and that what I say is true.

130. Then, did you report it to the sergeant?—Certainly not. Why, things are committed every hour of the day that you would consider it contemptible to report about—little things between the police constables in the station.

131. But the watchhouse-keeper having to turn a detective out of the watchhouse, is that a very trivial thing?—I admit that I was in wrong; it served me right.

132. Then you pocketed the insult and said never a word?—Yes, most decidedly.

133. Then, at any other time has the watchhouse-keeper ever interfered with you?—No.

134. That is the only occasion during the whole of your service?—Yes.

135. Have you ever seen a third-class constable in charge of the watchhouse?—Yes.

136. Have you ever seen them turning out a sergeant or anybody of the rank of sergeant?—I have been in charge of the lockup myself as a third-class constable.

137. And did you turn out any sergeant?—I never had occasion to do so.

138. Do you think that would be carrying out discipline if a third-class constable, or even a first-class constable, as watchhouse-keeper could turn a sergeant out of the watchhouse?—Discipline must be maintained at all hazards. The lockup-keeper is a special office by itself. He does not come under the discipline the same as other constables. It is a special and distinctive office of itself.

139. Then is not a sergeant a distinctive office of itself?—All are.

140. Now, the watchhouse-keepers are constantly changing?—Yes, of course they change, but not constantly. Lockup-keepers are men specially selected from the Force for that particular duty, in the same way as you would select detectives—you cannot educate detectives. It is a special natural qualification, and if you have not got it education and discipline can go to the wind.

141. Did you serve anywhere but in the Auckland District?—Yes, in Dunedin.

142. Was that an unwritten law there?—Yes, Constable Jeffries was lockup-keeper there.

143. You are quite certain?—There is no doubt about it.

144. How many years ago?—About fourteen years.
145. Who was Inspector?—Mr. Weldon.
146. Who was the Sergeant-major?—Sergeant-major Bevin.
147. And you say that same unwritten law was there?—Yes. Of course I might go a little further and qualify that. Of course, when you speak about the lockup-keeper, I refer to the lockup-keeper specially on duty during the day. There might be periodical changing with the lockup-keepers at night, and then the sergeant in charge of the night-duty is absolutely responsible for the lockup during the night. The lockup-keeper took charge at 9 o'clock in the morning, and he was then in charge until relieved in the evening. He was then absolutely in charge of the books, documents and records of every description in the lockup. After he is relieved at 6 p.m. another man takes his place, temporarily, from 6 to 9, and then the watchhouse-keeper for the night goes on from 9 until 5 or 6 in the morning.
148. Then the unwritten law draws that distinction?—I am giving you the practice.
149. And this same practice as regards day and night duty was in force both at Dunedin and Auckland?—Yes.
150. Then the man on duty at night can be interfered with?—He is under the control of the sergeant in charge that goes on on the night duty.
151. Now, supposing you at any time during the day or night went into the watchhouse and found the watchhouse-keeper drunk, what would you do?—The first thing I would do would be certainly to report the matter to the senior upstairs. That is all I could do.
152. And if you did not find the senior upstairs, would you go and look for somebody else?—I might then remain there for the purpose of security. That is, if I was satisfied he was drunk.
153. Supposing while you were away to make this report to the sergeant a person escaped or committed suicide, who do you think would be held responsible?—Not me, certainly not.
154. That is your idea of discipline, and what you consider proper and correct discipline?—Certainly not. If the discipline fails, and the officer who is responsible for that discipline fails also, you are not to say it is to be referred back on my shoulders. Suppose I did not appear on the scene at all and what you say took place, am I to be responsible?
155. You see a man drunk in charge of the watchhouse, and you leave him there—that is what I understand this unwritten law says?—Yes.
156. *The Chairman.*] If you saw him drunk and another man was there, would you send the other man to the sergeant?—Certainly. I might do it in a sort of confidential manner, but I could not do it officially.
157. *Colonel Hume.*] In other words, a sergeant of police is not always a sergeant of police—that is what I take it to mean?—It would be very hard indeed for that unfortunate man if he was.
158. He is occasionally to be put under a subordinate?—That is what has been the practice.
159. *The Chairman.*] You say this applies only to the day-watch?—Yes.
160. At night the watchhouse-keeper is under the charge of the sectional sergeant?—Yes, after 9 p.m.
161. *Mr. Tunbridge.*] You are speaking of an unwritten law. Is it not an unwritten law in the Force that every constable is subordinate to a sergeant?—That is the regulation.
162. They make no distinction as regards watchhouse-keepers or any other men?—No.
163. Can you find anything in the regulations to lead you or any other man to suppose that a sergeant is not at all times superior to a constable?—No, but with this special exception. The lockup-keeper is always a specially appointed man with special powers.
164. Can you point to anything in the regulations to that effect?—No, that is the unfortunate part of it.
165. The whole spirit of the regulations is that a constable is subordinate to a sergeant, and, consequently, a sergeant has a right to give constables instructions?—Yes.
166. Is not a constable out on his beat in charge of the beat?—Yes.
167. Has a sergeant any control over him?—Yes, the sergeant who takes out that relief is in charge of that relief, and no other sergeant.
168. No other sergeant is responsible for that constable properly carrying out that duty except the sergeant in charge?—That sergeant is in charge of the relief. Another sergeant has no right whatever to interfere with that sergeant's relief. If he sees the man misconducting himself it is his duty to report it to the sergeant in charge of the relief, but not to go and interfere with that man.
169. If a sergeant off duty or on duty witnesses a breach of the regulations by a constable, and does not report it, is he not liable to be reported for neglect of duty?—If a sergeant finds any constable in an hotel drinking it is that sergeant's duty to report him for that forthwith.
170. *Colonel Pitt.*] Could he interfere with the constable?—All he could do would be to report him. It is his imperative duty to do so.
171. *Mr. Tunbridge.*] You, as a detective, had a good deal of writing to do?—Yes, too much of it.
172. Did you consider making out your reports part of your duty?—Yes, certainly.
173. *Mr. Palmer.*] If you were making out that report at home, would you consider you were on duty at the time you were writing?—No, certainly not. I have gone off the streets at 3 and 4 in the morning and gone home and written reports out, and then perhaps turned into bed, and at 5 o'clock in the morning the fire-bell would ring and I would get no sleep at all. I had to be on duty.
174. I want to draw a comparison between the watchhouse and the guard-room. Do you know anything about military service at all?—Yes, for seven years.
175. Would you consider any officer, except the officer in charge of the guard-tent, even if a

sergeant, had the right to go and interfere with him?—If a private soldier was in charge of the guard-tent his authority is supreme.

176. Would you consider the watchhouse-keeper similar to that?—Well, we never called it the watchhouse until recently; it was always the guard-room until Colonel Hume came. Of course that is part of the old military spirit still existing in the Force.

177. *Colonel Hume.*] Will you tell me what military force this is you are speaking of?—The 3rd Lanarkshire Rifle Volunteers, and also the Ayrshire Rifle Volunteers.

178. Do you think if the orderly officer of the day came down to the sergeant and gave him some orders they would not be carried out?—No.

179. Would they be carried out if they came from a staff officer?—If an orderly officer brought down any commands it must be from a superior, not from himself. If he brought down any commands he would be the mouthpiece of his superior officer.

180. You say the watchhouse used to be called the guard-room?—Yes.

181. Do you know when these regulations were issued?—In 1881.

182. That is before I came to the colony. Does it call it the guard-room or watchhouse in these regulations?—The watchhouse.

183. Then it was not Colonel Hume altered it?—No.

184. *Mr. Tunbridge.*] You were asked about your military experience, and said it had been in the volunteers?—Yes.

185. Was it in the military regulations governing the volunteers that you saw this?—I cannot say.

186. *The Chairman.*] The orderly officer of the day would correspond with the sergeant in charge?—Yes.

187. You compare the orderly officer with the sergeant in charge of the station?—Yes.

ALEXANDER MCGILP examined on oath.

188. *Mr. Palmer.*] You are a constable stationed in the Auckland Province?—Yes, at Rawene.

189. What rank are you?—First-class constable.

190. How long have you been in the Force?—I think twenty-one years in November coming.

191. During that service you have been in charge of the watchhouse?—Yes.

192. Where?—In Auckland.

193. How long?—About two years, and sixteen years ago.

194. Who was the Inspector?—Inspector Thomson.

195. Who were you controlled by during the day when you had charge of the watchhouse?—By Mr. Pardy, who was then Sub-Inspector.

196. The Sub-Inspector holds the position that the Sergeant-major holds now in taking charge?—There was a Sergeant-major as well as a Sub-Inspector in those days.

197. Unless the orders came from him did you recognise any one else controlling you?—Oh, from my position I did not recognise any other controller except the Sub-Inspector, or whoever the Sub-Inspector sent.

198. What was your position in charge of the guard-room—what was your power?—I had sole control of the guard-room and its working.

199. Who was allowed to interfere with you outside the Sub-Inspector, or was there anybody at all?—No, except the Inspector, of course. I may be allowed now to draw a line, on very important matters. Of course, in ordinary matters I would go by the advice of any one.

200. *Colonel Pitt.*] You take the responsibility of that yourself?—Yes, where I thought the advice would be beneficial to me.

201. *The Chairman.*] You take advice, but not the orders?—No, not the orders.

202. *Mr. Palmer.*] Did you receive these instructions as to your duties from any of the Inspectors? How did you know what your powers were there?—The Sub-Inspector told me what my powers were in the watchhouse.

203. Did he tell you you were only responsible to him?—No, I would not go as far as that.

204. Can you remember what he told you?—During my service of two years I was under him only.

205. Did he tell you you were under him only?—I cannot say that he did, but it seems likely he did.

206. If he did not, would anybody else tell you?—No; I had very little communication with the Inspector.

207. Did you ever during your time turn another senior to yourself out of the watchhouse: do you remember Jeffries?—I often told them to get out of the room, and that they were molesting me.

208. *The Chairman.*] Constables?—Either constables, sergeants and detectives.

209. *Mr. Palmer.*] Do you mean molesting you or hindering you?—Hindering me while I was writing. That is, by loud conversation and general talking.

210. Do you remember ever preventing Sergeant Gamble seeing any prisoners?—Oh, yes.

211. But he was your senior sergeant?—No one had a right to see prisoners without an order from the Sub-Inspector, either constable, detective, or sergeant. Yes, I do remember refusing Sergeant Gamble, who was senior sergeant.

212. Do you remember Inspector Pardy ever telling you you were not to allow sergeants and others to congregate in the watchhouse?—Not sergeants and others. I remember him finding fault with me on one occasion for allowing a lot of men to assemble in the guard-room.

213. *The Chairman.*] Any sergeant in particular?—No; I do not know whether a sergeant would be amongst them or not.

214. When did you cease to be a watchhouse-keeper at Auckland?—Sixteen years ago, when I was transferred to the country.

215. You have been in the guard-room since you came down to Auckland?—Yes; just when visiting.

216. Have you ever seen any alteration in respect to the watchhouse-keeper?—Yes.

217. What alteration have you seen?—I saw that constables and sergeants were allowed to see prisoners without an order. That used not to be in my day.

218. But as to this control; have you seen any change?—No; I have not seen the day watchhouse-keeper's duties carried out there, and I cannot say. Of course, there was a distinction between the night watchhouse-keeper and the day watchhouse-keeper.

219. Can you tell us whether there was any alteration in the regulations of 1887 with regard to the control of the watchhouse from the previous regulations?—If there is, they are very slight, so far as I remember.

220. Now, supposing that every senior constable, or every senior to the watchhouse-keeper, had a right to go in and interfere with him instead of the watchhouse being under the control of the one man, would the discipline of the watchhouse be able to be maintained properly?—Well, it depends upon how you put that question. I believe, although I know very little of the present mode of watchhouse-keeping, that it is up to the present day under the direct line of the sergeant in charge, or the inspector in charge—it must be. I look upon the watchhouse-keeper as the most responsible position at any central police-station, otherwise it would not work.

221. I suppose is usual for some one to be in charge of the station—it is not often a station is left without any one in charge of it?—Never.

222. Supposing you went in and found the watchhouse-keeper drunk and intended to report him, would you always find some one in the station to report him to?—I cannot say that.

223. During the day would not some one be in charge of the station, or is it left in the absolute control of the watchhouse-keeper?—Not always; but I have seen days when there was no one else but the watchhouse-keeper.

224. And the watchhouse-keeper was in charge of the whole station?—Yes.

225. Supposing you went and found the watchhouse-keeper in charge of the station, and he was drunk, what would you do?—If he was in charge himself I would certainly consider it my duty to remain there.

226. But if you found any one to report him to, what would you do?—I would report him.

227. *Colonel Hume.*] Do you know in the old regulations of sixteen years ago whether No. 184 was the same as it is now?—I cannot say; I think it was.

228. Do you look upon this watchhouse-keeper as a special appointment?—I look upon it that it should be a special appointment.

229. Now, when you were watchhouse-keeper, supposing a disturbance occurred in the watchhouse and a sergeant was present, and, say, for the sake of argument, two men commenced to fight, and the sergeant said, "Watchhouse-keeper, make prisoners of those two men," would you consider the sergeant was doing his duty or exceeding his duty?—I would look upon it that it was my place to stop the disturbance.

230. But if you had not done it, and the sergeant said, "Watchhouse-keeper, make prisoners of these two men," would you consider he was exceeding his duty?—I should say it was in line with his duty.

231. *The Chairman.*] If the sergeant was not on duty, but was in the station, and told you this, would you feel bound to obey it?—Yes; if off duty or on duty, I say it would be my place to call the sergeant to help me; and if I failed in my duty and the sergeant called upon me, I should say I had a right to obey.

232. If you, as watchhouse-keeper, were dealing with men whom you are going to put out of the watchhouse, and a sergeant who was not on duty interfered with you in doing so, would you feel it your duty to obey him?—I would report him for interfering with me.

233. Do you mean you would obey him or disobey him and report him?—I would obey him and report him.

234. Now, when you have prisoners locked up, and a sergeant, either on or off duty, who is not the sergeant in charge of the station, comes and wants to see that prisoner, would you allow him to see the prisoner?—No; by no means.

235. You are held responsible for that man?—Yes.

236. *Mr. Tunbridge.*] You say you were under the orders of Sub-Inspector Pardy?—Yes.

237. Now, as a matter of fact, was not the section-sergeant and every constable on duty under the orders of Sub-Inspector Pardy?—Yes.

238. He was in control of the whole town, and every officer on duty in the town was responsible to him?—Yes.

239. Taking the general rules of the service, do you not consider that, at all times and under all circumstances, you have a perfect right to obey the orders of a sergeant?—Yes.

240. And if that sergeant's orders to you are wrong he is responsible, and not you?—Yes.

241. *Mr. Palmer.*] If that sergeant came and ordered you to let him in the cells to see one of the prisoners, would you do it?—I would ask him if he had got an order.

242. If he asked you to let a prisoner out of the station?—Certainly not, without an order.

243. Then, under certain circumstances you would not obey the sergeant?—I would not obey in the case of seeing prisoners.

244. If he asked you to commit any breach of discipline in the watchhouse, would you refuse?—It is not consistent that I should.

245. *Mr. Tunbridge.*] You would not expect to be asked such a question?—No.

JOSEPH SWINBURNE KELLY further examined on oath.

246. *Mr. Palmer.*] You are a first-class sergeant, stationed at Auckland?—Yes.
247. Who has charge of the watchhouse?—The watchhouse-keeper for the time being.
248. To whom is he responsible?—Directly to the sergeant in charge of the station, and then to all above him.
249. Now, in regard to the maintenance of discipline in the Force, if every senior to the watchhouse-keeper had the right to go in and control him, would you be able to maintain discipline properly in the watchhouse?—The watchhouse-keeper is responsible that order is maintained in the watchhouse to the sergeant-major or to the sergeant in charge.
250. You are sergeant in charge now?—I am.
251. Supposing one of the other sergeants came in and saw the watchhouse-keeper drunk, would you expect him to report to you, or do anything else—what would you expect him to do?—I would expect him to relieve the watchhouse-keeper of his duty, and put another man in his place—that is, supposing I was not there.
252. Supposing you were there?—He should communicate at once with me, in order that the watchhouse-keeper may be relieved of his duty.
253. If you were in the building you would not expect him to act on his own responsibility, and you would expect to be informed of what was the matter?—It only takes a second to blow the whistle communicating with my room, and I would speak to him.
254. Then, could the watchhouse-keeper turn a sergeant out of the watchhouse if he was not satisfied with what the sergeant was doing?—I would not allow him to turn me out.
255. Because you are in charge now?—No, if I was a sergeant. He would have to report me if I did anything wrong, but he could not turn me out. The watchhouse-keeper is a third-class constable.
256. *The Chairman.*] Do you consider that as a watchhouse-keeper he has any special powers in preserving the order of his watchhouse?—Yes, to a certain extent, if there is no superior officer present.
257. If a sergeant was misconducting himself or obstructing the watchhouse-keeper, and refused to quit the place, would he have the power to eject him?—He could report the matter at once.
258. Could he put him out, supposing the sergeant was obstructing him in his work?—I never saw an instance of it. I do not know how he could put a sergeant out if the sergeant was sober and thought he was justified in interfering with him. The watchhouse-keeper would certainly be at liberty to report him.
259. *Mr. Palmer.*] That is, he has not got the sole control of the watchhouse?—No; I do not think he has sole control when a sergeant is there.
260. When a sergeant goes into the room, whether off or on duty, then his sole control in the watchhouse ceases?—No; he has a certain duty in regard to the watchhouse, and he has custody of the money, books, and prisoners in the place.
261. Supposing a sergeant goes in and says, "I am going to take the custody of the money and books"?—He would not allow that. That is a case which would never occur. A sergeant would never do such a thing. A watchhouse-keeper is put there by the officer in charge of the station on account of his suitability for the position.
262. You said he is responsible for the control of the watchhouse to his immediate officer?—Yes, to see that no unseemly talking goes on.
263. Then, if he has not got the right to turn any one out, how is he going to be held responsible for his guard-room?—Of course, he could turn people out, but I do not think he should attempt to turn a sergeant out.
264. Supposing a sergeant was hindering him?—He would call the attention of witnesses to the affair and report him. That is the way I should take it.
265. *Colonel Hume.*] You say a watchhouse-keeper is responsible for order being maintained in the watchhouse?—Yes.
266. Supposing there is a disturbance in that watchhouse, and a sergeant is present, when on or off duty, do you consider it would be his duty to interfere and quell the disturbance?—If it was not taken notice of by the watchhouse-keeper I think he should interfere.
267. *The Chairman.*] If the watchhouse-keeper, in his discretion, thought it was necessary to put a man out of the watchhouse, do you think a sergeant, either when on or off duty, who happens to be present, would have the right to interfere with him?—I think a sergeant would naturally assist in putting him out.
268. Supposing a member of the public came into the watchhouse and was disorderly in his conduct, and the watchhouse-keeper, in the exercise of his discretion, was putting him out, would a sergeant, who happened to be present and not on duty, have the right to interfere with that watchhouse-keeper who was putting the man out whom he considered disorderly?—No; I do not think he would be justified in preventing him putting the man out so long as he did not use any more force than was necessary in putting him out.
269. *Colonel Pitt.*] Supposing a sergeant, though off duty, had reason to believe that the watchhouse-keeper was acting improperly in the manner in which he was putting a person out, ought he then to interfere, whether on duty or not?—Certainly; he ought not to allow any member of the Force to act improperly.
270. Do you think it was his duty to interfere at all in the circumstances which led to the ejection of that man—is it his business at all as a man not on duty to ascertain why the watchhouse-keeper was ejecting him?—If he was going to interfere at all he would have to inquire.
271. That is the case of a sergeant not on duty who does not interfere with the watchhouse-keeper who was putting a man out whom he (the watchhouse-keeper) considers disorderly: was

that sergeant, not on duty, wrong in not inquiring?—If he thought a man was being put out because he was interfering I do not think he would be wrong in not interfering.

272. Do you think it was his duty to think at all about it when he saw the watchhouse-keeper putting a man out, or his duty at all as a sergeant not on duty to think at all about it unless he saw unnecessary violence being used?—I cannot exactly say that. I would depend upon the circumstances. I do not quite follow the question.

273. Take the case of a watchhouse-keeper putting a man out of the watchhouse whom he considers disorderly, and a sergeant not on duty being present?—Yes.

274. Would it be the duty of that sergeant to ascertain the grounds for which that man was being ejected?—Not unless the person appealed to him, because the watchhouse-keeper is in charge of the watchhouse.

275. In that case, what do you say the sergeant appealed to ought to do?—I would inquire into the case and ascertain the reason why he was being put out.

276. *Mr. Tunbridge.*] Assuming you are in the station doing writing in connection with your statement of duty, and there is a great disturbance in the watchhouse, and a person is ejected who re-enters, who is ejected again, and who re-enters a third time, protesting against the action of the watchhouse-keeper, should you consider you would be justified in keeping your seat and going on with your writing, and not attempting to make yourself acquainted with the rights and wrongs of that matter?—No; I should think it my duty to find out what he wanted and why he came.

277. *The Chairman.*] Would his persistence in re-entering amount to an appeal to the sergeant?—I would know he had some business in coming in, and I would want to know what his business was, and it would be my duty to inquire into his business.

278. *Mr. Palmer.*] You say it would be your duty to ascertain and inquire what the man wanted?—Yes.

279. Even when the sergeant in charge of the station is present, and when he can be got at with a whistle, do you think it would be your duty to refer the man upstairs to the sergeant, or to whistle to the sergeant, or to interfere in the matter?—I would stop the row, and send for Sergeant Gamble, or whoever was in charge.

280. Supposing they all went to the sergeant upstairs?—I would have been finished with it.

281. And the sergeant upstairs arrested him, would you interfere?—No.

WILLIAM LYONS examined on oath.

282. *Mr. Palmer.*] You are a second-class sergeant, stationed in Auckland?—Yes.

283. Have you ever been in the watchhouse?—Yes; I was watchhouse-keeper in Wellington years ago.

284. Who is responsible for the control of the watchhouse?—The watchhouse-keeper.

285. To whom is he responsible?—To the sergeant in charge of the station.

286. Is he under the control of any one else but the sergeant in charge of the station and those immediately above the sergeant?—No.

287. Is he responsible to all the other sergeants in charge of the station?—No; he is not responsible to the sectional sergeants.

288. If you came and found the watchhouse-keeper intoxicated, what would you do?—I would report him to the sergeant in charge of the station. I would replace him.

289. Before or after you had reported him?—I would do that in the absence of the senior sergeant.

290. Supposing the senior sergeant was upstairs and you came in?—I would report the condition in which I found him.

291. And allow him to act?—Yes.

292. It does not take long to communicate?—No; there is a tube connecting both offices.

293. Would you consider it was your duty to report him and relieve him and take the responsibility upon yourself, unless there was no one in the station?—I would take the responsibility off the senior sergeant so absent. If he was absent I would communicate with him at once.

294. *Colonel Hume.*] You say the watchhouse-keeper is not responsible to sectional sergeants?—Yes, by the day.

295. Would he be justified, in your opinion, in disobeying anything a sergeant told him?—No, he would not.

296. Therefore, if one of the sectional sergeants came into the watchhouse and told him to turn out a man, ought the watchhouse-keeper to carry out the sergeant's order?—He is supposed to obey the sergeant's order, and report the matter afterwards if he had any grievance.

297. Now, as regards actual prisoners in the lockup, would he be justified in disobeying the orders of a sergeant to admit a visitor to one of them?—He would.

298. When were you watchhouse-keeper?—In 1879 in Wellington.

299. Have you been watchhouse-keeper in Auckland?—No.

300. *Mr. Tunbridge.*] Now, if you as sergeant were present in the watchhouse and a great disturbance was going on, and a respectably dressed person had been forcibly ejected two or three times—this person protesting the whole time at his treatment—would you consider yourself justified in keeping your back turned to the whole affair and taking no notice whatever of it?—I would not.

301. Not even to whistle up to the sergeant in charge: would you think that would be justifiable?—Yes, it would.

302. But to keep your seat and not even whistle to him: do you think that would be justifiable?—No, it would not.

303. *Mr. Palmer.*] Suppose that man went up to the sergeant in charge with another constable, and the sergeant in charge arrested that man, would you interfere?—I would not.

304. Supposing there is a disturbance taking place, and a sergeant came in and said to you—you being watchhouse-keeper—"Turn out that man, he is creating a disturbance," would you turn round and side with the man against the police?—If a senior sergeant ordered me, I would obey him.

305. Now, supposing you thought the watchhouse-keeper had no right to turn that man out at all, would you join towards turning him out?—I would inquire into his conduct first, and ascertain if there was any cause.

306. Would you whistle upstairs first?—Yes, if I knew the sergeant was on the premises.

307. Is it customary for sergeants, except the sergeant in charge, to come in and interfere with the watchhouse-keeper?—No, it is not customary.

MONDAY, 13TH JUNE, 1898.

ARTHUR POLE PENTON examined on oath.

1. *The Chairman.*] What is your official position?—I am Commander of the Forces. The Police Forces and the Permanent Forces are connected in so far that a certain number of men are enlisted into the police from the Permanent Force. Before I came to the country any man in the Permanent Forces was allowed to go to the Police Force on appointment by the Minister. As matters stand at present, since, I think, February of last year, no man enlisting in the Permanent Force after that date can go to the Police Force unless he has three years' service. All the men in the Police Force who have served with the Permanent Force are supposed to be available for military duty in case of war—that is to say, the Police Force is looked upon as a reserve for the Permanent Force. Each policeman enlisted from the Permanent Force is supposed to be called upon every year to do ten days' drill in the forts. The men are not available, so far as I know, for drill, and since my arrival in the colony in December, 1896, I have not had a single policeman come to do his ten days' drill. They have been called upon to do so. I have asked for them twice. There is no connection between the two Forces; but in the case of the Police Force wanting extra men for any special occasion, they have, in my experience, several times called for and been granted men from the Permanent Force to do police duty on the streets.

2. That is a right given them by what?—By custom, I think. I do not know whether it is in the Police Act. The men of the Permanent Force dislike this duty very much. It places them in a false position, and latterly, for some months, they have not been called upon to perform this duty at all; and I believe orders have been given that, unless under very special circumstances, they will not be called upon to do it.

3. Is there any existing regulation which gives you the right to call upon men who have been members of the Permanent Force, and who are now in the Police Force, to attend drill?—I cannot find anything in the Defence Act about it all. It has always been an understood thing that the drilled men of the police should be a reserve for the permanent fighting Force.

4. You do not find anything in the regulations or in the Defence Act requiring that they should come up for drill after being transferred?—No, not in the Defence Act.

5. Then you refer to it as if it was an existing rule?—I have never seen the circular, but it was in practice before my time.

6. Do you know if one of the conditions of enlistment on joining the Permanent Force is that they shall hold themselves in readiness for this drill?—Not in joining the Permanent Force.

7. *Mr. Tunbridge.*] Perhaps you will read the oath administered to a constable when sworn in as a Civil Police. There is nothing there by which the men undertake to serve in a military capacity?—Not that I see.

8. Do they take an oath when they join the Permanent Artillery?—They are sworn in; but I have not the form of oath.

9. Is there anything in that, in the event of their joining the Civil Force, to compel them to serve in the Permanent Force?—They are absolutely discharged from their duties in connection with the Permanent Artillery when they join the Civil Force.

10. Then, really, although the men might obey orders to go up to undergo this drill, if they choose to refuse, is there anything to compel them to do so?—I do not know whether there is any regulations in existence made by Ministers. That the Under-Secretary will be able to tell you.

11. I should like to know if you consider it a good system to draft men from the Permanent Artillery to the Police Force?—So far as the Permanent Force is concerned I think it is a very bad system, because I drill my men to a certain extent, and when I get them so far drilled they go away and are of no further value as soldiers. It is a waste of time from a military point of view their going into the Permanent Force before being taken into the police.

12. It is only the best-charactered men of the Permanent Force who have been transferred to the Police Force?—I cannot say.

13. But you know if a man has an indifferent defaulter's sheet in the Permanent Artillery he is not transferred to the Police Force?—That depends entirely upon the Commissioner.

14. At any rate, speaking as you do as Commander of the Forces, you would prefer that the best-charactered men of your Force should remain in the Artillery?—Most certainly.

15. Now, from your experience of matters connected with military disturbance and war, do you not think that, should there be anything in the shape of war in this colony with a foreign nation, the Police Force would be required equally as much in time of war as in time of peace?—I think you would want a much larger Police Force in case of war. You would have to protect

property a great deal more than you have to now, as no doubt there would be an exodus of inhabitants from any of the towns about to be attacked.

16. May I take it that you think that any attempt to rely on the Police Force as a military reserve is impracticable?—Under the present circumstances, when the men get no drill.

17. But even if they were drilled, would not their services be equally as much required as police as they would be required as soldiers?—Of course, from a military point of view, I would be very glad to get policemen into the forts after they had been drilled ten days annually for some years, because they would have a greater amount of military knowledge, and would be of more value than men I may pick up in a hurry from outside.

18. That you would apply to any person who had been drilled, whether he was a policeman or not?—Yes.

19. *Colonel Hume.*] Might I ask you to read clause 75 of the Defence Act?—"In special cases may be transferred from place to place in aid of Civil Police.—In the case of any sudden or extraordinary disturbance of the peace, and also whensoever any such disturbance is immediately apprehended, and also for the fresh pursuit of offenders, and also for the conveyance of prisoners, the Governor may order the whole or any part of the Permanent Militia to proceed to any part of the colony, and to act therein either in aid of or as a Police Force; and, when so acting, every member of such Permanent Militia, although not sworn as a constable, shall have the same rights, powers, and authorities, and be subject to the same rules, regulations, and orders, and be in all respects in the same situation as if forming part of the Police Force."

20. *Colonel Pitt.*] That does not touch the question of the Police Force having to go up for drill?—No, that is to aid the Civil Police authorities.

21. *The Chairman.*] Do you think that is a desirable provision, placing them for the time being under the control of the civil authorities?—No; I think this paragraph only makes one suppose it was provided in case the Force are asked to act in aid of the civil powers.

22. *Mr. Tunbridge.*] Do you see any objection to the Permanent Militia acting in aid of the police when required?—No; it is done in all countries. But then the Force act under their own officers, the civil authorities saying what they want done. That is a case of special emergency, and not for the ordinary street duty of the town.

ARTHUR HUME examined on oath.

23. *The Chairman.*] You were up to what date Under-Secretary for Defence?—I gave it over two years ago.

24. Can you tell us the exact position the Civil Police hold with regard to the military branch?—I was instructed that all men in the police who had served in the Permanent Artillery were to undergo a course of ten days' gun-drill annually, and that I was to keep the men as far as possible at places where they would be available for that. I think they underwent this course for two years running, and I think we put 101 men through in two years. Then, the next year I wrote, as Commissioner of Police, to the Under-Secretary for Defence, asking him when it would be convenient for the men to be put through again, and he told me that he could not put them through, but would let me know later on. I may state I will put this correspondence before the Commission in Wellington. They did not go that year at all. The two departments could not make it convenient at the same time. Each time these men were there they were of course replaced on the streets by gunners from the Permanent Artillery. In the form of application which they filled in to be transferred from the Permanent Artillery to the police, one of the questions asked was, "Are you willing to undergo a course of drill annually?" I should like to add that I found it quite impossible to get them near the four centres, where they would be available. Some of the men were stationed at long distances away. When I gave over the Under-Secretaryship for Defence there were 200 constables who had been in the Permanent Artillery.

25. *Colonel Pitt.*] Would there be more now?—Yes, there must be.

26. *Mr. Tunbridge.*] You found a good deal of difficulty in the way of carrying this out?—Great difficulty—in fact, that is why it fell through. Both departments found great difficulty.

Sir ARTHUR PERCY DOUGLAS, Bart., examined on oath.

27. *The Chairman.*] You are Under-Secretary for Defence?—I am.

28. Can you tell us the relations between Permanent Artillery Force and the Civil Police Force?—They are two distinct bodies.

29. Are any members of the Civil Police Force under any duties or obligations to the military force?—Well, I do not know that they are under any regulations exactly connected with it, but it was a custom that the police should be called out, I think, for ten days in the year in squads to learn gun-drill, and on these occasions we used to supply a certain number of our men to take their places. That obtained, I think, for about three years. That was prior to my being Under-Secretary.

30. *Colonel Hume* said this: "I was instructed that all men in the police who had served in the Permanent Artillery were to undergo a course of ten days' gun-drill annually, and that I was to keep them as far as possible at places where they would be available for that. I think they underwent this course for two years running, and I think we put 101 men through in two years. Then, the next year I wrote, as Commissioner of Police, to the Under-Secretary for Defence asking him when it would be convenient for the men to be put through again, and he told me that he could not put them through, but would let me know later on. I may state I will put this correspondence before the Commission in Wellington. They did not go that year at all. The two departments could not make it convenient at the same time. Each time these men were there they were of course replaced on the streets by gunners from the Permanent Artillery. In the form of applica-

tion which they filled in, to be transferred from the Permanent Artillery to the police, one of the questions asked was, 'Are you willing to undergo a course of drill annually.' Do you agree with that?—That is so. It went on, as I stated, for two or three years, and the last year it was observed was, I think, 1895. Well, in 1896, when it was thought that, as usual, we should send our men to do duty while the men were in the forts at drill, circumstances arose which made it very inconvenient, or almost impossible, for them to be drilled at once, and since that time I understand that custom has not been carried out any further.

31. *Mr. Poynton.*] Have you an expert knowledge of gun-drill?—Yes.

32. Supposing a constable was at the depot for three months, and a portion of that time was devoted to gun-drill, do you think it would be an advantage?—No, I do not.

33. You think it would not be long enough?—No; I may say I was an instructor in gunnery for about six years before I was in the Artillery Force of this country, and I do not think you can make a gunner in three months. We used to spend years and years of training at it.

34. *Colonel Hume.*] Do you think that if a man was thoroughly trained in gunnery previously that ten days a year would keep up his efficiency?—If he had ten complete drill-days every year, and he was really thoroughly efficient before he began, it would keep him from going back. I think, for instance, that if a man were to complete his drill on the 31st December, and then another year elapsed before he got his ten-days' drill, it is quite possible he would have forgotten a good deal.

35. And the gun-drill is changing almost yearly?—No, I should say, not now. Except in minor points of drill I should say it ought not to change very much.

JAMES HICKSON further examined on oath.

36. *Rev. Mr. Isitt.*] You have been twenty-eight years as Inspector and Sub-Inspector?—Yes.

37. You have read your evidence in the newspapers—is it generally correct?—Yes.

38. I am right in assuming you speak favourably of the efficiency of the Force in Auckland?—Yes.

39. You had nothing to complain of except inadequate numbers and some want of intelligence?—More a want of experience.

40. With regard to the efficiency, when do you date that back to? Do you refer to the immediate present, or since your term in Auckland have you regarded the Force as sufficient?—I do consider the short time many of them have been in the Force; and, of course, efficiency must be governed in a great measure by length of time in the service. Efficiency can only be gained by experience, in a great measure.

41. You do not share the opinion of some Inspectors that the mode of appointing them interferes with the efficiency of the Force?—That is very general.

42. Have you read the evidence given by Inspector Broham in Christchurch?—I have glanced at it—not very carefully.

43. Would you say that of late years the Inspector's authority has diminished?—No; I have never known a case in my district.

44. But have you not lost some authority or power that you had as Inspector some years ago?—Yes.

45. Could you not some years ago make transfers of sergeants and men within your own district?—Yes.

46. Can you now?—No.

47. Then that power is curtailed?—That was a matter for the head of the department.

48. There is an explicit statement that the power of Inspectors has been curtailed of late years?—Many years since.

49. How many years since you could make transfers?—I think eight or ten years. I cannot say accurately; I only speak from memory.

50. *Colonel Pitt.*] Is it since the provinces were abolished?—Yes, for I remember one particular case when I was in the Lake district in Otago, and a man was sent to me for a certain office, and I did not think he was quite suitable, and Colonel Reader replied to me that I could make what changes I thought necessary in my own district as I was responsible. Very soon afterwards I was told to the contrary, that sergeants and constables could only be removed by direction.

51. *The Chairman.*] Was that after Colonel Hume came into office as Commissioner?—No, before Colonel Hume was Commissioner.

52. *Rev. Mr. Isitt.*] Are you consulted now as to promotions?—On the last occasion I was.

53. During the last five years, have you been constantly consulted as to any promotions?—There have been no promotions, therefore I was not consulted.

54. Was it the rule that you should be consulted many years ago?—Well, it is so very long since anything of the like occurred that it really requires a little time for consideration.

55. Then you have never been impressed with any change in the mode of procedure in that respect?—No.

56. Are you consulted as to appointments?—No.

57. You are never asked anything as to the character or fitness of candidates for the police?—I send away with the application of every candidate of this district several testimonials from respectable persons, and unless the candidate has such testimonials I do not send forward the application.

58. You attach reports as to character from citizens?—Yes.

59. Do you make any separate inquiry of your own?—No.

60. Do you report as to his fitness?—No; the application speaks for itself. I have never been asked to make any further inquiry beyond attaching certificates from respectable people in the district as to his fitness, and whether he is a well-conducted, sober, and honest man.

61. Then, I understand, if a candidate made application for the Police Force, anybody might report concerning him, but you would not specially report as to his fitness?—No.

62. Can other people form as good an opinion of his fitness as you can as an expert?—No; because I would not have had any experience of him as to his fitness for a constable. He might come to me to-day and say, "I desire to join the police." The first thing I would ask is, "Where are your testimonials?" He presents them, and if they are satisfactory I give him a form, and when that is filled up I send it away to Wellington.

63. But if you and I had interviewed a man, could you not form a better estimation of his fitness than I?—Not in the short time I would see him, except in the matter of his physique, and I generally state my opinion as to his physique, and whether he is in good health or otherwise.

64. But, as a matter of fact, you are not specifically consulted as to the man's fitness, beyond sending on reports of other people?—That is so.

65. Everything is controlled in that matter from Wellington?—Yes.

66. Was it always so?—Yes, to my knowledge.

67. Then, if another Inspector were to say that the present system produces a spirit of insubordination and disobedience, would you confirm that statement?—There may be individual cases, but I would not confirm it, speaking generally.

68. Speaking generally?—No, I would not confirm it.

69. Would you indorse this statement: that "Men were appointed who had never been seen either by the Commissioner or by any officer of the Force"?—I cannot. I do not know, and have no means of knowing, whether the Commissioner has seen them or not.

70. Do you happen to know whether they are seen by any other member of the Force?—I do not.

71. Would you indorse this: that "No inquiry is made by anybody connected with the police regarding the character of the men who are appointed to the Police Force"?—No. I take it they produce some testimonials as to character, as I require myself in my district.

72. I will read some of Inspector Broham's evidence to you: "During the whole five years I have had a large number of men physically weak. They had often to go on the sick-list. A large number were not of sufficient intelligence to satisfy me, and a large number were in no way fitted for the police duties they had to perform. There were men, too, who had no sense of duty, and in them there was no spirit of obedience. The powers of Inspectors have been very much curtailed of late years. Formerly Inspectors had authority to remove within their own districts all sergeants and constables from station to station. That power was taken from them. They have not been consulted of late years regarding promotions, nor as to the transfer of men under their charge. They know nothing whatever of the transfers until the men were told to go to different places, everything being controlled from Wellington. The constables knew that the Inspectors' powers were largely curtailed; they knew that it was not by steady attention to their duty that promotion was to be obtained or advancement given, and they sought promotion and advancement by political influence. The system directly bred insubordination and the spirit of disobedience throughout the Force." Have you any general expression of opinion as to the correctness of that evidence?—I indorse a very small part of it, generally, at the beginning, but the greater part of the evidence I cannot indorse. For instance, I have said already that I had no power to transfer sergeants and constables. There have been no promises for many years, and there has been no necessity to consult me until Mr. Tunbridge obtained command of the Force. I was very glad to be consulted then, because there were many estimable men in the district whom I was glad to recommend.

73. *The Chairman.*] Is the portion of that evidence which you indorse the part relating to the reduction of the Force?—Yes.

74. Not to that about recruits?—Certainly not, because I do not know but what the Commissioner may have seen every one of them.

75. *Rev. Mr. Isitt.*] If men were appointed on these lines in other districts, would you regard it as calculated to destroy the efficiency of the Force?—You have read a very large paragraph, and I would be glad if you would subdivide it.

76. If it were true in other districts that men were appointed without the Commissioner of Police or any officer seeing them, do you think under that system you could get efficient men?—I do not suppose men would be appointed under such circumstances.

77. I ask you, suppose in other districts men have been appointed under such circumstances, would you expect to find that you would get efficient men?—I would not.

78. If this were true in other districts, "The Commissioner does not see them, and no inquiry is made by any one connected with the police regarding the character of the men who are appointed," would it be possible under those circumstances to get effective men?—It would not; but I cannot conceive how such a state of things could be. I have no knowledge as to how the Commissioner performs his duty in Wellington.

79. *The Chairman.*] Do you know who appoints the police?—I cannot tell. They come to me by order of the Commissioner, and as a rule they are not appointed until they come to me and are sworn in.

80. *Rev. Mr. Isitt.*] If this be true, in other districts, that "Men knew it was not by steady attention to their duty that promotion was to be obtained or advancement given, and they sought advancement and promotion by political influence," what would the effect be?—I consider very injurious to the force, but I have never had any experience of such.

81. Now, with regard to the efficiency of your own men, you say you are generally satisfied with them during the five years of your authority in Auckland?—Of course, there have been defaulters, and they have been dealt with; but on the whole I can speak well of them.

82. With regard to burglaries that occurred twelve months ago?—Yes. Insufficiency of numbers was what was at fault.

83. Can you give us a return of the number of burglaries reported in Auckland last winter?—Yes; I can give such a return. In 1897 there were 150 reported, in connection with which twenty-three males and sixteen females were committed for trial, and eleven were discharged; the total number apprehended being fifty.

84. Can you give me a return of assaults and robbery with violence?—Yes. There were 237 common assaults reported, and 230 people were apprehended or summoned, and ninety out of 230 were acquitted and discharged.

85. Do the assaults include robbery with violence?—No. There were twenty reported, four were committed for trial, and two were discharged, and six were apprehended out of twenty reported.

86. Can you tell me from your own knowledge by whom the larger number were apprehended—by members of the Force?—I cannot tell you now.

87. Ought you not to get special help—an augmentation of force in this district?—I got an augmentation to the Auckland Force.

88. To the regular Force or to the Detective Force?—Both.

89. Was Detective Maddern brought up from Christchurch?—Yes.

90. Specially to deal with this?—He was sent up to me at the time when burglaries were pretty rife, and so was Detective Herbert, from Invercargill—he was sent on to the Thames.

91. Did the arrests, apprehensions, and convictions multiply much when these men came up specially?—The annoyance ceased almost instantly when these men came up here.

92. Do you adduce from that that this ceased owing to the augmentation to the Force?—Certainly; because up to that time there was only one detective here, and his hands were full making inquiries and so on, and it was impossible for him to cope with them all.

93. Then I gather distinctly that your Force was insufficient until you got this augmentation. When did you get these men?—A little less than a year ago.

94. Nine or ten months ago?—Yes.

95. You say, with regard to the gambling-laws, that you are satisfied that everything is done that could be done?—Yes. The gaming- and gambling-laws are also as insufficient and offer as many difficulties as the licensing-laws. I mean the legislation is not sufficiently strong to enable the police to cope with the evil.

96. You say the laws against gambling will not allow you to cope with the evil?—No, they will not. I have had a few convictions here under very great difficulties.

97. *The Chairman.*] What evil of gambling do you refer to?—Betting.

98. What sort of betting?—Street betting and keeping “tote” shops.

99. *Rev. Mr. Isitt.*] Is that the particular class of gambling in regard to which you mean the law is defective? If there are gambling-dens in the town have you power to deal with them?—Not sufficient power.

100. Are you aware in Christchurch there have been convictions under the present laws?—I believe so, and I have had convictions.

101. You say there are four suspected “tote” shops?—Yes.

102. And have you had convictions against them?—Yes; three were convicted, and one case had to be abandoned owing to the absence of an important witness.

103. Any other convictions of “tote” shops?—Yes, there have been.

104. In Auckland City?—Yes.

105. Then the three convictions do not cover all?—Yes. Those were obtained in one week.

106. How many convictions have you had in five years in all?—Perhaps two more.

107. Perhaps there have been five convictions in five years?—Yes.

108. Have you had any convictions for street betting?—The first case of the kind that I had here after I came was dismissed by the Resident Magistrate. He held there was no law against it.

109. Have there been none since?—None.

110. Five convictions of “tote” shops and one ineffective prosecution for street betting is the record for five years?—Yes. I may say that in other cases where there appears to be anything like a *prima facie* cause I consulted the Crown Solicitor—and there were many such cases where I consulted the Crown Solicitor—as to whether there was any use in proceeding with the cases.

111. Are you correctly reported in stating there is a good deal of street betting?—Yes.

112. And a good deal of gambling done?—Yes; generally at the racecourse and by Vulcan Lane.

113. And you say particularly among young people?—Yes; and some men well advanced in years too, and apparently respectable men. They frequent Vulcan Lane and bet.

114. As a matter of fact, do you not have to put a constable specially in Vulcan Lane?—Yes; and at first I had to put two men on to keep the footpath clear.

115. Do you still keep a man on for that purpose?—Yes.

116. Every day?—Yes.

117. How many hours a day?—From 9 o'clock in the morning till evening.

118. What hour in the evening?—Five o'clock, because as a rule the people who are in the habit of frequenting there go home then.

119. On special occasions, is he there late at night?—No. I have had no occasion to keep him on late at night.

120. Then, betting involves the maintenance of a constable every day on duty to keep the street clear at Vulcan Lane, and sometimes two men?—Yes, there have been two men there.

121. Have there frequently been two men?—Not lately.

122. While you were short-handed, and had to have the Force augmented to cope with

burglaries and robberies with violence, you had to keep a man there specially to cope with this betting?—Yes.

123. *The Chairman.*] Did you tell us you made a special beat in order to cope with this?—Yes.

124. For how many weeks or days in the month?—It is going on still, and has been in existence for over twelve months.

125. What are the boundaries of that beat?—Only Queen Street. I find it necessary, as I cannot stop gambling otherwise.

126. *Rev. Mr. Isitt.*] Then there is still a special beat for that purpose?—Yes.

127. I suppose you use the ordinary Police Force besides the Detective Force to try and detect burglaries?—Yes.

128. Ordinary policemen would be making inquiries to try and trace burglaries?—Yes. The detectives are aided by what we call “plain-clothes men.”

129. One of these plain-clothes men might have to be on duty to keep this footpath clear?—No, I never put them on, as I leave them to discharge the duties of assisting the chief detective.

130. Might not the man who was on duty in uniform to keep this footpath clear of betters possibly have been employed in some way assisting the detectives with regard to burglaries and robberies with violence?—No, I do not think so, because he has nothing to do but to keep Vulcan Lane open.

131. But if he was not there?—Of course, if I did not require him at Vulcan Lane, he would be available to help the detectives and do ordinary police duty.

132. You say young people are gambling. What class of young people do you mean—young people in factories and workshops?—Yes.

133. Almost children?—Youths of fifteen and sixteen indulge in street betting. We have had a few prosecutions and convictions.

134. Boys and girls?—No; boys only.

135. You do not know anything of girls visiting or communicating with “tote” shops?—No; I have not heard of such cases.

136. Of course, you regard gambling as a much less serious offence than burglary?—They are both serious offences, because gambling leads up to more serious offences ultimately. Burglary is a much more serious offence than gambling.

137. That is, officially, you pay more attention to burglary than to gambling?—Yes; I would sooner catch a burglar than a gambler.

138. *The Chairman.*] Do you say these boys of fifteen and sixteen bet with men in Vulcan Lane, and you have had convictions?—In Vulcan Lane I have had no convictions. I have reason to believe they do bet.

139. *Rev. Mr. Isitt.*] Where do you say these boys do bet?—On the racecourse.

140. With whom?—With men.

141. On the totalisator?—No doubt.

142. Have you had any convictions with reference to boys betting with men on the racecourse?—Yes.

143. Do you know anything of boys betting in the streets of the city?—I do not know it, but I have very good reasons to believe they do. There is a difficulty in catching them. Really, there is only the person with whom they bet who can give conclusive evidence of it.

144. Do you know anything of boys frequenting “tote” shops?—No, I do not.

145. Have you ever had “tote” shops watched?—Yes.

146. Specially?—Yes.

147. Lately?—Yes. As I said before, they are very cautious now. They will not bet when there are three persons present, nor will they bet with any persons in whom they cannot place implicit confidence. Then they will not bet with strangers.

148. I suppose “tote” shops are kept by men who have ostensibly some other business: do not they run them under some other trade, apparently?—Yes; such as tobacconists. Boys might go in there for cigarettes, and we would have no knowledge of them betting, although we might suspect it.

149. Then, partly from the inadequacy of your Force and partly from the difficulty of the gaming-laws, you cannot suppress gambling?—It is more from want of legislation to deal with the evil; there is great difficulty in obtaining evidence.

150. *Colonel Pitt.*] What legislation would meet a case of that kind, where, you say, there is no third person present, and where they will only bet with those they can absolutely and implicitly trust?—That would be for the wise men in Parliament to consider.

151. Can you suggest any legislation?—I have no doubt there would be great difficulty in framing a law to meet such a case.

152. Can you suggest anything to meet the case?—Yes, in this manner: that the police should have more power to enter. At present we cannot enter without a warrant; and we should have power to seize books supposed to be kept in the place where they have ample evidence that bets are laid.

153. Do you suppose you would find evidence of persons' names in the books?—Yes, in many cases.

154. Because we have been told in other places—in Wellington—that when such a seizure was made there was nothing to indicate with whom a bet was made?—I have had proof of it.

155. Once a conviction has been obtained against a man, will he not fix his books up afterwards?—Yes, I dare say he would.

156. *Rev. Mr. Isitt.*] Would you say there is any hostile feeling on the part of the community to the enforcement of the gaming-laws?—I think all respectable residents are opposed to it. On the whole, I think all the respectable community are opposed to it.

157. Do not a large proportion of the people bet in one way or another?—I would not say a large proportion. If you include the totalisator there is a very large proportion.

158. *The Chairman.*] What is the difference between gambling?—One is permitted and the other is not.

159. *Rev. Mr. Isitt.*] If there is a very large proportion of the people gambling, you would not expect a strong feeling in support of forcing the gaming-laws?—No.

160. You said the licensing-laws are remarkably well enforced in Auckland?—Yes.

161. Probably better here than in any other centre?—Yes, that is my experience.

162. You say during the whole term of your five years?—Yes.

163. Last winter would it be so?—Yes.

164. You do not make any exception?—No; perhaps they are better conducted than they were some years ago. I believe they are for this reason: Certain clergymen and certain owners of public-houses conferred together, and a meeting of the Licensed Victuallers' Association was called; and I believe a proposition was made by the owners of the property consenting to reduce the rentals of the publichouse if the licensees would observe the laws better. I understand the amount of rent of many publichouses in the city has been reduced very considerably by the owners of the property, on the express understanding that if any breach of the law was discovered the hotelkeepers would forfeit a certain sum of money, and likewise be liable to ejection from the hotel.

165. When was this conference held, approximately?—I cannot speak personally of my own knowledge, but what I have heard and been informed, it is about twelve or eighteen months ago since the meeting of clergymen and owners of publichouses was held.

166. You said that the licensing-laws had been well enforced for the last five years?—Yes, I still say so, considering the difficulties the police had.

167. What was the need for this special agreement to improve them?—I suppose they thought it better. I cannot say what the object was, but no doubt it caused a very great improvement.

168. Well, would you not suppose, if the owners were willing to very largely reduce the rents to have the law observed, there must have been a very considerable non-observance of the law to induce them to make such a concession?—Yes, I suppose there was. When I said that houses on the whole were very well conducted, I mean considering the difficulties the police have had to contend with, and the difficulties of the law.

169. You say the laws were fairly well enforced. By whom?—By the police.

170. You were short-handed?—I have been short-handed ever since I came to the district until quite recently.

171. You had not enough to cope with burglaries and robberies with violence?—No; not as many as I required.

172. You needed one man and sometimes two to keep Vulcan Lane clear?—Yes.

173. And how many did you require to enforce the licensing-laws: one for each publichouse?—Not quite.

174. If you did not need a man to keep the street clear, you would have another man to watch some hotels on Sunday evenings?—Yes, some hotels.

175. Have you had that man?—No.

176. *The Chairman.*] If you had had one man to watch every house, could you have done it?—I doubt it under the present law.

177. *Rev. Mr. Isitt.*] It means that your statement that the licensing-laws are fairly well enforced amounts to very little?—It means that the law is observed as much as the police can do.

178. Do you still say the licensing-laws are well carried out?—I want to qualify it.

179. Did you qualify it in your evidence in chief?—I suppose not.

180. After considering the circumstances, can you say if the licensing-laws are well carried out?—I say the licensing-laws are carried out as well as the police have power to carry them out.

181. It seems from your evidence that the fact that they were not carried out was not the fault of the police, but because the police could not carry them out?—They were as well carried out as the law empowered the police to do it.

182. Can you submit your reports to the Licensing Committee for this year and last year?—Yes.

183. Do they show any considerable breaches of the law in many instances?—Yes. Occasionally there have been breaches of the law, and so far as they have come under the notice of the police they have been reported and proceedings instituted.

184. Now, if some extremist were to give evidence that probably scarcely a publican in Auckland kept the Sunday law, would you indorse it?—I dare say nearly all of them commit breaches of the law every Sunday.

185. Do or did?—Did and do.

186. Notwithstanding the conference?—Yes. I have only my suspicion of them, considering the law that is in force.

187. Did you ever tell any body of gentlemen that you believed that scarcely a publican in Auckland kept the law with regard to Sunday trading?—I say almost the same now, with a very few exceptions. There are a few, I believe, who never open their doors on Sunday.

188. Did the great mass of hotelkeepers trade very well on Sundays?—That is my opinion.

189. Did and do?—Yes.

190. In what way?—In one way that the most of them have only within the last few weeks kept a sentry outside their door to watch the police coming up. It has been reported that the police could not approach any hotel without an alarm being sent in. Within the last few weeks I have had reported that there has been no one on guard. I may say that the publichouses are visited frequently by a sergeant and constable in plain clothes.

191. How do they give the alarm?—The sentry gives the alarm either by an electric bell or by some private signal.

192. Where would the electric bell be placed as a rule?—Some at the front door.

193. And others?—They have to go inside.

194. Are there any under the window-sills outside?—I am not aware of it.

195. Have you had any report of any specially suspicious bells?—No. The telephone is made use of to warn the surrounding hotelkeepers that the police are on the round.

196. Do the police go at fixed hours every Sunday?—No, at different hours.

197. Do you personally inspect hotels?—I do not.

198. Who does?—Sergeant and a constable.

199. Do you inspect hotels before you report to the Licensing Committee?—I do not. I have not done so because I have not had time.

200. Do you depute your duties to the sergeant?—Yes.

201. Do you instruct him to look out for secret bells?—I have never had a report of any, and therefore there must be no cause to instruct him on that particular point. Secret bells are not known to me.

202. Did you need evidence before the Commission to acquaint you of the fact that bells were used as signals? Would you be surprised to hear that I have known of it for ten or twelve years?—You may.

203. Do you not think that an Inspector of Police ought to know more about secret bells than any person?—I do not think so.

204. Have you not known for the last twenty-eight years that the laws have been broken on Sunday and at other times?—I have believed so.

205. Do you not think it was your duty as a Police Inspector to find out how they outwitted you?—The mere fact of seeing the police coming is sufficient. They are too cautious to be caught.

206. Did it never occur to you to hunt out the means by which they signalled?—They have a man outside. If the landlord could not be outside, he would have some one instructed to stand outside and give warning when the police were coming.

207. I have elicited the fact that you never thought it necessary to look out for the means of communication with those inside when the police were coming?—No; because I always understood the warning was sent through the watchman kept outside.

208. Are you aware of any frank confession from members of the trade as to Sunday trading?—I cannot call any to mind.

209. Have you read the *Licensed Victuallers' Gazette*?—I have only time to look over the morning and evening papers.

210. You know it is your duty to control the liquor trade?—Yes.

211. *The Chairman.*] You have more serious crimes, such as burglaries and robberies?—Yes; they require my attention more than licensed houses.

212. *Rev. Mr. Isitt.*] Would this have any weight with you if the editor of the *Licensed Victuallers' Gazette* in Auckland were to write, "We suppose there is not one hotelkeeper in the Auckland District who is not asked every night in the week to serve liquor after 10 o'clock, and we dare say that very few publicans refuse to supply the thirsty souls, for each knows that, though he may be perfectly willing to close at the correct hour, his fellow tradesmen are taking the risk of a raid": would that lead you to think it was desirable to look into it if you saw a thing of that kind published?—It would not matter very much, for this reason: that the police could not do very much more than they have done with the laws in force. I have heard a very able Magistrate here say one time that the police were better employed in detecting burglaries and robberies than in watching publichouses. That gentleman is still in the district, but he is not in the service now.

213. You said, in answer to a question, you attributed the difficulty in carrying out the licensing-laws to the hostile feeling on the part of the mass of the community to the strict enforcement of these laws?—Yes.

214. Do you remember the poll which was taken in December, 1896, on the licensing-laws?—Yes.

215. 4,783 voted for "no license" in Auckland out of a total number of votes of 13,084?—I remember seeing it reported in the papers.

216. And 5,317 for a reduction?—I dare say it is a fact. I cannot question it.

217. Probably six or seven thousand in all voted for "no license" and reduction?—I cannot say.

218. Would you not regard it as probable that every one of those wants the licensing-laws strictly enforced?—I am not quite prepared to offer an opinion on that point, because I do not know whether the figures are correct.

219. Do you not think those who voted for "no license" and reduction would want the licensing-laws?—I cannot say that.

220. From what do you get your information as to the hostile feeling?—I will qualify that by saying that I think the majority of the women would vote for a strict enforcement of the licensing-laws.

221. You think the Prohibitionist vote is a woman's vote?—I think so.

222. Do you not think that a good many of those who want publichouses maintained also want the laws well enforced?—I dare say some of them do. They like to see the publichouses kept in a respectable manner.

223. Have you any return of the total number of persons convicted during your five years for sly-grog selling in the King-country?—Yes; there were eighty.

224. With regard to the King-country, you know that a deputation waited on the Hon. Mr.

Thompson, on the 31st May, last year, regarding the non-enforcement of the law?—It is not within my knowledge.

225. Were you not interviewed concerning it?—I have no recollection.

226. Do you not remember the publication of the statement?—There have been so many statements published that I do not recollect.

227. Do you not remember the fact being published that something would have to be done, but he would not say what, to more strictly enforce the law against sly-grog selling?—I have some recollection of the statement.

228. Prior to that period had much been done?—I had sent two policemen in plain clothes up there on several occasions with instructions how to strive to detect, and on every occasion there were one or two convicted; but the great difficulty they had to contend with was the fact that people would not supply liquor except to well-known persons or persons introduced to them. They would not supply strangers.

229. Some of your men obtained convictions, did they not?—They did.

230. Which of them?—I have had so many men up there that I would have to refer to the records.

231. Constable Cavanagh?—No.

232. Was he not in the King-country?—He may have been, but not since I came here.

233. Constable Stanyer?—Yes, he has obtained many convictions.

234. Several?—A great number of them.

235. Five or six?—Yes, and more.

236. Is Constable Forbes in that district?—Not since I came into this district.

237. He preceded Constable Stanyer?—Constable Steele.

238. Did he obtain some convictions?—I cannot say; he did not serve very long there.

239. You say you have several times sent men in plain clothes?—I have.

240. And they were successful?—One or two cases only resulted.

241. Were they men of your own, sent from this district?—Yes.

242. Did you ever have any men sent from outside the district?—Yes.

243. More than once?—No.

244. Did you specially apply that men should be sent specifically for this duty?—I did, for the reason that all the men in Auckland were too well known to be sent up.

245. You sent to Wellington?—I did.

246. Were men sent in response?—No, not immediately.

247. Did your application result in two men being sent up from any place?—No.

248. Were not two men from the Permanent Force sent especially from Wellington in response to your appeal?—They may have been, but not to my knowledge, because I know before Sergeant Cullen went up there were men up there without my knowledge.

249. Did you not give instructions to those two men?—No.

250. Are you sure your memory is not failing you?—I am quite sure on that point.

251. Do you not remember telling me that you had given instructions to two men who were sent up to Otorohanga?—Those were two Auckland men whom I appointed. They had been here for a few days and were sent up to Otorohanga.

252. Had they been long in the Force?—Only a few days. They were entered here.

253. Had you any reason to suppose they were specially qualified for the work?—The only qualification I required of them. I gave them instructions how to proceed: that they were to keep themselves quiet, and go about seeking for work, and were not to be too anxious to obtain evidence which might lead to convictions until they had been there some time—a week or a fortnight.

254. Practically, you mean they were to go up as strangers?—Yes.

255. You gave instructions to them in your own office?—Yes.

256. Did anybody know the instructions?—The sergeant in charge would probably know.

257. Anybody else?—The district clerk would know.

258. Do you happen to know of the hour you gave the instructions?—No, I cannot remember.

259. Would you be surprised to know that the Auckland publicans announced that they were going?—It would surprise me. I always instructed them carefully to inform no one—not even their comrades—where they were going, or the object of their departure.

260. Did you watch them at all to see whether they were fitted for their work?—No.

261. Did you see their swags?—No.

262. Is it within your knowledge that their swags had an Armed Constabulary look about them?—If I gave my opinion I should say they did not.

263. But you did not see them, and of your own knowledge cannot say?—I cannot say, but there is a man in this room who can.

264. Do you know whether they were recognised at Te Awamutu?—I do not.

265. Do you know whether the Te Awamutu public called them "traps" when they went there?—I do not.

266. Did you give them railway-ticket passes?—Tickets were obtained for them by train as if they were labouring-men, but they were not the regular passes such as the police use.

267. Government tickets, though?—They were not.

268. Did they use a pass of any kind?—They had the ordinary labourer's pass, the same as any person travelling by train would get; a second-class ticket.

269. Did you apply for them?—I did.

270. Personally or by letter?—Both; from the District Traffic Manager.

271. Then, any member of the staff might know you had obtained labourers' passes for these men?—I cannot vouch for what they might do.

272. There was no reason why they should not?—Yes, there was a reason. We gave requi-

sitions, and, instead of those requisitions being used or free passes being given to them, they got the passes which ordinary labouring-men would receive; and that should be only known to the ticket-clerk and the chief clerk in the manager's office.

273. How would an ordinary labouring-man obtain his ticket: would he have to go to you?—Certainly not.

274. Would he not go to the railway-office and get it himself?—Yes. But instead of paying cash they had tickets which they handed in at the ticket-office.

275. Then those men did not pay cash?—No.

276. *The Chairman.*] Who would deliver those tickets to those two men?—They came from me.

277. Were not tickets issued to you to give to the men?—No; but requisitions were issued by me and given to those men and taken to the railway-station. Instead of paying cash they handed in these requisitions, and got tickets the same as any other person.

278. What is the difference between that and a police-pass?—A police-pass is permanent, and is retained by a man as long as he is in the service.

279. What was your reason for adopting that course?—Because I had heard that the officials in the railway disclosed the fact that the police were on the train.

280. Would it not have been better to give them the money to put in their pockets to pay for the tickets in the usual way?—Perhaps it would; but the men did not have the money to pay cash.

281. *Rev. Mr. Isitt.*] I was going to ask you if you knew railway officials disclose information?—I do not know, but I have heard so.

282. Does it not occur to you that, if anybody on the railway would disclose information, it would be safer to give the men the money and let them pay for the tickets than that you should be in it?—They had tickets which they showed to the guard, the same as any other person.

283. But, before it got to the guard, would it not be safer to let them buy their tickets, so that anybody in the railway would not know you had anything to do with it?—Perhaps it would.

284. Did a sergeant in uniform go down to see them off?—I am not aware of it.

285. If a constable swears that a sergeant in uniform did go down, would you deny?—I could not deny it.

286. Were these two men long there?—I cannot call to mind the men you specially refer to.

287. I am referring to the two men who were only a few days in the Force, whom you specially sent up?—That occurred several times.

288. Did you always give men tickets in the same way?—I do not think I did.

289. Did you get tickets more than once for two men?—I did.

290. Did you know anything of men who went up there, one of whom wore police-trousers before he had been there many weeks?—I have heard that such a thing occurred. I subsequently referred the matter to the police constable stationed at Otorohanga, and he said that no such thing occurred there.

291. Did these men catch many?—I cannot call to mind what particular men were there.

292. Had you not a very clear recollection of the two men referred to when you and I talked about the matter a year ago?—I cannot call to mind who these two men were.

293. Do you remember talking to the Rev. Mr. Gittos and myself about two men?—I do.

294. You cannot recall these two men?—I cannot.

295. Is much sly-grog selling reported to you to be still going on in the King-country, despite Inspector Cullen's raid?—There is some near the tunnel, but not much at Otorohanga and at Te Kuiti. Lately I have had a report that some shanties have been erected up there.

296. At Otorohanga there is very little?—Very little.

297. At Te Kuiti?—Very little.

298. How is that suppressed?—As a result of convictions by Constable Stanyer. He has had several convictions at Otorohanga.

299. Can a well-known constable in uniform cope effectively with this evil?—He cannot; they would not supply a constable.

300. Suppose Constable Stanyer were to ride in search of evidence, is there anything to prevent notice being given of his coming?—The fact of his being seen coming would put the sly-grog seller on the alert.

301. Could they also see the direction in which he is coming?—I dare say they do.

302. Can the constables in this city be said to have a free hand?—Certainly.

303. You give your men a free hand?—I do.

304. Can a man be said to have a free hand if he has all sorts of other duties to discharge?—Yes.

305. If a detective wants to detect a crime, I suppose he goes away and does what he likes, practically?—No.

306. If you have got a man on ordinary duties he must be at his rooms at certain times? Can he adopt such methods as will enable him to cope with the cunning of an illegal seller?—If he is put on specially for breaches of the Licensing Act he is not to be at any room at all.

307. Is Constable Stanyer up there specially, and can he be said to have a free hand?—He has a perfectly free hand. I have instructed him to use his utmost endeavours to detect breaches of the licensing-laws, and I am happy to say he is successful.

308. While he is not trammelled by other instructions he is trammelled by his conditions?—Yes. But I remember well one of his cases where he discovered information instantly by overhearing a conversation that was not intended for him. I remember one night at the election of a School Committee the members were discussing the merits and demerits of a certain election, and through

overhearing them he obtained information that they had gone into a certain house and obtained liquor. He obtained a conviction for that.

309. Are you familiar with the Native areas where there are licenses?—Yes. There are two at Te Awamutu, two at Kihikihi, two at Ngaruawahia, one at Huntly, two at Te Aroha, one at Hokianga, three at Kaipara, and nine at Hauraki, including the Thames.

310. There are Natives in all these districts?—Very few. In some there are Natives, and in some none.

311. I think they are all more or less Native areas?—In some districts there are many Natives and in some others only a few.

312. Do you know of any cases of liquor sales to Maoris reported to you from these areas?—I do not remember one of sales to Natives.

313. Are there any of these districts in which the Natives predominate?—None.

314. Have you any knowledge of breaches of the licensing-laws regarding Natives in these districts where there are publichouses?—No.

315. Natives supplied after hours?—No.

316. Natives supplied when intoxicated?—No.

317. Or supplied on Sundays?—No.

318. You know nothing of such cases?—No.

319. Referring to the period between the 7th and the 17th December, 1896, in regard to the case of Matthew O'Brien, was he in the hospital between those dates?—I am not aware of it.

320. Will your report show?—No.

321. Did your report concerning him say as to where he was on that date?—No.

322. Did you on that date report in regard to Constable Matthew O'Brien, that he was in the hospital suffering from severe debility?—Yes. He was ill from the 1st December until the 23rd December, 1896. That is the return I furnished on the 1st January, 1897.

323. *Colonel Pitt.*] In the hospital?—No.

324. *Rev. Mr. Isitt.*] Did you know him to be in the hospital any part of that time?—No.

325. Do you now know he was in the hospital at any time?—From inquiries made I know he was in the Hagey Institute.

326. Was the Hagey Institute for the treatment of general debility?—No, not necessarily. The Hagey Institute is for the purpose of curing persons addicted to drink or suffering from alcoholism or nicotine.

327. And at the time you reported, did you know then that he was in the Hagey Institute?—Yes, from inquiries.

328. You took the doctor's certificate of general debility and suppressed the fact of other causes?—I did not suppress anything.

329. You did not report anything?—I did not.

330. *The Chairman.*] Where is the doctor's certificate in your report?—This is the certificate: "This is to certify that Police-constable O'Brien is under my care and unable to attend to his duties, suffering from very severe debility, caused by heat.—EDWARD W. SHARMAN, L.R.C.P., &c.—2/12/96."

331. *Rev. Mr. Isitt.*] Do you know that the Hagey Institute was not established for at least six or eight months from that date?—I do not.

332. Do you know that it had not been heard of in New Zealand at that date?—I was not aware of it.

333. You do not know that at that time he was in the Auckland Hospital?—No; I never heard he was in any hospital except the Hagey Institute.

334. Then it was not with a knowledge of his being there that you reported him suffering from debility—you supposed him to be in the Hagey Institute?—I supposed he was.

335. It was evident you knew he was suffering from the effects of alcohol?—I cannot say that; but I knew he was a man who used to tittle, but I never saw him under the influence of liquor.

336. Did you ever use the word "tippler" or "sot" concerning him?—I cannot call to mind; perhaps I have.

JAMES HICKSON, further examined on oath.

337. *Mr. Tunbridge.*] You are Inspector of the Police Station at Auckland?—Yes. I never heard of the order mentioned by Mr. Frank Palmer in this letter a few days ago. I never heard of its existence. In all my experience I never heard of such an order anywhere.

338. Or of any such rule as that the watchhouse-keeper is supreme in the watchhouse?—There is no such rule to my knowledge. On the contrary, it has been laid down that every order given by the superior officer must be obeyed by a junior or inferior officer. He must first obey it. If he thinks it is contrary to orders, it is for him to bring it under the officer in charge; but the order of the superior must be obeyed without question or command, otherwise it would be treated as insubordination.

339. In that case the watchhouse-keeper would be expected to act on the orders of any sergeant?—Yes, on the station.

340. And if there was anything to complain of it would be his duty to report it afterwards?—Yes.

341. *Mr. Palmer.*] Then, Inspector Hickson, you have never heard of any written orders being given to the watchhouse-keeper as to what his duties are?—The duties are laid down in the regulations. I have heard of no other orders, either written or verbal.

342. His duty you say is laid down in the regulations?—Yes.

343. Will you say where in the regulations his duties as watchhouse-keeper are laid down?—In Regulations 184, 185, 186, 187, 188, 189, 190, and 191.

344. Do you in all these sections mention to him from whom he is to take his orders?—No; but it is well known that every junior in the ranks must take commands, under all circumstances and in all places, from his superior in rank.

345. You give, therefore, no special directions to the watchhouse-keeper, and the only information he gets is from regulations 184 to 191 inclusive?—Yes. I have given instructions to watchhouse-keepers repeatedly on a particular subject: that is, that he must not allow any person to speak to prisoners charged with serious offences without being present and within hearing of the conversation that may pass between them.

346. That is a special instruction given by you?—Yes.

347. Is that not in the rules?—No; it is an understood thing in regard to prisoners.

348. Would any instructions given by you in that way have force?—Oh, certainly.

349. Suppose there may be a third-class constable in the watchhouse?—Yes.

350. Suppose a superior officer to him went in and asked him to see a prisoner, would he be justified in obeying the superior officer?—He would not be justified in disobeying any officer above him in rank.

351. Therefore he would not be justified in refusing to allow any officer above him in rank to see that prisoner, notwithstanding your express directions?—He would refer him at once before doing so.

352. Would he not, according to you, have to first obey the orders of that superior officer, and afterwards report the matter to you?—If I were within easy call he should refer that man to me.

353. *The Chairman.*] And not obey him?—No; that is when I am within easy reach.

354. *Mr. Palmer.*] If you were in a room in the station in Auckland he should refer to you?—Yes.

355. Or if you were absent he should refer to the senior officer in charge upstairs?—Yes.

356. If you were absent in the early days the senior officer would have been Sergeant Gamble?—Yes.

357. Now he is Sergeant Kelly?—Yes.

358. Then he would not be compelled to first obey the orders of his senior and then report the matter?—If it could not be countermanded it would. In the case I speak of when I would be within reach he should refer him to me.

359. If you were in the building or if the senior officer in charge were in the building, he would have to first refer either to you or to the senior officer?—Yes.

360. There is sure to be some officer in charge of the station if you were absent: would there not be the senior sergeant?—Yes.

361. Is the watchhouse under your supervision when you are in the station or under the supervision of the senior officer in charge of the station?—First me, and if I am absent under the senior sergeant for the time being.

362. So there is always somebody in the building responsible?—Yes. Possibly on some occasions there would not be any senior sergeant, but that would be for a very short period of time.

363. *The Chairman.*] Would not the sergeant who happened to be present be the senior sergeant?—Yes.

364. If there was only one sergeant present, he would be the senior sergeant for the occasion?—Certainly.

365. *Mr. Palmer.*] There is always a senior sergeant in charge of the station itself. You are in charge of the whole of the district, but is there not a senior sergeant especially appointed to have charge of the station?—Yes; it drops to the next in rank when I am absent without any special order from me at all.

366. *The Chairman.*] And if the next in rank is not there, who takes charge?—The next in rank who happens to be present.

367. *Mr. Palmer.*] Who appoints the sergeant in charge of the station: do the instructions come from Wellington or from you alone?—He takes it by right of seniority. The day I received orders to go to Rawene I had not time to communicate with Sergeant Clarke, but he knew he was next in rank, and the responsibility devolved on him in my absence. There is a regulation to that effect.

PATRICK CREAN, further examined on oath.

368. *The Chairman.*] You are watchhouse-keeper at the Auckland Police Station?—Yes.

369. How long have you been watchhouse-keeper?—For the last eighteen months nearly.

370. Had you been watchhouse-keeper previously here or elsewhere?—No.

371. Who is in charge of the watchhouse?—The watchhouse-keeper.

372. Is he as watchhouse-keeper bound to obey the orders of any sergeant who may happen to be in the station, whether there on duty or not?—Yes, he would if he was under him in rank.

373. Do you understand it would be a violation of an existing rule if a sergeant not on duty interfered in any way with the action of the watchhouse-keeper in the performance of what he considered his duty?—Well, the watchhouse-keeper would have to obey him if he ordered him to do anything.

374. Would you consider it an improper interference for a sergeant not on duty if he did interfere in any way with the watchhouse-keeper in the execution of his duty?—It is not for him to interfere. I never saw one interfere with my duties.

375. If you considered it was your duty to put a man out of the watchhouse, and a sergeant not on duty was present, would you consider it his duty to interfere with you in any way?—If he thought it was wrong I would think it was within his duty to interfere.

376. And you would feel bound to obey him?—I would.

377. *Mr. Palmer.*] Your duty as watchhouse-keeper is to see that nobody communicates with the prisoners unless you are present?—Yes, I am supposed to hear it.

378. Then, if a senior officer came to you and ordered you to allow him to speak to a prisoner without you being present, would you obey him?—I would.

379. It would be your duty to obey him?—Yes.

380. Then, you would not refuse to obey him and refer the matter to the officer in charge of the station first?—No, I would obey him first, and if I thought he was wrong, I would report him.

381. And you would do that to any officer senior to yourself on the station?—Yes.

382. You are to take orders therefore from every senior officer to yourself on the station?—Yes; I must obey orders.

383. In regard to the watchhouse?—In regard to anything.

384. I suppose there are a good many senior officers to a third-class constable in the Auckland District?—Yes, a good many.

385. Therefore, you would have a good many senior officers to obey?—Yes, I have.

386. Then the watchhouse is under a pretty large control?—Well, they do not as a rule interfere with the watchhouse.

387. You have got what you might term in slang a great many “bosses” in regard to your watchhouse?—There is not a great many interfere with me.

388. But they have all got this right to interfere, and you are bound to obey all of them no matter what the orders are?—Well, if any one senior to me ordered me to do anything I would obey it.

389. Therefore the watchhouse is not purely controlled by the officer in charge of the station, but by all the senior officers who are senior to you?—Yes, if they choose to order me.

390. Have you ever heard of any written instructions to the watchhouse-keeper?—I have heard that there were written instructions, but I never saw them.

391. Do you know what has become of these written instructions?—No, I do not at all.

392. *Colonel Pitt.*] Supposing you were on beat duty and your section sergeant gave you certain orders, and another sergeant, not your section sergeant, came along and gave you contrary orders, what would you do?—I would acquaint him with the first order, and obey the last if he insisted on it.

393. *Colonel Hume.*] Do you look upon the watchhouse-keeper as an appointment or merely as a duty?—Merely as a duty.

394. In accordance with the Police Regulations?—Yes.

395. Now, the Police Code says that a constable must readily and strictly obey the orders of his superiors in rank in the police. Is that the way in which you would look upon any orders given to you in reference to the watchhouse?—Yes.

396. And you would obey the orders, holding the person responsible who gave you the order?—Yes.

397. *The Chairman.*] Do you understand that all these rules apply to this Force?—No; they do not apply.

398. But this particular rule, you think, does?—Yes; I am positive it does.

JOHN BENNETT TUNBRIDGE, examined on oath.

399. *The Chairman.*] You are Commissioner of Police?—Yes.

400. With regard to the practice, not in New Zealand generally, but taking your experience in police-work in England, can you tell us whether there is any rule or understanding in connection with the position and duties of watchhouse-keeper?—There are no similar duties in England to the duties here, inasmuch as this, that in every police-station there is either a sergeant or Inspector in charge, so that constables are not placed in charge of the watchhouses. I am speaking particularly of the London Force.

401. Then a similar case to this could hardly occur there?—No.

402. Have you heard at all in connection with your office as Commissioner here of the existence of such understanding as has been referred to by ex-Sergeant McMahon?—I never heard of it until at this inquiry on Saturday last.

403. Do you think that any such rule or practice of placing the watchhouse-keeper absolutely in charge of the watchhouse and responsible only to the officer in charge of the station would be injurious to proper discipline?—I think if such a rule were issued, or if such a rule were in existence, it would be entirely subversive to discipline generally.

404. You say an officer, either a sergeant or an Inspector, is in charge in London, and here the duty is performed by an ordinary third-class constable. Do you think that it would be desirable that that constable in charge of the watchhouse should be responsible directly to the sergeant in charge of the station or to every sergeant in the Force?—He should obey any order given to him by a sergeant.

405. I am speaking of the watchhouse-keeper, whatever his rank may be?—A constable who is a watchhouse-keeper is merely a constable.

406. Suppose he happened to be a sergeant, would he be responsible to every senior sergeant in the service?—He would have to obey their orders, decidedly.

407. You would not confine his orders to the senior sergeant in charge of the station?—Your question, I take it, refers to one aspect of the thing and my reply to another. You say, “responsible to.” I will give you what I think to be an analogous case. A constable on a beat is responsible to his section sergeant; but being responsible to his section sergeant does not grant him immunity from control by every other sergeant if another sergeant should see him doing wrong. The other

sergeant has the same authority over him as the actual sergeant who is on duty over him for the time being, providing he sees that constable acting improperly.

408. And following that up, does it become the duty of any sergeant not on duty at the time to interfere with any constable who may be acting in excess of his duty as a constable?—Yes, certainly; and if a sergeant did not do so, and he was reported to me for not doing so, I would deal with him as having neglected his duty.

409. *Mr. Palmer.*] Then, at Home, either an Inspector or sergeant is always in the watchhouse itself?—Certainly.

410. Then, supposing they happened to be out of the room temporarily, and left another man in charge, and any one came in and there was a disturbance, would that other man first refer to the officer in charge of the station if he was in the room?—The officer left in charge of the watchhouse would be there.

411. Is the Inspector himself in the watchhouse?—Yes. You call it a watchhouse here, but it is the Inspector's office or charge-room at Home.

412. Suppose there is an officer in the charge-room, and he had to leave for a few minutes, and he went into the next room, and left some one in charge, and anything occurred, then would that be immediately referred to the Inspector?—Nothing would be done in the absence of the officer in charge of the station. He would be immediately called.

413. Would it not be better to bring the New Zealand system into conformity with that so far that if there was a man down below and anything serious arose the watchhouse-keeper could immediately call upon the man in charge of the station?—But a constable here is put in charge of the station.

414. But should he not call his immediate superior officer in charge of the station when any serious case occurs, to bring him into conformity with the English practice?—It would be a good thing if we did.

415. Then, it would be better to do that and to take command from every sergeant who goes to the station?—I cannot answer your question, Yes, or No, in that respect. I want you to understand that every sergeant or officer of police who gives an order to one beneath him is entirely responsible to his superiors for giving that order; and when you ask me the question whether or not the watchhouse-keeper should be liable to obey the orders of this man or that man, all I have to say is that it is very unlikely any officer of police would interfere with him unless there was good reason; therefore, the fact that he has to obey the orders of this man or that man does not come into the question at all.

416. But, assuming that he did go and interfere, perhaps rightly or wrongly—that would be a matter for judging afterwards—would it therefore not be better, instead of having to be controlled by every superior officer in charge of the watchhouse, that the watchhouse in New Zealand should be similar to the Inspector's room at Home, and that the Inspector alone, or the senior officer alone, should control that man?—If a watchhouse-keeper wishes to refer to a senior officer he can do so.

417. Then, should he obey the orders first of a senior sergeant, and refer afterwards?—Yes.

418. In a case were he is immediately connected by a tube between his room and the sergeant's room?—Yes.

419. Therefore, I take it to be this: that if a watchhouse-keeper had received an order that he was not to allow any one to see prisoners without he was present and saw what transpired, and if a senior officer to him came and ordered him to break the rule and let that senior officer see the prisoner without him being present, it would be the duty of the watchhouse-keeper to break the order and to obey the sergeant, and allow the sergeant to see the prisoner?—The watchhouse-keeper would very naturally say, "I have the order of the Inspector that no one is to see a prisoner unless I am present." (You say, "senior officer." I do not recognise that one constable has authority over another, unless a constable may be placed in charge of a station). If the sergeant then insisted on seeing the prisoner, the watchhouse-keeper would be perfectly right in permitting him to do it, but he should immediately call the attention of the Inspector to the fact, and the Inspector would call upon the sergeant to explain. The watchhouse-keeper would be justified in obeying the order of his superior officer, and would be exonerated from any blame.

420. We mentioned a case about being drunk. Assuming that the senior officer was intoxicated, and the watchhouse-keeper could see he was, would he have to obey an intoxicated officer because he was senior?—No; the watchhouse-keeper should charge the sergeant with being drunk.

421. Then he should refuse in that case?—Decidedly. He would not obey a drunken man. The Police Regulations are laid down to apply to men who are not drunk.

422. Then, if the sergeant was intoxicated the watchhouse-keeper would be justified in refusing to obey orders?—Yes.

423. Is that the only exception?—Well, the sergeant might be mad.

424. These are the only two exceptions you can think of?—Just for the moment.

425. Then, in a very serious case—perhaps some murder case—where no communication should pass to a prisoner, any one, if he was a senior officer or sergeant, could go, notwithstanding these instructions, to the watchhouse-keeper and communicate any information he liked to that prisoner?—If the sergeant desired to get dismissed from the Force, and wished to press it to that extent, he probably would be able to go.

426. Do you think that is a good rule?—I do not see how you can do without it. If you are going to set up such an authority you will destroy the discipline of the Force.

427. Then you do not think the watchhouse-keeper should be a special appointment, subject only to the officer in charge of the station?—It would be impossible. Very often, in fact daily, the sergeant in charge of the station is at the Court conducting the cases before the Court, and there is

no so-called sergeant in charge on the premises at all. The probability is, if you went to the station at the present moment, you would find no sergeant in charge there.

428. Then, sometimes the station is left utterly without any one in charge but the watchhouse-keeper?—Undoubtedly.

429. When that is so is the watchhouse-keeper in charge of the watchhouse in charge of the station also?—Yes, until the superior officer comes in.

430. Therefore the senior sergeant in charge of the station can control the whole station, because there is always somebody there?—He can control it for the time being.

431. Therefore it is quite right for the senior officer in charge of the station to control, irrespective of others?—Of course, if he is present.

432. Then, why is it not beneficial that there should be some one in charge of the station and responsible for the whole station, instead of divided authority in regard to the watchhouse? If every sergeant has a right to control the watchhouse-keeper you have divided authority in the guard-room. Would it not be better to have one individual alone having charge over the watchhouse and responsible for it, and if he is away the next senior to him, and so forth?—The man in charge of the watchhouse for the time being is responsible for the watchhouse.

433. But he is to be controlled by every sergeant who comes in?—If a sergeant comes in and gives an order he has to obey that order; but, as I have said, the sergeant is responsible for that order, and not the man who obeys it. The sergeant does not come in to control the watchhouse-keeper unless he is doing something wrong.

434. But any sergeant may go in and do him a wrong, and I say, should there not be a definite rule to prevent that?—No, of course not. Every sergeant has a right to give a constable a proper order, and if it is an improper order the sergeant is responsible for it.

435. Then you do not think it should be in conformity with the English custom, that every Inspector or his immediate officer should have control of the watchhouse?—It is entirely on the same lines as it is at Home, with the exception that a constable is in charge here, and it is either an Inspector or a sergeant in London. The Chief Inspector or Superintendent is next in rank to an Inspector in London, and if a Chief Inspector came in and gave an Inspector an order the Inspector would have to obey that order. So that the same principle exists as here. It is only a question of rank of the officer in charge of the watchhouse.

436. Suppose the English Inspector was out of his room, and a sergeant came in and wanted to take away the control from the policeman in that room and to order him about, would not that policeman refer him immediately to the officer in charge?—To begin with, the Inspector would not be absent, and consequently if a sergeant came in and gave a reserve man an order, the reserve man would obey it undoubtedly, but I am telling you distinctly that before a sergeant would do that he would go to the Inspector, because he would know perfectly well that if he went in to order the reserve man about he would have to answer to the Inspector for doing so.

437. *The Chairman.*] Take the case of a watchhouse-keeper in New Zealand putting a man whom he considers disorderly out of the station in the presence of a sergeant not on duty. Was there any duty cast upon the sergeant in any way to interfere with the action of the watchhouse-keeper in ejecting the man whom he considered disorderly?—Undoubtedly there was.

438. How?—For instance, I take it you allude to the matter we all have in our minds, but which is not being mentioned. To eject a man from the watchhouse is an extreme measure under any circumstances. That is, I mean, to eject a member of the public. It creates considerable disorder in the watchhouse, and if a sergeant is present in the watchhouse and sees this disorder going on it is his duty to make himself acquainted with what is going on. If, we say, a respectable member of the community goes into the watchhouse to make some complaint, the sergeant cannot possibly avoid hearing what the complaint is if he is in the watchhouse, and if he is not deaf he must hear what is going on, and to eject that member of the community once or twice or three times would be such a condition of affairs as would necessitate the sergeant making himself acquainted with the matter. He could not possibly avoid making himself acquainted with it.

439. I may put the case where the watchhouse opens into a passage, and that passage communicates with the street. Now, assuming the ejection took place in the passage, and not in the watchhouse, and the sergeant was in the watchhouse?—If the sergeant could protect himself by saying that he never heard anything of what was going on, and his explanation was in keeping with the facts, and probably a true one, then the sergeant would be exonerated, but under no other circumstances.

WILLIAM GITTO, examined on oath.

440. *Rev. Mr. Isitt.*] You are a Wesleyan missionary?—Yes.

441. What office do you hold in the Church?—Superintendent of the Maori mission for the North Island.

442. How many years have you been in the colony?—Since 1841.

443. Have you been engaged in Maori mission work the whole of that time?—No, for forty years.

444. How far back does your knowledge extend of what is called the King-country?—About twenty years.

445. Prior to that your experience was gained where?—In the Kaipara principally.

446. In other places?—Hokianga.

447. Now, do you visit the whole of the places in this province where there are a number of Maoris as far as possible?—Yes; as far as Mokau in the Waikato district, and up to the North Cape.

448. And the West Coast of Taranaki?—No, not Taranaki.

449. Not even occasionally?—Occasionally only.
450. Then you have some general knowledge of the Maoris right through this North Island?—Yes, I think so.
451. Has your attention been much directed to the King-country?—For about ten years it has been directed to the King country, and the general aspect of things there.
452. Do you know the circumstances under which the King-country was declared a prohibited area?—I simply know from documentary evidence. I have no personal knowledge.
453. *Mr. Poynton.*] You know it is a prohibited area?—Yes.
454. *Rev. Mr. Isitt.*] Can you tell us as to the efficient or non-efficient enforcement of the law?—So far as I have been able to see, the law in regard to the sale of liquors in the prohibited district has been very seldom enforced. Occasionally it has been.
455. We are now speaking of the King-country from Otorohanga to Te Kuiti, and on to Mokau?—Yes.
456. For many years, speaking generally, do you suppose there has been any considerable amount of sly-grog selling going on there?—From personal experience I know seven years prior to that I have heard it was so. It was generally admitted.
457. For seven years you have known grog to be illegally sold freely?—Yes.
458. More so recently than previously?—I cannot speak positively about the recent aspect of five or six years ago, and since that, and to within the last one or two years.
459. Would you say there was more or less sly-grog selling five years ago than now?—I think there has been an increase of late years.
460. Have you any reason to give for that?—Well, from personal knowledge I cannot.
461. You have not been in the district for some months?—I was there in February last.
462. Did any evidence come under your knowledge then as to the prevalence of sly-grog selling?—Nothing whatever.
463. Are you familiar with other parts of the district besides the prohibition areas?—Yes.
464. Have you any experience as to the prevalence of excessive illegal drinking amongst Maoris in other districts?—Yes, plenty of it. Almost every sale-day you have drunkenness at Te Awamutu.
465. To a serious extent or only a few cases?—There might be three, four, or five—I have known six. I have helped some of them away myself once.
466. Are there any other places where you have seen the same thing?—Yes; at Kihihiki, at the Land Court. There is only one street, and it was hardly possible to get through the street during the time of the Land Court sitting. There was drunkenness every day—both men and women.
- 466A. *The Chairman.*] When was this Land Court held?—About six years ago.
467. *Rev. Mr. Isitt.*] Was that then a licensed area?—Yes.
468. Whilst the Land Court was sitting, would there be a policeman in attendance on the Land Court?—I think so.
469. You do not know?—No.
470. The drunkenness was open to the observation of the officials attending the Land Court?—Yes, to everybody.
471. *Mr. Poynton.*] That would be before the amendment of the licensing laws prohibiting the sale of liquor to Natives?—Yes.
472. *Rev. Mr. Isitt.*] Of later years have you seen anything of that kind?—No; with the exception of one or two cases in Ngaruawahia which I saw there. This is over six months ago.
473. Was that during the Land Court sitting or an ordinary occasion?—Just an ordinary occasion.
474. In the Hokianga district had you any experience of the same kind lately?—None.
475. In any other Native area?—Not of late.
476. From your observation would it help the police to enforce the law if there was a license instead of prohibition? Is it easy for them to secure prohibition where there are licenses as where there are no licenses?—My experience shows that the districts where they have licenses are very much worse than those which have not licenses. I do not approve of illicit selling, but we have more drunkenness where licenses are granted, so far as I know personally, than we have in the unlicensed districts.
477. Have you had any recent experience in Rotorua?—I have not.
478. *Colonel Hume.*] I understood you to say you knew from practical experience about seven years ago, that sly-grog selling was going on in the King Country?—Yes.
479. *Rev. Mr. Isitt.*] Did you ever give any information to the police?—Not positively so. In general conversation I think I have.
480. Well, now, would you give us a specimen of your practical experience of the sly-grog selling which was going on?—Well, at Te Kuiti, I spent a night there, and they had amusement and dancing at a gathering which I suppose they had almost weekly or fortnightly—I am not sure—and then I found two or three Europeans—two I am sure of—perfectly drunk, and a number of Natives amongst them, including two women.
481. What building was this in?—I think the building they were using then was the large railway-shed. The Europeans and Maoris were using that.
482. How long since?—About six years ago.
483. *Colonel Hume.*] What proof did that give you that sly-grog selling was going on?—I saw them drinking what was supposed to be hop-beer at one house there.
484. Kindly tell us what you mean by “supposed to be”?—It was called hop-beer.
485. Who called it hop-beer?—The person who sold it.
486. *Rev. Mr. Isitt.*] Did you tell the police about this?—I am not sure whether I did or not. I think I have in general conversation.

487. The next day you probably saw the constable at Te Awamutu and told him?—No.
488. When did you tell any constable?—Oh, it was some time after.
489. Then you did not think it of very much importance?—Yes.
490. Was it not important enough to tell the police about?—There was no policeman there.
491. At Te Awamutu there is one?—That is twenty miles away.
492. Then you did not think it was worth telephoning down?—I did not think so.
493. And you never told anybody until how long afterwards?—I cannot fix the time.
494. It might have been two years?—Very much less than that.
495. Was it six months?—Perhaps it might be three months.
496. Then, you must admit you did not give the police very much assistance on that occasion?—I did not. I am a moral policeman myself.
497. But you do not enforce the law?—No.
498. *Colonel Hume.*] You helped these Natives home, you say, in Te Awamutu when they were anything but sober?—Yes.
499. *Rev. Mr. Isitt.*] Now, on that occasion did you tell the policeman anything about it, because you had a policeman there on the spot?—I called his attention to it.
500. Were they not able to get home themselves without your assistance?—Two of them could not sit on their horses.
501. Then, were you not aiding and abetting an offence by helping them home?—No, I did not think so.
502. On this occasion you told the police about it?—I think I mentioned it to him.
503. That day?—I think so, I would not be positive.
504. Do you think you gave him a chance to get hold of these people, and put them into the lockup?—He did take some of them.
505. Do you not think that putting these people into the lockup and having them fined is a great deal more likely to stop them getting liquor than your taking them home?—No, I do not think so. I blame the public for selling it, not the Natives for drinking it.
506. *Mr. Tunbridge.*] I believe you are called in support of the contention that the police are not doing their utmost, or are not carrying out the laws of the colony?—I do not think they are.
507. Well, now, do you consider that eighty-eight prosecutions resulting in forty-eight convictions in two years for sly-grog selling in the King-country shows that the police are absolutely neglecting their duty?—No, I do not think so.
508. You think, then, that it does show they are doing something?—There has been a great improvement of late.
509. Now, may I take it on account of the police?—The Government, I suppose.
510. What other officials are there in the Government other than the police to carry out the laws?—You are correct there, it is the police.
511. May I put it this way, that it shows a pretty good record?—It might be better.
512. *Rev. Mr. Isitt.*] Now, as regards the drunkenness you saw at Te Kuiti. At that time I believe there was a man named Perry, who had a wholesale license to sell beer?—Yes.
513. Then, possibly, these people you saw drunk had procured their drink from this man in a perfectly legal manner?—Possibly.
514. And do you not think it is also probable?—Yes, I think so.
515. Therefore, the police were not to blame for these people giving drink when the law allowed them to do so?—Hop-beer.
516. I mean beer?—I was not aware that he had a license to sell beer.
517. Do you not know he held that license until the beginning of this year, when he was deprived of it owing to the frequent prosecutions instituted by the police?—No.
518. That is new to you, then?—Yes.
519. You know, also, I suppose, it is possible for the Natives to carry down drink from Te Awamutu?—Quite possible.
520. And, of course, it was quite possible to get drunk on the drink carried into the district in a legitimate manner?—I do not think so, but it was quite possible.
521. At any rate, although you do not think so, you have no evidence that it was not so?—None.
522. *Colonel Pitt.*] Is it within your knowledge that the Natives themselves practise illicit sales in liquor?—Yes.
523. At this Native Land Court at Kihikihi, where you say the Maoris were drinking every day: is that in a licensed district?—Yes.
524. Had you any evidence of hotelkeepers supplying liquors to the Maoris while they were intoxicated?—No personal evidence.
525. From whom had you evidence?—I think from the Maoris.
526. Did you communicate that to the police?—Yes.
527. *Rev. Mr. Isitt.*—In regard to a license at Te Kuiti, has there ever been such a thing?—Not that I am aware of.
528. Has not the King-country been prohibited from the time that the Maoris consented to be friendly with the Europeans?—Yes.
529. You say you have no special complaint about the police, but have you not been in the habit of speaking freely of general breaches of the law to the police?—Yes, in a general way: to friends around, and to the police too.
530. Have you spoken to Inspector Hickson?—Yes.
531. Frequently?—Several times.
532. And to individual constables?—Yes.
533. Have you not frequently spoken on the platform about it?—Yes.

534. Have you reported to the Methodist Conference annually about it?—Yes; I have done so.
535. That is to say, you have done your utmost to draw public attention to this matter?—I think so.

536. *Inspector Hickson.*] You say you have reported to him several times?—Yes.

537. When you made these reports to him, were they not long after the events had occurred?—Yes, some time after.

538. *The Chairman.*] Too late for him to take any action as a policeman?—Yes.

539. *Rev. Mr. Isitt.*] Did not you in my presence talk to Inspector Hickson very freely and fully for nearly an hour on the question of drink-selling in the King-country when we were in the train?—Yes.

540. *Inspector Hickson.*] Did I not say I would give you all the information I possibly could?—You did.

541. And on arrival at Otorahanga did I not send for Constable Stanyer to give you all the details he could as to sly-grog selling?—You did.

542. And did I not leave Constable Stanyer with you and Mr. Isitt in the room there?—You did.

HAMI KINGI, examined on oath.

543. *Rev. Mr. Isitt.*] What are you?—I am a minister of the Wesleyan Church.

544. Where do you live?—At Kopua, Waikato.

545. Are there any licensed publichouses there, or near there?—There are no houses licensed within the King-country.

546. Does that mean that the Natives are sober and get no drink?—I have not seen them buying it, but I have seen them when they have taken it. I have seen a drunken man.

547. Have you seen much drunkenness there?—Not many at Kopua.

548. Drunken men and women at Kopua?—Men only, so far as I know.

549. Are you often at Otorahanga?—Yes.

550. Have you seen them buying or selling drink there?—I have not seen them selling liquor, but I have seen people drunk.

551. Much drunkenness?—Yes.

552. Men and women?—A great many men and a few women. Women are not so bad as the men.

553. Do any children get drunk?—I have not seen any.

554. Do you visit Te Kuiti?—I have only been once at Te Kuiti.

555. How long ago?—In 1896.

556. What did you see then?—I did not see any intemperance there.

557. Do you go to Mokau?—No.

558. To any other places in the King-country besides those you have mentioned?—No.

559. Now, has drunkenness in the King-country been greater within the last two years than it was before?—There is more drunkenness now amongst the Natives than when I went first to the Waikato.

560. When would that be?—In 1896.

561. Do you visit other Native places where there are licenses?—I do not know the difference between licensed places and unlicensed places.

562. Do you go to Te Awamutu?—Yes.

563. Often?—Yes.

564. And do you see the Maoris drunk there?—I have not seen any.

565. Have you been to any other places—to Kihikihi?—No. I have been to Kawhia and Aotea.

566. Have you seen drunkenness at Kawhia or Aotea?—No; I have not seen any Natives drunk there.

567. *Mr. Tunbridge.*] How many times have you been to Otorahanga?—I cannot say exactly. I go constantly, according to my appointments.

568. When were you last there?—In May last—last month.

569. *Colonel Hume.*] Have you any knowledge as to whether it is Natives who are selling liquor or Europeans?—I do not know whether it is the Europeans or Maoris.

570. Well, I should like to ask whether you have formed any idea as to how it can be stopped if it is going on?—I would suggest that those who send grog up there should not send any more up.

571. *Mr. Poynton.*] Do you know of your own knowledge whether Maori men sometimes supply Maori women with liquor which the Maori men have bought at the hotel?—No.

572. *Mr. Tunbridge.*] Are you aware that within the past three years there have been about eighty prosecutions for sly-grog selling in Otorahanga alone?—I have heard from the people that they have been fined, and I know a great many have been fined.

573. *The Chairman.*] Do you know of any fact which has come to the knowledge of the police on which they ought to have taken action, but on which they have not taken action?—I have seen men so drunk that it was absolutely necessary for the policeman to take them away.

574. Have you any reason to believe that the police, or any member of the Force, have con-
nived in any way at a breach of the law in respect to the sale of liquors?—I am not aware of any.

575. In your opinion, are the police doing all they can, and all they are able to do, to put a stop to that improper sale of liquor?—I am not in a position of judging of a policeman's work. I am not capable of judging.

JOHN EDWARD TAYLOR, examined on oath.

576. *The Chairman.*] What are you?—I am a settler living at Mangere.

577. What office do you hold in Auckland on the Charitable Aid Board?—I am a member of the District Hospital and Charitable Aid Board.

578. Do you hold any office in connection with the Hospital?—No official position except that I have been elected as a member of the Board.

579. Do you produce an extract from the records of the Hospital?—Yes; this is the original document written by the house steward of the Hospital himself. I have compared it with the books and find it correct. It is the entry-sheet of Matthew O'Brien to the Auckland Hospital on the 7th December, 1896, suffering from *delirium tremens*. He was discharged on the 19th December, 1896. There is a letter from Dr. Lindsay, who writes as follows:—"DEAR SIR,—Kindly admit Constable O'Brien, who is suffering from acute alcoholism. He is full of delusions, and cannot be managed at home." This is dated 7th December, 1896.

580. Who has access to the Hospital books?—I, as a member of the Fees Committee, have.

581. When a man has been discharged from the Hospital, do you send any information to his employer as to what has been the matter with him?—Not in a private capacity, certainly.

582. But in regard to a constable, would an extract of that sort be sent to the Inspector?—Not to my knowledge.

583. Then the Inspector would have no possible way of knowing what he had been doing?—Not from the books. I have only been a member of the Board since last November, and this came under my notice since then.

584. *Rev. Mr. Isitt.*] Have you had much experience of men in *delirium tremens*?—I have had just one case of private experience.

585. From your knowledge of cases of *delirium tremens*, is it of sudden development or of long process?—It is a long process, to the best of my belief.

CHARLES STANYER, examined on oath.

586. *The Chairman.*] What is your rank?—Third-class constable, stationed at Otorohanga.

587. *Rev. Mr. Isitt.*] How long have you been stationed at Otorohanga?—Three years.

588. Your duties take you how far—what is the area you cover?—They take me back to the Wanganui River, a distance of over ninety miles.

589. What places would you traverse to reach the Wanganui River?—I leave Otorohanga and go through Te Kuiti, Mokau, Poro-o-tarao, Kawakawa, and Tamarunui.

590. Your nearest point to Auckland is Otorohanga?—Yes.

591. And have you had much difficulty in suppressing sly-grog selling?—I have had a great deal.

592. Have you had reason to believe there was much of it right along the line?—Well, I have reason to believe there is sly-grog selling along the line.

593. Are the persons you suspect Europeans or Natives?—Europeans principally.

594. Are there many Natives whom you suspect?—Not at present. When there is a large crowd of Natives got together, such as at the Land Court, then the Natives will start selling, but they will not when there is only a few of them together.

595. *The Chairman.*] Is there a made road right through this country from Otorohanga to Tamarunui?—Yes, it is right through to Wanganui.

596. And used by all classes of people?—Yes.

597. Is the whole of that country—that ninety miles—occupied by Natives?—Yes.

598. *Rev. Mr. Isitt.*] Does the sale-day, or the Land Court sitting, result in drunkenness?—Very little.

599. You say you know sly-grog selling goes on at the Land Court?—Yes, I have had convictions against Natives for it.

600. I suppose sometimes you are morally sure, though you cannot get legal proof?—I might think it is going on at a certain place.

601. You have a very strong conviction even when you cannot convict?—I have reason to believe it is going on at certain places, and I have no means of getting at it.

602. I suppose you sometimes see cases of drinking that would stop short of causing you to arrest the people for drunkenness?—Very little. I might tell you they are frightened to let them get drunk, because it would give the house away if they did.

603. At which of these places you have named have you reason to believe there has been most drinking? Where have you had the most convictions?—At Otorohanga.

604. More than at Te Kuiti?—Yes.

605. Do you assume from that there is more drinking at Otorohanga than at Te Kuiti?—Yes; there is a larger number of these gatherings at Otorohanga.

606. Has there been a considerable amount of drinking at Te Kuiti?—There has been.

607. Have you made several attempts to catch people at Te Kuiti?—Yes.

608. Have you been very much "on the war-path" at Te Kuiti and been baffled?—Yes, there is more than we have got.

609. And what do you attribute your failure to?—To being watched by these people. They watch me everywhere I go. If they saw me going to Te Kuiti it is quite possible the news would go before I went.

610. You mean to say the Te Kuiti people had persons to watch you elsewhere?—Yes.

611. Supposing you left Otorohanga in the direction of Te Kuiti?—Yes.

612. How would they get there before you?—There are different roads, and they would probably ride faster for this purpose than I would.

613. Do you regard it as possible for a well-known constable in the district to suppress this thing?—It is impossible for him to do it.

614. There must be special means adopted?—Yes.

615. How many convictions have you secured?—About twenty convictions within the last three years.

616. *The Chairman.*] In what localities?—At Otorohanga and Te Kuiti.
617. *Rev. Mr. Isitt.*] Do you remember how many persons were included in these convictions? Were there twenty separate persons?—No; there were two charges against some persons.
618. Can you give us the number of persons against whom you secured convictions?—I think three persons had two charges against them.
619. Then you have prosecuted seventeen persons?—Yes.
620. *The Chairman.*] How many were Europeans and how many were Natives out of these seventeen persons?—I think the three persons that have the two charges against them are Natives, and the others are Europeans.
621. *Rev. Mr. Isitt.*] Were you associated with Sergeant Cullen when he made his raid?—Yes.
622. Do you know what convictions he obtained?—Yes.
623. How many persons were convicted?—There were sixty-seven convictions.
624. But that would not be sixty-seven persons?—No. There were a large number of charges against some persons.
625. Is twenty-three persons the number?—Yes.
626. Then, did Sergeant Cullen obtain his information by himself?—He did.
627. That is, one man sent specially to take his own course could secure sixty-seven convictions?—Sergeant Cullen never obtained the convictions himself.
628. He obtained the information that led to the convictions?—I gave the information that led to the convictions.
629. To the sergeant?—No, to the men who were sent there by the sergeant.
630. Who were the men that Sergeant Cullen sent?—Two men, and a man I had myself along with them to show them the places.
631. Not regular constables?—No.
632. When a special effort is made by strangers it can result in sixty-seven convictions alone, and if it is left to the most effective man without such help he can only get seventeen in three years—is that the position?—Yes. These persons would not sell liquor to me if I went in.
633. When were these informations laid by Sergeant Cullen?—In August, 1897.
634. Now, prior to that you had been there about two years and a quarter. Had men been sent up specially to try and detect sly-grog selling?—I have had men there myself. I have employed men in the district who were willing to help me.
635. But, in addition to that, men have been sent up by the Inspector, or been sent up specially, on more than one occasion?—On one occasion in my time.
636. How many men came up then?—Two.
637. Was it a success?—No, I cannot say it was.
638. Did they secure any convictions at all?—One.
639. How long were they there?—About three weeks.
640. I suppose they were smart men?—I think so. I did not know them when they came there. They were perfect strangers to me.
641. Did other people know who they were?—Not that I am aware of.
642. Did they come as civilians?—They did.
643. Did you think they were swagmen?—I did not know about them. I may say, when a man arrives there with a swag, until it is found out who he is, he is put down as a policeman.
644. *The Chairman.*] Are there very many swagmen going through by that road?—A good number.
645. *Rev. Mr. Isitt.*] Did you see their swags? Did they look like the ordinary swagman's swag?—No, not exactly. They looked rather neat for an ordinary swagman.
646. Had they a sort of military appearance about them?—The swags were done up rather neater than the ordinary run of swags are done up.
647. Were they done up a good deal more neatly?—If he is a neat swagger he would do his swag up neatly.
648. If you took a body of men from the Armed Constabulary and a body of swaggers, would there not be a marked difference between the swags of the two bodies of men?—Yes.
649. Do you know if either of them appeared in the regulation trousers?—No; I never saw them.
650. With regard to the seven licenses: Have there been any licenses of any kind at Te Kuiti since you have been there?—Yes.
651. What for?—To brew beer and sell it.
652. How was that granted in a prohibited area—do you know?—I do not know, I am sure—I have no knowledge.
653. Was it not while you were there that an attempt was made to secure a license for Otorohanga?—No; not in my time. I believe they have tried it since. I believe at only the last sessions they tried. I saw a lot in the paper about it.
654. Did you know there was an attempt to procure a half-mile?—That was before my time.
655. Who would be there then?—Constable Steel was before me, but I do not know whether it was not before his time.
656. How long had he been there when you relieved him?—I cannot tell you.
657. Had he been there a year or two?—I think, about eighteen months.
658. Do you know if he is accessible?—He is farming in the Waikato district, near Alexandra.
659. With regard to the brewery license, when did that cease to exist?—At the end of last year.
660. That is a license for the brewing and sale of beer in wholesale quantities?—Yes.
661. Do you know where that license was issued from?—By the Customs. It was cancelled the last day of the year.

662. *Colonel Pitt.*] Why was it cancelled?—On account of a conviction brought against the man for retailing.

663. *Rev. Mr. Isitt.*] Have you had experience in other Native districts besides Otorohanga?—No.

664. Have you been in any European settlement where there were Maoris?—No, Otorohanga was my first station from the town.

665. *Colonel Hume.*] I suppose there might have been a dozen people in the King-country looking after the sly-grog selling without you knowing anything about it?—Yes.

666. The department might certainly have half a dozen men without your knowing anything about it?—Yes.

667. In fact, some were there without your knowing about it?—Those two men were sent there without my knowing anything about it.

668. And you had a certain man you employed yourself?—Yes, one man.

669. Did you ever ask your Inspector to be allowed to employ anybody else, and whether you were ever refused?—No; I cannot say that I have.

670. Were you ever impeded in any way from carrying out the liquor-laws strictly?—No.

671. Now, this man who had this beer license was convicted of sly-grog selling?—Yes.

672. You got him convicted?—Yes.

673. And that was the means of his license being cancelled?—Yes.

674. That was at the expiration of the license he had. When he was convicted you did your best to prevent it from being renewed, and you were successful?—Yes.

675. I think you found the license there when you got to the district?—Yes.

676. Do you know any system by which sly-grog selling can be thoroughly stamped out in the King-country or any other country?—Well, the only thing I can see, or, at least, the only two things, is either to grant a license at each place, or prohibit liquor from going into the country at all. You want either one of two things. At present it is allowed to go into the country, but it is not allowed to be sold; the sale only is prohibited.

677. Do you think a more constant change of constables would do any good?—No, I do not think so.

678. Because a man after he had been there a week would be known as well as anybody else?—He would be known before he was there a week.

679. Do you think if there were more constables in the King-country that would have the desired effect?—Not at all.

680. You think the best plan would be to either grant a license or stop liquor going into the country?—Yes.

681. *Colonel Pitt.*] Would stopping grog going into the country prevent illicit distillation and selling? How would you prevent people in the country distilling grog for themselves?—That would be easier to deal with.

682. In a country like that would there be many facilities for private distillation?—Any amount.

683. *Mr. Poynton.*] Do you think if a penalty were imposed on the person who bought as well as the person who sold liquor would have a deterrent effect?—I do.

684. *Rev. Mr. Isitt.*] Are you aware that in the 1895 Act there is a clause that provides that in the event of prohibition being carried in any district by the vote of the people it shall not be lawful, *inter alia*, “to send or deliver to any person residing therein, or to any place situate therein, any package containing liquor, unless such package bears distinctly, written or printed, on the outside thereof a statement that it contains liquor”?—Yes.

685. Would it not materially help you if a clause of that kind applied to the King-country?—Most decidedly it would.

686. So that you would have the power to examine packages going into the district by train or other vehicles?—Yes.

687. You have had some experience of the licensing-laws in other places?—In Auckland.

688. Had you any difficulty in enforcing the laws—does the law enable a constable to put a stop to illegal sales?—You would have trouble to do that.

689. *Mr. Tunbridge.*] Do you find that since Inspector Cullen was in the King-country the sellers of grog have been more careful to whom they sell?—Yes.

690. Will they sell now to any European until they know pretty well who he is?—No, they will not. When he gets “in the know” he is all right.

691. Inspector Cullen, I believe, went up there as an insurance agent?—Yes.

692. And represented himself to be an insurance agent?—Yes.

693. He adopted that subterfuge?—Yes.

694. Of course, in doing that he had to make use of a good many expressions that were not true?—Yes.

695. Have you heard or seen it expressed in evidence before this Commission and also in the public Press that such action on the part of the police should not be tolerated?—I did not say it. I tell lies myself.

696. And can you, as a practical police officer, see your way clear without having to do so?—It is impossible to do so.

697. Do you think the people of the country who are at present going against the Police Force could do any better than you without adopting this subterfuge?—They could not.

698. Do you happen to know this little expedition of Inspector Cullen’s cost the department a little over £400?—I dare say.

699. Now, did your Inspector tell you that you are at liberty to offer a very considerable money reward to any person who will assist you in procuring a conviction for sly-grog selling?—No.

700. Do you not understand that any person who will assist you in procuring a conviction for sly-grog selling will be rewarded by the department?—Yes.

701. And you have authority to tell a person so?—Yes. I have had people for that purpose, but you cannot get them now because they are not paid sufficiently. They are paid more by the defendant than by the department.

702. You mean sly-grog sellers are likely to pay them more than the department can see its way to pay them?—Yes. They pay these witnesses to swear falsely in the Court.

703. You feel, do you not, that you have perfect liberty in doing all you can to detect this sly-grog selling by every means in your power?—Yes.

704. And you have the privilege of the department to spend money?—Yes, by getting these men.

705. *Colonel Pitt.*] Which do you consider is the worst moral offence—to sell liquor without a license, or to tell a lie?—Selling grog.

TUESDAY, 14TH JUNE, 1898.

WILLIAM JONES, examined on oath.

1. *The Chairman.*] What is your rank?—I am a second-class constable, stationed at Te Awamutu.

2. *Rev. Mr. Isitt.*] How long have you been in the Force?—Just over nineteen years.

3. And where have you served?—In the Armed Constabulary and afterwards in the Police Force. I have been in the Police Force since 1885.

4. Where have you served as a constable?—I have been for the last ten years at Te Awamutu.

5. Four years prior to that where were you?—In Cambridge, and other parts of the Waikato.

6. In any country in the King-country itself?—No; part of my police sub-districts is in the King-country.

7. You know the place, then, as the King-country official?—Yes.

8. You have some knowledge of the circumstances prevailing there?—Yes.

9. Have you been pretty active in enforcing the licensing-laws in your district?—Yes.

10. Has it ever subjected you to any trouble?—No, I cannot say it has. There is no sly-grog selling in my part of the King-country.

11. Have you had an occasion to enforce the laws in regard to publicans?—Yes.

12. Has that involved you in any difficulty of any kind?—No.

13. I suppose you know pretty well what the mind of the Police Force is on that subject?—I really cannot say, because I know only a few constables in my neighbourhood.

14. Do you not know that in your neighbourhood there is a general feeling that it is dangerous to touch the liquor traffic?—No.

15. Do you know whether there is a general feeling that political influence is necessary for advancement?—No.

16. What places do you visit in the King-country?—Well, Otorohanga is below my place, but on the Kawhia Road and south of that is part of the country I visit when occasion requires.

17. Do you know if there is any sly-grog selling there?—None.

18. *The Chairman.*] You know of none?—No.

19. *Rev. Mr. Isitt.*] Do you know anything of the circumstances of Otorohanga?—Yes; I have been there on duty and in connection with the raids. I was connected with pretty well all of them.

20. Specially with Sergeant Cullen's raid?—Yes, and others.

21. Would you say from your own knowledge that there is much sly-grog selling?—Yes; a good deal in the neighbourhood of Otorohanga and Te Kuiti and that district.

22. In your raids did you visit other parts of the district?—Otorohanga and Te Kuiti.

23. And you say that there was a good deal of sly-grog selling in this district?—There is a good deal of it, and during the ten years there have been a number of convictions.

24. And do you think that a constable on ordinary duty has a fair chance of competing with sly-grog selling? I am not asking whether there is any restriction in his ordinary duty to render circumstances such as to give him a fair chance to grapple with the evil?—My opinion is this: that if people have money and want grog or anything else they will have it under any circumstances.

25. Do you think, then, that if a taste for opium developed that the law against opium-selling would be ineffective?—Undoubtedly.

26. You practically regard laws of that kind as valueless?—Yes, if the people who require these things have the money, I do.

27. But, apart from that question, is there not a certain amount of value in prohibitory laws or laws of regulation?—Yes. If I think the inhabitants will support these laws they are of value, but if they are antagonistic to them they are valueless.

28. Now, there have been convictions in connection with these special raids of Sergeant Cullen's, and other raids?—Yes.

29. That fact showed that the law could be enforced, and the law-breakers should be got and punished?—So far as I have seen, the principal effects of these raids have been that the sly-grog dealers take special precautions afterwards.

30. But at the time they were caught?—I think the constable in charge of that district can speak more freely than I could.

31. You know that sixty-seven convictions resulted from that one raid?—Yes.

32. Have you heard the total number of convictions?—I cannot remember, but I know them because they all passed through the Court at Te Awamutu, of which I am the Clerk.

33. My point is that, from your knowledge, of eighty-eight prosecutions there have been sixty-seven convictions?—That is correct.

34. And sixty-seven convictions resulted from one raid?—Yes, but that was not the result of the raid. The evidence to support these convictions was obtained months previously, and not as a result of the raid. The raid itself was simply half the business, and did very little.

35. Of course, I am using the general expression "raid" with regard to the special effort made by Sergeant Cullen, who visited the district and took his own means to detect. He also took others up as his helpers, and made the raid, and the result of the special efforts was sixty-seven convictions?—There was a large number of convictions.

36. The result of the special effort was a large number of convictions?—Yes.

37. A larger number, probably, than could be obtained by all the constables over a long period by their ordinary method?—I can simply say as to the convictions obtained.

38. *The Chairman.*] Do you attribute these sixty-seven convictions to Sergeant Cullen's action?—I cannot say.

39. *Rev. Mr. Isitt.*] Suppose you were stationed at Otorohanga: it would not be long, I presume, before every sly-grog seller would know you, undoubtedly?—Undoubtedly.

40. And then, however zealous you might be, would you not have very great difficulty in obtaining convictions in connection with your ordinary police duty?—Yes.

41. Now, if the department chose to send you to a strange district, and instructed you to obtain convictions for sly-grog selling, do you think you would have much difficulty?—I should say, judging from what I saw in the King-country, I would have difficulty in obtaining convictions in other districts. There are very few places where some people would not know me.

42. You say Sergeant Cullen came up and obtained convictions?—Yes.

43. Would you not have confidence in your own smartness, supposing you were sent to a city like Wellington, to detect a number of illicit publicans?—I believe I am known to a number of men down there.

44. With regard to Te Awamutu, is there much drunkenness amongst the Natives there?—Very little. There are very few living in the vicinity of Te Awamutu. In fact, there are not more than a dozen in the immediate vicinity.

45. Do they visit the districts occasionally?—Yes. On sale-days, which are held every month, a good few come in.

46. What about drunkenness then?—There is very little—practically none. In proportion to the number of persons who come in there is very little.

47. And, generally speaking, the Te Awamutu liquor trade is conducted without objectionable features?—Yes.

48. *Colonel Hume.*] Do you think there would be less sly-grog selling if a license were granted in the country?—Yes, I do.

49. Then, would you be in favour of having a license?—I would. It would make the matter much easier for the police up there.

50. Did you happen to know whether any other persons were sent up to the King-country to try and detect sly-grog selling other than Sergeant Cullen's?—Yes, I do; for years, from time to time.

51. And prior to Sergeant Cullen's coming?—Yes; for ten years before.

52. And periodically since?—Yes.

53. *Rev. Mr. Isitt.*] Do you know anything as to the success of these attempts?—Yes.

54. Can you give us the number of convictions which resulted?—No, not without looking at the books.

55. Did you hear the evidence of the Rev. Mr. Gittos yesterday concerning Te Awamutu?—I did.

56. Was he mistaken?—I would not like to say Mr. Gittos was mistaken.

57. *The Chairman.*] In what respect?—Mr. Gittos referred to the sale-days. No doubt he has seen a certain amount of drinking amongst the Natives and the Europeans, but, as I said before, there is very little. The Natives are not like Europeans, and Mr. Gittos knows that, because after a very few drinks they get excited and make more noise than Europeans would do.

58. *Rev. Mr. Isitt.*] You heard him say that he had seen several drunk, and had helped several to get home?—I cannot say about that—I never heard it.

59. Do you think he was mistaken?—I cannot say.

60. Are you not there on sale days?—Yes.

61. You make it a rule to be at Te Awamutu on sale-days?—Almost always, unless some very important duty takes me away.

62. However, you would not question that Mr. Gittos did see what he said?—No.

63. *Colonel Hume.*] Did Mr. Gittos report to you at any time that there were drunken Maoris or drunken Europeans about?—I cannot say. It is a good while since Mr. Gittos was there. I think he might have told me generally there was a certain amount of drinking amongst people at the sale.

64. If he had told you there were drunken people about, would you have gone and arrested them?—I suppose so.

65. *Mr. Tunbridge.*] I suppose you are aware that there have been people sent up often since Sergeant Cullen was up there?—No, I do not know.

66. You know that after such proceedings as were taken by Sergeant Cullen the sly-grog people have become very wary?—I know perfectly well, as a result of the raid, and for six months after, that it has been very difficult to do anything.

67. Still, there have been convictions ever since then?—Yes. In December, I think, was the last—two or three months after Inspector Cullen was there; and the same parties was convicted then.

JOHN CAVANAGH, examined on oath.

68. *The Chairman.*] What is your rank?—First-class constable, stationed at Ngaruawahia.
69. How long have you been there?—For seven years.
70. *Rev. Mr. Isitt.*] How long have you been in the Force?—I joined in 1878.
71. Where were you stationed prior to coming to Ngaruawahia?—At Tauranga.
72. How long?—I was first in the Field Force for two years, and then I was transferred to the police in 1880, and I was in the Tauranga district and between there and Opotiki up to 1890.
73. Then you have not been much in communication with other members of the Police Force; you have not been where you have known many of them?—No; not very many. I was a great part of my time on these stations.
74. Do you know anything of any feeling amongst the men as to political influence being necessary for their advancement?—I do not.
75. Have you been active in your enforcement of the licensing-law wherever you have been?—Yes, I think I have in all places I have been. I have attended to any breaches of the licensing-laws.
76. Have you got into any trouble for it?—No.
77. There is a license at Ngaruawahia?—There are two.
78. Does your district cover only a licensed area—do you go into the King-country?—No; I was there once in 1888 for a special duty.
79. Was that specially in regard to sly-grog selling?—Yes.
80. Were you sent as a plain-clothes man?—I was sent up as a swagger, and went in search of work.
81. How long did you stay there?—Not quite a fortnight.
82. What place did you visit?—I worked at Te Kuiti.
83. There was no brewer's license there then?—Yes; they were brewing the same way as they have been ever since. It was supposed to be always hop-beer, and was sent up as hop-beer, and yet it was proved that there was over 10 per cent. of alcohol in it when analysed.
84. *Colonel Pitt.*] Is that not so in all hop-beers?—Not quite so much.
85. *Rev. Mr. Isitt.*] Did you go to Otorohanga at all also?—No; I just called in on my way back.
86. Not on duty?—Yes; but there was very little use of my trying anything there on my way back. After my seizure at Te Kuiti I was well known all over the district.
87. Did you go to the Mokau?—I do not think there was anybody there at the time.
88. Was there much sly-grog selling at Te Kuiti at that time?—A good deal.
89. A distinction was drawn by the last witness between a "good deal" and a "great deal"—would you say a great deal?—Not a great deal in my time; they were very careful with it.
90. Did you lay many informations?—I had about eighteen. I cannot be exactly sure.
91. How many convictions did you secure?—Well, we withdrew a good many of the informations, as we saw it was no use prosecuting. We had about fifteen informations against four persons, both men and women.
92. Were four persons the whole of those you caught?—Yes.
93. Do you suppose you would have much difficulty if you could go unknown in obtaining as many convictions now?—I believe they are very careful indeed, and were then, and except you were well known, and known to be really a swagger and a workman, you would get nothing.
94. Then, you think they are more wary?—Yes.
95. Do you think much sly-grog selling is going on there?—I cannot say.
96. Could you obtain the same results on ordinary police lines: do you think the sort of work you did then is essential to the capture of sly-grog sellers?—It is the only way it can be done.
97. *Mr. Poynton.*] If you went straight to a sly-grog seller and told him you were a policeman you would not get evidence?—No.
98. *Rev. Mr. Isitt.*] With regard to Ngaruawahia, are there many Natives in that district?—A good few.
99. Is there much drunkenness?—Very little, indeed.
100. Are there sale-days there?—Yes.
101. Monthly?—No, about every three months.
102. Any drunkenness on sale-days?—No. The Natives do not frequent the cattle-sale; they have very few cattle about there.
103. *Mr. Poynton.*] Is the proportion of white population in the King-country to the Native population very small?—Very small.
104. Having regard to the special injurious effects of liquor-consumption on the Natives, and the fact that the King-country is a prohibited area, do you think an amendment of the law is required to make the selling to Natives a more serious offence?—The best way, I think, to put it down would be to grant a license at each of these places, and by doing so the licensees themselves would, in a great measure, put down sly-grog selling. The licensees and their agents would assist in every way to put it down, but as it is at present they are too anxious to sell what they can, and the little they do sell is most injurious to most men; it is bad, inferior liquor.
105. *The Chairman.*] With regard to obtaining information on which you can lay charges, you say that without deception you cannot?—No, it is impossible.
106. Now, another constable has told us that he considers the lies necessary to obtain conviction is a minor offence to the sly-grog selling without a license. I want to ask you whether there

is any other class of crime in the discovery of which you have to resort to the same schemes of lying and deception?—No; not that I know of.

107. *Rev. Mr. Isitt.*] Would it facilitate the detection of sly-grog selling if power were given to open packages?—Well, we know it is there, but it is impossible to do anything without you can prove a sale. They have it in their houses, but until we can prove a sale it is impossible for us to get a conviction.

108. You have had some experience of publicans in other places than Ngaruawahia?—Yes.

109. Do you find that granting a license suppresses illicit sales?—It does.

110. Are there no sales after hours?—I do not know that you could get drink in my district after 10 o'clock or on Sunday.

111. Nor in any other district in which you have been engaged?—Yes; there are some places where some publicans will take every advantage of a constable.

112. You mean selling after hours and on Sunday?—Yes.

113. In regard to gambling in their houses?—No; there is very little gambling. I have seen none.

114. *Colonel Hume.*] I take it you are of opinion that it would minimise the evil a great deal, if it did not put it down altogether, if licenses were granted in the King-country?—I do.

115. Now, are there any serious crimes reported in your district, such as cattle-stealing, or housebreaking, or burglary?—There is very little housebreaking—there are a few occasionally.

116. Generally, you manage to arrest the offenders?—Yes; I think I have brought all to justice in my district.

117. You say publichouses in your district close at the proper hour so far as you know?—They do.

118. And they are not open on Sundays?—No.

119. And little or no gambling is going on?—No gambling.

120. Now, suppose immediately a raid has been made, or prosecutions laid for sly-grog selling in the King-country or elsewhere, it is useless to send anybody up after that—they are a good deal too "fly"?—They are.

121. And it would be impossible to get a conviction for some time?—Yes; after twelve months they might get a little more confidence and sell more freely.

122. *Mr. Tunbridge.*] You, as a police constable, have to carry out the law?—Yes.

123. As regards the seriousness or otherwise of offences, do you base your estimate on the punishment awarded by the Legislature?—Yes.

124. For instance, if the maximum penalty for one offence is one month, and the maximum penalty for another offence is six months, you would consider where the Legislature imposed a penalty of six months that that was the most serious crime?—Yes.

125. You, as a police-officer, deal with the matter entirely from its legal aspect?—That is so.

126. You do not allow sentiment to come in?—No.

127. You cannot take into consideration the question of the indirect results of a breach of the law?—No; that is for the Bench to decide.

FRANK SOUTER MALCOLM, examined on oath.

128. *The Chairman.*] What are you?—An outfitter, in Queen Street, Auckland.

129. *Rev. Mr. Isitt.*] How long have you resided in Auckland?—Close on two years. I think I came up in August, 1896.

130. You are now living in a house of your own?—Yes.

131. At first were you doing so?—No.

132. And you then boarded where?—I stayed at two or three different hotels in Auckland.

133. Of course, you chose comfortable and respectable hotels?—Yes.

134. And you were there simply for accommodation?—I remained there till my family came to Auckland.

135. You were not there to see what you could see?—No.

136. Are you a member of any prohibition league?—No.

137. *The Chairman.*] How long were you in the hotels?—Approximately from September, 1896, to the end of January, 1897—four or five months.

138. Did you see any breaches of the Licensing Act while you were in these hotels?—Yes.

139. Can you tell us what form they took?—Well, the usual form was sales of liquor after 10 o'clock.

140. *Colonel Pitt.*] Were they trading with outsiders or with persons lodging in the house?—Outsiders.

141. *Rev. Mr. Isitt.*] Were there any sales on Sundays that you witnessed?—No; not on Sunday.

142. When you say you witnessed sales after hours, do you mean two or three, or any considerable number?—At one of the hotels it seemed that business begun after 10 o'clock.

143. And was there a considerable amount of business?—Yes.

144. Can you give the Commission any idea: were there twenty or thirty people, or more?—From my own observation I should say they were busier after 10 o'clock at one particular house than for the same period at any other part of the day. That is to say, for two or three hours after 10 o'clock there would be more business done.

145. *Colonel Pitt.*] Did you remain up till 1 o'clock?—I remained after 12.

146. *Rev. Mr. Isitt.*] And after 12 o'clock was it still going on?—Yes.

147. Vigorously?—Not perhaps so vigorously, but they were still doing business.

148. Can I put it this way: that from 10 to 12 they were doing brisk business?—Yes.

149. *The Chairman.*] You say this was the busiest part of the day's work so far as you could see?—Yes.
150. Do you know how entrance was obtained to the house?—In most cases by the front door.
151. *Colonel Hume.*] What hotels did you stop at when you first came to Auckland?—I decline to name the hotels.
152. You were staying at these hotels where they did brisk business from 10 to 12 nightly?—Yes.
153. And you saw this illicit trading going on every night?—Not every night—any night I was back.
154. Did you give any information to the police about this, or to anybody else?—I do not remember that I mentioned it to anybody in particular, but I think I mentioned it to one or two, otherwise I would not be here now.
155. Did you mention it with an idea of any prosecutions taking place?—No.
156. Did you still continue to remain at that hotel, notwithstanding you saw this breach of the law being committed so often?—I remained at three hotels in five months while I was here.
157. They did not all do this brisk business?—No.
158. You still continued to remain in this one?—So long as it suited me. I did not leave on that account.
159. You actually saw the thing going on, and you still remained in the hotel and took no steps to try and get it stopped?—Yes.
160. You say these people whom you saw drinking there were not boarders: how did you know that?—I did know a good many in Auckland at the time, and I knew a good many of these were not boarders. I knew them as citizens.
161. At these two other hotels did they carry on any illicit trading that you saw?—One did not at all so far as I saw, and the other frequently.
162. How did they get in by this front door: was it locked?—I think it was kept on the snip. There was a hall-porter to let customers in and out.
163. Did they go and knock at the door?—Yes.
164. And there was some attendant inside to let them in?—Yes.
165. Did they go out the same door?—I know some went in and out the same door. I did not know of any back door.
166. Then, there must have been a constant stream going in?—Pretty well.
167. Now, does this front door open on to any of the main streets?—Yes.
168. Can the bar-windows be seen from the main street?—No, I do not think so.
169. Was the barmaid there?—Yes.
170. Up till what time?—I do not know up till what hour, but as late as ever I have been there.
171. You say the barmaid was there up till 12 o'clock serving out drink behind the bar?—Yes.
172. *Mr. Tunbridge.*] Did the drinking take place in front of the public bar?—Yes.
173. Were you in the public bar seeing it going on?—I have been there after business. I am not a drinker, but I have gone in after business and had a bit of cheese and a glass of ale.
174. How long were you staying at this particular hotel?—Perhaps two months.
175. How many times do you suppose you were in the public bar between 10 and 12 during these two months?—That I cannot tell you. Every night that I went in the public bar was really open to any one to see what was going on. Going from the main entrance you can see the public bar.
176. You mean going to the part of the house reserved for the boarders?—Yes, even if you do not go in.
177. Now, did you see drinks paid for over the counter?—I have seen some.
178. By whom, can you say?—No; I cannot give you any names, but I know there was nothing hidden about it. It was a matter of nightly occurrence.
179. You said you knew some of the people who were in the bar during prohibited hours as citizens of Auckland?—Yes.
180. What I want to know is, did you see these persons whom you knew as citizens of Auckland paying for drink over the bar during these prohibited hours?—I have seen persons paying for drinks who were not boarders.
181. Were these the persons whom you knew as citizens of Auckland?—I might not know them as residents of Auckland, but I meet them every day in Auckland. They might have been residents of the North Shore or Ponsonby. I am not acquainted with their residence.
182. *The Chairman.*] They were persons you met daily in Auckland?—Yes.
183. *Mr. Tunbridge.*] For all you know, every person who paid for drink in the hotel you mention might have resided three miles from the hotel?—Yes.
184. Do you know it is not an offence for a person who resides three miles away from a hotel to be supplied with drink?—I know it is.
185. Are you able to say that the law was broken in any respect?—Yes.
186. Why?—Because the North Shore people are not three miles away.
187. Did you see some people living at North Shore in the hotel?—Yes.
188. Can you give me their names?—I cannot give their names.
189. Then, so far as you know, the law was not broken at all?—So far as I know, the law was broken.
190. Do you understand the law?—I understand a man is considered a traveller if he resides three miles away from the hotel.
191. And the licensee has perfect liberty to supply that person with drink on demand without breaking the law at any time, day or night?—Yes.

192. He has also perfect liberty to provide persons with drink who are sleeping in the house?
—Yes.

193. And that these persons who are sleeping in the house can pay for drink to be consumed by others not boarders in the house?—Yes.

194. If you understand the law as far as that, I want to know how do you know the law was broken if you are not able to give names, or any other proof? How do you know that a person not entitled to be supplied with drink on demand was supplied with drink on demand?—Well, I do not know. The only thing I do know is that people came there whom I met every day in business in Auckland, and who were residing in the usual places about Auckland.

195. But you cannot name those persons?—No; I was a stranger, as I say, to the place.

196. Have you been to the hotel since?—Yes.

197. After hours?—No; not since I left there.

198. You cannot say what is going on at the present time?—No.

DAVID GOLDIE, examined on oath.

199. *Rev. Mr. Isitt.*] What are you?—A timber merchant, residing in Auckland.

200. Have you been residing in Auckland long?—Thirty-four years.

201. Do you remember anything of a deputation which waited on Inspector Hickson about two years ago last April?—I was one of a deputation. I do not know the exact date.

202. Have you accompanied deputations to Inspector Hickson more than once?—Only once.

203. Were the Rev. Mr. Williams and Mr. French members of the deputation?—Yes.

204. What did you bring before Inspector Hickson that day?—It was in connection with selling after hours and on Sundays in Auckland.

205. Were you remonstrating or asking questions?—We were complaining about the looseness of supervision.

206. Had you any authentic information to warrant you making that complaint?—I had been a member of Licensing Committees, and I had taken part with committees working with me in closing ten hotels in Auckland.

207. Were you a member of the Licensing Committee at the time of the deputation?—No.

208. Was it in connection with your duties as Licensing Committee man that you became aware of the facts you submitted to the Inspector?—No, because several years had elapsed from the time I was on the Licensing Committee up to this time.

209. Did you say you had knowledge that caused you to remonstrate with the Inspector as to the looseness of the licensing-law?—Yes; and yet we did not blame the Inspector very much, because we knew the difficulty to get convictions. We had knowledge that people in large numbers went into hotels, but we could not prove the sale of liquor; and unless you can prove the sale of liquor you cannot get a conviction. On one occasion we had watched one of the hotels, and 633 passed into one hotel between 7.45 a.m. and 10.5 o'clock in the evening. That was before Inspector Hickson was in Auckland. It was when Inspector Thomson was here. That was the report given us by the watchers.

210. *The Chairman.*] You have no personal knowledge?—No.

211. *Rev. Mr. Isitt.*] What were the circumstances concerning the recent information at that date that led you to wait upon the Inspector?—I was simply asked by Mr. French to accompany the deputation. I had no special information.

212. Did you at that time say anything about the King-country?—Yes.

213. To what effect?—We spoke to Inspector Hickson about the drink taken into the King-country, and asked him if there was any means to stop drink going in there. He gave us to understand he did his best to stop drink going in there.

214. Did you express any dissatisfaction as to what was being done or not being done in the King-country?—Very likely we did; I do not remember. I know we had a general talk with him on the question.

215. *The Chairman.*] You did not blame him much because you knew the difficulties?—Yes.

216. *Rev. Mr. Isitt.*] Was the general purport of your conversation to press him to do more in the King-country?—Yes.

217. Now, speaking generally, have you had much observation or opportunity of observing what has been done with regard to the enforcement of the licensing-laws?—I have not very much information about what is being done. I know a number of persons enter hotels on Sunday, and I have always recognised the difficulties the police have had to contend with. I knew perfectly well that the fact of entering a publichouse, or the fact of drinking in a publichouse, was not a breach of the Act. I know a man must pay for the drink he is consuming before there is an offence. I can understand the police trying to get convictions and failing, and then simply getting careless about the matter. I have seen within the last twelve months people on watch before some hotels, and persons passing into hotels on Sundays.

218. Large numbers going in and out?—Not a great number.

219. Is that all you have to tell us concerning the non-enforcement of the licensing-laws? Do you know anything of illicit sales after closing-hours?—No.

220. Have you any knowledge as to gambling?—Well, I believe there is a lot of gambling being done. I know this: that in going down to my booms a short time ago I saw a number of lads inside a fence near the fumigating-house—perhaps there were twenty or thirty boys within this close-boarded fence shuffling dice and cards. I also saw some in Customhouse Street behind a little rifle-range playing cards.

221. Do you know if they were playing for money?—I do not know. And in the Domain on Sunday mornings I see a number under the clumps of trees playing cards.

222. Playing for money?—I do not know.

223. You know nothing concerning gambling?—No, I do not.

224. *Colonel Hume.*] I take it from the evidence you have given that you think the police have done their best to suppress any illicit sales of liquor?—No; I think it is very difficult to get a conviction, and I could quite understand the police, knowing that difficulty, have got careless because of the difficulty.

225. You think that the laws want amending?—Yes, I do.

226. What hour of the day was it you saw this man on watch outside the hotel?—He would be there from early morning—from 9.30 o'clock—walking backwards and forwards. I have passed him walking up and down.

227. You of course jumped at the conclusion he was on guard—you do not know he was, but merely suppose he was?—I saw the same man walking up and down, and people going in. I may say a conviction has been obtained against that hotel, and the licensee has left the house.

228. *Mr. Poynton.*] You recognise the fact of these watchers being on guard makes it very difficult for the police to cope with Sunday trading?—Yes.

229. *Mr. Tunbridge.*] You were asked if you complained of liquor being taken into the King-country, and you said Inspector Hickson promised to do the best he could to stop it?—Yes.

230. Are you aware the police have no power to stop it?—I understood the law did not allow it to be carried into the district.

231. Considering the police have no power to stop drink being taken into the district, do you suggest they neglect their duty in not stopping it?—There could be no neglect of duty if there is no power in the matter.

232. *The Chairman.*] With regard to the action of the police in regard to the city and King-country, can you point to any case in which you consider there has been neglect of duty on the part of the police?—I cannot within the last few years, but when we were closing hotels when I was on the Licensing Committee there were facts brought to me on which I closed the hotels. In some cases I thought the police were very neglectful of their duties, because complaints were made against the police themselves. That was ten years ago. I have no recent knowledge, or since Inspector Hickson's time. The closing of these hotels had this effect: it made them very careful for a time.

233. *Inspector Hickson.*] Do you know that the police are now empowered by law to compel people found on licensed houses to disclose their names and addresses?—I do not know that.

234. And unless the police knew the person found in a publichouse was a resident, and could prove he paid for the liquor, it would be useless for him to prosecute?—I knew that. This is the reason why the Licensing Committee was more effective than yourself, because we had the power to close without a conviction.

235. You know we have had convictions against many publicans, and the cases have been dismissed because we have not been able to prove the people were not boarders or lodgers?—Yes.

236. The responsibility is thrown on the prosecution, and not on the publican?—Yes.

237. So that if the publican chooses not to answer questions when a policeman comes in as to who he has supplied with drink, as to whether they are boarders or lodgers, we have no means of proving to the contrary unless we know them?—Yes, I know you have very great difficulty. In respect to a statement made by Inspector Hickson, I would like to say, although there may be no legal brothels, there are houses which are called houses of assignation, and there are very great numbers of them. If the police do not know about them they ought to know.

238. *Colonel Pitt.*] What do you suggest the police should do to stop them?—If there is no law to stop them there ought to be a law.

239. *Mr. Tunbridge.*] Are these houses very quietly conducted?—Not always. I have passed by sometimes and found music and dancing going on in the front rooms, and a number of young ladies about the doors. I passed by a number of these houses last night, and everything was as quiet as could be. I do not know whether it is because the Commission is sitting here. Perhaps that had something to do with it.

240. Do you know if the neighbours made any complaints?—I have heard that in some cases complaints were made about those in Cook Street. I think there were convictions there, but a number of people came to me and complained who did not care to go to the Court to give evidence.

241. Of course, as a matter of fact, the Cook Street houses have ceased to exist?—As brothels.

242. *The Chairman.*] Are you aware of any complaint made in respect to the character of a house where the police failed to investigate and prosecute?—No. But what I complain of is that the police should have to be complained to. They ought to know their duty.

243. Do you not know that the police are not empowered to take action unless under certain conditions?—We look upon the police as those who should see the law enforced, and so look to them to take action in these matters, and not to leave that to the people who pay them.

244. *Mr. Poynton.*] Do you not know that the same difficulty exists in getting convictions against these people as exist in getting convictions against hotelkeepers for illicit trading?—Yes.

245. *Rev. Mr. Isitt.*] Complaints were made, and you believe when the complaints were made convictions followed?—In one street.

246. Had you any complaints made against houses of assignation?—I know complaints were made to me, and I and my Committee closed the hotel adjoining such house.

247. The complaint and convictions were against brothels, and not assignation-houses?—Both.

JOHN WATSON FORBES, examined on oath.

248. *The Chairman.*] What is your rank?—First-class constable, stationed at Te Aroha.

249. How long have you been at Te Aroha?—About six or seven weeks.

250. *Rev. Mr. Isitt.*] How long have you been in the Force?—Twenty-five years.
251. Can you tell us where you have been stationed?—I have only been in the police since 1886. I was at Kawhia from 1886 to 1891, and from 1891 till about two months ago I was at Hamilton.
252. Have you mixed much with other constables in country places?—No; during the time I was at Kawhia there was no constable within thirty miles of me.
253. Have you ever been in Auckland during the period you have been in these country districts?—Occasionally I have come with prisoners and left the following morning.
254. You do not know much as to what the general impression of the police is in regard to political influence affecting the Force?—No.
255. You have nothing to say on this subject?—No.
256. Is Kawhia a licensed area?—No.
257. It is a Native area without a license?—Yes.
258. Is there much drink sold there?—During my time there was absolutely none.
259. Does it follow that there was no drunkenness?—I never saw the slightest sign of drink on any one there.
260. During the whole of those five years?—Yes.
261. That is, it was a prohibited area in which prohibition did prohibit?—In that case it did.
262. Are there many Europeans there?—Very few.
263. Any European storekeepers?—Two.
264. Any accommodation-houses?—Not in my time.
265. *The Chairman.*] Do you say so long ago as six years that was a prohibited district?—There was no license.
266. Do you know the Proclamation of 1884, making a certain large area a prohibited district?—Yes.
267. *Rev. Mr. Isitt.*] Is it included in the Native area which was prohibited by Proclamation in 1884?—Well, I believe it is, because a license was applied for, or some endeavour was made to get a license, and it was refused.
268. On the ground of being a prohibited area?—The Natives, I believe, objected to a license there.
269. Was it not a chief whose influence went to secure this good result?—Not that I am aware of.
270. You then moved to Hamilton?—Yes.
271. Are there many Natives in that district?—Not in the immediate vicinity.
272. Do many come into town?—Very few.
273. Are there sale-days held in Hamilton?—Fortnightly.
274. Do Natives come in then?—There might be a few—say, half a dozen.
275. Not enough to let you form any opinion as to the habits of intemperance among them?—No.
276. Have you been sent into the King-country officially at any time?—Yes; both to the King-country and Kawhia. I conducted a raid on sly-grog sellers in March, 1897, at Kawhia.
277. You did that yourself: who reported it?—It was reported, I believe, by the district constable who was there. He asked for some assistance, as there was sly-grog selling in Kawhia.
278. And you were sent?—There were two constables who had come up from the south and just joined the Force sent from Auckland by Inspector Hickson prior to my going. They were not known in the district.
279. Did they succeed?—Yes.
280. And you joined them for the purpose of the raid?—Yes; I was sent over to conduct the raid, and to prosecute.
281. Were you long in Kawhia on that occasion?—I was five days altogether. I went over three days before, to grasp the situation before the men came who were to make the raid, and I made arrangements for them to meet me at a certain place to conduct them into the township secretly, and we made the raid the following morning.
282. *The Chairman.*] Under whose control were these men?—They were under my control for the time being.
283. Were you then travelling in uniform?—No. I was well known in Kawhia, and I was in the habit of visiting there frequently, and they would take no notice of me.
284. *Rev. Mr. Isitt.*] Were you able to form any estimate then as to whether there was much sly-grog selling going on?—So far as I could learn, it was only when there were large meetings and gatherings.
285. Then, you gathered there was a good deal of sly-grog selling?—Yes, amongst Natives.
286. By Natives to Natives?—Yes.
287. How many convictions did you secure from this visit of the men?—Seven convictions against seven persons—six Natives and one European.
288. Do you think you caught all the offenders?—I think there might have been one or two of them who were not caught. The evidence against them was not sufficient.
289. Did you secure any evidence as to where the Natives got their grog from?—It comes by steamer from Auckland.
290. Did you get any explicit information on that point: do you know where it came from?—No; the Natives got it consigned as goods of all kinds.
291. You left Kawhia in 1891, and there was a raid in 1897?—Yes.
292. Do you know whether any complaints were made in these intermediate areas that sly-grog selling was going on?—I cannot say, except that the district constable used to write to me on the subject.

293. Did he report it was going on?—He wrote to me on the subject just before reporting it, and it was on my advice he reported it to the department, and got assistance.

294. He wrote in 1897, but between 1895 and 1897 did you get any communication saying there was sly-grog selling? When did you first hear of it?—The first I heard of it was in 1897, from the district constable.

295. As a matter of fact, so long as you were there, there was no sly-grog selling?—Absolutely none.

296. And afterwards it crept in?—Yes.

297. Can you give any reason for that?—I cannot give any reason.

298. Did the sly-grog sellers come to the district after you left?—Three of those convicted were strangers in the district. I think they came from Otorohanga and that district.

299. Came there purposely?—No; they were employed by Kawhia Natives to sell for them.

300. They were imported from Otorohanga on purpose to sell?—No; they were there on a visit, and they were employed by the Kawhia Natives to sell for them during the meeting or gatherings, and, of course, they were caught and prosecuted; but they did not actually belong to the place.

301. Have you visited other parts of the King-country? Were you on Sergeant Cullen's raid?—Yes.

302. Was that your first visit to Otorohanga and Te Kuiti?—No; I had been previously to both places.

303. Was that when you were stationed at Kawhia or Hamilton?—From both places.

304. So long ago as that was there much sly-grog selling?—There was sly-grog selling, but to what extent I cannot say. I was there on other business.

305. At Te Kuiti was there sly-grog selling?—Yes.

306. And at Otorohanga?—Yes.

307. When you went in connection with Sergeant Cullen's raid were you in the district long?—No; one day. We arrived there during the night, and were there the whole of the next day, and left the following morning.

308. Then, you had not much opportunity of judging what was going on?—No.

309. What was the date of Sergeant Cullen's raid?—1897.

310. Now how many hotels are there in Hamilton?—Four hotels.

311. Are you able to secure the enforcement of the law?—Yes; I have had convictions there.

312. Has that resulted in the enforcement of the law?—Yes; I have prosecuted publicans for breaches of the law in Hamilton.

313. Do you think that stopped all sales after hours?—It was not for that I prosecuted; it was other breaches of the law.

314. What kind?—Such as exposing liquor for sale during prohibited hours, and for having an extra bar contrary to the Act, and for allowing dice to be thrown.

315. Then, you have been rather active in enforcing the licensing-laws?—I do not know; I think my experience is that every constable is active so far as lies in his power.

316. Do you think you have succeeded now in suppressing all after-hour sale?—Of course, I am not in Hamilton now.

317. Do you think that up to the time you left Hamilton you did?—I did. I considered the houses very well conducted indeed.

318. And Sunday sales?—There were no Sunday sales.

319. Are you meeting with the same success in Te Aroha?—I have more difficulty there. There is such a floating population. The hotels are full of boarders and travellers continually.

320. Therefore you anticipate a good deal of difficulty in enforcing the law at Te Aroha?—No; there will be more opportunities for breaches of the law, and less opportunities for me detecting them owing to the travelling public, but I anticipate no special difficulty.

321. Then, you would not use the words "special difficulty in enforcing the licensing-laws" so far as your own experience goes?—No, I would not.

322. Do you think they can be administered if you deal with them with a firm hand?—If we had publicans who insisted on breaking the law I would have considerable difficulty.

323. *The Chairman.*] Do you think the publicans in your district generally observe the law, or are desirous of observing the law?—They are all desirous of doing so.

324. Have you much Native element in Te Aroha?—Not a great many.

325. Have there been any Native Land Court sittings or sale-days?—Not since I have been there.

326. *Colonel Hume.*] You joined the Police Force in 1886?—Yes.

327. Are you a first-class constable?—Yes.

328. You have been fairly quick?—I do not know. It is a matter I have not troubled about very much.

329. Are there not men with as much service who are only third-class constables?—I am not aware of it.

330. You have been pretty active in looking after the liquor trade. You consider you have done your duty?—Yes.

331. And have you got rewards when you got convictions in connection with the liquor-laws?—In connection with sly-grog selling I have. Not in other breaches of the law, or in connection with publichouses.

332. And has this activity you have displayed in the performance of your duty in any way told against you in the Force?—Not that I am aware of. I do not think so.

333. Did you ever seek political influence to get you promotion?—Absolutely No.

334. How many raids do you know of in the King-country?—I have only been connected with one—Sergeant Cullen's.

335. You say you were connected with one at Kawhia?—Yes, but I do not look on Kawhia as the King-country proper.

336. *Mr. Tunbridge.*] Were the prosecutions at Kawhia the outcome of the report of the district constable?—I believe so.

337. Speaking about rewards given to you, do you know that for rewards for sly-grog selling there is a special vote by Parliament?—There may be; I am not aware of it.

EDWARD WILLIAM SHARMAN, examined on oath.

338. *The Chairman.*] You are a duly qualified medical practitioner, residing in Auckland. We had before us yesterday a certificate given by you, dated the 2nd December, 1896, referring to the illness of Constable O'Brien; and we also had before us yesterday a document from the Hospital showing that Constable O'Brien was admitted on the 7th December, 1896, suffering from *delirium tremens*. Do you wish to make any remark in reference to that?—I wish to say I was called to attend Constable O'Brien about this time. He was then suffering from debility brought on by excessive heat. He had not been drinking to excess at the time. I finished my attendance on the 3rd or 4th December, when he was all right, and on the 7th December I was called again after I had informed him that I should not attend again. When I got to the house I found another doctor had been there previously, and Constable O'Brien had by his advice been admitted to the Hospital. I was informed by his wife that during the time intervening between my previous visit and my visit on the 7th December he had been drinking very heavily, and had had a fit, and the doctor arrived there during the fit, or just afterwards, and advised his removal to the Hospital.

339. At the time you saw him on the 2nd or 3rd December, in your opinion he was not suffering from the effects of excessive alcohol?—No.

340. Do you suggest that between these dates—the 4th and 7th—he had taken liquor to such an extent as to develop *delirium tremens*?—It was quite possible.

341. Would his then condition of health tend to accelerate the mischief of alcohol?—The alcohol he would take in that time, and taking into consideration his state of health, would affect him more severely than if he had been in robust health.

342. *Rev. Mr. Isitt.*] You say there was nothing to indicate excessive drinking when you saw him?—Yes.

343. Would his state of health, in your opinion, be due to drinking, even if not to excess? I mean, he might have been drinking more than was good for him: would you in any way attribute his illness to drinking?—Not when I saw him. Certainly not. I saw him again on the 4th, and informed him he was all right and able to go to work again.

344. You did not see him after the 4th December?—I saw him at a subsequent period in June, 1897.

ARTHUR CLEAVE, examined on oath.

345. *Rev. Mr. Isitt.*] Are you proprietor of the *New Zealand Sporting Review and Licensed Victuallers' Gazette*?—Yes.

346. Are you also editor?—No.

347. Do you accept any responsibility in the editorial statements?—Entirely.

348. *Mr. Poynton.*] Legal liability or liability for the accuracy or otherwise of his statement?—Legal liability.

349. *Rev. Mr. Isitt.*] As to the accuracy of his statements, do you accept that?—Yes.

350. Do you happen to remember a statement on the 12th May, 1898, which read as follows: "We suppose there is not one hotelkeeper in the Auckland District who is not asked every night in the week to serve liquor after 10 o'clock, and we dare say that very few publicans refuse to supply the thirsty souls, for each knows that, though he may be perfectly willing to close at the correct hour, his fellow-tradesmen are taking the risk of a raid. The hour is too early for the convenience of the inhabitants, who, if they want anything stronger than tea after 10, must creep round to a back door, enter stealthily, and in fear and trembling drink the modest half-pint, or nip of whiskey—that is, if they can get it. This thing is degrading in the extreme." Is that a correct quotation?—That is right.

351. It implied your conviction that there is selling after hours?—Personally, I have no conviction in the matter.

352. Editorially?—Well, I am not editor.

353. Proprietorily? You say you have taken the responsibility for the accuracy?—It is not a definite statement. It is entirely supposition. It is a presumption on our part. We suppose and we dare say.

354. Well, you know editors never assume what they are not prepared to establish?—I know nothing about that.

355. Well, dropping the paragraph, have you any strong convictions on that question?—No; but probably my editor has.

356. Have you any knowledge in respect to illegal sales?—I have none.

357. Can you oblige us with the name of your editor?—Yes; Mr. Lawry, M.H.R.

358. Did Mr. Lawry write this article?—That I am not prepared to say.

359. Mr. Lawry either wrote it or it passed through his hands?—I do not know about this particular paragraph. Mr. Lawry can very likely tell you. The sub-editor might have written it.

360. Then, you really know nothing about this within your own knowledge?—I have no personal knowledge of after-hour trading.

WILLIAM HENRY WILSON, examined on oath.

361. *Rev. Mr. Isitt.*] Where are you residing?—I am vicar of Paeroa.

362. How long have you been residing there?—About twelve months.

363. And before then?—I was vicar of Waikato West, residing at Te Awamutu.
364. For how long?—I think about four years.
365. Was any part of the King-country included in your parish?—It was an addendum to my parish. I was supposed to go every three months, but sometimes I went every six weeks.
366. What parts did you visit?—Otorohanga and Te Kuiti, and I have been once nearly to Mokau. When I say Mokau there is the Mokau Station and Mokau proper further away. I have been to Mokau Station.
367. Did you become conversant with much about sly-grog selling?—I have known there has been sly-grog selling in the country. From the first time I went there I heard of it.
368. Did it come under your own observation?—No.
369. Did it on any of your visits come under your observation?—The facts have—not the actual sale of liquor.
370. Did you stay in any accommodation-house?—Yes; I stayed at the one kept by Mr. Tanner, and one kept by Mr. Hettit at Otorohanga.
371. Did you see anything of it in either of these houses?—No; of course, I was only there one night. I have known it has been going on. Of course, I was up there for a certain purpose, and not as a spy for the police or to try to spy out sly-grog selling.
372. Did you know it was going on in the houses?—I have heard it was going on.
373. You never saw liquor consumed by any people in these houses?—I have seen liquor consumed, but I have never seen it sold.
374. By Natives?—No, by Europeans.
375. They might have brought it with them or had it given to them?—That I cannot say.
376. Have you known of any active efforts to suppress it?—Yes. I have always believed the police have done the best they could under the circumstances, and I have made public expression of that before.
377. Have you seen much indication of drinking amongst the Natives in the licensed areas?—I have seen one occasion that I specially remember, and that is the occasion when the Rev. Mr. Gittos was there—the occasion of the sales in Te Awamutu.
378. You saw some drunkenness there?—Only one case—that of a Native. I remember this case very specifically, because I know that Constable Jones was doing his best to arrest this man, and I went over with another person with the intention of helping the constable to arrest him.
379. *Colonel Hume.*] I suppose your duties bring you constantly into contact with the police?—Yes, I see a good deal of them.
380. And both the constable at Te Awamutu and the one at Otorohanga?—Yes; Constables Stanyer, Steel, and Jones.
381. And from what you have seen are you satisfied with the way they perform their duties generally?—Most certainly in the King-country.
382. And do you think there is much undetected crime?—That I cannot say.
383. I mean, do your parishioners ever mention to you the loss of cattle, sheep, or horses, or their houses being broken into?—I have not had any intimation from any of my parishioners of that.
384. It is probable if it was going on to that extent they would mention it?—I should most likely hear of it.

LAWRENCE CARROLL, examined on oath.

385. *The Chairman.*] What is your rank?—First-class constable, stationed at Kihikihi.
386. *Rev. Mr. Isitt.*] How long have you been in the Force?—About seventeen years in the New Zealand Police Force. I have been in the Sydney Police also.
387. At what places have you been stationed?—Auckland City and where I am at present.
388. What years were you in Auckland City?—From January, 1882, to June, 1895, and since that time at Kihikihi.
389. Then you know a good deal about the Auckland police?—Yes.
390. Did you know of any feeling in the Force that to secure advancement it was necessary to use political influence?—I did not.
391. What duty were you on in the city?—I was on beat duty the first six years.
392. Can you give us any opinion concerning gambling or betting during these years? Was there very much came under your knowledge?—Not under my knowledge.
393. Did you know anything of "tote" shops?—Not up to that time. I have not been on the streets since 1887.
394. What were you doing after street-duty?—I was about five years and a half watchhouse-keeper, and about a year and a half as assistant clerk in the Inspector's office.
395. In the night hours you would not get to know what was going on in the city proper?—Except by hearsay.
396. Now, can you give any evidence as to the extent of "tote" shops? Do you know of any "tote" shops?—No.
397. Any betting-shops of any kind?—I suspected some of being betting-shops when I used to pass by on the streets off duty, but at that time I did not think there was any law in force regarding them.
398. What made you suspect they were betting-shops?—They were tobacconist-shops, and I used to see a good many going in and out of back-rooms. I did not know they were betting-shops.
399. Did you take any steps to bring the matter under the notice of the Inspector?—No. I did mention it to some of the men on the beats, and they said there was no betting done there.
400. Have you any knowledge as to immoral houses—brothels or houses of assignation?—They were in the city when I was doing duty.

401. You are speaking of how long ago?—Six years ago.
402. I am asking, up to the date of your leaving the city did you get to know much of this?—I heard about brothels and a number of prosecutions established since Inspector Hickson came.
403. You gave us your experience of betting-houses in that time; can you give any experience of brothels in that time?—I heard of them, and there was a large number of prosecutions which Inspector Hickson instituted here.
404. Have you licenses at Kihikihi?—Yes.
405. And a Native district?—A portion of it.
406. Is there a large number of Natives there?—Yes.
407. Is there more than one licensed house?—Two.
408. Much drunkenness amongst the Natives?—Not much.
409. There is some?—Sometimes when there is a large meeting of Natives, such as on sale-days or rabbit-days, or the day of election.
410. There is some drunkenness then?—Some, but not much since I have been there.
411. I would not say drunkenness that would cause persons to be locked up?—I have locked up very few, but under the influence of liquor they get excited and noisy, and a stranger would think they are drunk. I thought myself they were drunk when I first went there, until I became accustomed to the Natives.
412. Define what is drunkenness?—If a man was lying incapable on the street or unable to take care of himself or a nuisance to others I would say he was drunk.
413. If he simply staggers you would not lock him up?—Well, if he was near his home and I knew the person I would not lock him up. It would not be my duty to do so.
414. Have you visited the King-country?—Yes.
415. On more than one occasion?—Yes. I was there last July on duty, and in June for a day or two, and in August and September of last year. I have been there since that this year.
416. What places have you visited?—Otorohanga and Te Kuiti.
417. The Mokau?—No.
418. Did you find sly-grog selling going on there?—There is some.
419. Each time you had reason to believe there was sly-grog selling going on?—Yes; but I would not say to any great extent, except in July and August last, from the appearance of the places.
420. What places do you refer to?—Otorohanga and Te Kuiti.
421. Do you find that the sly-grog selling induces much drunkenness?—No, I would not say so. I have not seen many Natives drunk. I have seen them under the influence, but none drunk.
422. You have seen no Natives really drunk during your visits to the King-country?—Not even one.
423. Then you have not found that the sly-grog selling in the King-country has not had a worse effect on the Natives than in Kihikihi, where there is a license, so far as you can see?—You see more Maoris under the influence of liquor in Kihikihi when there are big meetings there than in the King-country. At other times they are really quiet, and there is no drinking going on.
424. Have you been in the King-country when there has been a big meeting on?—Yes.
425. Have you seen any under the influence of liquor then?—One or two in July or August, but, as I say, my visits were only short, for three or four days at a time or perhaps five days.
426. Would you say you have seen more Maoris under the influence of liquor at big meetings at Kihikihi than at big meetings in the King-country?—Yes.
427. *Colonel Hume.*] I suppose you have always instituted prosecutions when you saw there was any chance of getting a conviction?—Yes. It was impossible for me to do anything in the King-country. I was there in uniform. I was sent there on special duty. I was not sent to detect sly-grog selling on any occasion.
428. Did anybody ever try to prevent you carrying out the laws rigidly?—None whatever.
429. *Mr. Tunbridge.*] Was your knowledge of brothels in Auckland gained through seeing the correspondence and other things which passed through the Inspector's office while you were clerk?—Yes, for seven years.
430. That means where there were prosecutions?—Generally.
431. You would see papers in the Inspector's office, and then prosecutions would follow?—Sometimes I would, and sometimes not.
432. And from that you gained your knowledge that there were brothels in the town?—Yes. When the Inspector came here he nearly absolutely wiped them out.

JOHN HENRY UPTON, examined on oath.

433. *The Chairman.*] You are a bookseller, residing in Auckland?—Yes.
434. *Rev. Mr. Isitt.*] Do you hold any official position—Mayor or Councillor?—Not any elected position.
435. You are simply a private citizen?—Yes.
436. Do you remember a public meeting held on the 13th October last, convened by certain clergymen and the representatives of brewers, and held in Newton?—Yes.
437. Were there any others connected with the meeting—licensed victuallers?—Not that I am aware of—I was simply chairman. I was asked by my friends to be chairman, and who called the meeting I do not know.
438. Are you able to define the objects of the meeting?—No. I am sorry you did not give me some information as to what you want to ask me about. It is so long since now, and I do not carry these things in my mind. This is the first I know why you wanted me here.
439. You know a meeting was called by clergymen and brewers?—I understood, but I may be wrong, that certain clergymen and those representing the liquor interest decided to have a meeting, and they asked me to take the chair. That is really all I know about it.

440. What was done at the meeting? Did you hear the speeches delivered?—Yes.

441. Do you remember the general purport of these speeches—was it to secure a better observance of the laws?—I understood, as far as I remember, that the object of the meeting was this, to endeavour to secure a closer observance of the licensing law—that is all. Certain resolutions were proposed, but at this moment it would be impossible for me to remember what those resolutions were, but they could easily be supplied to you. They were published and sent by me as Chairman of the meeting to some authority, but I forget who. I think it was the Premier. At the close of the meeting I wrote a letter to the Premier sending the resolutions that were passed, and I received an acknowledgment from the Premier that he had received them.

442. *Colonel Pitt.*] Were the police invited to that meeting?—I am not aware of any arrangements whatever, except that I was asked to take the chair, as being probably an impartial person.

443. *Rev. Mr. Isitt.*] As a citizen, if a meeting should be called to secure a better observance of any laws, you would regard it as a kind of indictment of those who were supposed to be the law-breakers, would you not?—I should think not so, necessarily. It would depend a great deal on who called the meeting. Of course, I imagine the laws are broken; I have never heard of a law that was not broken, and I imagine it would be better to observe the law more closely, and I can understand that a meeting of citizens may be called at any time to secure a closer observance of the law, and especially a law so easily broken as the licensing law. I believe, if I can trust my memory, that the whole basis of the meeting was Sunday-trading, and the clergymen and the whole of the brewers were anxious to prevent Sunday-trading, and to make the whole business more reputable.

444. Then, may I not rightly assume this: that it was a meeting wholly friendly to the trade, and not antagonistic to it?—I think it was a meeting held in the interests of the community at large; I do not think there was either friendliness or hostility in it—I saw no signs of one or the other. There were standing on the platform men who had been active in securing a closer observance of the licensing law, and also those who had tried to secure the prohibition of drink, alongside of brewers and brewers' representatives.

445. How long have you lived in Auckland?—Thirty-two years.

446. Now, have you taken a keen interest in public events?—Yes, a reasonable interest.

447. Have you been Mayor of the city?—Yes.

448. More than once?—Two years.

449. Do you remember any instance in which a public meeting has been called to promote the observance of any other laws than these licensing laws?—I cannot for the moment say I remember.

450. Would you not probably remember if there had been—would it not impress itself on your memory?—It would depend really on what it was. In a sense there is a meeting held every Sunday morning to secure a greater observance of the law—the laws regarding theft and other awkward social evils. As a matter of fact, there are dozens of meetings held every year of a public kind, and presided over by a properly appointed officer to secure a closer observance of the law.

451. You mean churches?—Yes.

452. Did you ever know one advertisement in regard to Sunday morning to secure a better observance of the laws relating to gambling, theft, and other offences?—I should say I have read hundreds of times in the newspapers advertisements stating that a sermon would be preached in regard to the subject of gambling and other evils of the community, especially gambling.

453. That means some individual citizen has thought it necessary to speak on a subject that he regarded as an evil?—No, some person whose duty it is to do so. He is appointed by the community to a certain extent, and he regards it as a solemn duty to speak on this subject.

454. You are a bookseller?—Yes.

455. Have you ever known a meeting convened in Auckland or elsewhere to promote a better observance of the law amongst booksellers?—I am not aware they break the law.

456. I think you said just now all laws are broken?—Yes, all laws.

457. Was the meeting you referred to largely attended?—No.

458. *Mr. Poynton.*] Do you know anything of the facts that led up to it?—No, nothing at all.

459. *Colonel Hume.*] Does your memory serve you well enough to say whether any representative of the Church of England was there?—There were several Church of England clergymen on the platform, but no representatives of the Church of England. A representative must be chosen. As far as I know these were acting on their own motion.

460. *Rev. Mr. Isitt.*] You say there were clergymen of the Church of England on the platform?—Yes.

461. Were they speakers at the meeting?—Yes.

462. *Mr. Tunbridge.*] You have been Mayor of the City of Auckland?—Yes.

463. You know the city pretty well?—Yes.

464. Your official position brought you in contact with the police pretty frequently?—At that time it did.

465. From your knowledge of public affairs, do you recognise that the police have very great difficulty in carrying out the laws relating to publichouses?—I know nothing about that thing at all. The licensing system is entirely apart from municipal business.

466. As Mayor of the town, did you ever sit on the bench?—No. I did not consider I was qualified to sit on the bench, and I declined to sit.

JOHN WILLIAM ELLIS, examined on oath.

467. *The Chairman.*] What are you?—Runholder, residing at Otorohanga, in the King-country.

468. *Rev. Mr. Isitt.*] How long have you resided there?—About ten or eleven years. I have been about twenty-three years in the King-country altogether.

469. At Otorohanga chiefly?—At Kawhia and Kihikihi and Otorohanga.
470. Have you lived any nearer to Te Kuiti than at Otorohanga?—No, I have had businesses there.
471. Then you are familiar practically with that area?—Yes, with the King-country down to Mokau.
472. Have you much knowledge as to the observance or non-observance of the law regarding the liquor-traffic there?—I cannot fail to know.
473. Will you tell the Commission what you have seen and know of that matter?—They have already heard that sly-grog selling is very prevalent in the district.
474. Has it been so for long?—It has increased of late years.
475. How lately?—Within the last three or four years it has become more of a scandal than it was previously.
476. Do you know it from your personal observation?—Yes.
477. That is to say, the results of it in drunkenness or witnessing sales?—Yes, drunkenness, and I have witnessed sales.
478. *The Chairman.*] Have you witnessed more sales during the last three or four years than formerly?—No, I have seen less, but the effects have been more marked of late years.
479. *Rev. Mr. Isitt.*] But you have witnessed illegal sales of liquor?—Yes.
480. Have you any objections to giving particulars?—Yes, every objection to doing so.
481. You do not wish to say by whom or where?—I do not intend to.
482. Can you say in any of the localities you have seen this thing—generally, I mean?—Throughout the King-country.
483. Then, if you have witnessed these sales, do you think there have been special difficulties in the way of others doing so who have wished to stop it?—Of course, there have been difficulties in the way of the police—that is whom you refer to, I suppose.
484. Or any special gentleman?—Yes. A man has to be known.
485. They would not expect you to tell of them?—No.
486. So they would let you see things they would not let others see?—Yes, I suppose so.
487. Have you seen enough of it to make you feel it to be grave enough to demand very earnest efforts to suppress it?—Yes. I may say, as one of the Justices of the Peace there, that over a year ago we took united action and wrote to the Minister of Justice about the state of affairs.
488. I suppose you did not take such views as would make you think the mere sale of liquor a very serious thing in itself?—It is breaking the law. That is the stand we, as Justices, took up, that while it was law the police should make an effort to check it.
489. You simply took it from a standpoint of lawbreaking?—Yes, not wholly, but principally, and because of the bad effects it had on the Natives.
490. As a Justice of the Peace, do you think there was need for special pressure owing to the effect on the Natives?—Yes; partly for that and partly because the thing had grown to such an extent that it was becoming a very gross scandal.
491. Do you remember the date within a month of a letter to the Minister of Justice?—It was just previous to those two men being sent up to the King-country. That was the result of the letter.
492. Were you present when the inquiry was made here concerning the two men who were sent up when I was examining Inspector Hickson?—No. I may say we complained of the police not taking sufficient action to prevent it.
493. Do I quote you correctly in saying that you said the inactivity of the police was the cause of it having grown to such an extent?—That is what we stated in our letter. We said that there had been no determined attempt on the part of the police to stop it.
494. And as a result of that letter you think, or know, that two men were sent up?—We were told action would be taken, and these two men appeared on the scene.
495. We have been told that there were several occasions on which a couple of men have been sent up. Are you familiar with such cases of any going up prior to these two men?—I knew that Constable Cavanagh was up. I heard of one or two others. There are very few I do not know of. There were one or two previously—I believe some years ago, when the railway was going on. I do not believe there have been any of late years except these I have referred to. These were the two big affairs, these two men and Sergeant Cullen's raid.
496. Some years prior to this letter of yours to the Minister you believe one or two men had been sent up about the time the railway opened to try and secure convictions?—Yes; I do not know of my own knowledge. It was general rumour.
497. Then, after an interval of some years, in response to a letter from the Justices of the Peace two men were sent up?—I presume that was the cause.
498. Did you see these two men?—Yes; they were pointed out to me when they arrived.
499. On the day they arrived?—Yes, it was known in Otorohanga before they arrived that they were on their way up.
500. Do you say when they arrived or immediately when they stepped out of the train?—I was on the station waiting for the train, and I heard on the platform that they were coming up. Everybody knew it—it was quite a joke.
501. It was a source of amusement to the people that these men were coming up?—Yes.
502. You were not then told officially, as a Justice of the Peace, by a constable or anything of that kind?—No.
503. Do you remember who told you?—No. It was a matter of general conversation on the platform.
504. Was there any special gathering to meet them?—Oh, no. There is always a large gathering when the train arrives at Otorohanga.

505. Would you say that probably nearly everybody on the platform knew they were coming up—was the conversation as general as that?—Yes; I should say so. Of course there were a large number of Maoris there. I do not know that they would know. I think practically all the Europeans know. It was not spoken of secretly.

506. Did you happen to notice their swags?—No, I did not.

507. Or anything about them?—No.

508. Nothing to direct your attention to the men?—No, nothing. I do not think they landed there. I fancy they went through. I would not be certain.

509. I suppose, as a Justice of the Peace, and having written this letter, you were anxious that the police attempt should be a success?—Yes, of course.

510. Had you the slightest hope it would be a success when these men came under these circumstances?—Not the slightest.

511. Now, when Sergeant Cullen came later, did you know anything about his coming?—No.

512. Do you know now what occurred?—Yes, I know pretty well what occurred.

513. Do you know now in what capacity he first visited the district?—Only as a matter of hearsay.

514. *The Chairman.*] In what capacity did you hear he did come?—As an insurance agent.

515. *Rev. Mr. Isitt.*] But at the time he came you knew absolutely nothing about it?—No.

516. Did you know anything about it before he left the first time?—Absolutely nothing.

517. And are you in the way of getting as much information as anybody else?—No official information.

518. *Colonel Pitt.*] Did you see him at all?—Not till afterwards. I saw him before the informations were laid.

519. *Rev. Mr. Isitt.*] Would you regard the first attempt as an absolute failure?—Yes, I should say so. There was one conviction.

520. And the later visit of Sergeant Cullen as a creditable success to all concerned?—I do not think so.

521. *The Chairman.*] You mean not creditable to all concerned?—No, I think not.

522. *Rev. Mr. Isitt.*] I mean not as a matter of morality, but simply as an attempt to carry out a certain work: do you think that that was done effectively?—No, I think not.

523. Then you think now the thing was not managed as it might have been?—I do not think nearly so much of Sergeant Cullen's attempt as the public do. I can explain why.

524. *The Chairman.*] Why?—Simply for this reason. I may state there are two classes of sly-grog sellers—those who provide accommodation for the public, and those who go in for sly-grog selling pure and simple. He did not catch one of the real sly-grog sellers. He obtained the liquor really in the houses we have to depend on for accommodation, and there were a number of European sly-grog sellers pure and simple who were not touched.

525. *Rev. Mr. Isitt.*] From your observation has much drunkenness resulted to the Natives from this sly-grog selling?—Of course, you see the effects of drinking; but a Maori gets very noisy when he has had one or two glasses, but up till within the last three or four years there was very little drunkenness. Sly-grog selling was in the hands of a few people, and they were very particular whom they supplied.

526. Does your business carry you into other districts which are not prohibited?—Yes; I lived at Kihikihi four or five years.

527. Have you noticed very much drinking amongst the Natives in licensed areas?—I have always maintained there is far more in licensed districts than in the King-country. Kihikihi was pretty well on all fours with the King-country in the matter of Land Courts and Native population, and I have never seen nearly so much drunkenness in the King-country as in Kihikihi.

528. If there is more drunkenness in a licensed area, there must be more consumption of liquor, probably?—Not necessarily, I should think. You see, the individual may have taken more in one place than the other. There may be more liquor actually sold, but it would be spread over more people. Of course, I said when the trade was in the hands of a few they were more careful not to let the people become drunk.

529. Your statement is wholly free from any interview with me?—I have not seen you at all. I am not a friend of yours at all. I think you have blackguarded the King-country too much.

530. Yours is wholly independent testimony?—Quite independent of you.

531. *Colonel Hume.*] I understand you say you know the King-country so well that if anybody who was up there on behalf of the police you must have known it?—I did not say that.

532. Would you probably have known it?—Very probably.

533. How do you account for not knowing Sergeant Cullen was there?—Of course that is an exception. I do not for a minute say I knew before they arrived there.

534. But he was there some time before you knew he was there, and had gone away too?—Yes.

535. Do you happen to know a detective was up there?—Yes.

536. Did you meet him at all?—Yes.

537. How long had he been there?—I do not know how long. I saw him there.

538. Will you tell us what you know of the activity or inactivity of the police?—By the results.

539. What do you mean by the results?—When it is possible for you to send men up there and get sixty-seven convictions. There is the result of one raid.

540. You do not suppose if a man went up there to-morrow that he would get sixty-seven more?—I do not know that he would. The police have made these isolated attempts. There has never been any sustained action. That is my contention. I would not like to say the police are powerless to suppress it if they would really put their minds to it.

541. Then they sent up two men who were known to be coming before they arrived?—Yes.
542. Now, notwithstanding that, these men got a conviction or two?—They got one conviction.
543. Then they must have been pretty clever?—Yes, they were very clever to get that. There is a history connected with the conviction that does not interest the Commission.
544. You as a Justice of the Peace saw the law being broken?—Yes.
545. And do you know whether any Justice of the Peace gave any information to the police about that?—No; I am quite prepared to take my share of the blame.
546. Now, do you think that is encouraging the police at all?—No; but the police knew just equally as well as I did. It was not my part to act as an informer.
547. Not as a Justice of the Peace?—No. It was not the duty of a Justice of the Peace to act as informer.
548. If a Justice of the Peace sees the law being broken he should take no notice of it?—Not at all. I have had many conversations with the constables on this matter.
549. Did you go to the constable and say, "I saw so-and-so"?—No, I did not. I should not think of doing so.
550. Now, you and some other Justice of the Peace wrote to the Minister?—Yes.
551. Did you make any stipulation in that letter, or any condition at all?—No, I think not.
552. Not that you remember?—No.
553. Did you say you and your brother Justices were willing to come forward yourselves and give any information you could?—No.
554. On the other hand, did they ask that names should be suppressed?—No. We consulted together, and decided that these letters should be brought before the Commissioner to show that we had taken action. At the time they were sent it was done just to urge the police to take action, as the thing had got to be such a gross scandal.
555. You said that these two men were so well known that their mission was an absolute failure?—I qualified that by saying there was one conviction.
556. Then, you say there was not a great deal of drunkenness in the King Country?—No, not a very great deal of drunkenness.
557. Then I understand you to say that Sergeant Cullen did not catch the right people?—He did not go far enough. He caught perhaps some of the right people. The grog-sellers pure and simple he did not catch.
558. Then, as you know he did not catch them, you know who they are?—So do the police.
559. I want to know if you ever told the police who they are?—No. I never took up that position. The police know as well as I do.
560. Though you are a Justice of the Peace you have given the police no assistance at all?—I would not say that at all. I have not given as much assistance as I might have done.
561. *Mr. Tunbridge.*] You admitted that these people would not sell to any stranger?—Yes.
562. Then how do you suppose that persons sent into the district are to get liquor?—I have seen the trade kept well within bounds in that district.
563. When?—Previous to the last three or four years. It was kept within very reasonable limits up till then. They were left alone, and gradually their number grew until almost every other man in the district sold grog.
564. You say these people do not sell to strangers. Well, then, how can you expect the police or any other persons sent up there as strangers to get the necessary evidence to prosecute these people?—There are three or four things which would help to suppress this sly-grog selling. First of all, I think a first-class intelligent constable should be stationed in the district. We had one good man up there, Constable Gordon, and Constable Forbes, and there is no doubt these men checked sly-grog selling in their districts very effectively.
565. Has not Constable Stanyer had more convictions than either of these two men?—Yes, but that does not prove anything. I am, of course, quite satisfied there is more sly-grog selling going on than previously, and when the trade is larger you can get convictions easier. Constable Stanyer will not say that the twenty-three caught were all who were selling sly-grog in the King-country.
566. Do you not think that the prevalence of it now has increased the demand rather than any other reason?—No, my contention is that it is owing to the lack of police action.
567. Up to the time that you had the railway, there was some difficulty in getting grog into the country?—Practically that country was not occupied.
568. Well, if the country was not occupied you do not, of course, expect sly-grog selling?—The railway started from ten to eleven years ago, and up to three or four years ago the sly-grog trade was well under control.
569. How long is it since the railway was opened through Otorohanga?—About eight or nine years.
570. That, of course, brought a lot more people into the district?—Yes.
571. Do you not think that is responsible for the increase in sly-grog selling?—There were a great many more people in Otorohanga when the railway was going through than there are now. You see the white population follows the railway. Of course, the Maoris have been there all the time.
572. Now, you think you would know about every one who has gone up there to detect sly-grog selling from the results?—I do not know that I would be likely to know of everybody going up, but I should most likely know of any attempts made by the police.
573. You mean if these attempts were successful?—Yes.
574. Suppose they were unsuccessful, would you know about them? You would know nothing about them unless the case came before the Court?—Yes, I suppose that is the case.
575. Can you swear that at the present moment there are not half a dozen men up there on behalf of the police?—No.

576. Nor can you swear there have not been half a dozen men up there during the last twelve months?—They must have been very poor men. You know the thing could be stopped well enough if you tried.

577. What do you think would help us in the matter?—I think a good intelligent constable, with the command of a certain amount of money, would be the first step. I may say all the constables there have complained about the want of financial support to go as ground-bait for the informations.

578. Has any constable ever told you that?—Every constable that has been stationed there for any length of time.

579. Did you hear Constable Stanyer swear he had permission to promise who might supply him with information a considerable amount of money?—Yes, and I have known these promises not kept, and this is where the trouble comes in. Of course, where money is the inducement to the informer you have to get an inferior class of men to do the work. I think they ought to be given money apart from the fine. When a man elects to take it out in gaol there is no fine to divide.

580. But independent of any fine so long as there is the conviction the informer will be given something by the Department?—Yes, a small sum; hardly covers his expenses.

581. You think it is not enough?—I have heard them complain that it barely covers their expenses.

582. *Mr. Poynton.*] Do you think then the reward should be increased?—Yes, and paid directly a conviction is obtained.

583. *Mr. Tunbridge.*] I suppose you realise that the head of the Department for the time being can only spend as much money as is voted by Parliament?—Yes.

584. When you hear that the whole of that money has been expended you will probably think that the head of the Department did all he was able to do in that direction?—Of course, I heard you say that Sergeant Cullen's raid cost £400. That is a very big amount. I think if that had been spread over a few years the effect would have been very much greater.

585. What would you think a reasonable sum to give a man?—I am not in the business, and I cannot judge in the matter. I have only heard they complain that they hardly get enough to cover expenses without a fine was inflicted.

586. *Colonel Hume.*] Do you know any case where the reward was promised and not paid?—I have knowledge of one who made that complaint to me.

587. I suppose the Natives do not always tell the truth?—No.

588. *Rev. Mr. Isitt.*] You told Commissioner Tunbridge that you probably would not know all cases of unsuccessful attempts. You know, do you not, that unsuccessful attempt where they only got one conviction?—Of course, they were known all the time they were there.

589. I understand you to say that you believe the thing was held with a firm hand at the time the line was being constructed there some years back, and that the constables then held it in check?—Yes.

590. Then the vigorous hold was relaxed and the thing grew beyond control?—Yes.

591. Will you kindly state to the Commission what your mode of operation would be?—I think the first point would be to put a good man there with a command of a certain amount of money. The second would be to apply to the Government of the country that a clause be inserted in the 1895 Act giving the police the right to search for and prohibit liquor being taken into the King-country; and another thing is, I think, the alternative for the first offence should be greater than a month.

592. *The Chairman.*] You know in some cases the rewards are very considerable?—Yes, where the people pay the fines. Of course, I quite realise that the constable stationed there cannot do much personally, but he could lay the plans.

593. *Mr. Poynton.*] You have no sympathy with crime?—I should hope not.

594. Yet you are unwilling to disclose the names of persons who you say break the law?—Yes.

595. If you saw a man picking a pocket, or committing a murder, would you be so unwilling?—No.

596. Now, does not that show the difficulty the police have in getting evidence?—I know they have a great deal of difficulty, but I have seen the thing held in check in the district, and I know it can be done.

597. If all are as unwilling to disclose the names of persons, of course the police will have difficulty?—Of course, it is a difficult question, but I should not like to say it is beyond the police.

598. Do you think that imposing a penalty by law on the person who buys from the illicit seller would be beneficial?—Yes, I am strongly in favour of that.

599. *Mr. Tunbridge.*] You say everybody knew these two men were coming up?—Yes.

600. Can you suggest how the information got there?—I believe, by wire.

601. From whom?—I do not know from whom.

602. Did the telegram come up from Auckland?—I did not know where it came from.

603. You have no idea who received the wire?—No.

604. *Colonel Hume.*] Would you be in favour of licensing a house or two up there? Do you think that would improve things?—Well, it would certainly kill sly-grog selling in a great measure, but it would not cure drunkenness.

605. It would increase drunkenness, and decrease sly-grog selling?—Yes.

606. Which do you consider the greater evil?—Drunkenness and the demoralisation of the people are the greatest evils, undoubtedly.

607. *The Chairman.*] Knowing the character of the community and the class of men likely to give information of sly-grog selling to the police, do you not think it is a dangerous thing to give a

constable an absolutely free hand in buying that secret information on which to lay his charge?—There is that danger; but, of course, the case goes before the Magistrate.

608. What effect do you think it tends to have on the evidence?—Well, of course, you simply cannot get informers unless you pay them.

609. What is your experience of evidence which is dependent on rewards?—It was bad, no doubt.

610. Therefore the use of that power should be carefully exercised?—They want a careful, experienced man in the district. I think there should be a stated sum on conviction, whether the fine is obtained or not.

611. Does your experience as a Magistrate enable you to say whether you have met with cases in which you have been satisfied perjury has been committed, with a view to obtaining the reward on conviction?—Well, I have had no experience as a Magistrate of these cases.

PATRICK MACDONNELL, examined on oath.

612. *The Chairman.*] What are you?—I am a storekeeper at Otorohanga and Te Kuiti.

613. *Rev. Mr. Isitt.*] And your business takes you from one place to the other?—Yes.

614. Have you resided long in the district?—Twelve years.

615. At Otorohanga?—At Otorohanga, principally in Te Kuiti.

616. You could not have had a store at Te Kuiti as long ago as that?—I had a store there as long as ten years ago, and left it for some time and started again.

617. Then you have had a pretty considerable acquaintance with Otorohanga and Te Kuiti during the last ten years?—Yes.

618. Any other parts of the King-country?—Yes, I have been about the King-country a little.

619. At Mokau?—Not very much. I have been to the tunnel, and so on.

620. You are a Justice of the Peace?—Yes.

621. Were you one of the Justices of the Peace who joined in writing to the Minister of Justice about two years ago?—I was.

622. Have you personal observation of the result of sly-grog selling that made you send that letter?—Yes, I saw a lot of drunkenness.

623. Had you seen sales effected?—Yes.

624. Grog sold in your presence?—I have seen whiskey sold.

625. Would you say there had been an excessive amount of it?—Well, I think from what I saw there had been a fair amount.

626. Right through the district?—Yes. I did not see such an amount sold, but I saw the effects of it occasionally.

627. You mean people under the influence of drink?—Yes.

628. Has there been a decrease or increase in this sly-grog selling of late years?—I think it has been on the increase of late years.

629. Did you hear the evidence of the last witness?—I did.

630. You heard him say that for some years sly-grog selling was held in check by a firm hand of the resident constable?—Yes; it was held a great deal more in check some years ago, when the country was first populated by Europeans and when the railway was first opened.

631. That is to say, when the railway-line was being formed there?—Yes. Sly-grog selling began about that time.

632. Is there a greater likelihood of sly-grog selling when the railway is being formed, or afterwards?—Yes, there are more Europeans and more money.

633. That is, the best period for the sly-grog seller and the worst period from your standpoint is when the line is being formed with the men at work?—There was a lot of it being sold then, but there is more sold of late years.

634. At the time the line was being formed, was it then being held in check by effective police work?—Yes; there were not so many sly-grog sellers.

635. *The Chairman.*] Were the police more able or more efficient in preventing the men selling at that date than they are now? You say there were not so many disposed to sell?—I do not say the police were more efficient. There were not so many anxious to sell.

636. *Rev. Mr. Isitt.*] However, you say that for a time the police held it more effectively in check?—I do not know that the police held it in check. There were times there when we had no policeman.

637. Then what was the operating cause—what was it that kept it in check?—I suppose the people were more afraid to do it.

638. Do you think that the immunity with which some of these people did it led other people to do it afterwards?—Yes, there is no doubt about it.

639. And of late years that has been somewhat considerable?—Yes.

640. Then, about two years ago were you and your fellow-Justices so impressed with this that you wrote to the Minister of Justice?—Yes, we wrote asking him to try and check the evil.

641. Would you use the expression that your clique did because it was becoming a great scandal?—It was talked a lot of, and I think we were frequently asked why we did not do something.

642. What led you to write?—We saw a lot of drunkenness carried on, and it did not seem to decrease much. We met and said we would ask the Minister of Justice to try and check the sale of liquor.

643. And you thought this law-breaking could be stopped?—Yes.

644. You heard what the last witness said as to people recognising the men who came up?—Yes; I quite agree with all the last witness said about sly-grog selling and the men who came up.

644A. That is, as to the men who came up being recognised and known beforehand?—I did not know the men who came that evening, but I saw them afterwards. I may not have been in Otorohanga that day.

645. And, generally, you corroborate the evidence of Mr. Ellis?—I do, generally.

646. Is there any detail of his evidence you wish to differ from?—Well, I think if the money that was spent on Sergeant Cullen's raid was given to the local constable to deal with he could have made better use of it. I think the local constable should have the power to use the money. He would use it better, I think. Any local man, I mean—I do not say the present man.

647. Was any second letter sent to the Minister of Justice after these two men came?—I think there was.

648. That is, after the two men came and before Sergeant Cullen came the second letter was sent?—Yes.

649. Can you give us the purport of that letter?—To urge the police to take action, I think.

650. Did it contain any complaint of their inaction?—No, only we thought they might do a little more to check the sale of sly-grog.

651. *The Chairman.*] Was it written by yourself, or by yourself and others?—I think each Justice wrote one. I wrote one, I know.

652. *Rev. Mr. Isitt.*] So far as you know, was there an agreement on the part of the Justices to write?—I do not think there was an agreement. I wrote mine.

653. Do you know if the others wrote?—I believe they did.

654. You have no idea how long that was before Sergeant Cullen came?—No.

655. Did you know Sergeant Cullen was there?—No.

656. When he was doing his effective work, did you know anything about it?—He came into my store and spoke to me. I did not know he was on police duty. I had my doubts about him.

657. Have you had an experience of licensed districts? Do you visit other Native areas, such as Te Awamutu and Kihikihi?—Yes.

658. What is your experience as to drunkenness in those districts?—I never saw much drunkenness in them amongst the Maoris.

659. Do you think that granting a license in Otorohanga would check the sly-grog selling?—Yes, I believe it would.

660. Do you think it would check drunkenness?—I do not know about that.

661. *Colonel Hume.*] Do I understand you to say that you are satisfied with the local constable?—I have no complaint with the local constable.

662. Then you do not hold with Mr. Ellis when he says if a smart constable were sent there with a lot of money things would be better?—I believe that if a smart constable were sent there with a lot of money he could get convictions easily.

663. Then do you or do you not consider Constable Stanyer a smart constable?—Well, I think he is an average constable, but I think there are smarter men.

664. Do you think he has exerted himself to try and get convictions?—Yes, he has.

665. You know the King-country well?—Yes, fairly well.

666. Is it not a fact that every one who arrives there now is looked upon either as a policeman in disguise or as an informer?—Yes, strangers are.

667. This sly-grog selling, I understand you to say, was kept in check when they were making the railway?—There was not so much of it carried on in those days.

668. Was there as much European population about there as there is now?—I think there were more then. There must have been pretty nearly a hundred navvies working on the line about Otorohanga and Te Kuiti.

669. Then how many are there now: are there not considerably over a hundred at the tunnel?—I do not think so. There are very few residents now.

670. I understand you to say that if that money given to Sergeant Cullen had been given to the local man, ordinary constable that he is, it could have been better spent?—Yes; I think the local constable can get a conviction any day if he has a few pounds to spend. In fact, I feel sure he would.

671. *The Chairman.*] Do you mean reliable, honest information, on which he could lay an information?—Yes; I believe he could get a conviction with a few pounds. There are Natives there who will go and get a man convicted if they can get money for it.

672. Whether he is guilty or not?—The Natives have got pretty nearly all the convictions that have been got.

673. *Colonel Hume.*] Are you prepared to swear that the local constable has not got many?—I would not like to swear, but I have it on very good information he has not. The informants who were the cause of getting convictions got very little money.

674. Do you know what they got?—Barely expenses, I believe.

675. And nothing else?—Nothing else.

676. You really believe that?—I really believe that, and have very good grounds for believing it.

677. Then, have you ever known the local constable to be restricted in the expenditure of money in finding out sly-grog-selling cases?—Well, I do not know that the local constable came to me himself. I believe I did hear from the local constable that they had not much money to spend in finding out sly-grog-selling cases.

678. Did the local constable tell you that?—I believe a local constable told me.

679. How long ago?—I have heard it at different times in ordinary conversation, but I did not take the dates.

680. Would it be a year or two years ago?—That I would not like to swear to. I have heard from the constable that money was pretty hard to get when they wanted a conviction.

681. Then did you suggest that you should give them any money?—No.
682. You did not think of saying, "Well, as a Justice of the Peace, I will advance you £5 and risk getting it back from the department"?—No. I am a business-man in the place, and must hold my tongue or I will get into trouble.
683. You did not give any information about the sale of whiskey to anybody—you did not inform the local constable?—No, there was no occasion. The local constable very likely knew as much as I did.
684. You cannot swear he knew that?—I do not know. He should know it.
685. Any way, you did not think it worth while telling him?—No.
686. *Mr. Tunbridge.*] Do you not think that a good deal of this sly-grog selling is in consequence of the passive sympathy shown by the better class of people up there—more particularly Europeans—than anything else? In other words, do not the better class of people have their sympathies with this sly-grog trade?—No; I do not think they do.
687. Were you in earnest when you sent that letter to the Minister of Justice?—Certainly.
688. And you really desired to see the sly-grog business stamped out?—Yes; it has been an injury to me from the start.
689. You wrote to the Minister of Justice declaiming against the inactivity of the police, and you come here and give evidence against the police. Well, now, on the occasion of Mr. Mohr's election as Chairman of the School Committee you and other members, residents of the place, went to Mrs. Hettit's house?—Yes.
690. And had whiskey?—I did not say I had whiskey.
691. At any rate, you had drink there?—Yes, I had drink. I was asked weeks afterwards what drink I had that particular night.
692. Did you pay for it?—No.
693. Did Mr. Mohr pay for it?—I think it came out in evidence.
694. The Magistrates thought so, and convicted her?—Yes.
695. After having conferred this honour on Mr. Mohr, you adjourned to Mrs. Hettit's house?—We did. We met there.
696. You remember you were called as a witness?—Yes.
697. You remember you swore you did not know what you drank in her house on the occasion when Mr. Mohr was elected Chairman of the School Committee?—Yes, I did swear that. I drink lemonade as often as I drink everything else.
698. Now, sir, do you consider your action in writing to the Minister of Justice consistent with your action in going to Mrs. Hettit's house and getting drink in this way?—I do.
699. *The Chairman.*] In the one case you were acting in the character of Justice of the Peace, in calling the attention of the Minister of Justice to what you considered a public evil, and in the other you were joining other companions in doing that which was really a breach of the law, and you did not think it necessary to report it?—I did not think there was the slightest difference in walking in there and than walking in the Star Hotel.
700. *Mr. Tunbridge.*] Of course, you are able to speak from personal experience when you wrote to the Minister of Justice?—I had personal experience.
701. Getting whiskey, I mean, every day?—I did not say whiskey. I take drink when I want it, and I let it alone.
702. You get drink in a place not licensed?—Well, I have got it in that place.
703. *Mr. Poynton.*] There is an unwillingness to give information to the police in cases of sly-grog selling?—Yes, there is.
704. More so than in the case of other crimes?—Yes; people do not like to be mixed up with it.
705. You yourself have seen whiskey sold and given no information?—Yes.
706. You would not like to disclose the names of those people to this Commission?—No, I would not. I would be looked upon as an informer.
707. Do you recognise that that has a tendency to prevent the police obtaining convictions?—It has.
708. Do you think the penalty should be imposed on the persons who buy drink as well as those who sell it?—I think it would be a great means of preventing the sale of drink altogether.

ALEXANDER ROSE, examined on oath.

709. *The Chairman.*] You are Collector of Customs at Auckland?—Yes.
710. *Rev. Mr. Isitt.*] You have, I believe, a brewer's license granted to some person in Te Kuiti?—I have a copy of a license granted to a person named Edmund Parry, living at Te Kuiti, and the last one issued to him was dated 1st January, 1897, and expired on the 31st December, 1897.
711. Then do I understand there is now no license in force?—He is not licensed as a brewer or to make hop beer.
712. Is it within your knowledge as to when the first license was issued to the same man?—No; I believe it is not new, because I found him licensed when I came here first. I came here in 1892. I might say he has been licensed for at least five years.
713. Can you tell us in brief what the license covers?—This is the license: "License to Brewer (under 'The Beer Duty Act, 1880'). Borough of Auckland. No. 1978.—Whereas Edmund Parry, of Te Kuiti, having paid into my office the sum of one pound, in accordance with the provisions of 'The Beer Duty Act, 1880,' is licensed to carry on the business of Brewer, and to sell in quantities of not less than two gallons, beer, ale, porter, made at his brewery at Te Kuiti, from the first day of January, in the year one thousand eight hundred and ninety-seven, to the thirty-first day of December, in the year one thousand eight hundred and ninety-seven.—ALEX. ROSE, Collector of Customs, Auckland." It is issued under "The Beer Duty Act, 1880."

714. *Colonel Hume.*] I believe this license is cancelled now?—Yes; I refused to renew it.

715. It ceased on the 31st December last?—Yes.

716. Will you tell the Commissioners what led to your not renewing it this year?—I observed in the papers on various occasions that this man had been convicted under the Licensing Act, and it seemed to me that he was enabled to commit this breach of the Licensing Act under the cloak of holding a license as brewer. In consequence of this having occurred several times to my mind I applied to the Inspector, if I remember aright, and asked him if he would furnish me with the dates and number of convictions against the man. I received information giving the dates and convictions.

717. Have you a copy there of the memorandum you wrote to Mr. Hickson?—Yes, and also one I wrote to Mr. Perry. The one I wrote to Mr. Hickson is as follows:—

Auckland, 7th December, 1897.

THROUGH information given to me by your department respecting the way in which Mr. E. Perry, brewer, of Te Kuiti, carries on his business, and the fact of his having been convicted of breaches of the Licensing Act on several occasions, the Hon. the Commissioner of Customs has decided that the brewer's license issued to him shall not be renewed after the 31st December. Notice has been given to him of this decision, and also that your department has been notified of this fact. Will you, therefore, kindly advise the police-constable at Te Kuiti, so that Mr. Perry does not go on brewing in defiance of the law. He will render himself liable to heavy penalties if he does so.

The Inspector of Police, Auckland.

ALEXR. ROSE, Collector, Customs.

718. Then it was from information that you got from the police that caused the license to be cancelled?—Well, it was from information I saw in the papers, and I communicated with the Inspector of Police and got a list of the convictions against him. This list I sent to Wellington, and the result was that I was authorised not to issue a new license to Perry.

719. *Rev. Mr. Isitt.*] Then, I understand the issue of a brewer's license is in the hands of the Commissioner of Customs?—It is. So far as the Beer Duty Act is under the control of the Commissioner of Customs for the time being, I carry out the details which devolve upon the Collector of Customs in the authorised district as described by the Act.

720. Without referring to the Commissioner?—Yes.

721. But what you do you do in the name of the Commissioner?—Yes. It seemed to me that, as the police had been convicting him on several occasions, it was very improper for the man to be licensed as a brewer, and so be enabled to use that as a sort of cloak by which to avoid the Licensing Act.

722. Did the police report to you, or did you gather the facts from the newspapers?—I gathered them from the newspapers.

723. The police did not report to you until you applied to them for a list of details?—I really do not remember—I really cannot charge my memory with that, because it would not necessarily be their business to do anything of the sort. Their business is to prosecute under the Licensing Act, and my business is to attend to the Beer Duty Act, and we do not often interfere unless to communicate to one another on any particular occasion.

724. Would it be your custom or habit if an application were made for a brewer's license to apply to the police for information as to the character of the applicant?—No.

725. If, on the other hand, the police were to notify you at any time that they thought the applicant or holder of the license was an unsuitable person, would you take their report into consideration and be guided by it more or less?—No; I do not think the Act provides for any interference of that sort. So far as I can understand, if a man has committed no breach of the law he is entitled to get a license.

726. Whatever the police report might happen to be? I mean, a confidential police report would not influence your decision in any case?—I might refer it to the Commissioner in Wellington, and ask for his decision in the matter, but I have not experienced such a thing during the currency of the Beer Duty Act.

727. There would be nothing in the Act to prevent an Inspector of Police, if he saw fit, communicating with the Collector of Customs?—I would pay every attention to it if it was sent to me. I should consider it my duty to do so.

728. Do you know when you granted this license that it was for a district where all kinds of licenses were prohibited?—Lately I did know it, but it did not signify at all. It would be granted whether a prohibited district or not, so far as the Beer Duty Act is concerned. This is my letter notifying Mr. Perry that the license would not be renewed:—

Sir,—

Auckland, 6th December, 1897.

I am directed by the Honourable the Commissioner of Customs to state that, in consequence of the way in which you have carried on your business, and the fact of your having been convicted of a breach of the Licensing Act on several occasions, your license as a brewer under the Beer Duty Act will not be renewed after the end of this year. From that date you will cease to be a brewer, and must pay duty by stamping any balance of beer in your possession on the 31st December. You also sold beer in less quantity than two gallons, which is against the conditions of a brewer's license. The Police Department have been duly notified of this decision.

I have, &c.,

ALEXR. ROSE, Collector of Customs.

To Mr. E. Perry, Brewer, Te Kuiti.

ARTHUR MYERS, examined on oath.

729. *Rev. Mr. Isitt.*] What is your business?—Brewer and wine and spirit merchant, living at Auckland.

730. Do you know the circumstances which led to you and others of your trade making a special offer or agreement to the publicans if they would better observe the laws?—There was an interview with representatives from the Ministers' Association, who were desirous of having the trade's views, and who called upon me in my official capacity as Chairman of the Auckland Brewers' and Wine and Spirit Merchants' Association, their object being to obtain our views in regard to an endeavour to get a clause into the Licensing Act similar to that appearing in the English Act,

whereby the onus of proving the right of any person to be in an hotel during prohibited hours should be on the person so found there. At the same time, in a letter, they also desired to know whether we would help them all we could to see the Licensing Act carried out in its entirety. I informed them it would give much pleasure in submitting their views to the trade, and I accordingly did so. A large and representative meeting of the trade was held, at which nearly all the members of the wholesale trade were present, and at which nearly every member of the retail trade was accounted for, and they passed a resolution to the effect that they had sympathy with the object desired by the members of the Ministers' Association, and so far as carrying out the Licensing Act was concerned, it was their desire to do so so far as lay in their power. It had been stated that there were violations of the Licensing Act in regard to Sunday trading. The matter was fully discussed, and a most unanimous wish was expressed to carry out the law. When the question was put as to there being remarks that the Sunday-trading clause was not carried out in its entirety, there was an emphatic denial on the part of the majority of the hotelkeepers, and they complained, I think, of getting credit for doing Sunday trading when there was no reason for it. A large number of travellers and boarders would be seen entering their hotels, and also a large number of the public, and people seeing them entering and coming out again would naturally think they had gone in to obtain drink. The boarders and *bonâ fide* travellers, of course, would be entitled to it, and if an hotelkeeper was serving a boarder or *bonâ fide* traveller it was very hard for him to refuse the general public, who, while the bar was open, might desire to be served. The hotelkeepers complained of their position, and this desire on the part of these ministers who waited upon us was only in the direction of helping them to carry out their desire. Whatever their opinions might be in regard to supplying the legitimate wants of those who thought they were entitled to obtain drink on Sunday, they knew that the law was otherwise, and they had no desire to break it. Consequently, they unanimously passed a resolution in favour of a clause appearing in the present Act similar to what appears in the English Act. The letter from the Ministers' Association asked us if we would do all in our power to see that the Licensing Act was carried out in its entirety, and naturally that also was subject for discussion at the meeting; and to show the *bonâ fides* of the hotelkeepers who were present, and to show their sincerity in the matter, it was agreed that in future they should not even open their bars to any *bonâ fide* travellers or lodgers except at meal-times, so that the idea would not go forth that they were supplying people whom they had no right to supply. I may say that the result has been very satisfactory indeed, and, although I noticed by the papers that the Inspector of Police thinks that a large amount of Sunday trading is going on here, I fearlessly state that, with the exception perhaps of one or two—of course, there are black sheep in every flock—it is absolutely impossible to obtain drink on Sunday in Auckland in the majority, if not in all, the licensed houses in Auckland. I say that without fear of contradiction from a thorough knowledge of the trade, and from the active part I have taken in my official capacity, representing the wholesale trade in our efforts to do all we could to entirely suppress Sunday trading. With regard to there being private signal-bells, which I also noticed in the papers, it is certainly the first time it has come to my knowledge that any one had such bells in existence, and I must say I do not believe for a moment that there are any bells of that description in a single house in Auckland. At any rate, I should be surprised to hear it. There may be bells there, but they are there for a legitimate purpose. I also desire to state that every effort has been made, not only by the wholesale trade, but by the retailers themselves, to help the police in every possible way to carry out strictly the law in regard to Sunday trading.

731. I understand you to use the expression "suppress Sunday trading"?—Yes.

732. *The Chairman.*] What was the date of that meeting?—October, 1897.

733. Was it a meeting at which Mr. Upton was chairman?—Yes.

734. *Rev. Mr. Isitt.*] Do I understand that since that date you have succeeded in suppressing Sunday trading?—Undoubtedly, with the exception, perhaps, as I say, of a few instances, and owing, unfortunately, to the present Act not helping us in the matter. There may be a few instances, but otherwise it has been entirely suppressed in Auckland. I said that advisedly and fearlessly, as a result of the agreement.

735. Would it be fair to ask you whether any financial considerations were entered into in that agreement?—I will answer that question fully. You are well aware that it was compulsory on the part of hotelkeepers to supply lodgers and travellers until the amending Act of 1895 was passed. Since that date it has only been optional, and the consequence is that where, as formerly, probably a large number of people who thought they were entitled to drink obtained it, since that date, it not being compulsory, and also by a recent decision in the law-courts to the effect that only *bonâ fide* travellers, in either sense of the word, could obtain drink, a large amount of Sunday trading has been avoided. Some hotelkeepers, having thirty or forty boarders residing in their houses, and probably having a number of travellers calling at their places on Sunday, stated that perhaps if they refused to supply boarders and travellers it would make some difference. It was then stated by the wholesale traders that they were quite prepared that when an hotelkeeper could prove that it would prejudicially affect his business a commensurate allowance would be made, so that no hotelkeeper would be able to say that in consequence of his not supplying these *bonâ fide* travellers or lodgers his takings were in any way diminished.

736. *The Chairman.*] The concession was made in consequence of that alteration in the statute?—That is so.

737. *Rev. Mr. Isitt.*] Do you hold that the majority of hotels have succeeded in suppressing Sunday trading—both illegal and legal Sunday trading?—Almost entirely, with the exception at meal-times.

738. Is the agreement still in force?—Yes.

739. Nothing has led to its breaking down?—Well, I would like to state that even in our leases now we make it an absolute condition that no Sunday trading is to be carried on. There

is a clause referring particularly to Sunday trading, as there is an impression abroad amongst those who do not consider probably the liquor trade a legitimate one that the wholesale trade are in favour of it. That is my only reason for mentioning that fact. I wish to state that everything has been done not only by the wholesale trade, but by the hotelkeepers themselves.

740. *Mr. Poynton.*] Can you give any evidence as to the action of the police in enforcing the licensing-laws before that agreement was come to?—I think they did all in their power to enforce it.

741. With your knowledge of the trade, and your knowledge of the law as it stands, do you think that an amendment of our law in the direction of the incorporation of section 25 of the English statute would tend to suppress illicit trading and selling after hours?—I think it would help materially.

742. And do you think it would be welcome to the respectable hotelkeepers?—Without a doubt. I may say that at this meeting of hotelkeepers three-fifths were present, and they unanimously passed a resolution to that effect.

743. *Rev. Mr. Isitt.*] It has been stated by the Inspector that the difficulties in carrying out the licensing-laws are largely due to a hostile feeling on the part of the mass of the community. Speaking for those you represent, would you indorse that strong opposition to carrying out the licensing-laws, or is it your wish they should be carried out?—I presume the Inspector means there is a large proportion of the public who consider that at present the drastic licensing-laws go too far, and that their legitimate wants are not being considered in the way they consider they should. I presume that is the feeling the Inspector alludes to.

744. Do you say it is true that a section of the community?—A large section of the community.

745. *The Chairman.*] I would like to know whether, in your opinion, a large section means more than half the population?—I would now substitute the word "majority." It would convey my meaning.

746. What is your opinion as to opening the houses for a limited time on Sunday: what effect do you think that would have, either on the house or the public?—I think, for a limited number of hours during the day, it would have a good moral effect.

747. What hours do you think most convenient and suitable?—Well, I cannot say. I would not like to decide a question like that in a moment.

748. But you think it would be an advantage to have them open for a limited period—say, two hours during Sunday?—Yes.

749. In saying that, are you speaking as chairman of the Brewers' Association? Do you think you are expressing the view of the trade that if the houses were open for two hours the law would be observed during the others?—I feel confident it would be, and that I am expressing the views of the whole trade.

WEDNESDAY, 15TH JUNE, 1898.

JAMES HICKSON, further examined on oath.

1. *The Chairman.*] What is the statement in your evidence-in-chief on the 8th June that you wish to correct?—Through misunderstanding and not distinctly hearing the question put to me I made a statement which is not quite correct, and from the return which I propose to put in it shall be seen that I was not correct. It is on the score of prostitution. Mr. Poynton asked me if there was much prostitution in Auckland, and I replied, "Yes, a good deal"; and then he went on and asked me are there many young women in the streets, and I said that had been greatly exaggerated—there were not. And I also said I knew of no existing legal brothels, and, so far as my knowledge went, I could not point to an established brothel in Auckland.

2. In what way do you wish to correct that?—There have been a great many brothels in the city, and I propose to hand in this return, covering a period from June, 1893, up to the present time, which I had compiled to show the number of prosecutions that I have instituted against brothel-holders in the city. There have been seventy-five prosecutions and forty-two convictions, and thirty-three dismissals, withdrawals, or non-appearances. There were a good many brothels in the city when I came to Auckland, and the only law on the subject was the municipal by-law. The matter had to be dealt with under the municipal by-law, section 38 of By-law 37. I am now acting under the Criminal Code and amending Acts. I succeeded in many prosecutions instituted under that section until the point was raised by some counsel for the defendants that I could not compel persons found in a house to give evidence, as it would incriminate them. That point is raised against me still. The by-law I refer to reads as follows: "By-law 37, section 38.—Keeping any disreputable house, or house of ill-fame, or having the control, conduct, or management of the same, or being a reputed occupier, or an inmate of any such house." I drew the attention of the City Council to this, and I was promised an amendment. I wish the last words of the by-law—namely, "inmate of any such house"—struck out.

3. Notwithstanding these prosecutions and convictions, you say there are still brothels in the city?—Yes.

4. Known to the police?—Yes.

5. Why did you not proceed against them?—At the last prosecution I had under the Criminal Code Act this point was raised by the solicitor, and effectively raised, because this by-law had not been repealed. The existence of this by-law prevented the persons who frequented these houses from giving evidence.

6. *Mr. Poynton.*] You have been hampered by the existence of that by-law?—Yes.

7. And unless it is amended you will continue to be hampered?—Yes.

8. And that is why you do not prosecute in the present cases?—Yes. I have had informations laid, but they have had to abandon them owing to the reluctance of complainants to appear at the Court and give evidence. Owing to the difficulty the police have in obtaining evidence, I have adopted this course: On ascertaining a place is a brothel I cause notice to be served on the agent or owner of the house that the house let by him is reputed to be a brothel, and that after the date of the service of such notice I would hold him accountable for the conduct of such house and the inmates. To my knowledge, some solicitors for the defendants advise their clients not to allow the police to enter their houses, and, as the police have no power by law of entering these reputed brothels, I told the police not to commit themselves by forcing an entrance, no matter what noise and disorder there might be, unless it is of serious note.

9. *Mr. Tunbridge.*] Is there any case where it has come to your knowledge that a brothel exists that you have not taken action in the matter, either by bringing people before the Court or by giving the proprietors of the place notice with a view to shutting it up?—None. A great many have been reported to me by complainants, who afterwards say I did not like to go to Court, and I only wanted the people out of the locality, and I wished the police to effect such a removal.

10. *Mr. Poynton.*] I suppose you find difficulty in getting evidence from the people who frequent the places?—They will not give evidence unless forced, and then they take refuge behind the by-law. I wish to hand in the latter part of my report to the Commissioner of Police on the 11th October, 1897, referring to this evil: "I would call attention to the sixth paragraph in my report which was published with your Annual Report, dated 15th June, 1896, as follows: 'Much difficulty has been experienced by the police in enforcing the law against disorderly houses. No power is given the police to demand entrance to such houses. The keepers may lock their doors and refuse—as they have in some instances done—admission to the police, and when the police gain admission and find visitors there, there is no law to compel such visitors to give their names and addresses, consequently the police are in most cases unable to obtain evidence to warrant a prosecution.'" I have called the attention of the Town Clerk repeatedly, and have satisfied him and the City Solicitor that until that difficulty is removed I cannot get convictions.

CHARLES THOMAS DUNNE, examined on oath.

11. *The Chairman.*] What are you?—District constable, stationed at Katikati.

11A. You wish to put this statement in?—Yes, namely—

GENTLEMEN,—

Police-station, Katikati, 2nd March, 1898.

I do not know if the following comes within the scope of your inquiry, but, as the second paragraph relates to pay, emoluments, rewards, &c., I would respectfully bring the following under your notice:—

I was appointed district constable of this station ten years ago, at a salary of £18 per annum, by Commissioner Gudgeon, on the recommendation of Inspector Goodall. I was always to hold myself available for police duties in or out of the district, within limits, but, in addition to above salary, I was to receive 6s. per day while engaged on any police duty; also hotel expenses if away from home, and 7s. 6d. per day horse-hire, when required. When Inspector Emerson took charge of this district he told me he would recommend that I should receive at least £50 salary, as he considered the place required a man half his time on duty, especially as fuel and light was not then allowed. Without applying for it my salary was increased to £25, with same allowances as before. I do not know if the Inspector meant that I should apply for an increase of salary or that he would recommend it, but as I was then, and for some years after, acting as telegraph lineman here, and receiving 7s. per day for that, I did not require a larger salary, considering that the Telegraph Department made up for the deficiency in the Police Department.

In 1893 the Telegraph Department made other arrangements by which my services were dispensed with as permanent acting-lineman, and a contract was given me to remove faults, &c., for a salary of £20 per annum and £10 for my horse. I then applied to Police Department twice, at intervals, for an increase of salary, to neither of which applications have I received any reply. The allowance for horse-hire was reduced to 5s. per day. In 1897, I think, the allowance of 6s. per day when on duty was stopped, and the allowance of 6s. travelling-expenses, which all police receive in addition to their pay, substituted for district constables when away from their stations. Permission to collect the dog-tax, which usually brought me in from £12 to £5, was prohibited by circular to all members of the Force.

Having given up hope of any notice being taken of applications for increase of salary, and having no influence, after nine years as district constable I made informal application for enrolment in general Force, forwarding my discharge and character from Imperial army, but was informed from Colonel Hume that I was ineligible, being only 5 ft. 6 in. in height and forty-four years old. My character never was questioned, and my vigilance and efficiency can be attested, being rewarded several times both from Reward Fund, Customs, and Acclimatisation Society.

I would respectfully point out from the foregoing facts that your Commission will see that the longer I act as district constable the poorer I become, as in addition to what I have already stated I have to provide a man and horse for the Telegraph Department as a substitute if I am away for one day, as a fault may occur at any moment on the wires.

The population of this scattered district is over five hundred, and a great portion of my time is taken up by the numberless inquiries and complaints that a constable is expected to take notice of, and give advice about, in a country place, often matters that are not police concerns at all, but, in order to keep in touch with the people, must receive due deference and attention. The nearest constables to here are in Waihi and Tauranga, distant eighteen and twenty-eight miles respectively.

I do not know how other district constables are paid, but I do hope none of them get so little as I do.

Asking for your consideration of the above facts, and respectfully pointing out that it is because I cannot get even a reply to my applications that I submit such a matter to your Commission, as I do not desire to complain of any officer of the department, from whom, outside of above matters, I have received uniform consideration; but it must be evident that if things go on as they are I will shortly be called upon to contribute for the privilege of being a constable. Submitted with respect.

The Police Commissioners,

CHARLES T. DUNNE, District Constable.

Police Duties.—Copied from Diary.

STATEMENT showing number of days on police duty at Katikati Station and number of days' duty away from station, from 31st January, 1897, to 31st May, 1898. For consideration by Police Commission.

Month.	Number of Days at Station Duty.	Number of Days away from Station.	Place and Remarks.
February, 1897	4	8	Tauranga and Auckland: Escort duty.
March, "	2	11	Auckland: Supreme Court.
April, "	3	..	
May, "	14	2	Aongatete and district: Inquiries, stolen property; bush arrests, and escort duty.
June, "	3	11	Tauranga-Rotorua: Escort, and evidence.
July, "	5	1	North end of district: Lunatic.
August, "	5	5	Waihi Beach: Dead body. Auckland: Court.
September, "	6	5	Auckland: Supreme Court.
October, "	4	..	
November, "	8	..	
December, "	7	10	Collecting agricultural statistics, 2s. 6d. per day.
January, 1898	9	1	Hunting for lunatic (Turner) towards Waihi; half-way to Tauranga, fire; Bowentown, fire; Tauranga races.
February, "	13	13	Katikati races.
	83	67	For twelve months, 150 days.
March, 1898	5	6	Arrest of lunatic (Turner); escort duty to Tauranga and Auckland.
April, "	10	1	Aongatete and district: Inquiries.
May, "	9	5	Tauranga: Duty, relieving Sergeant Murray.

The above does not include patrol duty, as I did not keep a record of that till the last few months. Riding out during the shooting season to keep illegal shooting in check is also omitted. Also the service of civil summons within two miles, clerical work, and the numberless trivial items not worth recording, but which nevertheless take up a great deal of time, are also omitted from foregoing. Duties have greatly increased.

C. T. DUNNE,
District Constable.

11th June, 1898.

12. You receive from police-work £25?—Yes.

13. And 6s. per day allowance when away from your station?—Yes, when away from home. I am allowed 5s. per day for my horse when I use him on some police duty, which, of course, must be specified. The duties have been increasing year after year, and more has been expected of me in the way of police duties.

14. You do not know what other district constables are being paid?—I have made some inquiries since I wrote that letter, and I find some are getting up to £100 a year. I am personally acquainted with one who gets £50 a year at Albertland. He is under Inspector Hickson. As to Native constables, I know one getting £40 a year at Rotorua. I was sent on all sorts of duty.

15. *Colonel Hume.*] You say you made two applications to which you received no reply?—Yes.

16. Addressed to whom?—To the Commissioner, I think. They went through my official heads, Sergeant Kelly and Inspector Emerson.

17. When did you send them in?—It would be more than two years ago, because it is more than one year since I applied to get into the general Force.

18. The work you do for the Telegraph Department is paid for by the Telegraph Department?—I get £20 a year for removing faults when they occur.

19. You got a reply to your application to get into the general Force?—Yes, but I considered that a sort of excuse.

20. If the standard height is 5 ft. 9 in. and you are only 5 ft. 7½ in., you would still expect to be enrolled?—I know many men under the height.

21. Name one?—Constable Cavanagh, one of the smartest men in the Waikato.

22. When did he get in?—I think he stated before this Commission that he joined twenty years ago.

23. Was the standard then 5 ft. 9 in.?—I do not know. My idea was that having done the duties for a number of years I could be enrolled.

24. Have you any other employment besides district constable and telegraph lineman?—I keep a farm.

25. You are able to work on a farm?—Not often. I have to let it by contract or by day-labour at 7s. a day.

26. You were very glad to get this appointment as district constable?—It did not make much difference to me at the time.

27. You asked for it?—No.

28. The department asked you to take it?—I was acquainted with Inspector Goodall, and Inspector Goodall sent word to the constable stationed there, and asked if he thought I would take it. He did not consider there was sufficient work for a constable to do, but the extent of the work was totally different to what it is now.

29. *The Chairman.*] What is it you are asking?—I ask to be sufficiently remunerated for the work I do.

30. What do you think is fair?—I think half the time of a constable is taken up in a district constable's work, and I think half the pay of a third-class constable (£60) should be given me in all fairness. I may state that I am doing equal duty in every respect, and the only difference seems to be whether I am to be paid for it or not.

31. *Colonel Hume.*] I see you enumerate, "riding out and keeping down illegal shooting:" are you a ranger under the Acclimatisation Society?—No, I am not.

32. The Acclimatisation Society does not pay you anything?—No.

FREDERICK NEAVE, examined on oath.

33. *The Chairman.*] What are you?—A labourer, living just outside Coromandel.

34. Do you remember being present at a conversation in Mr. Dean's shop at Onehunga between him and Sergeant Greene?—Yes, I remember being there.

35. Do you remember who was present at the same time?—No, I cannot say. It is so long ago.

36. How long is it since?—Three or four years ago. I am not exactly sure.

37. Was there a conversation in reference to the closing of his shop under the Shop Act?—I heard them talking about that, and I went out to the door and did not hear exactly what the conversation was.

38. Did you hear any reference by Sergeant Greene to any one connected with Mr. Dean?—No, I cannot say that I did. I generally get away when any one starts a conversation.

39. Do you know William Haggan?—Yes.

40. Do you know if he was present at the same time in the shop?—I cannot swear that he was.

41. And you do not remember the conversation?—No.

42. *Mr. Dean.*] Do you remember anything that occurred there—anything that Sergeant Greene said to me in reference to my wife?—I do not remember anything. I got outside the door when you started the conversation.

43. You are prepared to state on your oath that you did not say anything while the conversation was going on?—I went outside the door.

44. *The Chairman.*] You swear you heard no reference to Mrs. Dean in that conversation?—Yes.

GEORGE MACMURRAY, examined on oath.

45. *The Chairman.*] What are you?—Clergyman of the Church of England, living at Auckland.

46. *Rev. Mr. Isitt.*] Do you remember a meeting held in Newton on or about 13th October last year?—Yes; I remember a meeting in the Oddfellows' Hall.

47. It has been given in evidence that it was a meeting convened by clergymen and members of the wholesale liquor trade, with a view to concerted action?—There was an understanding between some clergymen of the Church of England and the leaders of the prohibition party and the leaders of the Licensed Victuallers' Association that steps should be taken to try and secure a better carrying-out of the law as regards the liquor trade, and in order to secure that end a public meeting was convened by myself, and also by one of the leaders of the prohibition party, which meeting was held in the Oddfellows' Hall.

48. You say "a better carrying-out of the law with regard to the liquor trade": specifically on Sunday, or generally?—The object of the meeting was general. That was distinctly the object—for the carrying into effect the law as regards publichouses and the trade in drink generally, though special reference was made to Sunday closing.

49. And in regard to the trading after hours on ordinary evenings?—That was included. The whole question was the observance of the law. The object I and those who acted with me had was this: We considered that laws in existence were not being carried into operation. We were not discussing the question as to what the laws ought or ought not to be. We were only anxious that the laws should be put into operation. We only asked for one amendment, and that amendment was a technical one, in order to facilitate the police in carrying out the law in a better way. Another point I mentioned at that meeting was that I clearly and explicitly stated that I did not wish to make any charge whatever against the police.

50. Had you any knowledge with regard to breaches of the law which led to your taking action in that matter?—I was aware of the fact that breaches of the law had taken place, and that the law was not being carried out in its entirety. I do not think I could say that I could mention specific cases and be prepared to prove those cases. I have seen persons drunk on Sundays, and I have seen persons coming out of hotels on Sundays under the influence of liquor. It would not be possible for me to prove that the person was not a *bonâ fide* traveller. I presumed, under such circumstances, that the law was broken.

51. And with regard to after-hour trading had you any knowledge?—No personal knowledge that I can swear to. I perhaps might have known of presumable breaches of the law, but I have no certain personal knowledge.

52. It has been stated that the difficulty of enforcing the law is because the mass of the community is opposed to a strict enforcement of the law. From your knowledge, would you indorse that statement?—I should say the mass of the community are opposed to prohibition, and I should say that a very large proportion of the community, and the best-minded part of the community, desire to see the law enforced whatever the law is. Whether the law is good or bad it should be enforced. The law should be altered if it is bad.

53. Clearly, it is not a question of prohibition, but a question of the enforcement of the licensing-laws. From your knowledge of the community you believe a majority are in favour of enforcement?—I believe the community is a law-abiding community, and desires to see that the law should be enforced, whatever it is.

54. *Mr. Poynton.*] Have you any knowledge of the neglect on the part of the police in enforcing the licensing-laws?—No; I must say that what I have seen of the police brings me to the con-

clusion that, considering the undermanned condition of the Force, they have done wonderfully well. The only occasion on which I found fault with the police was not a matter in connection with this trade, and I am not sure they were really at fault. I think the Police Force is distinctly too small for the community. That is the result of my observation.

55. *Rev. Mr. Isitt.*] Will you state briefly the other case you referred to?—This is the case I found fault with the police: I wrote a letter to the *Auckland Evening Star* with reference to the children of a person who was well known to be a prostitute, and I thought the police ought to have taken action by enforcing the Act referring to industrial schools, and had the children brought before the Magistrate and committed to an industrial school. I found the fault lay in this: The Act provides that the matter can only be dealt with by a complaint on oath of any constable. It is sometimes not possible to get a constable; perhaps there is want of knowledge on his part, and other causes, and there is no means left for a person like myself to take the initiative. There was a case in my district where there were two young children residing in a house that was a house of ill-fame. I drew the attention of the community to it in a letter to the *Evening Star*. I received a message from the Inspector through the local constable explaining why it was they had difficulty in taking action, and I think that in all probability the explanation was a satisfactory one in so far that there was not sufficient to justify the police in taking action; but that certainly did not satisfy me, because I think that if the law prevents such children being put into an industrial school it ought to be changed.

56. *The Chairman.*] In that case do you think there was any neglect of duty on the part of any officer of the police such as would call for investigation?—I do not think so, because, if I understood the explanation I received aright, the police were unable to get a conviction in that case, so the Inspector informed me, and I have no reason to doubt his word. I make no complaint. I refer to the state of the law, and especially the provision that the initiative has to be taken by a constable.

57. *Mr. Tunbridge.*] Is that the name of the woman you refer to [handed in]?—Yes.

58. Do you know that the Inspector had this woman up twice before the Court in connection with these children?—I am not aware of it. I heard once; that was all I ever heard of it.

59. Do you know the woman was able to prove to the Magistrate's satisfaction that she was being supported by a man who was living with her as her husband?—I believe a man was living with her, but I am not at all ready to believe that he was keeping her; I should more readily believe that she was keeping him. I suppose she must have satisfied the Magistrate, because the children were not committed.

60. Was that not the explanation the Inspector gave you when you wrote about it?—I would not like to swear positively on the subject, but I wish to confirm again that I make no complaint against the police.

WILLIAM BEATTY, examined on oath.

61. *The Chairman.*] What are you?—Clergyman of the Church of England, living at Auckland.

62. *Rev. Mr. Isitt.*] You heard Mr. MacMurray's evidence?—Yes.

63. Do you remember the meeting referred to—on October 13?—Yes.

64. Did you take part therein?—Yes.

65. Was the object of that meeting correctly stated—to secure a better carrying-out of the law with regard to the liquor trade?—Yes.

66. Might not any person like myself, reading the report of that meeting, assume that those who called that meeting knew the law was not being carried out?—I cannot measure what is the length or breadth of your assumption.

67. Is it not the logical conclusion that, from taking part in a meeting to promote the better carrying-out of the law, you knew the law was not being carried out?—But the logical conclusion is not necessarily that the police are at fault for the non-carrying out of the law.

68. The logical conclusion is that you had knowledge that the laws were not being carried out?—General knowledge.

69. Will you kindly tell the Commission the substance of your general knowledge?—The substance was very much like that of the Rev. Mr. MacMurray's—that it was ordinarily stated in conversation that there was a good deal of drinking going on on Sundays and after hours, and that one sometimes did see people the worse for liquor on Sundays. I also was strongly impressed by this: that I believe some police authorities had admitted that the law was not enforced, and contended that, in the present state of the law, it was practically impossible for them to enforce it, and that in order to secure a better enforcement of the law they desired that the onus of proof of any person found on licensed premises during prohibited hours should be thrown on the person found therein.

70. Have you personally seen people the worse for liquor on Sundays?—I should think, probably, I have, but I cannot at the present moment recall any instance. I may say for the information of the Commission that, speaking from my experience of England and Ireland, I consider this a vastly more sober community than either the Irish or English. I have no experience of Scotland. I may say the number of drunken people in Auckland in a year is not as many as one could see in a place of the same size in England or Scotland in a month, or probably even a week.

71. Do you credit these Prohibitionists with that happy condition of things?—No.

72. Have you any recollection of seeing persons coming out of hotels on Sundays?—No. I am not about hotels on Sundays; I am about my business.

73. Do you ever pass them on Sundays?—Yes.

74. With your eyes shut or open?—My eyes were as open as they are now.

75. Do you speak from personal knowledge when you say the police authorities had admitted they could not enforce the law?—I speak of what I saw stated in the papers.

76. Would you say that one difficulty the police have in enforcing the law is the hostile attitude of the great mass of the community to the enforcement of the law?—I do not think the great mass of the people are hostile to the enforcement of the law, but I believe the great mass of the community feel that the licensing-laws in this country are in some particulars too stringent, and that the Prohibitionists and others, failing to secure prohibition, have treated the trade like a rat in a hole—that they cannot get rid of it, but they pour kerosene on it and try to smoke it out, and make it as uncomfortable as possible. Personally, I think the Licensing Act is imperfect as regards the facility of administration owing to the lack of this clause which has been referred to—clause 25 of the English Act. I think also that the traveller's limit should be extended to at least five miles. But, then, I think there are other parts of the Act which bear harshly and unjustly upon the brewers and upon the licensees; and also, I am not at all sure that it might not be advisable to have the hotels open on Sundays, and also extend the time on week evenings until 11 o'clock. I believe it is better to have a law which perhaps does not come up to our idea of perfection, but which has the sympathy of the community with it, than to attempt to make the people so pre-eminently virtuous, and so prejudice the community against you.

77. Are you aware there are strict prohibition laws against the sale of opium except under certain conditions?—No.

78. *The Chairman.*] This meeting was brought about because you recognised the difficulty of enforcing the law?—Precisely so.

79. And you thought an arrangement might be come to to open the way to a better enforcement of the law?—Yes. We thought the introduction of the clause which exists in the English Act would facilitate the enforcement of the law by the police; and we found that the leaders of the Prohibitionists and the representatives of the liquor trade, and some of us clergymen of the Church of England, who felt pretty certain that we represented the moderate and, shall I say, common-sense portion of the community, and who had no interest particularly with the Prohibitionists, and no particular interest with the liquor party, thought that, if a meeting were held and brought to bear upon the Government it would go with considerable force, and the result would be good.

80. Do you remember if at that meeting there was a desire to make persons found on licensed houses at unlicensed hours punishable?—That was one of the main reasons for convening the meeting.

81. Are we to understand that, so far as you were concerned, the meeting is not to be interpreted into censure on the police on the ground of inactivity or insufficiency in the performance of their duties?—Most certainly not. It is not so to be interpreted. It is to be interpreted as a joint expression of opinion from the leaders of the Prohibitionists, the heads of the liquor trade, and some of the Anglican clergy, that the law in its present condition is unworkable, and that it is highly desirable that this particular clause should be introduced to make it workable; and, having got a workable law, then you could fairly call upon the police or anybody else to enforce it, and blame them if there was any laxity.

82. *Rev. Mr. Isitt.*] Have you any distinct authority for stating that the leaders of the prohibition movement wished to imply no censure on the police?—I cannot tell you what they wish. I dare say they wish to censure the police and everybody else. I again say that in the negotiations which led up to that meeting, so far as my memory serves me, there was no intention that this meeting should express censure on the police, but simply that pressure should be brought to bear on the Government to make a change in the law making it more easy for the police to do their duty.

83. When you say the whole of those at that meeting were prepared to recognise the unworkableness of that Act, do you speak with authority in saying the prohibition leaders took that ground?—I believe so.

84. You are not sure?—I cannot tell you the ground they took. That is the ground they professed to take.

85. *Mr. Poynton.*] Although the mass of the community may not be in sympathy with law-breakers, it is natural to suppose that the great majority, and also all of those who frequent hotels on Sundays and after hours, are against the strict enforcement of the law?—I should think so.

86. And the police have to rely on these people for evidence in the present state of the law to support their case?—Yes.

87. And although the mass of the community may not be opposed to a strict administration of the law, those people on whom the police rely for evidence would?—Yes.

88. *Colonel Hume.*] You did not tell us where your cure was?—It is in Remuera.

89. Have you been here long?—In Auckland, over twelve years.

90. I should like you, as having been here twelve years, to say whether you have any fault to find with the manner in which the police carry out their duties generally?—I cannot say. I have not been in a position to see very much of the work of the police. I have never had personally brought before me any instance of any laxity or misconduct or failure of duty on the part of any policeman.

WILLIAM EUGENE GILLAM, examined on oath.

91. *The Chairman.*] What are you?—Clergyman of the Church of England, living at Ellerslie.

92. *Rev. Mr. Isitt.*] Did you hear the evidence given by the Rev. Mr. MacMurray and the Rev. Mr. Beatty?—Yes.

93. Do you indorse the statement made by Mr. MacMurray that the purpose of the meeting was to procure a better enforcement of the law?—Yes. I was not at the meeting. The primary arrangements were made at my house. I was one of the committee appointed to arrange for this meeting.

94. A very active member of the committee?—Yes.

95. You took a keen interest in the movement to secure co-operation of these three parties to secure a better carrying-out of the law?—Yes. Our object was to bring about an alteration in the law, to get the introduction of section 25 of the English Act. That was the one purport of our meeting.

96. Not, then, to bring any sort of pressure, kindly or otherwise, on the police to enforce the law as it stands?—It was mainly to get the introduction of this 25th section.

97. Mainly to secure the introduction of a clause that would aid the police; but was it not also to bring some measure of pressure on the police to enforce the law as it stands more vigorously?—No; I do not think that was the main purpose.

98. Then, did the meeting believe that the law was not enforced, and point out the difficulties in the way of the police enforcing it?—Yes.

99. In what respect—Sunday trading?—Yes, and after-hour trading.

100. Selling in illegal hours?—Yes.

101. Have you any personal or general knowledge of your own to substantiate that?—I have knowledge that I got from policemen and from publicans, and from newspaper reports, and from remarks made by Magistrates in dealing with cases. We have had in Inspector Hickson's evidence the other day the same kind of talk.

102. Was there anything that came under your own personal observation: had you seen people in a state of intoxication on Sunday?—Yes.

103. Was there anything to connect that with the hotels, or did you only assume they must have visited hotels?—That assumption only.

104. Have you seen anybody coming out of hotels on Sundays?—Yes.

105. Have you seen intoxication in the proximity of hotels on Sundays as to cause the assumption that they had come out of the hotels?—Yes, but not very frequently. I do not remember having seen any very frequently, but I have seen it in the course of past years. I think the majority I have seen have been boarders. I am speaking of hotels in the outskirts of the city. People have gone out of town to places like Ellerslie and Epsom.

106. Do you think you have seen any in the city in the same condition on Sundays?—I dare say I have. I do not remember.

107. What is your estimate of the statement that the mass of the community are opposed to a strict enforcement of the law?—I believe the mass of the community wish for a strict enforcement of the law. I may say I have no sympathy with my friend Mr. Beatty on the question of the hours on Sundays or week-days. I do not think the majority of the clergymen of the Church of England wish that. I think very few indeed wish it.

108. So far as you know the mind of the clergy of the Church of England, they do not wish for an extension of the hours of sale, nor for any opening on Sunday?—No, certainly not.

109. *The Chairman.*] With regard to this meeting, do I correctly understand that the object of it was to bring about a more willing compliance with the law on the part of the licensees?—Yes, that was the main object, undoubtedly.

110. Was it in any way intended or conceived as a vote or expression of censure on the police for the manner in which they had carried out their duties?—Certainly not; it was never intended for a single moment. My own impression is that the police do marvellously well, considering the inefficiency of the Act. I am surprised they attempt to bring cases before the Court at all, considering the difficulties they have.

111. With regard to the hour of closing, do you know as a matter of fact that Auckland is the only large city where the houses do close at 10 o'clock?—I know that. I think it works very well indeed for this community.

112. *Mr. Tunbridge.*] I suppose there was a resolution arrived at by the meeting?—Yes.

113. Do you know that a copy of the resolutions was never sent to the police?—No, it was sent to the Premier, I believe.

114. It was not sent to the police?—I am not aware of it.

115. I suppose I may take it, if this meeting had been convened with the intention of forcing the hand of the police to carry out the law more vigorously, that the police might reasonably have expected that a copy of the resolution carried would have been sent to them?—Yes. There was no attempt to censure the police.

116. *Colonel Hume.*] A good many of the inhabitants of Ellerslie are what you term "sporting people"?—Yes.

117. And hangers-on of racing stables, and not always the most exemplary characters?—No.

118. Have you any fault to find with the way the police carry out their duties in and about Ellerslie?—Not at all. I think there is always a disorderly element in a place like that. There are people coming from town, and racing touts, and it will always be very difficult to conduct their houses well. I think the two houses there are conducted very well. I should like to see the police more frequently there.

119. Then the people who come from Auckland to Ellerslie are *bonâ fide* travellers, because it is over three miles?—I am anxious to see an extension of that limit from three miles to five miles. I agree with my friend there.

120. *Rev. Mr. Isitt.*] You mention the word "disorderly." Are there disorderly scenes at Ellerslie?—Yes. A number of vehicles come out of Sundays, and a number of men who come out to gain information from the racing stables. If they are not disorderly, they are not the best class of people to have about.

121. Are there any scenes of real disorder?—Yes.

122. Where?—On the streets.

123. *The Chairman.*] Is there any constable stationed in the immediate vicinity?—About three miles from us. We have urged for a long time that a constable should be appointed.

124. Have you formed any opinion as to the numerical sufficiency of the Force to keep anything like order in the country inns of the neighbourhood?—I should say from my observation that it is quite insufficient. There is certainly need for more police.

GEORGE THOMAS WILKINSON, examined on oath.

125. *The Chairman.*] What are you?—Government Native Agent and Land Purchase Officer, residing at Otorohanga, within what is called the King-country. I am not a Commissioner.

126. *Rev. Mr. Isitt.*] We have had evidence given that sly-grog has been sold extensively for the last ten years in the King-country. Do you indorse that statement?—Not for ten years—for some years.

127. And of late years—within the last two or three years—it has been more largely sold than previously?—Very much so; the last two years more especially.

128. How far do you date back as to the time sly-grog has been sold to your knowledge?—From my knowledge, since it has been very noticeable is not more than two years ago—perhaps nearly three years.

129. Did you know it was being sold at all before that?—I was not aware of it. I had heard, but not to any great extent.

130. Have you any reason to attribute why it has become so extensive during the last three years?—Yes, I have my own opinion.

131. Based upon observation?—Yes.

132. What is your opinion?—My own opinion is that it is due to the influx of Natives attending the Native Land Court during the last two years and six months. They found that a European resident was selling liquor, and they commenced to sell it themselves. That is how the scandal commenced principally. The first European started to sell liquor without any accommodation at all for anybody, and he for a time was successful and was not caught, and after that the Natives considered that they could do the same, and then, speaking figuratively, almost every other Native sold liquor.

133. Was that European ever caught?—He was.

134. Do you know whether he continued selling long without being caught?—He did for some time. I do not know how long.

135. Was he caught by the local constable or by a special agent?—I am not quite clear. I am inclined to think it was the local constable.

136. Have you any circumstances connected with that period you wish to tell us?—No, only that the Natives were selling grog to one another. They walked about the streets with a bottle of grog and a glass, selling it—not parading the fact; but a Native who wanted grog could get it from another in the streets. It was easily obtainable. They built little houses and called them butchers' shops, and hung pigs up for sale, but at the same time they were sly-grog shops.

137. Would you say it was not only easily obtainable, but the fact easily discoverable?—The fact was easily discoverable from the number of tipsy Natives about the place.

138. Were the sales easily discoverable?—No, I do not think they were.

139. Are you a Justice of the Peace?—I am.

140. Did you join in writing that letter to the Minister of Justice that has already been referred to?—I did.

141. Did you remonstrate with the department for the law not being better enforced?—I think that was the effect of the letter. It was an official letter written by us as Justices of the Peace.

142. Was it practically a complaint against the department that the law was not being enforced?—Yes, it was a complaint. The thing had got to become quite a scandal, and we wrote to the Minister of Justice as head of the Police Department.

143. Was it immediately after that letter was sent that two men came up?—I cannot say.

144. Do you remember the visit of the two men?—I heard that two men went up. I saw them after they had been there some time. They called on me to swear some informations.

145. Do you know anything about their mode of procedure, as to whether it was satisfactory or otherwise?—I think it was unsatisfactory. They were known before they got there, I believe.

146. Was there a second letter then sent to the Minister of Justice?—I think a second letter was sent to the Minister of Justice.

147. That was after the attempt of these two men?—Yes. Of course, it was some time ago. I am not quite certain. I know one letter was sent to myself and brother Justices to the Inspector of Police at Auckland.

148. Do you think that the second letter had anything to do with Sergeant Cullen's visit? Do you know enough of the date to answer that question?—I think these two letters that were sent brought about all the visits.

149. Do you mean the whole of the visits that have ever been made, or of the recent visits?—The position was this: We found the local constable too well known. Efficient as he might be, and do the work as well as he possibly could, he was too much handicapped. He could not entrap the people, and we found the thing got such a scandal that it was necessary to write to the Government about it. As to the particulars, or details of the letters, and how they affected any of the visits of those who came up to catch the sly-grog sellers, I cannot say.

150. Have you ever seen liquor supplied in your own presence?—No, except in the hotel.

151. *Mr. Tunbridge.*] I suppose the better class of the Europeans up there are against sly-grog selling?—Yes; very much against it.

152. And, I suppose, would do all they could to put it down?—I believe they would.

153. And would like to see the people selling it prosecuted?—I believe they would.

154. I suppose Europeans who have been convicted of this sort of thing would be looked down upon as having committed a breach of the law, and would lose caste amongst the Europeans?—They might to a certain extent.

155. They would probably lose caste to such an extent that they would be considered to be ineligible for a School Committee, and so on—is that so?—Well, they should do.

156. Is not Mr. Mohr the European you refer to who was caught sly-grog selling?—Yes.

157. *The Chairman.*] Was he the original European offender you referred to?—Yes.

158. *Mr. Tunbridge.*] Since his conviction, is it not a fact that this gentleman has been elected Chairman of the School Committee?—He was elected Chairman of the School Committee. I do not know whether it was before or after.

159. If I say it was since his conviction you will not dispute it?—No.

160. And some of the gentlemen who elected Mr. Mohr as Chairman of the School Committee also wrote a letter to the Minister of Justice complaining of this sly-grog selling?—I do not know who elected him.

161. Mr. MacDonnell admitted here yesterday he was one of those who elected him, and he was one of those who wrote to the Minister of Justice, and you will not deny his evidence?—No.

162. So the matter remains that a gentleman who wrote to the Minister of Justice did not look upon it as any disgrace that a man should be convicted of having sold sly-grog?—I did not say that. You only assume that.

163. You will assume from their actions, if they came and elected him as Chairman of the School Committee afterwards?—You had him present, and had his evidence, I suppose.

164. *Colonel Hume.*] Have you any fault to find with the manner in which the constables stationed in the King-country now carry out their duties?—No; I believe they carry out their duties to the best of their ability. They do the best they can. The surroundings are against the local men doing anything.

165. I am referring not only to the liquor traffic, but to the suppression of crime generally?—I have nothing to complain of except I think that, when a Native is caught at liquor-selling, too long a time elapses before the case is tried. Now, it happens that Natives have been caught. A considerable time elapses before they are served with summonses, and after they are served with summonses a considerable time elapses before they are tried in Court. Sometimes as much as even six weeks or two months elapses before the actual trial comes on. In these six weeks or two months the Natives could sell enough liquor to pay the fines. Then, again, when the case is called on, he is charged with so many phases of the same crime. A person charged with selling grog is also charged with having it on his premises, and sundry other charges which I cannot enumerate here at present. Then, when the trial comes on he is most likely convicted on all charges, and a penalty is fixed for each one, but there is only one term of imprisonment, and we had a case in which a man's fine for selling grog amounted to £60. They simply take it out in imprisonment, and no money is paid. They had time to make this money between the time they were caught and the time they were convicted. If some alteration were made in that I am sure it would be beneficial.

166. In regard to hearing the cases, are you or are you not aware that the police are not to blame for that?—I know they are not to blame for that. I do not know whether they are to blame for delay in issuing the summonses.

167. As regards so many phases of the same crime, you also blame the statute there?—Yes. I do not blame the police for that.

168. You have had considerable experience: do you think that if a license or licenses were granted in the King-country it would suppress both drunkenness and sly-grog selling?—I believe, in places like Otorohanga and Te Kuiti, it would keep down drunkenness, and I believe it would do away with sly-grog selling. That is my impression. There would be some supervision over the hotels, and, so far as the Natives are concerned, they would accept the position that the Government and the law granted a license for people to sell liquor, and that that person was under the eye of the law, and I believe then they would not go in for sly-grog selling. That is, in places where there is European settlement, like Otorohanga and Te Kuiti.

169. And in this sly-grog selling is it not more the quality than the quantity that does the harm?—I cannot say. I have had no experience.

170. Anyway, under a license people would be able to get wholesome liquor?—They ought to.

171. *Mr. Poynton.*] Do you think that a penalty imposed by law on a person who purchased liquor from another who has no license would be better?—Yes; I think very strongly on that point. I do not see that a person who sells should be made the only culprit. The person who buys encourages another to break the law, and is doing as much wrong as the one who sells.

172. *Rev. Mr. Isitt.*] With regard to crime generally in the district, are you conversant with the amount of crime there is?—I believe there is very little crime indeed.

173. Would it come under your observation if there was crime?—It would come under my observation in one or two ways: it would come under my observation as Government officer, and possibly as a Justice of the Peace. Perhaps if it was a crime of a simple nature it might be tried by me.

174. How strongly would you express yourself as to the absence of crime?—I would express myself in this way: I test it by the number of cases dealt with by the Justices, or sent to the higher Courts.

175. And there is very little indeed?—I do not think there is much; I think, considering the size of the district, there is very little crime.

176. If there is very little other crime, and a good deal of sly-grog selling, the latter looms largest in the district?—Yes.

177. And is it your opinion that the local constable cannot compete with it?—That is my opinion.

178. Then, do you not think it to be the duty of the department to take other measures frequently?—That was one reason of our sending the letter to the Minister of Justice.

179. Have you had experience outside the King-country of licensed houses in Native districts?—Yes.

180. We have it distinctly in evidence that there is more drunkenness amongst Natives in districts where there are licenses than in districts where there are no licenses: would your experience contradict that?—It would. Generally in these Native districts, more especially Kihikihi, there are one or two Natives who cause all the disturbance. If these one or two Natives were removed from the district the bad name the place has for disturbances from drink amongst the Natives would cease. It is where one or two Natives get the worse for liquor, and then become quarrelsome and start fighting. If these Natives were removed I am sure one-half the censure passed on the place by Mr. Gittos and others would not be required.

181. Do you know whether the presence of the brewery referred to increased the difficulty to detect sly-grog selling?—Not the presence of the brewery, but the presence of the brewery increased drinking in the district.

CHARLES JAMES JOHNSON, examined on oath.

182. *The Chairman.*] What are you?—I am a Justice of the Peace, living in Otorohanga.

183. *Rev. Mr. Isitt.*] You heard the evidence of Mr. Wilkinson?—Yes, and of Mr. McDonnell and Mr. Ellis.

184. Is there anything in that evidence you wish to differ from specifically? Is there anything you wish to add to it?—There is one difference I would like to explain, and that is, the letter talked about so much as coming from the Justices of the Peace was, I believe, composed originally by Mr. Ellis. I also wish to state that the reason the letter was sent was owing to a meeting called in Mr. Ellis's office. Of course, we had not all the same idea as to the mode of sending this letter, or what should be done; but, for my part, I advocated that a letter should be sent asking the Government to take some steps towards granting a license. Of course, I was overruled. That is the only thing I wish to say.

185. You recognised the evil of sly-grog selling, and thought the granting of a license would be a cure for it?—What I recollect was that the Government should be requested to try it.

186. You thought the present condition of the thing was bad; that it was better to try the other?—I thought that, as the convictions had not had the effect of suppressing it, the other might.

187. Could you make it clear as to the way the second letter was sent?—I believe a second letter was sent, but it dealt chiefly with the necessity for having a lock-up built in Otorohanga. Up to that time if a prisoner was arrested there was no place to put him. There was also a reference in the letter to the letter previously sent.

188. You have nothing further you wish to add?—No.

189. *Mr. Tunbridge.*] You feel, then, that it would be practically impossible to stamp out sly-grog selling so long as there is no license?—That is my opinion.

190. Do you agree with what some of your fellow Justices of the Peace said, that if a more energetic constable was sent there he would be able to put it down?—I do not think any constable in New Zealand could suppress it.

191. Do you believe, from what you know of Constable Stanyer, that he is doing his best to suppress it?—I consider he is a trustworthy constable, and he is as good a man as we could have, particularly in suppressing any sort of rowdiness or disorder.

192. *Colonel Hume.*] Do you know if two letters or one were sent?—I know of two.

193. And you signed each of these letters as a Justice of the Peace?—I believe I did.

194. Did you know anything about these letters before you signed them?—They were read there at the time.

195. Was it not Mr. Ellis altogether? Did he not compose them and have them written, and sent them round to you for signature?—Yes. The letter was written after the meeting had broken up.

196. When you signed it you did not know of what was in the letter?—I suppose at the time I read the letter.

197. Was there a rough draft of that letter at the meeting?—At the meeting several drafts were written out.

198. *Rev. Mr. Isitt.*] The meeting determined that a letter should be written?—Yes.

199. And you read it there?—Yes.

200. You did not sign anything when reading it?—No.

201. *Mr. Poynton.*] Do you form the opinion of the other witnesses that a penalty imposed on the person who buys as well as on the person who sells would help to check the evil?—Yes.

202. *The Chairman.*] Can you call attention to any neglect, or what you consider neglect, on the part of the police in enforcing the law?—I consider the police have done their best.

203. *Rev. Mr. Isitt.*] Do you know anything about the importation of grog in wholesale quantities into the district?—Well, I have seen cases supposed generally by people seeing the train arrive to be liquor, but further than that I know no more.

204. Do you think the chief difficulty is with the wholesale importer?—It is hard to find out who the wholesale importer is.

205. Are there any facts within your knowledge indicating that the encouragement given to the traffic by wholesale importers is really the root of the whole matter?—No, I cannot make any definite statement of that kind. I have seen cases arrive at the station.

206. *The Chairman.*] I suppose you knew them to be liquor: what could you do?—I could do nothing. If it was a case for myself I should take it home.

207. Does the law prevent you from having a case of liquor for your own consumption?—No.

JOHN WILLIAM ELLIS, further examined on oath.

208. *Rev. Mr. Isitt.*] There is some confusion with regard to the two letters written, can you state explicitly what occurred in regard to these letters? There was one letter mentioned yesterday: did you write that letter?—No, I did not. I have heard Mr. Johnson's evidence.

209. *The Chairman.*] Was it written in your office?—No, it was not. I may state that is why I wish to be recalled. I think it is very unfair for Mr. Johnson to try and throw the onus of the letter on any one Justice, when it was the product of a long meeting held by all the Justices of the Peace.

210. Who did write it?—Mr. Wilkinson.

211. *Rev. Mr. Isitt.*] Did he write it to give expression to the joint opinion of the Justices of the Peace?—Yes. A draft was written out by myself and amended principally by Mr. Johnson, and as amended it was handed to Mr. Wilkinson, and he wrote it.

212. Are you clear the purport of it was against the police for the non-enforcement of the law?—Yes.

213. With regard to the second letter, are you clear as to the dates?—One was immediately preceding the visit of the two men, and the other was immediately preceding the visit of Inspector Cullen: I fancy in June, 1896, and June, 1897, respectively.

214. And in each case remonstrating with the Minister for the non-enforcement of the law?—Strongly in the first letter, and in the second letter we drew attention to the first letter.

215. Was there any suggestion for a license and lockup?—Yes, for a lockup, and that an additional constable should be stationed at Te Kuiti.

216. Any suggestion as to a license?—No.

217. *The Chairman.*] Do I understand on each occasion when you called the attention of the Minister to the necessity for special action that action was taken?—Yes; action followed each of our letters.

218. Did you personally find any neglect on the part of the constables?—No. I am very glad you asked me that question. In what I stated yesterday I did not wish to reflect on Constable Stanyer at all. I wished to reflect on the authorities. They put a man in a station who had had no experience. I think Constable Stanyer has done remarkably well. I think he was a very good officer, but he had no experience when he went there. I think a man of more experience would have done better. I think it was quite unfair to place him in that position.

219. *Colonel Hume.*] One of the letters was written in June, 1896, and the other in June, 1897?—I fancy that is about the time.

220. The June, 1896, letter brought up two men?—Yes.

221. And the June, 1897, letter brought Sergeant Cullen?—I believe the result was the visit of Sergeant Cullen.

222. And you believe no action was taken in the interim—that is to say, nobody was sent up—you always had to write?—We judged by the effects the thing had not been checked when we wrote the first letter. An attempt which was not successful was made, and we wrote the second letter.

223. Then, if I can show a detective was sent up in May, 1897, you will admit that was before your letter was written?—Yes, if I am correct in the dates.

224. Are you in favour of a license or not in the King-country?—No, I am not in favour of a license.

225. You think the remedy worse than the disease?—Yes.

226. *Rev. Mr. Isitt.*] Are you a Prohibitionist?—No.

227. Are you a total abstainer?—Yes.

228. You do not commit yourself as to these letters—you are not at all sure as to the dates?—No.

JOHN EDWARD TAYLOR, examined on oath.

229. *The Chairman.*] Where do you live?—At Mangere.

230. What is the evidence you wish to give?—What I wish to speak about is in regard to the character of people who are allowed to drive down the main streets of Onehunga. I object to persons in a drunken state who very often drive down the main streets, and over the bridge which connects Mangere with Onehunga. That bridge is nearly three-quarters of a mile in length with its approaches, and the woodwork is more than 800 ft. long, and the width of the woodwork only 16 ft. There is a by-law by which people are prevented from passing each other except at a walking-pace. I have frequently seen people driving down Onehunga and across that bridge in a state of undoubted intoxication.

231. *Rev. Mr. Isitt.*] Repeatedly?—Not repeatedly—at a trot.

232. It is driving in a state of intoxication you complain of?—Yes; and there have been several accidents resulting from it. An old gentleman friend of mine, eighty years of age, was knocked off his horse some years ago, and there was an action as the result of it. I have since seen a man's horse and cart going across the approach to the bridge without a driver with it.

233. I understand you are complaining of the neglect of the police in allowing drunken people to drive across this bridge?—Yes.

234. *Colonel Pitt.*] Were any proceedings taken?—In this instance proceedings were taken, and a conviction secured against a man. The case was against the man who knocked an old gentleman off his horse.

235. Is that the only case in which proceedings have been taken to your knowledge?—Yes. I know of no case to my knowledge. On that occasion I turned the man's horse and cart round.

236. *The Chairman.*] Were these facts brought to the knowledge of the police?—Not at the time. I wrote to the *Herald* on the 20th June, 1895, drawing the attention to these facts as follows: "Any one who does not wilfully close his or her eyes may see, any fine Sunday in our various suburbs, a number of hired traps and overdriven horses conveying a lot of rowdy, drunken men that are a menace to the peace and safety of the respectable public, and who are in this state because of the usual loophole which our legislators have contrived to leave in the Act, whereby the craving for drink can be satisfied, their darling trade supported, and the object of Sunday closing defeated, and made to appear ineffective, when really it is Sunday opening that does all the mischief. I could give numerous details of many accidents and dangers, within my own knowledge, caused by drunken drivers and riders, but I must refrain for want of space."

237. Do you think these things come under the notice of the police, or do you think they ought to?—I think it must come under the notice of the police. Sometimes there is a regular procession of people driving round by way of Otahuhu and Ellerslie. They drive about in a drunken state, and I have seen these people stopping at hotels.

238. That is a regular Sunday drive, but do you suggest that people who generally hire carriages for a drive round that road are drunken rowdies?—Not all of them.

239. Any proportion of them?—A large proportion of them.

240. A large proportion?—A large number of them. Sufficient to cause danger to the travelling public.

241. *Mr. Tunbridge.*] You state in that extract you can give numerous cases of accidents: quote a few?—Yes. I remember one Sunday driving myself, and I met some drunken men coming along in a buggy. One behind lashed the horse and it fell down, and caused the horse my boy was driving to shy, and he was thrown to the ground.

242. On a Sunday?—Yes.

243. Did you see it?—Yes.

244. Any others?—I have seen buggies drawn up by the side of the road, and the horses allowed to go away. On another occasion the same sort of thing happened. A man riding by on horseback lashed the horse my boy was riding, and he was thrown.

245. Were these men drunk?—Yes.

246. Riding horses when drunk?—Yes.

247. *Colonel Pitt.*] Have you seen this going on lately?—I was on the bridge last February, and I got out of my buggy and offered to lead a man's horse by. He had a horse and trap, but he would not allow me, and he ran straight in between my front wheel and hind wheel and locked me fast.

248. *Colonel Hume.*] Did you tell the police about this in February?—Not that particular case, but I have spoken of the man to him generally before. Since then I have seen a member of the Licensing Committee lead a horse of a man who was drunk past another trap, and start it down the road, and he had to cross the Mangere Bridge.

249. Did you report that to the police?—Yes, I reported it to Sergeant Greene.

250. You see men driving in a trap; can you tell whether they are drunk or sober?—I can form a good idea.

251. In regard to these people in the hired traps, and others driving horses, would you be prepared to go into another Court of justice and swear these people were drunk?—Yes, from their general appearance.

252. *The Chairman.*] I want to know whether in any case, when you have brought a matter under the notice of Sergeant Greene he has neglected to take proper steps to inquire into it?—Well, I think he did not on this last occasion. He took no steps.

253. You are prepared to swear that they were drunk?—Yes.

254. And you know the parties?—Yes.

255. Are you prepared to assist the police to the extent of giving the necessary information?—I am prepared to tell the police that I saw a man leading a horse past another trap, and to the best of my belief he was drunk.

256. *Mr. Poynton.*] Do you know if Sergeant Greene made inquiries into this case?—I no not know.

257. *The Chairman.*] Do you know, as a matter of fact, there is a man on duty in the streets of Onehunga during the time this traffic takes place?—Yes; two men on duty.

258. *Mr. Poynton.*] Do you know that a policeman cannot interfere with a man who is drunk and in the custody of others?—I do not know that.

259. Or that if there are several drunken men in a trap driven by a sober man a policeman cannot interfere?—I do not know that. I also think the question of larrikinism in Onehunga should receive some attention.

HERBERT WILLIAM BRABANT, examined on oath.

260. *The Chairman.*] You are Stipendiary Magistrate, stationed at Auckland?—Yes.

261. Will you just give us such evidence as you can in the matter referred to by Constable Gillespie?—He was in charge of the Foxton Station and also Clerk of the Court there during the time I visited Foxton as Magistrate. Well, he was certainly a very excellent clerk, almost as good as one as I have come across as a police clerk. I mean apart from the Civil Service clerks.

262. Can you speak of his character as a constable?—So far as I know, he was a good constable. Of course, I did not reside there. I only visited there once a month. I do not recollect ever hearing any complaint against him, except on one occasion. I recollect on one occasion it was proposed to remove him from there, and I recollect that Mr. Thynne, a Justice of the Peace, and

some other gentlemen called on me and said they were going to make representations to the Government with a view to having him kept there, because they thought him a good man. I believe they did make such representations. I did hear complaints of him before I went to Foxton. There was a prosecution for perjury against him, but he was acquitted, I believe. That is all I have ever heard against him. Probably the police authorities know all about that.

263. *Colonel Hume.*] You said he was a good clerk?—Yes.

264. And would you say he was well versed in the New Zealand statutes: is that what you mean by a good clerk?—No; I mean a man who performs his duties well—a good Clerk of Court.

265. You are not in a position to say whether he is fairly versed in the New Zealand law or not?—I have never noticed any particular want in that respect.

266. Do you think he is a sort of man to accidentally commit a grave legal error?—I cannot say that. I should not have thought so. Of course, I do not know what you are driving at. I am entirely ignorant as to what is the charge against Constable Gillespie.

267. Are you aware he is charged with playing cards in a publichouse?—No.

268. Are you aware when he had to make some inquiry there he took a very one-sided view between the two parties?—I do not recollect it now.

269. You mentioned Mr. Thynne's name?—Yes.

270. Do you happen to know if there was any confidential transactions between Gillespie and Thynne?—No.

HERBERT WILLIAM BRABANT, further examined on oath.

271. *Rev. Mr. Isitt.*] You have had much experience as a Magistrate?—Twenty-six years.

272. Only a brief time in Auckland?—About seventeen months in Auckland.

273. Have you been able to form an opinion as to the manner in which the police carry out their duties in respect to the enforcement of the law in the city?—I have come across instances where men have done their duty well, certainly, but I do not know that I am able to give an opinion as to the whole Force.

274. Speaking of the Force as a whole, do you think they are sufficiently vigorous and successful in grappling with crime?—With crime generally, I think so.

275. Is there any specific details in which you think they have failed in dealing with law-breaking?—Well, I think there might be more energetic carrying-out of the licensing-law, perhaps; but, of course, it is said that the fault is due more to the defective laws than to the inactivity of the police.

276. Then, do you say, unless the difficulties of the law offer sufficient excuse, you think there is not so much vigorous an enforcement as there should be?—That is my impression.

277. Do you base it, may I ask, on personal observation of what comes under your notice as a Magistrate?—Yes. I do not know I have any personal knowledge of how the publichouses are conducted, or anything of that sort.

278. Do crimes originate from the publichouses and come before you give you that impression? I suppose many offences which come before you are associated with the drink trade?—Undoubtedly.

279. With regard to betting and gambling, have you any experience in that direction? Has that come under your notice judicially?—No; I have scarcely had any gambling cases before me.

280. Not cases arising therefrom in which they came in accidentally?—No; I think there have been very few cases under these Acts.

281. With regard to prostitution and brothels, has anything of that kind come under your notice?—It has come under my notice that there is a considerable amount of prostitution in Auckland.

282. Anything sufficient to lead you to suppose there has not been a sufficiently vigorous attempt to grapple with it?—I cannot say that.

283. Your eighteen months in Auckland cover a period when there was a great deal of burglary, and housebreaking, and robbery with assault?—Yes; there were a good many charges of that description.

284. I suppose the absence of charges means an absence of knowledge on your part?—No; I think there were a good number of committals on those charges.

285. Are you satisfied sufficient has been done to cope with that great evil?—I am not prepared to throw any blame on the police on that account.

286. *Mr. Tunbridge.*] You say there might have been a more rigorous enforcement of the licensing-law in Auckland?—Yes.

287. Do you recognise the considerable difficulty in the way of the police getting evidence?—Undoubtedly.

288. Owing to the state of the law?—Not only owing to that, but owing to the fact that, wherever a case is brought under the licensing-law, the evidence is generally very unsatisfactory.

289. By that I take it you think there is some very hard swearing on the part of the people brought up to give evidence?—I am sure that is so.

290. As a matter of fact, do you not think there is more questionable evidence in connection with publichouse prosecutions than any other class of offence?—That is certainly my experience.

291. Then, again, do you not think that the police are very much handicapped owing to the law not allowing them to demand the names and addresses of people who they may find on licensed premises during prohibited hours?—I dare say the law may be improved in that respect; but that is a question I have nothing to do with.

292. Have you any knowledge of a case brought before the Court last week and dismissed?—Not before me. I think it was before Mr. Hutchison.

293. *Mr. Poynton.*] People who go into hotels on Sundays and after hours are generally reluctant to give evidence against the publican: do you find that?—Yes; they are very reluctant. It is very hard to get them to give evidence.

THURSDAY, 16TH JUNE, 1898.

WILLIAM ALFRED BAILEY, examined on oath.

1. *The Chairman.*] What is your rank?—I am a fourth-class detective, stationed in Auckland.
2. *Rev. Mr. Isitt.*] How long have you been in the Force?—Since the 15th October, 1891. I joined in Auckland, and I have been here ever since.
3. How long have you been a detective?—Since July last.
4. Were you in plain clothes before that?—Yes, since the 4th October, 1893.
5. Were you a first-class constable when you were made a detective?—No; third-class constable until July, 1897.
6. Do you know any "tote" shops in Auckland?—No, I do not. There are three alleged "tote" shops.
7. Do you know anything of any betting-rooms or offices?—No.
8. How do you distinguish between a betting-office and a "tote" shop?—We call them all betting-offices. The "tote" shop is where they lay the odds on the totalisator; if you go in to bet with them the bookmakers give you totalisator-odds.
9. Is that legal?—No, it is not.
10. Is it legal to bet?—Yes, at straight-out odds; it is carried out every day in the streets and on the racecourse.
11. Is straight-out betting legal in offices?—No.
12. Do you know if there are many bookmakers in Auckland?—Yes; there are several registered "Tattersall" bookmakers.
13. Do you know how many are registered?—About twenty.
14. Have any of them offices in Auckland?—There are two who have "commission" offices, and one is a tobacconist's shop.
15. Is straight-out betting legal with boys?—No.
16. Up to what age?—Twenty-one.
17. Not in the street, or elsewhere?—No.
18. Do you know of any straight-out betting with boys in the Auckland streets?—No, I cannot say that I do.
19. Do you know of any brothels in Auckland?—No, I do not know of any recognised brothels. There are brothels in Auckland, but the women are living with men.
20. Do you mean that there are places you call brothels, but they are not legal brothels?—Yes.
21. Is there very much prostitution?—Yes; there is a fair number of prostitutes in Auckland.
22. Would you say a large number?—Yes, there is a large number.
- 22A. Do you know anything of young girls on the streets of Auckland?—Yes; you see young girls in the streets at night.
23. Whom you take to be prostitutes?—No; I cannot say that I do.
24. Do you know anything of little girls whom you believe to be acting as prostitutes?—Well, there are little girls whom I believe to be prostitutes, but I could not swear that they are prostitutes; I see them about the streets at night.
25. What do you call little girls?—Girls from about fourteen to eighteen.
26. Are you about the streets at night?—Yes.
27. Have you seen girls in short frocks whom you believe to be prostitutes?—Yes, there are a few.
28. *The Chairman.*] Some girls wear frocks late in life?—Yes.
29. *Rev. Mr. Isitt.*] Do you know anything of such girls frequenting the ferry waiting-rooms?—No.
30. Do you know anything of such girls round about the freezing-works?—No.
31. Have no complaints been made to you?—Not to me.
32. Not to the department to your knowledge?—No.
33. Do you know that that kind of thing has been the subject of comment in the newspapers here?—Yes, I have seen it in the newspapers.
34. Do you doubt the statement made in the newspapers?—Yes; because I have never seen anything of it going on.
35. You do not think such a thing could have been to the extent depicted without you knowing it?—No.
36. Do you see much to indicate breaches of the Licensing Act?—No.
37. After-hours trading?—No.
38. Do you see anything that indicates Sunday-night trading without your being able to prove it?—No.
39. Do you see people coming out of hotels frequently?—I see them going in and out.
40. I do not mean boarders: do you see citizens you know going in and out?—No.
41. You say you entered the Force in 1891?—Yes.
42. That would be as third-class constable?—Yes.
43. Then you became fourth-class detective?—Yes.
44. Is it promotion to be made a detective?—Yes.
45. If a first-class constable were made fourth-class detective would that be promotion?—Yes.
46. Is it a thing that members of the Force desire: does it mean more pay?—Yes.
47. Did your record contain anything exceptional to earn this promotion?—Yes; I had a fair number of cases, and I was successful all through.
48. Was any influence used to secure it to you?—No.
49. Do you say positively that no influence was used for your advancement?—Yes.

50. You say absolutely that Mr. Regan did not use influence to secure your advancement?—I used no influence whatever.
51. Do you know whether he did so?—I cannot say.
52. You do not know that he did not?—I do not know whether he did or not.
53. *The Chairman.*] Is Regan a hotelkeeper?—Yes.
54. The licensee of what hotel?—The Rob Roy.
55. In Auckland.—Yes.
56. *Mr. Poynton.*] You say it is illegal to bet in an office: do you know that it is not illegal if the bets are arranged by correspondence or by telegrams or telephones?—I do not know that. We only have to deal with them if we see them going into offices.
57. *Mr. Tunbridge.*] Do you say there is more pay for a fourth-class detective than for a first-class constable?—Yes.
58. Is that quite right: you get 9s. a day?—9s. 6d.
- 58A. Do you find that a detective has to go to a good deal more expense than the uniform-man?—Yes.
59. He has to pay away money sometimes which he cannot get back from the department?—Yes.
60. While you were a plain-clothes constable without detective pay were you very much out of pocket?—Yes; it took all the month's pay to keep me going.
61. And that was going on for nearly four years?—Yes.
62. *Colonel Hume.*] Were you in Auckland when you were appointed to the Force?—No; I belonged to the South—to Lyttelton.
63. Who selected you for plain-clothes duty?—So far as I know, Inspector Hickson.
64. Is this Mr. Regan any relative of yours?—No; I have only known him to speak to for about three years.
65. Did you actually know him to speak to when you were made plain-clothes constable?—No.
66. Then, at the time you were made plain-clothes constable you actually did not even know this man?—No, I did not.

MARTIN GRACE, further examined on oath.

67. *The Chairman.*] You are chief detective in Auckland?—I am.
68. *Rev. Mr. Isitt.*] You heard the evidence of the last witness?—Yes.
69. Do you affirm his distinction between "tote" shops and straight-out betting?—Yes.
70. You suspect there are two or three "tote" shops in Auckland?—Yes.
71. Do you suspect the existence of straight-out betting-shops?—There are only three book-makers with shops or offices; they bet in the streets principally.
72. Do you suspect the existence of what is called a "hazard school"?—I might suspect that there is such a thing in existence, but I do not know it of my own knowledge; it is a game they play with dice.
73. Is there what is called a "marble-peter" school?—I do not know; it is a game played with a box and marbles. I saw it many years ago; but I have not seen it for a long time.
- 73A. Have you not seen it in Auckland?—Yes; twenty years ago on a racecourse.
74. Are there any "Calcutta" sweeps about?—I am not aware of any.
75. Then, as a matter of fact, you know nothing that you could put your hand on in this connection: has it escaped your attention?—If I knew such things existed I would deal with them at once.
76. Has betting with boys come under your notice in the streets?—No; I never saw a single transaction of any bookmaker betting with boys. If I had I would deal with it at once.
77. Do you hear of any that baffle you?—I have not even heard of anything of the kind.
78. If you are correctly reported you said in your evidence-in-chief that there were brothels in the district, and that information had been laid against one that day?—That was so.
79. Do you mean when you said there were brothels that they were brothels in the legal sense of the term?—No; there is a lot of women whom we look on as prostitutes living with men at the same time, and even keeping them. I look on those places as brothels, but I do not see that we can punish them.
80. Do these women "solicit" in the street?—A lot of them walk the streets; I never saw them "soliciting."
81. Do you know of any excessive familiarity between these women and the police?—I do not.
- 81A. Is there any understanding between them?—No understanding whatever, so far as my knowledge goes.
82. Do you know anything of one policeman checking another in the street for conversing with women of that kind?—No.
83. Would such conduct come under your notice if it had occurred?—I would have nothing to do with it.
84. Now, as regards child prostitution, did you hear the evidence of the last witness on that point?—Yes.
85. Would you generally express the same want of knowledge on that point?—I should certainly say that I know of young girls of tender years who, I believe, are prostitutes.
86. You heard my question with regard to the ferry waiting-rooms?—Yes.
87. And with regard to the freezing-works?—Yes.
88. And with regard to "soliciting" in the streets?—Yes.
89. Have you seen such girls in suspicious company with sailors?—I have; girls from eighteen to twenty years of age.
90. No younger girls?—No.

91. Then, if I should read to you evidence indicating the existence of these things would it be a surprise to you?—It would be a surprise—there may be a few; I do not say there are not.

92. If I proved the extensive existence of that sort of evil would you be surprised?—There is a great deal of prostitution in Auckland, but there are no girls of tender years. That is my answer.

93. Has not the existence come to your knowledge of prostitutes talking over police matters: I mean police departmental business among the officers and these prostitutes?—I know of no instance of it.

94. You know of no instance of general police matters being talked over by prostitutes?—I have never heard of it.

95. You have heard of no specific instance of that kind?—No.

96. Have you anything to say on the enforcement of the licensing-laws?—I have no doubt that breaches of the law are committed.

97. On an extensive scale?—I should not say that.

98. Have you been in this Court during the last few days?—Yes.

99. Suppose it were stated that in certain hotels business practically begins at 10 o'clock at night, would you believe it?—I know nothing about business beginning at 10 o'clock at night.

100. Will you go any further than that: have you seen anything to justify the belief that it is so?—I have seen people going in and out of hotels late at night.

101. Have you seen it so frequently as to justify the statement that practically business begins at 10 o'clock at night?—No, I would not say that; I do not think so. There might have been a brisk business done two or three years ago between 10 and 11 o'clock at night.

102. Do you see much to indicate that Sunday trading is prevalent?—No. At present there is very little, if any, Sunday trading.

103. How far does it date back when you say "at present"?—About twelve months, perhaps.

104. Do you think it dates from the time of the conference of brewers, clergymen, and Prohibitionists which was held here?—They made a start to improve before that, and they kept improving for a good while.

105. Was there a greater improvement after that?—Yes, I believe so.

106. *The Chairman.*] Have you been asked about this 10 o'clock trading? I am told the hour of closing is 10 o'clock here?—Yes.

107. At what hour do the opera and places of amusement usually close?—From 10.30 to 11.30 at times.

107A. When the people come out of these places are the hotels supposed to be closed?—Yes.

108. Do you think that hotelkeepers are subjected to any special appeal at that time from persons leaving the places of entertainment?—Yes, I know they are.

109. Do you know of any other large city in New Zealand where hotels close at 10 o'clock at night?—I do not.

110. Does it appear to you to be attended with inconvenience to people whose business takes them to these entertainments?—No doubt there is inconvenience.

110A. Would there be any increase of difficulty in preserving order in the city if the houses were open until 11 o'clock?—I cannot say.

111. Can you give any opinion on that subject?—I know that the streets are much more orderly during the 10 o'clock license than when it was at 11 o'clock. I believe people do not stop out so late.

112. Is there any reason to suppose that the "orderly" hour would not commence at 11 o'clock if the houses were open till then, as it does now at 10 o'clock?—I have no reason to doubt it.

113. *Rev. Mr. Isitt.*] Have you seen anything of policemen betting with bookmakers?—I do not know of my knowledge of any policemen betting with bookmakers; I have made bets with bookmakers in order to catch gambling.

114. You say, carefully, not of your own knowledge: do you mean to put any emphasis on that point "not of your own knowledge"?—I do not; I never saw it done.

115. *Mr. Tunbridge.*] With regard to the suspected "tote" shops, have the keepers of these places been prosecuted within a quite recent time by the police and convicted?—Yes.

116. The result of these prosecutions has been, I suppose, to make these people more careful?—Very careful.

117. So careful that you have not been able to get evidence?—That is so.

118. *The Chairman.*] Are you the Detective Grace that was stationed at Napier some time ago?—I am.

119. How long were you there?—Fourteen years.

120. If you had any evidence would you institute proceedings?—I would.

121. While you were there were you not regarded as one who kept a very sharp look-out onspielers?—I always did.

PETER THOMAS McMAHON, examined on oath.

122. *The Chairman.*] What is your rank in the Force?—Fourth-class detective, stationed at Auckland.

123. *Rev. Mr. Isitt.*] You have heard the evidence of the last witness?—Yes.

124. With regard to prostitution and brothels?—Yes.

125. Have you any statement to make bearing on what they have said?—I know of many prostitutes in Auckland, but I do not know of any recognised brothels except one which we are at present prosecuting—which we have instituted proceedings against.

126. Do you know anything of prostitutes soliciting in the streets?—I know of one case lately which was brought before the Court, and the woman was fined.

127. Only one case?—That is all; that was lately. There had been others brought before the Court previously.

128. You do not know anything of that kind that has not been proceeded against?—No, I do not.

129. Do you know of any complaint to the effect of the police taking no notice?—No, I cannot say that I do; I do not know of any complaint. If I saw any of these acts committed I would not wait for a complaint; I would interfere myself.

130. Do you take the word "complaint" to mean to "report officially"?—No; I take the word "complain" to mean "censure" constables for not interfering. I have not heard of anything of the kind.

131. Have you ever spoken of it?—No.

132. Do you know of any constable being on familiar terms with these women?—I do not; and if I knew of anything of that kind existing I would certainly report it, because it is constables like that who give the Force a bad name.

133. Do you know anything of women like that following a constable from another town?—No, I do not.

134. Do you know anything of a woman that came from Wanganui?—No, nothing whatever.

135. With regard to prostitution by young girls, do you know much concerning that?—Well, personally I do not; it is only what I have heard about five years ago. It was supposed to be rather rife then in this city, but latterly it has not been so rife. A few girls that were suspected, I took them to their homes just to find out the sort of homes they had. I found out in one or two cases that the homes were neglected, and in other cases these girls had respectable parents. Eventually they were sent to respectable positions, and these girls do not walk the streets now.

136. Do you know anything of that kind in connection with the ferry waiting-room?—I have seen girls loiter about the ferry tee, but with what intention I cannot say.

137. Do you know if any action was taken in that direction by those interested?—No.

138. Do you know anything of the neighbourhood of the freezing-works being a place of resort for such persons?—No.

139. With regard to hotels, have you seen anything to warrant the belief that there are any extensive breaches of the Licensing Act?—No; I do not frequent them often, therefore I cannot speak much about hotels.

140. But you visit them frequently on duty?—Yes.

140A. Do you observe anything to indicate that the law has been broken, for instance, after 10 o'clock?—No; I cannot say that I have noticed anything.

141. Does your duty not take you into hotels at night?—Yes, sometimes; very seldom.

142. Have you seen anything to arouse your suspicions?—No.

143. Do you give the same answer in regard to Sunday trading?—Yes; the same answer.

144. Did you see anything to lead you to believe they were breaking the law?—No.

145. *Mr. Poynton.*] You have prosecuted women, you say, for soliciting?—I have not personally.

146. You know that a woman can disclose her occupation to a man in a hundred different ways by advertising herself as one without the police being able to take action?—That is so.

147. *Colonel Hume.*] How long have you been in the Force?—Since the 28th October, 1892.

148. Were you in plain clothes before you were made a detective?—Close on four years.

149. Did you use any influence, either political or otherwise, in order to be made a fourth-class detective?—No; I have reason to believe that Chief Detective Grace and Inspector Hickson reported favourably of me and others.

150. Who selected you for plain-clothes duty?—Inspector Hickson. I was first sent out to Waikomiti, in connection with a murder case; that was the first of my plain-clothes duty.

WILLIAM MADDERN, examined on oath.

151. *The Chairman.*] What is your rank?—I am a third-class detective.

152. *Rev. Mr. Isitt.*] I suppose you have been absent from Auckland for some time?—Yes; about twenty weeks.

153. How long were you a resident of Auckland before you left for San Francisco?—Five months.

154. Then, you have had only a short experience in Auckland?—Yes.

155. Were you brought up here specially to cope with any difficulty?—I first heard of it when Inspector Hickson said so on Monday; I did not know before.

156. Probably, at the time you were kept very busy with regard to burglary cases?—Yes; very busy. We stamped it out in the first two months.

157. Did it take all your energies to succeed in doing so?—It did; we were working almost night and day. Of course, we still have burglaries reported as having been committed, but not so frequently.

158. In the following three months had you time for general work?—Yes, I did a lot of country work while here. We have the whole of the Auckland District to work.

159. With regard to betting-houses, have you heard the evidence of the last witness?—Yes.

160. Can you tell us anything additional with regard to betting-houses and "tote" shops?—It is rumoured that there are betting-houses and "tote" shops here, but it is terrible hard to get any evidence. I have had instances of men betting with boys, but while we were taking the cases to Court the witnesses were tampered with, and we could not get the cases into Court.

161. *The Chairman.*] Have you any knowledge of betting with boys since you have been here?—I have had two cases since I have been here. In one case there was a conviction, the other was dropped.

162. *Rev. Mr. Isitt.*] What month was that in?—November last.

163. Was that "tote" betting?—I did not charge them with "tote" betting—it was what they call straight-out betting with minors. I may add that we have very great difficulty with this betting question. Even at the races respectable people send their boys down to the bookmakers to make bets for them, and when we accost them they say the boys are not betting; but they give them the money to make the bets with.

164. Do you mean there is a great deal of betting with boys that is not technically gambling? That is so on the racecourses.

165. Does it exist in the streets, too?—Well, I have seen cases in the streets of boys speaking to bookmakers, but I never saw any boys making bets. Other detectives as well as myself have asked the boys we saw speaking to bookmakers, and they denied that they were speaking about horse-racing at all. To prove that the police wish to put down gambling, I might mention that when the sports were held in the Domain, on three occasions in November and December, Inspector Hickson sent for the Chief Detective and myself and Detective Bailey—he impressed on each of us that we should do our best to detect the betting that went on in the Domain. Of course, this is not an offence against the Gaming and Lotteries Act, but it is an offence under the city by-laws. The first day we had thirteen cases of betting, and I think the next day we had eight, and five or six the next. We reported the facts to the Inspector, and he forwarded them to the City Council, and when we were instructed to lay an information against these men it was found that the city authorities had neglected their duty in not posting up the by-laws in the Domain, so that the cases fell through. After that, upon another occasion Detective McMahon detected a man betting in the Domain. The man was convicted and fined the full penalty of £5, because in the meantime the by-laws had been posted up. As a matter of fact, the Inspector of Police sent one of our men the day before the last sports to see that the by-laws were properly posted up.

166. On the other hand, do you know anything of policemen betting with bookmakers?—Not of my own knowledge. When I have taken the bookmakers' names they have slung it at me that policemen have betted with them, but they would not give the names.

167. You would not attach much importance to that statement?—No; it may have been done to annoy the police.

168. Has the question of prostitution come under your notice while here?—I have seen a number of prostitutes in the streets at night.

169. A large number?—Yes.

170. Have you seen any solicitation?—I would not take a case of that kind myself, for it is a very hard thing to prove; it is very hard to prove because you could not stand alongside a woman and hear what the man says, and a man who was solicited would not go to the Court for a hundred pounds.

173. *Colonel Pitt.*] You say you would not take the case yourself into Court?—I would not, because it would be so hard to prove.

174. *Rev. Mr. Isitt.*] Do you confirm what has been said about there being no legal brothels?—I know very little about them; but I know several women here that I have known as prostitutes in other parts of the colony, and who are living with men; and I have reason to believe that other men go there, but you would hardly call that a brothel.

175. With regard to child-prostitution, has that come under your observation?—I know two girls wearing short frocks, and whom I should take to be about sixteen years of age; I have seen them lately in the street, and in fact they have been locked up by men out of our office for using obscene language. These two girls live with their parents, and I am very sorry to say that the parents are worse than the girls, if that is possible to be.

176. You have been many years in the Force?—I joined the police on the 5th of May, 1885. I have been in the detective office twelve years.

177. Have you had any experience of other methods of grappling with gambling in other places?—When in Christchurch complaints came from the Commissioner of Police. Detective Marsack and myself watched the gambling-shops; in one case we made a raid, and the whole twenty-one men were convicted.

178. Have the same means been adopted here to your knowledge?—Yes, I think so; I have had a good many complaints about that.

179. Have you anything to add concerning grappling with prostitution in other places?—I have known policemen to be sent out in Christchurch who picked some ten women off the streets, who were charged with vagrancy; and when they were brought before Mr. Beetham, S.M., they were given the option of Mount Magdala Asylum or St. Mary's, and if they would not go there they were sent to gaol.

180. What has been the effect of that in Christchurch?—It has had the effect of keeping women off the streets.

181. Is it the general effect of your evidence that, while the evil exists, the police are not to blame for it?—It appears that the police have repeatedly taken action, but these people have been let off when they came before the Court.

182. Have you anything to say with regard to the infringement of licensing-laws?—I do not know anything about licensed hotels. I have seen people going in and out of hotels on Sundays, but nearly all the people have been strangers to me, and they might have been lodgers so far as I know.

183. Do you know of any influences at work detracting from the efficiency of the police?—I know of none; I never used any influence in my life, and I cannot answer for any one else.

184. Has any case of political influence come under your knowledge?—No.

185. Are we to judge from your evidence that the evil of gambling cannot be suppressed by the police?—It can be suppressed if people will only act straight; they will not act straight when the

police come to them for information. Witnesses are tampered with. If you could offer a man a five-pound note or a ten-pound note to a man to give you information, some men would sell their life for such a sum of money, and most men would say a lot for that.

186. *The Chairman.*] On either side?—I have not the money to offer, and I do not wish to offer money, but we expect that decent people will speak the truth without money.

187. *Rev. Mr. Isitt.*] Do you give the same answer in regard to those associated with prostitution?—I have given evidence in four cases against prostitutes, and they have all been convicted.

188. Then, are the general public to accept the position that gambling and prostitution cannot be suppressed?—In every case that has come within my knowledge I have taken action. There has been no case brought under my knowledge in which I have not taken action. I would not care what might be the result, I would bring every case before the Court and let the Court decide.

189. Do you know if the licensing-law is set at defiance?—I know nothing about it here.

190. Is sly-grog selling well under control?—I know nothing about it here.

191. *The Chairman.*] Can thefts and assaults be suppressed?—We do our best to suppress them.

192. Can rabbits be suppressed?—No.

193. Are you aware that to allow rabbits in your ground is a criminal offence?—Yes.

193a. Can that law be enforced?—Men may try to enforce it, but they do not appear to succeed.

194. Is there not greater difficulty in dealing with offences under the Gaming Act and in offences arising out of prostitution than in thefts or assaults?—That is so.

195. That is because the persons on whom you have to rely for evidence in both cases are the persons who are mixed up with prostitutes, or persons mixed up with gambling?—That is so.

196. There is the greater difficulty in getting the evidence because the witnesses themselves are involved in the case?—Yes.

197. You say you brought prostitutes up and charged them with being vagrants. Are you aware that it has been decided by a criminal Court that prostitution is not an unlawful means of living?—I do not know that.

198. Do you think it should be made an unlawful occupation?—My own opinion is that the houses should be licensed and kept under proper control and in one part of the city, instead of being allowed to exist in every corner of the city, among all classes of the community.

199. *Mr. Tunbridge.*] Are you aware that a Magistrate in Auckland has laid it down that the police have no power to arrest for vagrancy unless an information has first been laid?—I believe that has been laid down, but we do not follow that in the South.

200. But you are aware that is so?—Yes.

201. Now, as regards street betting, is there any law to enable the police to deal with street betting if it is not by means of totalisator odds?—None whatever, either by Act of Parliament or under the city by-laws, only in the case of minors.

202. Therefore, if you pass along the street and saw betting going on you would not be able to take any action?—No. There is another thing: even when we go to take the tickets away that is not legal, and we run risks in doing that sort of thing.

203. *Mr. Poynton.*] Do you not think our laws are very inconsistent in relation to gambling—because it is illegal to stand in any one spot, and yet it is not illegal to move about and make bets among a group; it is illegal to bet totalisator odds, but it is not illegal to make a straight-out bet; and it is not legal to hold an office when betting is made by correspondence, or telegrams, or telephone, but it is illegal to bet with people resorting to that office: now, do not these conditions render it very difficult for the police to suppress gambling?—That is so.

204. Have you, as an expert, any recommendations to make?—No.

204a. *Colonel Pitt.*] Do you think that all the burglaries reported in Auckland were *bona fide* cases of burglary?—I am satisfied in my own mind that many of them are not.

205. Why?—Simply because, in many cases, the people are in debt, and report their place as having been broken into so as to get more time to pay their debts. I have known the same happening in regard to sheep-stealing where there was a lien on sheep. When shearing-time comes the number of sheep on which there is a lien is not there, and they report them stolen.

206. So there is a patent burglary alarm advertised in the papers?—Yes, and we very often hear it ringing without touching it. I remember one case where one man reported his place as having been broken into, but he did so to advertise his business.

WILLIAM MURRAY, examined on oath.

207. *The Chairman.*] What is your rank?—Third-class sergeant, stationed at Tauranga.

208. *Rev. Mr. Isitt.*] How long have you been at Tauranga?—Since the 7th of January this year.

209. Where were you prior to that?—At Rotorua.

210. How long?—Five years and a half.

211. Before that, where?—At Hamilton for twenty years.

212. Did your duty take you into the King-country when you were at Hamilton?—Yes, many times. I was acting-detective for three or four years for the whole of the Waikato.

213. Is there a large number of Natives at Rotorua?—Yes, about a thousand.

214. Is there a large number in that pa just before the hotel?—Yes; but there are not so many now as when I went there.

215. But there has been a large number since you went there?—Yes.

216. And on special occasions large gatherings of them?—Yes.

217. Did you find that you could enforce the licensing-laws in regard to these Natives?—I found the recent law in regard to the supply of liquor to Maori women the hardest law of the whole of the statutes to enforce; it is almost impossible to do so.

218. How is it evaded?—The men carry the liquor out in gallons and half-gallons, and take it down to their own quarters, and perhaps an hour or two later you will see two or three Maori women rolling about the streets.

219. Supplied by relatives?—By husbands and brothers.

220. Apart from the question of these Maori women, during the five and a half years you were there has there been a very large amount of illegal traffic—selling to the Natives when drunk, and after hours?—No, I do not think so; besides, a stranger going to Rotorua and not acquainted with the Natives would very often think them drunk when they were nothing of the kind. They make a terrible noise, and they all speak at once when there is a crowd of them.

221. If I went to Rotorua would you suspect me of not knowing the difference between a drunken man and a sober man?—I do not know.

222. Would you say generally that licensing houses where Natives are would enable you to protect them better?—I would; that would be my recommendation, certainly: to have licensed houses both at Otorohanga and at Te Kuiti under proper supervision. There would then be no sly-grog selling, in my opinion.

223. It might enable you to suppress sly-grog selling, but would it enable you to suppress drunkenness?—If police were stationed there and did their duty drunkenness would not be permitted.

224. As a matter of fact, has there not been a great deal of drunkenness among the Natives there since you have been there?—No; I believe before I went there it was a very drunken place.

225. Was the Rev. Mr. Spenser living there when you were there?—He left there a year and a half after I went.

226. Did he complain much about the drunkenness?—He did not complain to me, but he was always writing letters to the department.

227. Did he do that after you were there?—Yes.

228. Did you see much drunkenness in the King-country when you went there from Hamilton?—No, very little drunkenness while I was there. On one occasion at Te Kuiti there were some people drunk; I was never able to get any drink except hop-beer.

229. Then, six years back you used to go to the King-country, and you saw no drunkenness to speak of?—No.

230. Before you went to Rotorua you knew of a good deal of drunkenness there?—It was reported to be a very drunken place.

231. *The Chairman.*] You are not speaking of your own knowledge?—Before I went there—it must be understood that the Natives have disposed of all their lands; they have no more left to buy drink with.

232. *Rev. Mr. Isitt.*] Did you get these reports as to a great deal of drunkenness there before you went there from your police books?—No. It was stated by visitors and tourists that it was so.

233. Granting that the Natives had money and got drunk under the license in Rotorua at that period, and the Natives in the King-country had money and did not get drunk, why do you say that it would improve things for the Natives to have a license there?—It would do away with sly-grog selling.

234. Would it do away with drunkenness?—I think so; it is against the Licensing Act to permit drunkenness in a publichouse. There was no drunkenness at Rotorua when I was there.

235. *Colonel Hume.*] From what you know of the Natives at Rotorua and the Natives of the King-country, are they a totally different class of Natives?—Yes; quite different.

236. The Rotorua Natives live entirely on tourists?—Yes; there is scarcely a Native in Rotorua but can speak fair English. You will not find that to be the case in the King-country.

237. There was a large sale of the Township of Ohinemutu?—Yes.

238. The Natives were paid by cheque?—A very large amount of money.

239. And now they have no money but what the tourists give them?—No. Their land is all disposed of, or nearly so.

GABRIEL ELLIOTT, examined on oath.

240. *The Chairman.*] What is your occupation?—Wesleyan Home Missionary, at Kaihu.

241. *Rev. Mr. Isitt.*] Is Kaihu a licensed district? Are there publichouses there?—There is no licensed publichouse.

242. Have you any complaint to make to the Commission as to the neglect of the police to enforce the law in Kaihu?—I am not certain whether the evidence went on to the Commissioners or not, but we had an exhaustive inquiry at Kaihu with regard to the licensing-law there and its being openly violated from day to day. I have already stated my case to the Inspector. I have made frequent complaints to Inspector Hickson.

243. *The Chairman.*] When was this inquiry held?—In April last.

244. *Mr. Poynton.*] Have you any reason to complain that Inspector Hickson did not pay attention to your request?—I may say, for myself and for others interested in the inquiry held recently, that we have been watching the business presented at this Commission closely, and we feel that something should have come out of it in respect of Mr. Hickson's evidence the other day as to this matter. Several of my friends have remarked that, when Mr. Hickson said he had no complaint about any police officer except one by a man named Mitchell, we were surprised that the complaint we had made was not mentioned.

245. Apart from that, have you any reason to complain that you had made complaints and did not get a reply?—No, not at all, so far as Inspector Hickson is concerned, for he inquired into

the matter at once, and I was satisfied with the inquiry. Of course, I have heard nothing further since.

246. *The Chairman.*] Do you deem the matter complained of a specific charge against an individual constable?—Certainly.

247. *Rev. Mr. Isitt.*] No charge against the constable except that of neglect?—That is all.

248. I simply ask you to state what has come under your own knowledge as to sly-grog selling in that district?—When I was stationed at Kaihu in September, 1897, I noticed a considerable amount of drunkenness about Kaihu in connection with both Europeans and Natives, but principally Natives. I reported the matter to the police-constable, Davy, and he also came to me and spoke to me about sly-grog selling. I might state that before I reported the matter I spoke to him. He came to Kaihu shortly after I had been appointed, and said that sly-grog selling existed there.

249. *Colonel Pitt.*] Is there any licensed house there?—There is one three miles distant at a place called Manganui Bluff. I might say that, as proof of the fact, the railway manifest was produced by Constable Davy.

250. What do you know about it?—I know that a case of whiskey comes there every week by railway, and came there before I went there and after I went there.

251. You heard that?—I have seen the railway manifest showing a case of whiskey, and I think there was also a case of ale on one occasion, which also came by railway.

252. *The Chairman.*] Is there any harm in that?—No; I am only bringing the facts out. I have seen people drinking in the boardinghouse next door to the place where I live.

253. When was this?—On the 25th February in particular, and many evenings previous.

254. Within what period prior to February?—Between September and Christmas-time. On one occasion I saw them standing round with a billy on the table and drinking from it, and the contents of the billy seemed to be making them drunk.

255. *Mr. Poynton.*] Did you see any money passing?—No, I did not see any money paid. I watched the proceedings later, about 11 o'clock, from the outside. I was walking up and down in front of the house. I could see all that was going on through the window and door, which were open. I might state that since the inquiry one or two persons, whom I suspected to be policemen by their appearance, have been there. Of course, all the residents knew who they were. I do not know whether they were detectives or policemen in plain clothes.

256. *Rev. Mr. Isitt.*] Have you seen drinking in the store?—Yes; the store and the boardinghouse are one.

257. Was the drinking taking place in the room or some part of the boardinghouse?—In the room opening out from the store into the boardinghouse.

258. Did you complain to the policeman about this?—Yes.

258A. Did your complaint receive proper attention?—No.

259. *Mr. Poynton.*] What did you complain of?—I stated the facts.

260. What did you expect the constable to do?—To come out to Kaihu.

261. From where?—From Dargaville, seventeen miles distant.

262. *Rev. Mr. Isitt.*] Did you go to Dargaville purposely to visit the constable?—No; he and I had arranged previously that I was to wire if I saw anything at all. He was to come to a certain place by "jigger." I sent a telegram to him. At last I wrote out a message to send by wire, but a passenger going down by train took it for me.

263. Did he come?—No.

264. Do you know why he did not come?—I did not hear from him for nearly three weeks. He said he could not come on that day on account of his having to attend the regatta on that day; he said he could not come up after on account of being in Auckland attending the Supreme Court sittings.

265. *Colonel Pitt.*] Suppose the constable had been there that night and had seen what you saw, do you think that would have been sufficient to get a conviction?—Yes.

266. Could you prove that any money was taken for any liquor consumed that night?—No.

267. You say you could prove that money was taken for hop-beer?—Yes.

268. Why did you not get a witness who could say so? Why did you not lay an information?—Because I stood alone; I had no one to back me up. If I had a police officer I think I could have got a conviction.

269. Did you see money passing?—Yes, for hop-beer. I contend that the hop-beer was not hop-beer, but alcohol.

270. *Rev. Mr. Isitt.*] You have seen this so-called hop-beer sold regularly?—Yes.

271. Do you know that drunkenness results from drinking that hop-beer?—Yes.

271A. You saw on one occasion a number of men drinking in a room of a boardinghouse that is attached to the store?—Yes.

272. You were convinced you had a *prima facie* case against this man for selling?—Yes.

273. You wanted the constable to help you to try and prove that case?—Yes.

274. You appealed to the constable and he did not come to you—that is your complaint?—Yes.

275. *The Chairman.*] Do you know that the sale of hop-beer as hop-beer is not unlawful, unless it contains a certain amount of alcohol?—That is so.

276. Why did you not buy a bottle of this hop-beer and then have it analysed?—He would not sell it to me.

277. It is openly sold?—Yes.

278. Why would he not sell it to you?—Because he had an idea that I would have it analysed.

279. *Rev. Mr. Isitt.*] You are a Wesleyan home missionary. Has your church an objection to its clergymen and missionaries doing detective work?—Yes.

280. Do they pay you to do that work?—No, not at all.

281. You feel that the police ought to do that work?—Yes.
282. *Colonel Pitt.*] Did you voluntarily undertake that work?—Yes.
283. Why?—I considered it my duty, because it interfered with my work.
284. Is it a fact that hop-beer can be sold without a license?—I understand that is so.
285. *Mr. Tunbridge.*] This drinking from a beer-can was going on quite openly?—Yes, in a public room. I could see it.
286. Do sly-grog sellers usually conduct their business in that way?—Well, they do in Opunake.
287. Of course you, being a gentleman training for the ministry, have a strict regard for truth?—Yes.
288. You say that since the inquiry there have been two policemen or two persons up there whom everybody up there knew to be police?—Whom everybody suspected.
- 288A. But there had been none before?—I had never seen one before.
289. Would it surprise you to know that there have not been any detectives sent up there since this inquiry?—No, it would not surprise me.
290. That the men you saw, and the others saw, and whom you suspected to be detectives were not detectives: if you were told that would you be surprised?—No, I would not be surprised.
291. Would it surprise you to be told that two officers were sent up there on the 24th January and remained there until the 8th February?—No, I am not surprised to know it; but I am rather surprised there has been no effect.
292. Does not your evidence tend to show that after you complained the police took steps, and that before you complained no steps were taken?—No.
293. What other rendering do you put upon it?—I was told by Inspector Hickson that men had been sent up there.
294. The inquiry satisfied you for the time?—Yes.
295. You wrote a letter of thanks to Inspector Hickson for the impartial way in which he held the inquiry, and the facilities he gave you to bring forward your evidence?—Yes.
296. Notwithstanding that, you are now dissatisfied with it? Do you come here to make complaint?—I was asked to appear here.
297. *Rev. Mr. Isitt.*] As a matter of fact, have you written to Mr. Taylor or to me?—No.
298. With regard to the men you supposed to be detectives, that was simply a matter of opinion?—That is all.
299. No other cause: you do not know whether they were there or not?—That is so.
300. *The Chairman.*] So far as your knowledge goes, and in face of the fact that two detectives were in that district between January and February, do you think there has been any negligence on the part of the Police Department in endeavouring to check sly-grog selling in the district?—Not on the part of the department if that is so, but there certainly has been negligence.
301. *Rev. Mr. Isitt.*] All you knew was as to the action or the inaction of the local constable?—Yes.
302. *Colonel Hume.*] You say you think that if a constable had been there that night with you, when you were walking up and down in front of the boardinghouse, and had seen what you saw, you would have had a case?—Yes.
303. What would you have charged the man with?—In the first place, it was not within my power to demand a bottle of beer. I think it would have been in the power of the constable to have bought one. I think he would have sold to the constable, because the constable has admitted that he had had hop-beer there to drink on many occasions.
304. Do you think that all hop-beer is alike?—No.
305. What do you think is given to the constable?—It is a matter of opinion. He would have given it to the constable from under the counter; that is the strong hop-beer.
306. Do you think the constable could have gone in and searched the place?—No.
307. But you think he might have sold to the constable?—Yes.
308. Do you really think that sly-grog sellers would sell to a constable?—They would to certain constables.

JAMES ALEXANDER MATHEW, examined on oath.

309. *The Chairman.*] What is your rank?—Third-class constable, stationed at Auckland.
310. *Rev. Mr. Isitt.*] Generally with regard to the infringement of the licensing-laws, I would like to know what knowledge you have on that point?—I consider it is a good deal better than it was when I came here.
311. When did you come here?—I joined the Force on the 29th December, 1897.
312. Do you think there has been a great improvement since you came?—Yes.
313. Do you know or do you observe much indication of breaches of the licensing-law?—There are some indications, but not so many as when I came here.

MICHAEL GAFFNEY, examined on oath.

314. *Mr. Tunbridge.*] You are a third-class constable, stationed at Auckland?—Yes.
315. When did you join the Force?—On the 11th December, 1897.
316. Were you sent in company with Constable Duddy to Kaihu in January last?—Yes.
317. Do you remember the date?—We left Auckland on the 24th January, and returned on the 9th February.
318. What was the object of your going to Kaihu?—The object was to catch some person supposed to be a sly-grog seller.
319. Was that the keeper of the store near the railway-station?—Yes; next door to the railway-station.
320. What character did you assume?—We were supposed to go as bushman and swagger.

321. Were you in Kaihu five days?—We were from the 25th January to the 8th February.
322. Were you in Adams's house during that time?—Yes, I lodged there.
323. Did Constable Davy, who is stationed in the district, know anything of your being there?—No, he did not know.
324. You were there entirely without his knowledge?—Yes.
325. Did you endeavour to purchase excisable liquors?—Yes, we tried all means.
326. And you were unable to get any evidence of sale?—No evidence of sale whatever.
327. Do you think people suspected that you were police officers?—No, I do not.
328. How long had you been in the Force?—Only six weeks at the time we left.
329. Then, when you were sent up there you were comparatively new to the Force?—Yes, quite new in the district.
330. Did you see unexcisable drink sold?—Yes; hop-beer was very largely sold.
331. Did you drink any of that yourself?—Yes.
332. Did the hop-beer make you drunk, or have any tendency to make you intoxicated?—No; I did not feel any effect from it.
333. No more than from a drink of ginger-ale?—There may possibly have been a little alcohol in it, but I felt no effect from it.
334. Did you see any drunkenness in the place while you were there?—No.
335. *The Chairman.*] Are you accustomed to drink alcohol?—I know what it is.
336. Would weak alcohol affect you in any way?—Yes.
337. *Mr. Tunbridge.*] Do you habitually drink beer?—Yes.
338. Do you think this hop-beer, or so-called hop-beer, was really an excisable beer under another name?—I am sure it was not excisable beer; it was nothing else but hop-beer.
339. *Rev. Mr. Isitt.*] Did you notice whether he took it from below the counter or from under the counter?—He took it from a shelf at the back of the counter.
340. He did take it from under the counter?—There may have been some under the counter; I cannot say whether he took it from there; the bottles were also arranged on the floor.
341. You could see this?—In looking from the sitting-room on one side you could see the bottles; but if you were in front of the counter you could not see the bottles.
342. Did you have any analysed?—No, I did not.
343. How were you sent to Kaihu?—By train to Kaihu.
344. Did you take your own ticket?—Yes.
345. *Colonel Pitt.*] Was there any secrecy about these bottles in the store?—No.
346. Suppose you were not before the counter, could you see any bottles in the store?—Not when in front of the counter; but if in the room with a slide you could see the back of the counter.
347. Were these bottles secreted, or were they open to be seen by any one who went into the store?—No, I do not think so. I was all through the store and the house and the bakehouse, and there did not appear to be anything secreted.
348. *Mr. Tunbridge.*] Did you see bottles arranged in two different places, as though a selection had been made according to the customers who came, or were all the customers served from the one lot of bottles?—I think all were served from the one lot of bottles. I did not see two different piles of bottles.
349. *The Chairman.*] Do you know where this beer was brewed?—No.
350. *Rev. Mr. Isitt.*] Did you notice whether the bottle you drank from was fastened with wire or string?—It was fastened with wire.
351. *Mr. Tunbridge.*] You say you were all over the premises; did Mr. Adams have any brewery in the place?—Not that I could detect.
352. Or any means of making aerated water?—No.
353. Do you happen to know the name of the merchant who supplied this hop-beer?—No; I could not say.

ABRAHAM BOWDEN, examined on oath.

354. *The Chairman.*] What are you?—I am a cab-proprietor, living in Wakefield Street, Auckland.
355. *Rev. Mr. Isitt.*] Does your business take you much into the streets?—Yes; from 8.30 in the morning until 2 o'clock the next morning for the seven days of the week—sometimes until a quarter to 3 a.m. I make it a rule not to go home if I can avoid it till then.
356. Not a day but you are in the streets?—Yes.
357. Chiefly in the main streets?—Chiefly in Queen Street.
358. Have you observed much in regard to prostitution in Queen Street?—Lots.
359. Women who are prostitutes?—Lots.
360. And children?—Lots.
361. When I said children I meant young girls?—Girls in short frocks, ten or eleven years of age I would imagine they were.
362. As young as that?—Yes.
363. Do you mean to say children as young as that, whom you believe to have been there for immoral purposes?—I am positive of what I say.
364. That they were there for immoral purposes?—I know it.
365. How do you know it?—I have hunted them away from the streets when they had been talking to men. I have seen them go round to the back of the Market. I refer to those children.
366. *The Chairman.*] I need not warn you about being mistaken about the age of these girls, and the tendency of girls to assume the dress of children and appear in short clothes?—I have asked some of these girls their ages and the ages of their companions, and they have told me that some of them were under twelve years old.
367. The market place you refer to: is that at the back of Queen Street?—Yes.

368. *Rev. Mr. Isitt.*] Have you seen them in company with sailors?—I have seen them in company with all classes.

369. Will you be more particular, and say whether you have seen them in company with sailors?—Yes, I have.

370. Foreign men-of-war's-men?—Yes, and men from other ships.

371. Have you seen them adjourn to any other place besides the market?—I have known where they went to. I have seen them go round by Cousins and Atkyn's, in Elliott Street, where there is a big green and always a lot of carts, and in Durham Street, behind McArthur's big warehouse.

372. Have you seen any of them adjourn to any shops?—Yes; I have known them to go there.

373. What sort of shops or ostensible shops?—All kinds, and outhouses.

374. Now, from your observation, would you say there were a score of girls of this description on the streets?—Yes, I should.

375. Would you put it at more than that?—Before this inquiry took place I should say there were more than that.

376. Many more?—Yes; a good number.

377. Would you go so far as to say scores?—No, I should not say "scores," but "a good number."

378. Have you seen any solicitation on their part in the streets?—Lots.

379. Would you say that has gone on under the eyes of the police?—I do not think they do it in front of the police; they would watch where the policemen were, and then, if they saw a policeman coming, they would go away.

380. Do you think the policemen could see it if they liked?—I do not know that.

381. Are you surprised to know that this sort of thing exists and that the police do not know it?—They have a lot to do other than looking after girls.

382. If this thing is so obvious, how does it escape the observation of men trained to observe?—I do not know that they do not see it; I simply say this: that I do not know why the detectives do not see it.

383. Some people are trained to observe and some are not. If the thing is so prevalent, does it surprise you that any man whose business it is to be looking about him did not see it?—They could see it if they wished to see it I dare say.

384. Are there Chinamen's places near your stables?—Lots.

385. Shops, or houses or "quarters;" are there enough Chinamen there to call it a Chinese quarter?—They are all Chinamen on that side of Wakefield Street.

386. Have you seen children go in there?—I think I fetched one young girl away in a cab for Mr. Goldie, the Sanitary Inspector, by orders of the doctor. There were two of them there, I think.

387. Do you mean by that that you knew two of these children who were living immoral lives with Chinamen?—I think Mr. Goldie found them in bed with Chinamen, and he ordered a cab from my place to take them away.

388. You are aware, of course, that you are making a dreadful statement concerning children in this city. You do not make that statement without a sense of responsibility?—I do not.

389. Are you a family man?—Yes.

390. You have children of your own?—Yes.

391. You would not say such a thing lightly concerning other people's children?—I would not.

392. Have you told us all you know about these things?—If you stood at my stand some nights your hair would drop off.

393. Do you mean that their language is very dreadful?—Wretched.

394. Where is your stand?—Near Milne and Choyce's.

395. *Mr. Tunbridge.*] You are saying this thing deliberately, with knowledge of the responsibility that attaches to your statement if you are speaking deliberately?—Yes.

396. You do not exaggerate it in any way?—I do not.

397. Everything you have said is perfect fact?—Yes.

398. You have said that a person's hair would drop off at hearing the language of these children: did you ever see any person's hair drop off his head?—No; I did not.

399. Do you think it would if a person went there to-night?—I do not know whether it would or not.

400. Is that to be taken as a criterion of the reliance to be placed upon what you say to-day?—Just so.

401. *The Chairman.*] Do you understand what is meant: do you use these words literally or figuratively?—I may have made a mistake in saying that people's hair would drop off. I mean that if you heard the language used you would be shocked.

402. *Mr. Tunbridge.*] Of course, you understand you are on your oath?—Yes.

403. And you have some respect for that?—Yes.

404. Have you always had a respect for that?—Yes, I have.

405. Did the Judge and jury believe you had a respect for that about two years ago?—Well, I was persecuted, and they packed the jury.

406. May I take it that two years ago you were convicted of perjury?—Yes; but I was an innocent man. I was just as you are standing there.

407. *Rev. Mr. Isitt.*] When you were convicted of perjury, was it on a question of fact as to whether you struck or did not?—That is it.

408. You swore you did not strike that man?—Yes.

409. *Mr. Poynton.*] Were the police prosecuting in that case?—Yes.

WILLIAM JOSEPH NAPIER, examined on oath.

410. *The Chairman.*] What are you?—I am a barrister and solicitor practising in Auckland. I am also a member of various local bodies, and ex-Chairman of the Harbour Board.

411. *Rev. Mr. Isitt.*] You are ex-Chairman of the Harbour Board?—I was Chairman until two or three months ago.

412. Have you any idea why you were subpoenaed here?—None whatever.

413. During your term of office did you find it necessary to improve the waiting accommodation in connection with the ferry-service?—Yes.

414. Did you afterwards find it necessary to report any circumstances to the police concerning the waiting-rooms?—I several times asked the police to endeavour to clear out juvenile prostitutes from the Auckland waiting-room of the Devonport Ferry Company.

415. Do you use that waiting-room on your way home to your residence?—Yes.

416. Do you go to it in regard to matters in which you take an interest, or from various causes are you not there frequently?—Yes.

417. Did you see those children there?—Yes; I have turned them out.

418. Would you call them children?—Yes; I should say from twelve to fourteen years of age.

419. Any of them apparently younger than that?—I could not say.

420. Were you satisfied they were there for an immoral purpose?—I do not know that they were there for immoral purposes, but from their appearance and language and other indications they appeared to be prostitutes, and they were there with young men—with oyster-boys, and fishermen, and deck-hands: ladies would not go into the waiting-room because of these circumstances.

421. Did the presence of the girls there militate against the respectability of your waiting-room?—Yes; in fact, I had a board painted with the notice, "This waiting-room is for the use of passengers by the ferry only," so as to strengthen the hands of the police.

422. Without that you could not get quit of these people?—When I reported the matter it was attended to very promptly by the police. I think that after the reports to the local water-policemen there was no further cause of complaint. The constable came over with me one night. A lot of them had gone. They used to assemble after one boat left and before the next boat came in, when there was an interval of forty minutes at night between these boats. Of course, the room was well lit up, and on winter nights, rather than go about the streets they went there, probably for shelter. I never suggested that they went there for immoral purposes.

423. *The Chairman.*] Did you know anything about their character except by their language?—Their behaviour was boisterous, rough, and obscene. They wrote ribald and offensive remarks on the windows. I could not detect which of them it was did so. But I got the windows altered; we had fluted glass put in instead of the ordinary frosted glass.

424. Are you much in the streets of an evening?—No; very seldom, except going to and from meetings. I live at the North Shore.

425. Have you seen the same class of girls in the streets?—Occasionally I have seen a few about the Waverley Hotel.

426. Roughly, can you say how many of these girls do you suppose attended the waiting-room?—I turned out seven one night.

427. *The Chairman.*] How long since?—About last July or August; it was in the winter months.

428. *Rev. Mr. Isitt.*] Would it surprise you to hear that the detectives, in their evidence, have spoken of two or three at most to be found in the streets of this city?—I do not know at all; but I have not the slightest doubt those girls I speak of were prostitutes. The constable that came over with me told me that they were prostitutes.

429. You say that you have turned out as many as seven?—Yes.

430. Do you suppose that seven included the whole number of those girls who frequented the room, or do you think there were any others?—I do not want to speak of things I do not know. When I come over by the 7.20 boat I generally have a meeting at 8 o'clock. I do not go in there then. It was only when I was Chairman of the Harbour Board that I took a special interest in everything that related to the convenience and accommodation of the travelling public. I found it necessary to increase the comfort of the people, and this thing was a cause of discomfort to people travelling by the ferry-boats to and from the North Shore.

431. Would it be an exaggerated statement to say there were a dozen?—The night I turned out seven of these girls they were particularly riotous. On other occasions when I went in there the girls had been particularly quiet. I could not identify them.

432. Would you kindly state your opinion as to the general efficiency of the Police Force of Auckland?—I think it is highly efficient and well disciplined.

433. *Mr. Poynton.*] You have had some years' practice in the Courts?—Yes, sixteen or seventeen years. I have been a qualified barrister since 1883. I have had one of the largest Police Court practices until lately, when, owing to increasing professional chamber-work, I have not been so often in the Police Court as in former years.

434. Have you an intimate knowledge of the practices of the police?—Yes.

435. You are also a public man, and take an interest in public affairs, and are often brought into contact with public men?—Yes; I know almost all the public men.

436. Can you give the Commission any idea as to outside influence being used to promote the advancement of police-constables or to transfer police officers: are you aware of any pressure brought to bear on public men; or have you ever been requested to use your influence in this direction; or do you know of your own knowledge of any such interference?—Yes; but I think I only know of two instances. I would not like to go into details; but I only know of two instances of reputed pressure brought to bear during all the time that I have been here.

437. Is it only by repute?—Yes; of course, I was not present when the pressure was used.

438. Pressure to do what?—To remove constables because of their active zeal.

439. You have heard of it?—Yes; I am pretty well satisfied as to these two cases.

440. Do you know whether the pressure was successful?—Yes; of course, it may not have been *propter hoc*, but it was *post hoc*—the event followed the activity.

441. Are you giving this as a matter within your own knowledge?—It was only substantial rumour, that was all.

442. Was that influence outside the Police Department?—I think so.

443. *Rev. Mr. Isitt.*] Was that supposed to be political or trade influence?—Well, I really cannot say what the nature of the influence was; but the influence was certainly improper, because these two police officers were very zealous—good constables, and very active in the discharge of their duty, and I understand it was not the action of the police authorities or their superior officers that caused them to be removed.

444. Acting in any special direction?—No; general.

445. Was not this brought under notice as done for any special class of offence?—Not under my notice.

446. *Mr. Poynton.*] How long ago was that?—One would perhaps be eighteen months ago, the other would be five years ago.

447. You had nothing to do with that?—No; I sympathized with the constables. I may have written a letter objecting to their removal, but I am not certain.

448. Do you know whether these two constables, on removal, were promoted or degraded?—I do not know.

449. Do you know whether they were promoted for their activity?—I do not know if their position was changed.

450. *Colonel Hume.*] Can you tell us if they were in charge of stations?—Each was in charge of a station. I think one was a second man—that is, second at the station.

451. You say one man was in charge of a station: do you happen to know whether he was moved to the charge of another station?—Each was removed to the charge of a station, one being a second man at the station.

452. Then, if this other man were second man it would benefit him to get full charge of a station?—Yes.

453. Can you give us the names of the constables?—One was Constable Donovan, at Coromandel, who was shifted to the East Coast, and the other was Constable Haslett, at Eden Terrace.

454. Now, did either of these constables ask you to write in their behalf?—No; I was asked to write on behalf of the Coromandel constable by another person, a friend of mine, but I do not think I did so. I wrote one letter, but whether it was about Haslett's case or Donovan's I do not remember.

455. Then, you do not know whether the removal was owing to political or other pressure?—No; but I have a suspicion that the Coromandel man's was.

456. Perhaps you would tell us why you have that suspicion?—Just from the remarks I heard in hotels down there. I was staying in the place, and I heard while there that Constable Donovan was obnoxious to some hotelkeepers, and they were trying to get him removed.

457. I understood you to say that you did not know that they were specially active in any one direction?—I do not know. I knew that the man at Coromandel had a good many duties to perform, and a good many other matters to attend to; and from my knowledge of him he performed them in a manner that you could scarcely get another man for the salary to do. I might say that I was surprised at a man like that staying in the Police Force when in civil life, as I think, he could have done so very much better.

458. *Colonel Pitt.*] Have you any knowledge concerning the removal of Constable Haslett from Eden Terrace?—No, I have not.

459. *Mr. Tunbridge.*] You have already been kind enough to say that the Force is efficient and well disciplined?—Yes.

460. You have no complaint to make against the police, even in respect of these disorderly girls at the ferry waiting-room?—None whatever. There was no law by which the constable could have taken these girls up. All they could do was to turn them out of the place.

461. As soon as the police were informed of the complaint they were active in removing the cause of it?—Yes.

462. You, like everybody else, are aware that prostitutes do not exercise their calling in well-lighted places?—I suppose not.

463. Would you think it hardly consistent with the system in which they carry on their calling or business that these girls should frequent such a public and well-lighted room?—I did not suggest that they went there for that purpose, but that they were prostitutes I have not the smallest doubt.

464. Do you mean prostitutes, or do you mean simply immoral girls?—They were girls on the streets.

465. Did you ever see any of these girls going away with a single lad?—Each seemed to have an oyster-boy or a sailor with her; they were just romping about the place.

466. You did not see them go away with one boy, then come back and go away with another?—No.

467. Then, beyond what you judged by their language and conduct you did not know anything about them?—That is all.

468. *Rev. Mr. Isitt.*] Concerning the Coromandel constable, do you know whether he reported a certain publican for selling after hours?—No, I do not.

469. Do you know that a publican became a parliamentary candidate?—Yes; I saw it in the papers. I thought it a joke. It was not a serious candidature; he did not go to the poll.

470. Did he not retire from the poll?—Yes.

471. There may have been some conditions to cause his retirement?—I do not think the man had the slightest chance of being elected. I looked on the matter as a joke.

472. *The Chairman.*] Was it his name you heard associated with the removal of Constable Donovan?—Well, it was the name of some of his family, not of the man himself exactly.

473. *Rev. Mr. Isitt.*] Did you hear that this publican retired from the contest upon condition that this constable was removed?—I never heard of that. I do not think it is true. I looked on the candidature as a “lark.”

GEORGE GOLDIE, examined on oath.

474. *The Chairman.*] What are you?—I am appointed by the City Council Sanitary Inspector, and have duties too numerous to mention.

475. *Rev. Mr. Isitt.*] Did you hear Mr. Bowden's evidence?—Yes; I was surprised when I heard it. I came here inadvertently. I am caught here now. I heard him say that I had hired a cab from him and taken one girl away out of a Chinaman's house.

476. Was that true?—Well, I may as well tell you the whole history of that case. Dr. King, the Health Officer, who works in unison with me, had signified to me that he wanted to see a certain Chinamen's premises in Wakefield Street which he considered unhealthy; so on a certain morning Dr. King, a reporter of the *Herald* office, my assistant, and myself went to those places which Dr. King had signified to us, and the interiors which he wanted to see. He considered the place not fit for human habitation, and I, during my investigation of the place, came to a room with two girls in it. One of the girls got to the door. I went after her and tried to get hold of her, but she eluded me and got away. I secured the other one and asked her why she was there. She said she was sorry to be there, but that she had no other way of getting a living. I understood what that meant. I said it was time for her to get out of this. I said to her, “Suppose I got you a home, would you go there with me?” She said, “Where will you take me to?” I said I would take her to Sister Francis, who keeps the home in Cook Street. I then hired the cab from Bowden and took her there.

477. *The Chairman.*] What was the age of this girl?—About sixteen. Sister Francis had her for some time. I went to see the girl and took my wife with me, but I heard she had cleared out.

478. *Rev. Mr. Isitt.*] What age do you suppose the other girl was?—I think about the same age. I could not say unless I had my notes. It is more than twelve months ago since this happened. I can say this: In one room there was a European, a young fellow, lying on his back and apparently unconscious, but whether from opium I could not say: it was not from drink any way.

479. Does your experience run any further than that; have you seen those children that Bowden spoke of in the streets?—No; I do not go to town at night; I live at the North Shore. I go home by the 4.50 or the 5.10 boat. I cannot speak as regards the police, or anything that may happen after I leave the city.

480. *Mr. Poynton.*] Have you any fault to find with the police otherwise?—No; I have great pleasure in saying the police give me every assistance in the duty I have to perform. I get every assistance I ask for from the police. I have never been denied assistance.

481. *The Chairman.*] With respect to this particular case, have you any reason to suppose that the police had any knowledge of the existence of this state of things prior to your visit to the house?—I cannot say.

482. *Mr. Tunbridge.*] How long ago was this?—About fifteen months ago. I believe the other girl, who eluded me, belonged to a respectable family; and I have no doubt this girl that I spoke of more particularly did too.

SAMUEL DAWSON HANNA, examined on oath.

483. *The Chairman.*] What are you?—Manager of the Auckland Freezing Company.

484. *Rev. Mr. Isitt.*] Are you much about the streets at night?—Not a great deal.

485. Have you seen any young girls in the streets whom you regarded as prostitutes?—Well, that is rather a hard question to answer. I might put them down as prostitutes, and they might be nothing of the kind.

486. *The Chairman.*] Have you seen any whom you have known to be prostitutes?—No.

487. *Rev. Mr. Isitt.*] Have you been annoyed by the precincts of your premises being resorted to?—On the reclamation I have.

488. For what?—Immoral purposes.

489. *The Chairman.*] Is that a matter within your own knowledge?—Yes.

490. *Rev. Mr. Isitt.*] Is there any growth or bush of any kind around?—Yes, what we call fennel. It grows to about 5 ft. or 6 ft. high. There were some 5 or 6 acres, but now it is occupied by a tenant. It went on up to a year ago.

491. *The Chairman.*] Do you say at the present time the whole of the reclamation is occupied and let?—Yes.

492. *Rev. Mr. Isitt.*] Within the last two years have there been any girls frequenting the precincts of your works?—No, not to my knowledge. Not what I would call young girls. They are over twenty, and some of them are thirty and some forty.

493. Did you take any steps to get rid of them?—It is a difficult matter to get rid of them. The place was unfenced, and they were frequently there without my knowledge. We put up a notice, but where there was a growth of 6 ft. high it was impossible to get rid of them.

494. Had you to cut that growth down?—Yes.

495. Did you complain to the police?—Yes; and invariably when the police came they had gone. Whenever we rang up the police by telephone and the police came down there was no one there.

496. *Mr. Poynton.*] This was private land?—Yes.

497. And fennel high enough to shroud them from view?—Yes. It seems to me they got to know when the police were sent for, and they immediately cleared out. They had plenty of time to clear out.

498. Do you suggest that the police communicated with them?—No; on the contrary.

499. Have you any fault to find with the police on the matter?—None whatever.

500. *Colonel Hume.*] You are an old resident of Auckland?—Thirty-two years.

501. I should like you to give us your opinion as to how the police carry out their duties so far as you know?—So far as I know, efficiently.

ALEXANDER ALISON, examined on oath.

502. *The Chairman.*] What are you?—Manager of the Devonport Ferry Company, living at Auckland.

503. *Rev. Mr. Isitt.*] Had you any trouble with young girls in connection with the ferry?—They were rather troublesome in the waiting-rooms at night. Something as Mr. Napier has described.

504. Did Mr. Napier correctly describe what occurred?—Yes.

505. *The Chairman.*] Had you any doubt as to what the character and purposes of these girls were? Have you ever called upon the police to clear the rooms and they neglected to do so?—No; they have done all they could, and all that was in their power they have done. The trouble is the moment the police had cleared the rooms and gone away the girls came back again and claimed to be passengers.

506. *Rev. Mr. Isitt.*] Were there many of these girls?—Two or three, and sometimes as many as Mr. Napier said—seven. I might say that latterly, since some nine months ago, we have had very little trouble.

JOHN MCEFFER SHERA, examined on oath.

507. *The Chairman.*] What are you?—Sharebroker, living at Auckland.

508. *Rev. Mr. Isitt.*] Have you had an opportunity of judging as to the effective discharge by policemen of their duties?—Well, I have had the ordinary opportunity of any citizen. I have not particularly observed matters in connection with the police. I think, considering the strength of the Force and the various duties placed upon them, that they discharge their duties as well as could be expected under the circumstances.

509. Have you observed any instance in which there has been anything to the contrary, and you have complained of?—There was one case some time ago when I noticed a constable ill-treating a man in the street, and there is a point I would like to mention in connection with that. It seemed to me a very extraordinary thing when, in the discharge of my duty as a citizen, I wrote to the Inspector making a complaint against this constable and asking for an inquiry, to my astonishment, instead of there being an inquiry into the conduct or misconduct of the constable, I was forced into the position of being public prosecutor, which, of course, I felt called upon to discharge when I was placed in that position.

510. You would have been quite willing to be a witness in a departmental inquiry or prosecution?—Yes.

511. But you did not wish to be a prosecutor?—Certainly not.

512. You think you have a just cause of complaint in that?—Those are the facts.

513. *The Chairman.*] Will you explain how you were forced into this position of prosecutor?—When the arrested man was on his trial I was placed in the witness-box, and the Magistrate then, I think, very properly said I could not give evidence in the matter without formally laying a complaint against the constable, and charging him with the offence.

514. You were forced into that action by the suggestions of the Magistrate and not by the action of the Police Department?—I thought it was the inaction of the police.

515. That was caused by the remark of the Magistrate?—Yes.

516. *Mr. Poynton.*] Do you know anything about the Force?—I think it would contribute very much to the efficiency of the Force if a pension scheme were introduced. Mr. William Hutchison introduced a Bill on that subject, and I think if some scheme on those principles became law it would lead very much to the advantage of the Force and to the efficiency of the Force. I also think it would be very desirable that there should be a Board of Appeal established, where complaints could be examined into—that a constable should have a Court of Appeal from the decision of the department.

517. *The Chairman.*] You suggest that right of appeal should be given: to what body?—To a properly constituted Court of Appeal. It might be in the service.

518. Anything else?—I have seen young girls on the streets who perhaps would be better at home, but not more than I have seen in other towns.

519. *Mr. Tunbridge.*] In the case you refer to the constable had a prisoner in charge?—Yes.

520. And he ill-used the prisoner?—Yes.

521. You were called to the Court as a witness in the case against the prisoner?—No; I was there.

522. Do you know that the Magistrate declined to hear the case against the constable unless an information was sworn?—Yes.

523. It was owing to that ruling of the Magistrate you were called upon to swear an information?—Yes.

524. You think the department might have inquired into your complaint instead of the case going before the Magistrate?—Yes; I do not think it is probable that citizens, if they thought they would be put to the great annoyance and inconvenience of becoming prosecutors, would lodge any complaints.

525. You would have been willing to go to the police-station to prove assault by the constable on this man?—Yes; and I went to the Court also and prosecuted.

526. I understand you complain of having to go to the Court?—I complained, as the department did not institute an inquiry.

527. Do you think that, considering a prisoner was alleged to have been assaulted by a constable, and the matter had become public knowledge, that a departmental inquiry, where the evidence is not taken on oath, would be as satisfactory to the public as an inquiry before a Police Magistrate, where the evidence is taken on oath?—No, I do not. I am of opinion that discipline would be better maintained in having a departmental inquiry than in having an inquiry in open Court; and, certainly, citizens are not likely to complain of anything in connection with the police if forced to prosecute.

528. Did not Inspector Hickson lay a charge against the constable?—No.

529. Who conducted the case in Court against the constable?—The Inspector, I think.

530. *Colonel Hume.*] Anyway, I understand you to say you would not have thought this important enough to bring before the Commission if you had not been subpoenaed?—Oh, under no circumstances would I have brought it up before the Commission. I have been subpoenaed, and it has been brought up, and I just express the opinion: it may be right or wrong.

531. *Colonel Pitt.*] You have spoken of a Board of Appeal: if an appeal goes beyond a Commission to a separate Board, do you think that would have the effect of weakening the authority of the Commissioner?—It would, unquestionably. I would rather be in favour of a Board within the service—that is, a Board of Appeal in the service.

532. Do you not think that the authority of the Commissioner should be final and absolute?—I think there should always be the right of appeal.

533. And you do not think that would be likely to weaken the authority of the Commissioner?—I believe in nearly every case the decision of the Commissioner would be accepted as final.

534. But if there is the right of appeal beyond the Commissioner do you think that would or would not weaken the authority of the Commissioner?—To some extent it would; still, I think it would be well to have a Board of Appeal.

535. *The Chairman.*] In the one case he would be absolute, and in the other he would not?—That is so; he would be weakened to that extent.

536. *Colonel Pitt.*] My question is, Do you think it is desirable that he should be weakened even to that extent?—I think it is. It is undesirable to place an arbitrary power in the hands of any man. I may say, however, frequently police matters came under my notice as a member of the House of Representatives, but there was never any approach to undue influence or pressure for transfers or promotions.

LAURA FRANCIS, examined on oath.

537. *The Chairman.*] You are called "Sister," of what order?—I am deaconess of an unsectarian order.

538. *Rev. Mr. Isitt.*] You are connected, I think, with an institution known as the Door of Hope?—Yes, the Door of Hope Rescue.

539. Specially for the reclamation of fallen women?—Yes.

540. In connection with that work do you come much in contact with the prostitutes of the city?—Yes.

541. Have you any evidence to give us indicating the amount of preventable—I mean by the police—prostitution existing in the city? Are you familiar with the legal aspect of the question of what constitutes a brothel which the police can stop?—Yes. I do a great deal of rescue-work on the streets at night, and come in contact with most of the girls, I think.

542. Do you know of such institutions in Auckland?—Yes, I know a number of such places—rooms and houses—set apart and used for the purposes of prostitution. I visit them almost daily.

543. Can you give us a rough estimate of how many there are within your knowledge?—I should say between twenty and thirty. There may be more. I am quite sure there are twenty.

544. *Colonel Pitt.*] Are any of these places disorderly?—Well, at times they are.

545. *Rev. Mr. Isitt.*] What do you understand by "disorderly": do you mean noisy to the annoyance of the neighbours, and a nuisance from their noise to the neighbours?—Yes; there have been a number of them, but I have not reported them. I always feel it is better to win the girls without complaining.

546. *The Chairman.*] Do you think there has been neglect on the part of the police in respect to them?—No, I do not think so. When the police have known of a case they have always had them moved.

547. *Rev. Mr. Isitt.*] Have you been in a house where there have been rows?—Yes.

548. And you state that to your knowledge there are fully twenty such places?—Yes.

549. Have you known any case in which the police have taken the initiative to find out whether this was so?—Yes, more than once.

550. Do you think these brothels of which you speak are so obviously brothels that the police could find them out if they liked?—Yes, certainly. I made a mistake just now. I have reported one or two to the police, and the police have had them removed. There was one in Chapel Street, and the police had it removed.

551. Has the matter of child prostitution been brought much under your notice?—Yes, a good deal.

552. Do you estimate the extent of it as very considerable?—Yes; there are about a dozen in the town—that is, juvenile prostitutes. I should say there were between a dozen and twenty.

553. What ages?—From ten to sixteen.

554. *The Chairman.*] Do you mean that these young girls from ten to sixteen are at the disposal of any men who desire them?—Yes, they are out at night soliciting. Some of these children are sent out by their parents.

555. Have you knowledge of any of these children who are living in brothels?—Yes, kept by their parents.

556. Are there other immoral women there?—Yes.

557. Would you say that the parents in these cases are of such a character that if the police took action to remove the children from their care they would be able to do so?—Yes. I have had some out of one house in the Home. There were six girls in one house, and the mother had three children, and had her girl of nine years of age out in the streets. I know she has thrashed that girl for not bringing home sufficient money. I know that for a fact. She has one about eight years of age.

558. Is that within the knowledge of the police?—Yes, the police have known it. One girl has just come out of prison, having done three months' imprisonment. She has just turned sixteen years of age.

559. Is that girl of nine still living with her parents?—Yes, they are all there. She is older than that now. That was two years ago, but she is still seen on the streets.

560. *Mr. Poynton.*] Is the mother a reputed prostitute?—Yes.

561. *Rev. Mr. Isitt.*] And that is known to the police?—Yes, the police do know of it.

562. *Mr. Poynton.*] Has it been up in the Court?—That is not the case. I know six different girls lived with this woman, and are all prostitutes. I have had two of them in the Door of Hope Home.

563. And these children are still there?—Yes; and more in the other case. There are two little children in the home of the girl who was in prison, and there are two other girls in the house, and the parents would not allow them to go to any refuge or home because of what they could make out of them. I am sure of that.

564. *The Chairman.*] You say that is known to the police?—I spoke to Inspector Hickson about the case of the girl then in our Home, and she was leaving it. He said the case had been known to the police, but they could not prove the house was a brothel. I visited it every week, I think, without exception, and knew there were prostitutes there. At one time a man was living in the house.

565. *Rev. Mr. Isitt.*] How long have you been engaged in this work?—A little over two years.

566. Would you have been willing to give evidence in that case if asked by the police?—Yes; it was at that time this young child was sent out.

567. *The Chairman.*] Do you say this child is still with her mother and is carrying on the same life?—Yes, and another child. Every night she and her mother are out in the streets here. She was out the night she came out of prison. She was in prison in connection with a case of drunkenness. That is, the girl of sixteen—the eldest girl.

568. *Rev. Mr. Isitt.*] Have you found any of these children in the houses of Chinamen?—Not under sixteen.

569. Others?—Yes; girls from sixteen to twenty and over.

570. Do you find there is any disposition on the part of the girls to exaggerate their ages so as to escape their legal liabilities?—No, I have not found much of that.

571. Has anything come under your knowledge of undue familiarity of any policeman in these homes?—Well, I cannot speak from my own observation.

572. Is there anything else on this subject you wish to communicate to the Commission?—No, I do not think so. So far as the police are concerned, I have always found them most willing to help in any way they could.

573. *The Chairman.*] Do you think beyond that they are reasonably observant of these houses?—So far as the houses are concerned, and I do not think they have power to interfere with the girls. I think, so far as in their power, they have done their duty.

574. Are there any recognised brothels in the town which are resorted to by men, but which you would call respectable brothels?—There are some under the cloak of boardinghouses.

575. Do they come under your observation?—Yes; and I know one or two others.

576. Do you know whether they are conducted in such a manner as to bring them under the notice or cognisance of the police?—I cannot say. Of course, when drink is in they are disorderly enough then.

577. Do they create any noisy disturbance in the street?—Not the better class; you will not find them on the street. It is the lower classes.

578. Are all these young girls you refer to of a like class of life?—Yes; but perhaps to see them you would only say they are well-dressed girls, but I know their homes.

579. Is this sort of thing generally associated with poverty?—No; a great many girl prostitutes are really working in factories during the day.

580. Would you call them girls of easy virtue instead of prostitutes?—Well, they are nothing else.

581. *Colonel Pitt.*] Do you know if any steps have been taken by anybody to have these very young girls taken from their homes and placed in industrial schools?—I do not think so.

582. Has the order you represent taken no steps in that way?—No. Inspector Hickson said he could not prove it was a legal brothel.

583. Could it not be proved that the parents were of highly immoral character?—I think so; I could prove it myself.

584. *The Chairman.*] I presume you are not acting individually; you represent a society?—Yes; I have a committee.

585. Have all the facts been communicated to the body you are associated with?—No.

586. *Rev. Mr. Isitt.*] In the pursuit of your work do you enter hotels much?—I have not just

recently. We had midnight rescue-meetings for a little time, and then we worked at from 9 until 12 and 1 o'clock; and then we found a great many girls in the back parlours of hotels at night, but not in many hotels.

587. You found them there late at night?—Not after 10 o'clock. I have not been in hotels after 10 o'clock; it has been between 8 and 10 o'clock in the hotels.

588. In order to bring them to the rescue-meetings, have you gone to the hotels and searched for them?—Yes, and got them.

589. In one or two hotels you found a large number of them: what doing?—Drinking.

590. Alone?—Just a number of them together; women and young men of the larrikin type.

591. Lingering there for any length of time, or just going in and out?—Both lingering and going out.

592. Have you found young girls there?—No; I cannot say under sixteen years of age. I have seen girls as young as ten drunk at night on the street.

593. Have you seen things in the hotels you think the Commission ought to know?—Nothing apart from the girls.

594. Have you seen any of these girls drunk within the hotels?—Yes.

595. *Mr. Tunbridge.*] Is that the name of the mother of the young girl of nine years of age?—Yes.

596. Are you aware that Inspector Hickson has been the means of bringing that woman before the Court on three different occasions with the object of getting the children taken from her possession?—No, I am not.

597. Are you rather surprised to hear that is so?—I know the girl was once before the Court, and the mother also, when she once attempted to take her life. The woman professed to be kept by a man.

598. Is a man cohabiting with her?—Yes.

599. Are you not aware that the Magistrate has held that, owing to her cohabiting with the man who purported to support her, it would be impossible to prove she was a prostitute?—No; she is a prostitute, and she has prostitutes in her house. It is a brothel in every sense of the word.

600. *Mr. Poynton.*] You were not called?—No.

601. *Mr. Tunbridge.*] I suppose you are not anxious to go to the Court and testify?—I am not anxious, but I am willing to go.

602. Do you think it would facilitate your work? Generally you are able to get access to these houses?—Yes.

603. Do you think if you appeared in the character of an informant of the police you would get access to these houses as you do now?—I do not know. I have never had any difficulty in getting into any house.

604. Because you have never given any evidence against them?—I have given evidence once or twice. I look at it in this way: if it would lessen the evil I would do what I could.

605. You say you have seen girls drunk in hotels?—Yes.

606. Have you ever acquainted the police of that fact?—No.

607. Have you seen much of that lately?—No; not in the last few months.

608. Is that because you are not going to the hotels?—Yes.

609. Is there any particular part of the town where this goes on?—It is in Queen Street; in only two hotels, I might say.

610. *Colonel Pitt.*] Do you watch the reports of the police cases in connection with such cases?—Yes.

611. Do you remember any of these three cases that *Mr. Tunbridge* has asked you about, as to the mother of this young child having been brought before the Court?—No; I did not know she had been brought before the Court. I watched the police news daily. I do not think it could have been.

612. Can you tell me whether the Magistrate was aware that the mother had sent this child out as you have stated?—No; I mentioned it to the Magistrate some time ago. He was talking about juvenile depravity, and then that case was brought in with others. The eldest girl told me and three different girls living in the house told me, and it was not told at the one time. It was told at different times.

613. *Mr. Poynton.*] Would these girls go into Court and tell that?—Yes; I think the girl who has just come out of gaol would, if she was not afraid of her mother.

614. *Inspector Hickson.*] You no doubt remember when you called upon me and made a complaint about this woman?—Yes.

615. Did I not walk over to the shelf and take down the statutes and show you section 16 of the Industrial Schools Act?—I do not remember you showing me, but you told me.

616. Did I not then tell you I had had her up three times with a view to having the children admitted to the industrial schools?—Yes; that was two years ago.

617. Do you think after I had been frustrated three times I was likely to try the fourth time when the decision each time had been given against me—when the man who was living with her came into Court and proved he was supporting her?—Yes; but what about the girls living with her?

618. I could not prove she was a common prostitute or drunkard within the meaning of the Act?—I did not remember you saying so.

619. Or that the children were found in a brothel, or with a person reputed to be a prostitute or a habitual drunkard: do you remember me telling you these things?—Yes.

620. Did I not say on one occasion that the wife of a bishop undertook to look after the child, and the child would be discharged to them?—Yes; she was in *Mrs. Cowie's* home for nine months.

621. Do you remember me telling you the Magistrate held it was not a brothel within the meaning of the Act?—I do not remember all you said. I had seen the woman drunk.

622. *The Chairman.*] I suppose you know that seeing a woman drunk would not prove she is a habitual drunkard?—If you go into her house you will see her drunk more than once.

623. Do you remember a girl being brought to you by Mr. Goldie?—Yes; it was a girl who had gone from our Home. We were looking for a girl who had left the Door of Hope Home. I was searching one night, and heard she was in one of these Chinese houses in Wakefield Street, and I went there twice and could not gain admittance. I went to the door, and was told there were no girls there. I went there at night and found they were there, and I reported the matter to Mr. Goldie; and when he and Dr. King went there they brought one girl to our Home, and the other came afterwards.

624. What was the age of the girls?—One was seventeen and one nineteen. One was the daughter of a prostitute, and the mother of the other was a hardworking widow, earning an honest living.

CHARLOTTE SPARKS, examined on oath.

625. *The Chairman.*] Are you married or single?—I am a widow.

626. Do you hold rank in any religious body?—I am in charge of the Rescue Home in Grey Street, Auckland, belonging to the Salvation Army, and have been for three years.

627. You have heard the evidence given by Sister Francis?—Yes.

628. Have you had a similar experience to that which she related?—Yes.

629. Are you in the habit of visiting brothels?—Yes.

630. Did you hear the definition given of a "legal" brothel?—Yes, I quite understand it.

631. What would be your estimate of the number of prostitutes you know of in the city?—Twenty or thirty, I should say.

632. Sister Francis said not less than twenty?—I should say not less than twenty.

633. Would you have been prepared to give evidence if you were asked to say whether these were brothels?—Yes.

634. Have the police ever asked you to give evidence?—No.

635. How long have you been in the city?—Three years.

636. Upon what do you base your statement of fact that there are prostitutes there, or persons supposed to be prostitutes?—I know them to be prostitutes; they keep houses of ill-fame, and for no other purpose.

637. Living in common—two or three together?—Yes; sometimes three, sometimes four together. At times I have seen five or six in the same house.

638. *Rev. Mr. Isitt.*] Have you found young girls in these houses?—Yes; but not under ten years of age.

639. What was the age of the youngest you have seen?—About twelve or thirteen.

640. Have you known children as young as that to go out soliciting?—Yes, I have; I think that children of that age are generally sent out by their parents.

641. *Colonel Pitt.*] Do you know this of your own knowledge, or have you been told so?—What I know of my own knowledge, and their sisters have told me. I know their parents keep houses of ill-fame and send their girls out.

642. How do you know they send them out?—I have met the girls in the street late at night, and they told me they dared not go home to their mother without money.

643. *Rev. Mr. Isitt.*] Have you ever reported these things to the police?—I have spoken to the police about it in a general way; I have never reported it to the Inspector. I have always understood that the police had no authority to do very much with them.

644. Do you know the state of the law with regard to a "legal" brothel?—Yes, I do; but the police told me it was a difficult matter to prove in any particular case that the place was a brothel; and I have seen so many cases in Court where it has been so difficult for the police to prove the fact. There was the case the Inspector spoke of. I know that since to be a brothel; and yet the police could not prove it in Court. I know that the mother is a prostitute, and her daughter too; I have met them repeatedly in the town at night.

645. Have you also visited publichouses in search of those you wanted to rescue or for other purposes?—Yes.

646. Have you found prostitutes in any of them?—Yes; girls, not children.

647. Always sober?—Not sober, but not drunk; they were in drinking there.

648. Did you stay long there?—No. I would like to say that I have always found the police willing to help me in any way. I have never reported a case in which they have not been very careful to do all they could.

649. *Mr. Poynton.*] You recognise the difficulty the police have in proving that these places are brothels?—Yes.

650. You know that the people who could give evidence as to the actual use of them are very reluctant to come forward?—Yes.

651. You know that?—Yes. I have also spoken to one or two constables about a certain saloon in the town which we know to be badly conducted. The police say any person can go in there. Any girl can go in there and ask for men, and the police cannot do anything. I know they go there—numbers of them together.

652. *The Chairman.*] Has any case come under your observation in which you would consider the police have failed in their duty in enforcing any existing law?—No, I do not think so.

653. Has anything come under your observation that you think should be communicated to us as to the character and conduct of the members of the Police Force in reference to this matter in which you take a special interest?—I do not think so.

654. *Mr. Tunbridge.*] You have said there are some twenty or thirty brothels in the city?—Yes.

655. You attend the Courts?—Yes; every morning.

656. Have you been present in Court when the police brought keepers of brothels before the Court?—Yes, I have.

657. In many cases you have seen the charges dismissed when you knew of your own knowledge that the places referred to were brothels?—Yes; I was quite satisfied in my own mind that they were brothels.

658. But the police could not prove it?—No; or the Magistrate did not think so.

659. You do not think the police neglect their duty in this matter?—No, I do not think so, so far as the law is concerned. The police do the best they can.

660. You were also present in connection with the case of the mother and her young children?—I was there once or twice when it came on.

661. You know that the object of the police was to get the children taken from the mother's care?—Yes.

662. In that case you also knew that the Magistrate could not see his way clear to make the necessary order for the removal of these children to an industrial school?—Yes.

663. Do you suggest in that case that the police did not do all in their power to get the children taken away?—I do not know what else they could have done. I do not see anything else they could have done.

WILLIAM JAMES WILLIAMS, examined on oath.

664. *The Chairman.*] What are you?—I am a Wesleyan minister, stationed at Auckland.

665. *Rev. Mr. Isitt.*] Are you president of the Prohibition League?—Yes.

666. Do you remember a deputation waiting on Inspector Hickson?—Yes.

667. Can you give us the date, or the approximate date?—I think it was the 22nd April, 1896.

668. What was the object of that deputation?—To call the Inspector's attention to some of the obvious breaches of the Licensing Act, and also the state of things in the King-country.

669. Had the King-country matters been under your notice for some time prior to that?—Yes.

670. Is it within your knowledge that resolutions had been addressed to the Government by myself and colleagues upon that question?—Yes; and to the Minister of Justice.

671. Would your deputation to Inspector Hickson be largely in the direction of urging upon him what was at the same time being urged generally throughout the colony?—That is it.

672. Do you remember a meeting held in the Foresters' Hall, Newton?—Yes.

673. That was the conference we have heard so much of?—Yes.

674. What was the object of the meeting: was it to call attention to the non-enforcement of the licensing-laws?—Yes; the words of the resolution adopted were as follow—that is, the resolution moved by the Rev. George McMurray, and seconded by myself: "That this meeting calls on the Government to enforce the provisions of the Licensing Act in their entirety." There was another resolution asking that the clause in the English Act, to which reference has been made repeatedly, should be inserted in the New Zealand Act—making it an offence for a person to be on licensed premises during prohibited hours.

675. Did you understand that to imply a protest?—It certainly was a protest against the non-enforcement of the law.

676. You have lived here—how long?—In Auckland City two years and a half, and in the neighbourhood of Auckland five years.

677. Have you taken a keen interest in all moral movements?—Yes.

678. Is there any statement you wish to make concerning the enforcement of the laws generally or specifically, so far as your observation goes?—I may say that I recognise the difficulties under which the police labour in administering the laws; but I am not sure that they have always done their best.

679. *The Chairman.*] Can you give us any facts to lead us to the same opinion?—Well, it has struck me that they, somehow, have not shown the same activity in enforcing the law with regard to publichouses as they have shown in regard to other breaches of the law.

680. *Mr. Poynton.*] Do you not understand there is a special difficulty in that case?—I do.

681. Do you understand that people who frequent hotels on Sundays after hours are more unwilling to give evidence than they would be if they saw a pocket picked or a person being assaulted, because, perhaps, they feel that though morally guilty they do not regard themselves as legally guilty, so that the police have more difficulty in proving an offence of that kind than they would have in the matter of other offences?—Yes, I quite perceive that. I have great sympathy with the police on account of the position in which they are placed: unless they catch a man drinking, the evidence on which they have to rely is wholly unreliable; often for that reason they do not get a conviction.

682. *The Chairman.*] I gather that the object of that meeting you spoke of was more moral than political?—The object was more to induce by certain internal considerations of the trade, and a more willing observance of the law, than to impeach either the Government or the police for neglect of duty. That was the view we took of the object of that meeting. I might say that, so far as the trade itself was concerned, it was a pleasure to those of us who had been opposing the trade to find a willingness on the part of the representatives of the trade to meet us and discuss matters with regard to the observance of the law. Before that public meeting was held I might say that an agreement was arrived at on the part of the representatives of the trade to do what they could to secure the enforcement of the law. But the public meeting itself was certainly held for the purpose of calling attention of the Government to breaches of the law, and also to secure a modification of the law in the direction of including that clause of the English Act.

683. *Mr. Poynton.*] You are still of the opinion that that clause should be inserted?—Oh, most certainly.

684. *Colonel Hume.*] When you waited on Inspector Hickson in April, 1896, about the obvious

breaches of the law in Auckland did you or any of your deputation point out any specific instances of a breach of the law?—I may say, in reply to that, Inspector Hickson admitted everything we said.

685. That is not an answer to my question?—It was patent to all the people in Auckland. We did not specify the name of any hotels or the dates. He concurred, and told us there was scarcely a publichouse in which the law was observed. They kept sentries —

686. Could you have pointed out one specific hotel or one breach of the Act?—No.

687. Can you now?—No.

688. Then, you have been nearly five years in and about Auckland and you cannot tell us one specific case that has come under your notice?—You can judge a tree by its fruits. When I see people rolling drunk through the streets on Sunday I know that the law must have been broken.

689. Could not a person order a case of whiskey into his house, get drunk on the Sunday, and after that go rolling about the streets on the Sunday?—He could, but it is not likely.

690. When were you last in the King-country?—I have never been there.

691. But you told the Inspector that the law was being broken there?—We had information on that point.

692. Had any of the deputation been there?—I do not know if they had.

693. Suppose I came here and gave you some startling piece of evidence, would you believe it?—If I believed you to be a man of probity I would. We had the word of people we had known for years, and had seen it with their own eyes.

694. Did anybody at this other meeting in Newton find fault with the police?—They did to a certain extent. There was a difference of opinion, I dare say, among those who took part in the meeting on this matter; but, certainly, in the minds of those who took part there was a conviction that the police might have done more.

695. In what way?—Both in regard to Sunday trading and after hours.

696. *Mr. Tunbridge.*] You are more concerned in the evil results of drink than in regard to bringing about the punishment of the sellers of drink?—Most certainly.

697. And in the King-country your desire is not so much to punish the sellers of grog as to save the victim from the evil consequences of it?—Certainly.

698. You have heard the line of examination adopted by the Rev. Mr. Isitt?—Yes.

699. Now, has not Mr. Isitt's line of examination gone to prove that the police have not been active enough in the King-country?—Certainly.

700. That where the police have taken action they have done it in a dilatory manner, not careful to conceal who they were in such cases?—Yes.

701. In other words, that means that the police have not been deceitful enough?—I answer that by saying that I have nothing to do with the methods the police adopt.

702. You have no concern for the souls of the police; your only concern is for the Natives who drink grog: is that the position we are to take?—I have as much concern for the souls of the police as anybody else.

703. Do you not consider that a policeman should be prepared to go and tell any lie, or act a lie, so long as he can secure a conviction against sly-grog sellers: is that your contention?—No; I am not prepared to support that at all.

704. Then, how do you contend the police are to get a conviction against men who will not sell to the police?—It is not my business to point out.

705. Do you recognise that it cannot be done otherwise than by deception—by telling a lie or acting a lie?—I do not know.

706. Has not that been the complaint of Mr. Isitt—that the police have not been sufficient liars?—I do not think so.

707. We will instance the case of Sergeant Cullen, who went up there and was successful: did not Sergeant Cullen go up there in the guise of an insurance agent?—So I understand.

708. Did he not tell people that he was an insurance agent?—I believe so.

709. Was he not by these lies able to secure all those convictions?—I presume so.

710. And yet Mr. Isitt and yourself, ministers of religion, come here and are only too anxious to urge on policemen to become more proficient in lying?—No; certainly not.

711. Then, what is your object of coming here complaining that the police do not take action?—We have a perfect right to come here and say that the police ought to take more action.

712. Do you say the police can get convictions without acting or telling lies?—I do not know; I am not in the Police Department.

713. On the other hand, would you discourage such action on the part of the police?—Yes; I certainly would not encourage any one to tell lies in order to accomplish any purpose.

714. Not even to detect a sly-grog seller?—No.

715. Then, how do you think it possible to detect sly-grog sellers?—I do not know; I know one thing that would help if it were carried out: if the clause which prohibits selling liquor into prohibited areas were made to apply to the King-country it would to a large extent stop the business of the sly-grog seller.

716. *Mr. Poynton.*] Are the police to blame in that matter?—No. I might say that, in our interview with Inspector Hickson, that was a point we drew attention to, and the Inspector pointed out that, owing to the peculiar conditions under which prohibition obtained in the King-country, that clause could not apply. But I think if that were done there would be no need to tell lies to catch people who sold grog.

717. *Rev. Mr. Isitt.*] How long have you been associated with the prohibition movement?—I am a life abstainer, and I have been connected with the movement for many years; ever since I have been in the colony, from the inception of the movement.

718. Have you ever known any instances in which the leaders of the prohibition movement advocated falsehood?—Never.

719. Does it occur to you that the line of Mr. Tunbridge's examination raises the question how all crime is to be detected?—Yes.

FRIDAY, 17TH JUNE, 1898.

LIZZIE PORTER, examined on oath.

1. *Inspector Hickson.*] What is your occupation?—I am secretary for the Society for the Protection of Women and Children, living at Auckland.

2. Am I a member of that society?—You are.

3. In your capacity as secretary in this society you are constantly brought in contact with the police in connection with cases of children in bad surroundings. Will you kindly tell the Commission how I have dealt with such matters brought under my notice, and how I have dealt with your requests?—I have always received every help from the police. I might mention one case which was reported to me where the children were very neglected. I visited the house, and from the characters I found there I concluded that the house was a brothel. I reported the matter to the Inspector, and within a week action was taken. The father and mother were sent to gaol for keeping a house of ill-repute, and the children were committed to the Industrial School.

4. *The Chairman.*] How long is this since?—About two years ago. There are several other cases of a similar nature in which I have been helped by the police, and I have often reported breaches of the Infant Life Protection Act, and the police have taken prompt action; and also where I considered children boarded out were neglected they have always made the fullest inquiry into the matter. The police have also greatly assisted the society in tracing the fathers of illegitimate children. I might say this morning we are prosecuting a man for taking a girl fourteen years of age in a scow, and the police have given us every assistance in tracing the man.

5. You have special opportunities of knowing what action the police have taken in all such cases?—Yes. In regard to the case mentioned yesterday of the woman who was had up three times, I know the Inspector has tried in every way to get the children committed to an industrial school. I reported the case myself. I might say I have special means of knowing the difficulty of getting evidence in these cases. In that case I went to a great deal of trouble to get evidence, but I could not get people to come and give evidence.

JAMES HICKSON, further examined on oath.

6. *Rev. Mr. Isitt.*] Will you tell me first at what hours you are at your office?—I arrive from 8.30 up till but not later than 9 o'clock.

7. And leave?—I leave between 5 and 6 o'clock.

8. Who is in charge after you leave?—Sergeant Clark, who is at present ill, is in charge of the station at all times except while having his meals.

9. Who is in charge during the night?—The watchhouse-keeper and the constable in reserve are there prepared to answer any urgent call that may be made, subject to the control of the sectional sergeant.

10. During the night is the watchhouse-keeper in command?—He must be; there is no one else there.

11. He would be referred to in case of any difficulty?—Yes; but he is visited very often by the sectional sergeant, who is on night duty from a quarter to 9 at night until a quarter to 5 in the morning.

12. *The Chairman.*] At what time does the senior sergeant leave?—Not before 9 o'clock at night. He sees the men off on duty.

13. *Rev. Mr. Isitt.*] What is the position of the watchhouse-keeper with regard to the Force?—He is selected as a smart and intelligent man. At present he is only a third-class constable; a man of short service, being a smart and intelligent man, and writing a nice hand.

14. What length of service?—Three years' service. He joined in March, 1895.

15. Are you ever down at night?—Yes, often. I go down after tea, especially on Saturday nights.

16. Are you ever down late at night?—Sometimes as late as 11 o'clock.

17. What time do the men come off duty in the morning?—Five o'clock.

18. Do you ever see them come off?—No.

19. How long have you been in Auckland?—A little over five years.

20. Have you ever seen them come off duty?—No. It could not be expected. I could not do duty in the day-time if up till such an hour in the morning.

21. What is the length of the night-duty service?—From 9 p.m. to 5 a.m.

22. Has Constable Lanigan been in charge of the night-duty section?—Yes, he has. I have been short of sergeants, especially since Sergeant Clark met with a very serious accident at a fire.

23. Is he a third-class constable?—Yes, he is senior of what I call the junior third-class constables for duty, and therefore he has been put in charge of them.

24. What is his length of service?—He joined on the 24th April, 1896. In explanation, I may say I have had a large augmentation of ten or twelve men to the head station within the last twelve months, and a short time previous I had another augmentation because I had fallen very low in numbers. Secondly, the greater number of the constables in Auckland have only very short service. Most of these constables were appointed here, excepting Lanigan, who came from another district.

25. Will you briefly sketch the duties of the man in charge of the night-duty section?—He has to visit all the places as often as he possibly can, on an average not less than twice in the night, and three and four times in the night to visit each man and see he is attentive to his duties. The whole city is under his supervision. He is supposed to watch the hotels to see if any breach of the law is being committed, and to make a patrol throughout the whole city of what I call the headquarters district, and he has to take notice of any irregularity that may come under his notice. He has also to visit the watchhouse, I think, at least twice in a night and see the prisoners confined therein. When men are in for drunkenness he is supposed to visit them very frequently, as directed by the Police Offences Act.

26. In case of any difficulty would he be the man appealed to at night by the man on the beat?—Oh, certainly.

27. If a difficulty arose in the watchhouse, and he were accessible, would he be appealed to?—Sometimes the sergeant and I are appealed to by telephone.

28. If neither you nor the sergeant were available, would he be appealed to if available?—Yes; and if it was a difficult case he would appeal to the sergeant in charge or me by telephone. I have often been called at night. That is one of the chief reasons I have had telephone communication established between my house and the station.

29. Would it sometimes occur that there was no sergeant in the watchhouse at night?—Yes, very often.

30. And at that time Constable Lanigan would be in charge of the night-duty section?—Yes.

31. Would any of the men on night duty be Constable Lanigan's seniors?—No.

32. *The Chairman.*] Would they all be under two years' service?—Yes. It so happens just now because they are all young men.

33. *Mr. Poynton.*] Is it the custom that the senior man takes charge?—Yes, it is the rule.

34. *Rev. Mr. Isitt.*] Then, it might occur that the watchhouse-keeper, who entered the service on the 4th March, 1895, might have to appeal to Constable Lanigan, who entered the service in April, 1896?—Yes.

35. That is an appeal of the senior to the junior?—No.

36. *Mr. Poynton.*] If a conflict arose between the watchhouse-keeper and Constable Lanigan, what would happen?—He would telephone to the sergeant in charge.

37. How long has he been in charge on night duty?—Since Sergeant Clark's accident. He has only been in charge when it came to his turn.

38. *Rev. Mr. Isitt.*] Before he entered the Force at all had he any duties of any kind that would train him for police-work?—I do not know.

39. You said Auckland was the chief police district in the colony?—Yes, in area and the numerical strength of the police in the district.

40. With regard to the City of Auckland, how does that compare with other police areas?—I think larger than any other city I know of—that is, Christchurch or Dunedin, where I have served; I will not say positively.

41. You have told us that this young constable in his turn has enormous responsibility thrown on his shoulders?—He has.

42. And Auckland is the largest police city area you have in the colony?—I think so.

43. Now, however able this young constable may be, do you think it is to the efficiency of the service that the whole of this area should be in charge of a man of this service?—I think if it could be avoided it should not be so, but I telegraphed to the Commissioner for a sergeant, and he said he could not send me one.

44. Do you think the citizens of Auckland would be satisfied to know what the system of control is?—I think if it is to continue long they would not, but I hope to have Sergeant Clark back again soon.

45. Any grave emergency might arise in a single night, might it not?—It might.

46. Then, have you not in this evidence shown that, whatever the causes may be, the police control of the city is not efficient at times?—Since the unavoidable absence of the sergeant in charge the whole of the city has not been under efficient officers.

47. Do you regard night duty as of less importance than day duty?—No, I regard it of more importance.

48. When the young constable has to take charge at night does he replace the sergeants who have been on day duty?—Yes, they cannot be kept on any one section too long; they change every fortnight.

49. *The Chairman.*] How long does Constable Lanigan take charge of the night duty?—Every fortnight.

50. And after him comes one of the sergeants?—Yes.

51. *Rev. Mr. Isitt.*] Then, it practically amounts to this: that, however unavoidable the cause, for a whole fortnight at a time the city at night is under an inefficient control in the sense I have used?—It is only once it has happened, I think.

52. Can you refer to your books to see whether he has had more than one fortnight's spell?—Yes, I find he has been two fortnights on duty.

53. With regard to the night-beat men, there is no opportunity given them for refreshment?—No.

54. Do you regard it as impossible by which there could be an arrangement by which the men could come in for refreshment?—I am afraid there would be greater cause for complaint if that indulgence was given. Of course, they are at liberty to take a cup of coffee from a stall if they do not leave their beat.

55. Is not eight hours a long stretch for the man at night?—It is, but I do not know that it could be avoided.

56. Do you know if it is avoided in Australia?—I do not know. When I was in Victoria it was the same.

57. You do not know if in any Australian Colony at the present time there is an arrangement by which the men can come in for refreshment, and are relieved from street duty?—I do not.

58. Have you had a third-class constable of two years' experience doing duty as acting-sergeant?—I do not know. It is possible, but it must have been for a very short period.

59. Constable Bezar?—Yes; I remember he was in charge of the night duty for a few occasions.

60. You mean simply discharging the duties spoken of in connection with Lanigan?—Yes.

61. Had he any position of acting-sergeant for the day?—He may have when he came to his

turn to take up the place of one of the sergeants on day duty. Unless there are one or two extra sergeants stationed in Auckland to meet such circumstances, it cannot be avoided [putting a constable in charge occasionally.

62. *The Chairman.*] When it is necessary to put some constable to perform the duties of sergeant do you select that man of seniority?—Yes, the senior constable of the party who are for duty on the occasion.

63. *Rev. Mr. Isitt.*] Can you tell us when he entered the Force, and when he left?—He was appointed on the 11th January, 1896, and he left about six weeks ago.

64. Were there not circumstances connected with his resignation?—Yes.

65. Disgraceful circumstances?—Yes; he sent in his resignation, and it was accepted. My opinion is, if he had not sent in his resignation the day I held the inquiry he would have been dismissed.

66. Was there any trouble between this man and some girl in Wellington?—No, I know of none; nor previous to the day I held the inquiry did I know of any improper conduct on his part.

67. Then, there was something of that kind in Auckland?—I do not know beyond the one I inquired into.

68. Then, there was one into which you inquired?—There was that one. He was not put in charge of a section after that.

69. Can you tell the Commission from your knowledge anything concerning the inquiry made as to the character of this man before he came into the Force?—I know nothing about him.

70. Then, there has been a young constable in the position of acting-sergeant concerning whom you cannot say anything as to the inquiries made before he was admitted to the Force?—I know nothing about him.

71. Do you think it is a safe thing that men of short service should be put in positions of responsibility unless everything is known about their antecedents?—I have to go by the regulations. The men are sent to me for duty, and I have to put them on duty.

72. *The Chairman.*] Do the regulations provide that the senior man of a party is to be put in charge?—Certainly, the senior man is always supposed to have charge of the party.

73. But, in the absence of the sergeant in charge of the night duty, does it follow, as a matter of course, that the senior of the men going out for night duty has to take charge of that party?—Yes.

74. Then, what becomes of his beat?—He is sent in the position of sergeant and no beat is allotted to him. The remedy would be to have more non-commissioned officers.

75. *Rev. Mr. Isitt.*] Do the regulations leave you no latitude as to the choice of constables who shall take a position of that kind?—I am supposed to follow the regulations and send the senior man.

76. Suppose you had a man of nine years' service and one of eight and a half years' service, and, in your opinion, the man of eight and a half years' service was more competent, could you put him in charge?—No. One such case did happen here in Auckland, and the man of longer service appealed against my putting the junior man, who I thought was the more competent man, in charge.

77. *The Chairman.*] Do you consider that, in the absence of the sergeant, there should be a senior constable available, who should be placed in charge of the night-duty men, rather than the senior constable of the party going out?—I dare say it would be better, but it would disturb the arrangements of duty very much to take a man who may have been on day duty half the day and put him in charge of the night duty for eight hours. No doubt that would be considered a hardship by the man sent on night duty.

78. *Mr. Poynton.*] It would also mean that the man who had done duty for a fortnight at night would be called upon to do another fortnight?—Yes, and that has happened.

79. And that would cause discontent?—Yes, the men would murmur.

80. *Rev. Mr. Isitt.*] Do you not think that there should be more latitude given to the Inspectors in this matter—that they should have more discretionary power to choose a man according to his competence for any special services, apart from the number of months he has been in the service?—In that way I do, and that is what I did on one occasion, when the senior man appealed against my judgment.

81. We have had a statement from another Inspector that no inquiries were made by Inspectors as to the character of applicants?—That has been my experience.

82. If you have a long-service man under you, and you want to be satisfied as to his character, it is a very easy process?—Yes.

83. Then, does it not seem to you somewhat dangerous to be in the position that you must put a man of only two years' service into a responsible position without an opportunity for inquiry?—Perhaps it is so. I should not like to put a man of short experience and service in charge of the night duty if I could avoid it, but it is owing to the great number of men who have entered the service recently in Auckland.

84. *The Chairman.*] If you had a reserve force, say, of ten men and a reserve sergeant, would that enable you to act differently in such cases?—Yes, it would, certainly.

85. *Rev. Mr. Isitt.*] Have you had any reason to suppose that any policemen resorted to hotels for suppers?—None. There was one gentleman who made such a statement, but he declined to give me any particulars, or to name his informants, or to name the hotel, or to name the constables; he would give me no detailed information. He is a Justice of the Peace, and he said it was reported to him by a gentleman travelling through Auckland, who had come from the south, and who said he saw two constables go into a hotel one night about 10 o'clock and have supper there. I asked him for the informant's name, and the name of the constable, and the name of the hotel, but he declined to give me any information about it.

86. Do you know if any medical man resident in Auckland ever said anything to you concerning the habit of having such suppers?—I have no recollection of such. If you give me an indication I may possibly recollect it

87. When was Sergeant Kelly removed to Wellington?—It is some three or four years ago; he was removed from Devonport to Wellington.

88. Was he removed to Wanganui, or Wellington?—I think to Wellington.

89. Do you know under what circumstances?—I do not; I merely got an order to send him down a transfer to Wellington, and I sent him.

90. How soon was he back again?—I cannot speak from memory, but he was not very long away; he was transferred back to Auckland.

91. Was he weeks away?—I think so.

92. Are you sure it was not simply a question of days?—I know this: he did not think it worth while to remove his furniture; it was stored here all the time he was away.

93. *Colonel Pitt.*] Do you say he was transferred temporarily?—So far as I know, he was transferred to Wellington.

94. *Rev. Mr. Isitt.*] Have you any papers to show he was not in Wellington more than a day or two?—I could ascertain, by referring to the records in my office.

95. Do you know anything about any influence that brought him back?—None whatever.

96. You have nothing in your own knowledge to lead you to disbelieve he was in Wellington more than forty-eight hours?—I do not know.

97. You heard Dr. Sharman's evidence in respect to Constable O'Brien, and you heard the documents read?—Yes.

98. Did that bring out this fact: That your report as to his suffering from general debility from the 7th to the 17th December was not borne out by these other documents?—I will explain them. When I was informed by Mr. Isitt that that would be one of the points on which he would question me, I sent a memorandum to the district clerk asking him to let me have all records of the time O'Brien was ill. I did not know, when I spoke about the Hagey Institute, at what time the Hagey Institute was established here. A gentleman present informed me it was not in existence at the time I referred to. I gave no wrong return; the district clerk here at present had not been long in this district, and he was not much acquainted with the circumstances of the case; therefore he went back too far. I afterwards learned I read out of a wrong return. During the lunch-hour I went to the office myself, and made myself acquainted from the record of the exact time he was sick. In May, 1895, he was reported for neglect of duty. I sent Sergeant Black, then stationed here, to Helensville to inquire, and to report as to his conduct. Sergeant Black reported unfavourably, that the man had neglected his duty, and I therefore told him to remain in charge until he would be removed; and as soon as arrangements could be made for sending a man capable of performing the duties of Clerk of Court, he was removed. Constable Kelly was sent up in charge of the station there, and Constable O'Brien was ordered down to Auckland so that he might be under the supervision of a sergeant. He was also fined on that occasion. He came to Auckland on the 24th June, 1895, on transfer. In 1897 he applied to me for the usual annual leave of twelve days which is granted to men when they can be spared, and I granted it. I extended it, in compliance with a circular, for two days more. On the 14th July, 1897, he reported himself sick. That was the day after his leave expired, and a medical certificate in support of such was sent in by Dr. Sharman, as follows: "This is to certify that P. C. O'Brien is under my care and unable to follow his employment.—EDWARD W. SHARMAN, Symonds Street.—14/7/97." When that was handed in I remarked that the cause of illness was not stated in it. I gave instructions that the cause of illness should be stated, and on the 20th July another certificate from the same gentleman was received by me as follows: "This is to certify that P. C. O'Brien is still under my care and unable to attend to his duties, and progressing most satisfactorily.—EDWARD W. SHARMAN, Symonds Street.—20/7/97." I may say the first certificate handed in I referred to Sergeant Clark, and his reply is as follows: "I beg to state that I was informed at the Hagey Institute, at 2 p.m. on the 20th July, 1897, that Constable M. O'Brien is getting on all right, and it is thought he could not now be made to drink.—A. CLARK, First-class sergeant.—27/7/1897."

99. *Mr. Poynton.*] It is this certificate you were thinking of when you referred to the Hagey Institute?—It was.

100. You ascertained then he was in the Hagey Institute?—I understood so, but I never saw him there. I knew it before Sergeant Clark's report; in fact, when the constable mentioned to me that during his leave of absence he intended to go to the Hagey Institute, I approved of his intention and recommended him to go there. On the 26th July, Sergeant Clark reported: "I beg to state that Constable M. O'Brien, who was on the sick list, resumed duty at 8.45 a.m. on the 26th July, 1897, and he is now quite well and looks well."

101. *Rev. Mr. Isitt.*] We have it in evidence that Dr. Sharman certified that his man was suffering from severe debility on the 7th December, and that then another doctor—Dr. Lindsay—was with him?—Yes.

102. He was then removed to the hospital suffering from *delirium tremens*?—I heard it the other day.

103. Did you certify in your sick report for the month of December that he was suffering from severe debility from the 1st December, 1896, to the 23rd December, 1896?—Yes.

104. Can you explain how you came not to know more of this man than that?—I was guided by the medical certificate sent in, and I concluded that he was all the time in his own residence. I asked for another certificate after a week or ten days, and I got another one, and I did not inquire where the man was. I took it for granted he was at his own home.

105. Suppose a certificate be received on the 2nd June, stating that a constable is suffering from severe debility, and you assume he is in his own house, how long would you allow that to go on before you made any inquiry?—I would require another certificate in about a week.

106. But in this case it was a period from the 2nd December to the 23rd December, exactly three weeks. Where was the second certificate?—I think it has been handed in.

107. No, I do not think so?—Well, I would have reports from the sergeant from time to time that he was still sick.

108. Would the sergeant visit him in his own house?—He may or may not.

109. Would he be expected to do so?—He ought to do so.

110. I suppose such a thing is known as a constable malingering?—I have never known such a case.

111. Have you ever heard of such a case?—I have heard of others elsewhere, but I have no distinct recollection of any.

112. As commanding officer of a Force of this kind, do you not think it your duty to guard against malingering of this kind?—I would.

113. Then, if a certificate of the 2nd December is allowed to do duty until the 23rd December, when the whole character of the illness is changed, can you say what precaution was taken to prevent malingering?—I cannot, it appears; not in this case.

114. Have you made any searching inquiry to guard against malingering on the part of other officers?—I have not, because I never expect anything of the kind.

115. *The Chairman.*] Had you any reason for dealing with this man exceptionally?—No.

116. *Rev. Mr. Isitt.*] Will you tell us generally what steps you have taken to guard against insufficient certificates in other cases?—I invariably require a medical certificate every week during a constable's illness, and I am supposed to furnish a return every month to the Commissioner similar to the one I handed in, and the return is made out by my clerk, and he is guided by medical certificates as to what he puts in them. My duties are so very numerous that perhaps I do not scrutinize these returns as closely as is expected. It is impossible to do so. I have to depend on my two clerks as to the truth of the returns laid before me for my signature.

117. Do you remember taking exception to the fact that your sergeant did not give you another certificate at the expiration of a week, or fortnight, or three weeks?—I cannot.

118. Was his removal to Napier promotion?—No, I do not think so.

119. What rank was he when in Auckland?—First-class constable. He was made a first-class constable on the 1st February, 1897. He was transferred to Napier on the 5th August, 1897.

120. What is his position now in Napier?—First-class constable, I believe. I never saw him under the influence of drink. I reported him some time before his transfer to Napier, having seen him come out of the publichouse one morning, just a few minutes before I expected him to appear on parade for attendance at the Supreme Court.

121. Have you every reason to believe he is cured of this craving for drink?—I have. I may explain, with the exception I have stated, I had it from the sergeants, who have known him for years, that he was a very good and reliable man. His habit of taking drink was contracted at Helensville, where most of his duties were those of Clerk of the Court.

122. Apart from this weakness, did you consider him a good constable?—I did.

123. When that *fracas* occurred in the watch-house in connection with the South episode, where were you?—I have reason to believe I was in my office, but I cannot say so exactly because I was not present, and knew nothing about the affair until the next morning.

124. Does your office open on to the same corridor?—Yes.

125. Were you near enough to easily hear what was going on?—I am so accustomed to noise below that I am not in the habit of going out and inquiring, because I have done so when drunken persons and violent lunatics have been very noisy.

126. Then, you heard nothing to cause you to interfere?—No.

127. Had you heard the disturbance would you have interfered?—Yes.

128. There was some prosecution in Court in connection with the episode?—Yes; South was prosecuted.

129. Who conducted the prosecution?—When I came to my office the next morning, I came with the intention of going to the Court to conduct the prosecution, but Sergeant Gamble said: "I know more about this than you do, and I request you to allow me to attend the Court and conduct the prosecution." Personally, I knew nothing about it except the meagre facts in the reports submitted to me.

130. With your present knowledge, were there any reasons why Sergeant Gamble should not have conducted that prosecution?—Yes.

131. Then, ought you not to have informed yourself as to the circumstances of the case sufficiently to prevent you allowing Sergeant Gamble to prosecute?—No, I considered I had sufficient from Sergeant Gamble of the facts concerning the case, and I did not suppose for a moment he was telling me an untruth. I had full confidence in Sergeant Gamble.

132. But, as a matter of fact, your confidence in Sergeant Gamble allowed you to permit him to conduct a prosecution that you now think that he should not have been allowed to conduct?—Yes, I had all confidence in his capability to conduct any prosecution.

133. Were you in Auckland, or at the North Shore, when the case was being conducted?—I do not know.

134. Do you know how many business-men have private watchmen?—I know several have, but I do not know.

135. Do they report that to you?—No.

136. Then, you have only a general knowledge that several have watchmen?—There are two in Newton and one or two in Customs Street. I have no information about any others.

137. Do you think it is necessary for private persons to have watchmen?—I suppose not, if we have sufficient police.

138. Have you ever had a complaint made to you by Mr. Johnston, licensee of the Royal Hotel, Thames?—I do not recollect any.

139. Do you remember him being prosecuted for selling after hours?—I have heard of the case and prosecution, but I have had no complaint from him.

140. Have you heard that he was in the habit of supplying the police with cold supper?—No, I never heard of it.

141. Did not a complaint come to you that when he ceased to supply that private supper he was prosecuted?—I never heard of it before. I may say it was not at the instance of the police at all he was prosecuted; it was from information supplied by a barmaid.

142. Do you know who obtained that information?—Sergeant Gillies.

143. Are there many irregularities in your out-stations?—No, not many. When I said the other day there was only one complaint, there was one complaint I had inquired into and reported to the Commissioner on, and it was referred to yesterday, where I spent a week at Kaihu. There is another complaint which I have not inquired into yet.

144. Have you had any complaint from Coromandel, or any report of a constable being ejected from a hotel by a hotelkeeper?—I inquired into a case down there, and both constables were dismissed.

145. That was for drunkenness in the street?—Yes.

146. Have you had any report of the constable being ejected from a hotel by the publican?—No.

147. How many men have you at Coromandel?—Two now. There was only one until these two men were sent down there specially as an augmentation for a short period. The local constable (Donovan) was then transferred some time afterwards to the East Coast.

148. What are their ranks, then, at Coromandel?—One is a first-class constable, and one is a third-class constable.

149. And you have no knowledge of any constable having been ejected from a bedroom?—There was a constable who had to resign owing to some complaint against him, but I do not recollect the charge against him. It was alleged he was in a bedroom of some hotel.

150. Have you a man in charge of a district at the present moment who has been frequently a defendant in small debt cases?—I do not know one in this district.

151. Do you watch such cases appearing in the Police Court?—I do not watch; I have not time to read the papers thoroughly. If I had suspicion of any such case, I would.

152. Should such cases be reported to you, if they existed?—If he was the only one in charge of a station he would be very glad not to report it.

153. Have you any other person from whom you could get this information except the constable?—No.

154. Do you regard it as detrimental to the efficiency of the Force that men should be so placed?—That is why I am at a disadvantage, in not having time to make as many visits to the district as I ought to do.

155. Do you know of the case of a constable in charge of a provincial station against whom there have been three affiliation orders?—No, I have made diligent inquiries through my district since that was alleged in certain papers, and all of the reports are that there is no such thing.

156. *Colonel Pitt.*] If it existed it would not be difficult to find out?—It would not.

157. And you say you have made inquiries and find it is not a fact?—I have.

158. *The Chairman.*] Did you apply to the Clerks of Court?—I did not; I applied to the men in charge of the stations, and they looked up the records, and they said there was no such thing.

159. *Rev. Mr. Isitt.*] Can you give me the date of Constable Rowles's removal from Devonport to Te Aroha?—The end of December, or early in January of this year.

160. Is there any correspondence in the office with regard to his removal?—The man who had been at Te Aroha was senior constable in the district, and he was promoted, and it was not considered necessary that he should be left in charge himself, and he was removed to Devonport as a more important station, and Constable Rowles was sent up in his place.

161. Did Constable Rowles secure a conviction against a publican recently?—I believe he did, immediately before his removal on the complaint, and I think the information had been laid before he knew anything of the intention to remove him.

162. Had the arrangement to remove him been made before he laid the information?—No.

163. Was the arrangement to remove him made after he secured you the conviction?—If it were not it was within a few days. I think I may say positively he had made the complaint before anything was said about his removal.

164. *Colonel Pitt.*] Was it in consequence of having proceeded against that publican that he was removed to Te Aroha?—It had nothing whatever to do with it.

165. *Rev. Mr. Isitt.*] Did you hear Mr. Napier refer yesterday to what he called a substantial rumour, resulting in the removal of a constable from Coromandel?—Yes.

166. Had he reported a publican for selling after hours?—He had.

167. Was any information laid?—It was a complaint laid before the Licensing Committee at the Thames, in which the licensing district of Coromandel is situated. As it happened, the point was raised because the complaint had not been sent through the sergeant of the licensing district (Sergeant Gillies), and so that the whole facts did not come out.

168. Do you know, as a matter of fact, that the publican stood as a parliamentary candidate?—No.

169. Nor that he retired from the contest?—No, I do not.

170. You never heard any condition that he would retire if this constable were removed?—Never.

171. Are you surprised to hear other people heard such a thing?—They may have.

172. Suppose a constable to report verbally to the sergeant a breach of the law, and not to submit an official report to you for three days, would you censure him?—I would not. He is supposed in all such cases to put his report in writing. If he made a verbal report to the sergeant, I would call upon the sergeant to explain why he did not report to me.

173. Did you receive a letter three years ago from Mrs. Fitzgerald, of Panmure?—I have received several from a Mrs. Fitzpatrick.

174. Was there a complaint made that drinking and gambling were carried on at all hours of the night by men from Howick?—As to the details of the complaint, I sent a constable at Otahuhu, in whose district it is, to inquire into the matter.

175. Did you send her a letter out?—I think so ; I am not certain.
176. Is a letter of that kind to be treated departmentally or confidentially?—If they bear a signature I treat them as confidential.
177. Do you know that woman has been prosecuted on account of writing that letter to you?—I do not.
178. Do you think you have taken sufficient steps to guard against her being prosecuted?—I did not know she had been prosecuted. I know she made some complaint about the committal of a relative to the asylum.
179. How many tobacco robberies occurred within three and a half years here?—I cannot tell ; they were very frequent.
180. Were there two hundred and fifty?—I do not think so.
181. Would your report show?—They would be described as thefts, and I have a return showing the number of thefts. At that time I had only one detective here, and a few young plain-clothes constables assisting him.
182. Have you in your memory how many convictions ensued?—No, I have no recollection.
183. Do you know whether you secured more than three convictions out of the whole batch?—There were very few convictions.
184. Would three be a correct estimate?—It may be. The difficulty was that in no case was the tobacco identifiable.
185. Could you submit the reports presented to the Licensing Committee in 1897 and 1898?—I could.
186. Could you submit a record of the arrests for drunkenness from the 1st June, 1896, to 1897, and from 1897 to 1898?—I could, but it would take some time to make out. There is a return for the year ending 30th April, 1898.
187. Do you remember whether you reported to the Licensing Committee and gave good reports of all the hotels in the city?—Yes.
188. That they were frequented by good characters?—Possibly there may be some exceptions, and without some reference to the reports I cannot say.
189. Was any report made by you concerning the Club Hotel, in Ponsonby, especially as to gambling?—I remember no complaint of gambling. I had reason to complain of sale after hours, and a prosecution followed.
190. Were you not asked to make a raid on the Ponsonby Club Hotel somewhat more recently than the last twelve months?—There was a complaint made within the last twelve months of alleged gambling.
191. Was an offer made to you to communicate signals by which people could get in if you had a raid?—No.
192. Are you sure?—I am almost certain no such offer was made to me.
193. If I have it that a specific order was made to you of the signals by which you could gain entrance to this hotel, and that you were asked to make a raid, would you dispute it?—If you have it in writing I suppose I must believe it. I have no recollection of such an offer.
194. Was any raid made on the hotel?—There was not. There was a complaint, and inquiries were made, but there was no raid that I can call to mind.
195. Have you any cause to doubt the question as to whether that brewery license in the King-country was legal or illegal?—It was quite legal.
196. You noticed Constable Stanyers's evidence to the effect that the existence of that license rendered the detection of sly-grog selling more difficult?—I dare say it did.
197. Then you heard the evidence of the Collector of Customs, that when he had noticed that charges of sly-grog selling had been sustained against this man, he took steps to suppress this license?—Yes.
198. Did he appeal to you for information?—I think I had two or three communications on the subject. I furnished him with a return more than once.
199. Do you not think that, you, knowing the convictions that had been obtained against this man, should have asked the Collector of Customs not to issue the license?—I do not know that I did not. He said he took action on what he saw in a newspaper report ; but it does not follow that I did not inform him previously.
200. If you knew of a case of smuggling, or any action in which your duty could be facilitated by communicating with the Customs, would you do it?—Certainly. But I did not consider it within my province to interfere when he held a properly-issued license.
201. You heard the evidence of Mr. Ellis, J.P.?—I did.
202. He spoke of the two big efforts to suppress sly-grog selling?—Yes.
203. Did you notice he said the effort of the two swagsmen was regarded as a joke?—Yes.
204. You know these two men were three weeks in the King-country?—I believe so.
205. You heard the evidence that their coming was expected?—No.
206. You heard it in evidence that the Justice of the Peace on the spot knew, in common with other people, that they were there?—I believe something to that effect was said.
207. Ought not your local constable to have known it was public property they were there?—A Justice of the Peace is very often in a better position to know that, especially if he is in business.
208. To know what is the subject of common talk?—Yes.
209. Would common talk on the railway-platform not be common talk in the district?—It might after a lapse of time.
210. Would it not immediately?—If the constable was there he would have heard it.
211. If the men spent three weeks there, and their coming was known in three hours, was it not a waste of public money to keep them there?—No ; one of them succeeded in getting a conviction, and I was not going to withdraw them until that case was gone into. They could not come away until the Court was held.

212. After hearing the evidence given by the Justice of the Peace, do you think sufficient caution was taken by you to prevent information of these men going to the King-country leaking out?—I took sufficient precaution.

213. Did you hear the detectives' evidence yesterday?—Yes.

214. Were you struck at the little knowledge they knew?—I was not.

215. In your first evidence, so far as your knowledge went, you could not point to an established brothel in Auckland?—I was going to follow that up with more information, but questions were put to me which prevented my giving the explanation I have since given.

216. Was it within your knowledge that there are twenty to twenty-five houses, as stated by previous witnesses, that could be so called?—Yes; and I do not believe it now, that they are brothels within the meaning of the Act. I have no doubt they may consider them brothels, but I do not.

217. You noticed the witnesses had, from the Court, a very distinct definition of what a brothel is?—Yes, and that is what I rely on.

218. You heard Detective Bailey say he knew of no recognised brothel?—I did.

219. You know of some now?—We have a prosecution on for one now.

220. Do you know of any others?—There are houses of immorality, but they do not come within the legal definition of brothels, and that is what I meant when I gave my first answer.

221. Whose duty is it to attend the Police Court?—The police.

222. Is it a detective's duty to report to you?—Yes, to me, and I direct the sergeant to take charge of the case.

223. Do you have a return at intervals as to how many of such houses there are in the city?—Yes.

224. Has any complaint been made to you about immorality in the Western Park?—I have had complaints. I tried to detect the offenders by employing men in plain clothes all night, but I was not successful.

225. Was an information ever laid against a book-maker named Clear?—I do not know. I know one case was withdrawn because a number of witnesses had left the district before summonses could be served.

226. Was that the case against a man named Clear?—I cannot call to mind the name.

227. Was there any unnecessary delay in serving the summonses?—None on my part.

228. With regard to the statements brought before us of child prostitution, were they a revelation to you?—Some of them were.

229. Do you believe them to be true?—I have no reason to doubt them.

230. Ought such facts to have been within your knowledge?—I do not see how it is possible that every fault or sin that occurs in the city should be within my knowledge.

231. But through your subordinates?—Even through my subordinates.

232. Did you hear me asking the detectives specifically about such an evil?—Yes.

233. Did you hear them say they only knew of the existence of two or three of these girls?—Yes.

234. Did you hear the evidence of Mr. Napier and Mr. Alison, and others, largely confirming the evidence of the first witnesses?—No, I did not; they had their suspicions, that was all.

235. Is it not the duty, and are not the detectives paid to keep their eyes open and see what is going on?—Yes.

236. Then, if gentlemen going about their ordinary business can see that which points to the existence of juvenile immorality on a large scale, is it creditable to the detectives not to know it?—I do not think it is at all discreditable.

237. You are a family man, Inspector?—Yes.

238. Daughters of your own?—Yes.

239. Can you over-estimate, if it be true, the awful nature of the evidence given yesterday by those ladies?—I can quite understand it.

240. Can you over-estimate the awful nature of it?—I cannot, so far as it goes.

241. They said the police had done everything in their power to help them, and Mrs. Porter said she recognised the difficulties that you had in regard to insufficient evidence, and that you did everything you could; that was, when complaints were laid by citizens?—And on any other occasion. The police have taken the initiative in many cases.

242. When the police have taken the initiative, have they done their utmost to get evidence?—They have.

243. Did you hear Sister Frances say she was willing to give evidence?—Yes; but she never offered to give me evidence.

244. Would it not suggest itself naturally to any smart man who wanted to secure evidence of this kind that those who were frequenting these places on "fallen" work were the very people to give evidence? If their evidence would not be sufficient to prove these houses to be brothels, could they fail to give evidence enough to justify the removal of these children from there?—In some cases it might not be.

245. If two reputable ladies, knowing clearly what they say, took oath that there were half a dozen prostitutes in a house where a child lived who was sent out for immoral purposes?—They learned so from the child itself, and that would not be admissible in Court.

246. We have evidence of a child who was nine years of age, two years ago, being in one of those houses?—Yes.

247. She is now eleven years of age, and there still, and there is sufficient evidence to render it at least probable she is sent out for immoral purposes, and then, over and above that evidence, we have the sworn statement of two ladies as to the presence of six prostitutes in the house where that child was. Now, if the police take steps to remove that child from these foul surroundings,

is it not a most reasonable thing to go straight to the people and visit the houses on philanthropic purposes for evidence?—I did not know at the time who were going there.

248. *Mr. Tunbridge.*] In regard to the question of a constable acting here as acting-sergeant, you reported to me you were short of sergeants?—Yes.

249. Do you remember my reply?—I do.

250. What was it?—I think, that you had not one to spare, and you could not send me one.

251. Did I not direct you to call in Sergeant Walker from Newton?—Yes; and, if necessary the sergeant from Devonport.

252. Did you do so?—I have done so.

253. If you did that, why was it necessary to put a third-class constable in charge of the night duty?—Because I could not keep them away from their stations without giving cause for grumbling, but I did call them in when the greater necessity arose.

254. *The Chairman.*] If you had instructions from your chief, what did it matter about grumbling?—I considered I had a certain amount of discretionary power given to me. The Supreme Court was sitting, and I had to call one in.

255. *Mr. Tunbridge.*] If you called the sergeants in to perform night duty there was no necessity to put the young constable in charge of the night-duty section?—There would not be any necessity.

256. Your explanation has been that there would have been grumbling on the part of those people in the suburban districts?—Yes, and there has been grumbling.

257. Could not Newton or Devonport better do without a sergeant than the whole City of Auckland?—Yes.

258. You were two sergeants short, and if you brought in the sergeants from Newton and Devonport you would have had your full strength?—Yes.

259. At any rate, if you had adopted my suggestions, which practically amounted to an order, you would have had a sergeant for night duty?—I would, but I would have had no sergeant to attend to the races at Devonport and other sports there.

260. That would be one or two days only?—Yes.

261. So far as you know, I had no knowledge of a young third-class constable being placed in charge here?—No; I did what I thought was the best.

262. Now, with respect to your own duties, you were asked if you ever saw the night duty off parade in the morning, and you said "No"?—That is so.

263. Now, as a matter of fact, is not the duty you are called upon to perform more than you can properly perform?—It is more than double I should be called upon to perform.

264. If there was a Sub-Inspector appointed to look after the town duties, he would be able to see these men parade off duty?—Yes.

265. As regards Constable Bezar's case, the complaint against that man, I believe, was that of a father who alleged that Constable Bezar was the father of his daughter's illegitimate child unborn?—Yes.

266. It was a complaint only, unsupported by any testimony?—Only the testimony of the father and the daughter. I received a letter, and I sent for the constable immediately.

267. Did the constable deny that he was the father of this child?—He did.

268. Did he then tender his resignation?—He did, at once.

269. Did I refuse to accept that resignation until the father had been given an opportunity of taking proceedings before the Court?—You did.

270. So that the father might know where to find the constable?—That is true.

271. Was the father so informed that the constable would be retained in the Force until a certain date to give him that opportunity?—Yes. That was what caused the delay in accepting the resignation of the constable.

272. Did the father take any action against the constable?—None to my knowledge in any Court here.

273. Is he no longer a constable?—No.

274. As regards Constable O'Brien's matter, are you aware that I have already recommended the appointment of police-surgeons?—I am aware of it.

275. Do you think it possible to keep a proper check on men going sick unless police-surgeons paid for by the department are appointed?—I do not think it possible in a large city like this.

276. As regards nightwatchmen in the city, are not these watchmen appointed as much for the detection of fire as for the detection of burglaries?—They are, but not so much in Newton as in other parts. They are for a double purpose.

277. With reference to the case of Johnstone, the licensee at the Thames, in that case, did not the barmaid go to the police-station and make the complaint against Mr. Johnstone?—She did.

278. It was found she was willing to give evidence which would prove illegal trade on the part of her late employer?—Yes.

279. Did the sergeant avail himself of the opportunity?—He did, without any hesitation.

280. And laid an information against this man?—Yes.

281. And called the barmaid as a witness?—Yes.

282. He was convicted?—He was.

283. Has he subsequently left the house?—He has.

284. Are you surprised to hear that a man who has been treated in that way should bring forward charges against the police?—I am not surprised.

285. Now, as regards the constable against whom there is alleged to have been three affiliation orders, did I submit to you a cutting from a local paper here, in which the charge was made, with directions that every inquiry should be made to endeavour to discover the person referred to?—Yes.

286. Have you made inquiry?—I have.

287. Have you failed to discover the man?—Yes.
288. Has the editor of the paper in which this appeared been seen and asked to give the name?
—Yes.
289. And he has declined?—He has. I have seen the report to that effect.
290. Now, with respect to Constable Rowles, do you remember that in last November I called upon you to submit a report as to the formation of sub-districts in your district?—Yes.
291. And also to recommend certain constables for promotion to the rank of sergeant?—Yes.
292. Now, in your recommendation, dated, I think, the 4th December, did you recommend that Devonport should be made a sergeant's station?—I did.
293. Did you recommend that Constable Wild at Te Aroha should be promoted to sergeant?
—Yes.
294. Were your recommendations adopted by me?—They were.
295. Was Constable Wild promoted to be a sergeant?—He was.
296. Was he transferred to the Devonport station?—He was.
297. That being so, was it necessary to transfer Constable Rowles away from that station?
Certainly.
298. And was it in consequence of that arrangement that Constable Rowles was transferred away?—It was.
299. And for no other reason?—Not to my knowledge.
300. Will you tell me the date Constable Rowles was actually ordered for transfer to Te Aroha?
—The 20th December, 1897.
301. What was the date of the complaint against the publichouse at Devonport?—The 26th December.
302. That is, six days after the constable was ordered for transfer?—Yes.
303. What was the date it came to your knowledge?—It was the 27th, the following day.
304. Then, it was seven days after the constable was ordered for transfer to Te Aroha that you first received any information whatever of the prosecution against this publichouse?—That is so.
305. Therefore the constable's transfer from Devonport was no way in consequence of his action against the publichouse?—Not in the least.
306. Now, as regards the constable alleged to have been found in a bedroom in Coromandel, was that constable's name Osmer's?—Yes.
307. Was he dismissed from the Force?—He was, immediately my report got down to Wellington, in consequence of that complaint.
308. Now, with regard to these tobacco robberies, have you any doubt whatever that the persons who committed practically all these robberies were arrested and convicted?—Not all.
309. You were not able to bring the charges against them; but are you not morally certain, although you are not able to prove it, that the same men committed the whole of the robberies?
—I have some such information.
310. After the conviction of these men for the tobacco robberies, did that class of robbery cease?—It did.
311. Now, as regards the men going into the King-country, the Justices had sent in an appeal that some one should be sent up to detect crime?—Yes.
312. They were expecting people to go up?—I presume so.
313. And was it not a fact that their communication to the Justice Department was well known about the district?—It was, and I replied that men would be sent up in a few days.
314. Then, as a natural consequence, it was not at all unreasonable that these gentlemen should be on the lookout for people going up?—Not at all.
315. And if it was public knowledge there, who do you think was likely to give the information away?—I have strong suspicion it leaked out from these people, although not intentionally, but probably carelessly.
316. Now, to whom was the issue of tickets to these men known?—Only to the District Railway Manager. I made the arrangement with the Manager.
317. Would the ticket-clerk know anything about it?—It is possible that he might.
318. Now, is it reasonable to expect that persons holding a good position in a Government department are likely to go and disclose matters to check or frustrate the action of the police?
—I do not think so. I have no reason to suspect it.
319. You would be inclined to trust these people?—I would.
320. When you made this arrangement, had you every confidence in the gentlemen with whom you made this arrangement?—I had.
321. As to whether or not you were wise in what you did is another question: you probably would not do the same thing again?—I would not.
322. Having got that ticket, was there anything on the face of it to distinguish it from a ticket of the ordinary traveller?—Nothing.
323. The guard of the train would not know that ticket?—No; that is why I made the arrangement.
324. With reference to the gambling here in Auckland, you were asked, Were you surprised to find that only one detective had any information to give about betting with minors?—Yes.
325. He was a strange officer in the town, unknown to the betting people?—He was.
326. Would he not have much greater facility for getting information under these circumstances than a man who was well known to these people?—Undoubtedly.
327. With reference to the child-prostitution Mr. Isitt referred to, and dwelt upon the evidence given by Mr. Alison, did you hear Mr. Alison say one word in evidence to prove there was any child-prostitution in this city?—No.
328. Did he not say here that the people he complained about were twenty, and some thirty, and some forty years of age?—Yes.

329. Did you also hear Mrs. Sparks say she believed the police had done all they possibly could in their power to check this?—Yes.

330. Did you also hear her say she was present in the Court when you brought this particular woman before the Magistrate?—Yes.

331. And was perfectly certain you had done all in your power to get these children taken away from that woman?—Yes.

332. As regards immoral houses, you do not wish it to go forth here as your evidence that you are not aware there are immoral houses in this town?—No.

333. You, unfortunately, know there are too many?—Yes.

334. You also know that you are absolutely unable to deal with them owing to a difficulty in the law?—Yes.

335. It is not from want of knowledge that these houses exist, but it is from want of power to deal with them?—That is so.

336. Will you put in a return showing the number of children who have been rescued or taken away from houses of this kind through the action of the police?—I have a return from the 1st January, 1893, to the 16th June, 1898, which gives the total number as eighty-three.

337. Have the police, on their own initiative, been the means of removing sixty-five of these children?—That is so.

338. And the Benevolent Board and other agencies have succeeded in getting the balance of eighteen removed?—Yes.

339. Has not a public body here in Auckland complained of your activity in removing these children?—Yes, the Charitable Aid Board.

340. The complaint was that you were too active?—Yes.

341. You, therefore, find it somewhat difficult to please everybody?—Yes.

342. That has been your experience throughout the whole of your police experience?—Yes.

343. *Mr. Poynton.*] In regard to this particular case, how long is it since you had the mother up?—It must be two and a half years.

344. Did you have her before the Court more than once?—Yes, I have had her three times.

345. Why have you not brought her up since then?—I have caused inquiry to be made on several occasions, and I could not obtain evidence. When I have had her up she brought forward evidence to prove a man was keeping her.

346. You have heard the evidence that there were half a dozen prostitutes in the house?—I have had no knowledge of that.

347. Has not Sister Frances communicated that fact to you?—No.

348. *Colonel Pitt.*] How did you send information to the Justices of the Peace in the King-country when these two men were going up—by letter or by wire?—I wrote a letter. I think it was part of my instructions to inform them that men would be sent up immediately.

349. *Rev. Mr. Isitt.*] With regard to Bezar, was the question one of patronage or immorality?—This man accused the constable of having seduced his daughter.

350. When you inquired into Bezar's case, did it leave a doubt on your mind as to his paternity?—None; I believed the allegations made by her father.

351. *Mr. Poynton.*] Did you communicate that fact to your Commissioner?—I sent forward the evidence.

352. *Rev. Mr. Isitt.*] Does not that case show this: that if you put a young constable of two years' service in a responsible position like that of acting-sergeant you run a great risk unless you know something of his character?—Yes.

353. At the suggestion of the Commissioner, have you not made some imputation on the Justices of the King-country?—I cannot help that. I think they made it themselves when being examined.

354. If I am able to submit the evidence of a constable that the night before the men left Auckland an Auckland publican knew that they were going, would you then believe that the Justices of the Peace gave that information?—Perhaps. The publican ought not to know, because I gave the constables instructions not to give information even to their comrades.

355. When you say that nobody but the Traffic Manager knew of this, would not his staff know, or might not anybody in the Traffic Manager's office know?—I do not know about the internal arrangements there.

356. Now, with regard to the children rescued on the initiative of the police, supposing even eighty-three to be rescued, and three, or six, or ten, to remain unrescued, is it not still the duty of the police to do their utmost to get them?—Certainly.

357. You would not expect ladies like Sister Frances and Adjutant Sparks to help you to suppress a brothel?—I would expect them to give me information to establish a prosecution.

358. Would you expect them to go into the witness-box to give evidence?—I know it would be destructive to their work if I did so.

359. Would that remark of yours apply to them giving evidence to rescue a child?—No.

360. Do you recognise it to be your duty to get that evidence to rescue these children?—Yes.

361. *Mr. Tunbridge.*] I think, since I have had the honour to be Commissioner, I have increased your number of sergeants in the immediate vicinity of Auckland by two?—Yes.

362. Do you usually find a publican in sympathy with sly-grog sellers? Would they go out of their way to frustrate the action of the police in such cases?—No, they would not.

363. It is rather more in their interest to stop sly-grog selling?—It is.

364. Then you would not be rather surprised to hear that a publican had availed himself of an opportunity to inform a sly-grog seller that the police were going to track him?—I would be rather surprised.

THOMAS GRESHAM, examined on oath.

365. *The Chairman.*] What are you?—I am a solicitor, and Coroner for the Waikato District. I have resided at Te Awamutu for the last twenty years, and have had the opportunity of observing matters in respect to the sly-grog selling in the King-country. I have formed a very strong opinion that to suppress sly-grog selling in that district it is absolutely necessary to have a licensed house at Otorohanga and one at Te Kuiti. They are the only two townships in this district. The licensees of such houses would have a direct interest in preventing unlicensed people from selling intoxicating liquors.

366. Do you think that would be more effectual than the police?—I am sure of it.

367. Is not their direct interest as much as his?—That may be, but policemen as a body have no chance up there; it is well known when they come up and how they come up. With the exception of what is known as Sergeant Cullen's raid, the repression and suppression of the thing has been a total failure, and the fact of his having been there did not, I believe, mitigate the evil: that is, it did not cause a suppression of the evil—it is done less openly, but it is still done.

368. Do you suggest that if the requirements of the people should be supplied legitimately they would not have recourse to obtaining illegitimate supplies?—That is my opinion, and I also hold it would be to the interest of the men holding licenses to check the evil. With regard to the constables stationed up there—Constable Stanyer, I have frequently had opportunity of judging of him, both as my officer as Coroner, and also in civil and criminal police work at the Court, and I should like to record that I consider him a most trustworthy and efficient constable.

369. *Mr. Tunbridge.*] Your opinion is, I suppose, that if there were licensed houses it would be unnecessary for the police to stoop to the subterfuge and deceit they are now compelled to stoop to, to check sly-grog selling?—That would be the effect of it. I maintain it is to the interest of the licensee to stop any outside selling of grog, and I think he would do it.

370. And would not people who desire to drink grog prefer to go to a licensed house instead of going to an illicit dealer's?—I have no doubt about it, because they would have a guarantee of what they were drinking.

371. And then there would be no necessity for this deceit and lying in order to check it?—I think that would be a sequence.

372. Do you think that this system of obtaining conviction is derogatory to the police?—I am sorry to see a constable in the position of that constable, and Sergeant Cullen having to call himself an insurance agent.

373. Do you know of any other law that calls for such steps as these?—No.

374. Speaking of your knowledge of Courts, do you not think that in every case where evidence is obtained by such questionable means as these it should be treated with the very utmost suspicion and distrust?—Especially where it is obtained from Natives.

375. Then, as a matter of fact, it is discreditable to everybody concerned in the matter?—It is.

376. *Rev. Mr. Isitt.*] Do you often visit the King-country?—I am liable to be called up on an inquest at any moment.

377. Do you travel much in other parts of the country?—I have, but I do not travel as much as I did. I have not travelled out of the Auckland Province.

378. Do you stay in hotels much?—No.

379. You do not find it necessary to avail yourself of their accommodation?—No.

380. Has much come under your observation concerning illicit sales in hotels?—No.

381. As a matter of general observation, do you believe that the hotels of the colony habitually observe the law with regard to the hours of closing and Sunday sales?—I would not venture an opinion upon it. I do not know the subject sufficiently well.

382. Have you noticed cases coming before the Police Courts?—Yes.

383. Do you observe a very considerable amount of illegality dealt with in the Police Courts?—Yes.

384. Have you also noticed that many Magistrates from the bench have drawn a comparison between the hard swearing in publichouse cases which is not found in any other cases?—Certainly I have; that is a matter of public notoriety. I believe there is hard swearing in such cases.

385. Do you mean perjury when you say hard swearing?—Yes.

386. Then, what is your objection to sly-grog selling?—It is illegal; and not only that, but it introduces a much worse quality of liquor than I think it would be possible to obtain from a licensed house.

387. Have you personal knowledge of that?—Yes. I have been engaged in defending some of these sly-grog sellers, and I have been present at prosecutions at Te Awamutu Court, and I have reason to know the sort of stuff they sell. I have not tasted it, but the Magistrate smelt it, and another person tasted it, and said it was something of a very deleterious nature.

388. You object to the illegal sales by sly-grog sellers?—No, I do not; it is the law that says it shall not be done. The very fact of a breach of the law may put guineas into my pocket.

389. Do you not think that it is as great a crime to sell liquor in Queen Street, Auckland, after 10 o'clock in the evening as to sell liquor in the King-country without a license?—Well, that is a question of ethics. I still come to this point: that by not suppressing the illicit sale of liquor in the King-country, all sorts of rubbish, and worse than rubbish, are sold there. So it comes to this: If I can be sure in the city of getting a good glass of brandy, I do not think it so bad as getting in the broad daylight a glass of liquor that would poison you.

390. I am anxious to know if you put on the same level an illegal sale by a licensee and an illegal sale by a man who has no license—are they not both in the same category?—I do not see that they are. There is a vast difference, in my opinion, insomuch as the quality of the liquor is affected.

391. Has the sly-grog seller entered into a contract with the Government?—Of course he has not.

392. Has the publican entered into a contract with the Government that he will sell at certain hours?—He has only got permission to sell at certain hours.

393. You say the licensee will have a direct interest in stopping sly-grog selling?—Yes.

394. Will he have a direct interest in preventing unlicensed sales by others? Will it be to his financial interest to sell after hours if he can do so?—I suppose if he could sell by day and by night he will have a bigger turnover.

395. *Colonel Pitt.*] Could the police more easily control the conduct of the licensed houses than they could these sly-grog sellers?—They could put their finger on the spot.

396. *Rev. Mr. Isitt.*] You spoke in condemnatory terms of Sergeant Cullen's raid. Had he been instructed to go as a *bonâ fide* insurance agent, would you have had that objection?—Yes, of course.

397. If he had taken a temporary engagement in some other capacity?—Certainly, if the object was merely to act as a policeman.

398. Is it your opinion that crime generally can be detected without subterfuge?—Yes; it should be, and I do not know why it is not.

399. Without any subterfuge or secrecy?—Yes, that is my opinion.

GEORGE MICHAEL LENIHAN, made affirmation.

400. *The Chairman.*] You are Roman Catholic Bishop of Auckland?—Yes.

401. *Colonel Hume.*] How long have you been in Auckland?—Nearly sixteen years.

402. Do your duties take you out much at night?—No, I cannot say they do.

403. On Sunday evenings?—No; on Sunday evenings I am always busy.

404. I suppose during these sixteen years you have known a good many of the Police Force in the Auckland District?—Yes. Fine fellows and good men I always found them.

405. Have they made many complaints that you heard of?—No; until this Commission started I heard very few complaints.

406. Probably, if there had been complaints amongst those who belonged to your religion, they would have come to your ears, either directly or indirectly?—They might; you know we do not busy ourselves unless we are asked in the private affairs of our people; we might hear something of them.

407. Now, do you employ night-watchmen at your church or house?—Not to my knowledge. I live at Ponsonby, and what they do at other places I do not know.

408. Have you ever been in the King-country?—I have been as far as Te Awamutu.

409. Have you been there lately?—Yes, about five weeks ago.

410. Did you see much drunkenness there?—Nothing whatever.

411. Were you there long?—No; three or four days.

412. Did you visit Kihikihi?—Yes, I passed through it.

413. And Te Kuiti and Otorohanga?—No.

414. Then, so far as you know, nothing has ever come under your notice to induce you to think that the police of Auckland are disorganized?—Not at all—not under my notice.

415. *The Chairman.*] Is there anything in your mind that you would like to bring under the notice of the Commission, tending to improve in any way the efficiency, or management, or control of the Police Force?—No. I have heard complaints from people; I have seen in the papers that the Police Force is insufficient, and that we require more men, but beyond that I found the men, many of whom belong to our faith, always ready and always able to do their duty.

416. So far as your observation goes, you have not observed any negligence in the enforcement of the laws of the colony that you wish to bring under our notice?—Not in my case.

417. *Colonel Hume.*] Would your night hours be very much disturbed if you knew that on some nights in the large City of Auckland the whole of the police on duty were left in charge of a young constable?—Personally it would not disturb me very much, because I have so little to lose, and so it would not trouble me one way or the other. I should feel aggrieved if the laws of the country were not observed.

418. It does not follow that the laws of the country are not observed?—It has never troubled me that way. I have never realised that such would be the case, but I certainly think such should not be the case.

419. During the time you have been in New Zealand have you any knowledge that any religious influence has been brought to bear to advance any particular member of the Force?—Personally I have not. I asked Mr. Thompson myself in one case lately—in the case of one man who was the support of his mother and five little ones. I found the party had been appointed before I approached the Minister. He was a man well worthy of his position. That was in respect to an appointment.

420. Have you known any influence with regard to transfer or promotion?—Nothing whatever, by myself or any one else; in fact, I do not know whether we should be listened to.

421. Did you come here voluntarily, or were you summoned?—I was summoned.

ARTHUR HUME, further examined on oath.

422. *Rev. Mr. Isitt.*] I want you to give me the exact date when the two constables were sent as swagmen into the King-country, and the date of Sergeant Cullen's entry into the King-country as an insurance agent?—I cannot answer that question; I cannot tax my memory to that extent. I shall be very glad to lay the papers before the Commission when we return to Wellington.

423. And the date of the deputation which waited on Inspector Hickson, and the date of the deputation which waited on the Hon. Mr. Thompson?—Yes.

424. Is it within your knowledge that, from October, 1896, a very large number of resolutions were carried throughout the colony pressing upon the Minister of Justice the consideration of the condition of things in the King-country?—I certainly am aware of it.

425. Would they be sent to you as Commissioner?—Yes. There were over fifty such resolutions. They were apparently from Wesleyans and Presbyterians, who met after service on Sunday, so far as I could understand, and passed two resolutions. The first resolution was that the liquor-laws should be strictly carried out, and the second was that sly-grog selling in the King-country should be stopped. I think it very remarkable that apparently there was not a single meeting in connection with the Church of England or the Roman Catholic. The resolutions were all from Wesleyans and Presbyterians.

426. That is to say, the resolutions sent happened to come to you from ministers of these denominations?—Yes; and from secretaries of Prohibition Leagues.

427. Would you think it a very surprising thing for publicans to send notice to the sly-grog seller that the detectives were coming?—I do not know; it all depends on the whole circumstances of the case.

428. Would it not depend entirely on the question as to who it was who was sending grog to the country to be sold? Would not that evoke a measure of sympathy with the publican and the wholesale vendor of liquor?—I do not think that follows. The whole thing is problematical.

PATRICK HERBERT, examined on oath.

429. *The Chairman.*] What rank do you hold?—Third-class detective, stationed at the Thames.

430. *Colonel Hume.*] You were stationed in Invercargill last year?—Yes.

431. Did you receive instructions to proceed to the King-country from me?—Yes.

432. Do you know when?—I left Invercargill on the 24th May last year.

433. You were in Wellington one day and then proceeded into the King-country?—Yes; I went through the North Island, ending up in the King-country.

434. You had instructions to go in either by way of Pipiriki or Hunterville?—Yes. I went by Pipiriki. I went to several places alleged to be sly-grog districts.

435. And you remained on and off until Sergeant Cullen finished in the King-country?—Yes.

436. Do you recollect the date when you left?—At the conclusion of the trials at Te Awamutu, in, I think, September, 1897.

437. Then, if anybody told this Commission that a deputation waited on the Minister on the 25th June, and that nothing had been done about the King-country previous to that, they would be misrepresenting matters?—Yes; I had instructions a month before that. I had furnished reports before that date.

438. *Rev. Mr. Isitt.*] When you say that you submitted a report, was that on anything actually accomplished or in connection with evidence taken with a view to proceedings?—I had at the time of my first report secured evidence with reference to a case of sly-grog selling myself, and reported it, and the case was brought before the Court at Wanganui without my being present, because the evidence I sent to Sergeant Cullen was sufficient to get a conviction in my absence. I did not appear, and asked him not to have my name mentioned.

439. When was this conviction obtained?—In June, at Pipiriki.

440. Are we to understand that the bulk of your work was in conjunction with Sergeant Cullen's raid?—Well, I cannot say "Yes" or "No" to the question. I was sent independently of Sergeant Cullen at first.

441. There were some sixty-seven convictions?—Yes, that was in conjunction with Sergeant Cullen. I myself did not try to catch any sly-grog sellers in the King-country. I would have made a fool of myself if I had, because I was as well known there as in Auckland. I did my best to fool them, and lead them off the scent; they followed me about, and they thought when they knew what I was doing that there was nothing else to fear.

442. *Colonel Hume.*] Your instructions specially were to lay no informations?—Yes; if I had seen any case of sly-grog selling I would not have then taken action.

FRANK LAWRY, further examined on oath.

443. *Colonel Hume.*] You are member of the House of Representatives for Parnell?—Yes.

444. How long have you resided in the Auckland District?—About thirty-five years.

445. Do you live in Parnell itself?—No, at Ellerslie.

446. Are you in town much at night?—Yes, very frequently.

447. Are you a Prohibitionist?—No.

448. Do you know the King-country at all?—Yes, very well.

449. Have you been up there recently?—About two months ago.

450. How far did you get?—I went to Te Kuiti.

451. Did you go by railway-line?—Yes.

452. Did you see much sly-grog selling going on?—I saw some.

453. Did you see many Natives intoxicated?—Not one.

454. How long were you in the King-country?—On the last occasion my visit there was a short one; but on many previous occasions I have spent weeks there.

455. Did you see much drunkenness then?—None.

456. Why do you say there is sly-grog selling going on?—Because I have seen it sold.

457. Natives?—I am not quite so sure about Natives. It is no use disputing the fact that sly-grog selling is very prevalent in the King-country.

458. You know the King Natives pretty well?—Very well.

459. Did you not, on some occasion or other, deliver an address to them?—Yes; about two months ago.

460. Where?—At Otorohonga.

461. At night?—Yes.

462. Was it a big gathering?—Yes.

463. Was there much drunkenness in the settlement that night?—None whatever.

464. What time did you let them go away?—About ten o'clock.

465. Was the address about liquor?—In the main it was about the licensing question.

466. You did not point out to them the harm liquor would do to them?—Yes, I did—*re* the quality of the liquor they were getting, at any rate.

467. Was not the idea as to whether they should have one or two licensed houses or not?—No.

468. Anyway you did talk to them about the liquor question. What did you gather from what you could hear from them: would they be in favour of a license or would they prefer the sly-grog selling business?—So far as I understood them, they were absolutely in favour of establishing a license and the regulation of the trade.

469. Did you go there at the request of the Government?—The Government knew nothing whatever about it.

470. Have you ever been at any entertainment held up there by Natives?—Yes.

471. Where?—At Otorohonga and Te Kuiti, and also Whatawhatahoe.

472. Was there any irregularity there?—No, the most perfect decorum.

473. Are you the Mr. Lawry who is editor of the *Sporting Review and Licensed Victuallers' Gazette*?—I have control of the licensed victuallers' page. I write most of the leaders and control that part of the paper.

474. You heard the paragraph read out the other day?—Yes.

475. Was that your opinion that was echoed in that paragraph?—I did not write that leader, but I took no objection to it because I believed it to be simply an expression of opinion and a mere matter of supposition.

476. I suppose you are influenced very much in your writing in documents of that sort by publicans and brewers?—None whatever; I do not believe there was a brewer or licensed victualler in Auckland who knew I had anything to do with the paper until it came out in evidence the other day.

477. Perhaps you will now make the statement you wish to in regard to the King-country?—Well, I will make it very brief. I have been acquainted with the Natives in the King-country for a period extending over the past thirty years. I know nearly every European settler now settled in the King-country, and this question of sly-grog selling and the question of licensing houses have been brought continually, by verbal statements and by documents, before my notice. About the period referred to—namely, two months ago—I was invited by a number of Europeans residing in the King-country, and by some of the most influential chiefs there, to visit Otorohonga and to deliver them an address on the general question of license or no license in the King-country. Without the knowledge of any person, I believe, with the exception of Mrs. Lawry, I accepted the invitation. I went to Otorohonga and, in accordance with the request, I delivered an address which was duly interpreted to a very large gathering of Natives. I told them that it was not part of my purpose to advise them on the question of license or no license. However, I strongly advised them to observe the law as much as possible, although I did not consider it was any crime to break a law which it was almost impossible to observe; but I said to them—and this was the point I endeavoured to bring out at my meeting—that the Natives in the King-country and the Europeans in the King-country were labouring under disabilities such as obtained in no other part of New Zealand. In every other part of New Zealand the Natives and Europeans had the power to declare by vote whether they should have hotels or not. I said, agitate by all means to get the same privileges as the Natives and Europeans possessed in other parts of the colony: that is, the power to decide by vote as to whether you shall or shall not have hotels established in your country. You are well aware that the Natives in the King-country do not possess this power. That meeting, by a unanimous resolution, declared they would struggle to the very utmost to obtain this power. I understood it that expression of opinion was approved of by every Native and every European at the large meeting, and, I believe, Sir, if that recommendation were given effect to the question would be decided for all time.

478. *Rev. Mr. Isitt.*] You are a public man of long experience?—Yes.

479. Have you found in your experience that theory or practice has most effect by the people?—Practice.

480. Did you inform the police you had seen that sly-grog selling?—No; I am not an informer.

481. But you are a legislator?—Yes.

482. Do you regard it as a serious offence for a legislator to observe an offence and not report it?—Not in that case. I look upon it as my duty to legislate and make laws, and for other people to observe them.

483. You are editor of the licensed victuallers' page?—Yes.

484. That page is run specifically in the interests of the liquor-trade?—No; it is run in the interests of fair-play as against rabid Prohibitionists.

485. Still, you will admit it contends for the financial interests of the trade?—It contends for fair-play. It has taken up the question of police. It contends for fair-play on the part of the police. It is run on the lines of fair-play, the suppression of all evil, and the exposition of all virtue.

486. You will admit it contends for fair-play for the liquor-trade?—It is fair-play; it turns on no special hinge.

JOHN BENNETT TUNBRIDGE, further examined on oath.

487. *The Chairman.*] What is it you wish to explain?—Inspector Hickson telegraphed to me while I was engaged on this Commission—I forget where it was I received the telegram—asking me to send him a sergeant to Auckland, as he was very shorthanded owing to an accident to Sergeant Clarke, and the absence of Sergeant Treanor up North in connection with the Native troubles.

I had no sergeant I could send, and having a few months before augmented the district by two sergeants in the immediate vicinity of the City of Auckland, for the express purpose of meeting cases of this kind, I replied to Inspector Hickson directing him to call in either Sergeant Walker of Newton, or Sergeant Wild of Devonport as a temporary measure, pending the return of Sergeant Treanor from the North, where I expected he would only be detained a few days. Until I heard it given in evidence this morning that the night duty had been left in charge of a third-class constable of about two years' service, I had no idea that such a state of affairs had existed. My opinion is that it ought not to have existed, and I cannot help saying that I regret very much that it did exist. That is practically all I wish to say.

488. *Colonel Pitt.*] Are there no sergeants available yet?—At the present time there are three sergeants available in the city connected with the head station, and there is one at Newton and one at Devonport.

489. Was there any reason why your suggestion should not be carried out?—Not the slightest; in fact, it was my wish it should be. I think the city should never be left without a sergeant at night.

490. *The Chairman.*] Do you consider the regulation to which reference has been made justified the Inspector in adopting the course he did adopt in the absence of a sergeant?—Undoubtedly that would be so, provided there was no sergeant available; but I must qualify that by saying that, a sergeant being available, a constable should not have been placed in charge.

491. In the absence of any instructions from you, would he have adopted a right course in putting the whole of the night guard under a young constable?—The regulation that the next in seniority takes charge applies in all cases.

492. Do you think that would apply to such a case as the charge of the night-duty section?—It applied under the circumstances then existing, but these circumstances would not have existed had a sergeant been called in from Newton or Devonport.

493. *Colonel Hume.*] I understood Inspector Hickson to say he thought inspectors should have more power in selecting men for the charge of beats. Do you agree with him?—Yes, I think the inspectors should be given latitude. I think the best man should be taken, whether he has one year or ten years' service, if you want efficiency.

494. Do you know of any order prohibiting the Inspector from bringing in the sergeants from Devonport or Newton with instructions from you?—No, I do not; he could have done that without referring to me at all.

JOHN JOSEPH REYNOLDS, examined on oath.

495. *Colonel Hume.*] What are you?—A farmer and Justice of the Peace at Helensville.

496. You asked me to call you as you wished to give some evidence about Constable O'Brien's conduct in Helensville?—I am a voluntary witness. I knew the constable very well and saw him three or four times a day. I had an office in the centre of the township, and the constable could not go to the telegraph-office or to the railway-station without passing my office. I could not go to my home without passing Constable O'Brien's house and also the Courthouse. As a Justice of the Peace I was brought constantly in contact with him both in Court and out of Court. I found him a good and excellent constable in every respect, as a constable and in the performance of his police duties. As a Clerk of Court I consider he was a wretched failure through incompetency; he was a wretched penman and a worse arithmetician. I think he was put in a wrong position as Clerk of Court. All the local Justices sent a request to the Minister of Justice asking that a civil Clerk of Court should be appointed in his stead. There was an inquiry, I believe, owing to somebody laying a charge of drunkenness against the constable. I gave evidence before the sergeant. I do not know what the result was, but from public opinion and my own observation I do not think that such a charge could be sustained, because all the time I saw and knew Constable O'Brien I could conscientiously swear I never saw him drunk. I consider the dismissal of such a man would be injurious both to the interests of the Police Department and the public. I have not seen the policeman for a long time, and may never see him again.

497. Nobody asked you to come here?—I have had no conversation with anybody until I accosted you this morning and said I wished to give evidence.

SATURDAY, 18TH JUNE, 1898.

THOMAS HARRIS SMITH, examined on oath.

1. *The Chairman.*] What is your rank?—I am a third-class constable, stationed at Auckland.
2. You are aware your mother has made certain complaints to the Commission?—Yes.
3. You are aware of the terms of that complaint?—Yes.
4. She alleges that you have been improperly treated in the Force. Have you any complaint to make?—None whatever. I have been treated as well as any man in the Force can expect to be.

HUBERT FERGUSON, examined on oath.

5. *The Chairman.*] What are you?—Inspector of Factories and in charge of the Labour Department at Auckland. I am well acquainted with all the factories and factory workers in connection with my duties, and I not only see many of them at work, but at other times of the night and day. I am out in connection with my duties on the streets up to 10 o'clock and after many nights. When I see any females congregated about in any part of the town I often make it my duty to see if these girls are factory girls. I have never seen any factory girls with those people whom we suppose are on the streets for immoral purposes. I have seen no immodesty or indecency with any recognised factory girls, and I know many of them personally.

6. Do you see anything in the conduct of known factory hands that leads you to consider they are prostitutes?—Nothing whatever; their conduct appears to be most proper. I feel certain there is no employer in Auckland who would employ in his factory an immoral girl, knowing her to be such.

7. *Mr. Poynton.*] Are the rate of wages sufficient to keep them without them being tempted to lead immoral lives?—I think so, to the best of my knowledge. They are all respectable girls, with respectable homes, and they have enough money to keep them in their homes.

8. How many girls are employed in Auckland, and round about, in factories?—On the 31st March last there were 2,030.

9. What would be about the average rate of wages of girls, say, from sixteen and upwards?—The average rate would be, I should say, 14s. or 15s. per week. They start at 2s. 6d. a week, and work up to £1 5s. Tailoresses earn more by piece-work.

10. *The Chairman.*] And, as a class, they live at home with their parents?—Mostly all live at home. I am satisfied that factory girls, as a class, would not associate with known immoral girls. I know they would refuse to work with any girl who had a light name, and they would tell their employer so. This I believe. I would hesitate in giving a license to a factory-owner, if I thought there were any immoral girls in his employment. So far as the law would allow me, I would not give him a license. I have had no such case, but I think the law would support me if I took that stand.

11. *Colonel Hume.*] I think you have been mostly connected with criminals and people of indifferent character all your life?—Yes, I was about thirty years in the prison service.

12. And you rose to the highest position of chief-warder?—Yes.

13. And you were transferred to the Labour Department on the reduction of the prison warders?—Yes.

14. You have had special opportunity of judging girls of immoral character?—Yes, my observation has been very much that way.

15. Have you been asked to come here?—No. When I saw that report in the newspapers I thought I should come here in justice to the factory girls, whom I considered were unjustly slandered.

WILLIAM THOMAS JENNINGS, examined on oath.

16. *The Chairman.*] You are a member of the Legislative Council?—Yes.

17. What is the matter you have to bring before us?—The matter is in reference to a statement made by one of the witnesses before the Commission. A witness named Sister Francis in giving evidence before this Commission stated, according to the daily paper, that "there were many prostitutes employed in factories during the day." It is in connection with that paragraph alone that I wish to give a short statement before the Commission. I may say that Sister Francis's evidence has caused much anger and annoyance to the parents of the girls employed in the factories of Auckland, many of whom have spoken to me on the subject; and it is at their request that I appear before the Commission this morning. I have been President of the Tailoresses' Union for over six years, and during the whole of that time whenever we have had a lot of business transacted, both in public meetings and at private interviews with the girls from the different factories on various matters in regard to the rate of wages and so forth, I never observed any improper conduct or anything that would lead one to suppose or believe that there was any immoral conduct amongst the girls. In fact, the whole demeanour of the girls was such that showed rectitude of conduct and intelligence. I also know this fact, that the managers of the various factories all exercise the greatest discretion and judgment and circumspection in regard to the employment of the girls. In fact, in some factories references are required before the girls are taken on. I know Sister Francis, having met her occasionally; and I know that she has been doing a great deal of good and a noble work in this city. I do not wish in any way to take exception to or deal with any matters that she may have touched on otherwise. But the statement she has made is so wide and so sweeping ("that there are many girls prostitutes in factories") that a great deal of pain and annoyance has been caused to many respectable and hardworking women; and I have been asked to make representations to the Commission that Sister Francis ought, in justice to nearly seven hundred girls employed in factories, to publish and give facts so that her statement could be brought home, and, if true, steps be taken to alter such an undesirable state of things.

18. *Rev. F. W. Isitt.*] You say you represent the Tailoresses' Union?—Yes.

19. I suppose there are very many factories outside the scope of your influence?—A great many, and a great number of girls; but in regard to the tailoring industry in this place, I never made any distinction between union and non-union.

20. But there are many factory employes other than tailoresses in which you take no personal interest?—Yes.

21. Then when you say seven hundred girls employed in factories, do you mean texture factories?—Yes.

22. Then over and above that number there would be others employed in other factories?—Yes.

23. Then, if there are 2,030 girls employed in factories, might there not be a dozen or so who might get money by other means?—There might.

24. Would you not recognise that the remarks might be applied to a comparatively small proportion out of a large body of people without being a sweeping assertion?—This is a public assertion of Sister Francis's, and in the interests of public morals, and in justice to the fathers and mothers of the girls employed in this city, no such vague and sweeping assertion should be made.

25. Are you aware that the question has been asked as to whether shop girls and factory girls indulge in gambling?—I am not aware of that question. I would not be at all surprised if such was the case, because gambling is becoming a very great evil in this colony; but I do not know if the practice does prevail.

26. You know a great deal about the wages of factory girls?—Yes.

27. Are they in many instances very low?—Owing to representations made here last September, in which we took a case before the Conciliation Board, the wages were increased from 20 to 25 per cent., and an agreement under the Industrial and Conciliation Act was signed by a large number of manufacturers, and the agreement has been kept to. Prior to that case, in some places the wages were low.

28. You would not characterise them as being very low?—To give my own personal view of it, I think they could be improved even now.

29. Are they so low as to render it more creditable to the girls that they live respectable lives?—That is so.

30. Mr. Ferguson, the Inspector of Factories, said the girls lived at home with their parents?—That is so.

31. *The Chairman.*] Mr. Ferguson told us that from his own knowledge of the factory girls here they would not work with known prostitutes?—That is so; the girls are most circumspect in their behaviour. That is my experience in six years.

32. He also says from his knowledge of the employers that they would not knowingly employ an immoral girl?—In fact, I know of such an instance where somebody—perhaps of a shady character—was in a certain factory and the girls distinctly refused to work with her, and owing to representations made by a committee that girl was removed.

MONDAY, 20TH JUNE.

HENRY WILLIAM NORTHCROFT, examined on oath.

1. *The Chairman.*] You are a Stipendiary Magistrate?—Yes, and now stationed at Wanganui and on the West Coast up to Manaia.

2. *Rev. F. W. Isitt.*] Have you been many years a Magistrate?—About twenty-one or twenty-two years, I think.

3. How many years have you been in Auckland City?—I was there about three years and a half, I think.

4. Were you previously in the Provincial District of Auckland?—Yes; in the Waikato and Thames districts.

5. Covering generally what term of years in the Auckland district altogether?—I was in the Provincial District the whole twenty-one or twenty-two years with the exception of occasionally acting as Relieving-Magistrate in Wanganui and other districts.

6. Up till what date?—Last March twelve months, when I was removed to Wanganui.

7. You had good opportunities of judging as to the efficiency of the police in the Auckland district in connection with your magisterial duties?—Yes, I should say so.

7A. Were you satisfied from your standpoint, as to their efficiency?—My opinion is that there was a great want of discipline throughout the Force.

8. Do you say that with regard to the Force outside the Auckland Provincial District or within it?—I should say from my knowledge, so far as I know, the whole Force. Of course, there have been transfers from different parts of the colony to different parts, and I should say there is a great want of what we call discipline. I may say that for many years before I was a Magistrate I was sub-Inspector in the Armed Constabulary, and was first of all lent to the Justice Department to take over the duties of Magistrate in the Waikato District.

9. Have you anything further to say in regard to the want of discipline—can you give any particulars to the Commission?—There was the last case I inquired into here. I do not think you could have a better instance of want of discipline than was afforded by the South case.

10. Any other case, Mr. Northcroft?—There is this throughout the Force: that for some years past which to my mind has undermined the whole value of the Force—political influence and interference.

11. Has any specific instance of this kind come under your notice?—Yes, when I was in the Waikato, during the time of the Stout-Vogel administration, I think it was. There was a constable named Ryan, who was then Clerk of my Court. A general election was then coming on. He got instructions from Commissioner Gudgeon that he was to be transferred to some other place, and he went to one of the candidates (the late Major Jackson), who was then standing, and got him to telegraph to the Government that he thought it would affect the candidate's position if the constable was shifted. It was found out afterwards that this candidate was not supporting the Government, so fresh instructions came for the constable to be shifted. He then went to Mr. Teasdale, the opposing candidate, and Mr. Teasdale telegraphed on his behalf, and the order for this transfer was cancelled. He told me then himself, and showed me the telegram. I told him I knew Major Gudgeon, and that I would report the matter, and I did so, and I presume it was put in the records. At Patea, one of the places in my present district, I had a Clerk of Court there, Constable Carr, and I had occasion to complain about some of the work. He told me he had great political influence in the Force. That is quite recently—within the last year. He has lately been shifted. I have known lots of men come to me when they got orders from their officers, and ask me to use my influence to prevent their being shifted—that is enough to interfere with and destroy the discipline of any Force.

12. Is there any other case you wish to mention?—It is so well known that really you hardly need to mention cases. I have repeatedly known constables to say they would use so-and-so. I know during the last election here one or two constables told me they had been working for a certain individual. Well, that is political influence. I would say years ago, when I was in the Force, the Force was disfranchised, both officers and men; and, to my mind, that should be so now. I would disfranchise the Force and everybody living under their roof. I would go further,

and disfranchise everybody receiving salary or wages from the Government. I may say this, that latterly there has been a marked improvement to my mind in the Force. Since Commissioner Tunbridge has taken charge of the Force there has undoubtedly been greater activity in it. There is another difficulty. Many constables are made Clerks of Courts, and very many of them are totally unfit for the work. They are very good constables, but they have never learnt Court work, and, of course, the work to them is very laborious. And there is this difficulty: If the Magistrate complains they then say they are busy at police work, and if a Police Inspector complains then they say they have been doing Magistrate's work, and therefore the pair of us are helpless—between two stools. I know several Inspectors have told me that. Inspector McGovern, whom I have known for many years, has told me he is in exactly the same position. In many instances it is because they are not fit in the first place for the position they are in. We have some men who are rattling good clerks, like Constable Jones of Te Awamutu, and Constable (now Sergeant) O'Donovan, who are capable of doing both work, but many are not capable: very far from it.

13. Have you known or had reason to believe that there were other outside influences besides political influence brought to bear on the Force?—Of course, that would amount to political influence. It depends then who are the persons who have most political influence in a little sub-district, and, of course, the constable knows he must not offend that particular individual. There is no doubt about that.

14. Plainly, have you known the liquor trade to interfere with constables?—I cannot say I have positively known of a case, but have heard of many. Many members of the Force say that if they interfered with certain publicans they would be shifted. I know there is that impression undoubtedly in the Force. I say there are many first-class men in the Force.

15. Have you known of specific instances in which political influence has secured promotion to men?—I cannot say I have.

16. You have told us you believe this sort of influence has interfered with the discipline, and therefore the efficiency, of the Force. Whatever the cause may have been, had you any grounds of complaint in your own mind as to the efficiency of the police in Auckland while you were here?—Not further than I say as to the want of discipline.

17. While you were here, was there not an epidemic of crime such as burglary and house-breaking?—That was after I was transferred from Auckland.

18. Were you satisfied, so far as you can say, with the efforts of the police to suppress crime while you were here?—There is no doubt the Police Force here is not strong enough for a city like Auckland. I do not know what hours they are on. I have landed from Coromandel and other places repeatedly after 1 o'clock and between 2 o'clock and daylight, and could never, or very rarely, find a constable on the street. I never found them if wanted. There was one instance when the Thames Hotel window-blinds caught fire, and we (other passengers and I) hunted round, but could not find a constable. We found two night watchmen.

19. How long is this since?—That is some five years ago.

20. *Rev. F. W. Isitt.*] Is that a centrally-situated hotel?—At the foot of Queen Street.

21. At what hour of the night was this?—About two o'clock in the morning, landing from a late steamer.

22. Was the question of the suppression of betting and gambling ever specially under your notice?—I think the police when I was here tried to put that down to the best of their ability. At least that was my impression. There were several convictions here, and one or two rather clever cases.

23. You never had cause to complain in that respect?—I think they did their best. As I said before, the Force was very short-handed then.

24. With regard to the suppression of immorality and brothels and prostitutes, were you satisfied with what the police did?—There there is a very great difficulty. I found the police very ready to help me in any way they could.

25. And in regard to juvenile prostitution?—There is, as every one knows, a great deal in this city. My report to the Government was on information chiefly given to me by the police themselves and rescue people. Of course, they (the police) cannot interfere when young girls are simply walking about the streets, as they do to very late and early hours, except to warn them off the street and request them to go home. Before the constable can interfere with one of these young "night strollers" he must see her commit some offence.

26. Did you gather from the police report and the cases that came before you that there were young girls earning their living by prostitution or practising prostitution?—I would say most of the girls I think were over sixteen or seventeen years of age who were in brothels—that is from my knowledge of the cases that came before me.

27. *The Chairman.*] Do you think the police neglected to enforce the laws relating to brothels?—That, of course, it would be impossible for me to say, because most of my information was got from the rescue people and from the police themselves. There was great difficulty in such cases, because if the police turned the women out of a brothel they must get some other house to live in. At present there was no home to which they could be sent, and if they were sent to prison they only sunk lower in the social scale. The gaol was not the proper place for these women.

28. *Mr. Tunbridge.*] The gaol is not a proper place for them?—No.

29. Nor for drunkards?—No, nor for drunkards either.

30. *The Chairman.*] Can you give us any opinion on this point: Did the police neglect to enforce the laws of the colony in respect to these particular matters?—I think a great many brothels were known to exist and that the police did not take action; but then, as I said before, that was because if they did take action they only scattered these unfortunate creatures. The women, if convicted and sent to gaol, on liberation only scattered and lived somewhere else.

31. *Rev. F. W. Isitt.*] Were there cases came under your knowledge short of actual prostitution where the children were living under bad circumstances and where the police could have removed

them under the Industrial Schools Act, but did not?—No, I think wherever the police became aware of children being in brothels, an information was laid and they were removed. I know many instances where I received information from rescue people, and when I informed the police they (the police) took action at once and had the children removed.

32. Had you any opportunity of observing how far the police enforced the licensing laws?—They were not as active in many instances as they should have been sometimes, owing to a want of knowledge of their duty; but it is very difficult for the police with the Licensing Act in its present state to enforce the law strictly.

33. Were breaches of the law winked at?—I cannot say whether they were winked at, because it is very difficult in licensing cases to get evidence. There is so much perjury in all these licensing cases.

34. In regard to Sunday trading, do you think the police are as active as they should be?—I think there is a great deal more Sunday trading than should be allowed, but whether the police can stop it is another question. But, as I say, the police are short-handed right throughout the service. There is no doubt about that, and the publicans and their servants know the members of the Force.

35. Did you make any special notice of houses in which there were two bars when you were Chairman of the Licensing Committee?—Well you see, by the Licensing Act as it stands now, it is not compulsory to have a bar at all. That is a flaw in the Act, and though as Licensing Chairman I have requested people not to have more than one bar, the Committee could not prevent them opening those other places called “private bars,” and that greatly increases the constable’s difficulty.

36. Did you at any Licensing Committee meeting give them any special notice that you would deal with that matter?—Yes; but we could not enforce it if the publicans kept private bars all the same.

37. From whom did you, as Chairman of the Licensing Committee, receive reports in regard to hotels?—From the police.

38. Suppose there were two legal bars in a hotel in the city, could you learn it officially, except from the police?—No; from the police only.

39. Did you have any report as to the existence of more than one legal bar in any hotel in Auckland?—Not more than one bar is allowed.

40. Have you had any knowledge as to the general conduct of the police or any opportunity of observing as to the sobriety and morality of the police and the personal character of the police?—Well, I have seen policemen over and over again in hotels drinking—in uniform.

41. In Auckland?—Yes, in Auckland.

42. In the Provincial District as well as in Auckland City?—I saw a constable on two or three occasions at different times go in and get liquor, which he did not pay for, and I said to the barmaid, “Do you let that constable get liquor without paying for it?” and she said, “Of course; you are obliged to keep them ‘sweet,’ you know.” That constable is still in the Force. But where there are officers who do the same thing you cannot blame the constables. You must have officers beyond reproach before you can get constables beyond reproach.

43. *The Chairman.*] Have you seen such a thing in regard to an officer?—Yes; I have seen him not only drunk on several occasions in a hotel and playing cards for money, but drunk in a coach. I on one occasion told a constable he would have to shift his drunken officer from a hotel at Te Aroha, or I would have him locked up. He was playing cards in a hotel for money with questionable characters.

44. *Rev. F. W. Isitt.*] You say he is still in the Force?—He is still in the Force as a first-class Inspector. I met him once when he was so drunk that he did not know me. I was speaking about a buggy, and he turned and asked the driver of the coach he was on who his friend was.

45. Do you mean that, if a commanding officer himself is drunk, you cannot expect the men to observe the laws in regard to liquor?—Discipline is lax, undoubtedly.

46. If it came within your knowledge that the officer in charge of the beat was a junior of two years’ and two months’ service, would you think the city to be rightly looked after?—There may be instances where a junior is a very efficient officer, and where the older officers may not be as intelligent and as efficient, and then the junior is placed in that position. If you take any Force you will find it is not all the oldest men in it who are the senior officers or non-commissioned officers, or the smartest or most intelligent.

47. The question is: Do you consider that there was sufficient police protection at night, if the night-guard was in the charge of a third-class constable of two years’ experience?—That would entirely depend on the intelligence and smartness of the man.

48. Would it not be somewhat phenomenal if the night-duty section man was a third-class constable of two years’ and two months’ experience, and all the men on the beat were his juniors, that they should all be of sufficient intelligence to take charge of the city at night?—That, I say, would entirely depend on the intelligence of the men. I would not like to say. Many young men may be more intelligent than those much longer in the service. The responsibility rests with the person who put him in charge; he might have been the most fit of any men he had available.

49. Did anything concerning the enforcement or non-enforcement of the law in regard to sly-grog selling come under your notice?—No.

50. As to the morality of subterfuge in regard to the detecting of crime, is it your experience that all crimes can be detected without the police resorting to subterfuge sometimes?—I do not think they would get any conviction unless they did. I consider the detectives must disguise themselves in all manner of forms, or they would never detect the persons they want. You must use subterfuge in all manner of ways to detect crime. I do not hold with lying.

51. Suppose even a clergyman were to dress himself as a chimney-sweep, and sweep a brothel to gain evidence to rescue a child, would you think it a noble or an ignoble act?—To my mind, as a

rule, there are only two courses—right or wrong—and I do not know how far you can do wrong that you may get right.

52. You think that a wrong thing to do?—You might, perhaps, sweep a chimney simply to get a child out of a brothel. I do not think there is any wrong in that.

53. Would you object to subterfuge, short of lying, to save Maoris from the effects of drink?—I do not hold with lying at any time.

54. *Rev. F. W. Isitt.*] Do you know anything of the causes which led to your removal from Auckland?—I have not the least idea. The Government said there was no cause whatever: absolutely none.

55. *Colonel Hume.*] You served some time in the Armed Constabulary Force?—Yes. I was a soldier ever since I was fourteen years of age. I have been in the colony's service for thirty-eight years.

56. And you consider the state of discipline in the Armed Constabulary Force very much better than in the police?—Yes. I am speaking of things coming under my notice.

57. Did the Armed Constabulary get a vote at that time?—They did not; we were not allowed to be approached either politically or in any other way.

58. Would you say there were less offenders in the Armed Constabulary Force in those days in proportion than there are in the Police Force now?—There, of course, you are going into a very different thing. Your fighting man is a man who takes his liquor pretty freely, as you know by your sailors; and men were punished pretty sharply if found drunk. We had *men* then—well, you might say, I suppose, some of the smartest men out of England in our Force, and many of them had to leave simply because they contracted, perhaps, the habit of drinking; but they were splendid fighting men, as the colony knows.

59. Am I to understand there was no political influence in this Force at all?—None that I ever heard of.

60. Even if I produce documents to show that there was?—Well, then, it must have been subsequent to my leaving, or in a different district to what I served in.

61. What were your years?—I was transferred to the Justice Department in 1876, I think it was; it might have been later. I was acting as Resident Magistrate in the Waikato, whilst still a Sub-Inspector in the Armed Constabulary Force. I was clerk to the Justice Department for some years.

62. How were the men appointed? Who appointed them?—They were sometimes raised in batches by officers. No. 6 was raised by Colonel Roberts at the Thames; Nos. 1, 2, 3, and 4 were taken from the old Force.

63. Would you say, in connection with No. 6 company, that Colonel Roberts was not influenced by the member of the district in making any appointment?—I would say that he was not, most positively.

64. During your service with the Armed Constabulary Force did you never see any officers intoxicated on duty?—I have, and I have seen them dismissed for it.

65. Have you ever seen them drunk and not dismissed for it?—No, I have not.

66. Now, do you know of any branch of the public service in New Zealand where there is not political influence?—There is political influence. That is the very reason I say I would disfranchise every person receiving salary and wages from the Government.

67. *Colonel Hume.*] Do you know any branch of public service in the world, apart from America, where there is not political influence?—There is political influence in every branch of Government service in New Zealand. It was rampant right through the public service.

68. Did you ever use political influence yourself?—Never; I was shifted, as I consider, in a most cruel manner, but I never went to a single individual, nor would I do it. I wrote for an explanation and then let the matter drop.

69. You do not make an exception of the Police Force?—No; I would disfranchise every branch of the service.

69A. Now you pointed out the want of discipline, and you quoted the South case as your experience when you were here; can you give us another case that has caused you to come to this conclusion that there was a great want of discipline?—There it came out more forcibly than anywhere else that I have noticed.

70. Do you happen to know another case?—When there was a lunatic in the cells I went down to the police station to visit them, and there seemed to be a general want of what you might call "officer in charge," or somebody you could always refer to positively for anything one wanted to know about the lunatic.

71. Was there not the Inspector?—I did not see the Inspector; he was upstairs.

72. Was there not a watchhouse-keeper?—He might be there at times, but when I went into the watchhouse there was not the sort of thing I would expect to find in the guard-room or any place of that sort.

73. We have been told here that the watchhouse-keeper is a most important person?—Yes.

74. Was he not always there?—I will not say he was always there, but he was there most of the times I went.

75. Now, this Constable Carr, at Patea, told you he had great political influence?—Yes.

76. With your experience, you do not take everything for gospel?—Well, no; but when a constable says anything of that sort there must be something behind him.

77. Do you happen to know whether he was promoted out of his turn, or can you give any particular circumstance beyond the fact that he was shifted from Patea?—He led me to understand that he wanted to go to the Napier District.

78. You said one or two constables at the last election stated they had worked for a certain candidate?—Yes.

79. Did you report that to the Commissioner?—No, that is not my business. I am not an informer.

80. But still you make it your business to do it here?—I was asked a question. I was summoned here.

81. You spoke about constables acting as Clerks of Courts, and you said that when you found fault with them they said they were doing police work, and when the police found fault with them they said they were doing Magistrates' work. Can you give a single instance of this?—I can give you many instances. I can give you an instance of Constable Salmon, at Manaia. His clerical work was not entered up, and he said he was doing police duty. I saw Inspector McGovern, and I asked him about the matter, and he said, "Well, of course, if I want them, then they are doing Clerk of Court work." I could mention many other cases.

82. Was not that difficulty got over by Salmon being shifted somewhere else?—I know he was shifted, but I have known other constables to tell me exactly the same thing.

83. You have to complain more of the work being in arrears than of work not actually done?—I say the men are not capable of doing the work.

84. You do not complain of summonses not being served?—We had a man here named O'Brien, who was Clerk of Court and Bailiff at Helensville, whom I reported over and over again for not serving or returning summonses and warrants.

85. Well, he was removed?—Well, it was six or nine months before I could get anything done one way or another. The man was always in a state of drunkenness.

86. Have you seen him drunk?—I have; and I have seen him in Queen-street, Auckland, so much under the influence of liquor that he did not know what he was doing.

87. Do you know of any single case of a constable or sergeant who has suffered in any way through carrying out the liquor-laws?—Well, of course, I cannot say positively of my own knowledge it is done. I only know what men have told me themselves, or what I have heard from others in the Force. There was a constable named Donovan at Coromandel, and I understood from some members of the Force that he was shifted because he had offended a publican—reported him—and that the publican openly boasted of having had him shifted. I was told by a person who saw the telegram to the publican that the constable was to be shifted.

88. Have you known any other instance in your twenty-two years' service as Magistrate?—I only know what the constables have said themselves. They said if they made themselves too smart they would be shifted, and that constable was shifted as I have said.

89. You do not take everything for gospel in that way?—Well, the opinion is prevalent throughout the Force, and I am certain that constable was shifted from the cause I have stated.

90. You say that through ignorance the police are not so active in regard to the liquor-laws as they might be. Can you give an instance?—I think in many instances they do not know what the liquor-laws are. I have had to speak to constables about allowing drunken men to remain on licensed premises when open, and I do not think they knew that was permitting drunkenness.

91. You cannot give me an individual case?—I have told constables, "You should not allow drunken men to remain on licensed premises," and they have said, "I did not see the man drinking anything." That showed they did not know that this was permitting drunkenness by allowing a drunken man to remain on the premises. I saw a drunken man coming out of a hotel between two others, and the constable did not think it an offence for a drunken man to be on licensed premises when open.

92. Then you do not think it was the duty of the Licensing Committee to go and see any publichouse themselves, I understood you to say?—Not before the Licensing Committee have sat. I think to go and inspect before the case is heard is not advisable. The members of the Committee are not constituted inspectors of hotels under the Act. The police report to the Committee, and the evidence is then on both sides of the question, and then it may be necessary to go and visit the publichouse.

93. Then from what followed you did sometimes go to publichouses?—I have only gone in one or two instances where some suggestions as to alterations were made, and the Committee have visited to see whether they were necessary or not, or whether they would fall in with the views of the Committee in regard to life-saving appliances.

94. I understand you to say you saw a constable in uniform drinking in a bar?—When travelling I stopped at the hotels. I used to stop at Oram's hotel here, and I have seen a constable in there. I live at a hotel now in Wanganui.

95. How long ago was this when the barmaid said she had "to keep him 'sweet' "?—About three or four years. About the time I took over the Auckland Court. When I came up the other day in New Plymouth I saw a constable standing in uniform in a hotel.

96. You did not happen to mention it to the Inspector?—It is no part of my duty. I never go to the Inspectors about their duty; the Inspectors come to my room if they want to see me.

97. *Mr. Tunbridge.*] Will you give me briefly the dates when this man Ryan applied to the two candidates?—I can only tell you it was when he was Clerk of the Court at Te Awamutu.

98. Then the conduct you spoke of occurred at Te Awamutu?—Yes, and Major Gudgeon was then the Commissioner of Police.

99. You say he is still in the service?—He was when I left Auckland. I cannot say now.

100. As regards the Patea case, you said Constable Carr told you that he had very considerable political influence?—Yes.

101. When was that?—Three or four months ago. He told me not on one occasion, but on one or two occasions.

102. In what way did you understand that applied? Was it used to keep him there, or what was it used for?—On the last occasion he told me he had reason to think he should be transferred into the Civil Service as Clerk of Court, and I said, "I do not think you will be able to do it." He replied, "I have very great political influence; I think I shall manage it."

103. *The Chairman.*] Are you aware that his (the constable's) wife is a sister of the Colonial Secretary?—Yes.

104. *Mr. Tumbridge.*] Did you understand from him he was being removed from Patea at his own request?—I understood he wished to go to the Hawke's Bay district.

105. Did he lead you to understand he was being removed at his own request?—From the conversation I should say, yes.

106. Did you understand he had made any application to be removed?—I did not go into the matter with him. I knew, of course, he considered he was suffering under a certain grievance. The County Clerk there at one time had been Clerk of the Licensing Committee. Subsequently Constable O'Brien was Clerk of the Licensing Committee, and the Licensing Court was held at Waverley. I found Waverley very inconvenient because most members of the Committee lived very far from it, and I adjourned the Court to Patea. Constable O'Brien was the Clerk, and he was a very good clerk, and I did not see any difficulty in his going to and from Patea by train. But Carr said he considered he had always been done out of the Clerkship of the Licensing Committee, and he was going out of the district, he was glad to say.

107. You compare the discipline of this Force with the discipline of the Armed Constabulary Force?—I have had a great deal to do with military men and discipline, and think I know what it is.

108. Have you had any idea of police discipline out of this colony?—Nothing whatever.

109. Do you think it is advisable to attempt to maintain military discipline in a Police Force—I should say it was advisable to have discipline, and where there is a non-commissioned officer who is in charge of others—or whoever is senior—the others should be entirely under his orders and control.

110. Is that not so in this Force, so far as it goes?—I would say in many instances, No. You cannot have any better instance than that of the South case. Then a sergeant sat at the table and did nothing, and allowed the constables to act independently of him.

111. Do you think that a good soldier is calculated to make a good policeman?—You know the Police Force better than I do, and I am not going to pit my opinion against yours. You have had the experience of London, and I have not. I would say—and I think in all Forces you must have discipline—that the police must look to their superior officers and to their Commissioner particularly, and not go outside and use outside influence. If they do I say there is a want of discipline in the Force and a want of unity in the Force, and it will become useless.

112. You say that when you landed from the Thames steamer you were scarcely ever able to find a policeman?—Yes, at night, if late.

113. Is it not a fact that every time a ship comes to the wharf a constable goes to the side of it?—I say positively No. I have landed time after time and have never seen any constable there.

114. Does that mean down to the present time?—I have not been there lately.

115. With reference to immorality in the City of Auckland, I believe you had almost a system of your own in dealing with these cases before the Court?—It might be. I did not like to send them to prison if I could save them. Prison only further degrades them and makes them worse.

116. Did you not very frequently allow them to go when brought up by the police, on their promising to leave the town?—Never, that I can remember. Drunkards I have, for prison is no place for a drunkard.

117. Do you remember three prostitutes named Parnell, Meadows, and Creamer being brought before you on one occasion?—Parnell was in a Rescue Home up to the time of my leaving Auckland for Wanganui. That is the only time, I think, she was before me. Meadows, if I remember right, was a girl from the South, and she was to return to the South to her home; the police to report to me if she did not.

118. You will not contradict me if I say that in October, 1896, you had these three, Parnell, Meadows, and Creamer, before you on one charge, and that you allowed these three prostitutes to go on condition they left the town; and that, as a matter of fact, they put that decision at defiance, and were never further dealt with?—I think if you turn up the records you will find that these girls, Parnell and Meadows, were brought before the Court. Parnell was then taken to a Rescue Home at Parnell. She afterwards left the Rescue Home at Parnell, and came to the Salvation Army Home, and was remaining there up to the time I left Auckland. Captain Sparkes came and informed me she was still in the Home, and I think I struck the case out then, just before leaving for Wanganui.

119. As regards houses of ill-fame or brothels, do you know that the city by-law here (subsection 37 of section 38) makes every person found on the premises liable to punishment?—I do not remember it. I suppose it is so if you say so.

120. Do you recognise that that frustrates the action of the police in giving evidence, by the people found in the premises claiming privilege when asked questions?—I admit the police had great difficulties in carrying out that law, and in carrying out the licensing-laws. If the law was like the English Act, so that any person found on the premises during prohibited hours could be brought up, it would be much better, and materially help the police in carrying out the law.

121. Do you advocate the inclusion of that section in the New Zealand Act?—Yes, undoubtedly.

122. Do you know of the existence of any bar—other than those allowed—opening directly on to the street?—There is only one bar. I say there is a deficiency in the licensing-law.

123. You do not blame the police for that?—Oh, no, it makes their duties more difficult.

124. In regard to the First-class Inspector, has it been notorious that this particular Inspector has been in the habit of taking more liquor than is good for him?—I think so.

125. And your knowledge of intemperance only extends to one Inspector?—Yes.

126. With reference to sly-grog selling, do you consider it a good policy to make it compulsory really for the police to have to act the lie, or to tell a lie, to get a conviction?—I do not believe in ying.

127. Is not subterfuge a nicer word for lying?—A man may go as a traveller in mufti. If he goes in uniform he could not expect to get a conviction.

128. If he goes as an insurance agent, and represents himself to be an insurance agent, and goes into a house to get a policy, is that acting a lie, or would you call it subterfuge?—It is a nice point.

129. Do not you think it would be better if the laws were made more in accordance with public feeling on the matter? Do you think it would be possible to govern the drink traffic if a house was licensed better than it is now, and with this sly-grog selling?—Well, of course, I can only answer that by telling you what is within my own knowledge. Years ago, from Napier to Lake Taupo, there were only military canteens, and we found we could not suppress sly-grog selling until we had hotels at Tarawera, Opepe, and Tapuaeharuru. We had the Force under our command, and we could close the hotels. There was an officer stationed at each station, and he could see that the hotels were closed at the time they should be, and we could turn out the liquor if it was not good. The doctor examined it occasionally.

130. Do you think the evil is less under a licensed-house system or under sly-grog?—You see, sly-grog sellers concoct liquors, and they sell the most vile liquors—if they can be called liquors as we understand the name.

131. You consider the evil less under the licensed system than under the sly-grog system?—Undoubtedly. We had the one under control and the other uncontrolled.

132. Have you reason to suppose the same condition of affairs would exist in equal measure if applied to the King-country?—You would not have the strict supervision over each hotel that we had, because there was an officer stationed at each place where an hotel was.

133. But, assuming the hotels were under proper supervision, is there any reason why it should not act in the same way in the King-country as it did in the case you have mentioned?—I think the majority of the Maoris in the King-country are against the liquor. I was stationed on the borders of the King-country, and had a great deal to do with the chiefs, and during the time I was there all the chiefs who had any influence with the people were against liquor going into the King-country, because they said it debauched themselves and their women. That feeling was very strong right throughout the King-country. From my knowledge of some of the most influential chiefs we had in the King-country, I know they were always against it. That would be up to 1887 or 1888.

134. Do you look upon the practice of paying for information, and offering money to get information, as one not to be encouraged more than possible?—Yes, I think it is dangerous.

135. You always look upon such evidence with a good deal of suspicion?—Yes, dangerous and unreliable as a rule.

136. You mentioned an occurrence in New Plymouth as “the other day”: what date was that?—I think last Easter, and about six months ago.

137. *Inspector Hickson.*] Have I had many prosecutions against disorderly houses in Auckland?—I think you had a great many before I came here, and some after I came.

138. *Mr. Poynton.*] Inspector Hickson, in giving evidence here, stated he had a difficulty in getting evidence, because there was a by-law which made the inmates of every house of ill-fame liable to a penalty, and that when witnesses were called upon to give evidence they objected to give evidence because under the English law no man is supposed to incriminate himself, and under that by-law a man incriminated himself, and Inspector Hickson says you uphold that objection?—It never came before me. The only cases against prostitutes before me were taken under the Criminal Code Act and Indictable Offences Summary Jurisdiction Act.

139. *Inspector Hickson.*] Have you ever seen me drunk?—No.

140. Have you ever seen me under the influence of liquor?—No.

141. Did you ever see me in a publichouse after hours?—No.

142. *Rev. Mr. Isitt.*] If a Magistrate releases an offender on condition that he or she left the town, and they did not leave, would it be the duty of the police to report that fact to the Magistrate?—If I allow a person to leave I generally say to the police, “If this person does not leave, bring him or her up,” and the case then generally stands till next day.

143. It would really be the duty of the police to let you know if the person had not gone?—Yes; I always instructed them to do so.

144. You have been asked as to licensing houses in order to do away with the sly-grog evil: Is your general knowledge of publichouses such that they are controlled against illicit sales, by being licensed?—I think liquor is better under control than sly-grog selling, and I think there will be less sly-grog selling if there are licensed houses well under control.

145. Would you say there would not be a large number of illegal sales then under licenses?—I do not think there is any question about that as the law is carried out at present.

146. Had you any reason to suppose what your line of examination would be this morning?—I had not the least idea, or I should have been better prepared. I have not spoken to you on the subject before.

147. *The Chairman.*] In regard to the difference between license and no license, I understand you give as your opinion that under the licensed system there is better liquor sold and there is more control than there is under a system of no license?—That is my opinion from experience.

JAMES MCCREA BRIGHAM, examined on oath.

148. *Colonel Pitt.*] What are you?—I am secretary and treasurer of the Auckland Harbour Board.

149. How long have you resided in Auckland?—Over fifty years.

150. How long have you held your present position?—Over twenty-five years.

151. *Mr. Tunbridge.*] In your capacity as secretary of the Harbour Board have you been brought in contact with the police?—Yes, to a very great extent.

152. On the wharf and about the city?—Yes; on the wharf as secretary of the Harbour Board, and in the city observing matters as I go along.

153. What is your opinion as to the way in which they have performed their duties generally?—The police, so far as the wharf is concerned, have invariably carried out their duties to my entire satisfaction. In no case have I known the police to do other than what was perfectly straightforward and correct.

154. And as regards the city?—My observations in the city are exactly in the same direction. I know no number of men who carry out their duty in a more efficient manner than the police, so far as the wharf is concerned. In Auckland, up to within a few years ago, we had what we called the water-police, and matters upon the wharf, so far as the police were concerned, were administered by the water-police, and with much more satisfaction than they are at present. The water-police who were then on the wharf had an intimate knowledge of the by-laws of the Board, together with shipping matters, and were capable of handling boats. As it is now, I understand a policeman will go on duty on the wharf, and be on duty there for a night or two, and afterwards may not be there for months; therefore he has little or no knowledge of the people frequenting the wharf, and what is absolutely required there. I think it would tend very much to facilitate operations on the wharf if the water-police were reinstated.

155. Do you know how many men were required for this service?—There were three in the service at one time; one was taken away and then another, and ultimately they were abolished altogether.

156. Were they on duty day and night?—I forget how they regulated that. I think one of them took duty at night. The Harbour Board provided the police-house; they so arranged it, anyway, that there was always a policeman about on the wharf. Matters were, in my opinion, very much better regulated than they are now; and one thing I have noticed since the water-police were withdrawn is that cases of drunken men falling over the wharf are much more frequent.

157. *Colonel Pitt.*] Do you know if any report has been made by the Harbour Board to the Police Department on the abolition of the water-police?—No, I think not. I made inquiries about it, but I was told Auckland was different in regard to the water-police than any other city of New Zealand.

158. Has any other matter come under your observation in which the police, either as a body or individually, have failed to carry out their duties in Auckland?—Certainly not. As I have said, my experience of the police has invariably been that they have done their duty, and done it well.

159. What about bad characters being allowed to frequent the wharves: have you any complaint to make in that respect?—No. There have been at times some bad characters who frequent waiting-rooms, but on their being ordered out they cleared away. We had no trouble about it. At the same time the trouble we labour under in connection with the police is that there is not a sufficient number of them. Had we more police matters would be better regulated.

160. Can you give the Commission any evidence as to the sobriety or morality of the police?—I never had any fault to find with the police in that direction.

161. *Colonel Hume.*] I take it if the constables on wharf duty were constantly the same ones you would have no cause for complaint?—No; provided they knew, as the water-police knew, how to handle boats, and that sort of thing.

162. You are aware there were no other police in the colony at the time the Auckland water-police were abolished?—Yes, I am aware of that.

163. You say there are more accidents now than there used to be when the water-police were here?—Yes.

164. Is it not a fact that the wharves are nearly doubled in size now, and the number of inhabitants is very much greater?—It is a fact that the wharves are very much enlarged, but I do not think that accounts for the larger number of accidents. When the water-police were about they would intercept drunken men, and prevent them going on the wharf. Now we have only one policeman there, and drunken men are able to get down; hence the accidents.

165. I take it you do not want the water-police as a separate body if constables with a knowledge of the sea and seafaring matters are kept on duty?—Yes; and more than one constable is kept there.

EDWIN HARROW, examined on oath.

166. *Colonel Pitt.*] What are you?—I am a farmer, living at Lake Takapuna, near Auckland.

167. How long have you been in this district?—Sixteen or seventeen years—the hotel there belongs to me.

168. Have you had frequent opportunities of observing the police?—I have had a good deal to do with them. In regard to the district of Devonport, I think it is an enormous district, and the policemen have to look after a district which extends from Devonport to Waiwera.

169. In that district do you think the police are insufficient in numbers?—Certainly; and they have the most disreputable district of the whole lot—that is, the Wade district.

170. Do you think the matter would be remedied by a constable being stationed at Birkenhead?—I think it would improve matters very much.

JAMES HICKSON, further examined on oath.

171. *Colonel Pitt.*] You wish to make some statement?—I wish to make an addition to what I have already stated. I want to state in a few words the absolute necessity of having an additional officer here—say, a Sub-Inspector to assist me in the performance of my duty. I arrived in Auckland in January, 1893; in the month of March of that year I was ordered to Whakatane owing to some surveyors having been obstructed and assaulted by the Natives. I attended the Court there, and fifteen prisoners were convicted. During the several days I was away correspondence accumulated, and each time I had to fill it up. I have been seven times out of Auckland on similar expeditions, and I have never had a day's rest on my return. I say it is imperative to have a Sub-Inspector.

No matter how unimportant it may have been, I must read the correspondence to see that nothing of importance is omitted. I have had only fourteen days' leave in the colony since I came here, thirty-two and a half years ago.

172. Have you ever applied for your leave?—I did not apply for leave. I was not refused it any time. I felt I could not be dispensed with. I would have applied had I thought there was any likelihood of there being anybody to replace me.

JOHN BENNETT TUNBRIDGE, further examined on oath.

173. *Colonel Pitt.*] What is it you wish to state?—For some time past I have felt it would be advisable to make a change at Patea, Constable Carr having been there, I think, just over seven years. On Sunday, the 22nd ultimo, some papers were placed before me at Wellington which, in my opinion, reflected somewhat on the constable stationed at Waipawa, and who was in charge there. I thereupon decided to transfer that constable to a station where he would have no one under his charge. Constable Williams, at Woodville, had some three months before been in a little trouble with his Inspector, and I thereupon decided to make what I may describe as a triangular change, by transferring Constable Brosnahan from Waipawa to Woodville, and Constable Williams from Woodville to Patea, and Constable Carr from Patea to Waipawa. I made the change accordingly.

174. Was any influence brought to bear on you in any way to make the change?—None whatever, either for or against either of the constables; nor did I consult either of the constables as to whether the change would be agreeable to them or not. It was done entirely on my own initiative, and for the reasons I have stated here.

BERNARD GREENE, examined on oath.

175. *Colonel Pitt.*] In regard to the Dean case, you heard the complaint of Mr. Dean that you used some disrespectful expressions in regard to his wife?—I have no recollection of having used any words that would bear such a construction. I know her to be a highly respectable woman. I might explain it was when the Shop-hours Act came into operation, and as Inspector of Factories I spoke to Mr. Dean, who was going to stop on his premises and sleep there. I told him the best thing he could do was to go home to his family; it was not necessary for him to remain on his premises, as his shop was only a fruit-shop. Just about that time there were spieles and thieves coming out from Auckland, and I might have made some remarks about them.

176. You disclaim having said anything about Mrs. Dean?—Nothing whatever.

177. You heard Mr. Taylor's evidence about men driving on the Mangarere Bridge?—There are some young fellows who hire buggies, and make a round through Otahuhu and Onehunga.

178. Did you notice any of them intoxicated?—They make a greater show than they are. Some time ago Constable Walker and I followed two and arrested them, and charged them, I think, with furious driving. They were brought before the Court and fined £1, I think. It is sometimes difficult to catch up to them. It is only on holidays that the like occurs.

179. Is that the only occasion on which arrests have been made?—There have been arrests for driving on the bridge in an intoxicated condition, and they have been charged with being drunk whilst in charge of a vehicle.

NEW PLYMOUTH.

WEDNESDAY, 22ND JUNE, 1898.

FRANCIS MCGOVERN, examined on oath.

1. *The Chairman.*] When were you appointed Inspector?—I was promoted to Inspector on the 5th May, 1886.

2. And stationed where at that time?—I was at Kawhia.

3. From there where were you sent to?—From there to the Bay of Islands. That was in the year 1887. From there, in 1891, I was transferred to Greymouth, and from there, on the 15th May, 1896, to New Plymouth.

4. Now, what are the boundaries of your police district?—I take in Bulls, Marton, Hunterville, Ohingaiti, Raetihi, and Moawhango; then Mokau and Kawhia. From Kawhia I go to Aotea, about eight miles inland.

5. What stations have you in the district?—I have twenty-two in all, including New Plymouth.

6. And have you more than one constable at any of these stations?—Yes; at Hawera there is a sergeant and one constable; at Stratford there are two constables; at Wanganui there are six constables and a sergeant; there is no sergeant at Stratford, but at New Plymouth there are five constables and one sergeant. At all the other stations there is only one constable, except at Patea, where there are two constables. At Kawhia there is a district constable.

7. Now, do you find that the Force is sufficient for your work in the district, in New Plymouth, Wanganui, Stratford, and Patea?—I think there should be another man in New Plymouth and the same in Wanganui, and also an additional constable at Hawera.

8. With the exception of these places, do you consider the strength of the police is sufficient?—At the present time.

9. Can you tell us of the efficiency of the men at the present time. In this you must tell us what is the condition of the men and of any physical infirmity?—There are none that I consider infirm; they are all good with the exception of one or two. There are a few in the district that I would be very glad to get rid of.

10. As to any physical infirmity?—With those exceptions the others are good men; I have no fault to find whatever with them.

11. Has no complaint been made to you of any misconduct on the part of any of your constables which has not up to the present time been inquired into and dealt with?—You mean recently?

12. Yes—within the last four or five years?—No, no complaint but what has been dealt with.

13. With regard to the general enforcement of the law in your district, do you find your men active and energetic?—I do.

14. Have you any fault to find with any of them in that respect?—No, save with the two exceptions I have mentioned.

15. As to hotels, how many have you in the borough?—Six. Another at the Breakwater, about a mile from here; and another at Bell Block, four miles away.

16. Now, is there much drunkenness here?—No.

17. Will you be good enough to prepare a return showing the number of cases of drunkenness within the last twelve months ending March last, and all cases of Sunday drunkenness—I mean those arrested between 8 o'clock and 12 at night?—I will.

18. Have you any public gambling here?—Not that I am aware of.

19. And the general order of the town with regard to prostitution, what is that?—Very good. I have not had a single complaint.

20. You have heard that the Force places great weight on the question of a pension, and that it has been constantly referred to. What is your own opinion with respect to the question of a pension or retiring-allowance?—My idea is that without a pension there will not be an efficient Force in New Zealand, so that old men may be discharged within a reasonable time.

21. And do you think that the men in the Force would be willing to submit to a reduction of their pay in order to secure the advantage of a pension?—I think so. I would give a large sum myself, and any men I have heard speak about it are quite willing that it should be done.

22. We do not wish to take you through all the questions that we have asked other officers; I dare say you are familiar with them. If you have anything to say on the matters we shall be glad to hear you. At what age do you think men should be compelled to leave the Force?—I think the men should leave at sixty. That would give them a chance of making a little home for themselves.

23. You think, then, at sixty resignations should be compulsory?—I think so.

24. What with respect to pay?—You know the circumstances of this locality: do you consider the present rate of pay is a reasonable and proper rate for the class of men whom it is desirable to attract into the Force?—I consider that 7s. is little enough for any man who joins, more particularly if he has a wife as well, and has to pay house-rent.

25. Do you think that the pay should be raised by length of service?—I do; and that the second and third class should be abolished. I do not think there should be any classes at all. I would say not less than 7s. a day and rising at intervals would be satisfactory.

26. How long do you think they should be in the Force before getting a rise?—I should say six or seven years, but that I have not considered.

27. Rising at intervals of what? What do you consider the maximum rate of pay for a constable should be?—I should say 9s.

28. You have heard that the various witnesses have stated that uniforms should be provided to the police free?—Yes; I consider the police should have a suit of uniform for every year. I think the cloth should be sent to the constable, who could get it made up properly.

29. *Colonel Pitt.*] Have you any suggestions to make as to the alterations of boundaries in your district?—There is one, I think. I think Kawhia should be in the Auckland District. There is no communication between here and Kawhia. Suppose I have to go to Kawhia, I should be obliged to go to Onehunga, and wait for a steamer which goes to Kawhia once a month in winter time. In summer I could ride to Otorohanga. It would be a hundred and fifty or two hundred miles of a journey.

30. How often are you able to visit out-stations in your district?—Once each year, perhaps, with the exception of one place—Kawhia. All the others I have visited, except Mokau.

31. Do you recommend the appointment of Sub-Inspectors in the chief centres?—I would recommend the appointments in the large centres—Auckland, Wellington, Christchurch, and Dunedin.

32. Have you any recommendations to make as to the headquarters of your district? Do you think that New Plymouth is the most convenient for it?—Well, I would say no if it was not for the Parihaka district, and the trouble with the Maoris. But for that I should say it should be Wanganui.

33. Now, is there much larrikinism in this town?—Not a great deal.

34. Have the police much trouble in dealing with it?—Very little. Some complaints have come from the out-districts—at Bell Block.

35. What is the larrikinism there?—Principally as to the disturbance of congregations.

36. Have any proceedings been taken under the Police Offences Act?—Yes; some have been severely punished. I may say I have had no complaints recently.

37. And are there no reputed "tote" shops here?—Not that I am aware of.

38. I suppose you are not troubled much with street betting here?—No.

39. *Rev. Mr. Isitt.*] Have you had any experience with regard to the existence of political influence in the Police Force?—So far as I am concerned I have had none.

40. Has it come to your knowledge that there is a general impression that political influence affects promotion?—No.

41. Or removals?—I can only speak from rumour.

42. Is that rumour substantial? Has it come from men under your command?—No.

43. Is there an impression amongst the men that it is dangerous to interfere with the liquor trade?—No; certainly not.
44. About street betting, have you any trouble in connection with betting with boys?—Yes; some cases from Waitara.
45. Was any information laid?—Yes; and the man was punished. I think he was fined £5 and costs.
46. Was there a case withdrawn on condition that he should return the boy the money he obtained from him?—I do not remember.
47. Would that occur without it being reported to you?—I do not think so.
48. What officers were on duty?—Sergeant Stagpoole and Constable Bleasel. Sergeant Stagpoole reported the matter to me, and I directed a prosecution.
49. Would you say it was a right thing to withdraw the case on the condition that the money should be returned?—No; it should be reported to me.
50. Do you know anything of a man named Coleman?—Yes; that is the man I am referring to.
51. Is he a bookmaker?—I believe he is.
52. Was he punished?—Yes, he was fined £5 on each charge.
53. Has a man named Butterworth been here in your term of office?—Yes. The "Bird" business was not in my time.
54. Have you a constable named Quinn under your jurisdiction?—Yes.
55. Was he disgraced?—Yes, I believe so.
56. Will his records tell that?—Yes.
57. Was he dismissed or disgraced?—I believe he was dismissed and put on again. I am only speaking from memory.
58. Has he since been promoted?—My opinion is that he is now a first-class constable.
59. Have you any knowledge of any of your men drinking in publichouses or a brewery?—Only from hearsay.
60. Not reported to you?—No.
61. *Colonel Pitt.*] How long ago from hearsay?—That would be within the last twelve months.
62. Which is it, drinking in a publichouse or a brewery?—I have heard of a particular constable drinking in both places.
63. *Rev. Mr. Isitt.*] Tell us, then, how you heard of this?—I read it in a newspaper.
64. *The Chairman.*] When you saw it in the paper did you institute an enquiry?—It was only this morning that I saw it.
65. *Rev. Mr. Isitt.*] Then, you did not hear of it prior to that?—Yes; I may say that I heard one of the men went to a brewery; but, so far as drinking in a publichouse, this morning was the only time I heard of it.
66. So far as the brewery is concerned, did you make inquiries?—The persons who said that would not give me any particulars. I could not find out whether there was any truth in it or not.
67. Have you heard of one of your men going to the hotel to ask if the police had been telephoned for—going on the supposition that the police had been telegraphed for?—Yes; some two months ago I was told that.
68. Was it before your time that Duffin was dismissed?—No; he was dismissed in my time.
69. Have you records in the office bearing on his case?—No; they went to Wellington.
70. Was it within your knowledge as to the intemperance of any man under your command—was it within your knowledge that any man under your command had been of intemperate habits for a long time without being dealt with?—Not in my time. When I took charge here Sergeant Duffin was sergeant-in-charge for some months. He was perfectly sober and a good sergeant. I was very well pleased with him until he commenced to drink.
71. You say, Inspector, that no complaints had been lodged with you concerning prostitution?—No.
72. I suppose you mean as to the existence of any brothel? Do you wait until complaints are made before you take action?—Certainly not. If I learned there was anything in it I would take action at once.
73. Are you satisfied with the way in which the licensing-laws have been enforced?—As far as I know; I can speak for New Plymouth.
74. Were you present at Stratford when the license was granted to the Inglewood Hotel?—No.
75. Was no objection urged against the granting of the license, or exception taken by you?—No. The policeman at Stratford is the Inspector of Licensed Houses.
76. Was any objection urged against the granting of an 11 o'clock license?—I do not know.
77. Have you no record?—No; I heard it was granted.
78. Were you aware that an 11 o'clock license was granted without the applicant having applied for it?—I cannot say. The Magistrate could tell you.
79. In the event of an 11 o'clock license being granted to a publican without his having applied for it, would that circumstance be reported to you?—I do not think so. I would not go behind the ruling of the Licensing Bench.
80. Not even if the 11 o'clock license was granted without application?—No; the Licensing Committee has full discretion in such matters.
81. Has a man named Buckthought been granted a license at Rahotu?—Yes.
82. Where did he come from?—Near Hawera.
83. If a character were wanted for that man, where would he go for it to the police?—To Hawera.
84. Do you know if a character was granted to him?—No, there was no character granted to him.

85. Do you not know, as a matter of fact, that it was refused to him?—There was a case pending against this man at Hawera. The matter was sent up to me (the application for a character) from Hawera, and it was referred to the Stipendiary Magistrate. The documents were left before him, and it was held in abeyance until the case would be disposed of at Hawera.

86. As a matter of fact, was this man dealt with by Mr. Northcroft?—He was fined £10 and costs for permitting drunkenness.

87. Did Mr. Northcroft refer to the fact that a death had occurred in consequence of drunkenness?—I believe he did.

88. With that knowledge, did you not protest against a character being given?—I did not. The whole correspondence was laid before the Magistrate, together with Mr. Northcroft's decision.

89. Then, the whole responsibility laid with the Committee?—Yes.

90. Were you present at Wanganui at the Licensing Committee meeting?—No.

91. The Mokau you spoke of is not the Mokau at the terminus of the railway?—No.

92. Have you any report of sly-grog selling being rampant in your Mokau?—Yes.

93. Were constables sent to deal with the matter?—It is only a few days ago I heard of this rumour.

94. Was it within your time that Constables Buchanan and Bleasel were sent?—No.

95. Are not these men well known in the district?—Bleasel would be well known in the district.

96. Are there no Parihaka writs not served?—One for sly-grog selling. There were others for dog-tax.

97. None for other informations—a considerable number remaining unserved?—No.

98. Who would be at Eltham to lay informations against publicans?—Constable Simpson.

99. Were two informations laid there some time ago against two of the houses?—Yes; on the 1st January last. I presume this is what you are referring to, for keeping their houses open after hours on New Year's night.

100. And these were dismissed?—Yes.

101. Have the police power to appeal if a case is dismissed?—It has to be referred to the head of the department.

102. Who would have charge of these cases if an appeal had been thought necessary?—The person prosecuting would have had to report it to me.

103. Did you get his report?—I got a report as to the decision.

104. Did you, under the circumstances of the case, think an appeal desirable?—I know the circumstances of the case—that the cases were dismissed—but not the grounds of dismissal. I cannot remember.

105. *Colonel Hume.*] You were at Greymouth for some years?—Yes.

106. You told us that during the whole of the time you were there you knew of no political influence being used?—I know nothing whatever about it.

107. Well, on that West Coast business, do you remember purchasing a grey horse for use in Greymouth?—Yes.

108. You had it on trial, I suppose?—I did.

109. Do you remember on whose recommendation you got it—there is no veterinary surgeon there?—No; I cannot now say if there was any recommendation. It was a beautiful horse, and I took a great fancy to it. We had it for a fortnight.

110. You rode it yourself?—Yes; I rode it to Greenstone, Maori Gully, &c.

111. You were satisfied with it?—I never put my foot across a nicer horse.

112. You had a shoeing-smith there named Tanner?—Yes. I do not think Tanner was referred to in the purchase of his horse. I would not have any confidence in him.

113. Did I not always impress on you that you were strictly to carry out the liquor-laws?—Yes; the liquor-laws, gambling-laws, and all laws.

114. I suppose when you had the West Coast you had more publichouses under your charge than any other Inspector in the colony?—Yes; there were some twenty-six publichouses in the Borough of Greymouth.

115. You say you never received instructions from me not to carry out the law. Did you ever receive instructions from any one else in authority?—Certainly not. I was never interfered with in any shape or form in carrying out my duty. I would take it as an insult if I was.

116. You had a constable named Bennett under you in Hokitika?—I had.

117. Do you recollect his having to pay for a child?—I do.

118. Do you recollect recommending that he should not be further punished?—I did not hear of the case until after it was disposed of by the Magistrate. I then went to Hokitika to inquire into the case, and interviewed Bennett about it. The sergeant had reported it to me. I made particular inquiries into the matter, and on my return I sent my recommendation forward.

119. What was the nature of your recommendation?—That he had been punished to the extent of £50, or something like that.

120. This man had saved life on one or two occasions?—He was an excellent constable in every way, as far as I knew.

121. Were you influenced in that case in any way or interfered with by anybody in authority?—I am perfectly certain I was not. As far as I remember my recommendation was asking that the man should not be punished. From the inquiries I made I considered it would be a hard case if he was.

122. Now, you said that in order to have an efficient Force there should be pensions?—I did.

123. Are the Commissioners to infer from that that the present Force is inefficient?—Undoubtedly not; I have as good constables as can be found in any Force.

124. As regards this Mokau business, was it within your time that Bleasel and the other man were sent out?—No; I know nothing about it.

125. Do you happen to know the Justices of the Peace near Mokau specially requested that Bleasel should be sent?—I have no knowledge whatever of it.

126. Then, as to this man Coleman that you were asked about just now, do you know where he is?—I think he is in Wellington Gaol on these charges. He was fined £5 on each charge, or two months in default. He cleared out immediately, and we had some trouble in getting him summoned.

127. When you came here first, in New Plymouth, I understand you found things satisfactory?—Fairly so.

128. The sergeant was sober, I think you said?—He was for a few months.

129. Now he had been some time here without anybody over him at all?—Yes; I think from March to May.

130. From Mr. Thomson's death until you arrived?—Yes.

131. I suppose you were surprised when you found he had got into this state?—I was very much surprised. I was pleased with him before that.

132. *The Chairman.*] Were there any special circumstances which led up to that?—When I spoke to him he spoke of family troubles.

133. How long had he been in the Force?—Over thirty years.

134. And he had an absolutely clean sheet?—So far as I know.

135. *Colonel Hume.*] Do you not think the same man had very considerable political influence?—I do not know of it. I never heard him speak of political influence in any shape or form.

136. Do you know anybody in power who is trying hard to keep him in the service?—No.

137. No member of Parliament or anything of that sort?—I cannot say.

138. *Mr. Tunbridge.*] You suggested, Mr. McGovern, that the cloth should be issued to allow the men to get their own uniforms made up?—Quite so.

139. Do you think you would be able to keep a check on the men, so that they would get their clothing made up?—I think so, if the Inspector went round. It would prevent the slop-made suits.

140. If you went round once a year you think you would see that the men had the cloth made up?—Well, it might be a difficulty.

141. With regard to these two charges at Eltham for keeping hotels open on New Year's night, were they referred to me in any way?—No, they were not.

142. *Colonel Pitt.*] Can you give us the return of the men of under two years' service in the Force now under your charge?—Yes.

143. Do you give the men any instructions here as to their duties?—Nothing more than to instruct them to read up the by-laws and that sort of thing.

144. How many beats have you in this town?—Well, I may say there is only one, along the main street.

145. *The Chairman.*] Do you fill that every night?—There is a man on duty in the day and every night.

146. *Colonel Pitt.*] Is the town orderly at night?—Yes, as far as I know.

147. *The Chairman.*] You have only one night beat. What day beats?—There are two men for day duty, one for night duty, and a mounted man who takes his turn of day duty.

148. Is there only one man out during the day?—Yes.

149. And one at night?—Yes.

150. Does the night-man take his full eight hours out?—Yes he is on duty all the time.

151. Is he visited on his beat at any time?—The sergeant sees him occasionally.

152. Does the sergeant visit him at irregular intervals?—Oh, no; we have only one sergeant. It would be impossible for him to be on duty at night time as well as the day.

153. Then, practically there is one constable on duty at night and nobody to look after him?—The sergeant is out at all hours, and I have been out myself.

154. There is no officer out at night to see if he keeps on his beat?—I have gone out myself sometimes.

155. Do you think it would be proper not to make surprise visits?—It has been done occasionally. It could not be kept up every night. The sergeant is on duty from 7 o'clock in the morning until 11 o'clock at night.

156. *Colonel Hume.*] Has constable Quinn been giving you satisfaction since he has been here?—I have no complaints whatever to make about him. He had been stationed at Waitotara, and is now at Manaia.

WILLIAM GREY, examined on oath.

157. *Rev. Mr. Isitt.*] How long have you been in the service?—I was transferred from the Armed Constabulary in 1887.

158. Where have you served?—Wellington, Auckland, and New Plymouth.

159. How long have you been here?—Close on five years.

160. Have you had any experience of political interference being used in regard to transfers or promotions?—I cannot say that I know of such influence except from rumours. I have no knowledge beyond rumour.

161. Have you found there is an impression in the Force that there are such influences at work?—Well, of course men talk, but I have had no experience of such.

162. Did you gather that impression?—Well, it was on my mind at the time.

163. *The Chairman.*] Where did you gather that impression?—Well, in a place like New Plymouth there is not so much talk as at Auckland, where there are a number of men.

164. *Rev. Mr. Isitt.*] Did you get the impression that there were such influences at work?—Well, Mr. Isitt, I can hardly go that far.

165. Did you believe that it was not safe to touch the liquor trade?—I have never heard that. As far as I am personally concerned, I have never hesitated to do my duty.

166. Have you known of any constables being given to intemperate habits?—I have known one to have a drink.

167. I mean of intemperate habits?—I would like Mr. Isitt to define what he means by intemperate habits.

168. *The Chairman.*] Giving way to liquor?—Well, I have not seen it to that extent.

169. *Colonel Pitt.*] Is there any matter you wish to bring before the Commission on your own behalf?—Well, I have had a grievance, and I have spoken to the present Commissioner and to Colonel Hume.

170. What was it?—It was about the long-service pay. I was one of the unfortunates who were transferred to the police from the Armed Constabulary and did not get long-service pay.

171. You mean you joined after the circular was issued abolishing long-service pay?—Yes. This is the only grievance I have.

172. *The Chairman.*] You joined with a full knowledge of the circular. I joined without much knowledge.

173. *Colonel Hume.*] You found the circular had been issued?—Yes, I afterwards found the circular was issued.

174. You have a good few duties to carry out as well as the laws relating to liquor?—Yes.

175. Have you ever found any person in authority to interfere with you?—No, never in any way.

HAL GOODACRE, examined on oath.

176. *Rev. Mr. Isitt.*] Does your business involve your travelling much?—Yes, I am travelling about half my time.

177. Much in the Provincial District of Taranaki?—Yes, a fair amount in the district—all over it.

178. Have you stayed much in hotels in the country?—Yes, I generally stay at the hotels when away from home.

179. Have breaches of the Licensing Act come under your observation?—In what way?

180. Have you seen breaches of the law?—Yes.

181. In what way?—I have seen business done after hours; also I have seen gambling with cards—if you call it gambling, playing for shilling corners.

182. *Mr. Poynton.*—With cards?—Yes.

183. Do you know that that is not illegal?—I was under the impression that it was illegal.

184. *Rev. Mr. Isitt.*] Have you seen Sunday trading?—No, I have not seen Sunday trading.

185. Have you known, of your personal observation, any constables of intemperate habits?—Amongst the constables? Not of my own personal observation. I do not know of it. Any of the constables that I know I cannot say that I have seen them intemperate.

186. *Colonel Hume.*] Where was this selling after hours that you have seen?—Well, I have seen it in a number of houses—I could not give the day or dates—within the last two years.

187. Were the people boarders who were being supplied at the houses?—That I could not say. I would not know of any case in particular.

188. *The Chairman.*] Of course you know that it would not be any breach of the law to supply travellers or boarders?—Well, yes, the houses have been fairly full. I could not say whether they were lodgers or not. I would be a lodger myself. In many instances I should say they were not lodgers.

189. Are you aware that it is quite legitimate to sell at any hour of the night to persons who are travellers or lodgers?—Yes.

190. Well, what are we to understand?—That all that were in the house were getting liquor after the usual closing hours.

191. Well, now, have you yourself ever obtained liquor after hours when you were staying in any house?—No.

192. Are you a Prohibitionist?—Yes.

193. *Rev. Mr. Isitt.*—You could not swear they were not lodgers. Had you any doubt that sales were going on to all and sundry?—Not the slightest doubt; but I could not swear whether or not they were lodgers.

194. Have you seen breaches of the law throughout the colony other than in Taranaki?—Certainly, worse than Taranaki. I believe the law is better carried out in Taranaki than in any other district I have travelled in.

195. It was only a general impression that it was a general trade, but you could not swear to it?—I could not swear to it.

196. Have you seen illegal gambling on these premises?—Well, I cannot swear to that, not patronising the rooms where apparently gambling seemed to be carried on.

197. *The Chairman.*] Do you stay at any time in boarding-houses?—Not as a rule; they are not convenient for commercials. I find the accommodation better in the hotels.

Sergeant MARTIN DUDLEY STAGPOOLE, examined on oath.

198. *Rev. Mr. Isitt.*] How long have you been in the service, sergeant?—About twenty years.

199. Where stationed?—At Wellington, Napier, East Coast—in fact, nearly all round the colony.

200. How long in Taranaki?—A little over twelve months this time.

201. *The Chairman.*] Where were you made sergeant?—At Tologa Bay, on the East Coast.

202. And then?—Christchurch, Sydenham, then Auckland, then Bay of Islands, then Hawera, then Wellington, and here—a little over one year here.

203. *Rev. Mr. Isitt.*] When were you in Hawera?—I left in March, 1896.
204. How long had you been there?—Close on four years.
205. Had you any experience of the exercise of political influence in the force?—No, none at all; that is, not personally.
206. Are you aware that it is or is not an impression in the Force that political influence is a power to be used in getting on?—It has been the impression. It has frequently been spoken of among men, but whether it is or not I could not say.
207. Have you gained the impression that the men have been afraid to touch the liquor trade through it?—No, I never have. It never interfered with me one way or the other.
208. Did you know Sergeant Quinn?—Yes; I took his place in Hawera.
209. Do you know of your own knowledge why he was disrated?—Not from my own knowledge. I heard when I came there that it was for being drunk.
210. When was that?—When I went to Hawera in 1892.
211. Do you know if he was reinstated?—No.
212. Was he disrated or dismissed from the Force?—I understood he was dismissed first and reinstated as a third-class constable.
213. When would that be?—In 1892.
214. Do you know that he was immediately reinstated, or after an interval?—No. If I remember rightly there was no interval at all.
215. You mean practically that the dismissal did not take effect?—That would be it.
216. Do you know by what stages he was promoted?—Well, I think about six months after that he was promoted to second-class constable.
217. Do you know how soon after that he was promoted to the first class?—Some months after—five or six, I should say—he was promoted and sent to Waitotara.
218. Do you know of any influence leading to the promotion or removal of constables?—I do not.
219. *Mr. Tunbridge.*] You were stationed in Sydenham?—Yes, I was there two years.
220. What was the date?—I left there in May, 1890.
221. What constables were serving there under you?—When I first went there there was a constable named O'Conner.
222. What became of that man?—He was fined for some offence, and went up to Christchurch.
223. Did you report him?—Yes; he was fined.
224. Who came afterwards?—Constable Bennett came there, and was there when I left.
225. Did you know the Sydenham Hotel?—Yes.
226. Did you ever go there to find a constable?—Never.
227. You never went there to find a constable when you required him for some duty?—Never, positively.
228. Did you know he was in there playing cards?—Never.
229. Has Bennett left the Force?—Yes. I think O'Conner was afterwards transferred to Hokitika and discharged.
230. And is it not true that you went to that hotel and found the man playing cards, and that he said he would come when he had finished his game of cards?—It is absolutely untrue.
231. *Colonel Hume.*] From what I know of you, you are a man who can command a certain amount of political influence?—I cannot say I can. I have a good many friends, but I do not know that I could say that.
232. Have they ever used influence on your behalf?—No. As far as I know, no influence was ever used on my behalf.
233. *The Chairman.*] You say you reported O'Conner?—Yes.
234. Was it for being at the hotel?—No. If I remember rightly it was for insubordination to me.
235. You are sure that it was nothing to do with hotels?—Perfectly.
236. *Rev. Mr. Isitt.*] Was Buckthought under your jurisdiction at Hawera?—Buckthought was a butcher when I was at Hawera. I knew him to be a very decent man when a butcher.
237. *The Chairman.*] Has the pension scheme been discussed amongst the men in your district?—Freely.
238. Do you know whether they have discussed the question of reduction—whether they would be willing to contribute by a reduction on their pay?—I feel quite sure they would.
239. Are there many constables who hold offices outside their police duties?—Yes. Nearly all hold offices, except at Hawera.
240. Is there any other matter that you wish to bring before the notice of the Commissioner?—No, I do not think so. Most of the constables have read the proposals of the Commissioner, and one and all seem to be satisfied with them.
241. Have you followed the evidence that has been given throughout the colony by the newspapers?—Yes.
242. Has anything come to your knowledge that you wish to say anything about to the Commissioners?—No, I do not think so.

Constable MICHAEL ROCHE, examined on oath.

243. *Rev. Mr. Isitt.*] How many years have you been in the service?—For twenty-seven years in the Armed Constabulary and police; about twenty-one years in the police proper.
244. Where have you served in the police?—I have served at Normanby for a couple of years, and for the rest of the time between here and Stratford.
245. There is no political influence in Taranaki in police matters?—No.
246. No disinclination to interfere with publicans?—Not that I know of.
247. Were you here during Butterworth's case?—I was here then.

248. Had you anything to do with it?—Nothing.

249. Did any one complain to you?—No. I remember the circumstances, but he did not complain to me.

250. Did you know it was an illegal game?—Well, it was played a good many years at that time.

251. Did you know it was a game of chance?—Yes, it is a game of chance. It is not played now. Nicol played the same game previously.

252. Did you know the late sergeant to be a man of drinking habits while you were here?—Yes.

Sergeant MARTIN DUDLEY STAGPOOLE, recalled.

253. *Rev. Mr. Isitt.*] Were you on duty at Waitara Regatta last February?—I was.

254. On the 28th February, I think, it was?—That is the date.

255. Did you see a man, named Coleman, bet with minors?—Well, I did not see him bet. It was reported to me afterwards. I took proceedings against him. I arrived there rather late; but on the information I received two informations were laid.

256. Did you know of any other case?—I did not.

257. *The Chairman.*] You laid two informations for betting with minors?—Yes; and he was fined £5 on each charge.

Constable MICHAEL ROCHE, recalled.

258. *Rev. Mr. Isitt.*] Have you ever known a sergeant of police to be of intemperate habits?—I have.

259. Can you give his name?—Sergeant Duffin.

260. *The Chairman.*] Did that come to the knowledge of his superior in any way?—I am not aware.

261. He was in charge here for some time?—Yes.

262. And during that time he was under the influence of drink?—Yes.

263. *Rev. Mr. Isitt.*] Did you know it was a matter of talk for years?—Not for years, for a short time.

264. *The Chairman.*] Was it for a short time prior to his dismissal?—Yes, sir.

265. Can you say, of your own knowledge, that he was of intemperate habits prior to that outbreak?—I have never seen him drinking until that time. He was in charge here for some time.

CHARLES AHIER, examined on oath.

266. *Rev. Mr. Isitt.*] Have you been acquainted with ex-Sergeant Duffin for many years?—Four years and a half.

267. Have you very friendly feelings towards him?—I have. I entertain a very high opinion of the man.

268. Would you say that the department winked at any weakness of his, as far as you know?—I do not know that I would have a right to say that, but I think the department did not act fairly to the man in letting him have charge of the district, considering his age and considering that he had been here so many years.

269. *The Chairman.*] How long had he been here?—I do not know, only by repute. I understood he had been sergeant in the district for something like thirty years, and I think it was unfair under the circumstances for the department to leave him in charge of this very large district. I do not think that a better man than Sergeant Duffin was ever in the Force, with the exception of his occasional intemperance. I come here a stranger, with no prejudice either way.

270. Do you know that that occasional weakness extended over the whole time you knew him?—Well, I have seen him occasionally, the same as other men, taking a drink. I do not know that it ever interfered with his duties; but I know that at the local option poll Sergeant Duffin did his very best to see that the prohibition people had fair play; in fact, I think he was exceedingly considerate to ladies who were engaged in the matter. I am satisfied that in spite of his intemperate habits he always tried to do his duty as far as we were concerned. But I blame the department for having left a man of his age, and a man who had been so long in the district, in charge of such an important station as this.

271. *Rev. Mr. Isitt.*] Well, Mr. Ahier, with all the kind things you have said of him, do you not admit that he was of intemperate habits all the four years?—Well, I admit I have seen him occasionally under the influence of liquor.

272. *The Chairman.*] During the whole four years?—Well, I did not know him intimately until the latter two years. For that time I have occasionally seen him intemperate.

273. *Rev. Mr. Isitt.*] Did you see him occasionally intemperate during the first two years?—I do not remember. I know that during the latter two years he was occasionally the worse for liquor.

274. *Colonel Hume.*] You blame the department for putting him in charge?—Yes.

275. Do you know the circumstances that led to the department putting him in charge?—I think it was on the occasion of the death of his Inspector.

276. Do you not blame the department for that, do you?—If the department would shift the officers a little more I believe we should have a better condition of things. I only speak as a member of the community.

277. But you would not blame the department for putting a senior sergeant in charge of a district as a temporary arrangement?—I think if the sergeants were shifted every five years they would be more of a credit to the Force.

278. *Mr. Tunbridge.*] Do you know how long he was in charge?—I have heard thirty years; but I could not say how long he was here.

279. Yes, but during part of that time the late Mr. Thomson was in charge?—Yes, when I arrived.

280. But do you know how long Sergeant Duffin was in charge of this place?—I know it was for a few months.

281. Between the death of the late Inspector Thomson and the arrival of Mr. McGovern?—Yes.

282. You say, when you first came here Sergeant Duffin was not intemperate?—Well, I did not know him. I was here four and a half years, but my business takes me out of the place a considerable part of the week.

283. How long were you here before you discovered he was intemperate—one year?—Possibly.

284. May it have been two years?—The first occasion I can remember may have been two years and a half ago.

285. The man has been out of the service a year and a half, has he not?—I could not tell.

286. Your knowledge of his intemperance is to the extent of over one year—during the time he was in the Force?—I read him many lectures during the year.

287. *Colonel Pitt.*] Do you not think it was a more improper thing on the death of the Inspector to leave the sergeant, who was in charge and well acquainted with the district, than to place some stranger in charge?—Well, I do not pretend to be a police administrator. I think the police should be often changed, and that they should not be left in one locality for a number of years.

288. Did you not pretend to be a police authority by saying that the department should not have put him in charge? I ask you, was it not better to put him in charge, as he knew the district well, than to put one here who was a stranger?—I am not alluding to that particular time; but from the fact that the sergeant was the late sergeant here it would have been better.

289. *Rev. Mr. Isitt.*] You are also a Justice of the Peace, are you not?—Yes, Sir.

290. *Ex-Sergeant Duffin.*] When you arrived here did you not make a complaint to me about larrikins annoying your nieces?—Yes, and you behaved remarkably well.

291. You said you knew me since I was here. Now, did you ever see me under the influence of drink?—In the street?

292. Have you ever seen me in such a condition anywhere?—Only once or twice.

293. Where was it?—Once near our yard. When I say you were intemperate I wish it to be distinctly understood that you were not in the habit of getting drunk.

294. You wish the Commissioners to understand that I was in the habit of taking a drink the same as other men?—Yes.

295. But you have seen me under the influence of drink?—Only once or twice.

296. How long since?—That would be within the last two years and a half.

297. Did you say you saw me staggering drunk?—No, I did not say anything of the sort.

298. How did you know I was under the influence of drink? Did you have a conversation with me?—No, I did not.

299. Did you ever hear of anything wrong while I was in charge?—I have said, and will say again, that there was not a man I have had a higher opinion of than you. Whenever I appealed to you the result was highly satisfactory. I was very much surprised when I got the summons to appear here to give evidence.

JOHN DUFFIN, Ex-Sergeant of Police, examined on oath.

300. *Rev. Mr. Isitt.*] Did you know this man Butterworth who has been referred to?—Yes; I have known him for the last thirty-two years.

301. You were familiar with the circumstances under which he was prosecuted?—Yes.

302. Was an information laid against him before?—Yes; I think there were a couple of informations.

303. How long before?—I could not say now from memory.

304. I think an information was laid: Did it result in a conviction?—Yes.

305. Was a question raised about the game—about its illegality?—I could not say of my own knowledge.

306. After that he continued to play the same game?—I believe he did. It was considered by the Inspector that it was harmless, and kept the young fellows amused, and also kept spiellers off the course.

FRANCIS MCGOVERN, recalled.

307. I now produce the report of the matter relating to the publichouse cases from Constable Simpson, of Eltham, relating to breaches of the Licensing Act in the cases against two hotelkeepers, Hooper and Cullen, where the informations were dismissed. The cases were taken before the Stipendiary Magistrate. The reports show that it occurred on New Year's night, and there was no disorder.

WANGANUI.

FRIDAY, 24TH JUNE, 1898.

Sergeant JOHN ELLISON, examined on oath.

1. *The Chairman.*] When did you join the Force?—On the 26th June, 1872.

2. You are in charge of Wanganui?—Yes.

3. Where have you served?—In Auckland, Wellington, Ngaruawahia, Hamilton, and Wanganui.

4. When did you join the Police Force?—In 1877, at the time of the amalgamation. I had been doing police duty before that.
5. When were you appointed to Wanganui?—I came here about the 28th of October last.
6. When were you made first-class sergeant?—In February last year.
7. What men have you under your immediate control here?—The ordinary strength of the station is one mounted constable, five foot constables, and one sergeant.
8. What is the actual strength?—Five constables—four men besides the mounted man. There is a vacancy at present.
9. How long have you been short of that man?—Since the first of this month.
10. What are the boundaries of your sub-district?—It includes six other stations—Marton, Bulls, Hunterville, Ohingaiti, Moawhango, and Raetihi.
11. Who is stationed at each of these places?—One constable at each station.
12. Have you visited them since you have been in charge?—I have never visited Raetihi and Moawhango.
13. Why?—I have never had occasion to visit them. They are so far away: I have never had the opportunity.
14. Do you not understand it is part of your duty as sergeant in charge to visit these places periodically?—No. The instructions I had from my predecessor were that the sergeant visited the outside places to conduct licensing and indictable cases.
15. Have you had no subsequent instructions?—None.
16. Where are Raetihi and Moawhango?—Moawhango is about half-way between here and Napier, about forty miles beyond Mangaroa. Raetihi station is eighteen miles from Pipiriki. It would take a week or more to visit that place in the steamer. Steamers run up once a week, but sometimes twice. Pipiriki is sixty miles up the river.
17. What constable is at Moawhango?—Constable Tuohy.
18. How long has he been there?—Since about November last.
19. Do you find the men you have in the town station sufficient for the duty they have to perform?—Well, it would be better to have another.
20. But is there any necessity?—There is, I believe, a necessity for another man in Wanganui Town.
21. How many men have you on day duty?—Two at present.
22. How many at night?—One. I have a man also in the station attending the calls and inquiries. There are two men on day duty, and one at the station, and one man on night duty.
23. If you had an additional man, for what purpose would you require him?—For night duty, so that we could have two on night-duty.
24. *Colonel Pitt.*] Would you not want two men, to have an additional man on night duty?—I should have two on day and two on night duty. There is a great deal of escort duty.
25. Would one man be enough to give you an extra man for night duty?—As a rule it would, but when there were special duties I should have to take one man off night duty.
26. What about the men you have at your disposal—are they efficient physically, and in other respects, at their duties?—Yes, they are all very fair men.
27. Have any complaints been made to you by anybody outside the department as to the conduct of any of these men?—No complaints.
28. Do you find them submissive to discipline?—Yes, I have no complaints to make against them; they are well conducted and contented.
29. You have no complaints?—No complaints at all.
30. And with the addition of one man you feel that the Force would be amply sufficient for the requirements of the town?—Fairly sufficient. The population is increasing a good deal since I have come here, and I am told previously to that there has been a large increase. Aramoho is extending considerably.
31. Is there a man at Aramoho?—No.
32. Can you tell us the population of Aramoho?—I can only give an estimate. I should say there are about seven hundred people in the immediate neighbourhood—fully. It may be a good deal nearer the mark on the other side.
33. Have you any complaint or any statement to make as to the manner in which you are able to enforce the laws in this district—speaking generally, licensing, gambling, prostitution, and the usual laws with respect to social life?—The laws have been well observed since I have been here, and in any infringements that have been discovered the police have always taken action.
34. Have you many reported crimes in which the offenders have not been discovered?—There is very little undetected crime, and the community is very orderly. There are none of what are called the criminal class about Wanganui. The people are very orderly and well conducted as a rule, and the police are very little troubled.
35. Do you find in connection with race-meetings, which are rather attractive in Wanganui, any difficulty in enforcing the law?—No. There were a great many strangers who came to the Jubilee Race-meeting here.
36. Had you at that time any temporary increase of the Force?—Yes, I think there was an increase of six constables at the Jubilee Race-meeting, and four or five at the last race-meeting.
37. Is gambling prevalent?—No, there is no gambling. There is the ordinary betting at race-time, but nothing of what can be termed gambling about the town.
38. *Colonel Pitt.*] What is the population of this place?—The population is given in the last electoral return as 5,977 as the town population, and the suburbs have over four thousand—altogether about eleven thousand. That is over a radius of about nine or ten miles. It had over ten thousand of a population in the electoral district when the districts were divided.
39. How many licensed houses are there in the borough?—Twelve.
40. And how many in the suburbs?—Seven in the licensing district in a radius of nine miles.

41. What time do the licensed houses close here?—Ten o'clock.
42. What time does the latest train come in?—Ten minutes to 10.
43. Do you find any inconvenience from that—the licensed houses closing at 10?—I cannot say that I have found any inconvenience. I have often been appealed to by strangers as to what hotel they can get into.
44. Are there night porters kept at the hotels?—No, but they generally keep side doors open.
45. But friends cannot go to see travellers?—They cannot go into the bars, but they can go into the rooms to see the boarders.
46. Does that create any difficulty in enforcing the licensing-law?—I cannot say. The licensees are very careful.
47. Do you think closing the hotels at 10 o'clock causes inconvenience and increases the difficulty of the police in enforcing the closing-hour?—I should not like to say. Some people say there is a difficulty, and others do not. I find none in enforcing the laws. People doing business and boarders in the hotel are coming and going up to 11 o'clock, and in the commercial rooms I have frequently seen gentlemen reading after 11 o'clock.
48. Have you considered the pension scheme in this sub-district?—I have for some years past considered it, and some years ago a number of us in the Auckland Station drew up a scheme.
49. Are the police in this district favourable to it?—Yes.
50. And would be willing to contribute?—Yes.
51. Have you any suggestions to make as to the rate of pay in the Police Force?—I think the suggestions put forward by the Commissioners, from the reports I have seen, are very fair.
52. Do you know that that goes to the extent of the men giving up all emoluments? Do you think that the country police would regard that as a good, prudent, and popular arrangement?—I dare say there would be some difference of opinion.
53. Mr. Tunbridge suggested that a reduction should be made from wages at the rate of 4 per cent. to secure the pension: Do you agree to that?—Yes.
54. Are there many Clerks of Court in this sub-district?—None of the constables are Clerks of Court.
55. Is there not a Clerk of Court at Marton?—He is not a constable.
56. Are you much troubled by larrikins in this district?—A few cases. The bench have supported the police very well, and there is very little larrikinism.
57. There are no gambling and "tote" shops?—No "tote" shops.
58. And street betting?—There may be a little at race-times.
59. Is there any with minors or people under age?—I have had two people prosecuted for betting with people under age since I have been here, and both were convicted.
60. *Rev. Mr. Isitt.*] At what places have you been on service before you came to Wanganui?—I was stationed at Wellington, Auckland, Ngauruawahia, and Hamilton.
61. Has there been any political influence on members of the Force in any of those places?—I had no experience of it.
62. Have you gathered anything from other men on that subject?—No, I cannot say I have. I was for a long time employed in the Inspector's office as clerk, and always kept apart from any gossip—in Wellington and Auckland.
63. We have it in evidence all round as a general impression. Is there any general impression here?—I cannot speak of a general impression. I have heard about things in reference to transfers and seen remarks on the subject in the Commissioners' annual report. That is the principal thing I have heard or seen.
64. Do you know if any men have thought it was an unsafe thing to touch the liquor trade? I have not heard.
65. Do I understand that you have only one man at present on night duty?—Yes.
66. What length of service has the youngest man had that you have here—the shortest service?—Only a few months. He was transferred from Auckland. He has been about five months in the service. I have not the records.
67. Is that five-months man ever on night duty?—He has been.
68. What would be his beat?—I can produce the written beats.
69. Would it take in the suburbs?—No.
70. Would he confine himself principally to the Avenue?—The principal parts of the town.
71. Is it a fact that a large number of the streets can never be visited?—Well, streets between here and Aramoho are never visited at night.
72. How many streets are visited?—There are two or three miles of a beat altogether.
73. He cannot touch Aramoho at all?—No, he cannot.
74. There are twelve publichouses?—In the borough.
75. And they close at 10 o'clock?—They all close at 10.
76. What time does he go on night duty?—From 9 p.m. to 5 in the morning.
77. Can he keep his eyes on the hotels, as well as on the whole of the town?—He must give all possible attention. He cannot do any more than one man's work.
78. Was there not a great deal of theft of fruit during the season?—I think only two cases have been reported to me—trivial cases.
79. Any larrikinism—destruction of property, such as gates and things of that kind?—I do not think any cases have been reported to me that have not been punished.
80. Would you estimate the population of the town at over six thousand?—5,970, according to the census, and I believe the population has increased considerably since then.
81. With seven hundred at Aramoho?—Yes.
82. Do you think that a town of that size is adequately protected with one man?—I do not think it is. I think it would be better with two.

83. You say you know nothing about reputed "tote" shops. Do you know anything about suspected "tote" shops?—None.
84. Have you been up to Pipiriki?—Once.
85. When?—In December last, I think.
86. How long were you on the trip?—Two days.
87. Have you any report or convictions for illicit drinking?—Yes, I think there are reports.
88. If you have not been up since December, can you exercise any restrictive influence on that sort of thing?—No, I could not restrain it from a visit.
89. Do you know of it?—There are none reputed to be.
90. If you have not been up since December, are you in a position to state that?—There is no reputed selling, and I have been told by people—tourists and others—that it is impossible to get a drink there.
91. Still, if you have not been up there for six months?—If there had been, I have no possible doubt that I should have heard of it.
92. Have you any reports in your office of prosecutions for Sunday trading a few months before you came, and after-hours trading just immediately before you came?—It is quite possible there may be. I have not looked for them.
93. Do you know anything of three hotelkeepers having been prosecuted three months before you came?—I do not think there is anything of that nature.
94. Do you know that one of the hotels has had several convictions?—I think there were two convictions.
95. Do you know that in one case the licensee was cautioned for Sunday trading—cautioned by the Licensing Committee?—No, I do not think there was. There was a complaint about Sunday trading about nine or twelve months before I came here.
96. Do you know that the licensee of the Albion Hotel was cautioned?—There had been a complaint against the licensee of the Albion Hotel dismissed.
97. Have you any record of the remarks of the Chairman of the Licensing Committee on the Albion Hotel case?—I have no record of a caution by the Committee.
98. Did you submit a report to the Licensing Committee with regard to the Albion Hotel?—I did.
99. Was there anything special in that report?—Yes.
100. What was it?—It referred to the kitchen being insufficient for the place, and a side door being cut through the adjoining premises. The licensee said it was for the convenience of boarders. It was a kind of private entrance.
101. Did that door open on to a right-of-way?—Not exactly; the door opened into a blacksmith's yard.
102. *The Chairman.*] You reported that fact?—Yes.
103. *Rev. Mr. Isitt.*] Was there any right-of-way near that door?—About 30 ft.
104. Did it open into a 17 in. space between two buildings?—Yes, I stated so in my report.
105. Did you say in your report that it was put there for the convenience of boarders?—No. The licensee told me that it was for the convenience of people working in the factory and using the closets.
106. You never said anything about it being used for boarders?—I never stated so in my report.
107. Your report stated that the door had been cut for the convenience of the people in the factory?—No, my report stated that the licensee said that. My report was that it was apparently for traffic after hours.
108. Was the defence in Court before the Licensing Committee that it was for the convenience of boarders?—Yes.
109. *The Chairman.*] When did you first discover that door?—Some months previously—three months or so before I reported it.
110. *Rev. Mr. Isitt.*] Is that a correct plan [plan produced], except that the door is not so deep in the passage?—That is about it.
111. *Colonel Pitt.*] When you discovered the door, how long after that was it that you reported it?—I reported it at the first annual meeting of the Licensing Committee after I discovered it.
112. *Rev. Mr. Isitt.*] When was that?—In May I reported it. I knew of its existence some months previously.
113. Did you know of it at the previous Licensing Committee?—I did know of it at the quarterly meeting. I reported it at the first annual meeting afterwards.
114. Then you made no report of it at the March meeting?—I did not report it at the quarterly meeting in March.
115. Could you not have made a report at the quarterly meeting?—Yes, but I had no intention of making objection to the license on account of the door.
116. You say you discovered it before the meeting of the Licensing Committee?—Yes.
117. Did you discover it yourself?—I was told there were people going in by the back door.
118. Who told you?—Constable Campbell told me a few days after it was cut.
119. Would that be in the month of March?—I could not swear; I believe it was earlier than March.
120. What did you do directly you heard of it?—I went and saw the door.
121. Did you allow it to remain open?—I watched the door for several weeks to see if there was any ground for believing it was being used for an improper purpose.
122. At what hours?—In the day and at night also. I wanted to see what class of people were using the door.
123. What did you discover?—Nothing to take any action upon.

124. What did you see; did you see people using it?—No, I saw two or three people coming out of it once.
125. *The Chairman.*] Did you consider the door in any way an infraction of the Licensing Act?—No, I did not see any sufficient cause for me to raise any objection.
126. *Rev. Mr. Isitt.*] But did you not consider it was *prima facie* evidence of Sunday traffic?—No; I reported that it was apparently used for traffic after hours.
127. When was the door closed?—The door was closed, I believe, after I put in my report to the Licensing Committee.
128. Did you keep a copy of the report?—Yes, and I believe there was a copy of the report sent to the person interested.
129. Did the Committee order the door to be closed?—It was arranged that the door should be closed.
130. How often did you inspect the Albion Hotel?—I have been right through it three times.
131. Did you inspect the outbuildings?—Yes.
132. Did you notice the door then?—On two occasions I noticed the door. I did not notice it on the first inspection.
133. When did you inspect the hotel?—Soon after I came here, for the December meeting, and then for the March and June meetings.
134. Did you notice the door before the March meeting?—Yes.
135. *Colonel Hume.*] Was the sly-grog selling you speak of at Pipiriki on board the steamer?—Yes.
136. And the steamer is a good deal more at Pipiriki than anywhere else?—Only one night. Tourists have complained repeatedly that they could not get a liquor at Pipiriki, and had to carry it with them.
137. *Rev. Mr. Isitt.*] Have you anything to do with persons in a hotel at any hour of the day or night if they are not drinking?—No.

CHARLES CARGILL KETTLE, examined on oath.

138. *The Chairman.*] You are District Judge and Stipendiary Magistrate?—Yes. I was appointed Stipendiary Magistrate and District Judge in March, 1890. I am also Chairman of the Wanganui Licensing Committee, Registrar of the Supreme Court, &c.
139. *Rev. Mr. Isitt.*] Have you had an opportunity of judging of the efficiency of the Police Force in this district?—Yes, from general observation. I have used my eyes, and have seen what is going on around me, and from the bench.
140. Are you satisfied with the enforcement of the laws generally?—That is rather a wide question. I cannot say I am thoroughly satisfied with the way in which the laws are enforced by the police in this colony.
141. Will you give us specific illustrations with regard to the suppression of crime generally?—I think the police are fairly active in the suppression of crime generally—that is, ordinary crime, such as larceny, sheep-stealing, and so on. I think the police are fairly active.
142. Do you think they do their utmost to suppress illegal betting?—I cannot offer an opinion about that; I do not know. Speaking generally, I think they are fairly active.
143. And the laws that deal with prostitution—brothels and child-prostitution?—There is very little of that sort of thing on this coast. I am inclined to think that, when the police know that brothels exist and are being conducted so as to be a nuisance to the public, they take steps to put them down. I have had cases in the District Court at Palmerston North where women have been prosecuted under the Criminal Code Act for keeping brothels.
144. Does your answer narrow itself down to the operation of the licensing-laws?—I do not think there is enough discipline in the Force; I do not think policemen are properly trained and instructed before entering upon their duties. A great many do not know what their duties are, or how to go about them. I think there is a great need for preliminary training before the police enter upon their duties—preliminary training and instruction. As a rule, ordinary policemen—there are many exceptions—do not know what their duties are, or how to go about them. I believe they are honest and willing enough to do their duty, but they do not know it.
145. Do you think they do not do their duty with regard to the licensing-laws?—I think there is a laxity with regard to the enforcement of the licensing-laws.
146. Has there not been a good deal of activity with regard to the enforcement of the licensing-laws in regard to prosecutions?—There have been a number of prosecutions in this district. I cannot altogether answer that question satisfactorily without referring to the record-books. The records will show what prosecutions have been instituted in this district, and with what result, &c.
147. As far as your investigations go, have they been initiated by the police, or are they the result of previous cases in the Court?—I am inclined to think a great number arose from facts coming to light at inquests or during the hearing of Court cases—men coming before Court for drunkenness or on applications, prohibition orders, and so forth, where something has been brought to light which led the police to prosecute.
148. Do you mean that the police have taken their cue from observations of other cases?—Yes; that is what I mean. A man may be put into the box for drunkenness, and may admit that he had been for some hours in a particular hotel, and had six or more drinks while there, &c. When that fact is disclosed in the Court the police are in a position to follow the thing up and get further evidence. I am of opinion from travelling about that the police are not as active in seeing that the licensing-laws are observed as they ought to be. I attribute that to a great extent to the fact that the police are—a great many of them—afraid to do their duty honestly and straightforwardly.

149. You mean afraid to touch the trade?—That they are afraid to interfere with people who have influence, and who might, unknown to the police, affect their positions.

150. Do you mean people interested in the liquor trade?—Yes. My opinion is that any public officer—and I look upon the police as one of the most important parts of the machinery of government—should feel that he can honestly discharge his duty without fear of consequences. If he does his duty honestly he ought to be in that position.

151. Was there any circumstance which should have led the police to be especially careful with regard to the Albion Hotel?—I see a good deal, but I am not a common informer. I consider it is no part of my duty to give information to the police of what I see in my travels.

152. As Chairman of the Licensing Committee, were there facts within your knowledge which should have led the police to watch the Albion Hotel with regard to Sunday trading?—All that came before me in connection with the Albion Hotel came out in Court. It came out in evidence that the licensee of the Albion Hotel had lent a constable money. It came before me, as Chairman of the Licensing Committee, that there was what was called a “secret door” leading into the back premises of the hotel.

153. Did you regard that door as suspicious enough to warrant report to the sergeant?—I think if the police knew of the door it should have been reported to the sergeant.

154. *The Chairman.*] Was it the duty of the sergeant to report the existence of the door to the Licensing Committee at the next quarterly or annual meeting after its discovery?—Yes; and he did so.

155. Did he do his duty?—Certainly. I think the sergeant is fair and honest in the performance of his duties.

155. If he had reported it at the quarterly meeting, could you have interfered with it prior to the annual meeting?—We might have asked the licensee to explain it. I do not know that we could have done anything definite then.

156. *Rev. Mr. Isitt.*] You said no one could suppose the door was there for any proper purpose?—I should not think so. I should say it was put there for an improper purpose. Mr. Barnicoat, solicitor for the Public Trustee, the owner, admitted that it could not be defended. It was quite possible the police never saw the door until a case came on in which two men were using the right-of-way for an improper purpose. I do not know when it was discovered.

157. *The Chairman.*] The sergeant says it was discovered by Constable Campbell shortly after it was made, and he reported it to him, and that he (the sergeant) visited it and watched it from time to time with a view to see how it was used, and that he reported at the next meeting of the Licensing Committee that the door was opening on to private property, and that it was apparently intended to evade the provisions of the law?—Yes. Mr. Isitt's question to me was, “Ought it not to have been discovered before?” The door is in a very secret place, where the general public would not go. If the police were watching that hotel it seems to me strange if they did not discover the door. Mr. Isitt suggests that it was there some time before it was discovered.

158. *Colonel Pitt.*] The evidence of the sergeant is that it was reported?—The Licensing Committee, when this matter was reported, had Mrs. Whelan before it, and asked her when it was put in, and I think she said it was put in shortly after she took over the hotel from Mr. Tasker.

159. *The Chairman.*] Could you have refused the license on the ground that the door was there?—I think we could have done so, but I may say that Mrs. Whelan swore positively that the door was not for any improper purpose, but simply for boarders, and there was no evidence to contradict her. I held that in the face of the evidence we could not refuse the license; but we ordered the door to be closed at once. Of course, the Licensing Committee must be guided by sworn testimony. Whatever our suspicions may be we cannot act on them. I have my suspicions now; but at the same time we must act judicially, and she swore positively that the door was not used for any improper purpose.

160. You could not have refused the license simply because the door was there?—No, certainly not, unless it was proved that it was used for an improper purpose.

161. *Mr. Poynton.*] There are certain grounds on which you can refuse a license, but there is nothing about doors?—No. If we were satisfied that a door was put in for after-hours trading we might have refused the license on the ground that the house was not properly conducted.

162. *Rev. Mr. Isitt.*] Did you have to complain of the police in August last as to their inactivity in finding Harrison Blythe?—Yes; and also Dr. Marshall.

163. Did you note that, with regard to Harrison Blythe, there had been practically no notice taken of his disappearance from the 2nd to the 10th August?—Yes.

164. And that after it was reported on the 10th August little or nothing was done?—Yes; I think the police were not as active as they might have been in making inquiries with regard to the boy's disappearance. At the same time the father of the boy seemed to be very unconcerned about the matter, and said he thought the boy might have gone to stay with friends.

165. Do you wish to say anything about Dr. Marshall?—He was missing a long time before his body was found. He was seen by Mr. Duigan about the Heads near some gorse in an apparently despondent condition. He (Duigan) reported it to the police, but nothing was done by them. Dr. Marshall disappeared for about eighteen months or two years, and at last his body was found where Mr. Duigan had seen him—*i.e.*, amongst the gorse.

166. *The Chairman.*] You think there was neglect?—It was not altogether neglect, but I think the police ought to have taken more interest in the matter. They might have gone to his wife or friends, and when they knew he had been seen in a peculiar place under suspicious circumstances, showing that he might be going to commit suicide, they ought to have done something more. Mr. Duigan thought he was contemplating suicide, and I think he so reported to the police.

167. *Rev. Mr. Isitt.*] Has anything with regard to political influence come under your observation?—Only what I have heard outside and read in the newspapers, &c. I cannot say I have any personal knowledge of anything of the kind.

168. *Colonel Pitt.*] Is that constable still in the district to whom the licensee leant money?—He was, I believe, dismissed from the Force before he was sued.

169. *Mr. Poynton.*] You recognise the police have a difficulty in getting evidence in cases of breaches of the licensing-law?—Yes, no doubt they have.

170. More so than in cases of any other kind?—Yes.

171. You have yourself observed breaches of the licensing-laws?—Often.

172. And have not given information to the police?—I have not given them specific information. I do not consider it is my duty to act the part of a common informer. I ought not to be in that position.

173. But, if you saw a person picking another's pocket, would you not consider it your duty to give information?—Yes; but there is distinction between the cases. If I saw a man picking a pocket in the street, I would give information. I am compelled to stay a good deal in hotels, and from my position I ought not to be expected to act the part of an informer. A great many Magistrates have to live permanently in hotels, and it should not be so.

174. I am speaking of the general unwillingness?—I am not unwilling to give information, but I think I should not do so. It is not advisable in the public interest that a Magistrate or Judge should place himself in that position, and be constantly, perhaps, in the witness-box.

175. But if you saw another pick a pocket you would give information to the police?—Yes. That, in my opinion, is a very different matter. You must consider all the circumstances.

176. A man who drinks after hours or on Sundays is not willing to give information to the police?—Yes. He is liable as well as the publican. I have pointed out to the police, especially to Sergeant Cullen, that people who go into hotels after hours and obtain drink, or were found in sly-grog shops drinking, were liable under section 49 of "The Justices of the Peace Act, 1882," but he seemed to think it was not judicious to prosecute them, because the police had to rely upon these people to give evidence—I mean these persons who are parties to the committing of breaches of the law.

177. And unless it comes to the knowledge of the police indirectly, such as in cases where inquests are held, they are powerless to catch the offender?—Yes. I discourage anything in the nature of inducing or entrapping people into committing offences. I think it is wrong that the police or others should try to entrap people into the commission of crimes. Here the hotels close their doors at 10 o'clock, and the police cannot see what is going on inside because the blinds are down and the doors shut. It is difficult to get evidence which would prove beyond a doubt that a breach of the law is being committed. A man might come out of a hotel wiping his mouth, and that would perhaps be some evidence, but probably not enough by itself. I think the licensing-laws should provide that one door should be kept open—*i.e.*, not locked—till the licensee retires for the night, so that the police may have free access until some time after the closing-hour, and so that they can see what is going on inside after closing-hour.

178. *The Chairman.*] You know that, with regard to a breach of the licensing-laws to the extent of selling liquor after hours, it is a very different criminal offence to that of larceny?—No doubt.

179. While you feel it would be a duty to every citizen to report an offence against property or life, do you think it is the duty of a citizen to report every offence under the licensing-law?—That is a matter of opinion. I think people do not, as a rule, care to mix themselves up in these matters—men in business, and so on. No doubt it is perfectly true that every good citizen, if he sees the law broken, should endeavour to stop it. Strictly speaking, it may be the duty of every good citizen, if he sees the law is being broken, to report the matter.

180. *Mr. Poynton.*] Do you not recognise the difficulty the police have in getting evidence in betting cases, and also in cases of prostitution—there is a distinction between these and ordinary crimes, such as larceny, perjury, and so on?—No doubt some crimes and offences are more difficult to prove than others.

181. *Rev. Mr. Isitt.*] Your opinion has been asked as to the difference between crimes such as larceny and offences under the licensing-laws. Does not your experience lead you to the conclusion that there is as much injury to life and limb through drunkenness as in anything else?—Statistics will show that. No doubt excessive drinking leads to misery, poverty, and crime.

182. Do not these things chiefly arise from the late hours or illicit trading?—It is not possible for me to say that. Excessive drinking is, no doubt, the cause of a great amount of the misery and crime we see around us.

183. Speaking from your general observation, do you yourself see many cases of infraction of the licensing-laws when staying at a hotel?—Yes, I see a good many. I have stayed at Chevannes's Hotel for some years, and I wish to say that I do not think I have ever seen any infraction of the licensing-laws there. Mr. Chevannes conducts his hotel as fairly and strictly as a man could possibly do. There are many cases where licensees may be misled. Take the case of a prohibited man. It is impossible for hotelkeepers to know all the prohibited men and women, and yet if they serve one with drink they are liable under the Act. The law requires to be altered on this point.

184. Your outside observations have shown you many infractions of the licensing-laws?—Yes. It is notorious that the licensing-laws are not rigidly observed or enforced.

185. Are they such that the police could detect if more active?—Yes, I think so. If the hotelkeepers knew that the police were honest, and could afford to be honest, in the performance of their duties, there would not be so many breaches of the licensing-laws.

186. Is it a fact that you have more dubious evidence in connection with liquor cases than in any others?—There is a great deal of false swearing in liquor cases, and in other cases too. There is hardly a day passed that I do not hear deliberate perjury. It is appalling. Many men seem to have no regard for the oath. Of course, when a man is deeply interested it may be expected that there is a strain on him when giving evidence on his own behalf; but I have seen men go into the box and perjure themselves without any apparent reason for doing so.

187. Then, you say you would not get more perjury in liquor cases than in other cases?—I could not say. I have seen so much of it.

188. *Mr. Tunbridge.*] Can you give us any case where the police have been in possession of evidence which justified proceedings being taken and they have not taken action?—No.

189. You cannot mention a case where the police have neglected their duty?—I have no charge to make against any member of the Police Force.

190. Did you know of any case where the police were deterred from taking steps or properly performing their duty?—In connection with the Licensing Act?

191. Yes?—It is only what I have heard—it is only hearsay. I refer to the case of Lawliss at Napier, which was a good deal commented on at the time.

192. That is the only case you know of?—So far as I can recollect. That seemed to be a case where the police and also the Magistrate received certain communications which, I think, ought not to have been made to them.

193. That is the only case you know of where direct influence was used?—That is the only case where indisputable facts were apparently established by documentary proof.

194. Have you, in your experience as a Magistrate, seen anything to lead you to believe that a constable has not taken action where he feared the consequences?—No; but I do not think there has been sufficient activity shown.

195. *The Chairman.*] The Inspector of Police acted on instructions at Dannevirke in the Lawliss case?—The Magistrate and constable saw that it was the desire of the department that Lawliss should get a certificate of character and license.

196. *Mr. Tunbridge.*] You say it is difficult to get evidence against publicans?—I should say it was difficult sometimes to get evidence in such cases.

197. You know there must be a sale, and that the Magistrate wishes to be satisfied that there has been a sale?—The Magistrate must be fully satisfied that the evidence establishes a breach. The evidence must be sufficient to satisfy your mind beyond reasonable doubt.

198. Do you not think the law should be altered so as to make the persons liable who are found on the premises during illegal hours?—Yes. I see you have suggested that, and I agree.

199. Do you not think the onus of proof should fall on the people found there?—Certainly. They ought to be asked to explain why they are there. If that clause was in our Act, a policeman meeting a man coming out of a hotel after 10 o'clock would say to him, "What are you doing here?" If the man said, "I have been in seeing a friend who stays there," the policeman would have to satisfy himself as to the truth or otherwise of the statement before taking proceedings. The policeman would, no doubt, in most cases have to rely upon the man's word.

200. With reference to the constable borrowing money. Do you know it was after the man ceased to be a member of the Force that the fact of borrowing money became public property?—I presume so. He was sued. I believe the sergeant here did not know, and it was a matter of surprise to him. He was informed by the Clerk of the Court. I am satisfied he did not know a man had been borrowing money from the hotelkeeper.

201. *Colonel Hume.*] I understood you to say that many police were afraid of enforcing the laws: is that your opinion?—I am of opinion that the police are afraid that if they enforce the laws against certain people who have political influence, and otherwise, they may suffer. In fact, I have been told by the police that they know it is so. Some time ago I refused to grant a man a certificate of character, Mr. Tasker. He sold the Albion Hotel, and became an ordinary member of the community. I afterwards refused to give him a certificate of character (he wanted to take the Rutland Hotel). He admitted to me that I was perfectly justified, but he afterwards got up a petition asking the Minister of Justice to inquire into my conduct. It is true that it had no effect on me, and I treated it with contempt, but if that kind of thing is encouraged in the case of policemen it would make them afraid and timid. That sort of thing should not be permitted. A policeman should be able to look to the Government to support him if he does his duty fearlessly and honestly, no matter who the persons against whom he complains may be.

202. Have you ever known petitions to injure any constable?—I cannot remember a case.

203. *The Chairman.*] You cannot prevent any class of men signing any petition?—No, you cannot prevent it; but a constable should be able to feel that if he does his duty honestly he will be supported by the department.

204. *Colonel Hume.*] Does what you say refer to the officers? Do you think the Commissioner or officers are afraid?—I have come to the conclusion that some members of the Police Force are afraid to do their duty as thoroughly as they would like to.

205. Would you say that feeling exists beyond the rank of constable?—I should hope not. I hope it is not very widespread, but I know there is that feeling. I cannot say how it has been created.

206. Is it your opinion that if the police bring up a man for being drunk they should be able to state, if in possession of information, where the man got the drink from?—No, not always. Cases of this kind often come before me: A working-man comes into town with a cheque of, say, £10 or £15. He remains in town for several days and "knocks it down"; is found drunk in the street. I say it seems strange, if the town is properly manned with police, that a man can be about town drinking hard and spending his money in the hotels without the police knowing it.

207. That is what is called "lambing down"?—Yes. It often seems a strange thing to me that men should be about town for days in a drunken state and not be seen.

208. *The Chairman.*] Are you aware that there are only two constables in Wanganui in the day-time, and only one at night?—I believe so.

209. Do you suggest that the Force here should be enlarged?—That is a question for the sergeant. I think the Force here is small. I think it is necessary that we should have a station at Aramoho. The town is spreading there. There is an hotel and a railway refreshment-room there. I never see a constable there when trains arrive or depart. I should think it would

be better, instead of a policeman patrolling the town, that he should be stationed at some known place, so that people know where to find him. This is, no doubt, a matter for the department to decide on.

210. *Mr. Poynton.*] Do you suggest that a burglar would not know where he was: if a burglar wanted to commit a crime would he not know where the constable was?—I suppose if a man wanted to commit burglary he would try to find out where the policeman was. He would naturally see that the "coast was clear."

211. *Colonel Pitt.*] In your examination-in-chief this morning you said, "I believe the police are honest and willing enough, but they are not instructed"?—Yes; I think they, as a rule, wish to be active, but there is that fear of consequences which I have referred to. They certainly need proper instruction.

212. And afterwards you say, "I believe if the police were honest, or could afford to be honest, there would be very few breaches of the law"?—No; I think I said, "If the publicans knew the police were honest, and could afford to be honest," &c.

213. Does that refer to the police being underpaid?—I certainly think the police are underpaid. What I mean is this: that if the hotelkeepers knew that the police were prepared to do their duty, would keep their eyes open, and would be supported by the department, there would be less unlawful trading.

214. Why do you suggest that the police cannot afford to prosecute them?—I am inclined to think some policemen believe hotelkeepers have influence which might be used against them.

215. Can you quote any case where any police-officer has been punished for doing his duty?—I know of no case, but I can tell you of cases that have been mentioned to me where officers and men thought they were removed for being active in preventing breaches of the licensing-laws.

216. You cannot say of your own knowledge?—I cannot say that I know of any case. Policemen have told me that they have been removed from one place to another because they were too active in carrying out the licensing-laws.

217. *Mr. Tunbridge.*] You condemn subterfuge on the part of the police?—I think the practice of inducing or tempting people to break the law is to be condemned.

218. Even in sly-grog selling?—I do not like to see people entrapped into committing crimes. A proper system of detection is not objectionable.

219. If legislation could be introduced that would tend to obviate that difficulty you think it would be as well?—Yes. There is a difference between detecting crime and inducing or tempting a person to commit crime with the object of afterwards punishing him. I object to that. The person who induces or tempts the other is really an accessory. See section 49 of "The Justices of the Peace Act, 1882."

220. And you think the police should content themselves with getting evidence of crimes already committed, and not set themselves about the committal of crime?—Suppose there is reason to believe that a person is keeping a sly-grog shop—say, a boardinghouse—I see no objection to a detective being sent to board there with the view of seeing what is going on; but, in my opinion, he should not tempt or induce the keeper of the house to sell drink.

221. Do you think it likely he would be able to get evidence by going there as a detective?—It is impossible for me to say. I should think any smart detective could discover a sly-grog seller.

221A. *Witness.*] There is one thing I would like to refer to, and that is the employment of constables as Clerks of Court. I have always objected to that, and I am not the only Magistrate who has done so. Of course, in a country like this, where there is a heavy public debt, we have to study economy, but at the same time we ought to have regard to efficiency. I think there are many objections to constables acting as Clerks of Court. The principal objection is this: that the constables who act as Clerks of Court have instructions that their police duties are to take precedence of their duties as Clerks of Court. I know that in Hawera, for instance, complaints have been made by litigants that delays have taken place in executing distress warrants sent to the constables. It is all-important in many cases to get an immediate execution. In the cases I refer to the constable could not execute the warrants at once because he was away on duty—collecting dog-tax. I did not blame him, because it was not his fault. The warrants were in his hands two or three days, and the unfortunate judgment creditor lost the fruits of his judgment; owing to the delay the cattle and sheep were taken away and disposed of before they could be seized. It might lead the Government into serious difficulty and expense if the bailiff of the Court (a constable) did not act promptly because of the orders I have referred to, viz., to do his police-work first. That is the main ground of my objection, that the Clerk of the Court, if a policeman, his police duties have to be performed first. It might lead to serious loss to litigants. This is a matter which requires serious consideration both by the Commissioner and the Justice Department. It is a very difficult matter to adjust, but I think there are grave objections to constables acting as Clerks of the Court, and, if possible, a different system should be adopted.

222. *The Chairman.*] Do you think that in any case a constable should act as Clerk of the Court where there are over a hundred civil complaints in the course of the year?—I object to the system generally, if it can possibly be avoided.

223. Do you consider the holding of that office interferes with the performance of police duty—that the public suffer from the fact that the constable holds the office?—No doubt, if the constable's time is occupied in doing the Clerk's work, the public loses the benefit of his time and attention as an officer. It necessarily follows that some one must suffer.

224. Do you think it is fair to the police constable, and to the Court and public, that he should be called upon to perform such duties as those of the Clerk of the Court?—I have been talking generally. There may be stations where the constable might have ample time for both. Again, a man entering the Civil Service should have the necessary knowledge, and, if not, he should be

taught before he acts. It is not fair to put a constable in the position of Clerk of the Court unless he has some reasonable knowledge of the work.

225. *Colonel Pitt.*] In so far as constables have time to do it, how do they perform their duties as Clerks of Court?—I have not had much experience. Where you have men like Constable Donovan, for instance, who is a solicitor, exceptionally intelligent, and educated, of course they can perform their duties satisfactorily.

226. I was asking about the average of them?—As far as my observation goes, I have no fault to find. I have seen mistakes made, but they have done as well as one could expect under the circumstances.

227. *Witness.*] I would like to make another suggestion—namely, that where complaints are made against constables for breaches of duty, &c., it would be a good plan to give the Magistrate of the district power to go into the matter and to take evidence on oath; to take the evidence down in writing and to have it signed, but not to adjudicate, and then to forward the evidence to the Commissioner. A Bill was introduced into Parliament to give effect to that. I drafted that Bill. I think it would be a very useful provision, and I am sure it would be a great assistance to the Commissioner. The Magistrate would simply take the evidence on oath, and send it to the Commissioner. The Bill provided that any one who gave false evidence should be liable to be prosecuted for perjury. Under the present system, if anything happens, the Commissioner can no doubt hold an inquiry, but there is no responsibility on the part of persons giving evidence. They simply make unsworn statements.

228. *The Chairman.*] Would you suggest that as an original or appeal proceeding?—Original proceeding, just to take evidence on oath and forward same to the Commissioner.

229. Instead of allowing the Inspector to deal with charges against constables as at present?—Yes, it would be for the Commissioner to say whether evidence should be taken in the manner suggested.

230. At present the constable has no right of appeal. The matter is reported upon by the Inspector, and the Commissioner confirms the recommendation or otherwise. The complaint on the part of the police is that they cannot get evidence taken on oath before the Inspector, and you suggest that the evidence should be taken before the Inspector, and, if the constable or Commissioner advises, there should be the right of taking the evidence on oath, to be forwarded to the Commissioner?—Yes, I think the Commissioner should have full power and a free hand to act in all cases. He should decide whether a constable should be discharged or removed. A right of appeal to a Magistrate might, of course, be given.

231. You say he should have power to confirm that evidence on oath?—Yes; he should have a free hand to act as he thinks right. A right of appeal might be given.

232. Do you suggest that the evidence should be taken on oath in the first instance, or after the ordinary inquiry by the Inspector?—The Inspector must necessarily make some preliminary investigation, and he can then require evidence to be taken in the manner suggested if he considers it necessary.

233. And then after that the constable should have the right to have the evidence taken on oath?—Most certainly. I think any one charged with misconduct, which might result in his dismissal, &c., should have the right to have the evidence taken on oath. I think the Commissioner should have full power, subject perhaps to appeal, to discharge the constable or remove him. He should have full control.

234. You put a man in that position like a Judge, and he should not be hampered?—Where it becomes a question whether a certain constable should be discharged or removed, I think the Commissioner should be free to act as he thinks best. I think a great many of the complaints against the Force is due to the fact that the constables are not properly instructed. I think that training depots are very excellent things. The pay of the constables is certainly very low. I think, if the Government could see their way, the police ought to be paid better. In my opinion, the pay is miserable, especially for married men with families. The men have to live and keep themselves respectable, to keep their uniforms in condition, and to provide for their families. With regard to the licensing-laws, my opinion is that it is absolutely necessary that they should be consolidated and amended. At present they are in a jumble. With regard to prohibition orders, I think it is very hard on the hotelkeepers that they should be liable to be fined for serving liquor to a prohibited person when they may have no means of knowing that he is a prohibited person. I think such persons should be compelled to wear a badge of some kind—a red button, or something of that sort. Speaking generally, I think the whole of the licensing-laws want a thorough overhauling, and that it would be a great help to the police, hotelkeepers, and the public if that were done.

BENJAMIN McCAUL, examined on oath.

235. *The Chairman.*] What is your occupation?—Livery-stable keeper and stud-master.

236. *Rev. Mr. Isitt.*] Is your livery stable situated just behind the Albion Hotel?—Yes.

237. Is there a right-of-way leading from the street into your ground?—Yes.

238. How long have you had possession of the livery stables?—Since the 1st December last year.

239. Do you know anything of a door between the hotel outbuildings and the coachbuilder's?—Yes.

240. Do you know of your own knowledge if it was in existence on the 1st December when you took the stables?—Yes.

241. Have you seen persons making use of it?—Yes, and complained about it.

242. Complained to whom?—To the police.

243. When did you complain to the police?—During the first month I had it—December last year.

244. What was the purport of your complaint?—Well, that it was impossible for me to conduct a respectable business, or expect respectable people to come to my place, if this trading was allowed to go on.

245. *The Chairman.*] In what way did it interfere with your stables there?—Because to get to that door they came down my right-of-way.

246. *Colonel Pitt.*] Why should they not go down your right-of-way?—The right-of-way is my property. It is in my lease.

247. *Rev. Mr. Isitt.*] Does this plan [produced] represent your right-of-way?—My right-of-way starts from the coach-builder's boundary. I have, commencing from the coachbuilder's boundary, 15 ft. towards the post-office.

248. Early in December you complained to the constable?—Yes.

249. Did you bring to the constable's knowledge the fact that the door was there?—Yes.

250. Did you bring to his knowledge that it was being used?—Yes.

251. By whom?—By people coming to the hotel on Sundays, and after 10 o'clock up till all hours in the morning.

252. Were you satisfied with the character of the people frequenting it?—No; I was not satisfied with the people using that door.

253. What complaint had you to make concerning them?—Well, that they used to tumble out drunk and commit a nuisance on my property, and jangle and fight and behave in a disorderly manner.

254. *The Chairman.*] That was in December?—Yes.

255. Do you know when the next annual licensing meeting was held after that?—No.

256. *Rev. Mr. Isitt.*] Did you bring any specific charge against the character of the people?—Yes; I complained about prostitutes. There was a brothel alongside my property.

257. *The Chairman.*] Did you complain to the police?—Yes.

258. When was this?—That would be in January.

259. Where do you say it was?—Adjoining the stable property and the 15 ft. right-of-way.

260. What is the frontage?—It is 15 ft. to the street and 15 ft. to Campbell Place.

261. *Rev. Mr. Isitt.*] Did you complain of the prostitutes using the door?—Yes.

262. Did you make any subsequent complaints?—Yes.

263. When?—Very shortly after; and I went so far as to write a letter to the sergeant telling him that I did not wish to take any action or anything of the kind—that if he would do away with the nuisance I would take no proceedings against the sergeant.

264. *The Chairman.*] You wrote a letter?—My solicitor did.

265. *Rev. Mr. Isitt.*] Who was the lawyer?—Mr. Gordon.

266. Have you anything else you wish to state bearing upon that question?—No.

267. *Mr. Tunbridge.*] I believe you had the misfortune to be in a lunatic asylum about eight days ago?—Yes.

268. And I also believe you were prosecuted on the instance of the sergeant, and fined £10 for assaulting an old man?—Yes.

269. Consequently you have not a very friendly feeling towards the sergeant?—The sergeant brought this on himself.

270. When did you say you reported this door to the police?—In December.

271. To whom?—The sergeant.

272. Verbally?—Yes.

273. *Colonel Pitt.*] When were you fined £10?—About April, I think.

274. *Mr. Tunbridge.*] It was on the information of the sergeant you were prosecuted?—Yes, I believe it was.

275. You say you verbally reported this door to the police in December last?—Yes.

276. Will you swear you reported it to the sergeant in any form until this letter was written to him?—Yes.

277. Is this the letter you say was sent by your solicitor [letter produced]?—Yes.

278. Is that the letter—23rd April, 1898?—Yes.

DEAR SIR,—

Wanganui, 23rd April, 1898.

Mr. B. McCaul has asked me to write you with reference to the right-of-way from his stables to Ridgway Street, and the nuisance occasioned him by objectionable characters and others loitering there, especially at night. He does not write to make any complaint at present, but would ask you to take such steps and give such instructions to your Force as you consider necessary to do away with the nuisance. This is a serious matter for my client, as he finds the matters complained of are likely to interfere very much with his business, and therefore I would request you to take the matter in hand at once.

I am, &c.,

C. BURNETT, per G. GORDON.

The Sergeant of Police, Wanganui.

279. Was this the reply you received or was sent to the solicitor?—

DEAR SIR,—

Police Office, Wanganui, 23th April, 1898.

I am in receipt of your letter of the 23rd instant, informing me that a nuisance is occasioned to Mr. McCaul by objectionable characters and others loitering in the right-of-way leading from Ridgway Street to his stables, especially at night, and requesting me to take the matter in hand at once.

I shall be very pleased to render any assistance possible so far as the law authorises me to interfere; but I desire to say that for the last seven or eight weeks I have had occasion to be repeatedly in the right-of-way at night, and with one exception—a drunken man who came up from the stables and was arrested by me—I have not seen any one there who could be termed an "objectionable character," and I have never seen any one loitering there except those who had business at the adjoining workshop or stables. In fact, very few persons are to be observed at any time in the right-of-way, especially at night. I have questioned other members of the Force here with a like result as to their experience.

I have, &c.,

J. ELLISON, Sergeant.

C. Burnett, Esq., Solicitor, Wanganui.

I believe it was sent.

280. *Colonel Pitt.*] You observe that this letter of Mr. Burnett's says nothing about a brothel?—I said I complained to the police in December, and asked Mr. Gordon to write.

281. *Mr. Tunbridge.*] Before people could get to the back door of the hotel they had to pass over the coachbuilder's property, did they not?—That is so.
282. Could you see the door from the right-of-way?—No.
283. Where could you see it from?—From the end of the coachbuilder's corner.
284. Then, before you could see the door you had to pass over the coachbuilder's premises?—Yes, or go through the hotel-yard to see it; unless you went down to the corner of my trap-sheds.
285. You took the premises from the 1st December?—Yes.
286. Do you mean to say that immediately you got there you found the persons using the back entrance to the hotel were a nuisance to you?—Yes.
287. During what hours are you in the habit of using the right-of-way?—I have used it up to 1 and 2 in the morning.
288. And when were these people a nuisance to you?—Mostly between the hours of 10 and 12 o'clock.
289. How do you know the people were going to the hotel at all?—I made it my business to follow them, and went in myself many a time.
290. Then, you were improperly there?—Well, I did so. I could not say whether I was breaking the law or not.
291. As regards the brothel in Ridgway Street, do you know that the keeper of that place was prosecuted by the sergeant of police?—I think after getting the letter.
292. Your letter says nothing about that brothel?—I cannot help that. I told him about it.
293. You know the owner of the brothel was prosecuted for keeping a brothel?—I know there was a case.
294. Do you know that Fred Matthews swore that no men came to that place that were not brought there by you?—I have the letter here.
295. You say you know they swore that?—Yes.
296. And that is the house you complain of?—Yes.
297. When did you complain of it: it is not in the letter?—I complained very shortly after being there.
298. Verbally?—Yes.
299. To whom?—The sergeant.
300. That is the only complaint you have made to the police?—I have made several complaints.
301. Verbally?—Yes, verbally. That is what I was told, or was stated in Court. I showed it to my wife first, and then to Judge Kettle. [Paper produced.]
302. *Rev. Mr. Isitt.*] You say you were improperly in the hotel?—I went there.
303. Where did the impropriety occur in seeing people there?—Yes, that is what I went there for, and to have a drink.
304. After hours?—Yes.
305. You could see the people in there?—I could see from the corner of the shed.
306. Do you know Mr. Balmer?—Yes.
307. Who is Fred Matthews?—He was one of the occupiers of this brothel.
308. Was he prosecuted?—Yes.
309. *Mr. Poynton.*] Do you admit or deny that you took men to this place?—I deny it.
310. *The Chairman.*] For any purpose whatever, moral or immoral?—Yes, I deny it.
311. *Mr. Tunbridge.*] You suggested, I believe, that the police took action on the receipt of your solicitor's letter against this brothel?—No, I suggest nothing of the sort.
312. When I asked you if the keeper was prosecuted, did you not say, "After my complaint," and was it not pointed out to you that your letter said nothing about a brothel? Do you know your letter is dated the 23rd April?—Yes.
313. And do you know that these people were prosecuted on the 11th April?—No.
314. You will not contradict me if I say they were prosecuted on the 11th April?—No.
315. Then you will admit that if so the prosecution was not the outcome of your solicitor's letter of the 23rd?—I do not know.
316. *Rev. Mr. Isitt.*] Did you say the prosecution was the result of your complaints?—No.

Sergeant ELLISON, recalled.

317. *Mr. Tunbridge.*—Did you hear the evidence of the last witness?—Most of it.
318. Will you state to the Commission when you first received notice from McCaul of this back entrance to the hotel?—I never received any notice in reference to the back entrance to the hotel whatever. The only complaint with reference to the right-of-way was the letter received from McCaul, or some person on his behalf, and that does not refer to the back-door. When he was giving evidence in the Court in the assault case he was asked why he did not report to the police about persons frequenting the right-of-way. He said he did not and that it was no use, or words to that effect. He swore on his oath that he never reported it to the police, and spoke only of persons frequenting the right-of-way.
319. Was the prosecution of the man who kept the brothel the outcome of the complaint by McCaul?—No.

MARGUERITE WILLIAMSON, examined on oath.

320. *The Chairman.*] Is your husband living?—Yes.
321. Where?—Wanganui.
322. What is his name?—Hugh Williamson.
323. What is he?—A chemist.
324. Have you engaged in any work that has led to your visiting the police-cells?—Well, I

was for some time one of the Official Visitors to the gaol here. I held an appointment, and was naturally interested in anything connected with them.

325. Have you visited the lockup cells of the police-station?—Yes.

326. You wish to make a statement with reference to those cells, I believe?—What I wish to say is this: that they are quite unfit for women to be locked up in. My grounds for saying so are these: there is insufficient light, insufficient ventilation, and absence of mattresses, and, worst of all, there is an absolute want of proper conveniences for women when locked up. There is none at present, unless they thump on the wall to summon a constable in the adjoining building; consequently, it does not matter how ill a woman may be she cannot get out nor can she use any convenience without summoning a male constable to attend to her. Of course, occasionally cases happen where women are locked up from Saturday till Monday, which makes it very much worse.

327. *The Chairman.*] Is there any resting-place for those in the lockup?—There was no furniture whatever in the cells. They are about 8 ft. square, and there is no window.

328. Did you look at the blankets for these people?—Yes.

329. What was their condition?—They were clean, thick, and warm, but that is not sufficient.

330. *Mr. Poynton.*] You think there should be a mattress in addition?—Yes; and there should be a filter or something of that sort without them having to call in a reluctant police-officer.

331. *Colonel Pitt.*] When you visited the cells were they occupied by any one?—No, they were empty.

332. *The Chairman.*] Did you observe whether there was any reasonable provision for ablutions?—No convenience whatever. There is a bath apparently to be used by both men and women. Neither can have access to this place without summoning some one. It is that particular point I want to emphasize—that there should be some means of getting backward and forward without summoning a man.

333. *The Chairman.*] You say there is a proper lavatory for washing?—I saw a bath, but no place for washing the hands and face.

334. You do not know what convenience there is for persons to wash their face before going into Court?—I saw nothing like that. I saw a tap. It is enough to drive girls or first offenders out of their mind. You would not put a dog into them.

335. *Mr. Tunbridge.*] Are you aware that when there are no male prisoners in the lockup female prisoners are allowed free scope at all times?—Yes, I have been told so.

336. Are you aware that it is a very rare occurrence for male and female prisoners to be in the lockup at the same time?—No; but I do not think it should ever be possible.

MARGARET BULLOCK, examined on oath.

337. *The Chairman.*] Are you a married woman?—A widow.

338. Residing at Wanganui?—Yes.

339. *Rev. Mr. Isitt.*] You heard the evidence of the last witness?—Yes.

340. Do you confirm what she says?—Yes. I did not consider it necessary to trouble the Commission with any further evidence, but if what the Commissioner (*Mr. Tunbridge*) said just now be true, that the cells are the same all over the colony as at Wanganui, I should like to say that I think it is quite time some alterations were made. As *Mrs. Williamson* said, the cells are dark and unlighted, the sunshine is excluded, they are very small, and they are not properly ventilated. There are two places with holes bored through at the top; that is the only way in which the air can get into the cells, and through the door. It may be that when there are no male prisoners females have the run of the cells, but I contend that that should not be left to chance. When males are there female prisoners have no convenience whatever. There is—for both sexes—one little place with a bath in it, but a female prisoner can only go to it accompanied by a constable. A young, inexperienced, but possibly innocent girl might be put into one of these cells, and if she requires any attendance whatever she has to knock on the door for the constable in charge, who may be sound asleep. I contend that female prisoners should have advantage of female attendants, and that there should be proper communication between the female prisoner and the female attendant, who might be the sergeant's wife. She, I feel sure, would be quite willing to perform this duty for a little pin-money. The chief points that struck me were the want of ventilation, sunlight, and female attendance, and also the want of something to lie on. There are five or six cells in our lockup, and there may be one blanket to each, but there is no mattress.

341. Have the blankets attracted your attention in any way?—I went to the cells this morning and examined them, and they seemed to me to be perfectly sweet and clean. There seemed to be a good supply, and they were very good; but there are no mattresses, and nothing to lie or sit on but the bare boards. The floors might have been newly washed over on a prisoner's arrest; they would then be damp, and the unfortunate prisoner without a mattress would have to sleep on them with only the protection of a blanket. The treatment altogether seems to me to be inhuman, and if it is the same all over the colony I think it is absolutely time that something was done.

342. *The Chairman.*] Do you know anything of the interior of the gaols?—Yes.

343. Does your observation lead you to this: that unconvicted people are not treated in the same way as convicted people—that persons who may be perfectly innocent of an offence are treated worse than those convicted?—Decidedly; my opinion is that they are punished before they are convicted. They are very well treated at the gaol. I can only speak for our own gaol.

344. *Mr. Tunbridge.*] Would you advocate similar comforts being given to people in lockups as are given to prisoners in prison?—I think that mattresses should be provided, if not bedsteads, and I think that admission should be given to the sunlight. I think the cells should be open to the air and that they should contain windows.

345. Do you not recognise that windows might afford the means of escape to prisoners?—I think that could be guarded against.

346. Do you know that there have been cases where prisoners have hung themselves from the window-bars?—I have heard of cases of that kind.

347. Have you heard of cases where prisoners have cut their throats with the glass?—I do not know of my own knowledge. I am not asking for nice windows, but I think the sunlight might be admitted—possibly without the aid of glass. I think it is an awful thing to shut up a poor and possibly innocent girl in a dark cell, who may possibly be taken in on a Saturday to remain there until the Monday; it is quite enough to drive one insane. I think, also, that persons accused of lunacy are put there. That is a matter which is wrong, and which should be remedied.

348. *The Chairman.*] You recognise that to confine a man or woman from Saturday until Monday without any resting-place but the floor is an act of cruelty?—Yes, and I think it is against the spirit of the age.

LUKE LYNCH CAROLAN, examined on oath.

349. *Rev. Mr. Isitt.*] What are you?—Cab-proprietor.

350. In Wanganui?—Yes.

351. Did you drive for Mr. McCaul?—I drove for myself, and stabled there.

352. Were you stabling there at the time he took the stables?—No.

353. Were you stabling there in December at all?—Yes, as far as my memory serves me, about the middle of December.

354. Did you know anything about a door in the back premises of the Albion Hotel, between that and the coachbuilder's?—Yes.

355. Do you know of your own knowledge whether that door was there in December?—Yes, it was. It was there at the commencement of December.

356. Before Christmas?—Yes.

357. You used it yourself?—Yes.

358. And you are perfectly sure?—Yes.

359. Have you seen it used on Sunday?—Yes.

360. *Colonel Pitt.*] Have you ever seen any one buy liquor on Sunday going in by that door?—No.

361. *Rev. Mr. Isitt.*] Have you seen them buy liquor after hours?—No.

FREDERICK HAMILTON SPENCER, examined on oath.

362. *Colonel Pitt.*] What are you?—Clerk in holy orders.

363. Living where?—At Wanganui.

364. *Rev. Mr. Isitt.*] Did you live in Rotorua?—For eight years.

365. From what date?—From the end of 1887 to the beginning of 1896.

366. Had you reason during your stay there to believe that the Maoris were supplied with liquor—from your own knowledge were they supplied with liquor to excess?—Very considerably.

367. *Colonel Pitt.*] Have you seen them in a state of intoxication?—Continually.

368. Where was this?—In Rotorua and surrounding districts.

369. *Rev. Mr. Isitt.*] Did you complain to the police at all?—Continually.

370. Verbally or in writing?—Verbally to the police locally, and several times direct to the head office in Wellington, and to Inspector Emerson in Waikato.

371. Do you know anything in connection with that which you knew to be a distinct breach of the licensing-law?—Well, it was so continuous. Whenever the Natives had their lands purchased or brought in wool for sale, and also there was a considerable number engaged during part of the time in the construction of the railway-line to Rotorua—whenever they had any money it was a scene of continual orgies until the money was spent. They would go up to the hotels and buy liquor in quantities, drinking to excess, which led to frequent accidents, some of which were fatal.

372. You say that they hung about the hotels drunk. Could you have given evidence, as an eye-witness, that drunkenness was permitted at these hotels?—Continually—frequently, I should say.

373. Did you make any special complaints with regard to accidents from drunkenness to the police?—Yes, to the police and to the general authorities.

374. Who do you mean by authorities?—The Commissioner of Police and the Minister of Justice.

375. When was this?—During the time I was in Rotorua.

376. How long ago?—I have been down here a little over two years. It would be a matter extending over five or ten years—a considerable time.

377. Have you any special instance in your mind when you complained to the Commissioner of Police?—On one occasion, in Rotorua. I frequently complained of the inactivity of the then constable.

378. *Colonel Pitt.*] Did you complain to the Commissioner of Police at Rotorua or in writing?—No, to the department in Wellington, which led to the constable being removed. The nature of my complaint was that there was continual sly-grog selling of which I could not help but be cognisant, and, as far as I know, no action was taken to bring the offenders to book. I think I supplied names on one occasion when Colonel Hume was in Rotorua.

379. When was this?—I think it would be in 1895—somewhere about 1895 or 1894. It may have been a year or two previously. I had records of all these things, but, unfortunately, in moving down here I lost them. I can only trace one letter here. I called on Colonel Hume at the time in company with Bishop Stuart, and Archdeacon Samuel Williams. Colonel Hume received me courte-

ously, and promised me that if I furnished him with definite information they would endeavour to get the sly-grog selling followed up. Immediately subsequent to this I went and paid a visit to the Galatea and Te Whaiti districts, and went to a village called Te Houhi, about five miles to the east of Galatea. I found about two hundred Natives assembled at a scraping of bones, and all drinking freely.

380. Drinking what?—I suppose beer and spirits, and the whole place was in a horrible state from drunkenness. I might refer here to my diary, written at the time. Here is my entry on the 15th February, 1895: "Rode down to Houhi, where I stayed. A large gathering of Maoris. 15th—The Maoris drinking, so that I could do but little. On 16th February—Maoris excited and drinking. Could do very little besides a little conversation."

381. Was there any policeman there?—Not at that time.

382. Do you know if there is one there now?—There is one in the district. The next entry I have is on the 27th February—"Reading and making up and posting to Justice Department, and New Zealand Alliance, 'Rotorua as it still is.'" I might mention that I published two pamphlets. On my return from Rotorua I made a written statement to the police. I spoke to the Natives about destroying each other by selling liquor amongst themselves. I went to the policeman with the names of those selling, and of those who would act as evidence to the sale, and offered to appear to give the necessary information. I also wrote fully to the Police Department in Wellington. Nothing was done in the matter, although I frequently spoke of it. When speaking to the Maoris on the question, they simply laughed at me, and said the Government would not care what they did.

383. *Rev. Mr. Isitt.*] Did you complain to the Inspector of that episode?—I am under the impression that I reported it to the Inspector. There is another letter I wrote to the Minister of Justice, in which I complained about a similar matter. I just refer to one sentence: "I may mention that I hear on good authority that sly-grog selling still goes on in the Galatea district, although I have before given the names, date, and places of the occurrence. Unless the law is carried out, the Maoris and others in these parts will begin to think that it has altogether ceased to operate. Trusting that you will be able to give attention to the above matter," &c. This is dated 8th January, 1895.

384. *Colonel Pitt.*] Did you get a reply to the letter?—Yes.

385. Do you know the purport of it?—I do not.

386. *Mr. Poynton.*] Do you desire us to examine the correspondence in Wellington?—Yes.

387. *Rev. Mr. Isitt.*] Did you make any special complaint to the police in one case with regard to an inquest, or want of an inquest? Do you know any case in which they suppressed important facts which bore upon an inquest?—Yes, I do.

388. *Colonel Pitt.*] When, and where?—I cannot give the date, but there was a case of drinking in Rotorua in which a man in a state of intoxication got on his horse and rode violently through a crowd, knocking down a Native, who either died at once or very soon after.

389. Did you suggest that an inquest ought to have been held there?—An inquest was held; but I do not think the police did act as they should have acted in bringing the case home.

390. There were lots of eye-witnesses?—Nothing whatever was said that it was because the Maoris were being allowed to go on getting drunk in the hotels. On one occasion when the annual report was made to the Licensing Bench everything was stated as if the hotels were very well conducted. I felt bound to controvert the statement of the constable making the report.

391. Did you give evidence before the Licensing Bench?—Yes. The constable's reply was that I should make my complaints to headquarters, and he said, when I replied that I had done so, "A jolly lot of satisfaction you have got out of it."

392. What did the Licensing Bench do?—Paid no attention, as far as I could recollect. I made a complaint on another occasion, with regard to allowing obscene hakas to continually take place, and on the general want of police supervision in Rotorua. Inspector Emerson visited Rotorua and stayed there some three days, but was very careful to avoid me, although I was trying to find him. The gist of the reply to my complaints was to this effect: "No doubt, to a person understanding the Maori language the hakas would be obscene, but to those not ignorant of Maori life it was harmless. I made complaints with regard to Sunday trading—frequent complaints—as the road to the church where I was ministering lay past the hotel, and I continually saw drinking going on in the hotel as I passed it, without going into it."

393. Do you know whether they were lodgers or not who were drinking?—They were Maoris. To show how the hotelkeepers had been spoken about to the police, I had on one occasion to go into one of these hotels, and the hotelkeeper said to me: "Mr. Spencer, why are you always finding fault with us?" I said to him: "Answer me one question: Do you sell on Sundays or do you not?" He replied: "If my customers come to me six days in the week, I am not going to deprive them of refreshments on the Sunday." I said to him: "Do you know that that is an infringement of the law." He said: "I do not care for that."

394. *Rev. Mr. Isitt.*] Have you any more specific complaints to make?—In a pamphlet I published, I gave the names of nineteen Natives who met their deaths in Rotorua through drinking.

395. Do you mean to imply that if the police had enforced the law, these men might have been saved?—I wish to imply that drinking was carried on practically unchecked.

396. There was a bad accident: was there anything in connection with that episode with regard to the police?—In this way, that the police would not take any action to show that it was connected with drinking, although it was a clear case of it. I may state, in conclusion, that I have subsequently visited Rotorua, last April, and the Te Whaiti district, and I am glad to say that the police supervision seems to be effective now; that on inquiries I made they seem to have a very good constable in Te Whaiti, and sly-grog selling has been reduced to nothing; and the same applies to other districts.

397. Do you think the present condition of the law is responsible for the failure of the police to suppress any crime?—Yes, I could say a good deal in that way. One of the remarks made to me in reply from Wellington was that I must improve the moral state of the population in the place. I said the law was not enforced in the liquor trade, and it was said that it was impossible to carry it out. I was told that the police were practically powerless to check it. I stated that in places like Fiji and South Africa—where the police were, I supposed, supported in their work—there were severe penalties: in Fiji, £50 for supplying Natives with liquor.

398. *Mr. Poynton.*] Do you think, from your own knowledge, that drink has a specially injurious effect upon them?—Yes.

399. Do you think, in view of that fact, that the penalty for selling drink to the Natives should be more severe?—Yes.

400. Do you think that the Natives should not be allowed to have liquor at all, and that a law should be passed inflicting a penalty on persons selling to Natives, either men or women?—Yes; because I know of many deaths which have occurred directly and indirectly through it. The Maoris, when drinking, stop eating, and go on drinking until their money is all gone. In Te Whaiti district there were possibly eighteen to twenty deaths after every debauch.

401. Do you think it can be done?—Yes; it has been done in Fiji, where the penalty is from £50 to £100.

402. *Colonel Hume.*] You told us a good deal about your correspondence with Wellington, but nothing about the replies. Were these letters replied to?—Yes, I got a reply.

403. I was in Rotorua myself, was I not?—Yes.

404. I did not try to get out of your way?—I went and found you.

405. Did I not come to your house and call upon you?—Yes, you did.

406. I did not try and keep out of your way?—No.

407. What was my reply to you when you made statements about sly-grog selling going on?—It was, as far as I remember, as follows: that if I supplied the police with the necessary information they would take action in the matter.

408. Did you supply it—soon after?—Yes.

409. You are prepared to swear the police did not take any action on what you told them?—I made frequent inquiries, and, as far as I know, nothing was done, because I asked the police several times.

410. You say that this sly-grog selling has been stopped now, according to your last visit up country?—Yes.

411. What is your complaint—that they did not stop it quick enough?—That at that time the police were inactive.

412. Then, you say the constable was removed in consequence of his inactivity?—You told me so.

413. At the time I called on you?—Yes.

414. Did not the man who came afterwards improve matters?—Yes, to some extent. He had backbone in him and the other man had not.

415. You said you have passed hotels and seen drinking going on on Sundays?—Yes, on Sundays and other days.

416. Do you know that on that Sunday you spoke of they were not boarders that were drinking there?—Yes.

417. You went on to say that you knew the police suppressed or failed to report an occurrence which caused sudden deaths or accidents. Can you give us an instance of that?—Yes, in a drowning case that was directly attributable to that. I called on the police and on the Coroner.

418. Did you give any evidence?—I demanded an inquest.

419. In these other cases did you ever give evidence yourself?—I never had an opportunity afforded me, because there never was a case brought forward on which I was called upon to give evidence.

420. In reference to these hakas, do you know any law that stops the Natives from dancing a haka?—Indecent exposure.

421. Did they not dance them occasionally before His Excellency the Governor?—There are hakas and hakas. I speak of hakas got up in which women would be hired in a hall to perform these indecent hakas, in which not only the actions of the body are obscene, but the whole thing is indescribably filthy. These hakas are got up for immoral purposes.

422. You think the police should have stepped in and stopped the hakas altogether?—Yes, those hakas, certainly.

423. Are you prepared to state that in anything which you reported there was direct evidence which would lead to prosecution, and the police did not take action?—Yes.

424. Give us one case?—The drinking at Galatea, in which I supplied the occurrence, the name, date, and place.

425. Did you offer to give the name of the person selling the liquor?—Yes.

426. Who did you report that to?—The constable in Rotorua, and also to the department in Wellington.

427. *Mr. Tunbridge.*] You said something about penalties imposed for supplying liquor to Natives in South Africa?—I have a paper showing the penalties imposed in South Africa.

428. What paper is it?—It is the *Prohibitionist* of the 28th May last.

429. Does it apply to the Transvaal?—Johannesburg.

THOMAS GODFREY HAMMOND, of Patea, examined on oath.

430. *The Chairman.*] What are you?—Wesleyan missionary to the Maoris.

431. Where?—West coast of the North Island.

432. *Rev. Mr. Isitt.*] How long have you been a Maori missionary?—Twenty years.
433. How long on this coast?—Eleven years, or a little over.
434. Within your own knowledge, have events shown you that the liquor laws with regard to Maoris are not enforced?—Very many.
435. *Colonel Pitt.*] In places where there are police stationed?—There are policemen all over the coast.
436. *Rev. Mr. Isitt.*] In Patea, have you seen anything there?—Yes.
437. Have you seen anything to prove to you that the Maoris are allowed to get drunk in hotels, and congregate there when drinking?—Yes.
438. *Colonel Pitt.*] How long ago?—About three years ago.
- 438A. *Rev. Mr. Isitt.*] Used it to be habitual?—It was a common thing when they were paid their rents in the townships. I was mainly instrumental in getting the payments made in the settlements, and there is a change now for the better.
439. Did you draw Mr. Seddon's attention to the evil of paying them in the townships?—Yes, and he did all he could in the matter.
440. Was it chiefly owing to the evils of the liquor trade in the townships that you made that complaint?—Yes, solely on that account.
441. Was it the law-breaking on the part of the publicans that made you do that?—Yes. I saw the Natives go in drunk and come out drunk continually.
442. *Colonel Pitt.*] Did you see them supplied with liquor by the publicans?—We know, without the slightest doubt, that they got the drink on the premises. I could bring five hundred witnesses to prove that.
443. Has this occurred in other places besides Patea?—Yes.
444. Where?—I reported a matter on one occasion to the police in relation to Waitotara, to the police in charge at Patea—Sergeant Donovan then—and the next time I went to Waitotara I was first insulted by the publican's son-in-law, and then somewhat savagely accosted by the publican himself as to what I said. So the police had reported the matter, and I would like to know why I should be "given away."
445. Are there any other places you speak of besides Patea and Waitotara?—There have been shocking scenes of drunkenness at Kakaramea. I have often seen the Natives very drunk at Manutahi, and drunkenness was at one time very common at Hawera.
446. How long ago?—Just before the stopping of the payments of moneys in the townships. I saw one man arrested at Hawera; he was handcuffed behind his back, and the police hauled him along by the hands on the footpath, and I interfered.
447. *Rev. Mr. Isitt.*] Has this thing been so common as to leave no question in your mind that the police could have obtained conviction had they tried?—I consider the police in such matters have just allowed the thing largely to go. They are not worth their salt if they could not have found the thing out.
448. You live in Patea, I believe?—Yes.
449. Have you seen any cases of the laws being laxly administered when the Europeans were concerned?—No. I know of a good many things, but not from my own knowledge.
450. Do you know of anything of your own knowledge of that episode in which a man met with injury in a publichouse?—I know a man had his arm broken in a publichouse. There was never anything done about it.
451. Do you know by whom it was broken?—I do not, but it was town talk who did it. The publican did it.
452. *Colonel Hume.*] It was town talk he did it, but you cannot say the publican did it?—No, but everybody knows it. I want to make another statement, since I am called here. I have often seen the Maoris very drunk at Rahotu, and they have been very offensive to me when drunk. That place has been a scandal.
453. *Colonel Pitt.*] Is there a policeman there?—There is a policeman at Pungarehu. I reported a case—a row—outside the Central Hotel at Patea about three years ago. Nothing was done. I repeatedly called the attention of the police to Natives coming out of licensed houses.
454. Did you name them then?—Yes. I went one Sunday to Whenuakura. One Maori woman was standing in the doorway of the hotel, when another woman came out of the hotel with a child on her back in a state of intoxication and said, "I am not going to worship to-day, but I am going to get drunk in the publichouse." I reported this, and offered to bring witnesses. My information was refused.
455. *Mr. Poynton.*] You reported this to a policeman?—Yes.
456. How do you mean your information was refused?—They said there was nothing in it, and would not take any witnesses.
457. Was there any case: a woman saying she was going to get drunk? Could you show that she got the liquor?—She came out of the house intoxicated.
458. She might not have got the drink at that hotel?—There was only the one hotel there. I gave the complaint to the policemen, and no action was taken. I want to put in a letter from Colonel Hume, and one from Mr. Seddon. This is in reply to a letter in which I complained that Native women were still allowed to get drunk.
459. When was that?—The reply is dated 13th January, 1897, and from Colonel Hume, 15th January, 1897. I made a complaint to Mr. Seddon as to Native women getting drink in the settlement, and that complaint was signed by a Native chief. Mr. Seddon's reply says:—
- I am in receipt of your two communications of yesterday's date in reference to the sale of drink to Maori women in the West Coast districts, and I regret that this practice still prevails. However, I have forwarded your communication to the Minister of Justice, and feel sure that, attention having now been drawn to the matter, the proper remedy will be applied.
- Yours sincerely,
R. J. SEDDON.
- Rev. T. G. Hammond.

No attempt has been made to remedy that. The letter from Colonel Hume is as follows:—

SIR,—

Wellington, 15th January, 1897.

I have the honour, by direction of the Hon. the Minister of Justice, to acknowledge his receipt of your letter, and statements regarding beer being given to female Natives by some of the trading men at the Maori meetings, which was also signed by Oraumotu, and in reply to thank you for the trouble you have taken in this matter, and inform you that special instructions have now been issued to the police, in accordance with your request.

I have, &c.,

A. HUME, Commissioner.

The Rev. T. G. Hammond, Patea.

Liquor is still given away indiscriminately at the Maori feasts, and a certain Native at Waitotara has been drinking continuously for the last two years, to my knowledge.

460. Do you concur with Mr. Spencer that the consumption of drink has a specially bad effect on the Native race?—If they do not desist they will die out.

461. Do you think it would assist the police to have a penalty against supplying Natives with drink?—Very materially; but if the police do not do their duty better than I have known them to do, it is no good making any law. It would be a very good law, and a large percentage of the Natives would hail it with very considerable pleasure.

462. *Colonel Hume.*] You have told us a great deal of what happened years ago: do you agree with Mr. Spencer that improvement is going on?—Mr. Seddon's law, restricting drink from being given to Maori women, has been a very great blessing, as it keeps women away from the public-house. Prior to that they filled up the publichouses and were often drunk, and given to swearing.

463. This beer business, the subject of that letter, was it at some meeting?—Yes.

464. Was the law interfered with on that occasion?—The beer was given indiscriminately.

465. Is that against the law?—The law distinctly states that Maori women are not to get beer.

466. It was their own beer: you do not know where it came from; it was simply distributed at the meeting?—Yes; and the police could see this as well as I.

467. You have reported and stated that they had taken no action, or that you were not aware that they took any action?—I am not aware that they have taken any action to prohibit women getting drink.

468. They might have taken action for aught you know?—I do not know how they can take action without bringing a charge.

469. They could not charge without getting evidence?—There was evidence. If the police were here to meet that matter they could do it without the slightest difficulty.

470. As regards this row outside the Patea Hotel: you told the police?—Yes.

471. Did you give the names of anybody that might have been prosecuted?—I do not know whether I did or not, but the names were perfectly well known. I had a conversation with the police about it.

472. It was the talk of the town?—Quite so.

473. You say you saw a Native with his hands handcuffed behind him: what objection have you to that?—I have no objection to the handcuffing behind him, but I thought it was an improper thing for the police to drag him along the footpath in that way.

474. Are you prepared to say there is as much drinking now amongst the Natives and selling liquor in improper hours as there was three years ago?—I said nothing about improper hours. There is not nearly so much selling, and it is attributable to Mr. Seddon's law in relation to the women, and to the fact that the Natives are now paid in the settlements instead of the townships.

475. Then there is some use in making laws?—Considerable.

476. *Mr. Tunbridge.*] Can you say how the Maoris can be forbidden to give their own women drink?—The drink I saw was not in their houses.

477. You say it was at a meeting?—Yes.

478. Where there were casks of beer and the people were allowed to take what they wished?—Yes; and I have seen pakehas there getting drink on Sundays.

479. Do you think it is possible to prevent this indiscriminate drinking at Native meetings?—Yes, perfectly.

480. And politic?—Extremely so.

481. How many Natives do you suppose there are at these meetings?—Sometimes two or three hundred.

482. Native men; or men, women, and children?—Yes, all together.

483. In a very excited state?—Sometimes.

484. You would go so far as to march a number of police officers into the meeting and bring these men away?—No; I do not think any man would do that with any head on his shoulders.

485. What would you suggest?—That they should speak to the leading men, and when they found out the offenders bring them up.

486. *Mr. Poynton.*] There is nothing to prevent a Native buying a million gallons of beer?—Then it should be stopped.

487. *Mr. Tunbridge.*] The beer is generally given away?—Yes.

488. You think moral suasion should be used?—Yes.

489. What about your moral suasion?—We have done our best; but unless we are backed up by the law, there are Natives who care neither for God nor man.

490. That does not apply to the chiefs?—If the chiefs do not pay attention there is no moral power.

491. You have tried moral suasion?—I have been doing it until I got grey. A Maori respects moral suasion with force behind it.

492. But you do not advocate the police taking special measures to stop this by going in and bringing men away?—No, I do not.

493. It would be likely to bring about very serious consequences?—It would bring about very bad feeling, and perhaps defeat the ends aimed at.

494. It would bring about bloodshed?—No.
495. If you went to a meeting where they were very excited and, perhaps, arrested a chief, do you not think it would bring about bloodshed?—No man in his senses would do that. He would summon the head man.
496. That would not affect the meeting, because the summons would come on perhaps a month later?—No, but it would deal with the matter.
497. It would be the man who helped the woman to drink that would be responsible. Would there not be a difficulty in that?—I admit the difficulty, but it is not insurmountable. The matter has been dealt with here.
498. You mean where a licensee supplies drink?—No, where Natives have been supplied.
499. Not where there has been a great meeting of these Natives and where there has been feasting?—No, I am not aware of any case where it has been tried.
500. You recognise that there would be very considerable difficulty in getting sufficient evidence?—Yes, but I look to the police to cope with the difficulty; or else, what are they there for?
501. Even with the present strength?—Yes; there are plenty of police to see to this.
502. With only one man on night duty at Wanganui, and when you have other police affairs to attend to, to cope with a matter like this, probably where hundreds of Natives are assembled for feasting purposes, and requiring police to be provided from the towns to prevent women being supplied with drink?—If the police visited the Native meetings they could get the same information that I did, and they could summon their own witnesses before the Magistrate. That has never been done, and that is what I complain of.
503. Now, as to these Native meetings, what information did you get?—I saw the beer given indiscriminately to men and women.
504. You have great knowledge of the Natives?—Yes.
505. Can you supply the name of one Native man who, you say, supplied a Native woman at this meeting?—No, I could not mention the name, but I know the man who was going round with a bucket.
506. It is one thing to come here and speak of a matter, and quite another thing to swear to facts?—Yes; I have made general statements, and made them in a straight way.
507. May I take it that in future you will give the police the benefit of your help?—I shall be perfectly happy to do so.
508. Even to going before a Magistrate?—I shall use my discretion as to when I shall give evidence.
509. You come here and complain about the police not doing their duty: but may I take it from you that you consider your duty ends there?—I think I must be the best judge of what is wise for me to do in relation to my work. I consider my work of the first importance, and I am not going to take up a false position for any one. When I deem it wise to give direct evidence I shall do so, and there are times when I shall hold my tongue.
510. Then I cannot rely upon you as a probable witness in these cases?—Well, if the police are there, and see me there, and know that the law has been broken in my sight, I shall give evidence, but I am not going to trot round the country as an informer.
511. You spoke of one Native being "on the drunk" for two years in Waitotara?—Yes.
512. Do you remember the Stipendiary Magistrate making some strong remarks in condemning the arrest of the Native?—Yes, I was there.
513. You heard the remarks?—Yes.
514. Do you recognise that the police do not always get assistance in such cases?—I was there at the request of the Native who was charged with this offence, and he wished me to be present because one policeman brought the charge and another policeman was interpreting. I said, "I will go, and it will be all right," and on that account I went and watched the case. I was not altogether in sympathy with the Judge's verdict.
515. I am not asking you that. The constable did arrest the drunken Native. He endeavoured to get him to the lock-up, and was set on by other Natives?—The constable was censured because he did not bring the man up by summons. The Magistrate thought he was placing himself in a position which was not right.
516. He endeavoured to get the man home?—It was sworn in Court that they never gave up their efforts to take him home, and they came to take him out of their hands.
517. *Colonel Pitt.*] When did these cases of drunkenness and of supplying liquor to Natives at Patea occur?—The Natives drank very badly about three or four years ago, and it was to this that I more particularly referred. But the Natives could get drink at pretty well any time they liked during my residence there.
518. *Mr. Tunbridge.*] Does that apply to the present time?—There is quite enough of it now. I do not refer to the time when Mr. Day was constable. My remarks have nothing to do with the time when ex-Sergeant Day was in Patea.

Inspector McGOVERN, recalled.

519. *Rev. Mr. Isitt.*] Has any report been made to you about a broken arm having been received in a hotel?—No, not that I can remember now.
520. You have heard the evidence as to the existence of a certain door in the Albion Hotel, in December?—Yes.
521. Did you hear the sergeant say that practically it could have had no existence except for illicit purposes, and that that was his report to the Licensing Committee?—Words to that effect.
522. Did you hear a similar statement from the Chairman of the Licensing Committee?—Yes, I heard him to-day.
523. Should not that have been reported to you?—Yes, it was reported to me. After the

quarterly licensing meeting in March, Sergeant Ellison said there was no complaint, but at the annual meeting he would bring up the matter about that door. I should like to speak about the Inglewood hotels receiving an 11 o'clock extension. Inglewood has had an 11 o'clock license for years past.

PALMERSTON NORTH.

SATURDAY, 25TH JUNE, 1898.

EDWARD WILSON, examined on oath.

1. *The Chairman.*] We wish to examine you on the general efficiency of the Police Force in this locality. You are sergeant, of what rank?—First class.

2. When were you stationed here?—On the 23rd October, 1897.

3. When did you join the Force?—I joined the Armed Constabulary on the 15th August, 1871.

4. When were you transferred to the Police Force?—The first police work I did was in 1874, in the Taranaki District.

5. Does your police service date from then?—Taranaki was a peculiarly situated district. There were only four constables there, and the Armed Constabulary used to do police duty in the district.

6. When did you first draw pay from the Police Department?—In 1877, I think. I was transferred to a station called Manutahi, ten miles from Patea.

7. And from there to where?—New Plymouth, as district clerk, under Sub-Inspector Bullen.

8. And from New Plymouth, when you ceased to be clerk?—I was transferred to Wanganui as district clerk under Inspector James.

9. In what year?—1880.

10. And from there?—I was transferred to Christchurch in 1888. I was to get the position of district clerk, but did not.

11. In what position were you transferred there?—Third-class sergeant. I was promoted to the rank of third-class sergeant in 1883, when at Wanganui.

12. And you went to Christchurch as third-class sergeant in 1888?—Yes.

13. How long were you there?—Only three months, when I was transferred to Akaroa.

14. In the same year?—Yes, and within three years and three months I was transferred back—at the end of 1891 or the beginning of 1892—to Christchurch.

15. Still holding the rank of third-class sergeant?—Yes.

16. And after that?—In January, 1894, I think, I was promoted to the rank of second-class sergeant, while at Christchurch.

17. And when did you leave Christchurch?—I was doing street duty in Christchurch for nearly six years, and was transferred to this place on the 23rd October, 1897.

18. Then you have not held the position of clerk since you were at Wanganui under Inspector James?—No.

19. Since that time you have been engaged at police and general duty?—Yes.

20. What number of men have you under your control here in Palmerston proper?—There are three foot-constables, one mounted constable, and one detective.

21. What class detective?—Fourth class.

22. And the mounted constable?—Second class.

23. And the three foot-men?—One first-class and two third-class constables. At Terrace End, a mile and a quarter from the present station in the town, there is another second-class constable stationed.

24. What length of service have these two third-class men in the town?—I think one has about five years, and the other a little more.

25. Neither of them is a recent appointment?—No.

26. What other stations have you in your sub-district?—Ashhurst, nine miles away.

28. With how many men?—One first-class constable.

29. What other stations?—Feilding, with two second-class constables.

30. What is the next station?—Foxton, with one third-class constable.

31. Is there any other station?—No.

32. Who is your Inspector?—Inspector Pender, in the Wellington District.

33. What have you to say with regard to the sufficiency of this force for the duties you have to perform—I mean the numerical sufficiency?—I think I should have at least one man more.

34. Where?—At Palmerston North.

35. What do you want him for?—All the prisoners that are arrested here have to be sent away to Wanganui and Wellington, and there is a man a good deal of his time on escort duty; and I would like to have a second man on night duty, owing to the number of vagrants who seem to visit Palmerston North.

36. At present you have only one man on night duty?—Only one man.

37. And feel the necessity for another?—Yes; I think there is necessity for another. These vagrants are sent out of the Wellington, Wairarapa, Napier, and Wanganui districts; they get notice to leave those places and invariably come here. There is another reason why I want another man, and it is a reason which I think will commend itself to you: There is a very large number of people who pass through at the railway-station. Trains from Wellington, Napier, Wairarapa, and Wanganui are continually arriving and leaving, and it is necessary to have a man on duty there nearly the whole of the time.

38. Now, with respect to those men you have—are they efficient, physically equal to the work required of them, and competent for any work they are called upon to perform?—I have got one very old man. He is a very careful and painstaking man; but really, speaking the truth, he is almost past work now. Then, I have another man who is not very strong, owing to an accident he had lately. All the men are good, active men.

39. Are the two you refer to in the town?—Yes.

40. *Colonel Pitt.*] What was the nature of the accident to the man you referred to?—The constable was chasing some larrikins in a right-of-way when he came in contact with a clothes-line, and he says it has affected his sight.

41. *The Chairman.*] With regard to the state of the town, you say you have an influx 'of the vagrant element at times?—Yes, that is the great trouble here. Only last week there were two women ordered out of Wellington who came here and stopped a few days, when we got them to leave. In fact, there were four of them.

42. That is the result of ordering them out of one town—they go to another and get ordered off again?—Yes.

43. Have you much actual crime here?—There is a fair amount. I think there was rather more than last year. There were 208 cases in eight months.

44. You will please prepare a crime return up to the 30th of April last?—Yes, sir.

45. How many hotels have you within the district controlled by the one man at the far end of the town and the five men here?—There are seventeen hotels, including that at Terrace End.

46. Can you give us the population of the town?—According to the last census there were about six thousand.

47. Have you been successful in dealing with undetected crime?—There is very little here.

48. How do the hotels of the town generally observe the liquor-laws?—Fairly well. There are only two hotels within the last eight months I have had occasion to report, and in both these cases the licensees have been got out of the hotels.

49. So the hotels are well conducted?—Yes.

50. Have there been any prosecutions?—No, the hotels were reported to the Licensing Committee, and the Committee gave the licensees notice that they had better leave. It has had the effect of getting these undesirable people out of these hotels. There was another report against a hotel, but the Licensing Bench decided to give the licensee another chance.

51. You have had no prosecutions?—No.

52. Have you much street gambling?—No, I have not heard of any.

53. Do any of those institutions known as "tote" shops exist?—Well, it has lately come to my knowledge that such a place existed, and I have taken steps to put a stop to it. I may say the matter will be before the Court in a week or less.

54. There is no street betting?—No, I have never heard of any.

55. Is the town orderly and well-conducted in the matter of prostitution?—There is no brothel in the town that I know of at present. In the only brothel that I have been able to take action against, or which has come to my knowledge, since I have been in Palmerston North, the owner and occupier of the place has been brought up before the Court and fined, and has since left the district.

56. Have you anything in connection with your district which you would like to bring under our notice, with a view to greater efficiency, or as regards any grievance or trouble under which you think members of your Force suffer?—I do not think so; I do not know of any.

57. Have any complaints been made to you by any one outside the department as to the conduct of any individual member of the Force under your control which has not been inquired into departmentally?—No.

58. *Colonel Pitt.*] Have you considered the matter of a pension scheme?—Yes; I have read Commissioner Tunbridge's proposal very carefully, and I think that would be a very wise thing.

59. *The Chairman.*] What did you read it in?—In the *Evening Post*, in which, I understand, the context of it was followed pretty closely. I think any scheme that would offer any inducement to good men to join the Force in order to make a livelihood would heighten the Force altogether.

60. Do you think the men are prepared for a pension scheme on the understanding that it involves deductions from their pay and charges? Do they know that it means present sacrifice for a future benefit?—Yes.

61. Do you think they are prepared to accept that?—Yes.

62. *Colonel Pitt.*] You say you are not aware of any complaints on the part of members of the Police Force. Are they satisfied with the rate of pay?—I have frequently heard complaints generally throughout the colony that there was no promotion for years and years, and married men have grumbled in Christchurch and other places I have been in at having to pay for house-rent, which is very heavy.

63. *Mr. Poynton.*] How many married men have you here?—Two.

64. Do they get any house-allowance?—No.

65. *Colonel Pitt.*] Are the single men satisfied with the rate of pay?—The only single men I have get long-service pay.

66. Do you think, speaking generally, that the pay is sufficient?—I do not. I think there should be an increase in the pay in order to attract a better-educated class to the Force.

67. And the uniform?—I think the uniform should be provided.

68. What do you think as to the abolition of classes, both of non-commissioned officers and men?—I think payment by increment would be the better way.

69. *Mr. Poynton.*] Do you know anything about political influence to prevent transfers or to gain promotion?—No, I do not.

70. *The Chairman.*] Are your men living in barracks?—Two single men. The two married men live outside and pay rent, and the detective lives outside.

71. Do those in the barracks mess there?—No. One does, and the other has his meals outside.

72. Why do they both not mess in the barracks?—Well, the mounted man is out a great deal about the country.

73. Do you think it a good system for constables to mess in hotels?—No, I do not, but in some cases it is unavoidable.

74. Why?—Because they cannot get proper places to stop at.

75. Are there no hotels or boardinghouses where they could get their meals?—There are no suitable boardinghouses in the town. When I came here I could not get a place, and had to go to a hotel to have my meals.

76. Surely if there is accommodation for one man to mess in the barrack, there is accommodation for two?—I am referring to the mounted man, who has his horse to look after.

77. There is no other sergeant in your sub-district?—No.

78. *Colonel Pitt.*] Is there much sickness about among the men, necessitating absence from duty?—Yes, Constable Coulahan was away for a week since I have been here this year, and Constable Hattie was away for five weeks.

79. *Mr. Isitt.*] Do I understand that this man lives in hotels in Palmerston itself?—He has his meals there.

80. Do you mean to say you could not find any other accommodation than that?—He tells me so, and my own experience was that I could not find accommodation. There is a building in course of construction that will meet that difficulty.

81. Do you not consider it exceedingly undesirable that a constable should have to board at an hotel?—It depends upon the constable. If the man drinks it is undesirable, but not if he is a total abstainer.

82. Apart from that consideration, your duty is to watch the hotels?—Yes.

83. And it is a difficult part of your duty?—Yes.

84. Is not the trouble increased when friendly relations are established between a hotel-keeper and a policeman?—I do not think so.

85. You say you have had to report two hotels, and there were no prosecutions?—Yes.

86. And that the licensees had to leave?—Yes.

87. Under what sort of pressure?—Because the houses were reported as dirty, and were not kept up to the standard required by the Act.

88. It had nothing to do with distinct breaches of the Act?—No.

89. And nothing to do with trading after hours or Sunday trading?—No.

90. Was one licensee cautioned?—Yes.

91. With regard to what?—The dirty state of his premises.

92. Not with regard to what I have indicated?—No.

93. Is it within your knowledge that the Commercial Hotel changed hands recently?—No, it is not.

94. *Colonel Hume.*] You were transferred from Christchurch to Palmerston North?—Yes.

95. I think at Christchurch you were pretty active in looking after publichouses?—Yes, I was.

96. And you got some convictions?—I think, about thirty convictions in six years.

97. Did that tell against you in the Force in any way?—It did not; I do not think so.

98. Did any one try and prevent you carrying out your duty with regard to publichouses?—Both Inspector Broham and Inspector Pender were always most anxious that the licensing-laws should be carried out in their entirety, and gave me every assistance possible to do so. Inspector Broham was particularly keen on it.

99. Was your transfer from Christchurch to Palmerston any betterment to you?—Yes, certainly.

100. Then, if anybody said that you were removed from Christchurch to Palmerston because you saw the Licensing Act was properly carried out, and therefore you suffered some injustice by the removal, they would be stating what is not a fact?—Yes, they would. I may say that I asked for a transfer to the North Island.

101. You were asked just now whether you did not think it would be establishing friendly relationship between constables and hotelkeepers by constables taking their meals at hotels. I would like to ask you whether you do not think that a man who has his meals every day at a hotel, and who thereby gets into the confidence of the hotelkeeper, would be more likely to see any breach of the law going on?—Certainly he would. As I said, it depends on the nature of the man. If he is sober and a practical abstainer no harm would be done. It is only those who go on nipping there is any danger with.

102. *Mr. Tunbridge.*] With reference to your being prejudiced by your removal to Palmerston, you have received a class since being here, have you not?—Yes; and, of course, in Christchurch I had to pay a portion of the house-rent, and I had to pay for other things.

103. *The Chairman.*] When were you promoted to the first class?—On the 15th February of this year.

104. *Colonel Hume.*] When you got those convictions against the hotels, did you usually get the reward?—No; I never looked for a reward.

105. Never?—No. I got a reward for conviction of a man for sly-grog selling. I did not get any reward for ordinary prosecutions under the Licensing Act.

106. You have got on fairly well in the Force?—Yes, I have.

107. Have you ever used any political influence?—I do not think so. I am sure I have not used any political influence.

108. Do you think your friends have?—I do not know what my friends have done, but I never asked them to use any political influence for me.

109. *Rev. Mr. Isitt.*] You had thirty convictions in six years in Christchurch?—Yes; I had sixty cases, and I think about thirty convictions, under the licensing-laws as regards publichouses

110. Do you know that a great deal of satisfaction was expressed at your action by the Prohibitionists there?—I did not hear, or take any notice of it.

111. Yet, active as you were, is it not an actual fact you did not know what was going on at Coker's George Street bar?—I gave evidence at that inquiry.

112. Did you state in Court that you had not heard of what was going on at the George Street bar?—It is so long ago that, without having something to refresh my memory, I could not say.

113. Did you know that there was a good deal of evidence given by citizens as to the George Street bar?—Yes.

114. Did you say in open Court that you had not heard of those things?—I do not think so. I think I was almost the one policeman who did say the place was frequented by prostitutes.

115. You say that a constable boarding at a publichouse would be more likely to see breaches of the law than other men?—Yes.

116. But—not having reference to your own immediate men—would not the fact of a constable boarding at a publichouse have the effect of making a good many men shut their eyes?—I do not think so.

117. Were you ever asked at Christchurch to find out who the man was who said if he had a free hand he would obtain convictions?—I was never asked, and I think, if any one did say so, it was a bit of bombast.

118. Were you never asked by your superior officer to find out that man?—No.

119. You condemn the practice of a policeman going to take his meals at a publichouse?—I do.

120. If it could be avoided, you consider they should not go there?—Certainly. I understand from the man living at the house that he will shift when a certain boardinghouse is built, and it will be finished in a few weeks.

121. *The Chairman.*] I understand you wish to say something in reference to a cutting from the *New Zealand Times* of the 19th February last. I will read the extract: "The ex-Commissioner next brought up, at Mr. Taylor's request, reports with reference to a dispute at Akaroa between Sergeant Edward Wilson and Constable Thomas Whitty. It arose through the latter giving evidence contradictory to his superior officer at a meeting of the Licensing Court, and also bringing charges of erroneous book-keeping against Wilson. The result was that both men were removed from Akaroa." You say in a letter:—

Police Station, Palmerston North, 22nd February, 1898.

He annexed cutting from *New Zealand Times* of Saturday, 19th instant, I do not know whether Colonel Hume has been correctly reported in this paper, or whether, owing to lapse of time, he has forgotten the facts and the final termination of the case; but, as this version has gone forth to the public, I respectfully ask that I be allowed to place on record my side of the question, so that I may not be prejudiced by it. First, it is stated the dispute arose through the constable giving evidence contradictory to me at the Licensing Court, &c. This is not correct. The constable made his report because I would not allow him to peruse some papers between Inspector Pender and myself relating to the constable's application to marry. Second, that both of us were removed in consequence. The constable was removed at once, and I was left at Akaroa for about three months. I would also like to state that when Colonel Hume visited Christchurch about two months afterwards I went and saw him in Inspector Pender's office. Mr. Pender was present. I asked the reason of my removal from Akaroa, and if it was over the reports. I also stated that I was dissatisfied at not having the investigation asked for and being given an opportunity to clear myself. Colonel Hume informed me my removal was part of the general scheme to do away with sergeants at small places. This I thought correct, and accepted it, as Sergeant Scott (Oxford) and Sergeant Barlow (Rangiora) were transferred at the same time, and no sergeant has been at any of those places since—that no investigation was thought necessary, as the department was perfectly satisfied with my explanation. In his opinion, the only way I erred was in not suspending the constable. I doubt section 64 of the Police Regulations confers the power on a sergeant to suspend a constable for a trivial breach of the regulations; only officers (Inspectors) in charge of districts can do so. In conclusion, I would respectfully ask that the papers be looked up, and if the Commissioner deems it of sufficient importance, Colonel Hume might be shown this report and asked if my statement is not the correct one.

Do you wish to depose on oath to the facts contained in this document?—Yes.

122. *Colonel Pitt.*] There are two matters referred to in this report in the newspaper. One is that of the constable giving contradictory evidence to you at the meeting of the Licensing Court, and the other the constable bringing charges of erroneous book-keeping against you?—I do not know where that could come in—giving contradictory evidence against me. That is not really correct. As a matter of fact, I objected to the renewal of a license on the ground that the licensee had had three convictions within six months. Really, why the constable objected to me was because I would not show him some papers.

123. *The Chairman.*] I take this from you, that you make the statements of fact contained in this document upon oath?—Yes.

Colonel HUME examined on oath.

124. *Sergeant Wilson.*] You remember a man named Whitty, a constable stationed at Akaroa, reporting me?—Yes.

125. Will you just refer to the departmental papers. I think you will find, first of all, that there is a report by Constable Whitty against me?—Yes.

126. When that report was received by me in ordinary course I forwarded it to Inspector Pender, and asked that, before I gave any explanation on it, the whole matter should be investigated before a Magistrate?—I might state that there was a sergeant and a constable stationed at Akaroa, and the constable made some complaints about the sergeant getting some forage improperly. That was investigated, and it was found there was nothing in it. Then the Licensing Committee met, and the constable said that a house was well conducted which the sergeant stated he opposed the license of, on the ground that the house had been improperly conducted, that drunkenness had been allowed therein—that there had been three convictions during the year and

two indorsements on the license. The constable was removed, but before the sergeant was removed it had been decided to remove the sergeants from several small places, and Akaroa was one of them. I visited Christchurch, and the sergeant asked me about his being removed from Akaroa, and I told him that there was nothing in the dispute with the constable, but it had been decided to remove the sergeant from Akaroa. There was never any inquiry into the matter, as Inspector Pender did not consider it important enough. It was a dispute between the two. He called upon Sergeant Wilson to reply, and the reply was apparently considered satisfactory.

127. Then, as far as that charge goes, I left Akaroa with a perfectly good character; there was no stain with regard to that charge?—No, not the slightest. There has not been a stain on your character since you have been in the service, as far as I know.

128. With regard to my objection to the publichouse, was I not bound by law to object to a house that had had three convictions against it in six months?—I do not know that you were bound by law, but you were perfectly right.

129. *Colonel Pitt.*] The memorandum you submitted to the Defence Minister reads as though you recommended the removal of both sergeant and constable on account of the disputes between them?—Yes.

130. But there was another reason with reference to Akaroa being reduced as a station. I should like to have the explanation as to the removal?—It happened in this way: There was an Akaroa resident mixed up in this forage business, and also in reference to the publichouse row the Akaroa residents were interested to a certain extent, and I thought the simplest plan was to remove both the constable and the sergeant.

131. Did the removal of Sergeant Wilson imply any censure upon him in any way?—Certainly not; and he would have been removed in any case because the station was being reduced. I considered Sergeant Wilson's explanation satisfactory.

132. *Sergeant Wilson.*] In forwarding that report I asked for the fullest investigation?—Yes.

133. *Rev. Mr. Isitt.*] Mixed up with this trouble there was a dispute about a hotel?—Yes.

134. That the constable had not reported?—Yes. He gave evidence before the Licensing Bench. The sergeant objected to the renewal of the license, and gave his grounds for doing so, and the constable stated that the house was well conducted and one of the best in Akaroa.

135. And the sergeant reported the three convictions as his clear duty?—Yes.

136. You say it was the sergeant's duty to report that?—Yes.

137. But the residents of Akaroa interested themselves in that matter?—I did not say so. There is nothing on the papers to that effect.

138. Was it not an unfortunate coincidence to remove the man just after that report?—I do not think so.

139. Do you not know that the liquor trade claim that they have power to effect these removals?—Everybody claims that.

140. Do you not know that the Prohibitionists, rightly or wrongly, suspect this sort of thing?—They suspect all sort of things.

141. Did you not play into the hands of these people?—What I did was for the benefit of the service. I thought their removal was for the betterment of the service. When I wanted to remove a man I did not think of the liquor party or anybody else, but what was best purely in the interests of the service.

WELLINGTON.

MONDAY, 27TH JUNE, 1898.

HENRY JAMES CHECKETTS, examined on oath.

1. *The Chairman.*] What are you?—A greaser, in this country.
2. In what employ?—I am out of employment.
3. Where are you residing?—In Wellington.
4. *Mr. Taylor.*] How long have you been in Wellington?—I have been coming here about seven or eight years.
5. Do you mean coming as a fireman, or as an employé on a steamer, and so on?—Yes.
6. Have you worked on shore at any time?—Yes; I have worked at Waihi a year and up.
7. Have you worked in Wellington any time?—I have been four months employed in Wellington.
8. *The Chairman.*] Where?—At Dealy's hotel.
9. In what month?—The latter end of February until about a week ago.
10. *Mr. Taylor.*] When did you go to Dealy's: when did you frequent the house first?—The beginning of January—on the 1st.
11. Have you at any time since you have been in the colony, at any place, seen the police frequenting publichouses prior to the 4th February?—Yes.
12. In uniform?—Yes, in uniform and without.
13. Have you, in Wellington, seen policemen frequenting publichouses?—Yes.
14. In uniform?—Yes.
15. Without uniform?—Yes.
16. Have you seen them gambling there?—Yes.
17. Have you seen any policemen intoxicated in Wellington?—Yes.
18. In hotels?—Yes.
19. *The Chairman.*] In uniform?—Yes.
20. Do you know whether from the time you first went to Dealy's hotel it was known as a policeman's hotel?—Yes.

21. What do you mean by "a policeman's hotel"?—A man can go in at any time and take his liquor.
22. *The Chairman.*] Do you know of any time prior to the 4th February that a house was known as "a policeman's house"?—Yes.
23. *Mr. Taylor.*] Have you ever been instructed by a publican for whom you were working not to charge the police for their drinks?—Yes.
24. Was that by Dealy?—Yes.
25. Which Dealy?—Mr. James Dealy.
26. *Mr. Poynton.*] Was this prior to the 4th February?—I have been going to the house for six months.
27. *Mr. Taylor.*] You were there as a rouseabout?—Yes; and I was watching the house for Mr. Dealy.
28. Do you know whether at that time the police had a free run of the house?—Yes.
29. *The Chairman.*] What do you call this watching—walking up and down?—Doing sentry.
30. You did not receive any pay?—They gave me bed and food for five or six weeks.
31. *Mr. Taylor.*] In any part of the colony, at any time, have you seen Sunday trading going on freely?—Yes, plenty.
32. Had you charge of the bar at Dealy's before February?—No.
33. Did Dealy do much Sunday trading before the 4th February?—Yes; he did pretty fair.
34. What do you call "pretty fair"—£10?—I can vouch for that since, but not before.
35. Have you seen members of the Force shaking dice in hotels?—Not in uniform.
36. Have you seen them shaking dice in plain clothes?—Not since the 4th February.
37. Have you been threatened during the past day or two that if you came to the Commission you would be assaulted?—Yes.
38. More than once?—Well, once seriously.
39. *Mr. Poynton.*] Was this by publicans?—No.
40. *Mr. Taylor.*] Have you been offered money not to come here?—Not money; but I was offered work not to come here. It might not have been real, but I was offered it.
41. Do you know whether Mr. Dealy, the licensee of the Railway Hotel, is an ex-policeman?—Just lately I have learned it.
42. Do you know now that he is an ex-policeman?—Yes.

ARTHUR HUME, examined on oath.

43. *Witness.*] I produce the papers referring to Constable Thomas J. O'Brien, who stated that he lost his things in the wreck of the s.s. "Tasmania." I find that he sent in a claim for £60 18s. The goods consisted of his uniform, a violin and case valued at £10, an oil-painting valued at £3, an opal and frame, &c. He puts down the value of his mackintosh at £2 10s., whereas the regulation mackintosh is £1 14s. A sum of £16 has to come off for the violin, &c., and the balance can be put down for wearing-apparel. The Inspector has minuted the claim: "I am informed he has no claim on the Government, and he should have insured for the amount of the property described." Then the constable sent another letter on the subject, and the department replied that it could not accept any liability, and regretted that it could not recommend the payment of any compensation. The constable had been ordered to proceed by the "Tasmania" on transfer.
44. *The Chairman.*] Is he still in the Force?—Yes, at Napier.
45. *Colonel Pitt.*] When a constable is ordered for transfer and takes his household furniture with him, what is done about the insurance?—It is left entirely to him.
46. And if it is broken in transit?—I have had bills in for all sorts of things.
47. Are they never recognised?—No.
48. *The Chairman.*] In these cases they are not directed to carry their goods in any particular way—they have to find their own conveyance?—That is so.
49. *Colonel Pitt.*] Suppose his goods had been insured, would you have done anything?—No; it has nothing to do with the department. We are not responsible for anything he takes with him.
50. What about his uniform—he was bound to take that with him?—Yes; and wearing-apparel.

Ex-Sergeant Quinn.

51. *Colonel Pitt.*] What is the point about this man?—The papers show that a man named Hugh Johnston reported Sergeant Quinn for lying under a tree in front of the Hawera Courthouse on the 13th January, 1892, about twenty minutes to 1 in the afternoon, asleep and drunk. Inspector Pardy, who was then in charge of the district, held an inquiry into the matter, resulting in the finding that the sergeant was ill through being overcome by the heat of the day, together with the effluvia emanating from the Maoris in the crowded Courthouse, and was weak from sickness.

52. What was done in the matter?—By instructions, I replied that the Minister "considers the sergeant has exonerated himself from the charge, but considers that it is not creditable that a sergeant of police should be found asleep in a public place during the hours of duty." I minuted the paper: "I think the sergeant has cleared himself from the charge of drunkenness, but it is not creditable that a sergeant of police should be lying asleep in a public place during the forenoon." Annie F. Fairchild makes a complaint that Sergeant Quinn had disturbed her and her sister-in-law by knocking at her door at about 11.30 p.m. on Sunday, the 29th May. They were very frightened, and rushed out of the back door to a neighbour's for assistance. A man was then found lying down on one of the flower-beds. He got up and went away, and Mrs. Fairchild afterwards heard that it was Sergeant Quinn. On the following Wednesday Sergeant Quinn went to her house and asked her to say nothing about it, as he had been having a little jollification, had taken a drop too much, and had mistaken her house for his own. At the inquiry, in reply to Sergeant Quinn, she says, "I do not think you came to my house to annoy me, but that you mistook my house for your own."

53. *Colonel Pitt.*] What was the result of the inquiry?—Inspector Pardy reported that it had been brought to his notice on the 2nd June that Sergeant Quinn was drinking to excess, and had been guilty of causing a disturbance when drunk on Sunday night, the 29th ultimo, at the house of Mrs. Fairchild, a respectable resident of Hawera. He was returning home and mistook the house apparently. He adds, "From the neglected state in which I found his duties I am afraid the sergeant must have been drinking for several days, and, the evidence being clear that he was drunk on the 1st instant, I charged him with being drunk and unfit for duty on that day, to which he pleaded guilty. I am extremely sorry that Sergeant Quinn should have so committed himself, as until recently he was very steady and attentive to his duties." I replied on the 21st June, 1892, by telegram: "Sergeant Quinn's services are dispensed with. Please pay him up to and for to-day and discharge him." Then there is a petition from the Mayor and residents of Hawera on his behalf, stating that he had been in the service for twenty-one years, eighteen months of which he had been in Hawera, had been of unblemished character, was a married man and the father of eight children, who were absolutely dependent on him for their support.

54. Is the petition for reinstatement?—Yes. I wrote to the Defence Minister: "It is clearly proved that Sergeant Quinn was drunk and tried to enter Mrs. Fairchild's house in mistake for his own on the 29th ultimo, about 11.30 p.m., and frightened the inmates of the house very much, especially as they were all females. He was again unfit for duty and drunk on the 1st instant, and the Inspector reports that from the neglected state in which he found his duties he thinks the sergeant must have been drinking for some days, and as lately as last February he was cautioned for being asleep in a public place—viz., in front of the Courthouse at 12.40 p.m., which was also probably caused by drink. I consider him unfit for further service in the Force, but as he has been over twenty years in the Force I recommend his services be dispensed with instead of his being dismissed." Indorsed, "Accordingly.—R. J. SEDDON.—20/6/92."

55. Was that after the petition or before?—That was before the petition.

56. What was the result of the petition?—I referred that to the Defence Minister. I asked for reconsideration, and said the case might be met by reduction to third class and the fine of £1. That is after the petition.

57. *The Chairman.*] What class sergeant was he?—Second class, and was reduced to a third-class constable. On the 1st August, 1892, there was another letter from the Justices of the Peace and members of the legal profession connected with the Hawera Court, suggesting that Quinn should be reinstated at an early date and given charge of a station.

58. Was he serving under any officer at the time that was forwarded to the department, and did it come through any officer?—No; this is written to the Defence Minister direct. That was answered to the effect that this constable's future career rests entirely in his own hands, and depends upon his behaviour. On the 2nd March, 1893, I sent the following telegram to Inspector Thomson: "Please forward a report on the conduct and efficiency of Constable P. Quinn since his reduction in August last." That was sent to Sergeant Slattery, and he says, "I respectfully beg to report that the constable arrived here on transfer on the 5th August, 1892, and during that period up to date I found him to be a steady, sober, and attentive constable to his duties." Sergeant Slattery was then in charge of Palmerston North, and reported to Inspector Thomson. I sent to Inspector Thomson the following on the 24th March, 1893: "Third-class Constable Patrick Quinn, No. 99, is promoted to second-class constable from the 1st instant." Then there was a letter from Mr. A. R. Guinness, dated 1st August, 1893:—

DEAR SIR,—

I wish to draw your attention to the case of Constable Quinn, who is now stationed at Palmerston North. I have known him while he was a detective and also sergeant in charge of Greymouth. I regret to hear that, for some dereliction of duty over a year ago, he was reduced to the position of a third-class constable, and he still holds that rank. I think this is very severe treatment to a man who has a good record of twenty-two years' service. Under these circumstances I hope you will be able to promote him to be a first-class constable, and that he will be again placed in charge of a police-station. I might also point out that Constable Quinn has a large family (eight children, I believe) to maintain, and his friends inform me that on his present salary, it is almost impossible for him to pay rent and keep himself and family.

The Hon. R. J. Seddon, Premier, &c.

Yours truly,

A. R. GUINNESS.

That letter is noted: "COLONEL HUME,—I think at the end of the year's probation Quinn should be raised to the rank of first-class constable, and be given a station.—R.J.S. 2/8/93." On the 28th September, 1893, he was promoted to first-class constable.

59. When was he reduced?—On the 22nd June, 1892, to third-class constable; promoted to second-class constable in March, 1893; and raised to first-class constable in September of the same year.

60. *Mr. Taylor.*] Have you any recollection of what outside influence interfered with you?—No.

61. Was his promotion from second to third class due to the petition of the Justices of the Peace?—I recommended the promotion. I probably spoke to Inspector Thomson as to how Quinn was going on.

62. Do you know Sergeant Slattery?—Yes.

63. Did you follow his recommendation?—No, not on that.

64. Was it not on Sergeant Slattery's recommendation?—Slattery reported to his superior officer.

65. You did not promote Quinn on Sergeant Slattery's recommendation?—No; I am sure of that.

66. *Colonel Pitt.*] Did Inspector Thomson note on Sergeant Slattery's report?—No. He merely says, "Forwarded for the information of the Commissioner."

67. *Mr. Taylor.*] Did you not oppose this man's reinstatement?—Yes, I said I thought he was unfit for the service at first.

68. *The Chairman.*] When he was dismissed?—Yes.

69. Did you oppose his reappointment?—No.

70. *Mr. Taylor.*] Would you, without instructions from Ministers, have reappointed this man?—I do not say I would reappoint: I would have recommended him. I did recommend him.

71. Would you, in the interests of the service, have recommended that man if you had been perfectly uncontrolled in administering the department?—I cannot say what I recommended it on. The chances are that I had been told something about it. The man had twenty-two years' service and a large family—although that would not have influenced me.

72. *The Chairman.*] You see nothing inconsistent in your conduct in recommending his appointment, after having stated twelve months before that he was not fit for the service?—No. I must have got more information.

73. *Mr. Taylor.*] Why did you consider Quinn's conduct was discreditable in being found asleep at 1 o'clock in the day at Hawera, if his condition was the result of sickness and not of drunkenness?—Because I thought he should have gone to his own house.

74. Well, after his dismissal, who did you first receive application from for the reconsideration of his case?—I should say this petition from the Hawera residents was the first. It seems to be the first on the file:—

SIR,—

We, the undersigned inhabitants of Hawera and surrounding districts, have heard with regret of the summary dismissal of Sergeant Quinn, of Hawera, from the Police Force of the colony. This officer has been in the service, we understand, for nearly twenty-one years, of which eighteen months have been spent in Hawera. During the whole of this time, and up to the recent occurrences, we understand that he has borne an unblemished character in the Force. With regard to the regrettable circumstances which have led up to the inquiry resulting in his dismissal, whilst we admit that you, Sir, are better qualified than we are to judge impartially, we think, nevertheless, that looking at the long service and previous good record of this officer it would not be detrimental to the best interests of the service to allow him a chance of retrieving his good name; and we respectfully ask that you will reinstate Sergeant Quinn, and, if you think fit, move him to some other part of the colony. We feel satisfied, from what we know and from what we have heard of this officer, that anything in the nature of recent events will not occur again if our request be granted, and that Sergeant Quinn will be found in the future a good and valuable officer. If it would not be considered out of place, we would venture to remind you that Sergeant Quinn is a married man, and the father of a family of eight children, who are absolutely dependent upon him for their support.

We have, &c.,

(Signed by sixty-five residents.)

Colonel Hume, Commissioner of Police, Wellington.

75. *The Chairman.*] When was it received?—There is no date given. It was replied to on the 5th July, 1892:—

GENTLEMEN,—

I have the honour to acknowledge the receipt of your favour of the instant, bringing under my notice the case of P. Quinn, late sergeant of police at Hawera, and to inform you in reply that the Hon. the Defence Minister has been pleased to reconsider the matter of this man's irregularities, and to decide that, under the circumstances stated in your memorial, he has been pleased to cancel the former punishment, and to decide that the man Quinn shall be fined £1, and reduced to the rank and pay of a third-class constable, and be removed from Hawera. Constable Quinn is accordingly transferred to Lyttelton, and will be succeeded at Hawera by first-class Sergeant Slattery from Nelson.

I have, &c.,

A. HUME,

Commissioner.

His Worship the Mayor of Hawera,
and those gentlemen who signed the memorial.

76. *Mr. Taylor.*] In the interval is there a letter from Mr. Martin Kennedy, of Wellington?—Yes, June 29th. It was written to the Hon. the Premier:—

SIR,—

Mr. Quinn, late sergeant of police, called on me this morning and related his sad position.

I knew Mr. Quinn for upwards of ten years on the coast, and always knew him to be a most exemplary officer, and was therefore astonished to learn he had been dismissed from the service, and especially for the reason of such dismissal.

I have perused the petition addressed to Colonel Hume on his behalf from the Mayor and business-people of Hawera, the unanimous voice of the people there, including lawyers and J.P.'s, and I entirely concur in their views, and trust Mr. Quinn will be given an opportunity of retrieving his character and supporting his large family and sickly wife. I also have the honour to enclose a separate letter from two friends in Wanganui on his behalf.

Yours, &c.,

MARTIN KENNEDY.

The Hon. the Premier.

77. Have you a letter from Messrs. Mahony and Kennedy, of Wanganui?—Yes. The Premier evidently sent me the letters:—

DEAR SIR,—

Wanganui, 28th June, 1892.

We, the undersigned, would respectfully bring to your notice the case of Sergeant P. Quinn, late of the Hawera Police Force. He has been dismissed for neglect of duty, this being his first offence after twenty-one years' service in the Police Force, his conduct having been exceptionally good up to the present. The case is all the harder, as he has a sick wife and eight children to provide for. Taking all these things into consideration, we would ask you as a special favour to have the case reconsidered, in view of reinstating him, whereby you will greatly oblige.

Yours, &c.,

J. MAHONY,

WM. KENNEDY.

The Hon. John Ballance.

NOTE.—Referred to the Defence Minister.—J.B.

When I got those letters the case had already been reconsidered. I indorsed the letter from Wanganui as follows:—

The Secretary, to the Hon. the Premier.

This man's case has already been considered by the Hon. Mr. Seddon, and he has been retained in the Force as a third-class constable and posted to Lyttelton. His offence was drunkenness, and not neglect of duty as stated by Messrs. Mahony and Kennedy.

A. HUME.—7/7/92.

I sent the following reply to Mr. Martin Kennedy:—

SIR,—

13th July, 1892.

I have the honour, by direction of the Hon. the Premier, to acknowledge his receipt of your letter of the 29th ultimo, giving cover to a letter from Messrs. Mahony and Kennedy, of Wanganui, referring to the case of P. Quinn, late a sergeant in the New Zealand Police Force, and to inform you, in reply, that this man's case has been reconsidered by the Hon. the Defence Minister, with the result that, instead of his services being dispensed with, he has been fined £1 and reduced to the rank and pay of a third-class constable.

I have, &c.,

A. HUME, Commissioner.

Martin Kennedy, Esq., Wellington.

78. The next application is made on the 1st August, 1892?—Yes; seven Justices of the Peace and solicitors sign it:—

SIR,—

Hawera, 1st August, 1892.

We, the undersigned Justices and members of the legal profession connected with the Hawera Courts, desire to approach you regarding the case of (the late) Sergeant Quinn, now reduced to the rank of third-class constable. We wish to suggest that Constable Quinn should be entrusted at an early date with the charge of a station, as, notwithstanding his recent misfortune, he has been a zealous officer, and will, we have no doubt, justify by his attention to duty any confidence reposed in him of the character suggested.

Our sympathy for Mr. Quinn and his large family must serve as our excuse for obtruding our opinion upon the department.

We have, &c.,

R. H. NOLAN, J. P.

A. A. FANTHAM, J. P.

C. W. MAJOR, J. P.

CHAS. M. MATTHEWS, Solicitor.

JAS. LIVINGSTON, J. P.

JAS. DAVIDSON, J. P.

R. D. WALSH, Solicitor.

The Hon. the Defence Minister, Government Buildings, Wellington.

To that I replied as follows:—

GENTLEMEN,—

Wellington, 10th August, 1892.

I have the honour, by direction of the Hon. the Defence Minister, to acknowledge his receipt of your letter of the 1st instant, inviting his attention to the case of Constable Quinn, lately reduced from the rank of sergeant, and to inform you in reply that this constable's future career rests entirely in his own hands; and his advancement will depend on his character, conduct, and the manner in which he performs his duty, and the amount of satisfaction he gives his superior officers under whom he may be serving.

A. HUME, Commissioner.

79. He was promoted on the 24th March, 1893, and on the receipt of Mr. Guinness's letter he was further promoted to the first-class?—No. He had been on a year's probation.

80. *Colonel Pitt.*] Mr. Guinness's letter is dated the 1st August, 1893, and Quinn was made a first-class constable in September, 1893?—From the 1st October, 1893. His services were dispensed with on the 21st June, 1892.

81. *The Chairman.*] And he was reappointed to the Force in August, 1892?—On the 22nd September, 1892. He was never out of the service.

82. *Mr. Taylor.*] He was paid off?—But then his discharge was cancelled.

83. Inspector Pardy actually paid him his wages. In a telegram he says to you, "Sergeant Quinn discharged on the 21st, and paid up to that date in accordance with your telegram," and so?—Yes. His discharge was cancelled, and he was reduced to third-class constable on the 22nd June, 1892.

84. *The Chairman.*] To be clear, I want the date on which he was dismissed for being drunk at the woman's house?—His services were dispensed with on the 21st June, 1892, and he was a third-class constable next day. On the 7th July, 1892, I wrote to the Secretary of the Premier: "This man's case has already been reconsidered by the Hon. Mr. Seddon, and he has been retained in the Force as third-class constable and posted to Lyttelton. His offence was drunkenness, and not neglect of duty, as stated by Messrs. Mahony and Kennedy."

85. *Colonel Pitt.*] He was really one day out of the Force according to the papers?—On the 5th July, 1892, I telegraphed to Inspector Pardy, "Sergeant Quinn's discharge is cancelled. He is fined £1, and reduced to rank of third-class constable, and transferred to Lyttelton. Pay him as third-class constable from the 22nd to end of last month."

ARTHUR HUME, further examined.

86. *Witness.*] With regard to Bentley's evidence given in Auckland, about prisoners exercising in the police-station yard, I produce the following circular there referred to:—

Lock-up Prisoners, &c.

(Circular No. 1097.)

It is notified for general information and guidance that prisoners, when detained in the lockup, are to be allowed as much fresh air and exercise as practicable, and they should be permitted to have two hours' exercise in the forenoon and the same amount in the afternoon, daily. The blankets in use in the lockup should be washed at least four times in each year.—A. HUME, Commissioner.

Wellington, 11th February, 1897.

87. *Mr. Poynton.*] What was the rule prior to that?—A prisoner had escaped from the gaol yards at that time. Prior to that, the rule had been in force that they were to get the four hours' exercise. A prisoner escaped; and word was sent to me by an anonymous letter, stating that prisoners were locked up for a day and a night without exercise. Alley's escape was reported on the 3rd January, 1896.

88. *The Chairman.*] This circular is dated the 11th February, 1897. Was it during that twelve months the rule existed that they were not allowed to take exercise?—I think the place was under repair, and that led to it. Any way, I heard nothing about it until just then.

89. *Witness:* I produce the papers connected with District-constable Dunne, of Katikati. The matter referred to was an application for increase of pay, through Inspector Emerson, dated the 2nd June, 1890. Mr. Gudgeon writes, "I will increase Dunne's salary to £25 per annum, to date from the 1st June, at present, and further consider him next year if possible. 10th June, 1890." Then, on the 6th July, 1891, he wrote again through Inspector Emerson:—

Police-station, Waterford, 6th July, 1891.

DISTRICT-CONSTABLE Dunne respectfully makes application for an increase to salary, and begs to point out that large demands are made upon his time by the duties of a district constable in a scattered district like this, where there is generally a large number of disorderly Native visitors, there being a flour-mill where Natives bring wheat from all surrounding districts, the district also being a gumfield, as well as possessing a European population of four hundred. Would also respectfully call attention to the fact of district being maintained in a most orderly manner ever since my appointment, more than three years ago. The late Commissioner, Major Gudgeon, on the recommendation of Inspector Emerson, gave a small increase last year and promised to further consider me this year; and having been more than three years district-constable, besides serving nearly five years in H.M. 59th Regiment, I respectfully ask that the Commissioner's promise may be fulfilled.—CHAS. T. DUNNE, District Constable.

Inspector Emerson indorses this: "Forwarded for your information. I think this district constable should be satisfied at his present allowance, as he has very little to do, and he has the police quarters to live in.—4/8/91." On the 17th June, 1896, Inspector Emerson writes to me: "District Constable Dunne, of Katikati, receives £25 per annum and free quarters. When duty takes him away from the township he also claims 6s. per day compensation for loss of time, in addition to his travelling expenses, 6s., and horse-hire 5s.: altogether amounting to 17s. per day. As there are now two other district constables under my command, will you please inform me whether the payment of this 6s. as compensation for loss of time is customary? I can find no authority for paying same, and the payment of Dunne's claim may be taken as a precedent by the other district constables." I indorsed this: "The 6s. per diem for loss of time cannot be granted to district constables, and is therefore disallowed."

90. The figures are correct: the amount he claims is undisputed?—Yes; and he has received replies to his communications. In his last communication he applies to be taken on permanently in the Force, and the reply is that he is too short and too old.

91. Is the amount of time—150 days in the year, in addition to the other matters—an exceptional time for district constables to be engaged?—Yes, for genuine work the whole time in police duty it would be.

92. You saw the returns?—Yes. There is no way of checking it, as far as I can see.

ALEXANDER HATTIE, examined on oath.

93. *The Chairman.*] What are you?—Third-class constable.

94. Stationed at present in Palmerston North?—Yes.

95. You wish to make some reference to evidence given by Charles Slight before us on the 26th February last?—I wish to reply to his statement that I formed one of a combination for the purpose of getting him out of the Manners Street Station. I deny ever having been one of a combination for that or any other purpose.

96. You deny that absolutely?—I deny it absolutely; and to prove it, I may state that after he lost the station I was asked if I would like to take charge of it, and declined. Slight and I were always on ordinarily friendly terms. I wish also to reply to his statement or implication that I feigned sickness for the purpose of obtaining compensation when retiring from the Police Force. I deny ever having made any such statement to him. Had I made such a statement it would have been false, as the medical certificate from Dr. Leatham, of New Plymouth, to the Police Department, on which I retired, will prove.

97. Do you remember what the illness was, according to the certificate?—Seriously ill, and suffering from peritonitis.

98. *Colonel Pitt.*] How long were you ill with it?—I think altogether seriously ill about ten days from the time I took ill first. From the time I lay up until I retired it would be about thirty-three days. I was in delicate health a good time previously.

99. That is not consistent with peritonitis. You say it was peritonitis?—Yes.

100. *The Chairman.*] You say you did not sham sickness?—Yes. It was a loss to me, retiring.

101. *Mr. Taylor.*] You wrote a letter from Chelmsford House, Wellington, 27th February, 1891, as follows: "I beg respectfully to apply for reinstatement as a constable in the Police Force. Reference to my papers will disclose that I was discharged at Taranaki on compensation as medically unfit. Having fully recovered my health (please see attached certificate from Hon. Dr. Grace), I now feel thoroughly capable of performing my duties satisfactorily; and if, therefore, you will be good enough to consent to my request, I should feel deeply grateful, and should at once refund the compensation I received on leaving." Do you remember writing that letter?—I do not know that I wrote that letter.

102. It came from the original documents, and came from the police reports?—I cannot say I remember writing the letter. I do not deny it. Possibly I did. I do not remember the contents of the letter.

103. *Colonel Pitt.*] Do you not remember applying to Mr. Seddon for re-employment?—Yes.

104. *Mr. Taylor.*] Did you see him?—I did.

105. You were well recommended; give us the name?—Am I compelled to answer that question?

106. *The Chairman.*] Yes?—Mr. McGuire, M.H.R.

107. *Mr. Taylor.*] Was that the only one?—Afterwards Mr. E. M. Smith saw him.

108. Any one else?—No.

109. Did you refund your compensation?—I did not.

110. Were you asked to refund it?—Yes, I was.

111. Who asked you?—Mr. Seddon.

112. What did you say?—Mr. Seddon said I would have to refund the compensation on reinstatement. I was not reinstated.

113. Then, how do you come to be in the Force?—I was not reinstated; I rejoined. Reinstatement means former rank in the Force, which would mean to me being about senior third-class constable, with a shilling a day long-service pay.

114. And did you not get your long-service pay when you rejoined?—No, I went in at the bottom of the ladder with 7s. a day.

115. Did you arrange it with him that you were not to refund your compensation?—No, I did not arrange anything with him. I was not taken on in the Force for six or seven months longer.

116. The next thing is a memorandum from Colonel Hume to Inspector Thomson: "Ex-Constable Hattie has been directed to report himself at your office on Monday morning next, the 3rd instant, for duty. Please swear him in accordingly?"—The compensation was never referred afterwards.

117. Supposing you retired now, what claim have you for compensation?—None at all; not the slightest.

118. Supposing you were dismissed?—Just the same position.

119. Supposing you were dismissed, would you not forfeit all claim for compensation?—Yes. I have no claim whatever for compensation.

120. Do you not think you had an advantage to the tune of £139?—No, I do not. I am not entitled now to any compensation; and the Government has gained by it, because I have less pay.

121. On what other occasions did you get Mr. McGuire or Mr. Smith, or any other public men, to look after your interests?—I asked Mr. Smith to get me transferred to Wanganui or New Plymouth on the first vacancy.

122. Have you ever been ordered for transfer during the time you have been in the Force?—I have.

123. Have you always gone?—I have always gone, unless I have got permission to remain where I was.

124. What permission did you get?—As in the present instance.

125. Have you been ordered from your present station?—Yes.

126. When was that?—About ten days ago.

127. And has the order been cancelled?—Yes.

128. Who interfered on your behalf?—Nobody. I did not use any influence, or attempt it either. I appealed directly to the Commissioner.

129. Is there a feeling now, so far as you are concerned, that it is the Commissioner you have to apply to, instead of politicians, if you want matters looked after?—I cannot say as to that.

130. Has your opinion altered during the past few months as to what methods you have to employ?—I think if you put matters in their proper light to the Commissioner he would put them right.

131. Would you have appealed to the Commissioner four years ago, or to Mr. Smith or Mr. McGuire? Do you think Commissioner Hume has as much power as the Minister had?—I cannot express an opinion on that matter at all.

132. Did you go to see Colonel Hume about the reinstatement?—I did.

133. And he would not reinstate you?—He did not say so to me, but he was directed afterwards by the Defence Minister that I was not in a fit state of health to be reinstated.

134. And then you went to these other men outside?—I asked the members I have mentioned to speak in my behalf.

135. *Mr. Tunbridge.*] You were reported by the Inspector about a year ago as an officer fit to have charge of a station?—I cannot say.

136. About ten days ago you were ordered to take charge of Collingwood Station?—Yes.

137. The officer in charge of the Collingwood Station is Clerk of the Court and Warden's Clerk, is he not?—I understand so.

138. Did you, on hearing that you were transferred, send a report to your Inspector asking that your transfer might be reconsidered, as you feared you were not capable of carrying out the duties of Clerk of the Court?—Yes.

139. Owing to injury you suffered to your eyesight during the execution of your duty?—Yes.

140. And was it on that account I cancelled your transfer?—Yes.

WILLIAM CAMPBELL, examined on oath.

141. *Mr. Taylor.*] Do you remember giving evidence before the Commission on a previous occasion?—I do.

142. Do you remember stating in answer to a question having reference to "tote" shops that you had prepared a report?—I do.

143. You were asked a question as to the existence of "tote" shops, and the date of the last prosecution in Wellington, and your reply was, "Since then there have been hardly any 'tote' shops; in fact, there are none. I do not say that betting has lessened at all, but it is done in a different way"?—That is to say, to my knowledge at that time.

144. Have you had anything to do with raiding "tote" shops since?—In raiding offices kept by book-makers.

145. Are they "tote" shops?—That has to be proved yet.

146. The cases are before the Court?—Not yet.

147. Have you any more knowledge as to the existence of the "tote" business in Wellington now than when you were previously examined?—I have knowledge of two offices that I was not aware of before. One is in charge of a man named Shannon, which was raided on a recent occasion. He represents newspapers in Christchurch, and I thought his office was carried on for that purpose only; but, on further inquiries, I found that it was used for book-makers as well.

148. You only knew two, in Grey Street, before?—Yes.

149. You know of more now?—There are two other places which have been raided.

150. About how many years have you been in Wellington?—Nineteen years.

151. Do you think you display as much knowledge as you should after living so many years here?—If a man combines other business with that of a book-maker it is a difficult matter to find out anything.

152. Do you know the majority of men carrying on betting business here?—I know betting men by repute.

153. Do you know any reputed "tote" shops?—There is this office which was kept by Shannon, who is not a book-maker. He rents the office.

154. Do you know Llewellyn, a book-maker?—No.
 155. Do you know a man named Bob McNab?—I do.
 156. Where is he?—In Christchurch, and has been for two or three months.
 157. Would you be surprised to learn that he is in Wellington now?—I should be.
 158. Do you know anyone named Paterson?—I know two named Paterson.
 159. Has he got any clerks?—He might have.
 160. Do you know if a man named O'Neill is his clerk?—No.
 161. Do you know anybody named Phil Nathan?—Yes, he is a book-maker.
 162. Do you know Simmons?—Yes, his place was raided.
 163. Or Jeorgeson—was his place raided?—Yes.
 164. And Teddy Yuile—do you know him?—Yes; he is supposed to be connected with Shannon, whose office was raided.
 165. Do you think he is a "tote" better?—I cannot say.
 166. Do you know a man named Ross—is he a clerk for "tote" betters?—Not to my knowledge. He was formerly a purser in the Union Company's service.
 167. And Shipton?—Yes; he has had charge of billiard tables.
 168. And Lewis?—Yes.
 169. Is he a spieler?—I do not know.
 170. Do you not make it your business to know all about these men?—Yes, certainly; it is part of my duty.
 171. And do you know that you have practically told me that you know nothing about them?—I am here to state facts.
 172. Do you know ex-Sergeant Manning?—Yes.
 173. What is he doing now?—He is supposed to do a little book-making.
 174. Would you rank him as a book-maker or spieler?—I do not know, I am sure. I never knew him to be doing anything wrong.
 175. Do you know Buchanan?—I did know him. He has left here some considerable time.
 176. Do you know a man named Mike Higgins?—Yes.
 177. Is he a "tote" better?—I do not think so.
 178. Do you know whether he and his wife have been removed from a course for taking the odds?—I do not know.

TUESDAY, 28TH JUNE, 1898.

ARTHUR HUME, further examined.

1. I produce the following letter from Messrs. Wilkinson, Ellis, McDonnell, Johnson, and Edwards, Justices of the Peace, resident at Otorohanga, in the King-country:—

SIR,—

Otorohanga, Waikato, 25th June, 1896.

We, the undersigned Justices of the Peace resident at Otorohanga, within the County of Kawhia, otherwise known as the King-country, desire to draw your attention to the deplorable state of affairs existing in this district, owing to the virtually unchecked sale of intoxicating liquors.

This evil has been gradually growing until it has now attained such dimensions that it is absolutely necessary that stringent measures be taken to check it.

The police authorities are aware of the extent of the evil complained of, but have taken no effective steps to prevent it. That is the reason why we consider it our duty to represent to you the state of affairs here, and request you to see that suitable arrangements are made to enforce the law in the future.

Of the two European townships in this district—viz., Otorohanga and Te Kuiti—the latter is a great deal worse in respect to drunkenness and other offences than the former. The reason for this we believe to be the larger number of people engaged there in sly-grog selling, and the want of a local policeman. We believe we are well within the mark when we say that there are often a score of people drunk and disorderly in that township, and fights and other disturbances are of frequent occurrence. This state of affairs leads to gross immorality, as the drink is supplied indiscriminately to men and women, and drunken Maori women and girls are a common sight there; and the results generally, so far as regards the Maori population, are most deplorable.

As you are most likely aware, the Maoris living in this district asked some years ago to have the sale of intoxicating liquor absolutely prohibited, which request was granted, and this has been the law for a number of years past, and, so long as it remains the law, we think it should be strictly enforced.

We are all of us old residents in this district, and we are of opinion that there has never been a determined effort to stamp out or even to check the selling of intoxicating liquor here, and we are strongly of opinion that more effective measures could and should be taken to stop this evil.

The few convictions that have been obtained have mostly been those known as "first convictions," entailing only a nominal fine, and, as a rule, they have not been followed up by other convictions that would entail a heavier penalty, the result being that the same people in most instances still carry on the business.

We have referred especially to Te Kuiti, because drunkenness and disorderly conduct have been more frequent there than elsewhere: but there are many other places in this district where the business of sly-grog selling is carried on, and Otorohanga, which in the past has been fairly free from the worst features of this debasing traffic, has lately become quite notorious on account of the number of people engaged in sly-grog selling; so much so, that not only has the laxity in enforcing the law emboldened Europeans to enter and continue in the business, but even the Maoris have lately engaged in it, and openly sell liquor, not only here but also in many of their settlements in this district.

We would also bring under your notice the very great need of a lockup here. It has been urgently required several times lately, and covered railway-trucks in the station-yard have, when available, had to be used when it has been absolutely necessary to arrest and confine drunken and disorderly persons.

We would also suggest that a constable be stationed at Te Kuiti, where there is a lockup and police quarters. Here we have a resident policeman, but no lockup.

1. We would summarise our wishes as follows: That effective steps be taken to at least largely check sly-grog selling in this district. 2. That a lockup be erected at Otorohanga with as little delay as possible. 3. That a police constable be stationed at Te Kuiti.

We have, &c.,

GEO. T. WILKINSON. CHAS. J. JOHNSON.
 J. W. ELLIS. J. H. EDWARDS.
 P. McDONNELL.

The Hon. the Minister of Justice, Wellington.

2. Colonel Pitt.] That letter seems to be in the handwriting of Mr. Wilkinson?—Yes, and is signed by him first.

3. *Rev. Mr. Isitt.*] Have you the reply to that letter?—The reply is dated 3rd July, 1896:—

GENTLEMEN,—

I have the honour, by direction of the Minister of Justice, to acknowledge his receipt of your letter of the 25th ultimo *re* the unchecked sale of intoxicating liquors in the King-country, and in reply to inform you that Inspector Hickson has been directed to at once inquire into the complaints made and take such steps as he may deem necessary to put a stop to the irregularities complained of. I am to add that a lockup for Otorohanga has been sanctioned, and will be put in hand at once, and the question of stationing a constable at Te Kuiti is receiving consideration.

I have, &c.,

A. HUME, Commissioner.

G. T. Wilkinson, Esq., J. W. Ellis, Esq., P. McDonnell, Esq., Chas. J. Johnson, Esq., J. H. Edwards, Esq.

4. Have you a second letter, written by the same gentleman?—Yes; the letter is dated as follows:—

Otorohanga, 9th June, 1897.

SIR,—

We, the undersigned Justices of the Peace resident in the King-country, would again respectfully draw your attention to the virtually unchecked sale of intoxicating liquors in this district.

Some twelve months ago we wrote you fully on the subject, and we would be glad if you would refer to our previous communication, as all we then stated can be said with equal truth now.

We are well aware that some steps were taken to try and check the traffic shortly after we represented the deplorable state of affairs to you, but that they were not effective is shown by the present position; and we can only repeat what we stated in our former letter, "that we are of opinion that there has never been a determined attempt to stamp out, or even check, this trade." We made this statement deliberately then, and we now repeat it, and we cannot help but feel that it reflects seriously on the police authorities that the law should be so openly and generally defied; and we feel sure that there are men in the ranks of the police who, with adequate support from headquarters, could at least keep the trade within very small limits.

The liquors are brought openly into the district by train, and if the Government have power to prevent its being so sent, and use their powers, we think the traffic would receive a heavy blow.

In our first letter we also pointed out the urgent necessity for a lockup in Otorohanga, and as you informed us it would be erected at once, we expected to have had it finished long ago, especially as the timber has been lying here for many months. We would again urge that this work be gone on with at once. A large Native Land Court starts here early next month, and such a building is sure to be required.

Our remarks refer to the district generally, and not to Otorohanga in particular.

We trust that you will have effective steps taken to stop this scandal, and that we shall not again have to trouble you.

We have, &c.,

J. W. ELLIS.

P. McDONNELL.

GEO. T. WILKINSON.

CHAS. J. JOHNSON.

The Hon. the Minister of Justice, Wellington.

5. *The Chairman.*] Are those the same signatures as in the previous letter?—All but Mr. Edwards, and one of these was one of those breaking the law.

6. Was that before?—We did not get the date, but I think it was prior.

7. *Colonel Pitt.*] Was that letter replied to?—Yes:—

Wellington, 23rd June, 1897.

GENTLEMEN,—

I have the honour, by direction of the Minister of Justice, to acknowledge his receipt of your letter of the 9th instant *re* sly-grog selling in the King-country, to thank you for the same, and in reply to inform you that, owing to a difficulty in obtaining a site for a lockup at Otorohanga, there has been a delay in putting up the building, but it is believed that difficulty has now been overcome, and, if such is the case, the building will be put up without further delay. I am also to state that the Minister is taking active and decided steps to minimise as far as possible the sale of intoxicating liquors in the King-country.

I have, &c.,

A. HUME, Commissioner.

J. N. Ellis, Esq., J.P., G. T. Wilkinson, Esq., J.P., G. McDonnell, Esq., J.P., C. J. Johnson, Esq., J.P.

I may state that the delay in putting up the lockup was because the site was a Native lease, and the person would not let us put it up. We afterwards got permission and put one up. To show, however, that steps had been taken, the wood was on the ground.

8. When was Sergeant Cullen sent there?—In 1897. I had spoken to Detective Herbert in June, 1897, when on his way to the King-country. He remained up there, and went with Sergeant Cullen in August.

9. *Rev. Mr. Isitt.*] Have you the number of convictions for sly-grog selling in the King-country up to the 20th June, 1896?—There is a note here to the Commissioner: "Two of the recently appointed constables were for about a month trying to obtain evidence of sly-grog selling at Te Kuiti and neighbourhood. They were unable to purchase any liquor themselves, but got some Natives to buy some for them. The cases were taken into Court, and then the Natives denied having bought the liquor, hence the cases were dismissed. One case has been adjourned, and on that there may be a conviction. Please see report attached hereto.—J. Hickson, Inspector."

10. *The Chairman.*] What month was that?—That is dated 31/8/96.

11. *Rev. Mr. Isitt.*] That is after. I mean prior to their letter?—There were two informations laid in 1896.

12. I want those prior to the 25th June, 1896?—There were three convictions and two withdrawals prior to the 12th June.

13. Did you note that the evidence showed that this sly-grog selling had been going on for years prior to this?—The statements showed it, but I do not think the evidence did. It was all "thought" and hearsay, as far as I can see.

14. Did not the evidence of the constable show it?—I do not think so.

15. When this letter had been received directly attributing the sly-grog selling to police inactivity, did this letter from the department mean that the whole thing had been left to Inspector Hickson without any further action being taken by the department?—I should think so. I went up shortly afterwards myself with Inspector Hickson.

16. The action of the two constables referred to was what the Justices of the Peace called "the first big effort"?—I suppose so.

17. That was the effort which resulted in such a dismal failure?—I do not think it was a dismal failure.

18. The Justices of the Peace thought so?—Yes, they thought so.

19. Did not Inspector Hickson say in his evidence it was common talk?—Yes, but common talk is nothing. I should like to read Constable Stanyer's statement:

I beg to state that on Monday, the 13th instant, two members of the Police Force, known to me by sight only, arrived by train at Otorohanga. I have not had an opportunity to speak to them privately, there always being some one on the alert, it being the same with all strangers that arrive here. They are watched very close for a time. They appear to be making themselves very popular with every one, and I think after a short time they will not have much trouble to proceed with the work. I suppose they are sent for. Some people think they are policemen and others think they are not; but I think the policeman will soon die out if they continue the same as they have started. I heard one of them singing songs on the road the other day to a number of Natives, and they are beginning to put faith in them. They left Otorohanga for Te Kuiti on Thursday evening, the 16th instant.

J. Hickson, Esq., Inspector of Police, Auckland.

C. STANYER, Constable No. 567.

So they did not seem to give themselves away.

20. They were there three weeks and got one conviction?—Yes.

21. You notice that in their second letter of the 9th June the Justices of the Peace say virtually the evil was unchecked?—That is natural, when they did it themselves.

22. Did they do it themselves; that is bringing a charge against the four of them?—Well, one admitted having taken drink.

23. One only connived at it, and you blame the four. Do you know that a complaint was lodged by a Maori named Hori Ropiha with the Minister in Wellington, on the 4th July, 1895?—There is nothing on this file about a Native. It may be on the Native file, but is not here.

24. Do you know that the Defence Minister said that the Natives should be treated as European children, and that liquor should not be sold to them? It magnifies the neglect of the police in the King-country?—I may state that I never heard the Defence Minister say that. My instructions were to suppress the sale of liquor in the King-country. Those are the instructions I had from every Defence Minister and Minister of Justice I had anything to do with.

25. And, side by side with that, you had it from the Justices of the Peace in the district that it was not being suppressed, a year after?—Yes, and they were breaking the law themselves in some instances.

26. *Mr. Poynton.*] Do you think it would assist the police very much if they had a provision in the Act to prevent the introduction of liquor into the King-country?—Certainly.

27. *Mr. Tumbidge.*] You say "they," the Justices; was it admitted in evidence by one of the Justices in Auckland that he did go to a party at a house and all drank sly-grog?—Yes.

28. Do you also know that the two sisters-in-law of the principal complainant were convicted of sly-grog selling?—I knew they were relatives, but not that they were sisters-in-law.

29. *Rev. Mr. Isitt.*] I would like to see the correspondence with reference to the Rev. Mr. Spencer, from Rotorua, and especially with regard to matters in the Galatea district?—The correspondence begins on the 20th September, 1889.

30. I do not think it was so far back as that?—The last letter appears to be in 1893. There is a very long correspondence about the liquor laws being broken at Rotorua, but I cannot see anything else.

31. If you have not a letter from Mr. Spencer, have you a report from the police officer in regard to that letter?—No.

32. Was a complaint made by the Rev. Mr. Spencer as to drunkenness and obscenity at Rotorua in March, 1892, and which was referred to Inspector Emerson to report upon?—The letter is dated 19th March, 1892.

33. It was referred to Inspector Emerson to report upon?—Yes.

34. Did Mr. Spencer, on the 24th January, 1893, complain that persons obtained Maori children of tender years for the purpose of immorality?—Yes.

35. Was the reply of Colonel Hume to the effect that the way to remedy it was for the parents to lay informations?—I will read the letters:—

SIR,—

The Parsonage, Rotorua, 24th January, 1893.

Would you kindly advise me in a matter of importance. As you are aware from my former letters that a great deal of immorality goes on in this place, Maori parents complain that persons get hold of their girls—even those of tender age—and by bribing them get an advantage over them; and they ask, Is there no law to reach such procurers and seducers? What reply could you give me to this question? Does a man or a woman who seeks to obtain a woman or girl by offering her a bribe for immoral purposes render himself liable to the power of the law? And what is the best way of reaching such persons? A reply will greatly oblige. I trust you will be able to supply the constable here with an efficient Maori constable, so that the vice of this place—induced, alas! to a great extent by some of the tourists, and those who seek to meet their beastly desires—may be brought to at least a hiding of its face.

I notice that the Maoris, especially the young, play a great deal of pitch-and-toss for money, and this in the public thoroughfare. Is this allowable?

I beg to remain, &c.,

Colonel Hume, Commissioner of Police.

FRED. H. SPENCER, Resident Chaplain, Rotorua.

P.S.—An efficient detective, unknown to any one here, and spending a good month in merely taking stock, would, I think, do a lot of good in bringing to justice those who care for no one so long as they can make money.

SIR,—

Wellington, 30th January, 1893.

I have the honour to acknowledge the receipt of your letter of the 24th instant, and to inform you in reply that under the provisions of "The Offences against the Person Act, 1867," clause 46, any person who by false pretences, false representations, or other fraudulent means, procures any woman or girl under the age of twenty-one years to have illicit carnal connection with any person, shall be liable to be imprisoned for a term not exceeding two years, and the Offences against the Person Act of 1889 lays down that any one who unlawfully and carnally knows any girl being of or above the age of twelve and under the age of fourteen years shall be liable to penal servitude for any term not exceeding five years; and the way is for the parents to lay an information. The matter of a new Native constable for Rotorua is under consideration. No doubt, if you draw the attention of the local constable to the fact of pitch-and-toss being played in the streets at Rotorua, he will at once take the necessary steps to put a stop to it. Your suggestion as to sending a detective to Rotorua is not feasible. I have tried it elsewhere, but it invariably leaks out before he has been twenty-four hours in the place what he is, and the object of his sojourn.

I have, &c.,

Rev. F. H. Spencer, Rotorua.

A. HUME, Commissioner.

36. I ask you if that is a tactful reply to the statement that parents complain that persons got hold of their girls of tender age—that the Maori parents should lay an information?—Yes, or else I should not have said so.

37. You said in Auckland that you received resolutions in and after October, 1896: did you not receive complaints from the Rev. Mr. Gittos prior to May, 1896, contained in a letter from Inspector Hickson, quoting from the Rev. Mr. Gittos?—Yes. It is not dated 18th May, it is dated 13th May. It is a private letter. I made no use of it, except extracting part of it.

38. Did you receive a statement from the Rev. Mr. Gittos?—I did not say I received a letter from the Rev. Mr. Gittos.

39. Did you receive information from the Rev. Mr. Gittos as to sly-grog selling in the King-country and the results prior to the 13th May?—I wrote to Inspector Hickson—he did not know who the information was from—and directed him to see the Rev. Mr. Gittos himself.

40. On the 22nd July, 1896, did you receive a copy of a resolution from R. French and others in Auckland, drawing attention to sly-grog selling in the King-country and urging its suppression?—Yes.

41. Did you receive a letter dated 12th September, 1897, from Mr. Wilkinson and Mr. Ellis, Justices of the Peace, after Sergeant Cullen's raid, complaining that matters were still as before?—Yes. They wrote to Inspector Hickson as follows:—"DEAR SIR,—We thank you for the steps that have been taken to stop the sly-grog traffic in this district, but we would ask you not to stop at what you have done, as the trade is still being almost as briskly pushed as ever, and yesterday and to-day (Sunday) the town has been very noisy, and a great deal of drinking going on. Constable Stanyer has been away the last two days on other business, and is still away, which partly accounts for the open way the drink has been sold." This was forwarded to Constable Stanyer for inquiry and report.

42. And on the 25th October, 1897, another letter from Messrs. Wilkinson and Ellis to you?—No, it is to Inspector Hickson.

43. Still containing the same line of complaint?—Yes, on the same subject.

44. *The Chairman.*] Has any further action been taken since the date of these letters?—Yes. The letter is questioning the correctness of Constable Stanyer's statement to the Inspector that the sly-grog-selling had been practically stamped out.

45. *Rev. Mr. Isitt.*] Is it in June that public allegations were made that liquor was being sent up by certain wholesale firms in Auckland?—I do not know what you mean by public allegations.

46. Had you no communication on the 8th June with Inspector Hickson on that question?—Supposing I had, what would that show? Here is a mere communication from me to Inspector Hickson.

47. Have you letters of the 8th and 17th June from yourself to Inspector Hickson, and from Inspector Hickson to yourself?—Yes, they are as follows:—

Memorandum to Inspector Hickson, Auckland.

At a public meeting held at Waimate recently, a resolution was passed as follows: "This meeting bears with amazement and regret of the audacious attempts of the Auckland brewers and liquor merchants to force the liquor traffic upon the Natives of the King-country, in contravention of the prohibitory law already promulgated in respect to that part of the colony." It seems to me that you might make private and quiet inquiries as to what brewers and liquor merchants are forwarding a stock of liquors to the King country.

A. HUME, Commissioner.

Then, on the 17th June, the following reply was received:—

The Commissioner of Police, Wellington.

Police Office, Auckland, 17th June, 1897.

In reply to your memorandum, No. 367, of the 8th instant (attached), I beg to inform you I have ascertained on reliable authority that nearly all the liquor sent into the King-country is supplied by Messrs. Hancock & Co., brewers, and Messrs. L. D. Nathan & Co., wine and spirit merchants, Auckland. The former firm supplies nearly all the beer, and the latter the greater portion of the spirits. There is a licensed publican named P. Lynch, at Te Awamutu, who supplies liquor in smaller quantities to customers in the King-country.

I am of opinion that the consumption of liquor in the King-country is much smaller now than it was a few years ago. With regard to "the prohibitory law already promulgated in respect to that part of the colony" referred to at the public meeting held at Waimate: I presume this refers to section 33 of "The Alcoholic Liquors Sale Control Act Amendment Act, 1895," but as the electors of Waikato Licensing District, in which the King-country is situated, have not "duly determined in manner prescribed by the Licensing Acts that no license be granted therein," I cannot see that the prohibitory law under the section quoted above is in force at present.

I am aware that some of the Prohibition party in Auckland are of opinion that section 33 is in full force in the district referred to, and that the persons who send liquor there, as well as the railway officials who deliver it to the consignees, are liable to prosecution. A deputation of Prohibitionists waited on me some time ago urging their views as above, but I pointed out that the section is not operative, as no vote has been taken to prohibit the sale of liquor in the district.

J. HICKSON, Inspector.

There was somebody—I think it was one of those Justices of the Peace who gave evidence in Auckland—wished to impress upon the Commission that if a more active and more senior man than Stanyer was at Otorohanga there might be more convictions; consequently, if they put their heads together and wanted to get Stanyer out of it all they had to do was to keep on writing and harping on the same string.

48. *The Chairman.*] Since the receipt of the letter of the 25th October, 1897, there have been how many prosecutions at Otorohanga?—There have been six prosecutions at Otorohanga. I wish to make a statement. Sergeant Black in Napier stated that he had traced me into a publichouse on Sunday afternoon.

49. *Colonel Pitt.*] He did not say he traced you. He did not say who was there. He said he found you in one in Wellington?—That is perfectly correct. I went into that hotel to see a gentleman named Captain Prentice, and I saw a female in the passage when I got in. I asked her if this gentleman was there, and she told me she did not know, but would go and see. Just at that moment, while I was standing in the passage, the sergeant came in. He said, "I beg your pardon." I said, "Quite right, go on, and do your duty." I waited in the passage until the

female came back and told me that Captain Prentice was not in. I left the hotel then, and I suppose I was not in there more than two or three minutes altogether. I never had any liquor.

50. This information was not volunteered by Sergeant Black?—No; it was brought out in examination by Mr. Taylor. I would like to put in here a return of the number of men taken from the Artillery and appointed to the Prisons Department, and show the characters they bear. It affects the inquiry of the Commission, because I am blamed because the men have not given satisfaction. They were not specially picked. There are twenty-seven altogether, from the 1st May, 1888, to the 28th February, 1897, and only one has turned out badly.

51. You recognised in your later reports that the practice was not a success?—It broke down because we could not get the men. I maintain that it depends more upon the officers and non-commissioned officers than upon the men themselves how they turn out, because there is no picking out of the men. I would like to say that the hotel Sergeant Black saw me in was the Commercial Hotel, and is now named the Western, and the incident referred to happened about seven years ago.

COLONEL HUME, further examined.

52. I was asked for particulars with regard to Constable Donovan's transfer from Coromandel to Tolago Bay. I find it was submitted to the Premier on the 2nd February, 1897, and approved the next day. No special reason is recorded.

53. *Colonel Pitt.*] Is there nothing on the file to show why?—No.

54. Have you any recollection of it?—No; there were a great many others transferred at the same time. They had been standing over for some time.

55. Is there any subsequent correspondence relating to it?—No.

56. *The Chairman.*] Do you know of any telegram having been sent to Mr. Stehr in respect of the removal of Constable Donovan?—No, Sir. I know that no such telegram was sent through my department.

57. Do you know whether you had an interview with reference to the man prior to his removal?—I saw him at Coromandel.

58. Do you remember the nature of the interview?—Yes.

59. Did he complain at all?—He complained about his quarters, and about the work, and pointed out to me how the Warden's Court work had increased.

Ex-Constable Watty.

60. I was asked what compensation Constable Watty got. He received £48 1s. 11d., and had been in the Force since January, 1892. He was retired for direct disobedience to Regulation 26—that is, getting into debt by borrowing money and incurring debts to persons in the district. My memorandum to the Minister of Justice is as follows: "I have the honour to bring under your notice the conduct of No. 618, Third-class Constable Watty, at present stationed at Pahiatua, who is in the habit of borrowing money from the inhabitants of the district where he is stationed. He was removed from Palmerston North to Pahiatua in February, 1895, for borrowing money, and he is now doing the same thing at Pahiatua. He appears quite unable to live within his means, and as this borrowing is detrimental to the proper performance of his police duties and discreditable to the Force, I recommend his services be dispensed with, and that he be granted the usual compensation. He has been in the Force since the 7th January, 1892."

61. *The Chairman.*] What is the date of the compensation?—14th July, 1896.

62. Was his conduct such as to make him liable to dismissal—borrowing money from brothel-keepers?—No, not under that Regulation 26.

63. *Mr. Taylor.*] Is there no application for compensation from this man, or anything to show how it was led up to?—No.

64. *Colonel Pitt.*] You recommended his compensation?—Yes.

Ex-Constable Pascoe.

65. *Mr. Taylor.*] Have you any letter from the Hon. John McKenzie referring to ex-Constable Pascoe's transfer from Methven, Canterbury, about January, 1897?—No, I do not see any.

66. *Mr. Poynton.*] Was he transferred from Methven?—He has got a history. He was shot, first of all, at Clinton, and then he was shifted from Cfinton to Methven. His books were not properly kept there; and he was reported for drinking, and dismissed by Mr. Commissioner Tunbridge. He was dismissed on the 14th January, 1898.

Constable Whelan.

67. *Mr. Taylor.*] There is the question of Constable Whelan. When was he ordered for transfer?—2nd February, 1897, and approved on the 3rd.

68. Where was he to go from and to?—Tauranga to Port Awanui.

69. When did you receive Mr. Tole's telegram?—12th February.

70. Is your reply to that there?—No, I am sorry I cannot oblige you.

71. Did he go to Port Awanui?—Yes, he did for a short time, but it was found the house was not suitable.

72. Turn up the transfers for the 8th March: Is Whelan on that?—Yes, ordered to Clive. I am not quite sure whether he did go to Port Awanui.

73. Did he go from Tauranga to Clive?—No; he never went to Clive at all. He was ordered to go, but did not go.

74. Do you think he went to Clive at all?—No, I am sure he did not.

75. What was the reason he did not go to Clive?—Because it would have been a reduction. I do not think there is a Clerk of the Court at Clive.

76. Did he point that out to you, or did some outsider?—I think Inspector Emerson pointed it out.

77. Is there another transfer-sheet of the 6th May?—Yes. I think there was some delay, and that the move he made was from Tauranga to Waihi.

78. Is Constable Cullinane on the transfer-sheet of the 6th May?—Yes.

79. Where was he ordered from?—To Paeroa.

80. Was the order cancelled?—Yes.

81. *The Chairman.*] Where was he transferred from?—From Auckland to Paeroa, on the 5th June, 1897.

82. *Mr. Taylor.*] Why was the order cancelled?—Constable Cullinane wrote from Auckland on the 15th May as follows: "I respectfully report that, on Wednesday, the 10th instant, I went to Paeroa to try and get a house to live in. In company with Constable F. Beattie, we went all over Paeroa to try and get a house to live in, but could not do so, and there is no possibility of getting one. We also searched for rooms, but could not get any. As I would have to keep my wife in Auckland, and live in a boardinghouse myself at Paeroa, and I am not able to afford to do so, I respectfully ask that I be not transferred there." On the 7th May, the following telegram was sent by the Hon. T. Thompson to Inspector Hickson: "Please withhold Constable Cullinane's transfer Paeroa until you hear further from Commissioner, who is at present absent from Wellington."

83. Was the occasion of the Minister sending that telegram some communication had with the Minister?—No. I sent a telegram to Inspector Hickson.

84. Have you the transfers of the 17th July, 1897?—Yes.

85. Is he on that list again?—No, it is taken out.

86. He was on the list originally ordered from Ponsonby?—I do not know what you mean by "originally."

87. Did he go from Auckland to Ponsonby?—No, because it is not approved.

88. Is he still at Auckland?—You must ask the Commissioner about that.

89. *Mr. Tunbridge.*—Yes, he is.

90. *The Chairman.*] Neither of these orders has been carried out, for reasons given?—No.

91. *Mr. Taylor.*] Now, as to the transfer-sheet of the 2nd February: Are Sergeants Kiely and O'Malley ordered for transfer there?—Yes.

92. Is there not a memorandum from the Minister of Justice to yourself?—Yes.

93. Ordering the transfers of these sergeants? Is there not an ordinary form of recommendation from yourself to the Minister?—Yes; "The following transfers are recommended." But they have to be approved.

94. Were these transfers carried out?—Yes.

95. Have you a telegram to Inspector Pender connected with Sergeant O'Malley's transfer?—Yes: "Please direct Sergeant O'Malley to return from Blenheim at once, and proceed to Masterton without delay and relieve Sergeant Kiely, who will get to Blenheim as soon as possible.—A HUME, Commissioner."

96. What is the date of that telegram?—The 2nd February, 1897.

97. Was not Sergeant O'Malley ordered to Blenheim on the 1st February?—He was there temporarily to take charge, as Sergeant Möller became insane. Sergeant O'Malley was over there, and I wanted to keep him there.

98. Have you the particulars of O'Leary's case?—I have a report of the 24th May from Inspector Broham, as to Constable O'Leary being off his beat.

99. What was he reported for in 1896?—For not going to his beat on the 14th May, 1896.

100. Is there anything else?—Sergeant Wilson reports that on the 13th May, 1896, Constable O'Leary was on No. 1 beat from 5 to 9 p.m. drunk.

101. Was that charge proved?—It was denied by the constable, who, I think, put in a medical certificate. Inspector Broham reported that this constable was "addicted to drink, and is untruthful and unreliable." I considered the charge against Constable O'Leary fully proved.

102. Is that the last report?—Yes. He was transferred to Greymouth.

103. Did Inspector Broham recommend his dismissal?—No; that is all he says.

104. Did you telegraph to Inspector Broham about it at all?—No; I was in Christchurch.

105. When there, did you inquire about the man?—I saw the man, and wrote a minute up to the Minister: "I have suspended Constable O'Leary for being drunk on duty when coming off beat at 9 p.m. on the 13th instant. This constable has been sixteen years in the service, and has a bad defaulters' sheet, having no less than six entries in 1894. You will also see that Inspector Broham reports that he is addicted to drink, untruthful, and unreliable, and I therefore recommend he be got rid of. As he has such long service, he might be asked to resign, and in the event of his not doing so his services might be dispensed with. Please see Police Regulation No. 62.—A. HUME, Commissioner.—Christchurch Police Office, 23/5/96." "Transfer to Greymouth, and stop pay for the time he has been suspended from duty; also warn him that should he be found again indulging his propensity for drink he will certainly be dismissed.—T. THOMPSON.—1/6/96."

106. When in Christchurch on that date did you stay at Coker's?—No.

107. Were you at Coker's that trip?—No.

108. *The Chairman.*] You recommended that O'Leary be got rid of or allowed to resign?—Yes.

109. Is there anything between the date of your memorandum to the Minister and the instructions from the Minister to transfer him?—No. I happened to be in Christchurch, and suspended O'Leary and reported it to the Minister. That minute could not have got to Wellington before the 25th. This the Minister answers on the 1st June, ordering the transfer.

110. What was the instruction you received from the Minister on the 1st June?—To transfer him to Greymouth and stop his pay for the time he was suspended; also, warn him that if he again indulges he will be dismissed. On the 26th the clerk telegraphs to me at Christchurch: "Correspondence *re* O'Leary only received this morning. Minister out of town; will not be back till to-morrow night. Will put papers before him on his return."
111. *Mr. Taylor.*] Do you know Mr. Loughrey?—Yes, well.
112. Do you know Mr. Hamerton, the Public Trustee?—No.
113. Do you remember meeting Mr. Loughrey in Coker's Hotel when there?—No. I did not go to that part of the town.
114. Do you not remember discussing O'Leary's case with him?—I cannot say I do.
115. If Mr. Loughrey says that it was the result of his interview with you that O'Leary was sent to Greymouth, would he be wrong?—I think he would, as far as my memory serves me. There are my recommendations and the Minister's decision to speak for themselves.
116. Supposing you sent a subsequent note to the Minister, where would it be?—It would be on the file. I do not remember the conversation, and I am quite certain I was not in Coker's Hotel. If you had said the Café de Paris, it might be possible.
117. Do you remember saying that in the Café?—No.
118. Do you know whether Constable Moore's transfer was cancelled by order of a Minister?—We had a man too many at Ashburton, and I either put it down in a memorandum or said verbally to the Minister, "I am going to take Moore away, because he is a junior man. I have a man too many there." Next day I discovered that there was an Ashburton man there—a man named Jackson—and I thought it would be better to get him out of that than Moore.
119. Do you know Mr. O'Connell, of Masterton?—Yes, I have known him some eighteen years.
120. Has he interviewed you on behalf of any man ordered for transfer?—No, he has not.
121. Has he never seen you about a police matter?—He has seen me about a police matter, but I do not think he has ever presumed on his position to ask me about transferring a man. He was a particularly careful man, and did not presume on our acquaintance in any way.
122. Would you be surprised to learn that a policeman had said in this town, "Go to O'Connell if you want anything fixed"?—Not at all surprised. If you are seen walking with a man twice, many are bound to think that he can influence you.
123. Did he not, in March, 1897, appeal to you in connection with Constable Jeffries's removal from Picton?—No, he certainly did not.
124. Do you recognise that as being a copy of a letter you wrote to him?—I may have written that to him; I will not say I did not. There is nothing about Constable Jeffries in that but I decline to say unless the original is produced.
125. *The Chairman.*] He did not discuss the Jeffries case with you?—No, sir.
126. Who is O'Connell?—He keeps the Club Hotel, Masterton.
127. *Mr. Taylor.*] Has he never interfered with any constable's transfer or promotion?—He may have referred to a constable being transferred, but never intervened. He might have asked, "Are you going to transfer so-and-so?"
128. You did not discuss the reason why with him?—No; he knows that, and would not try it. He was principal warder at Lyttelton Gaol, but left the service ten years ago.
129. *The Chairman.*] Then, the intimacy between you would justify him in asking about facts, but not discussing them?—Yes, quite so. I have advised him on several private matters.

JOHN BENNETT TUNBRIDGE, examined on oath.

130. *The Chairman.*] Have you in your experience formed any opinion as to the relative advantages of municipal and colonial Police Forces? I have. My experience is that a Police Force under a local body is not advantageous—that is to say, such local bodies as exist here in New Zealand. The larger towns and cities in England have their own Police Forces, but the same condition of affairs does not exist there as exists out here. In England there is very little interference on the part of the local bodies with the officers they appoint to administer the Police Force under their control. Out here, from what I have seen, there is—I do not say an inclination, but it appears to be a recognised rule for even the highest authority to be appealed to on the most trivial matters.

131. Is not that because the highest authorities are dealing with trivial matters?—Well, that is what I notice here. I am of opinion that if the local bodies had the control of the police performing duty within their particular jurisdiction, the police would be subjected to many more outside influences in respect of carrying out their duties than has been alleged against the police of the colony as a whole throughout this Commission.

132. Subject to more interference?—Very much more, in my opinion. To have an efficient Police Force you must make that Force as independent as possible. When I say independent, I mean independent of all outside influences. Unless it is absolutely independent of these influences it is impossible that the law can be carried out impartially. There is another reason I have found, but that applies in a measure to England, where it acts prejudicially. Where a district is divided into several police authorities, frequent delay occurs through jealousies and etiquette in communicating with those various authorities. In a particular county there may be two or three large boroughs in addition to the county Force. That would mean two or three borough Forces and the county Force. Owing to the divided authority delays occur which are all to the benefit of the criminal. For instance, the Justices of a borough may issue a warrant that has no power outside the precincts of their borough.

133. There is distinction here?—But there is division of authority, owing to the head of one Force having to communicate with the head of another a distance away, and the criminal frequently escapes owing to the delay in setting the police of the other district in motion. If separate Police

Forces were instituted in the colony there would be the probability of similar delay arising. There is also the question of economy or cost. As many authorities as are set up, so will it be necessary to create so many heads of police with their attendant staffs; whereas, under the present system there is only one headquarters to keep up.

134. *Mr. Poynton.*] You are familiar with the evolution of the English Police Forces?—Yes.

135. You know that previously to Peel's time the police were almost wholly under parish control?—Yes.

136. And that very grave abuses led to this system being abolished?—Yes. At the present time, even down to the last County Councils Act, that was abused. Many of the smaller boroughs were merged into the counties, and the tendency is to centralise. The County Council Act merged all boroughs of less than 10,000 inhabitants into the county. It was a general County Council Act for England, and for police purposes all boroughs under 10,000 of a population were merged into the counties.

137. The son or friend of the local authority—the mayor or anybody else in authority—did just as he pleased; could break windows, and so on, practically with impunity?—Practically—friends of the Town Council. The members of the Corporation were the direct employers of the Police Force.

138. And consequently the police were dependent upon them for their pay?—Yes; the police were simply creatures of ruling power.

139. And the same thing would happen here if the present system were abolished?—There would be a tendency to that, of course. The larger the community the less likelihood is there of particular individuals having their own way.

140. *The Chairman.*] The large cities, such as Dunedin, Christchurch, Wellington, and Auckland would each have their Police Force?—Undoubtedly.

141. You have some knowledge of our provincial system?—I have heard what has been done in the past.

142. And from your knowledge of the police system you think difficulties must arise?—Certainly. The provincial Forces as they existed here years ago, some of them, were probably more efficient than the colonial Force has been since it was made a colonial Force, and for this reason: that it was probably three times as expensive. You have evidence here before you that Canterbury, which is now ruled by one Inspector, had in the provincial days a Superintendent, with, I think, four Inspectors and a Sub-Inspector, while the whole of that province is governed at the present day by one Inspector.

ARTHUR HUME, examined on oath.

143. *Witness:* I should like to say that since I have been Commissioner, from the correspondence I have had with borough authorities and municipal authorities, it is perfectly clear to me that if the police were under municipal control many of them would be employed in duties not appertaining to city police constables, such as traffic inspectors, preventing places of amusement being overcrowded, looking after the licenses of billiard-rooms, and duties of that description. I have had a great deal of correspondence on this matter, and have strenuously opposed the police performing these duties.

144. *Mr. Poynton.*] You are of opinion that municipal control would seriously interfere with the efficiency of the Force?—Yes, I quite agree with what Commissioner Tunbridge stated on that point.

DANIEL HANNAN, recalled.

145. *The Chairman.*] Are you now an ex-sergeant?—Yes; I have been called upon to resign since giving my last evidence.

146. You wish to refer to the evidence of Miss Conway, given at Nelson?—Yes, in that she said it was a business transaction between the two of us. So far that is perfectly correct, but when she came to be cross-examined she said there was no one present. Now, as a matter of fact, as already stated, she had sent for Mr. Gibson.

147. At what time?—At the time the understanding was arrived at or the bargain was made between us. She sent for Mr. Gibson, solicitor, at Hokitika, and he stopped there that night. He was sent for to be consulted about the sale.

148. Who sent for Mr. Gibson?—Miss Conway. He was present at the time, and heard the bargain, and, as I have already told you, he was a friend of hers—a considerable friend. He spent the night there, and brought her to town in the trap with him in the morning.

149. What do you mean? Were you present?—He took her to Hokitika the next morning.

150. What is the particular passage to which you refer where she says that no one was present when the bargain was made: she admitted the bargain?—She says, in reply to Mr. Tunbridge's question, "Did you ever tell him that you would not deal with Henne?" "Never." Well, I can assure you on oath that she said she would rather starve than sell it to him.

151. *Colonel Pitt.*] Can you point out in the evidence where she says there was no one present? She denied that you asked her to consult any one?—Yes, she denied that.

152. *The Chairman.*] Is there anything else you want to contradict her in?—About the price. She says she might have got a very much better price. I can prove that she got the full price for it.

153. *Colonel Pitt.*] Do you mean to say he would not have given more?—He would not.

154. Why did he give £160 for the billiard-table and the glasses?—Because he was afraid I would get some one else to run in opposition to him.

155. Do you mean to say Henne would not have given her £160?—I do.

156. He gave £160 for a part of it. That being so, would he not have given her more for the place plus the land and the buildings?—I believe he would not unless I put somebody else in. She told me in the beginning that she would not sell it to him.

157. You say now that she said she could not have got more. Why do you say she could not?—Because it was not worth it.
158. Did you get more?—Yes, I got £13 out of it.
159. And retained the land and the buildings?—It is of no earthly value.
160. What other part of the evidence do you want to contradict?—I was going to refer to other hotels in the district. Before there was any railway the place was offered for £300—that is the best hotel in the place—and it was ultimately sold for £350. I was going to show that she got the full value of the property.
161. *Mr. Poynton.*] You cannot persuade us of that when you got more for part?—Then, she says I was a friend of hers, and she looked upon me as a friend. I do not know why she said so, because I had to summon her uncle on several occasions.
162. Was that on your own motion?—On my own motion.
163. Did he owe you any money?—No; there was never any transaction between us.
164. *The Chairman.*] How long was that before this transaction?—Some years. She was perfectly satisfied with the bargain until she was prompted to kick up about it.
165. *Mr. Poynton.*] She said she had no ill-feeling about it, and had no complaint to make; she came unwillingly, and gave her evidence unwillingly?—Then, in that case, I do not know why I was called upon any more than any public individual to give up my position. I never had any interest in the license. The place was closed the very day she left.
166. *Colonel Pitt.*] Did she come to you about the business first?—She spoke to me first.
167. Where?—At her own door.
168. Did you go to the door first about this to see her?—I had not the slightest intention of seeing her about it.
169. *The Chairman.*] Assuming that she spoke to you first, did not Henne speak to you?—No. It was months before the girl desired to get out of the place. She could not possibly make a living out of it, and was anxious to get away to some place that would suit her better. Every one in the neighbourhood knew about it.
170. Can you give me the date when you first spoke to her?—No, I could not. As already told you, I advised her to remain and try to get the license transferred to one of her friends, and she said it would not pay her. I certainly did not force her into a bargain by any means, or anybody else. They were all free agents, and to leave any impression on any one's mind that they were forced into it is an absurdity. I think she said after she signed the first document she thought she could not help herself.
171. *Mr. Tunbridge.*] You say that Miss Conway had no right to look upon you as a friend?—No.
172. Were you not on friendly terms with her and her deceased mother?—I do not think so.
173. Was not your wife present at the time of her mother's death?—She was sent for.
174. Is it usual to call in people who are not friendly at the time of death?—I do not know. All I know is that she was sent for and was there, and that they had to shut the doors to keep her daughter out.
175. You say Miss Conway at the time of her mother's death would not sell the property?—Yes.
176. But there were others who had an equal right over the property?—I suppose she knew by the will a considerable time before that.
177. Were there not other daughters?—Yes. That is the daughter that was kept out.
178. Do you suppose that Miss Conway thought she would have the free disposal of the property when her mother died?—Yes.
179. You say you went to Miss Conway before Henne came to you?—Yes.
180. How long had Mrs. Conway been dead before you paid Miss Conway a deposit—more than a fortnight?—More than that; two or three weeks.
181. Almost immediately on probate being obtained?—I suppose it would be two or three weeks after the death.
182. But probate was to be obtained?—Yes; I suppose Mr. Murdock was employed to get probate.
183. You saw Mr. Henne, and he offered £150 for the goodwill, surrender of the license, and billiard-room?—The first offer Henne made me was £100.
184. Did you hear Henne swear he offered you £150?—Yes.
185. Did you cross-examine him on that?—No; my solicitor ought to have done so.
186. He subsequently offered you £150 for the goodwill, surrender of the license, and the billiard-table?—Yes, all that was in it.
187. Miss Conway had previously told you, had she not, that she would take £180 for the whole property?—Yes.
188. Did you go back to her and say you could not get more than £130 or £135 for it?—I told her from the first day I spoke to her that it was my own money going into it.
189. *The Chairman.*] Is it not a fact that Henne's and your payment to Miss Conway were made the same day?—There was a day or two between.
190. *Mr. Tunbridge.*] Mr. Henne had spoken to you before you paid Miss Conway anything?—Yes.
191. When you paid Miss Conway £20 did you not know that Henne was going to give you £160 for the goodwill, surrender of the license, and billiard-table?—Not when I paid the deposit.
192. That you swear?—Yes, that I swear.
193. What did you intend to do with the property when you paid that deposit of £20?—To give it to my sister-in-law.

194. Then you altered your mind within a day to this extent, that instead of giving it to your sister-in-law you would give it to Henne?—Yes.

195. That all occurred within a day?—My sister-in-law lives in Hokitika.

196. What caused you to alter your mind in a day?—Because my sister-in-law had changed her mind about it.

197. Did you go round to Hokitika to see your sister-in-law and talk the matter over?—No, she was staying with us.

198. And all this occurred in one day?—Yes.

199. And it was the day after that you received the £20 from Henne, was it?—Yes.

200. Do you say Miss Conway did not suggest to you that Henne was a probable purchaser of the property?—She certainly never did.

201. Then she has stated what is untrue?—Certainly, as in many respects. She told me that she would rather starve in the place than sell to him.

202. Then, it is untrue that she suggested to you Henne as a probable purchaser, and that you replied to her that you knew Henne had not the means to buy it?—I could not possibly say that.

203. That is perfectly untrue—a pure invention?—Undoubtedly.

204. Can you suggest why she should invent that?—I cannot. Why did she not go to him if she thought that?

205. Do you think it likely she would go to him after you told her he would not buy it?—There was nothing to prevent her going to ask him.

206. *Colonel Pitt.*] Would it not prevent her going to him if she thought you were acting for her?—I do not think she thought that.

207. *Mr. Tunbridge.*] Do you not think she had reason to suppose you were acting for her and trying to do good for her?—I do not think so, distinctly. She was told it was being bought for my sister-in-law.

208. *Colonel Pitt.*] Where is Gibson now?—I believe he is in West Australia.

209. Why did you not tell us this before?—I had not time to bring all the evidence I had, as I had to be in Greymouth next day.

210. *Mr. Tunbridge.*] You know it is against the spirit of the licensing laws that a police constable should be interested in hotel property?—As far as I know, there is nothing to prevent a police officer acquiring property in licensed premises. It says he cannot get a transfer for any license.

211. Does it not state that a Licensing Committee shall not grant a transfer or new license to any house in which a police officer has an interest?—Yes, that is right.

212. Does that not mean that a police officer shall have no interest in a licensed property?—I did not want an interest.

213. You were trafficking in licensed property?—I did not want it. I did not want a transfer, and I did not get it. She said she was not accustomed to business transactions, and I think in her evidence she says she has been transacting the business of her parents for many years. She was a very keen business woman—as keen as any woman in that part of the country.

214. Did you not endeavour to keep Miss Conway from coming before the Commission?—No, I did not.

215. Did not some of your friends try to prevent her from coming before the Commission?—I do not know.

216. Do you not know that she received a letter offering her money not to come before the Commission?—I have heard of it since, but I did not know it.

217. You have heard that one of your friends wrote offering her money not to come before the Commission?—I did; but I have not spoken to or asked anyone to do so. There is a new and larger house on the premises now than when I bought it, and she can have it for the same money—for the £135.

218. *The Chairman.*] But you cannot give her back the billiard-table, the license, and everything else?—She certainly could get a license to-morrow, I believe.

WELLINGTON, FRIDAY, 1ST JULY, 1898.

HENRY JAMES CHECKETTS, recalled.

1. *Mr. Taylor.*] When did you see me first?—On last Saturday evening, about 4 o'clock.

2. At my house?—At your house. I had been to the House three times for you—this House.

3. And the day before you called there?—Yes.

4. When did you meet Mr. Isitt first?—I think it was on Monday morning. I am not positive.

5. When I asked you if you had any money, did you not tell me you did not want money?—Yes.

6. Have I given you any money for any purpose?—No.

7. When did you meet Mr. Isitt?—Last Monday morning. I do not think I saw him before in my existence.

8. *The Chairman.*] What led to your coming here as a witness?—I told Mr. Taylor I had something to say before the Police Commission.

9. And Mr. Taylor wished you to come?—Yes.

10. Did you have any conversation with Mr. Isitt between the Monday and your appearing before the Commission?—I never saw him in my life before the Monday morning.

11. But did you have any conversation between Monday and the time of your appearing before the Commission?—No.

12. *Mr. Taylor.*] Did you not ask me to call you before the Commission?—Yes, and you did so.

13. You had no summons from the Commission?—No, sir.

JOHN BENNETT TUNBRIDGE, further examined.

14. *Witness*: I produce the return of promotions made since the 31st December, 1890.

COLONEL HUME, further examined.

15. *Witness*: I produce the papers connected with Constable John Ryan's transfer. This has reference to the statement made by Mr. Northcroft that he knew that Constable Ryan's transfer was made on political grounds. The first is a report from Inspector Kiely, in charge of the district, dated Hamilton, 5th May, 1887. It states that the district would be more economically administered by the removal of Constable Ryan. On that Constable Ryan was removed, and transferred to Eketahuna. Then there is a telegram dated the 6th June, 1887, from Major Gudgeon to Inspector Kiely: "Re Constable Ryan, transferred to East Coast.—Not to be done at present." Then there is some correspondence with the Justice Department in reference to the Clerk of the Court at Te Awamutu: "No steps need be taken in this matter, since Constable Ryan will not be removed just now," from Major Gudgeon to the Under-Secretary. The next is a memorandum from Major Gudgeon to Inspector Kiely, 15th September, 1887: "Constable Ryan will be transferred to Wanganui not later than 28th instant." On the 23rd September, 1887, the Hon. J. Ballance telegraphs to Major Gudgeon: "Following telegram received from J. B. Teesdale: 'Please leave Ryan here; we do not want him removed. Please reply.—J. B. TEESDALE.' Perhaps it would be better to leave him there, and not to disturb matters during elections."

16. *The Chairman*.] Who is Mr. Teesdale: not one of the candidates?—As far as I know, I believe he was a Government officer. On the 23rd September, 1887: "Have instructed Gudgeon to stop Ryan for a time." On the 26th September, 1887, Major Gudgeon telegraphs to Inspector Kiely: "Ryan will go to Napier, not Wanganui." On the 27th September, 1887, Major Gudgeon wires to Inspector Kiely: "Send Constable Ryan to Napier as directed. He is wanted to replace a man just removed." Then, on the 28th September, 1887, Major Gudgeon wires to Inspector Kiely: "If Constable Ryan does not leave when ordered, suspend him at once; but you may, if you like, give him time to sell his things." On the 28th September Inspector Kiely wires to the Commissioner of Police, Wellington: "I have placed Constable Jones in charge of Te Awamutu, and Constable Ryan says he has not received instructions as Clerk of the Court to leave." On the 28th September Major Gudgeon wires to Inspector Kiely: "Under-Secretary approves constable occupying room in Courthouse. I want you to see there is no delay in case of Constable Ryan, and if he does not sell his things within ensuing week he must leave without doing so."

17. *The Chairman*.] When did he get away?—"Constable Ryan left Te Awamutu yesterday, en route for Napier"—that is, 4th October, 1887.

18. *Mr. Isitt*.] Have you not shown that this man was ordered to Eketahuna and did not go, and was ordered to Wanganui and did not go?—The papers show everything.

19. *The Chairman*.] On what date was he first ordered for Eketahuna?—Some date prior to the 13th May. It seems that a telegram of 6th June says:—"Letter re transfer of Constable Ryan by to-day's post. Not to be done at present." So he was ordered by that day's post, as far as I can see.

Constable Michael Cox.

20. *Mr. Taylor*.] When did Constable Cox join the Force?—On the 2nd February, 1880.

21. When was he charged with being in the Oriental Hotel?—On the 23rd July, 1894.

22. What is the nature of the charge?—Absent from his beat, and entering the Oriental Hotel.

23. And the result of it?—Admonished.

24. Is the report from the Inspector there after the evidence?—There is the forwarding letter from Inspector Pender, dated 2nd August, 1894. There is a note to Inspector Pender as follows: "It does not seem to me at all clear that Constable Cox was half an hour in the Oriental Hotel. It is also clear that he did not go there with the intention of getting drink, though he should not, of course, have left his beat. As he has been over fourteen years in the service, and has never had an entry in his sheet, he will be admonished and directed to be more careful in future.—A. HUME, Commissioner.—3rd August, 1894."

25. Is there a negro giving evidence in the case?—There is a man named Weekes, who was night-porter of the hotel. He states that he saw Constable Cox passing the hotel, and told him he was suffering from cramp in the stomach. The constable went into the hotel afterwards to show him how to fix hot plates on his stomach, stayed there some time in the kitchen, and on going out again was seen by Constable McCarthy, who reported the matter.

26. Did anybody see you about this matter outside?—No, not that I know of.

27. Did Mr. E. M. Smith see you about it?—No, I do not remember.

28. Did the Rev. Father Devoy see you about him?—No.

29. Did he never see you about any policeman?—I would not say that.

30. You swear positively he did not see you about this man?—Yes.

Constable Walter Bond Young.

31. *Witness*.] I produce the papers relating to third-class Constable Bond Young. This letter is dated 2nd August, 1894, and addressed to Mr. O'Regan, M.H.R.:—

DEAR SIR,—

With reference to the application of third-class Constable Walter Bond Young for reinstatement in his former rank of first-class constable, or in lieu thereof compensation for loss of rank, I have the honour to inform you that I have carefully examined all the papers in connection with this matter, and find that on the 27th August, 1886, this constable was permitted to resign his position in the Police Force, probably to avoid dismissal in consequence of his having been insubordinate to the sergeant-major in the presence of Inspector Buckley, to which charge he pleaded guilty. He afterwards asked for an inquiry, which was refused by the Hon. Mr. Ballance. It also appears that Constable Young had, in the previous year, 1885, been fined for a similar offence—viz., insubordination

to another sergeant-major. On the 18th May, 1887, the matter appears to have been brought to the notice of the then Commissioner, Major Gudgeon, by several members of the House, and after a careful inquiry into the case Major Gudgeon recommended that, though the constable certainly deserved punishment, still he thought he had been harshly treated, and recommended that he again be taken into the Force, but specially stipulates that it should not be as a first-class constable but as a third-class constable, which was approved by the Defence Minister, and he was appointed a third-class constable from the 23rd May, 1887. Now, considering that this constable has pleaded guilty to a charge of insubordination against the sergeant-major, that in consequence thereof he had resigned, and considering there was a similar offence recorded against him in the previous year, I fail to see that the constable has any just grounds of complaint, and if he had been brought back as a first-class constable, or given compensation for the loss of that rank, I have no hesitation in saying the discipline of the Force would have been imperilled; and a wrong would have been done to all those members of the Force over whose heads he would have been placed. I therefore regret I am unable to comply with this constable's request.

I have, &c.,

A. HUMÉ, Commissioner.

32. *Mr. Taylor.*] Where would Mr. O'Regan's letter be?—It is not here. Then there was Major Gudgeon's memorandum to the Defence Minister, dated 18th May, 1887, in which he says:—

I find from the records that Young was called upon to resign as having used insubordinate language to Sergeant-Major Ramsay. After a careful consideration of the whole case (which is a very long one), I find that Young was accused—(1) of having written letters to Sir G. Grey on police management, or having caused them to be written; (2) for leaving his beat at midnight and 5 a.m.; (3) using abusive language to Constable H. McLean; (4) for having told a man named Murphy that a Mrs. Smith's house was a brothel. Constable Hugh McLean was in each case the accuser, and was in each and every instance contradicted flatly by all the constables on the station and by other reliable witnesses. (Constable McLean has since been dismissed the Force for disgraceful conduct.) In the course of the inquiry it is said that Constable Young turned to Sergeant-Major Ramsay, and said, "This would not have happened had you done your duty." Now, this speech is not necessarily insubordinate, and might be merely a statement of fact, but no evidence is offered to show the circumstances under which it was used: merely the words are given, and Constable Young called upon to resign. I may say that on a previous occasion Young had been fined £1 for using similar words to Sergeant-Major Bevin. Whether they were justified in the latter case I know not, but Sergeant-Major Ramsay has been reported twice within two months for neglect of duty by Inspector Buckley, the same officer who recommended Young should be asked to resign. It appears to me that Young has been most harshly treated. No doubt he deserved punishment if Sergeant-Major Ramsay has not neglected his duty, and for this reason I would not recommend that he be reinstated as a first-class constable; but I think, under the circumstances, he might be taken back—viz., reinstated in the Force as a third-class constable. Young is a man of birth, intelligence, and education.

Then there is a pencilled memorandum: "To come in as a third-class constable, and be attached to Wellington District, pending vacancies.—W.E.G.—23/5/87."

33. Is there a report there in connection with charges against Sergeant-Major Ramsay, Constable Young, and Constable McLean—joint complaints? There was a row about some prostitute, and Young was connected with it?—No, I do not find anything here.

34. Were both Young and McLean dismissed?—No. McLean was transferred to St. Bathans.

35. You will find that Sergeant-Major Ramsay was transferred also?—There is not a word here about the sergeant-major.

Constable W. J. Rist.

36. *Witness.*—I produce the papers relating to Constable W. J. Rist.

37. *Mr. Taylor.*] Was he at Coromandel?—Yes, in October, 1891. He was at Mercury Bay in October, 1890. Proceedings were taken against him for fraudulently obtaining an interest in the Try Fluke Mine from a man named Constantine when under the influence of drink. He was transferred to Auckland City from Coromandel on the 29th December, 1890.

38. Who tried that case?—The Warden, on 16th December, 1890.

SIR,—

Police Office, Auckland, 24th December, 1890.

I have the honour to forward herewith the accompanying papers, viz.: (1.) A report from Constable Rist, dated the 8th instant, stating he was summoned by one John Constantine to appear at the Warden's Court, Coromandel, on the 16th instant, to answer a charge of fraudulently obtaining an interest in the Try Fluke Mine. (2.) A copy of the summons served upon the constable. (3.) A copy of the notes of evidence taken by me upon the hearing of the case at Coromandel on the 16th instant. (4.) A memo. sent the constable on the 18th instant requesting an explanation from him respecting his conduct; and (5.) Constable Rist's report in explanation.

The entire evidence shows clearly that the constable was a partner or dividing mate with Thomas Carroll, a publican at Coromandel, where the constable is stationed, but it also further shows that the charges preferred against the constable by Constantine were entirely unfounded. The case was dismissed with costs against the complainant. Constable Rist has been over seventeen years in the service, during which time he has borne an exemplary character, and no entry as yet appears in his defaulter's sheet. Having a large family, he has just added a room at his own expense to the station at Coromandel.

In most cases of this kind I would strongly urge that the constable be transferred to another station; but bearing in mind the excellent character the constable has hitherto borne and his length of service in the Force, perhaps the Commissioner may be pleased to consider whether, under the circumstances, a severe reprimand may not suffice. If it should be decided to remove the constable, I would ask that he may be transferred to Mercury Bay and appointed Clerk to the Bench there instead of Constable Walker, who I am desirous of bringing into the suburbs here, as I am in doubts as to his steadiness, and wish to keep him close to head-quarters.

In any case, I think it necessary to remove Constable Walker.

I am desirous of keeping Constable Rist on the Coromandel peninsula—either at Coromandel or Mercury Bay—as the country, being rough and mountainous, requires a smart active man accustomed to horses, to perform the duty of the place.

I have, &c.,

T. BROHAM, Inspector.

The case was dismissed with costs. Constable Rist was ordered to Auckland about the 29th or 30th September, 1890.

39. Was the order given for his removal?—Yes. It was dated 15th January, 1891. On the 8th October, 1891, I wrote to Inspector Broham instructing him to exchange places with Constables Donovan and Rist.

40. He goes back to Coromandel ten months after?—Then Inspector Broham writes that an exchange has been effected. The Hon. Mr. Cadman wanted Constable Rist sent to Mercury Bay, and minuted the papers as follows:—"The exchange intended was Constable Rist to Mercury Bay and Constable Dunne to Newmarket. I think that had better be carried out, and let Donovan remain in Coromandel."

41. *The Chairman.*] Was he sent back or ordered back?—He was ordered back, and went at the Hon. Mr. Cadman's request to Mercury Bay instead of Coromandel on the 19th October, 1891. Mr. Cadman was Minister of Justice then, and the telegram is from my clerk. The Hon. Mr. Seddon was Defence Minister, and the Hon. Mr. Cadman acted under instructions.

42. *Mr. Taylor.*] Notwithstanding Mr. Cadman's statement that Donovan was to remain at Coromandel: when did Constable Rist go back to Coromandel?—He never went back to Coromandel; he went to Mercury Bay.

43. I think the papers will confirm that he actually got back to Coromandel?—There is nothing to show that here.

44. Have you any record of a presentation being made to him on leaving Coromandel?—There is no record of it. They always have to ask permission, and I always put it on the file.

45. Would it be a breach of the regulations to accept a presentation without asking for permission?—Yes.

46. I suppose if you had not been interfered with by the Minister you would have carried out your original intention or opinion that the man ought to go to Auckland?—He did go to Auckland.

47. Only for a short time?—I do not think a man ought to be kept too long under an Inspector's eye.

48. *The Chairman.*] He was ten months at Auckland?—Yes. If I had not been acting under instructions I should not have sent him back to the district. Rist's defaulter's sheet [produced] shows that for being drunk and using abusive language at Mercury Bay he was fined £1 and reduced to the rank of a second-class constable, 8th June, 1891.

Constable Patton.

49. *Witness.*] I produce the paper relating to Constable William P. Patton, second-class constable.

50. *The Chairman.*] When did he join?—21st January, 1889.

51. Was he fined for drunkenness?—Yes, on the 14th October, 1889. He was fined 10s.

52. And after?—On the 13th December, 1889, for being found asleep while in charge of a lock-up, he was fined 2s. 6d.

53. Have you no charge against the man for losing a prisoner?—No.

54. There have been no complaints, so far as his sobriety is concerned, since?—No.

Constable Bowden.

55. *Witness.*] I produce the papers relating to Constable Charles Bowden.

56. *Mr. Taylor.*] He was at Lyell originally, and was shifted for falsifying Court documents?—He was transferred to the Wellington District on the 14th January, 1889. Then he came to Wellington, and was reported for being off his beat and was transferred to Masterton; he was then sent to Martinborough and afterwards to Pahiatua, and is there now. Constable Bowden had no report against him from the 31st January, 1880, until the 1st August, 1897. In 1880 he was on the West Coast—at Hokitika.

Constable Kelso.

57. *Mr. Tunbridge.*] I have not been able to trace any paper in relation to a promise of promotion to Constable Crawford, of Timaru; but here are Constable Kelso's papers.

58. *Colonel Hume.*] In regard to Kelso, a third-class constable, he asked me for promotion in October, 1890, but I do not recollect him saying anything about a promise of promotion. I told him to apply in writing. There was no mention of a promise by Mr. Gudgeon or any one else. I minuted the application as follows: "Inspector Goodhall.—Please inform Constable Kelso that there are a considerable number of third-class constables before him on the list for promotion, and I can see no special grounds for promoting the applicant over the heads of his seniors."

59. *The Chairman.*] Is there no written record of a promise?—No, sir.

60. *Rev. Mr. Isitt.*] Is it within your knowledge from official documents that two constables in Auckland were ordered to visit hotels into which a large number of people were seen to go after hours?—No, I do not think so.

61. Ordered by the department?—No, I have no recollection. The local Inspector may have made the order.

62. Have you any knowledge of the projected action of the police leaking out at any time?—No; it is not within my knowledge.

SATURDAY, 2ND JULY, 1898.

THOMAS CAHILL, medical practitioner, residing in Wellington, examined on oath.

1. *The Chairman.*] Dr. Cahill, have you had frequent opportunities of visiting the police-cells in the exercise of your profession?—Yes; I am police surgeon.

2. When occupied by prisoners, and at other times, probably?—Yes.

3. Will you kindly tell us anything you wish to say about them?—Well, the accommodation consists of three cells for male prisoners, the largest of which is 12 ft. by 12 ft. approximately. The others are, I think, about 9 ft. by 11 ft. There is a female cell about 12 ft. by 12 ft. This accommodation is wholly inadequate, and the cells are badly designed.

4. In respect of what?—Light and ventilation, and the absence of all sanitary arrangements.

5. The prisoners have access to outside sanitary arrangements?—They have in a way. The watchhouse-keeper has to be called, and he is often busy. Just to explain what may happen: Three or four prisoners are brought to the station; they have to be searched, and while they are being searched those in the cells may wish to go out, but have to wait. The police do everything

in their power to make prisoners comfortable, but owing to the arrangements being so bad they are greatly hampered. Who ever designed these cells had no idea of what was suitable.

6. Can you suggest how they could be made more convenient?—I think cells should be constructed so that the prisoners could be classified so as to prevent perhaps innocent persons from being compelled to live in close confinement for many hours with drunkards or habitual criminals. All prisoners should get at least as good treatment as convicted persons receive in gaol.

7. *Colonel Pitt.*] Are the cells often full?—I cannot say how often; I know they are sometimes. Yesterday morning I went down. There were three men in one cell; the stench was abominable where these three men had spent the night.

8. *The Chairman.*] You have actually suffered from nausea on entering the cells?—I have been quite ill. You cannot imagine a more filthy state than I have sometimes observed.

9. About the number of people in the cells—can you give any information on that?—I have seen four or five myself. I understand there have been as many as nine in a cell together.

10. Have you any opportunity of forming an opinion as to the cleanliness of the bedding?—There is no bedding at all.

11. *Colonel Pitt.*] Blankets?—There are a few mohair rugs. I fancy they are mohair; they may be wool.

12. Do you think they are sufficient to cover people?—I do not know, I have not examined prisoners all round. I have only examined special prisoners, and I have sometimes found them so cold that their lives had been endangered. I have had them removed into the office or watchhouse, where there is a fire. These arrangements are very inconvenient, but I have always found the police only too glad to do all they could for prisoners, and thus prevent what might prove to be a catastrophe or death occurring in the cells.

13. Do you think it is necessary for the sake of the health of the prisoners that they should be afforded any other resting-place than the floor?—I think that seats and suitable mattresses or hammocks should be provided.

14. *Colonel Pitt.*] These cells are fairly dark at present?—They are very dark indeed.

15. You consider it injurious to the health of a man or woman to be confined in a place if they have no sitting- or resting-place?—Yes.

16. *The Chairman.*] Our attention was called by a lady witness in Wanganui to the requirement of women prisoners. There being no sanitary arrangements, they are obliged to call upon a constable when they require attention?—There is a matron here: it is not so much of an evil where there is a matron.

17. *Colonel Pitt.*] Do you not think there should be an arrangement for having a light in the cell at night?—Certainly; there is no reason why there should not be a light all night, if required.

18. *The Chairman.*] The police have told us that prisoners might break the glass and with it commit suicide or injure themselves; and if the windows are protected by bars they might hang themselves, and they state that is why the cells are not better lighted?—Some policemen make all sorts of unreasonable objections. My proposal to get over the difficulty is that prisoners who are likely to injure themselves, who are incapable of looking after themselves, should be provided with separate cells, constantly in view of the watchhouse-keeper. That shuts out the suggestion of hanging and the objection to the glass. It is a mere matter of designing proper cells.

19. Can you make any suggestion as to sanitary arrangements?—I think that out of the cells there should be a doorway by which the inmates could walk into a yard at any time they liked. This yard should contain the necessary sanitary arrangements.

20. *Colonel Pitt.*] In the gaols there are hammock beds. Is there any objection to having them in the police cells?—No. Drunken persons and those who may injure themselves should have special cells. All who are arrested are not drunkards or lunatics.

21. *The Chairman.*] There is another matter with regard to medical treatment. One witness states that in some parts of Australia they keep certain medicines at hand to administer to persons who are locked up suffering from *delirium tremens*. Do you think that a good suggestion?—I think that it is very wrong. I will tell you why. You cannot give the same drug or the same dose to different individuals. One of them may have heart disease, or some other equally dangerous condition, in combination with the *delirium tremens*, and it would be very unsafe for an unskilled person to give those remedies.

22. With regard to padded cells for lunatics. Do you think that in the principal centres there should be padded cells?—Yes; it is difficult to prevent certain prisoners from hurting themselves without such a provision—I refer especially to lunatics, epileptics, and cases of *delirium tremens*.

23. As police surgeon do you receive any stipend?—No. I am only paid for each attendance when called on.

CORRIGENDA.

Page 437. After paragraph 209, for "The Chairman," read "Remarks by Chairman."

Page 510. After "Timaru," read "Saturday, 16th April, 1898."

Page 601. For "Friday, 23rd April," read "Friday, 22nd April."

Page 1007, No. 337. For "Frank Palmer," read "Jackson Palmer."

APPENDIX.

CORRESPONDENCE, LETTERS, ETC.

T. E. TAYLOR, Esq., M.H.R., to the CHAIRMAN, Police Commission.

DEAR SIR,—

Cashel Street, Christchurch, 9th May, 1898.

I shall be glad to know whether you have taken any steps to secure the attendance before your Commission of Mrs. Simpson, in connection with the charge made by her of misconduct on the part of Sergeant O'Grady, of Oamaru, and when Mr. Hawkins, S.M., will be available for examination. Subpœnas were issued to both persons named.

I am, &c.,

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

T. E. TAYLOR.

The CHAIRMAN, Police Commission, to T. E. TAYLOR, Esq., M.H.R.

SIR,—

Blenheim, 14th May, 1898.

In reply to your letter of 9th May, I have to remind you that Mrs. Simpson's charge of misconduct on the part of Sergeant O'Grady was withdrawn. We understood you intended to bring her to Christchurch as a witness on the charge preferred by yourself.

If you had while the Commission was sitting at Christchurch made the inquiry you now make with respect to Mr. Hawkins, S.M., steps would have been taken to secure his attendance there, but we do not see our way to call him before us at Wellington.

I have, &c.,

H. S. WARDELL,
Chairman, Police Commission.

T. E. Taylor, Esq., M.H.R., Christchurch.

Mr. W. J. WINTER to the POLICE COMMISSIONERS.

GENTLEMEN,—

Wyndham, 7th April, 1898.

I observed with very much surprise and annoyance that certain evidence given by Constable Pratt before your honourable Commission, and reflecting in an unwarranted manner on my personal character, has been published in the *Otago Daily Times* and other papers. It seems to me to be very objectionable and unjust that a witness should give such evidence as would deprive a man of his good name and reputation, and that without any previous notice that such charges were to be made.

I have been in business in Wyndham for twenty-five years, doing business with the firms of Bruce and Co., of High Street, and of Butler Brothers, Rattray Street, Dunedin. I should like the managers of these firms (Mr. W. J. Croft and Mr. C. Moore respectively) to be called to speak of my character from their knowledge acquired during that period.

I should also like to give evidence myself at your convenience; and I desire that Constable Pratt be recalled and asked these questions: (1.) Did the police on any occasion more than once enter my place with a warrant to search it? (2.) How many houses did they search on the same occasion before coming to mine? I may here state, for the information of the Commission, that before searching my place on this solitary occasion the police searched the houses of _____, then of Mataura; _____, Wyndham; and _____, Wyndham: thus showing that it was a matter of guessing or spite that my place was searched at all. This is true, but I do not wish to have these other people's names published to their annoyance or prejudice.

What I reported Constable Pratt for was his making a statement to a resident here (who can be called if necessary) that he intended to search my trap for stolen property when going home from business at night. Constable Pratt's evidence is wrong where he states that I refused to appear to substantiate my report against him. It was represented to me by Mr. Inspector Buckley that the constable was to be removed, and that it would only injure the constable to press the matter. I was satisfied on being assured a more efficient officer would replace Constable Pratt.

I have, &c.,

Messrs. H. S. Wardell, J. W. Poynton, and Colonel Pitt,
members of the Police Commission sitting at Dunedin.

W. J. WINTER,
Saddler, Wyndham.

THE SECRETARY,—

Inform the writer that if he appears before the Commission at Christchurch to give evidence in denial of statements of Constable Pratt affecting his character he will be heard—his personal evidence only—and his evidence will be recorded, and probably appear in the newspaper reports, but the Commission are not responsible for what appears in the newspapers.

13/3/98.

Accordingly.—E. W. K. 15/4/98.

H. S. WARDELL.

Inspector BUCKLEY to the CHAIRMAN, Police Commission.

SIR,—

Hook, Waimate, South Canterbury, 7th May, 1898.

I have only just now had shown me the *Otago Witness* of the 14th April, in which a report is given of the proceedings before the Commission at Dunedin, where Constable Pratt is reported of

accusing me of partiality in carrying out my duties through masonic influence, which I deny. Constable Griffiths is also reported of charging me with making a false entry in his defaulter's sheet. This I also deny. If I had been brought face to face with these men I think that I would have put a different complexion on the matter.

I would respectfully ask the Commission to examine Sergeant Wright, now in Wellington, who was clerk in the office at Invercargill the greater part of the time I was there, as to my partiality in the performance of my duties, either in the department or outside, through masonic or other influence. Also, if the Commission would examine Sergeant Slattery* in connection with Constable Griffiths's charge it would confer a favour on me, as I do not like to be charged undeservedly. Sergeant Wright may know something of Constable Griffiths's charge, also he may have been in Invercargill at the time. I would also like that Inspector Pender be examined as to my partiality and general conduct in carrying out my duty, &c.

I would like to appear and give evidence before the Commission, but I am given to understand it is now sitting in the North Island, and my circumstances would not admit of my incurring the expense of going there. Had I known of these charges when the Commission was sitting in Timaru I would have attended and requested to be allowed to give evidence.

Trusting that the Commission will kindly grant my request in examining the above named,
A. BUCKLEY,
Ex-Inspector of Police.

The Chairman, Police Commission, Wellington.

THE SECRETARY,—

Acknowledge receipt, and inform writer that Inspector Pender and Sergeant Wright will be examined at Wellington as requested.

Accordingly.—E. W. K. 16/5/98.

H. S. W.

* NOTE.—Sergeant Slattery recently deceased.—E.W.K. 16/5/98.

LETTER from Constable CARR, enclosing Extract from *Hawke's Bay Herald* containing Report of Mr. Northcroft's, S.M., Evidence before the Commission at Auckland.

SIR,—

Police-station, Waipawa, 21st June, 1898.

I have the honour to state, briefly, that in 1877 I was then a sergeant in the Armed Constabulary at Wairoa, near Napier, and attached to the Magistrate's Court as interpreter. I was then, in same year, transferred from the Armed Constabulary into the Justice Department as Clerk of Court at Wairoa—a Civil Service appointment. In 1880 the appointment was abolished, and I therefore come under section 3 of "The Civil Service Reform Act Amendment Act, 1887."

I did inform Mr. Northcroft that I intended some day to apply for reinstatement as a Clerk of Court, but I am certain I never said anything to him about political influence. I do not think he knew that I came under the above Act. It will not be necessary for me to use political influence, even if I had any: my case stands on its own merits. I am married to a sister of the Hon. Mr. James Carroll, but it does not follow that he will do anything for me, nor is it my intention to ask him.

I have, &c.,

HENRY H. CARR,

First-class Constable, No. 383, and Clerk of Court at Waipawa.

The Secretary, Police Commission.

[Enclosure.]

[Extracts from the *Hawke's Bay Herald*, 21st June, 1898.]

Evidence of Mr. NORTHCROFT, S.M.

(By Telegraph.)

Auckland, Monday.

The removal of a constable named Ryan was stopped because his removal might affect the election in his particular district, and the same thing had occurred at Patea, where Constable Carr had told him he hoped to be transferred to the Civil Service through political influence. Constables had repeatedly told him that they would use So-and-so. At last general elections in Auckland a constable had told him that they had been working for a particular individual. He would disfranchise the whole Force. He would go further and disfranchise every one receiving Government money.

Mr. Isitt: Have you believed that other influence besides political influence has been brought to bear upon the Force?

Mr. Northcroft said that in the country districts constables often had to consider who had the greatest political influence in those particular districts.

In answer to further questions, Mr. Northcroft said Constable Carr, of Patea, told him he had considerable political influence, and was expecting by help of it to be transferred to the Civil Service as a Clerk of Court. That was about three months ago.

Mr. Tunbridge at this stage explained that no application for Carr's removal had ever been made to him.

Miss E. MOORE to the CHAIRMAN, Police Commission.

Napier Terrace, Napier, 26th February, 1898.

SIR,—

The honour of my father, the late Inspector Moore, having been disparaged in the columns of the public Press through the omissions and false statements in Colonel Hume's evidence, I desire, in justice, to bring the true facts of the case under your notice. My father, when Inspector of Otago, was retired in 1891. This excited great indignation in Otago, where my father was known

as a thoroughly hard-working and conscientious officer. A parliamentary Committee inquired into the matter, and, as my father was then only fifty-five, and had never received anything but commendation from his superior officers during his long service, it was decided that he should be reappointed. I hold the Commissioner's letter and the Defence Minister's telegram informing him of this reappointment; the former makes no mention whatever of compensation, and I certainly read the latter that compensation was to be refunded on reappointment as Inspector. It reads: "It has been decided that you are to be reinstated in the Police Force, with rank sergeant-major. On first vacancy, Inspectorship, you to be promoted to your former rank as Inspector. Compensation paid to you to be refunded.—R. J. SEDDON."

That there was no "distinct understanding," and that my father understood he would not be asked to refund his well-earned compensation until he had been done full justice to, is clearly shown by the above, and by the following correspondence:—

On the 8th February, 1892, Colonel Hume wrote asking how my father proposed to refund the money. My father replied on the 19th February, 1892, asking that the refund might not be asked for until he had regained his former rank. On the 19th March, 1892, this was refused; but my father again wrote on the 9th April, 1892, urging a reconsideration of the matter, as he understood from the telegram that compensation was to be refunded on reappointment to Inspectorship.

On the 16th May, 1892, Colonel Hume wrote, at direction of the Defence Minister, saying that my father had broken faith, and that refusal to comply would mean bar to promotion. He concluded by asking what, under the circumstances, my father proposed to do. To this my father replied on the 31st May, 1892, showing that he had never broken faith with any man. Seeing what was meant by the cruel threat he made a proposal. To this he received no reply. Colonel Hume, in his evidence, omitted to say that he never in any way replied to this proposal, thus leaving my father open to the cruel charge of breach of faith, and also leaving him to expect promotion on first vacancy, as he had not barred this by "refusing to comply." If my father were guilty of such a breach of faith, why was his position not taken from him? Because he was in the right, and they knew it, though they tried to persecute him into refunding the money before it was due by fulfilment of the department's promise. Colonel Hume has stated in evidence that my father was sixty-five years old at time of reappointment. This is a direct untruth, for he was fifty-five. The treatment which my father met with after a most meritorious service, and the degradation to which Colonel Hume subjected him on every possible occasion, slowly killed him. He was placed lowest on the seniority-list of sergeant-majors published in the *New Zealand Police Gazette*, 1894. He appealed against this degradation and unfairness, but received no satisfaction. When a vacancy for Inspector did occur the promise to my father was overlooked, and the position given to Sergeant Pratt, while my father, who had been Inspector in a province like Otago, was sent to serve under him. The absurdity and cruelty of the position are apparent to all. Though my father was seriously ill when *en route* to Westport, and had to spend a week in Wellington to obtain medical attendance, Colonel Hume refused to grant him anything but steerage passage.

I cannot be present at the Commission, but I write these facts, in the hope that the cruel and wicked statements which have been given in the public Press may be refuted.

I am, &c.,

The Chairman, Police Commission, Wellington.

ELIZABETH MOORE.

LETTER from W. E. GUDGEON, Esq., Judge Native Land Court, *re* Sale of Grog in the King-country.

SIR,—

Otorohanga, 13th June, 1898.

With reference to your telegram of to-day's date, I have the honour to state that though I have been at Otorohanga for the past twelve months I know of no single instance in which the Licensing Act has been violated either with the knowledge or connivance of the police.

I have seen several instances of drunkenness during the period of my residence at this place, but I cannot say that I think the Ngatimaniopoto are a drunken tribe, and it is very much to their credit that they are not, for the state of affairs in the King-country for some years has been such as to induce many Maoris not only to keep spirits of the worst quality in their houses for sale, but also to hawk it about in bottles. This latter class of traffic has been put down by the constable in charge, but the sly-grog traffic in their own houses will continue so long as the Maoris find that they can make money by the traffic.

It may be said that the police ought to have done more than has been done, but if this be said, then very great injustice is done to the police, for although the Ngatimaniopoto are a law-abiding people they are to a man against the police on the question of sale of spirituous liquors. Not only the Maoris, but the Europeans also are against the police on this point, and therefore the latter are comparatively helpless.

As for the disgraceful scenes which I am told are said to have taken place within the district called the King-country, I have not only not seen these affairs but have never even heard of them. In fact, I have never seen anything worse than may be seen at any time in any town in New Zealand. It is from the fact that I had not seen any of these horrors that I telegraphed to you that I had no evidence to give. My experience of the constable in this district is that he is a determined, useful man, and not without tact—a man not at all likely to allow any Maori to break the law with impunity.

I have, &c.,

H. S. Wardell, Chairman, Police Commission.

W. E. GUDGEON,
Judge, Native Land Court.

CORRESPONDENCE from JUSTICES of the PEACE in King-country in reference to Evidence given by Inspector HICKSON.

SIR,—

Otorohanga, 21st June, 1897.

We, the undersigned, Justices of the Peace residing at Otorohanga, have the honour to address your Commission in connection with evidence (presumably on oath) given by Police Inspector Hickson, of Auckland, on Friday, the 17th instant, and reported in the *New Zealand Herald* of the 18th instant.

Inspector Hickson is there reported to have said that he informed the Justices at Otorohanga by letter that two swagmen were being sent to Otorohanga to detect sly-grog selling, and insinuating that we gave that information to the public.

We desire to have put on record in the minutes of your Commission our denial that any communication, either by letter, telegram, or otherwise, was ever received by us, either collectively or individually, from Inspector Hickson at any time whatever as to his being about to send any persons into the King-country for the purpose mentioned. We would further ask that your Commission request Inspector Hickson to produce for your information, and as the proof of his statement, the press-copy of the letter referred to by him in his evidence above mentioned, and, in justice to ourselves, we would respectfully ask that your Commission should insist that a copy of the said letter be produced by him. If he fails to produce the letter we cannot avoid coming to the conclusion that he wilfully made a gross misstatement with a view to discredit us because of statements that we had made reflecting on his administration.

We are strongly of opinion that if Inspector Hickson had such a damaging charge to make against us it should have been brought out whilst we were before the Commission, and so have given us a chance to refute it. We attach hereto the cutting from the *New Zealand Herald* of the 18th instant containing the evidence of Inspector Hickson herein referred to.

We are sending a copy of this letter to Inspector Hickson, in order that he may be aware of the steps we are taking in the matter.

We have, &c.,

GEO. T. WILKINSON.

J. W. ELLIS.

CHAS. J. JOHNSON.

P. McDONNELL.

The Chairman, Police Commission, Auckland.

SIR,—

Otorohanga, 5th July, 1898.

Referring to our letter to you of the 21st ultimo (a copy of which we forwarded to Inspector Hickson), in which we declared as untrue certain statements made by Inspector Hickson before your Commission in Auckland on the 17th ultimo, when he swore that he had informed the Justices of Otorohanga by letter that he was sending two swagmen to Otorohanga to detect sly-grog selling, and insinuated that we had circulated the information as to their being about to arrive, we now forward, for the information of your Commission, a letter that we have received from Inspector Hickson, in which he says that he has looked into the matter, but has no record of any official letter on the subject having been sent to us, and accepts as true our statement that no communication whatever was made to us by him.

As Inspector Hickson's evidence complained of by us will not only appear in the minutes of your Commission, but also appeared in the *New Zealand Herald* of the 18th June last, we ask you to be good enough to also incorporate in the minutes of your Commission the enclosed letter from Inspector Hickson, in which he retracts his former statement and apologizes for having made it.

We have, &c.,

GEO. T. WILKINSON, J.P.

J. W. ELLIS, J.P.

CHAS. J. JOHNSON.

The Chairman, Police Commission, Wellington.

GENTLEMEN,—

District Police Office, Auckland, 29th June, 1898.

Your letter of the 21st instant to hand, in which you make denial of my statement that it may have been through the Justices that it leaked out that constables were to visit Otorohanga in connection with sly-grog selling. At the time I made the statement, in reply to a question, I was certainly of opinion that Justices had been notified of the police visit, and it then seemed to me probable that through inadvertence the matter had leaked out. In justice to yourselves I desire to state that I had no intention to cast a slur upon you, as will be seen by the evidence I gave, and, further, that I certainly believed at the time that the Justices had been informed of the intended visit of two policemen.

I have looked the matter up, and have no record of any official letter being sent, and certainly accept as true your statement that no communication whatever was made to you. I much regret that any offence should have been given you, where certainly none was intended, and request you to accept my apology in the matter. Your communication would have received an early reply, but delay arose through my absence in the country.

I have, &c.,

Messrs. Wilkinson, Ellis, McDonnell, and Johnson,
Justices of the Peace, Otorohanga.

J. HICKSON,

Inspector of Police.

EXHIBITS.

GROUP No. 1.

CIRCULARS, LETTERS OF INSTRUCTION, ETC.

EXHIBIT No. 1.

CIRCULAR ABOLISHING LONG-SERVICE PAY.

Circular No. 4/87.—From and after the 10th February, 1887, men joining the Police Force will not be entitled to receive long-service pay, whether by virtue of previous service in the Armed Constabulary Force and Permanent Militia, or of subsequent service in the Police Force; but this regulation shall not affect the rights of any member of the Force who joined before the 10th February, 1887. Members of the Force transferred to the Lake and Goldfields districts from and after the 10th February, 1887, will not be entitled to receive the goldfields allowance heretofore granted, but the rights of those already stationed in these districts will not be affected by this regulation.

14th February, 1887.

W. E. GUDGEON,
Commissioner.

EXHIBIT No. 2.

CIRCULAR *re* FUEL AND LIGHT.

Circular No. 3/88.—From and after the 31st instant the issue of fuel and light to out-stations will cease absolutely. Office fires will be allowed at certain stations as heretofore, and, at any station where messes are established, fuel and light will be allowed at the rate of one ton of coal or two cords of firewood per annum for each man actually living in the barracks, or belonging permanently to the mess; and one candle per night, or the equivalent in oil, for every four of such men.

27th March, 1888.

W. E. GUDGEON,
Commissioner.

EXHIBIT No. 3.

CIRCULAR MEMORANDUM FOR INSPECTORS OF POLICE *re* COMMUNICATION TO SUBORDINATES.

No. 21/90.—The present system of communication to subordinates observed at headquarters is cumbersome and laborious, without any satisfactory results. The course adopted is as follows: The Inspector receives a communication from the Commissioner, say, the transfer of a constable: the Inspector minutes it to the sergeant-major, and the sergeant-major minutes it again to the constable concerned; the constable, having perused it, minutes it to the sergeant-major, and he again minutes it to the Inspector, who in turn forwards it to the Commissioner. In fact, so great has the evil become at some stations, that the sergeant-major requires a clerk to write his minutes.

It is therefore directed that in future the Inspectors shall have a fixed hour for seeing daily in their offices any of the subordinates who may have any applications to make, or any to whom the Inspector may have anything to communicate, say at 9.30 a.m., before any Court work commences; such subordinates will be interviewed by the Inspector in the presence of the sergeant-major, if possible; if not, the senior sergeant at the station. For example: Constable Smith wants a transfer. Constable Smith is called in, and he hands in a written application for it; the Inspector then puts such minute as he considers fit, and posts it to this office. In, say, a week's time, a reply is received. The Inspector's clerk warns the sergeant-major that Constable Smith will be required at the office that morning, and in due course Constable Smith is brought in and informed by the Inspector that his request for a transfer has been refused. The Inspector then minutes, "Constable Smith informed," and the paper is returned to this office and filed; and by this means two minutes by the sergeant-major and two by Constable Smith are dispensed with, and considerable time and trouble saved. The same rule is to be observed in making communications to the Detective Branch. For example: The Inspector receives a communication, and he sends for all or as many of the detectives as are available, and explains what is required, instead of giving his orders through the Chief Detective as is now done. The detective who obtains the information then interviews the Inspector in the presence of the Chief Detective, and reports result of his investigations.

This system, besides saving considerable correspondence, will, it is hoped, considerably lessen the friction which exists, to the detriment of the service, in many stations. Correspondence for sub-districts and out-stations will in future be forwarded direct from the Inspector's office, and not through the sergeant-major or senior sergeant as at present.

31st December, 1890.

A. HUME,
Commissioner.

EXHIBIT No. 4.

CIRCULARS *re* CONFIDENTIAL REPORTS.

Circular Memo. No. 5/92.—As some misconception seems to exist in reference to confidential reports against non-commissioned officers or constables, the Hon. the Defence Minister has been pleased to direct that in future no confidential report is to be forwarded to this office containing

charges against any member of the Force without such member having been made aware of such report, which is to be perused by him, and every facility given for a reply. He will, after perusal, mark it as noted and initialled.

In all cases the non-commissioned officer or constable whose conduct is called in question shall, upon application to the Inspector, have a right to a copy of any such report against him, and shall be entitled to reply to it, which reply will be forwarded to this office.

28th March, 1892.

A. HUME,
Commissioner.

EXHIBIT No. 5.

ENTRIES IN DEFAULTERS' SHEETS.

Circular No. 7/94.—It having been brought to the Commissioner's notice that constables are sometimes unaware of offences being recorded against them in their defaulters' sheets, it is notified for general information and guidance that in future, when fining, reprimanding, admonishing, or in any way punishing constables, Inspectors will carefully inform them whether such offences will be recorded or not.

21st April, 1894.

A. HUME,
Commissioner.

EXHIBIT NO. 6.

ALLOWANCE TO MEN ON DUTY.

Circular No. 4/96.—It is notified for general information that when members of the Force are employed on relieving duty at out-stations an allowance at the rate of £1 1s. per week will be made to married men and 10s. 6d. per week to single men. No allowance will be granted to members of the Force on special duty in the field, or undergoing the annual course of gun-drill, when camp equipage or barrack accommodation is provided by the Government and messes are established. As it is not intended that any profit shall be made out of travelling allowance, and as the Government does not in any case provide free rations, it is not considered that any pecuniary loss will ensue hereby. This circular will take effect on and after the 1st February proximo.

28th January, 1896.

A. HUME,
Commissioner.

EXHIBIT NO. 7.

POLICE ATTENDING FIRES.

Circular No. 8/96.—With reference to Police Regulation No. 214, in future only half the men off duty will be required to turn out in uniform on an alarm of fire at night, instead of all, as directed in the above regulation. The half of the strength off duty required to turn out will be duly warned to that effect, and they will be relieved and changed when the night-duty men are changed, when the other half will in like manner be warned that they are to turn out, until the next change in day and night duties.

27th February, 1896.

A. HUME,
Commissioner.

EXHIBIT No. 8.

DRILL AND INSTRUCTION.

Circular No. 13/96.—Those recruits who may in future join the Force without having been previously drilled will be placed under some qualified constable or non-commissioned officer, for the purpose of being drilled in marching, turning, saluting, use of revolvers, handcuffs, and batons, at some convenient hour daily, till passed as efficient by the Inspector. At headquarter stations all constables available will in future be assembled once a week for the purpose of being instructed and catechized by the non-commissioned officers in the various subjects appertaining to police duties; and once in every month the Inspectors will themselves give a lecture to and catechize the whole of their subordinates that may be available in the various duties they have to carry out as constables.

30th April, 1896.

A. HUME,
Commissioner.

EXHIBIT No. 9.

COURT ORDERLIES.

Circular No. 15/96.—The appointment of Court orderly will in future be held for three months only, and Inspectors, in selecting men for the post, will choose those who are likely to be appointed to charge of a station, where they may be required to perform the duties of Clerk of Court, as it is considered their service as Court orderlies will give them a certain insight into the duties required of a Clerk of Court, and so be beneficial to the service.

18th May, 1896.

A. HUME,
Commissioner.

EXHIBIT No. 10.

LETTER SENT TO CANDIDATES FOR CONSTABLES.

In reference to your application for an appointment in the Police Force, I have to inform you that on presenting yourself to the Inspector of Police at _____, with a medical certificate, signed by Dr. _____ of _____, that you are of the required height, and otherwise fit for the service, you will be enrolled. On being appointed, you will be required to insure your life in the New Zealand Government Life Insurance Department for £200, payable at the age of 60, or at death, if prior, failing which your appointment will be cancelled. Your pay will be at the rate of £120 per annum, and will commence from the day you are sworn in. You will have to provide yourself with uniform, and quarters (if married), and will be required to find your own way to _____.

EXHIBIT No. 11.

INSTRUCTIONS WHEN COMPILING ANNUAL OFFENCES RETURN.

Circular No. 18/88.—Officers in charge of districts are requested, when compiling the annual offences returns, to include only those offences for which persons have been or are liable to be apprehended, and omit cases of the nature specified in the margin [Cattle wandering, breaches of county and other by-laws, Dog Registration Act, Licensing Act, Sheep Act, Rabbit Nuisance Act, Weights and measures, &c.] which can only be prosecuted by summonses. The omissions must be made for the last as well as the current year to arrive at correct comparisons for each district.

28th December, 1888.

W. E. GUDGEON,
Commissioner.

GROUP No. 2.

EXHIBIT No. 12.

RETURN showing NUMBER of PUBLICHOUSES, POLICE SUMMONSES, CHARGES, &c., for Year ended 30th April, 1898.

(1)	(2)	(3)	(4)	(5)		(6)	
Number of Publichouses in the District.	Number of Publichouses in the Sub-district.	Number of Police Summonses in the Sub-district during the Year ended 30th April, 1898.	Number of Charges preferred against Prisoners in the Sub-district during the Year ended 30th April, 1898. (Not including Summons cases.)	Number of Persons arrested for Drunkenness in the Sub-district during the Year ended 30th April, 1898. (Included in No. 4.)		Number of Persons arrested for Drunkenness in the Sub-district on Sundays, between 8 a.m. and 12 midnight, during the Year ended 30th April, 1898. (Included in No. 5.)	

Auckland, Waikato, and Bay of Islands District: Auckland Sub-district.

244	*72	284	1,558	M. 498	F. 152	M. 7	F. 2
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EXHIBIT No. 13.

Napier and East Coast District: Napier Sub-district.

120	†33	127	320	151	11	3	1
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EXHIBIT No. 14.

Wanganui and West Coast District: New Plymouth Sub-district.

82	6	99	†214	34			1
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EXHIBIT No. 15.

Wanganui Sub-district.

‡20	36	144	327	177			4
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EXHIBIT No. 16.

Wellington District: Palmerston North Sub-district.

34	16	96	339	161			6
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NOTE.—Cases at Palmerston North Station: Offenders, 255; summonses, 70; drunkenness, 134.

* Auckland, Ponsonby, Parnell, Newmarket, Surrey Hills, Freeman's Bay, Newton, Eden Terrace, and Devonport are included in this return; all charges and summonses at these stations being brought into and heard at Auckland.

† Napier, Taradale, Clive, and Spit are included in this return; all charges and summonses at these stations being brought into and heard at Napier.

‡ 101 of these were Natives, arrested for ploughing.

§ In Wanganui Station district.

EXHIBIT No. 17.

STATISTICS of the Blenheim Police Sub-district for the Year ending 30th April, 1898.

Boroughs—		Present Population.					
Blenheim	3,018
Picton	870
Havelock	365
Road Board Districts—							
Awatere	432
Omaka	1,617
Pelorus	1,407
Picton	866
Spring Creek	769
Wairau	874
Total				10,218

Licensed Houses.

Boroughs—									
Blenheim ...	...	...	...	...	...	...	...	...	8
Havelock ...	...	...	...	...	...	...	...	...	3
Picton ...	...	...	...	...	...	...	...	...	4
District outside of towns...	...	...	...	...	...	...	...	...	14
									29
Number of charges as appearing in charge-book from 1st May, 1897, to April, 1898 ...	...	...	...	...	...	...	...	...	87
Number of charges as appearing in summons-book from 1st May, 1897, to 30th April, 1898 (police cases only) ...	...	...	...	...	...	...	...	...	45
Number of arrests of persons for drunkenness from 1st May, 1897, to 30th April, 1898 ...	...	...	...	...	...	...	...	...	48
Number of persons arrested upon charges of drunkenness between 8 a.m. and 12 p.m. on Sundays from 1st May, 1897, to 30th April, 1898 ...	...	...	...	...	...	...	...	...	4

EXHIBIT No. 18.

NUMBER of PERSONS ARRESTED in CITY of WELLINGTON for DRUNKENNESS on SUNDAYS for Six Months ending 28th February, 1898.

The number of persons arrested for drunkenness in the City of Wellington for the six months ending the 28th February last between the hours of 8 a.m. and midnight was thirty-three.

EXHIBIT No. 19.

RETURN of ARRESTS, &c., in CITY of WELLINGTON for Year ending 30th April, 1898.

- Total number of licensed houses, 51.
- Total number of arrests, 1,822.
- Total number summoned by police, 394.
- Total number arrested for drunkenness, 1,046.
- Number arrested for drunkenness on Sundays between 8 a.m. and midnight, 57.

EXHIBIT No. 20.

Number of persons arrested by Christchurch police for twelve months ending 31st December, 1897 ...	...	...	...	...	1,021
Number of persons summoned for the same period ...	...	...	...	...	323

EXHIBIT No. 21.

CHRISTCHURCH STATION.—OFFENCES RETURN, showing the Crime from the Year ending 31st December, 1892, to the Year ending 31st December, 1897.

Offence.	Year.	Number of Offences reported.	Persons apprehended or summoned.				Total Number of Persons apprehended or summoned.	Increase.	Decrease.
			Summarily convicted.		Discharged.				
			M.	F.	M.	F.			
Drunkenness ...	1892	419	...	...	...	...	...	...	...
" ...	1893	410	282	120	7	1	410	...	9
" ...	1894	357	251	100	5	1	357	...	53
" ...	1895	448	251	197	...	...	448	91	...
" ...	1896	466	333	119	10	4	466	18	...
" ...	1897	472	336	131	5	...	472	6	...
Total ...	...	2,572	1,453	667	27	6	2,153	...	...

EXHIBIT No. 22.

RETURN of ARRESTS for DRUNKENNESS for the Three Months ending 31st March, 1898.

Under Twenty Years.		Between Twenty and Twenty-five Years.		Between Twenty-five and Thirty Years.		Between Thirty and Forty Years.		Over Forty Years.		Total.	
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
1	Nil	6	3	13	11	33	9	63	15	116	38

EXHIBIT No. 23.

RETURN of the NUMBER of PERSONS CHARGED with DRUNKENNESS on SUNDAYS between 8 a.m. and 12 Midnight during the Year ending 31st March, 1898.

Year.	Month.	Number charged.	Year.	Month.	Number charged.
1897	April	Nil	1897	November ...	4
"	May	1	"	December ...	2
"	June	Nil	1898	January ...	4
"	July	3	"	February ...	3
"	August	2	"	March	3
"	September ...	14			—
"	October	10		Total	46

EXHIBIT No. 24.

NELSON.—RETURN for Year ending 30th April, 1898.

Total number of licensed houses in borough, 18.
 Number of licensed houses in sub-district, 30.
 Total number of arrests during year ending 30th April, 1898, 66.
 Total number summoned by police during year ending 30th April, 1898, 110.
 Total number arrested for drunkenness during the year ending 30th April, 1898, 27.
 Number of arrests for drunkenness on Sundays between 8 a.m. and 12 p.m., Nil.
 Population of sub-district (exclusive of out-station), 12,000.

EXHIBIT No. 25.

REEFTON.—RETURN for the Year ending 30th April, 1898.

Population of Buller County and Township, as per Census: Buller County, 4,833; Reefton Township, 2,424: total, 7,257.
 Total number of licensed houses in Reefton Township, 18.
 Number of licensed houses in sub-district, 30.
 Total number of arrests during year ending 30th April, 1898, 48.
 Total number summoned by police during year ending 30th April, 1898, 25.
 Total number arrested for drunkenness during year ending 30th April, 1898, 24.
 Number arrested for drunkenness on Sundays between 8 a.m. and midnight, 1.
 Population of sub-district (excluding the Lyell), 4,654.

EXHIBIT No. 26.

WESTPORT.—RETURN for Year ending 30th April, 1898.

Total number of licensed houses in borough, 17.
 Number of licensed houses in sub-district, 10.
 Total number of arrests during year ending 30th April, 1898, 88.
 Total number summoned by police during year ending 30th April, 1898, 33.
 Total number arrested for drunkenness during year ending 30th April, 1898, 61.
 Number arrested for drunkenness on Sunday between 8 a.m. and 12 p.m., 6.
 Population of sub-district (exclusive of out-stations), 4,200.

EXHIBIT No. 27.

RETURN of ARRESTS and SUMMONSES at GREYMOUTH STATION for Twelve Months ended 30th April, 1898.

Total number arrested, 65.
 Total number arrested for drunkenness: Males, 41; females, 8—49.
 Total number arrested for drunkenness on Sundays between 8 a.m. and 12 midnight: Males, 4; females, nil.

EXHIBIT No. 28.

NUMBER of LICENSED HOUSES in BOROUGH of HOKITIKA, and NUMBER of ARRESTS for DRUNKENNESS from APRIL, 1897, to APRIL, 1898.

Number of licensed houses in the Borough of Hokitika, 22; in the sub-district, 66.
 Number of prosecutions for breaches of the Licensing Act, nil.
 Number of arrests for drunkenness in the Borough of Hokitika from April, 1897, to April, 1898, 18.
 No arrests on Sundays.
 Number of summons cases by police during year ended 30th April, 1898, 3.

EXHIBIT NO. 29.

DUNEDIN.—NUMBER of PERSONS ARRESTED for all OFFENCES for the YEAR 1897, and the NUMBER of PERSONS LOCKED-UP for DRUNKENNESS on SUNDAYS between 8 a.m. and 12 Midnight during Six Months ending 28th February, 1898.

Police summonses, 218.

Private summonses, 487.

Arrests for all offences, 1,040.

Number of persons arrested for drunkenness on Sundays between 8 a.m. and 12 midnight for the six months ending 28th February, 1898, 16.

EXHIBIT NO. 30.

DUNEDIN.—NUMBER of OFFENCES for which Women were arrested during 1897.

188 females.*

*This number does not represent the number of women, as some of the same women were locked up several times during the year.

EXHIBIT No. 31.

RETURN of PRISONERS ARRESTED for DRUNKENNESS in DUNEDIN during the Five Years ending the 31st December, 1897.

Number of arrests : 1893, 379 ; 1894, 401 ; 1895, 439 ; 1896, 470 ; 1897, 637.

GROUP No. 3.

RETURN of PROSECUTIONS in connection with Breaches of the Licensing Act. NUMBER of CHILDREN COMMITTED to INDUSTRIAL SCHOOLS. REPORT of ALLEGED TOBACCO ROBBERIES, Auckland. NUMBER of PERSONS SUMMONED for keeping Brothels, Auckland. NUMBER of BURGLARIES, &c., 1st January, 1897, to 31st December, 1897, Auckland. PROSECUTIONS and CONVICTIONS under GAMING AND LOTTERIES ACT (for Colony), 1890 to 1897.

EXHIBIT No. 32.

RETURN showing the NUMBER of PROSECUTIONS for Breaches of the Licensing Act, at Auckland, from 1st January, 1896, to June, 1898.

Name of Licensee.	Name of Hotel.	Offence.	Decision.	Date.
Walter Stimpson ..	Queen's Ferry Hotel ..	Selling liquor after 10 p.m. ..	To be heard on 20th inst.	Adjourn'd.
G. B. Howard ..	United Service Hotel ..	Selling liquor on Sunday ..	Dismissed	13/1/96.
D. Thompson ..	Rising Sun Hotel ..	Selling liquor after closing-hours	"	20/4/96.
" ..	" ..	Ditto	"	20/4/96.
" ..	" ..	"	"	20/4/96.
" ..	" ..	"	"	20/4/96.
James Hunter ..	Alexander Hotel ..	Allowing billiards to be played after hours	Fined £2 and costs, and license indorsed	24/6/96.
S. W. Buck ..	Ponsonby Club Hotel ..	Selling liquor after hours ..	Fined £3 and costs ..	31/8/96.
M. H. Walsh ..	Albion Hotel ..	Selling liquor on Sunday ..	Dismissed	25/1/97.
W. R. Browne ..	Thistle Hotel ..	Employing a barmaid in the bar after 11 p.m.	"	10/2/97.
" ..	" ..	Keeping open for the sale of liquor after 10 p.m.	Withdrawn	10/2/97.
John Hand ..	Thames Hotel ..	Selling liquor after hours ..	Dismissed	29/3/97.
Samuel McPherson ..	Anchor Hotel ..	"	"	31/5/97.
Charles Clarke ..	Victoria Hotel ..	Employing a barmaid in the bar after 11 p.m.	Fined £3 and costs ..	21/7/97.
John Endean ..	Waitemata Hotel ..	Supplying a prohibited person with liquor	Dismissed	18/8/97.
Joseph Parkes ..	Carlton Club Hotel ..	Selling liquor on Sunday ..	"	15/10/97.
W. E. Ryan ..	Rising Sun Hotel ..	Failing to admit police without unnecessary delay	"	25/10/97.
Charles Reinhardt ..	City Hotel ..	Selling liquor on Sunday ..	"	21/1/98.
" ..	" ..	Attempting to bribe a police constable	Withdrawn	21/1/98.
Robert Fawcett ..	Family and Naval Hotel	Selling liquor to a child under thirteen years	Dismissed	15/2/98.
Samuel Tooman ..	Aurora Hotel ..	Sunday trading	Fined £5 1s. and costs ..	27/4/98.
Archibald Hill ..	Carpenters' Arms Hotel ..	"	Fined £2 and costs ..	27/4/98.
Andrew R. Dunn ..	Market Hotel ..	"	Dismissed	15/6/98.
Winnifred Kiely ..	Governor Browne Hotel	"	"	10/6/98.

EXHIBIT No. 33.

RETURN showing the NUMBER of PERSONS PROSECUTED for SLY-GROG SELLING in AUCKLAND DISTRICT for Two Years ending 30th April, 1898.

No.	Offender.	No. of Prosecutions.	Where Offence committed.
1	John Brister	1	Auckland.
2	Frank Towsey	1	"
3	Isaac Alcock	17	Great Barrier Island.
4	James Corrigan	3	Cabbage Bay.
5	Richard Burt	1	"
6	Frederick Bates	4	Kennedy's Bay.
7	Daniel Lewis	1	"
8	William John McKinley	2	Opetonui.
9	Albert Vettors	3	"
10	Charles Levitt	2	Wellsford.
11	William Levitt	2	"
12	Mrs. Woodcock	2	Wayby.
13	Thomas Lineham	2	Kaihu.
14	George Hyatt	6	Waitekauri.
15	P. Shine	2	Mangonui.
16	J. Evans	2	"
17	F. Russell	6	"
18	W. Evans	1	"
19	Ngakawa	2	"
20	Nopera	2	"
21	Meti Kaki	2	"
22	John Lohr	1	Otorohanga.
23	James Proctor	1	Te Kuiti.
24	Edward Perry	4	"
25	Charles E. Bennett	1	"
26	Annie Hetet	1	Otorohanga.
27	William Bond	7	Te Kuiti.
28	William Hughes	1	Otorohanga.
29	Kingi Mama Uruahi	4	"
30	Wiremu	3	"
31	Te Ngohe Tiarohu	3	"
32	Ngohe Ngohe	2	"
33	Turo	3	"
34	Tunhainoa	3	"
35	Ratima	2	"
36	Ranangi	1	"
37	Hoponi	2	"
38	Warren	2	"
39	Te Kerenga	2	"
40	Te Waaka Tumakemaki	2	"
41	Tuku	2	"
42	Maehi	2	"
43	Tepta te Neroa	2	"
44	Hori Hakaro	1	"
45	Halu Kopu	2	"
46	Remoana	2	"
47	Carrie Martin	11	"
48	John Hetit	4	"
49	Frances Reynolds	1	"
50	Kinai	2	"
51	Tukehe Tutahanga	1	"
51A	James Cribb	2	"
52	Tire	2	"
53	Whina	1	"
54	John Paterson	1	Kawhia.
55	Tane Wetere	1	"
56	Tai	1	"
57	Ratahi	1	"
58	Rangi Kamana	1	"
59	Rewi Weteni	1	"
60	Rawhiti	1	"
61	T. O. Turnbull	1	"

Eighty prosecutions against thirty-three offenders in King-country. In all, 152 prosecutions against sixty-one offenders.

EXHIBIT No. 34.

RETURN showing NUMBER of PROSECUTIONS for SLY-GROG SELLING in AUCKLAND DISTRICT for Two Years ending the 30th April, 1898.

No.	Offender.	Where Offence committed.	Date of Offence.	Result.
1	John Brister ...	Auckland ...	29 June, 1896	Dismissed.
2	Isaac Alcock ...	Great Barrier Island	13 Nov., 1897	Fined £15 and costs 7s.
3	" ...	Ditto ...	22 Oct., "	Fined £2 and costs £1 12s.
4	" ...	" ...	11 Nov., "	Fined £15 and costs 7s.
5	" ...	" ...	14 " "	Withdrawn.
6	" ...	" ...	13 " "	"
7	" ...	" ...	11 " "	"
8	" ...	" ...	22 Oct., "	"
9	" ...	" ...	14 Nov., "	"
10	" ...	" ...	13 " "	"
11	" ...	" ...	14 " "	"
12	" ...	" ...	13 " "	"
13	" ...	" ...	14 Dec., "	"
14	" ...	" ...	13 Nov., "	"
15	" ...	" ...	13 " "	"
16	" ...	" ...	14 Dec., "	"
17	" ...	" ...	14 Nov., "	"
18	" ...	" ...	13 " "	"
19	James Corrigan ...	Cabbage Bay	19 Feb., "	Fined £5 and costs.
20	Mrs. James Corrigan ...	"	20 " "	"
21	Richard Burt ...	"	21 " "	Withdrawn.
22	Frederick Bates ...	Kennedy's Bay	19 " "	Fined £5 and costs.
23	" ...	"	22 " "	"
24	" ...	"	17 " "	"
25	" ...	"	18 " "	"
26	James Corrigan ...	Cabbage Bay	22 " "	Withdrawn.
27	Daniel Lewis ...	Kennedy's Bay	22 March, "	Dismissed.
28	William John McKinley ...	Opetonui ...	11 Dec., "	Fined £5 and costs.
29	" ...	" ...	11 " "	"
30	Albert Veters ...	" ...	17 April, 1898	Fined £10 and costs.
31	" ...	" ...	17 " "	Dismissed.
32	" ...	" ...	17 " "	"
33	Charles Levitt ...	Wellsford ...	8 July, 1897	"
34	" ...	" ...	13 " "	"
35	William Levitt ...	" ...	8 " "	Fined £10 and costs £3 1s.
36	Mrs. Woodcock ...	Wayby ...	10 " "	Dismissed.
37	" ...	" ...	10 " "	"
38	William Levitt ...	Wellsford ...	13 " "	"
39	Thomas Lineham ...	Kaihu ...	3 Aug., 1896	"
40	George Lineham ...	" ...	3 " "	"
41	George Hyatt ...	Waitekauri ...	22 April, 1898	Fined £5 and costs.
42	" ...	" ...	22 " "	"
43	" ...	" ...	22 " "	"
44	" ...	" ...	22 " "	"
45	" ...	" ...	22 " "	"
46	" ...	" ...	22 " "	"
47	P. Shine ...	Mangonui ...	10 March, 1896	Fined £1.
48	" ...	" ...	10 " "	Dismissed.
49	J. Evans ...	" ...	10 " "	Fined £1.
50	" ...	" ...	10 " "	Dismissed.
51	Frederick Russell ...	" ...	4 " 1897	Fined £5.
52	" ...	" ...	4 " "	"
53	" ...	" ...	4 " "	"
54	" ...	" ...	4 " "	Dismissed.
55	" ...	" ...	4 " "	"
56	" ...	" ...	4 " "	"
57	W. Evans ...	" ...	14 Feb., "	"
58	Ngakawa ...	" ...	8 April, 1896	Fined £5.
59	" ...	" ...	8 " "	Fined £10.
60	Nopera ...	" ...	8 " "	Fined £5.
61	" ...	" ...	8 " "	Fined £10.
62	Meti Kaki ...	" ...	6 " 1897	Fined £5.
63	" ...	" ...	6 " "	Fined £10.
64	John Lohr ...	Otorohanga ...	27 May, 1896	Fined £10 and costs £4 15s.
65	James Proctor ...	Te Kuiti ...	19 " "	Fined £10 and costs £5 10s.

SLY-GROG PROSECUTIONS—*continued.*

No.	Offender.	Where Offence committed.	Date of Offence.	Result.
66	Edward Perry ...	Te Kuiti ...	12 June, 1896	Withdrawn.
67	Charles E. Bennett ...	" ...	12 " "	Fined £10 and costs £4 10s.
68	Annie Hetet ...	Otorohanga ...	30 May, "	Withdrawn.
69	William Bond ...	Te Kuiti ...	3 Aug., "	Dismissed.
70	William Hughes...	Otorohanga ...	7 " "	21 days' labour, and to pay costs £4 10s.
71	Kingi Mama Uruahi ...	" ...	6 " 1897	) 21 days, and to pay costs £2 2s.
72	" ...	" ...	6 " "	
73	" ...	" ...	6 " "	Dismissed.
74	Wiremu " ...	" ...	6 " "	) 21 days, and to pay costs 10s.
75	" ...	" ...	6 " "	
76	" ...	" ...	6 " "	Withdrawn.
77	Te Ngohe Tiarohu ...	" ...	6 " "	) 21 days on each charge, and to pay costs £4 11s.
78	" ...	" ...	6 " "	
79	" ...	" ...	6 " "	
80	Ngohe Ngohe ...	" ...	7 Sept., "	) 21 days on each charge, and to pay costs £5 17s.
81	" ...	" ...	7 " "	
82	Turo ...	" ...	11 Aug., "	) 21 days on each charge, and to pay costs £3 8s.
83	" ...	" ...	11 " "	
84	" ...	" ...	11 " "	Withdrawn.
85	Tunhainoa ...	" ...	11 " "	Fined £15 and costs.
86	" ...	" ...	11 " "	"
87	" ...	" ...	11 " "	Withdrawn.
88	Ratima ...	" ...	17 " "	) 21 days' labour on each charge, and to pay costs £3 12s.
89	" ...	" ...	17 " "	
90	Ranangi ...	" ...	11 " "	Fined £5 and costs.
91	Hoponi... ...	" ...	26 " "	Dismissed.
92	" ...	" ...	26 " "	"
93	Warren... ...	" ...	26 " "	) 21 days on each charge, and to pay costs £3 2s.
94	" ...	" ...	26 " "	
95	Te Kerenga ...	" ...	12 " "	Fined £5.
96	" ...	" ...	12 " "	Withdrawn.
97	Te Waaka Tumakemaki ...	" ...	13 " "	Fined £10 and costs £6 18s.
98	" ...	" ...	13 " "	"
99	Tuku ...	" ...	11 " "	"
100	" ...	" ...	11 " "	"
101	Maehi ...	" ...	7 Sept., "	Dismissed.
102	" ...	" ...	7 " "	"
103	Tepta te Neroa ...	" ...	7 " "	) 21 days on each charge, and to pay costs £5 5s.
104	" ...	" ...	7 " "	
105	Hori Hakaro ...	" ...	8 " "	14 days' hard labour, and to pay costs £3 9s.
106	Halu Kopu ...	" ...	14 Aug., "	Fined £8 and costs £8 8s.
107	" ...	" ...	14 " "	"
108	Remoana ...	" ...	14 " "	Withdrawn.
109	" ...	" ...	14 " "	"
110	Carrie Martin ...	Te Kuiti ...	21 " "	Fined £5 and costs £3.
111	" ...	" ...	21 " "	"
112	" ...	" ...	21 " "	Withdrawn.
113	" ...	" ...	21 " "	"
114	" ...	" ...	21 " "	"
115	" ...	" ...	21 " "	"
116	" ...	" ...	21 " "	"
117	" ...	" ...	21 " "	"
118	" ...	" ...	21 " "	"
119	" ...	" ...	21 " "	"
120	William Bond ...	" ...	22 " "	Fined £20 and costs.
121	" ...	" ...	22 " "	"
122	" ...	" ...	22 " "	Withdrawn.
123	" ...	" ...	22 " "	"
124	" ...	" ...	22 " "	"
125	" ...	" ...	22 " "	"
126	John Hetit ...	" ...	22 " "	Fined £15 and costs £12 18s.
127	" ...	" ...	22 " "	"
128	" ...	" ...	22 " "	"
129	John Hetit and C. Martin...	" ...	22 " "	Withdrawn.
130	Frances Reynolds ...	Otorohanga ...	23 July, "	Fined £5 and costs £3 1s.
131	Edmund Perry ...	Te Kuiti ...	13 Sept., "	Fined £12 and costs £8 4s. 6d.

SLY-GROG PROSECUTIONS—*continued.*

No.	Offender.	Where Offence committed.	Date of Offence.	Result.
132	Edmund Perry ...	Te Kuiti ...	13 Sept., 1897	Fined £12 and costs £8 4s. 6d.
133	" ...	" ...	13 " "	Withdrawn.
134	Kinai " ...	Otorohanga ...	13 Aug., "	} 21 days on each charge, and to pay costs £4 13s.
135	" ...	" ...	13 " "	
136	Hopone ...	" ...	26 " "	Fined £8 and costs £6 10s.
137	Tukehe Tutahanga ...	" ...	26 " "	Fined £20 and costs £2 17s.
138	James Cribb ...	" ...	4 Dec., "	Fined £20 and costs £10 8s. 7d.
139	" ...	" ...	4 " "	Withdrawn.
140	Tire " ...	" ...	5 " "	Fined £20 and costs £10 8s. 7d.
141	" ...	" ...	5 " "	Withdrawn.
142	Kingi Mama Uruahu ...	" ...	30 Nov., "	Fined £50 and costs £10 8s. 7d.
143	Whina ...	" ...	3 Dec., "	Dismissed.
144	John Paterson ...	Kawhia ...	15 March, "	Fined £7 and costs £2 17s.
145	Tane Wetere ...	" ...	17 " "	Fined £5 and costs 17s.
146	Tai ...	" ...	16 " "	"
147	Ratahi ...	" ...	15 " "	"
148	Rangi Kamana ...	" ...	17 " "	"
149	Rewi Weteni ...	" ...	14 " "	"
150	Rawhiti ...	" ...	14 " "	"
151	T. O. Turnbull ...	" ...	15 " "	Dismissed.
152	Frank Towsey ...	Auckland ...	13 April, 1898	"

Total amount of fines inflicted, £614.

Eleven offenders sentenced to terms of imprisonment without the option of a fine.

EXHIBIT No. 35.

RETURN of all PROSECUTIONS in NAPIER against Licensed Houses from the 1st January, 1892, to the 31st May, 1898.

Year.	Nature of Offence.	Decision.		
		Convicted.	Dismissed.	Withdrawn.
1892 ...	Selling liquor during prohibited hours ...	1	...	...
" ...	Exposing liquor for sale during prohibited hours ...	...	...	1
" ...	Suffering unlawful game to be played on licensed premises	1	...	1
" ...	Employing female in bar after 11 p.m. ...	1	...	...
1893 ...	Selling liquor during prohibited hours ...	...	2	...
1894 ...	Selling liquor to child under thirteen years of age ...	1	...	...
" ...	Permitting drunkenness on licensed premises	1	...	...
" ...	Failing to keep light burning over door of hotel	1	...	...
1895 ...	Nil.			
1896 ...	Allowing liquor to be consumed on licensed premises during prohibited hours	2	...	...
" ...	Selling liquor during prohibited hours	1	...	...
" ...	Suffering an unlawful game to be played on licensed premises	1	...	...
" ...	Permitting female to be employed in bar after 11 p.m. ...	1	...	...
1897 ...	Knowingly permitting prohibited person to be on licensed premises	1	...	...
" ...	Suffering unlawful game to be played on licensed premises	1	...	...
" ...	Permitting drunkenness on licensed premises...	...	1	...
1898 ...	Selling liquor during prohibited hours ...	1	1	...
" ...	Exposing liquor for sale during prohibited hours	2	1	1
" ...	Employing female in bar after 11 p.m. ...	...	1	2
	Totals ...	16	6	5

EXHIBIT No. 36.

RETURN of CASES for the ILLICIT SALE of LIQUORS in the CLUTHA DISTRICT.

Date.	Name.	Convicted.	Discharged.	Penalty.	Date.	Name.	Convicted.	Discharged.	Penalty.
BALCLUTHA STATION.									
				£					£
5/10/94	Jessie Moir	..	..	1	27/7/96	Mary Anderson	..	..	1
5/10/94	"	..	..	1	17/10/96	William Hay	..	1	40
5/10/94	William S. Moir	..	..	1	17/10/96	"	..	1	70
10/2/95	John S. Vial	..	1	10	17/10/96	John Anderson	..	1	..
10/2/95	Margaret Vial	..	..	1	17/10/96	Mary Anderson	..	1	..
10/2/95	Adam Paterson	..	1	10	15/7/97	John McCorley	..	1	..
10/2/95	Annie Paterson	..	..	1	15/7/97	Margaret McCorley	..	1	..
15/2/95	William S. Moir	..	1	10	15/7/97	"	..	1	..
15/2/95	Jessie Moir	..	..	1	19/7/97	John McCorley	..	1	..
13/9/95	William S. Moir	..	1	50	20/7/97	John Dunne	..	1	..
13/9/95	Jessie Moir	..	..	1	22/7/97	John James Dunne	..	1	..
13/11/95	William S. Moir	..	..	1	10/9/97	William Hay	..	1	50
13/11/95	Jessie Moir	..	..	1	1/11/97	Margaret Heney	..	1	5
12/11/95	John Dunne	..	..	1	2/11/97	"	..	1	..
13/11/95	"	..	..	1	2/11/97	John Heney	..	1	..
12/11/95	Margaret Dunne	..	..	1	2/11/97	James Duncan	..	1	..
12/11/95	"	..	..	1	4/11/97	Margaret Heney	..	1	..
24/4/96	William S. Moir	..	1	80	4/11/97	John Heney	..	1	5
24/4/96	Jessie Moir	..	..	1	4/11/97	Margaret Heney	..	1	..
24/7/96	William S. Moir	..	..	1	11/11/97	John Heney	..	1	40
24/7/96	Jessie Moir	..	..	1	12/11/97	Margaret Heney	..	1	..
27/7/96	John Anderson	..	1	50	12/11/97	John Heney	..	1	..
TAPANUI STATION.									
28/2/95	Charles F. Dunnett	..	1	10	14/11/95	Sarah Officer	..	..	1
28/2/95	"	..	..	1	14/11/95	John Lector	..	..	1
28/2/95	Thomas J. Collins	..	1	10	14/11/95	"	..	..	1
28/2/95	"	..	..	1	14/11/95	Charles F. Dunnett	..	1	25
28/2/95	William Simmonds	..	1	10	14/11/95	"	..	..	1
28/2/95	"	..	..	1	14/11/95	Mary Dunnett	..	..	1
28/2/95	Patrick McCann	..	1	10	18/11/95	Thomas J. Collins	..	..	1
14/11/95	Augustus Munyard	..	1	15	5/8/96	Patrick McCann	..	..	1
14/11/95	"	..	..	1	5/8/96	"	..	..	1
14/11/95	"	..	..	1	5/8/96	Augustus Munyard	..	..	1
14/11/95	Eliza M. Marshall	..	1	15	5/8/96	"	..	..	1
14/11/95	"	..	..	1	5/8/96	Thomas J. Collins	..	..	1
14/11/95	Patrick McCann	..	1	50	16/11/97	Patrick McCann	..	..	1
14/11/95	"	..	..	1	16/11/97	Eliza McCann	..	1	20
14/11/95	Mary Collins	..	..	1	16/11/97	Charles F. Dunnett	..	..	1
14/11/95	Thomas J. Collins	..	1	35	16/11/97	Mary Dunnett	..	..	1
14/11/95	Sarah Officer	..	1	15	16/11/97	Augustus Munyard	..	..	1
14/11/95	"	..	..	1			..	..	1

EXHIBIT No. 37.

GREYMOUTH.—RETURN of PROSECUTIONS under the LICENSING ACTS from 1st May, 1897, to 30th April, 1898.

Date.	Name of Licensee.	Name of Hotel.	Where situate.	Offence.	Decision.
11/12/97	John Shannahan	Union Hotel	Herbert Street	Permitting drunkenness on licensed premises	Fined £5. License indorsed.
16/12/97	James Brimble	Duke of Edinburgh Hotel	Hospital Street	Permitting drunkenness on licensed premises	Fined £5. License indorsed.
16/1/98	Timothy Crowe	Accommodation-house	Te Kingi	Selling liquor during prohibited hours	Fined £3 and costs. License indorsed.
1/4/98	John Giblin	Hamilton Hotel	Cobden	Permitting a prohibited person to be on licensed premises	Fined 5s. and costs. License not indorsed.
25/4/98	John W. McKenzie	Waverley Hotel	Hospital Street and Herbert Street	Supplying a person under 13 years with intoxicating liquor to be consumed off premises	Fined 5s. and costs. License not indorsed.
1/4/98	George W. Coburn*				

* Was summoned for entering a licensed house, being a prohibited person. Case not tried till 9th instant.

EXHIBIT No. 38.

RETURN of PROSECUTIONS under the LICENSING ACT in WELLINGTON CITY from the 1st August, 1890, to the 16th June, 1897.

Name.	Date of Hearing.	Offence.	Decision.
Annie Smith ...	7/7/91	Refusing to admit police ...	Fined £3 and costs.
" ...	7/7/91	Allowing billiards to be played after hours	Dismissed.
Annie Hay ...	3/7/91	Selling to prohibited person ...	"
Agnes Barker ...	10/7/91	Employing barmaid in bar after hours	Fined £5 and costs.
T. Seward ...	13/11/91	"	Fined £2 and costs.
" ...	13/11/91	Allowing " billiards to be played after hours	"
G. Ross ...	19/1/92	Keeping house open after hours ...	Dismissed.
" ...	12/1/92	Selling after hours ...	Withdrawn.
Annie Lewis ...	19/7/92	Sunday trading ...	Dismissed.
A. Greenwood ...	19/7/92	"	"
W. Tucker ...	19/7/92	"	Fined £5 and costs.
W. McClelland ...	19/7/92	"	Dismissed.
R. Tabor ...	26/8/92	Having more than one bar ...	Withdrawn.
H. Gilmer ...	26/8/92	"	"
A. Cohen ...	26/8/92	"	"
H. B. Price ...	26/8/92	"	Dismissed.
E. Wilson ...	26/8/92	"	"
M. Higgins ...	6/12/92	Sunday trading ...	"
A. A. Barker ...	13/1/93	Employing barmaid in bar after hours	"
A. Smith ...	13/1/93	Sunday trading ...	"
P. Twohill ...	28/2/93	Allowing billiards to be played after hours	Fined £3 and costs.
A. Hamilton ...	3/3/93	Selling after hours ...	Fined £5 and costs.
R. Tabor ...	24/3/93	"	Dismissed.
A. Greenwood ...	14/4/93	"	"
Kate Isaacs ...	13/6/93	Permitting quarrelsome conduct ...	"
J. O'Neill ...	21/6/93	Sunday trading ...	"
J. Crawford ...	21/6/93	"	"
B. Oxner ...	18/7/93	"	Fined £5 and costs.
" ...	18/7/93	Three " similar charges, same date	Withdrawn.
" ...	18/7/93	Permitting drunkenness ...	"
J. Briggs ...	11/8/93	Selling after hours ...	Fined £10 and costs.
" ...	11/8/93	"	Withdrawn.
J. Nankiville ...	19/9/93	Sunday trading ...	Fined £5 and costs.
" ...	19/9/93	"	Dismissed.
J. Daly ...	29/9/93	"	Fined £10 and costs.
W. Killery ...	29/9/93	"	Dismissed.
M. Butler ...	6/12/93	Selling to a child ...	To pay costs.
W. McClelland ...	22/12/93	Sunday trading ...	Dismissed.
J. Nankiville ...	12/1/94	Keeping house open after hours ...	"
J. Crawford ...	26/1/94	Sunday trading ...	"
W. McIntosh ...	17/4/94	Selling to a child ...	Fined £5 and costs.
J. Nash ...	15/5/94	"	Dismissed.
W. H. Saunders ...	5/6/94	Refusing to supply a traveller ...	"
" ...	5/6/94	"	Fined £5 and costs.
J. Nankiville ...	16/8/94	Selling " without a license ...	Dismissed.
B. Oxner ...	16/8/94	"	"
J. C. Pascoe ...	14/8/94	"	Fined £2 and costs.
J. McIntosh ...	14/8/94	Permitting unlicensed person to sell ...	Withdrawn.
W. Killery ...	23/11/94	Selling to drunken person ...	Dismissed.
J. O'Neill ...	1/3/95	Sunday trading ...	Fined £2 and costs.
A. Smith ...	6/5/95	Selling after hours ...	Dismissed.
" ...	6/5/95	"	"
W. Killery ...	19/7/95	Sunday trading ...	"
" ...	19/7/95	"	"
J. Theobald ...	7/10/95	"	Fined £2 and costs.
W. McClelland ...	2/12/95	"	Fined £5 and costs.
" ...	2/12/95	"	Dismissed.
A. J. Larkin ...	13/3/96	Allowing billiards to be played after hours	Fined £2 and costs.
" ...	13/3/96	Keeping house open after hours ...	Withdrawn
M. Higgins ...	27/3/96	Sunday trading ...	Dismissed.
" ...	27/3/96	"	"
A. Merlett ...	13/4/96	"	Withdrawn.
" ...	13/4/96	"	"
" ...	17/4/96	Selling " without license ...	Dismissed.
M. Higgins ...	17/4/96	Permitting unlicensed person to sell ...	Withdrawn.
A. Smith ...	19/6/96	Sunday trading ...	Dismissed.
" ...	19/6/96	Selling to drunken person ...	"

Name.	Date of Hearing.	Offence.	Decision.
G. Prictor ...	31/8/96.	Sunday trading ...	To pay costs, and license to be indorsed.
" ...	31/8/96	" ...	
B. Walker ...	25/1/97	Selling after hours ...	Dismissed.
D. McDonald ...	26/2/97	Permitting quarrelsome conduct ...	"
J. Crawford ...	19/7/97	Selling to a child ...	"
" ...	27/7/97	" ...	Fined £2 and costs.
F. J. Preston ...	19/7/97	" ...	Dismissed.
G. Y. Dennis ...	19/7/97	" ...	"
A. Brunette ...	30/7/97	Sunday trading ...	"
Number dismissed ...	...	...	42
" withdrawn ...	...	...	12
" convicted ...	...	...	21
Total ...	...	...	75

EXHIBIT No. 39.

CLUTHA DISTRICT.—RETURN OF OFFENCES AND CONVICTIONS.

From 1st January, 1891, to 30th June, 1894.

Offence.	Number reported.	Number convicted.	Number discharged.	Offence.	Number reported.	Number convicted.	Number discharged.
Abusive language ...	8	6	2	Malicious injury to property	6	6	...
Absconding from industrial school	1	1	...	Obstructing and resisting police	4	4	...
Assaults ...	16	11	5	Obscene and profane language	17	13	4
Breaches of the peace ...	19	15	4	Perjury ...	2	...	2
Breaches of Game Act ...	1	1	...	Permitting gaming with dice on licensed premises	1	...	1
Cattle-stealing ...	2	1	...	Rape ...	2	1	1
Cruelty to animals ...	9	4	5	Refusing to quit licensed premises	3	2	1
Disturbing a congregation	7	5	2	Sly-grog selling ...	2	1	1
Disorderly and riotous conduct	10	9	1	Shooting with intent ...	1	...	...
Discharging firearms in a public place	5	5	...	Stone-throwing ...	4	4	...
Drunkenness ...	152	146	6	Threatening language ...	3	3	...
False pretences ...	3	3	...	Thefts ...	23	15	8
Forgery ...	1	1	...	Vagrancy ...	3	...	3
Gaming offences ...	4	4	...	Wife- and child-desertion	1	...	1
Housebreaking ...	1	1	...	Totals ...	329	275	52
Horse-stealing ...	1	...	1				
Indecent exposure ...	2	1	1				
Licensing Act, Breaches of Lunacy ...	3	1	2				
	12	11	1				

From 1st July, 1894, to 31st December, 1897.

Abusive and threatening language	3	1	2	Murder, attempted ...	1	1	...
Arson ...	1	1	...	Obscene and profane language	16	8	8
Assaults ...	13	4	9	Obstructing bailiffs ...	4	...	4
Breaking into shops and dwellings	5	5	...	Obstructing railway guard	2	2	...
Breaches of the peace ...	7	6	1	Perjury (in connection with sly-grog)	1	...	1
Carnally knowing ...	1	...	1	Refusing to quit licensed premises	1	1	...
Cruelty to animals ...	1	1	...	Receiving stolen property	1	...	1
Distillation offences ...	1	1	...	Sly-grog selling ...	79	23	56
Disorderly and riotous conduct	3	1	2	Shooting with intent ...	1	...	1
Disturbing a congregation	1	1	...	Throwing missiles and stones	7	...	7
Drunkenness ...	8	6	2	Thefts ...	22	16	6
False pretences ...	3	3	...	Throwing offensive matter into a tank	3	3	...
Fisheries Act, Breaches of	5	5	...	Vagrancy ...	1	...	1
Furious riding ...	1	1	...	Working on Sundays ...	2	...	2
Gaming offences ...	3	3	...	Totals ...	217	107	110
Game, Illegally shooting...	1	1	...				
Illegally on premises ...	1	1	...				
Lunacy ...	4	2	2				
Malicious injury to property	14	10	4				

EXHIBIT No. 40.

RETURN showing the NUMBER of PROSECUTIONS and of CONVICTIONS for BREACHES of the LICENSING ACTS, covering the Years 1890 to 1897.

Year.	(1) Prosecutions against Publicans selling to Drunken Persons and permitting Drunkenness on their Premises.		(2) Allowing Prostitutes to frequent Licensed Premises.		(3) Breaches of Licensing Act after Hours on Week-days.		(4) Breaches of Licensing Act on Sundays.		(5) Sly-grog selling.		Totals.	
	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.
<i>Auckland and Bay of Islands District.</i>												
1890	2	...	...	...	4	1	9	5	9	3	24	9
1891	2	...	...	...	13	4	2	1	11	6	28	11
1892	1	...	...	...	9	3	4	2	3	1	17	6
1893	1	1	...	...	11	2	3	1	13	7	28	11
1894	...	...	...	...	7	5	5	2	4	2	16	9
1895	...	...	...	...	10	1	10	2	4	2	24	5
1896	2	...	...	...	11	7	12	2	20	9	45	18
1897	...	...	...	...	6	2	6	2	129	75	141	79
Totals	8	1	...	...	71	25	51	17	193	105	323	148
<i>Wanganui and West Coast District.</i>												
1890	1	...	...	...	2	...	2	1	...	...	5	1
1891	3	1	...	...	3	1	1	...	12	3	19	5
1892	5	1	...	...	3	1	...	...	12	7	20	9
1893	2	1	...	...	2	1	1	...	55	45	60	47
1894	...	...	...	...	2	...	2	1	13	10	17	11
1895	2	1	...	...	...	...	...	...	7	3	9	4
1896	1	1	...	...	3	2	5	1	13	9	22	13
1897	2	2	...	...	6	4	1	...	7	6	16	12
Totals	16	7	...	...	21	9	12	3	119	83	168	102
<i>Napier and East Coast District.</i>												
1890	3	1	...	...	3	2	2	...	...	...	8	3
1891	...	...	...	...	...	...	2	2	...	...	2	2
1892	3	3	...	...	3	3	3	3	5	3	14	12
1893	2	2	...	...	1	1	3	1	...	...	6	4
1894	1	1	...	...	1	...	2	1	2	2	6	4
1895	5	3	...	...	4	4	2	2	3	3	14	12
1896	1	1	...	...	3	3	2	1	4	3	10	8
1897	4	2	...	...	4	1	...	...	...	...	8	3
Totals	19	13	...	...	19	14	16	10	14	11	68	48
<i>Wellington and Marlborough District.</i>												
1890	...	...	...	...	2	1	2	2	2	...	6	3
1891	5	2	...	...	6	2	...	...	18	14	29	18
1892	1	...	...	...	12	2	...	...	18	11	31	13
1893	5	3	...	...	2	...	19	6	2	...	28	9
1894	3	1	...	...	7	4	3	2	5	2	18	9
1895	2	...	1	1	6	3	8	5	9	6	26	15
1896	8	6	...	...	12	3	16	8	13	7	49	24
1897	2	1	...	...	2	...	4	1	3	2	11	4
Totals	26	13	1	1	49	15	52	24	70	42	198	95
<i>Nelson and Westland District.</i>												
1890	1	1	...	...	7	4	1	...	33	22	42	27
1891	...	...	...	...	5	4	7	6	2	1	14	11
1892	1	1	...	...	5	2	4	3	9	3	19	9
1893	...	...	...	...	6	1	5	4	...	...	11	5
1894	1	1	...	...	3	3	5	...	3	1	12	5
1895	1	...	...	...	12	8	3	1	...	...	16	9
1896	...	...	...	...	3	...	1	1	3	3	7	4
1897	2	2	...	...	3	...	1	1	4	3	10	6
Totals	6	5	...	...	44	22	27	16	44	33	131	76

RETURN showing the NUMBER of PROSECUTIONS and of CONVICTIONS for BREACHES of the LICENSING ACTS—*continued.*

Year.	(1)		(2)		(3)		(4)		(5)		Totals.	
	Prosecutions against Publicans selling to Drunken Persons and permitting Drunkenness on their Premises.	Convictions.	Prosecutions.	Convictions.	Prosecutions.	Convictions.	Prosecutions.	Convictions.	Prosecutions.	Convictions.	Prosecutions.	Convictions.
<i>Canterbury and North Otago District.</i>												
1890	14	6	...	...	6	4	14	3	1	...	35	13
1891	4	4	...	...	8	2	22	6	5	...	39	12
1892	7	1	...	...	5	2	15	3	3	1	30	7
1893	6	4	...	...	9	3	14	7	5	3	34	17
1894	9	1	...	...	8	2	15	2	12	11	44	16
1895	14	5	...	...	3	1	32	14	8	3	57	23
1896	10	3	...	...	5	...	19	9	4	4	38	16
1897	7	1	...	...	5	...	19	8	7	6	38	15
Totals	71	25	...	...	49	14	150	52	45	28	315	119
<i>Dunedin and Southland District.</i>												
1890	3	1	...	...	13	7	7	5	17	8	40	21
1891	...	...	...	...	6	3	6	1	11	7	23	11
1892	2	2	1	...	2	...	3	2	8	2	16	6
1893	8	1	2	1	16	7	14	9	1	...	41	18
1894	7	1	...	...	6	3	9	3	17	12	39	19
1895	6	2	5	2	12	2	7	2	59	27	89	35
1896	5	3	...	...	7	2	4	2	29	11	45	18
1897	2	1	...	...	8	4	6	1	39	20	55	26
Totals	33	11	8	3	70	28	56	25	181	87	348	154

SUMMARY of PROSECUTIONS and CONVICTIONS for BREACHES of the LICENSING ACTS in the Colony during the Last Eight Years.

Year.	Prosecutions.	Convictions.
1890	160	77
1891	154	70
1892	147	62
1893	208	111
1894	152	73
1895	235	103
1896	215	101
1897	219	145

EXHIBIT No. 41.

RETURN showing the NUMBER of CHILDREN COMMITTED to INDUSTRIAL SCHOOLS under Section 16, "Industrial Schools Act, 1882," at AUCKLAND from 1st January, 1893, to 16th June, 1898.

Indigent children, 27; children found begging in public places, nil; children found wandering about the streets and sleeping in the open air, 9; children residing or associating with reputed prostitutes, 47: total, 83. Of these 83 cases, the police initiated proceedings in 65, and other persons in 18.

EXHIBIT No. 42.

REPORT of ALLEGED TOBACCO ROBBERIES in AUCKLAND from April, 1893, to 1898.

Forty-one cases; value of property stolen, £283 8s. 6d.

EXHIBIT No. 43.

RETURN showing NUMBER of PERSONS SUMMONED for KEEPING or CONDUCTING BROTHELS, BAWDY-HOUSES, or HOUSES of ILL-FAME since 15th January, 1893.

Names,* Date of Summons or Information, and Decision.

26th June, 1893—	19th March, 1895—
— Fined £2 and costs, or seven days.	— Not dealt with.
— Fined £5 and costs.	26th March, 1895—
— Fined £2 and costs.	— Fined £10 and costs.
— Fined £1, or seven days.	26th September, 1895—
3rd July, 1893—	— No decision entered up.
— Fined £2 and costs.	23rd November, 1895—
— Fined £2 and costs.	— Fined £3 and costs.
— Dismissed.	— Convicted and discharged.
— Fined £2 and costs.	— Withdrawn.
— Dismissed.	7th December, 1895—
— Fined £2 and costs.	— Fined £20 and costs.
— Did not appear, warrant issued.	8th January, 1896—
— Fined £2 and costs.	— Fined £2 and costs.
— Fined £2 and costs.	— Convicted and discharged.
— Fined £2 and costs.	12th February, 1896—
— Fined £2 and costs.	— Fined £10 and costs.
8th August, 1893—	— Withdrawn by police.
— Fined £3 and costs.	— Fined £5 and costs.
— Fined £2 and costs.	— Withdrawn by police.
3rd August, 1893—	— Withdrawn by police.
— Dismissed.	— Fined £5 and costs.
— Fined £3 and costs.	24th April, 1896—
— Fined £1 and costs.	— Fined £15 and costs.
— Fined £1 and costs.	— Fined £15 and costs.
4th August, 1893—	14th May, 1896—
— Fined £3 and costs.	— Fined £20 and costs.
— Dismissed.	— Withdrawn by police.
8th August, 1893—	— Withdrawn by police.
— Fined £3 and costs.	19th June, 1896—
— Dismissed.	— Withdrawn by police.
16th August, 1893—	— Fined £20 and costs.
— Did not appear, warrant issued.	23rd June, 1896—
— Fined 1s., without costs.	— Dismissed.
25th August, 1893—	27th June, 1896—
— Dismissed.	— Convicted and discharged.
19th September, 1894—	10th July, 1896—
— Withdrawn.	— Dismissed.
— Withdrawn.	11th July, 1896—
— Six months' labour (at Supreme Court, 6th December, 1894).	— Fined £5 and costs.
21st September, 1894—	9th July, 1896—
— One month's labour (at Supreme Court, 6th December, 1894).	— Convicted and discharged.
— Withdrawn.	28th July, 1896—
— Bound over for six months (Supreme Court, 6th December, 1894).	— One month's hard labour.
— Dismissed.	— One month's hard labour.
— Bound over for six months (Supreme Court, 6th December, 1894).	19th June, 1897—
28th September, 1894—	— Dismissed.
— Three months' labour (Supreme Court, 6th December, 1894).	— Dismissed.
— Discharged.	27th September, 1897—
Totals: Twenty-three prosecutions in 1893; ten in 1894; seven in 1895; twenty-two in 1896; and six in 1897.	— Information dismissed.
	— Information dismissed.
	— Information dismissed.
	— Information dismissed.
	11th June, 1898—
	— For hearing on the 21st instant.

* Names not printed; indicated by —.

EXHIBIT No. 44.

RETURN showing NUMBER of PROSECUTIONS and CONVICTIONS under the Gaming and Lotteries Act from the 1st January, 1890, to the 31st December, 1897.

Year.	Prosecutions.	Convictions.
1890	54	38
1891	22	18
1892	49	22
1893	24	14
1894	29	25
1895	52	38
1896	42	33
1897	58	42

EXHIBIT No. 45.

RETURN showing the NUMBER of BURGLARIES, BREAKING into SHOPS and DWELLINGS, committed at Auckland from the 1st January, 1897, to the 31st December, 1897.

Number of offences reported, 129.

Committed for trial, 13.

Summarily convicted, 16.

Discharged, 7.

Total number apprehended, 36.

Number of convictions amongst those committed for trial, 12.

Most of these cases were breaking and entering, and the majority occurred in the months of May, June, July, and August, at which time the station was short-handed. Detective Crystal was transferred from Auckland to Napier in June, 1896. Detective Maddern was transferred to Auckland on the 22nd August, 1897. Detective Herbert was transferred to Auckland in October, 1897; therefore during the months that most of the offences took place there was only one detective (Detective Grace) doing duty in Auckland. Of the sixteen summarily convicted, thirteen were boys under the age of thirteen years, and were all committed to industrial schools.

GROUP 4.—GENERAL RETURNS.

EXHIBIT No. 46.

NUMBER of MEN in DISTRICT whether provided or not with Quarters.

Wellington District.

Fifty-eight sergeants and constables are provided with quarters.

Five sergeants (including sergeant-major) draw house-allowance.

One sergeant, four detectives, and twenty-five constables are not provided with quarters.

Total unprovided with quarters, 30.

EXHIBIT No. 47.

RETURN showing NUMBER of MEN unprovided with Police-quarters.

Rank.	Name.	Station.	Remarks.
<i>Auckland District.</i>			
First-class detective ...	Grace, M. ...	Auckland.	
Third-class detective ...	Maddern, W. ...	"	
Third-class constable ...	Crean, P. ...	"	
" "	Hodgson, R. T. ...	Eden Terrace.	
" "	Howell, E. T. ...	Ponsonby.	
" "	McIlveney, J. ...	Auckland.	
" "	Cullinane, T. ...	"	
" "	Douthett, A. G. ...	Newton.	
" "	Davis, A. R. ...	Auckland.	
" "	Hooker, A. ...	Devonport.	
" "	Hyde, A. H. ...	Auckland.	
" "	Johnson, E. M. ...	Newton.	
" "	Mathew, J. A. ...	Auckland.	
" "	Potter, A. A. ...	"	
" "	Rock, J. ...	Parnell.	
" "	Steevens, C. J. ...	Auckland.	
" "	Hendry, J. K. ...	"	
" "	Waterman, F. A. ...	"	
" "	Peat, W. ...	"	
" "	Fraser, J. ...	Coromandel.	
Second-class constable...	Addison, J. ...	Onehunga.	
Third-class constable ...	Connor, G. ...	Paeroa.	
" "	Flavell, S. ...	Thames.	
" "	McPhee, A. ...	"	
" "	Miller, W. ...	"	
<i>Wanganui and West Coast District.</i>			
Second-class sergeant ...	Stagpoole, M. D. ...	New Plymouth	Receives 10s per week in lieu of quarters
First-class constable ...	Roche, M. ...	"	
Second-class constable...	Grey, W. ...	"	
Third-class constable ...	Whitehouse, E. J. ...	Hawera.	
" "	Lanigan, R. ...	New Plymouth.	
" "	Russell, G. T. ...	"	

EXHIBIT No. 47—continued.

RETURN showing NUMBER of MEN unprovided with Police-quarters.

Rank.	Name.	Station.	Remarks.	
<i>Napier and East Coast District.</i>				
First-class constable ...	Norwood, S. P. ...	Napier ...	District Clerk. Receives allowance of 10s. per week, which does not cover cost of rent.	
First-class constable ...	O'Brien, M. ...	Napier.		
Second-class constable...	Clarke, H. ...	Gisborne.	Unmarried man. No barrack-accommodation at Hastings.	
" " ...	Gordon, A. F. ...	Napier.		
Third-class constable ...	Smith, J. ...	Gisborne.		
" " ...	Butler, W. J. ...	Hastings ...		
" " ...	Wainhouse, J. T. ...	Gisborne.		
" " ...	Hay, P. S. ...	Napier.		
" " ...	Bennett, H. J. ...	Wairoa.		
" " ...	Potter, W. D. ...	Hastings.		
" " ...	Cain, T. ...	Napier.		
" " ...	McKelvey, E. J. O'K. ...	"		
<i>Nelson and Westland District.</i>				
First-class constable ...	O'Brien, M. ...	Nelson.		
Second-class constable...	O'Leary, D. ...	Greymouth.		
" " ...	McGrath, P. ...	Nelson.		
Third-class constable ...	Cullinane, J. ...	"		
" " ...	Wildermoth, M. J. ...	Hokitika.		
" " ...	Jones, A. H. ...	Reefton.		
<i>Canterbury and North Otago District.</i>				
First-class constable ...	Scott, W. H. ...	Christchurch.		
" " ...	McGorman, J. ...	"		
" " ...	McClelland, R. ...	"		
Second-class constable...	Hobson, J. M. ...	"		
Third-class constable ...	O'Connell, P. D. ...	Kaiapoi.		
" " ...	Moore, C. J. ...	Ashburton.		
" " ...	Hunt, H. G. ...	Oamaru.		
" " ...	Eade, E. ...	Ashburton.		
" " ...	Bosworth, E. T. ...	Sydenham.		
" " ...	Miller, R. ...	Timaru.		
" " ...	Connell, J. ...	Lyttelton.		
" " ...	Cassells, J. J. ...	Christchurch.		
" " ...	Bradley, F. ...	Timaru.		
" " ...	Tonkin, W. ...	Christchurch.		
" " ...	Andrew, J. ...	"		
" " ...	Rings, G. L. ...	Timaru.		
" " ...	Cummins, J. ...	Christchurch.		
" " ...	Bird, A. S. ...	Timaru.		
" " ...	Murray, E. ...	Christchurch.		
" " ...	Hampton, W. J. ...	"		
" " ...	Kidd, S. ...	Timaru.		
" " ...	Fahey, J. ...	Christchurch.		
" " ...	McLeod, J. ...	"		
" " ...	Pratt, C. H. ...	"		
" " ...	Lewin, F. ...	"		
" " ...	Clarkson, J. E. ...	"		
First-class detective ...	Chrystal, W. L. ...	"		
Second-class detective ...	Benjamin, L. D. ...	"		
Fourth-class detective ...	Marsack, R. ...	"		
<i>Dunedin District.</i>				
First-class sergeant ...	Bell, J. ...	Dunedin ...	House-allowance, 10s. per week.	
" " ...	O'Neill, P. ...	" ...		17s. 6d. "
Second-class sergeant ...	Conn, C. ...	" ...		10s. "
Third-class sergeant ...	Bowman, P. ...	" ...		10s. "
Third-class constable ...	Cooney, J. ...	"		
" " ...	Hannafin, D. ...	"		
" " ...	Hickey, T. ...	"		
" " ...	McGlone, C. H. ...	"		
" " ...	Hill, W. E. ...	"		
" " ...	Taylor, V. R. ...	"		
" " ...	McQuarrie, G. A. ...	"		
Chief Detective ...	O'Brien, T. ...	"		
Second-class detective ...	McGrath, J. A. ...	"		

EXHIBIT No. 47—continued.

RETURN showing NUMBER of MEN unprovided with Police-quarters—continued.

Rank.	Name.	Station.	Remarks.
Third-class constable ...	Lawrence, W. J. ...	Gore.	
Third-class sergeant ...	Warring, W. ...	Invercargill ...	House-allowance, 10s. per week.
Second-class constable...	Howard, T. ...	"	
Third-class constable ...	Williams, G. A. ...	"	
" " " ...	Emerson, A. T. ...	"	
Second-class constable...	Daubney, C. L. ...	King Street, Dunedin.	
Third-class constable ...	O'Connor, M. ...	Ditto.	
" " " ...	Findlay, C. ...	"	
Second-class constable...	Stewart, D. ...	Port Chalmers.	
Third-class constable ...	Treacey, D. ...	"	
" " " ...	Evenden, T. A. ...	"	
" " " ...	Willis, J. C. S. ...	South Dunedin.	
" " " ...	Bingham, E. ...	"	
" " " ...	Aldridge, C. E. ...	Dunedin.	
" " " ...	Miller, W. H. ...	"	

EXHIBIT No. 48.

RETURN showing the STRENGTH and RELIGION of the POLICE stationed at OAMARU on the 12th July, 1897.

	Religion.
One first-class sergeant...	Roman Catholic.
One first-class detective	"
One first-class constable	"
One second-class constable	Protestant.
One second-class constable	"
One third-class constable	"
One third-class constable	Roman Catholic.
One third-class constable (gaoler)	"

EXHIBIT No. 49.

RETURN of REPORTS against MEMBERS of the POLICE FORCE in connection with Drink, and how dealt with, from the 1st January, 1890, to the 31st December, 1897.

Date.	Offence.	How disposed of.	By whom.
4 Jan., 1890	Being under the influence of liquor	Fined 10s.	T. Broham, Inspector.
10 and 11 Jan., 1890	Being under the influence of drink in a brothel	Admonished, and to be more careful in future	T. K. Weldon, Inspector of Police.
10 Jan., 1890	Being under the influence of liquor	Fined 10s.	T. Broham, Inspector.
11 Feb., "	"	Reduced to third-class constable from second-class constable	Commissioner of Police.
12 " "	Being in a state of drunkenness from 12th to 18th February, 1890	Dismissed the Force	"
1 March, "	Being under the influence of liquor	Reduced to third-class constable from acting-sergeant	"
9 " "	Being under the influence of drink while on duty	Reduced to second-class constable from first-class constable	"
31 " "	Being under the influence of liquor	Fined 10s.	T. Broham, Inspector.
25 May, "	Drunk while on duty at an inquest	Reduced to third-class constable from first-class constable	Commissioner of Police.
26 " "	Being under the influence of liquor	Fined 10s.	T. Broham, Inspector.
26 " "	"	"	"
28 " "	"	Dismissed the Force	Commissioner of Police.
29 " "	Drunk and unfit for duty. (Second offence)	"	"
19 June, "	Being under the influence of liquor	Fined 10s.	T. Broham, Inspector.
21 " "	Being under the influence of liquor while on duty	"	J. B. Thomson, Inspector.
15 July, "	Found drunk at 11.40 a.m. in Dunedin when not on duty	"	S. Moore, Inspector.
2 " "	Being under the influence of liquor	"	T. Broham, Inspector.
13 Aug., "	Being under the influence of drink	"	S. Moore, Inspector.
1 Oct., "	Being under the influence of liquor	"	P. Pender, Inspector.
5 Nov., "	Being under the influence of liquor at Christchurch races	Services dispensed with*	Commissioner of Police.
25 Dec., "	Found drunk on night duty in Rattray Street, Dunedin	Discharged from the police	"
1 Jan., 1891	Being under the influence of drink	Fined £1	A. Thompson, Inspector of Police.
31 " "	"	"	Commissioner of Police.
28 Feb., "	Being under the influence of drink. (Second offence)	Dismissed	"

* Reinstated 15th June, 1891.

RETURN of REPORTS against MEMBERS of the POLICE FORCE—*continued.*

Date.	Offence.	How disposed of.	By whom.
28 March, 1891	Being drunk coming off duty ..	Dismissed from the Force..	Commissioner of Police.
31 " "	Drunk when coming off duty ..	Discharged from the police ..	"
12 July, "	Drinking in a publichouse on Sunday when on duty ..	Fined £1	J. Hickson, Inspector.
23 Aug., "	Being under the influence of liquor ..	"	Hon. Defence Minister.
25 " "	"	Fined £1, and transferred to Wellington ..	Commissioner of Police.
2 Sept., "	Drunk at 6 a.m.; not on duty ..	Reprimanded	J. Emerson, Inspector.
13 Nov., "	Drunk, and creating a disturbance at Denniston ..	Dismissed from the Force..	Hon. R. J. Seddon, Defence Minister.
2 Jan., 1892	Being under the influence of drink ..	Discharged	The Hon. the Defence Minister.
2 Feb., "	Being drunk	Fined £1	Captain Wray, R.M.
27 March, "	Drinking in the St. Clair Hotel, Dunedin, on a Sunday ..	Severely reprimanded ..	The Hon. the Defence Minister.
— April, "	Drunk in a publichouse in Dargaville ..	Reduced to third-class constable from second-class sergeant and removed to head station, to take effect from the 10th March, 1893	Commissioner of Police, Memo. No. 125, 13/3/93.
— " "	In the habit of visiting publichouses and drinking therein ..		
13 Aug., "	Being under the influence of drink ..	Dismissed the Force	Commissioner of Police.
13 Nov., "	Being drunk and using obscene language ..	Fined £1, and reduced from first-class constable to second-class constable ..	The Hon. the Defence Minister.
4 Dec., "	Being under the influence of liquor ..	Dismissed from the service ..	Commissioner of Police.
4 April, 1893	Drunkness	Fined £1	"
7 " "	Being under the influence of drink ..	"	"
15 June, "	Drinking in an hotel when on duty ..	Fined 5s.	W. S. Pardy, Inspector.
5 Aug., "	Drunk on duty. (Second offence)..	Dismissed from the Force..	Commissioner of Police.
1 April, 1894	Drunk in an hotel	"	"
2 " "	Being under the influence of liquor and unfit for duty ..	Fined £2 (£1 on each charge), and cautioned ..	"
6 " "	Ditto		
13 June, "	Drunk and off his beat	Discharged	"
2 Aug., "	Being drunk and unfit for duty ..	Fined £1 and severely reprimanded ..	"
1 Sept., "	Drunk while on duty	Fined £1	J. Emerson, Inspector.
26 " "	Being under the influence of drink and absent from his beat ..	Fined 10s.	P. Pender, Inspector.
11 Nov., "	Being under the influence of drink and off his beat ..	Dismissed from the Force ..	Commissioner of Police.
13 " "	Drunk when coming off duty. (Second offence) ..		
5 Jan., 1895	Being under the influence of liquor ..	Fined £1	"
1 Feb., "	Being drunk when coming off duty ..	Fined £1 and cautioned	"
30 April, "	Being under the influence of liquor and using improper language ..	Fined 10s.	"
12 May, "	Being under the influence of drink ..	Fined £1, and dismissed and cautioned ..	"
13 " "	"		
23 " "	"	Fined 10s. and cautioned ..	"
7 July, "	Drinking in an hotel when on duty and in uniform ..	Allowed to resign.. ..	Hon. Defence Minister.
9 " "	Being under the influence of drink. (Second offence) ..	Dismissed from the Force..	Commissioner of Police.
25 Sept., "	Being under the influence of liquor and coming out of an hotel when on duty ..	Dismissed from the Force ..	"
27 " "	Drunk when on duty		
8 Oct., "	Being drunk while on duty ..	"	"
19 " "	Drunkness and giving unsatisfactory evidence at an inquiry held at the police-office ..	"	"
19 " "	Ditto	"	"
7 Nov., "	Being drunk while on duty ..	Dismissed the service	"
26 Jan., 1896	Drunk when on duty. (Second offence) ..	Dismissed the Force	"
3 March, "	Drunk when on duty	Fined £1 and cautioned	"
2 April, "	Drunk when on duty. (Second offence) ..	Dismissed the Force	"
28 " "	Drunk when on duty	Fined £1 and cautioned	"
12 May, "	In a publichouse after hours, and taking drinks with the constable in charge of the sub-district ..	Severely reprimanded ..	"
12 " "	Ditto	"	"
13 " "	Drunk when coming off duty ..	To forfeit his pay during suspension, severely reprimanded, and warned if it occurs again he will be dismissed ..	"
22 " "	Being under the influence of liquor when on duty ..	Fined £1 and severely reprimanded ..	"
5 Dec., "	Being under the influence of liquor ..	Dismissed the Force	"
31 " "	"	"	Hon. Defence Minister.
19 June, 1897	Drunk while on duty	Discharged from the police ..	Hon. T. Thompson, Minister of Justice.
3 Sept., "	"	Fined £1 and reduced twenty steps in seniority-list of third-class constables ..	Commissioner of Police.
10 Oct., "	"	Instructed to resign	"
16 " "	Drunk when coming off duty ..	Reduced from first-class constable to second-class constable and transferred to Christchurch, and cautioned ..	The Hon. the Minister of Justice.

Summary.

Year.	No. of Reports.	Year.	No. of Reports.
1890	21	1895	14
1891	10	1896	10
1892	8	1897	4
1893	4		—
1894	9		80

ANALYSIS of RETURN of REPORTS against CONSTABLES.

Fines	36	Dismissed	25
Reprimanded (also 8 fined)	13	Resigned	2
Reduced (also 1 fined)	7	Dispensed with...	1

EXHIBIT No. 50.

RETURN showing POLICE-STATIONS, NAMES of OFFICERS in CHARGE, AGE, and DATE of APPOINTMENT thereto, by Districts.

Station.	Officer in Charge.		Age.	Date of Appointment to Station.	Religion.
	Rank.	Name.			
<i>Auckland District.</i>					
Auckland Head Station	Inspector	Hickson, James	65	13/1/93	R. Catholic.
Aratapu	First-class constable	Scott, Nixon	53	3/12/85	Protestant.
Avondale	Second-class constable	Brown, James Ulysses	37	24/1/95	R. Catholic.
Cambridge	"	Cahill, Timothy	41	27/11/97	"
Coromandel	First-class constable	Law, Edward Henderson	44	14/3/97	Protestant.
Dargaville	Third-class constable	Davy, Charley	49	20/6/95	"
Devonport	Third-class sergeant	Wild, Frederick	50	11/1/98	"
Eden Terrace	Second-class constable	Hinton, John	47	2/8/92	"
Freeman's Bay	First-class constable	Finnerty, James	47	22/11/93	R. Catholic.
Hamilton	"	Forbes, John Watson	45	31/3/91	Protestant.
Helensville	"	Kelly, William	40	31/7/95	"
Howick	District constable	McInnes, Thomas	60	27/1/88	"
Huntly	Second-class constable	White, Thomas	51	18/9/90	"
Hikurangi	"	Beddek, Thomas Henry	34	4/12/97	"
Kawakawa	First-class constable	Hasett, John	53	2/8/92	"
Kihikihi	"	Carroll, Lawrence	43	1/6/95	R. Catholic.
Karangahake	Second-class constable	Sefton, John	36	28/9/97	Protestant.
Kaikohe	Third-class constable	Keep, George	28	25/1/98	"
Mangawai	District constable	Moir, Robert Henry	47	22/2/92	"
Mercer	First-class constable	Hobson, Abraham	50	6/1/93	R. Catholic.
Mongonui	"	Dunne, Patrick John	46	10/8/92	"
Newmarket	Second-class constable	Mackie, Francis	39	25/4/96	"
Newton	Third-class sergeant	Walker, William	54	18/5/96	Protestant.
Ngaruawahia	First-class constable	Cavanagh, John	32	18/9/90	R. Catholic.
Ohaeawai	District constable	Hargraves, Morton John	26	10/4/95	Protestant.
Okupu, Great Barrier	"	Johnston, James Alexander Gordon	38	28/2/95	"
Onehunga	Second-class sergeant	Greene, Bernard	53	12/1/71	R. Catholic.
Otahuhu	First-class constable	Walker, Maxwell	47	1/7/92	Protestant.
Otorohanga	Third-class constable	Stanyer, Charles	38	6/6/95	"
Paeroa	Third-class sergeant	Brennan, William	50	11/11/97	"
Panmure	District constable	Corrigan, Patrick	54	1/4/93	R. Catholic.
Papakura	First-class constable	Foreman, George	46	8/2/94	Protestant.
Parnell	"	Hutchison, Joshua	57	6/1/93	"
Ponsonby	"	McDonnell, Luke	43	9/3/97	R. Catholic.
Port Albert	District constable	Thompson, George Edward	36	1/4/91	Protestant.
Pukekohe	Second-class constable	McGovern, Patrick John	50	1/10/86	R. Catholic.
Pahi	First-class constable	Joyce, William	53	15/10/95	Protestant.
Raglan	Second-class constable	Tapp, George Amos	49	29/12/94	"
Rawene	First-class constable	McGill, Alexander	48	7/11/93	"
Russell	"	Gordon, Douglas	44	7/11/93	"
Shortland	Third-class sergeant	Stapleton, Richard	52	2/11/85	R. Catholic.
Surrey Hills	First-class constable	McLellen, William John	57	18/5/96	"
Te Aroha	Second-class constable	Rowles, Denis	42	10/1/98	"
Te Awamutu	"	Jones, William	39	28/9/87	Protestant.
Thames	First-class sergeant	Gillies, Robert James	48	2/7/89	"
Waipu	First-class constable	Abrams, Jonas Ambrose	51	31/3/88	"
Waiuku	District constable	Parker, Henry	62	2/6/68	"
Warkworth	Second-class constable	Stacey, Samuel	45	18/7/95	"
Whangarei	First-class constable	Sheehan, Bartholomew	40	5/9/91	R. Catholic.
Whangaroa	Second-class constable	Sefton, William	38	8/7/90	Protestant.
Whitianga	First-class constable	Rist, William James	48	6/11/91	R. Catholic.
Waihi	"	Whelan, Thomas	53	11/6/97	"
Waitekauri	Second-class constable	Moore, Frederick Augustus	37	18/7/96	Protestant.
<i>Napier and East Coast District.</i>					
Napier, Head Station	Inspector	Emerson, John	68	15/1/93	Protestant.
Napier, Carlyle Street	First-class constable	Harvey, Thomas	55	21/2/96	"
Clive	Second-class constable	Kennedy, John	40	24/3/90	R. Catholic.
Dannevirke	Third-class sergeant	Siddels, James	39	6/1/98	Protestant.
Gisborne	Second-class sergeant	Black, Patrick	47	28/3/97	"
Hastings	First-class constable	Smith, Frederick Charles	49	18/2/97	"

RETURN showing POLICE-STATIONS, NAMES of OFFICERS in CHARGE, AGE, and DAYS of APPOINTMENT thereto, by Districts—*continued.*

Station.	Officer in Charge.		Age.	Date of Appointment to Station.	Religion.
	Rank.	Name.			
<i>Napier and East Coast District—continued.</i>					
Herbertville	Second-class constable	Gray, Archibald	37	2/3/94	Protestant.
Katikati	District constable ..	Dunn, Charles Thomas ..	44	1/5/88	"
Opotiki	Second-class constable	O'Reilly, Charles	49	17/7/90	R. Catholic.
Ormond	First-class constable	Farmer, John	57	1/7/85	Protestant.
Ormondville	"	Drake, Thomas Johnson ..	38	6/1/98	"
Port Awanui	Third-class constable	Fry, Joseph James	34	24/5/97	"
Rotorua	Second-class constable	Bern, William	39	5/1/98	R. Catholic.
Spit	"	Creeks, Thomas Elliott ..	39	7/1/98	Protestant.
Taradale	"	Rutledge, Barrett	32	1/6/95	"
Taupo	First-class constable	Ryan, John	49	16/2/97	R. Catholic.
Tauranga	Third-class sergeant ..	Murray, William	55	7/1/98	Protestant.
Te Puke	Second-class constable	Hughes, Edwin Charles ..	44	18/4/95	"
Te Whaiti	Third-class constable	Lowry, William Robert ..	27	14/9/95	"
Tokaanu	Native constable	Hori te Tauri	*	24/2/86	†
Tolago Bay	Second-class constable	Donovan, Timothy	43	19/3/97	R. Catholic.
Tuparoa	Native constable	Ahipene Mika	*	8/10/96	Not known.
Waipawa	First-class constable ..	Brosnahan, Denis	42	7/1/98	R. Catholic.
Waipiro	Native constable	Tare te Rata	*	16/4/89	†
Waipukurau	Second-class constable	Baskville, Walter Joseph ..	39	7/1/98	R. Catholic.
Wairoa	First-class constable ..	Coughlan, William	57	9/9/94	"
Whakatane	Third-class constable	Tarrant, Benjamin	30	16/11/97	Protestant.
Woodville	Second-class constable	Williams, Walter	34	9/3/96	"

* Not known.

† Since deceased.

‡ No particulars.

Wanganui and West Coast District.

New Plymouth Head Station	Inspector	McGovern, F.	61	23/5/96	R. Catholic
Bull's	First-class constable ..	Gleeson, James	42	20/6/93	"
Eltham	"	Simpson, William James ..	44	2/4/94	Protestant.
Hawera	Third-class sergeant ..	O'Donovan, John	39	6/1/98	R. Catholic.
Hunterville	First-class constable ..	Moon, Alfred Morton	50	16/2/97	"
Inglewood	Third-class constable	Montgomery, Alexander ..	45	19/1/98	Protestant.
Kawhia	District constable	Morgan, John Swainson ..	34	31/8/91	"
Manaia	First-class constable ..	Quinn, Patrick	50	19/11/97	R. Catholic.
Marton	"	Crozier, Alexander	53	16/2/97	Protestant.
Mokau	Second-class constable	McAnerin, William Henry ..	37	18/2/96	"
Moawhango	First-class constable ..	Tuohy, James Joseph	60	13/11/97	R. Catholic.
Normanby	Second-class constable	Redican, Michael	39	10/2/96	"
Ohingaiti	Third-class constable	Black, James	38	21/7/96	Protestant.
Opunake	Second-class constable	Cooper, Charles	47	10/11/97	"
Patea	First-class constable ..	Carr, Henry Hyde	49	4/10/92	"
Pungarehu	Second-class constable	Hickman, Thomas	52	23/4/88	"
Raetihi	"	Beattie, Henry	36	30/8/97	R. Catholic.
Stratford	First-class constable ..	Ryan, William Henry	45	6/1/98	Protestant.
Waitara	Second-class constable	Bleasel, Charles	41	1/12/92	R. Catholic.
Waitotara	"	Poland, James Henry	28	21/11/97	"
Wanganui	First-class sergeant ..	Ellison, John Wybrant	46	29/10/97	Protestant.
Waverley	Second-class constable	O'Brien, Benjamin	36	10/12/90	R. Catholic.

Wellington District.

Wellington, Head Station ..	Inspector	Pender, Peter	70	13/1/93	R. Catholic.
Wellington, Clyde Quay ..	First-class constable	McKinnon, William Hector ..	39	6/1/98	Protestant.
Wellington, Manners Street	Third-class constable	Cairns, James	29	1/1/98	"
Wellington, Mount Cook ..	First-class sergeant ..	Briggs, John	43	9/2/97	"
Wellington, Thorndon Quay	Second-class constable	Bree, James	41	5/8/97	R. Catholic.
Wellington, South	First-class constable ..	O'Leary, Florence	41	30/10/96	"
Ashhurst	"	Franklin, James	41	14/4/96	"
Blenheim	First-class sergeant ..	Kiely, Nicholas	44	3/3/97	"
Carterton	First-class constable ..	Smart, William Wilson	46	18/2/96	Protestant.
Cullensville	District constable	Coombe, Fred	43	20/6/96	"
Eketahuna	Second-class constable	Grey, Charles	46	5/3/95	R. Catholic.
Featherston	First-class constable ..	Carlyon, Percy Frederick ..	51	16/2/97	Protestant.
Feilding	Second-class constable	Twomey, John	40	22/11/97	R. Catholic.
Foxton	"	Salmon, Henry	48	22/11/97	Protestant.
Greytown North	First-class constable ..	Ecclerton, Joseph	50	8/10/81	R. Catholic.
Havelock	"	Egan, Eugene	43	10/3/96	"
Johnsonville	Second-class constable	Hutton, David Dearlove ..	38	17/2/96	Protestant.
Levin	First-class constable ..	O'Connor, James	46	18/4/96	R. Catholic.
Lower Hutt	"	Cruikshank, Alexander	42	28/9/90	Protestant.
Makuri	District constable	Murphy, John Dennis	29	1/9/94	R. Catholic.
Mangatainoka	Second-class constable	Sheary, James	39	23/4/96	"
Martinborough	"	May, Joseph George	40	22/7/96	Protestant.
Masterton	First-class sergeant ..	O'Malley, James	61	8/3/97	R. Catholic.
Otaki	First-class constable ..	O'Rourke, Timothy	37	24/4/91	"
Pahiatua	"	Bowden, Charles	45	25/7/96	Protestant.
Palmerston North	First-class sergeant ..	Wilson, Edward	45	25/10/97	R. Catholic.
Petone	Second-class constable	Cox, Michael	41	31/1/96	"
Picton	First-class constable ..	Nash, John	53	19/2/97	"
Tenui	"	Collerton, William Thomas ..	45	15/3/83	Protestant.
Terrace End	Second-class constable	Minogue, Patrick	38	7/11/92	R. Catholic.
Upper Hutt	"	Patton, William Patrick	39	10/2/96	"

EXHIBIT No. 50—continued.

RETURN showing POLICE-STATIONS, NAMES of OFFICERS in CHARGE, AGE, and DATE of APPOINTMENT thereto, by Districts—continued.

Station.	Officer in Charge.		Age.	Date of Appointment to Station.	Religion.
	Rank.	Name.			
<i>Nelson and Westland District.</i>					
Greymouth	First-class sergeant ..	White, Edward Sterling ..	61	17/12/93	R. Catholic.
Brunnerton	Second-class constable ..	Carroll, Lawrence ..	41	16/8/97	"
Ahaura	First-class constable ..	Donovan, Michael ..	50	1/9/97	"
Reefton	Third-class sergeant ..	Phair, William John ..	44	22/2/97	Protestant.
Lyell	First-class constable ..	Rogers, Martin ..	40	19/6/93	R. Catholic.
Westport	Second-class sergeant ..	Green, Henry ..	48	11/8/97	Protestant.
Denniston	First-class constable ..	Weatherley, James ..	55	25/8/97	"
Charleston	Second-class constable ..	Philpotts, Thomas Richard ..	32	19/2/97	"
		Winsbury ..			
Seddonville	" ..	Cameron, James ..	43	12/1/98	"
Kumara	First-class constable ..	Wilson, Frederick Arthur ..	43	7/11/92	"
Stafford	Second-class sergeant ..	Hannan, Daniel ..	43	22/2/92	R. Catholic.
Hokitika	First-class sergeant ..	McDonald, Alexander ..	60	25/2/97	"
Kanieri	First-class constable ..	Stewart, George ..	55	16/6/93	"
Ross	" ..	Foley, William ..	38	5/4/92	Protestant.
Okarito	Second-class constable ..	Watt, John ..	42	5/9/97	"
Nelson	First-class sergeant ..	McArdle, Henry ..	64	28/5/96	R. Catholic.
The Port	First-class constable ..	Jeffries, John ..	56	30/7/97	"
Richmond	District constable ..	Ingram, John ..	36	1/3/92	Protestant.
Spring Grove	First-class constable ..	Knapp, Charles ..	52	1/7/77	"
Collingwood	Second-class constable ..	Dew, Samuel Joseph ..	37	12/3/89	"
Takaka	First-class constable ..	Mackey, Josiah Gilbert ..	49	1/8/97	"
Motueka	District constable ..	Boyes, Thomas ..	68	31/1/66	"
<i>Canterbury and North Otago District.</i>					
Christchurch	First-class Inspector ..	Broham, Thomas ..	57	18/1/93	Protestant.*
	Third-class Inspector ..	Cullen, John ..	46	13/1/98	R. Catholic.†
Addington	First-class constable ..	McGill, Patrick ..	59	31/1/95	"
Akaroa	" ..	Bird, Edward Punjab ..	41	7/1/98	Protestant.
Amberley	" ..	Roche, Maurice ..	46	6/3/93	R. Catholic.
Ashburton	First-class sergeant ..	Barlow, John ..	51	2/3/96	Protestant.
Bingsland	Second-class constable ..	Flewellen, Samuel ..	52	9/9/95	"
Cheviot	District constable ..	Hullen, John Thomas ..	25	30/11/97	"
Coalgate	Third-class constable ..	Copland, John ..	40	5/1/98	"
Culverden	Second-class constable ..	Costin, Patrick ..	42	6/9/94	R. Catholic.
Fairlie	" ..	Mullaney, Luke ..	36	26/6/93	"
Geraldine	First-class constable ..	Willoughby, William ..	52	14/5/81	Protestant.
Hampden	" ..	Joyce, Michael ..	43	14/12/80	R. Catholic.
Kaikoura	" ..	Morgan, Andrew ..	43	3/6/96	Protestant.
Kaiapoi	" ..	Cartmill, David ..	46	15/1/86	"
Kurow	Second-class constable ..	Bradshaw, Thomas Lionel ..	42	28/4/90	"
Leeston	First-class constable ..	McCormack, Patrick ..	39	14/4/92	R. Catholic.
Lincoln	" ..	Walton, John ..	44	26/3/92	Protestant.
Little River	" ..	Ryan, Patrick ..	41	22/4/82	R. Catholic.
Lyttelton	First-class sergeant ..	Rutledge, Charles ..	51	21/6/93	Protestant.
Methven	Second-class constable ..	Dillon, John ..	42	18/3/97	R. Catholic.
Ngapara	" ..	Graham, Thomas ..	45	20/11/93	Protestant.
Oamaru	First-class sergeant ..	O'Grady, Thomas ..	62	9/2/87	R. Catholic.
Oxford	First-class constable ..	Leahy, Michael ..	40	13/6/95	"
Papanui	" ..	Johnston, Henry ..	44	15/2/95	Protestant.
Phillipstown	" ..	Cullen, Francis ..	51	24/3/92	R. Catholic.
Pleasant Point	" ..	Madden, John ..	48	18/2/97	"
Rakaia	" ..	Stanley, Joseph ..	48	6/11/96	Protestant.
Rangiora	" ..	Johnston, James ..	39	5/9/94	"
St. Albans	Second-class constable ..	Sturmer, Edward ..	54	9/9/95	"
Sheffield	First-class constable ..	Haddrell, Walter Henry ..	48	29/9/84	"
Southbridge	" ..	Poole, William ..	44	11/11/97	"
Sumner	Second-class constable ..	Koster, John Jacob ..	39	20/11/97	"
Sydenham	Second-class sergeant ..	McLeod, William ..	50	10/1/98	"
Temuka	First-class constable ..	Dougan, John ..	40	6/1/98	"
Timaru	First-class sergeant ..	Fraser, Charles ..	60	22/2/97	"
Waimate	Second-class constable ..	Parker, Frank Stanley ..	38	11/6/95	"
Woolston	First-class constable ..	Hayes, John ..	45	15/2/95	"
<i>Dunedin District.</i>					
Dunedin Central	First-class Inspector ..	Pardy, William Stone ..	61	6/1/93	Protestant.
Dunedin, King Street	First-class sergeant ..	Gilbert, William ..	50	2/3/97	"
Alexandra South	Second-class constable ..	Chisholm, Hugh ..	43	14/11/95	"
Anderson's Bay	" ..	Martin, Edward ..	46	1/5/96	"
Arrowtown	First-class constable ..	McIntyre, John ..	34	8/1/98	"
Balclutha	" ..	Griffith, Thomas ..	43	29/8/96	R. Catholic.
Bluff	Second-class sergeant ..	McGrath, Patrick ..	47	23/3/92	"
Caversham	First-class constable ..	Brennan, John Malchi ..	45	7/2/95	"
Clinton	" ..	Remer, Alfred Edward ..	42	24/6/96	Protestant.
Clyde	Third-class sergeant ..	Dwyer, John ..	41	13/2/97	R. Catholic.
Cromwell	First-class constable ..	Mulholland, Hugh ..	53	13/12/90	"
Gore	Second-class sergeant ..	Fleming, John ..	53	14/1/91	"
Green Island	First-class constable ..	O'Sullivan, Cornelius ..	44	2/6/90	"
Half-moon Bay	District constable ..	McNally, John ..	64	22/6/89	"
Invercargill	First-class sergeant ..	Macdonell, Ewen ..	50	28/4/91	"

* On leave of absence. † In charge during Inspector Broham's absence.

EXHIBIT No. 50—*continued.*
 RETURN showing POLICE-STATIONS, &c.—*continued.*

Station.	Officer in Charge.		Age.	Date of Appointment to Station.	Religion.
	Rank.	Name.			
<i>Dunedin District—continued.</i>					
Kaitangata	Second-class constable	Ferguson, John Alfred ..	42	9/11/97	Protestant.
Lawrence	Third-class sergeant ..	King, Thomas	45	7/1/98	R. Catholic.
Lumsden	First-class constable ..	Millar, Nathaniel	41	4/1/98	Protestant.
Mataura	Second-class constable	Kearney, Joseph	39	22/1/91	R. Catholic.
Middlemarch	"	O'Brian, Michael	37	3/4/89	"
Milton	"	MacRae, Duncan	46	6/1/98	Protestant.
Mornington	First-class constable ..	Power, John	45	7/2/95	R. Catholic.
Mosgiel	Second-class constable	Christie, Andrew	43	29/8/96	Protestant.
Naseby	First-class constable ..	Lemm, Robert William ..	41	29/7/97	"
North-east Valley ..	"	Lynch, John	47	4/1/94	R. Catholic.
North Invercargill ..	Second-class constable	McDonough, John	37	5/4/92	"
Ophir	"	Gleeson, William	38	4/5/96	"
Orepuki	First-class constable ..	Fretwell, Henry	44	16/1/91	Protestant.
Otautau	"	Joyce, Patrick	45	24/11/88	R. Catholic.
Outram	Second-class constable	Carmody, Patrick	46	24/7/94	"
Palmerston South ..	"	Hilliard, William	50	26/6/93	Protestant.
Port Chalmers	First-class sergeant ..	Geerin, Michael	52	30/7/94	R. Catholic.
Pembroke	First-class constable ..	Marsh, Nicholas	53	19/6/96	Protestant.
Queenstown	Third-class sergeant ..	MacKenzie, John Campbell	46	5/1/98	"
Ravensbourne	First-class constable ..	Higgins, William Henry ..	45	19/6/93	R. Catholic.
Riverton	"	Walker, William	52	5/1/94	Protestant.
Roslyn	"	Hastings, Michael	46	8/1/98	R. Catholic.
Roxburgh	"	Fouhy, William	38	8/10/90	"
St. Bathans	"	Kennedy, James	50	12/5/87	Protestant.
St. Clair	Second-class constable	Dale, James	38	31/12/94	"
South Dunedin	First-class sergeant ..	Brown, William	51	1/11/92	"
South Invercargill ..	Second-class constable	McChesney, George	52	5/5/96	"
Tapanui	"	Mathieson, William	33	4/6/95	"
Waikaia	First-class constable ..	Herlihy, Patrick Jeremiah ..	43	19/12/93	R. Catholic.
Waikouaiti	Second-class constable	Burrows, John	37	13/1/98	Protestant.
Waitahuna	"	West, Joseph	39	18/1/86	"
Waitati	"	Drury, Patrick	43	10/11/97	R. Catholic.
Winton	"	Rasmussen, Hans Peter ..	43	9/12/90	Protestant.
Woodhaugh	First-class constable ..	Nolan, Peter	55	24/11/91	R. Catholic.
Wyndham	Second-class constable	Bogue, Daniel	42	25/4/88	"

EXHIBIT No. 51.

RETURN showing the NUMBER of SERGEANTS and CONSTABLES at the HEADQUARTERS of each POLICE DISTRICT, and at each OUT-STATION where there are more than one, on the 1st February, 1898, and 31st March, 1898.

Police District.	Headquarters.		Out-stations.					
	Sergeants.	Constables.	Name of Station.	Sergeants.	Constables.			
Auckland	4	39	Coromandel ... ..	...	2		
			Devonport... ..	1	1			
			Eden Terrace ... ..	...	2		
			Hamilton ... ..	...	2		
			Newton	1	2			
			Onehunga	1	1			
			Paeroa	1	1			
			Parnell ... ..	...	2*		
			Ponsonby ... ..	...	2		
			Thames	1	5			
			Napier	1	8	Gisborne	1	5
						Hastings	3
Waipawa ... ..	...	2					
Wairoa ... ..	...	2					
New Plymouth	1	5	Hawera	1	1			
			Patea ... ..	...	2		
			Stratford ... ..	...	2		
			Wanganui	1	6			
Wellington	5	34	Manners Street ... ..	...	2		
			Mount Cook	1	8			
			Feilding ... ..	...	2		
			Masterton	1	3			
			Palmerston North ...	1	4			
			Blenheim	1	4			
			Picton ... ..	...	2		

* 31st March.

EXHIBIT No. 51—continued.

RETURN showing the NUMBER of SERGEANTS and CONSTABLES at the HEADQUARTERS of each POLICE DISTRICT, &c.—continued.

Police District.	Headquarters.		Out-stations.		
	Sergeants.	Constables.	Name of Station.	Sergeants.	Constables.
Nelson and Westland	1	5	Reefton	1	2
			Westport	1	3
			Hokitika	1	3
			Nelson	1	6
Christchurch	4	31	Akaroa ... ..	...	2
Christchurch*	4	32	Ashburton... ..	1	5
			Kaiapoi ... ..	...	2
			Lyttelton	1	4
			Oamaru	1	7
			Rangiora ... ..	...	2
			Sydenham... ..	1	1
			Temuka ... ..	...	2
			Timaru	1	7
			Waimate ... ..	...	2
Dunedin	5	28	King Street	1	3
Dunedin*	5	29	King Street*	1	4
			Bluff	1	1
			Clyde	1	1
			Gore	1	1
			Invercargill	2	8
			Lawrence	1	1
			Naseby ... ..	...	2
			Port Chalmers	1	3
			Queenstown	1	1
			South Dunedin	1	4

* 31st March.

EXHIBIT No. 52.

RETURN of all PROMOTIONS and ADVANCEMENTS in CLASS, from 31st December, 1890, till 31st March last, shown annually.

	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.		1898, to 31 Mar.	Total.
								1 Jan. to 24 Oct.	25 Oct. to 31 Dec.		
Second-class inspectors to first-class inspectors	...	...	...	...	...	...	3	...	...	...	3
Third-class inspectors to second-class inspectors	...	...	1	...	...	...	...	...	...	...	1
First-class sergeants to third-class inspectors	...	...	...	...	...	1	...	1	...	...	2
Second-class sergeants to first-class sergeants	...	...	1	1	3	...	...	6	...	4	15
Third-class sergeants to to second-class sergeants	...	...	1	...	4	...	...	4	...	6	15
Acting third-class sergeants to third-class sergeants	1	...	1	...	3	...	...	1	...	...	6
First-class constables to third-class sergeants	...	...	1	...	...	...	...	...	...	17	18
First-class constables to acting third-class sergeants	2	...	1	1	...	...	...	...	...	...	4
Second-class constables to first-class constables	3	1	...	2	16	...	1	15	...	25	63
Third-class constables to first-class constables	...	2	...	1	...	1	...	...	...	...	4
Third-class constables to second-class constables	9	...	13	16	20	...	...	24	1	27	110
Second-class detectives to first-class detectives	...	...	...	...	1	...	...	3	...	...	4
Third-class detectives to second-class detectives	...	...	...	...	1	...	...	2	...	...	3
Fourth-class detectives to third-class detectives	1	...	...	...	...	...	...	3	...	...	4
First-class constables to fourth-class detectives	1	...	...	2	...	...	...	...	...	...	3
Third-class constables to fourth-class detectives	...	...	...	...	...	...	...	3	2	...	5
Total	17	4	18	23	48	1	5	62	3	79	260

EXHIBIT No. 53.

RETURN of POLICE at DUNEDIN and SUBURBAN STATIONS on 8th April, 1898.

No.	Rank.	Name.	Age.	Religion.	Date of joining the Force.	Date of joining at Dunedin.	How employed.
<i>Central Station.</i>							
4A	1-c. sergt.	Bell, John	60	C.E.	15/10/61	14/4/66	District clerk.
11	"	O'Neill, Patrick	60	R.C.	6/7/63	20/7/81	In charge of station.
154	Chief det.	O'Brien, Terence	50	"	28/10/74	29/7/97	"
429	2-c. det.	McGrath, J. A.	43	"	2/12/82	10/10/88	"
105	2-c. sergt.	Shirley, Paul	52	C.E.	24/6/72	12/2/97	Beat duty.
117	"	Conn, Christopher	56	Pres.	14/5/73	25/2/96	"
270	3-c. sergt.	Bowman, Patrick	43	R.C.	20/11/78	10/1/98	"
246	1-c. const.	Latimer, David	48	C.E.	11/5/78	5/4/88	"
354	"	Hanson, John	45	Pres.	30/7/81	1/8/81	Inspector Weights and Measures.
315	"	Patterson, Adam	48	C.E.	21/7/79	9/7/83	Beat duty.
537	2-c. const.	Boddam, T. W. B.	35	"	18/2/89	2/6/90	Plain-clothes constable.
557	3-c. const.	Dales, J. B.	38	Pres.	18/11/89	21/11/89	Assistant clerk.
560	"	Cooney, John	38	R.C.	29/11/89	29/11/89	Plain-clothes constable.
591	"	Miller, William H.	34	Pres.	27/9/90	11/1/98	Beat duty.
626	"	McCormack, O.	28	R.C.	26/8/92	24/8/95	"
653	"	Quinn, William J.	27	"	13/7/93	13/7/93	"
681	"	Toomey, Jeremiah	33	"	6/7/94	6/7/94	"
716	"	Aldridge, C. E.	27	Pres.	12/11/95	8/2/97	Trooper.
720	"	Wohlmann, W. G.	26	"	14/11/95	14/11/95	Beat duty.
743	"	Cowan, John T.	24	"	20/4/96	20/4/96	"
744	"	Matthews, William A.	30	Wes.	20/4/96	20/4/96	"
752	"	Connolly, Daniel	30	R.C.	14/5/96	14/5/96	"
755	"	Brownlee, Robert	29	C.E.	23/5/96	23/5/96	"
756	"	McKenzie, D. M.	27	Pres.	19/6/96	19/6/96	"
765	"	Raynes, Joseph A.	25	C.E.	8/2/97	8/2/97	"
766	"	Hickey, Timothy	31	R.C.	8/2/97	8/2/97	"
795	"	Hill, William E.	27	C.E.	20/3/97	20/3/97	"
803	"	Reidy, John	24	R.C.	25/5/97	25/5/97	"
808	"	Dwan, Thomas	29	"	1/9/97	1/9/97	"
814	"	Surgenor, Thomas	24	Pres.	10/11/97	10/11/97	"
818	"	Taylor, Vyvyan R.	31	C.E.	24/11/97	24/11/97	"
835	"	McQuarrie, G. A.	25	Pres.	12/1/98	12/1/98	"
841	"	Woodbury, Frederick	24	C.E.	22/2/98	22/2/98	"
842	"	Martin, John P.	26	R.C.	1/3/98	1/3/98	"
843	"	Moore, Alexander	35½	Pres.	7/3/98	7/3/98	"
845	"	Storey, Dawson Robert	29½	C.E.	31/3/98	31/3/98	"
<i>King Street Station.</i>							
130	1-c. sergt.	Gilbert, William	51	Wes.	8/12/73	7/3/95	In charge of station.
417	2-c. const.	Daubney, Charles L.	42	C.E.	7/6/82	2/11/92	Beat duty.
556	3-c. const.	O'Connor, Michael	48	R.C.	15/11/89	16/7/90	"
730	"	Findlay, Charles	33	Pres.	8/2/96	8/2/96	"
767	"	McGlone, Charles H.	29	R.C.	8/2/97	8/2/97	"
<i>South Dunedin.</i>							
123	1-c. sergt.	Brown, William	52	C.E.	8/7/73	15/12/90	In charge of station.
412	2-c. const.	Leece, James D.	43	"	13/5/82	13/5/96	Beat duty.
514	"	Willis, Hubert	42	"	5/10/87	13/10/87	"
659	3-c. const.	Willis, J. C. S.	29	"	11/11/93	11/11/93	"
781	"	Bingham, Ernest	28	Pres.	13/2/97	13/2/97	"
162	1-c. const.	Nolan, Patrick	56½	R.C.	2/3/75	2/1/91	In charge, Woodhaugh.
135	"	Mulholland, Hugh	53	"	2/2/74	10/3/98	St. Clair.
237	"	Power, John	45	"	29/1/78	2/6/90	Mornington.
239	"	Brennan, J. M.	45	"	16/2/78	16/10/83	Caversham.
168	"	Lynch, John	48	"	25/5/75	4/1/94	North-East Valley.
265	"	Higgins, William H.	46	"	8/10/78	22/8/81	Ravensbourne.
288	"	O'Sullivan, Con.	45	"	28/3/79	28/3/79	Green Island.
292	"	Hastings, Michael	47	"	14/4/79	8/1/98	Roslyn.
450	2-c. const.	Martin, Edwin	47	Pres.	2/8/83	2/8/83	Anderson's Bay.

EXHIBIT No. 54.

RELIGION of MEMBERS of the POLICE FORCE.

On the 1st January, 1883.

Protestants	...	...	...	...	269
Roman Catholics	...	...	...	...	194
Total	...	...	...	...	463

On the 1st July, 1890.

Protestants	...	...	...	...	285
Roman Catholics	...	...	...	...	206
Total	...	...	...	...	491

EXHIBIT 54—*continued*.
RELIGION of MEMBERS of the POLICE FORCE—*continued*.
On the 1st January, 1898.

Protestants ...	...	...	...	...	...	...	311
Roman Catholics ...	...	...	...	...	...	...	222
Total ...							533

EXHIBIT No. 55.

RETURN of SICKNESS on the CHRISTCHURCH POLICE-STATION, from the 1st January, 1890, to the 31st December, 1897.

Year.	Number of Constables.	Number of Days sick.	Remarks.
1890	27	641	Constable Stewart, six months' sick leave; Constable Allen, three months' sick leave.
1891	28	816	
1892	26	388	
1893	37	606	
1894	38	430	
1895	19	168	
1896	42	424	Exclusive of 153 days' sick leave, Constable McGill.
1897	65	863	

EXHIBIT No. 56.

RETURN of all DEFAULTS AGAINST POLICE OFFICERS, and HOW DISPOSED OF, from 1890 to 1897, both years inclusive.

Year.	Number reprimanded or cautioned.	Number fined.	Number reduced in Class.	Number reduced in Rank.	Number transferred.	Number allowed to resign.	Number discharged.	Number dismissed.	Total.
1890	25	34	7	2	1	...	4	3	76
1891	35	30	...	...	...	1	1	3	70
1892	31	25	1	1	...	1	1	2	62
1893	25	24	...	1	1	1	1	4	57
1894	39	20	1	...	1	...	1	4	66
1895	23	27	...	...	2	2	1	12	67
1896	34	30	...	...	1	...	2	10	77
897	32	15	2	...	5	4	1	4	63

EXHIBIT No. 57.

RETURN of MEN taken into the POLICE FORCE since April, 1896, when recruiting from Permanent Artillery exclusively ceased.

General population ...	...	...	...	...	...	...	87
Permanent Artillery	...	...	...	...	...	...	22
Total ...	...	...	...	...	...	...	109

EXHIBIT No. 58.

RETURN of MEN APPOINTED from the 17th October, 1889, to the 24th January, 1891, other than those transferred from Permanent Militia or Prisons Department.

Name.	Date.	Authority.
Trevelyan, C. E. H. ...	6 November, 1889	Hon. Captain Russell.
Day, John A. ...	25 March, 1890	Instructions given: not stated by whom.
Phillips, W. ...	1 May, "	Hon. Captain Russell.
Hooper, V. ...	7 " "	" (verbal).
Cleary, C. J. ...	22 November, "	Hon. F. Whitaker.
Baker, A. ...	8 December, "	Hon. Sir H. A. Atkinson.
Cummings, O. ...	7 May, "	Major Gudgeon, Commissioner.
Black, James ...	21 June, "	" "
Bretherton, J. E....	20 " "	" "

EXHIBIT No. 59.

RETURN of all MEN who were APPOINTED to the POLICE FORCE between the 18th October 1887, and the 18th March, 1897, without having previously served in the Permanent Artillery.

Appointment.	Name.	Remarks.
23 May, 1888	Parker, Charles	Transferred from Prisons Department.
21 Jan., 1889	Patton, William Patrick	Served previously in New Zealand Police— 4/5/82 to 31/8/88.
6 Nov., "	Trevelyan, Charles Edgar Harington	Served previously in Armed Constabulary— 1/7/83 to 10/3/84.
18 " "	Dales, James Bennett	Transferred from Prisons Department.
14 Dec., "	Foley, Michael	
1 May, 1890	Phillips, Walter	Served in Tasmania Police.
7 " "	Hooper, Valentine	
7 " "	Cummins, Owen	
7 June, "	Allman, James	Transferred from Prisons Department.
21 " "	Black, James	Served in Cape Police.
21 " "	Bretherton, Joseph Edward	
18 Sept., "	O'Connell, Patrick Denis	Transferred from Prisons Department.
8 Dec., "	Baker, Arthur	Served in Warwickshire Police.
1 April, 1891	Donovan, Thomas Frederick	Transferred from Prisons Department.
1 " "	O'Reilly, James	"
1 " "	Winduss, George	
3 Aug., "	Hattie, Alexander	Served in New Zealand Police and Armed Constabulary—3/8/75 to 5/11/77 and 10/9/78 to 17/1/90.
13 " "	Wilson, Gavin	
17 Oct., "	Cullinane, John	Served in New Zealand Police—10/2/80 to 12/5/90.
24 Nov., "	Bell, John	Served in New Zealand Police—30/12/73 to 11/3/91.
12 Jan., 1892	Foster, John	Served in New Zealand Police—23/11/78 to 13/6/87.
22 May, 1894	Smith, Walter	Served in Leeds Police.
8 April, 1896	Pearce, George	
8 " "	Cullinane, Thomas	
8 " "	Cummins, John	
8 " "	Cotter, Patrick	
11 " "	Lardner, John	
14 " "	Nixon, George Holbrooke	
17 " "	De Norville, Thomas Edward	
17 " "	Ryan, Thomas	
20 " "	Baker, William	
20 " "	Cowan, John Thomas	
20 " "	Matthews, William Arthur	
22 " "	Thompson, William David Lawrence	
22 " "	Cummins, Owen	
29 " "	McConnell, John	
1 May, "	Jackson, John Matthew	
14 " "	Connolly, Daniel	
18 " "	Henry, James	
20 " "	Williams, Joseph Swindell	
23 " "	Brownlee, Robert	
19 June, "	Mackenzie, Douglas Morton	
22 " "	Potter, William Driver	
22 " "	Hollis, John Walter	
2 July, "	Dalton, Charles	
3 " "	O'Connell, Francis William	
4 " "	Bird, Arthur Sydney	
9 " "	Phelan, Andrew	Served in Irish Constabulary.
21 " "	Jones, Alfred Hastings	
27 Oct., "	Russell, George Thomas	Served in New Zealand Police and Armed Constabulary—12/6/79 to 4/5/96.
8 Feb., 1897	McKenzie, Donald	Served in Glasgow Police.
9 " "	Stackpoole, Patrick	
9 " "	McLeod, John	
11 " "	McQuarrie, Duncan	
11 " "	Keenan, Thomas	
11 " "	Hooker, Archie	
11 " "	Cahill, James	
13 " "	Bingham, Ernest	

EXHIBIT No. 59—*continued.*

RETURN of all MEN who were APPOINTED to the POLICE FORCE between the 18th October, 1887, and the 18th March, 1897, without having previously served in the Permanent Artillery—*continued.*

Appointment.	Name.	Remarks.
15	Boreham, Joseph Henry ...	...
15	McDonnell, Andrew ...	...
17	Wilton, Thomas James ...	...
18	Cain, Thomas ...	...
18	Fraser, Donald Charles ...	...
18	Harrison, Joseph Henry ...	...
18	Johnston, Edward Michael ...	...
18	McNamara, John ...	...
22	Stewart, James ...	...
26	Skinner, John William ...	...

EXHIBIT No. 60.

RETURN showing the PROVINCIAL DISTRICTS from which MEN have been appointed to the POLICE since the 1st January, 1891.

District.	Number.
Auckland ...	43
Hawke's Bay ...	6
Taranaki ...	7
Wellington ...	45
Nelson ...	4
Marlborough ...	7
Westland ...	15
Canterbury ...	61
Otago ...	51
Total ...	239

EXHIBIT No. 61.

RETURN showing the NUMBER of MEMBERS of the FORCE who have been through a Course of Ambulance Instruction, and been granted Certificates.

District.	Number.
Auckland, &c. ...	20
Napier and East Coast ...	4
Wanganui and West Coast ...	6
Wellington and Marlborough ...	17
Nelson and Westland ...	5
Christchurch and North Otago ...	20
Dunedin and Southland ...	5
Total ...	77

EXHIBIT No. 62.

RETURN showing LENGTH of SERVICE of MEMBERS of POLICE FORCE in AUCKLAND CITY, on the 22nd June, 1898.

Register Number.	Rank.	Name.	When appointed.	Length of Service.		
				Ys.	mts.	dys.
20	First-class sergeant ...	Clarke, Andrew ...	21 March, 1870 ...	28	3	1
87	"	Kelly, J. S. ...	15 Feb., 1871 ...	27	4	7
269	Second-class sergeant	Lyons, William ...	13 Nov., 1878 ...	19	7	9
128	Third-class sergeant...	Treanor, J. ...	21 Oct., 1873 ...	24	8	1
73	First-class detective ...	Grace, M. ...	11 Aug., 1870 ...	27	10	11
471	Third-class detective	Maddern, William ...	6 May, 1885 ...	13	1	16
613	Fourth-class detective	Bailey, W. A. ...	15 Oct., 1891 ...	6	8	7
636	"	McMahon, P. T. ...	31 " 1892 ...	5	7	22
300	First-class constable...	Hendrey, C. W. ...	5 June, 1879 ...	19	0	17
166	"	Moar, J. W. ...	13 May, 1875 ...	23	1	9
699	Third-class constable	Crean, P. ...	4 March, 1895 ...	3	3	18
697	"	McIlveney, James ...	18 Feb., " ...	3	4	4
672	"	Oliphant, Robert ...	7 May, 1894 ...	4	1	15
649	"	O'Grady, Thomas ...	6 July, 1893 ...	4	11	16
581	"	Roe, Peter ...	27 " 1890 ...	7	10	26
679	"	Smith, T. H. B. ...	16 June, 1894 ...	4	0	6
782	"	Boreham, J. H. ...	15 Feb., 1897 ...	1	4	7
779	"	Cahill, James ...	11 " " ...	1	4	11
732	"	Cullinane, Thomas ...	8 April, 1896 ...	2	2	14
727	"	Eccles, William ...	15 Jan., " ...	2	5	7
741	"	Fitzgerald, John ...	18 April, " ...	2	2	4
748	"	Fraser, D. C. ...	18 Feb., 1897 ...	1	4	4
798	"	Goulet, F. R. ...	15 May, " ...	1	1	7
753	"	Henry, James ...	18 " 1896 ...	2	1	4
740	"	Harvey, Peter ...	18 April, " ...	2	2	4
758	"	Hollis, J. W. ...	22 June, " ...	2	0	0
749	"	Hyde, A. H. ...	27 April, " ...	2	1	26
839	"	Jackson, James ...	16 Feb., 1898 ...	0	4	6
777	"	Keenan, Thomas ...	11 " 1897 ...	1	4	11
713	"	Kennedy, H. P. ...	2 Nov., 1895 ...	2	7	20
748	"	Lanigan, R. ...	24 April, 1896 ...	2	1	29
739	"	Miller, J. P. ...	18 " " ...	2	2	4
707	"	Moffitt, H. E. ...	10 June, 1895 ...	3	0	12
783	"	McDonnell, A. ...	15 Feb., 1897 ...	1	4	7
790	"	McNamara, John ...	18 " " ...	1	4	4
800	"	McNeeley, William ...	24 May, " ...	1	0	29
847	"	McRae, J. M. ...	16 " 1898 ...	0	1	6
848	"	McCarthy, William ...	2 June, " ...	0	0	21
831	"	Mathew, J. A. ...	1 Jan., " ...	0	5	22
805	"	Potter, A. A. ...	21 June, 1897 ...	1	0	1
840	"	Peat, William ...	19 Feb., 1898 ...	0	4	3
846	"	Parsons, B. J. ...	21 April, " ...	0	2	1
792	"	Skinner, John ...	26 Feb., 1897 ...	1	3	27
773	"	Stackpoole, P. ...	9 " " ...	1	4	13
837	"	Steevens, C. J. ...	17 Jan., 1898 ...	0	5	5
834	"	Thompson, S. ...	8 " " ...	0	5	14
801	"	Waterman, F. A. ...	24 May, 1897 ...	1	0	29
822	"	Gaffney, M. ...	11 Dec., 1897 ...	0	6	11

EXHIBIT No. 63.

RETURN showing LENGTH of SERVICE of MEMBERS of POLICE FORCE in AUCKLAND SUBURBS on 22nd June, 1898.

Register Number.	Rank.	Names.	Where stationed.	When appointed.	Length of Service.
67	Third-class sergeant ...	Walker, William ...	Newton ...	23 March, 1870	Ys. mts. dys. 28 2 30
50	" ...	Wild, F. ...	Devonport ...	10 " 1868	30 3 12
114	First-class constable ...	Finnerty, J. ...	Freeman's Bay	30 " 1873	25 2 23
79	" ...	Hutchison, J. ...	Parnell ...	20 Nov., 1870	27 7 2
176	" ...	McClellan, W. J. ...	Surrey Hills ...	19 Oct., 1875	22 8 3
203	" ...	McDonnell, L. ...	Ponsonby ...	27 Nov., 1876	21 6 26
84	Second-class constable	Hinton, John ...	Eden Terrace ...	27 Jan., 1871	27 4 26
426	" ...	Mackle, F. ...	Newmarket ...	27 Sept., 1882	15 8 26
445	" ...	Rowles, D. ...	" ...	30 July, 1883	14 10 23
695	Third-class constable...	Howell, E. T. ...	Ponsonby ...	8 Feb., 1895	3 4 14
768	" ...	Douthett, A. G. ...	Newton ...	8 " 1897	1 4 14
789	" ...	Johnson, E. M. ...	" ...	18 " "	1 4 4
780	" ...	Rock, James ...	Parnell ...	11 " "	1 4 11
719	" ...	Miller, William ...	Devonport ...	14 Nov., 1895	2 7 8

EXHIBIT No. 64.

RETURN showing LENGTH of SERVICE of the POLICE FORCE in the WANGANUI and WEST COAST DISTRICT.

Register Number.	Rank.	Name.	Date when enrolled in Police Force.	Stationed at
106	First-class sergeant ...	Ellison, J. W. ...	27 May, 1872...	Wanganui.
306	Second-class sergeant ...	Bernard, J. S. ...	11 June, 1879...	Hawera.
101	Third-class sergeant ...	Stagpoole, M. D. ...	23 Feb., 1872...	New Plymouth.
69	First-class constable	Roche, M. ...	14 May, 1870...	"
68	" ...	Crozier, A. ...	3 " " ...	Marton.
100	" ...	Ryan, W. H. ...	22 Feb., 1872...	Stratford.
9	" ...	Tuohy, J. J. ...	10 July, 1862...	Moawhango.
347	" ...	Simpson, W. J. ...	19 Dec., 1879...	Eltham.
99	" ...	Quinn, P. ...	6 " 1871...	Manaia.
319	" ...	Gleeson, J. ...	18 Aug., 1879...	Bulls.
413	" ...	McGill, William ...	15 " 1882...	New Plymouth.
93	" ...	Moon, A. M. ...	5 July, 1871...	Hunterville.
82	Second-class constable	Salmon, Henry ...	26 Jan., " ...	Wanganui.
120	" ...	Cooper, Charles ...	29 May, 1873...	Opunake.
144	" ...	Bleasel, Charles ...	27 July, 1874...	Waitara.
504	" ...	Hickman, T. ...	12 Feb., 1887...	Pungarehu.
510	" ...	Grey, William ...	14 July, " ...	New Plymouth.
538	" ...	Beattie, Henry ...	22 Feb., 1889...	Raetihi.
364	" ...	McAnerin, W. H. ...	9 Sept., 1881...	Mokau.
371	" ...	O'Brien, Benjamin ...	21 " " ...	Waverley.
687	" ...	Poland, J. H. ...	7 Nov., 1894...	Waitotara.
451	" ...	Williams, W. ...	7 Aug., 1883...	Patea.
507	" ...	Young, W. B. ...	23 May, 1887...	Wanganui.
521	" ...	Redican, M. ...	26 " 1888...	Normanby.
534	" ...	Shearman, James ...	9 Jan., 1889...	Wanganui.
565	Third-class constable	Montgomery, A. ...	17 Dec., 1887...	Inglewood.
577	" ...	Black, James ...	21 June, 1890...	Ohingaiti.
609	" ...	Wilson, G. ...	13 Aug., 1891...	Patea.
656	" ...	Lynd, Andrew ...	3 " 1893...	New Plymouth.
701	" ...	Whitehouse, E. ...	8 March, 1895...	Hawera.
746	" ...	Cummins, O. ...	22 April, 1896...	Stratford.
764	" ...	Russell, G. T. ...	27 Oct., 1897...	New Plymouth.
813	" ...	Campbell, W. J. ...	10 Nov., " ...	Wanganui.
826	" ...	Duddy, Patrick ...	20 Dec., " ...	"
...	District constable	Morgan, A. ...	...	Kawhia.

EXHIBIT No. 65.

RETURN showing SERVICE of POLICE now at WANGANUI STATION.

Rank.	Names.	Date of Joining.
First-class sergeant ...	Ellison, J. ...	25 June, 1872.
Second-class constable	Salmon, H.*	— May, 1895.
"	Young, W. B.	1 June, 1887.
"	Shearman, John	9 Jan., 1889.
Third-class constable	Campbell, W. J.	10 Nov., 1897.
"	Duddy, Patrick	20 Dec., "

* Transferred from Armed Constabulary Field Force to Police in May, 1885.

EXHIBIT No. 66.

RETURN showing the MEMBERS of all RANKS over FIFTY-FIVE YEARS of AGE serving in the FORCE on the 31st March, 1898.

Age.	Inspectors.	Sergeants.	Constables.	Total.
Over fifty-five and under sixty	1	7	18	26
Over sixty and under sixty-five	2	6	4	12
Over sixty-five and under seventy	2	1	2	5
Over seventy	1	...	...	1
Totals ...	6	14	24	44

EXHIBIT No. 67.

SUMMARY of EMOLUMENTS received by Constables for Offices unconnected with Police Duties during the Year 1897.

Bailiff's Fees only.	District.	Totals (including Bailiff's Fees).
£ s. d.		£ s. d.
282 12 0	Auckland	579 9 1
166 5 0	Taranaki and West Coast	265 0 0
184 10 0	Napier and East Coast	382 2 6
246 9 0	Wellington	577 10 2
58 13 0	Nelson and Westland	240 0 0
224 9 0	Canterbury and North Otago	502 15 4
335 2 4	Dunedin	827 16 9
£1,498 0 4		£3,374 13 10

At Oamaru, Timaru, Clyde, Westport, Picton, and Naseby constables act as gaolers, and their salaries are paid by the Prisons Department while so employed.

EXHIBIT No. 68.

SUMMARY of AMOUNTS paid as RETIRING-ALLOWANCES from the Year 1888 to 1897 (inclusive).

Year.	£ s. d.	Year.	£ s. d.
1888	4,210 15 7	1894	1,669 17 6
1889	742 8 9	1895	795 7 11
1890	3,706 17 1	1896	1,842 6 2
	41 1 3	1897	1,683 7 6
1891	4,384 9 3		
1892	1,735 14 7	Total	£22,820 6 10
1893	2,008 1 3		

EXHIBIT No. 69.

SUMMARY of AMOUNTS paid as COMPASSIONATE ALLOWANCES to Widows and Children from the Year 1888 to 1897 inclusive.

Year.			Amount.	Year.			Amount.
			£ s. d.				£ s. d.
1888	...	...	164 5 0	1894	...	...	564 9 8
1889	...	...	191 12 6	1895	...	...	219 0 0
1890	...	...	786 4 0	1896	...	...	1,320 17 6
1891	...	...	547 10 6	1897	...	...	1,284 18 9
1892	...	...	392 7 6				
1893	...	...	310 5 0	Total	...	...	5,781 10 5

EXHIBIT No. 70.

RETURN showing RETIRING ALLOWANCES GRANTED to MEMBERS of the FORCE from the 1st April, 1888, to the 31st March, 1898.

Regd. No.	Rank and Name.	Date of Retirement.	Amount.
			£ s. d.
	*First-class Inspector R. C. Shearman	30 June, 1888	900 0 0
	* " W. H. James	30 " "	800 0 0
	*Inspector A. Buckley	30 " "	700 0 0
	*Third-class Inspector R. Bullen	30 " "	600 0 0
43	First-class Sergeant A. Wilson	30 April, "	191 12 6
112	First-class Constable P. W. Walsh	30 " "	164 5 0
145	Second-class Constable J. S. Rollo	30 " "	155 2 6
150	Third-class Constable Hare Takerei	1 May, "	50 0 0
341	" G. G. Sparke	10 " "	93 3 1
476	" R. Haldane	5 July, "	127 15 0
149	First-class Detective R. Bain	31 Aug., "	264 12 6
234	First-class Constable William Lawler	31 " "	164 5 0
230	First-class Constable G. Tronson	30 April, 1889	158 8 9
125	First-class Detective J. M. Walker	31 Oct., "	264 12 6
189	First-class Constable J. Daly	22 Dec., "	164 5 0
139	Second-class Constable J. O'Sullivan	24 " "	155 2 6
39A	*Chief Detective C. T. Browne	15 Jan., 1890	660 16 6
	*First-class Inspector T. K. Weldon	31 March, "	900 0 0
260	Third-class Constable Alexander Hattie	31 Jan., "	138 12 8
10	First-class Sergeant William Hanlon	31 March, "	191 12 6
337	First-class Constable John Cullinane	12 May, "	139 19 0
264	Second-class Constable John Black	30 June, "	151 12 4
95	Acting Third-class Sergeant John Dean Watson	31 July, "	164 5 0
8	First-class Sergeant F. T. H. Bullen	10 Sept., "	191 12 6
314	Second-class Constable Thomas Gaffney	25 Oct., "	146 4 9
62	First-class Constable P. Thoreau	12 Nov., "	164 5 0
25	First-class Sergeant M. Ready	17 Dec., "	191 12 6
14	" H. W. Felton	27 Nov., "	191 12 6
318	Second-class Constable James Bennetts	5 Dec., "	146 1 10
272	" Laurence Kelly	8 " "	164 5 0
134	Acting Third-class Sergeant J. W. Day	14 Jan., "	164 5 0
308	Second-class Constable M. Franklin	6 " 1891	141 16 2
24	First-class Constable D. Flanagan	28 Feb., "	164 5 0
353	Third-class Constable M. J. O'Donnell	9 March, "	84 10 0
	*First-class Inspector F. Atchison	30 June, "	800 0 0
	*Second-class Inspector S. Moore	30 " "	700 0 0
	*Third-class Inspector A. Thompson	30 " "	600 0 0
	*Third-class Inspector W. A. Kiely	30 " "	600 0 0
	* " S. Goodall	30 " "	600 0 0
15	Sergeant-Major P. T. Fair	31 March, "	209 17 6
	District Constable E. S. Thompson	10 April, "	118 12 6
274	Second-class Constable D. O'Donohue	9 July, "	155 2 6
259	First-class Constable R. Allen	31 " "	164 5 0
434	Second-class Constable J. S. Macdonald	5 Aug., "	96 0 7
70	Second-class Sergeant R. Doolan	20 Jan., 1892	182 10 0
321	Second-class Constable Thomas Whitty	23 March, "	155 2 6
35	First-class Constable John Morton	31 " "	164 5 0

* Services dispensed with on reduction of Force.

RETURN showing RETIRING ALLOWANCES GRANTED to MEMBERS of the FORCE, &c.—*continued.*

Regd. No.	Rank and Name.	Date of Retirement.	Amount.	
			£	s. d.
356	Third-class Constable James Dealy ...	15 April, 1892	131	3 5
533	" Robert Cargill ...	31 July, "	74	4 7
401	" Patrick Maher ...	31 " "	130	9 4
333	" Francis James Taylor ...	11 Aug., "	146	0 0
64	Second-class Sergeant John Donovan ...	22 Sept., "	182	10 0
326	First-class Constable Patrick Leahy Harnett ...	28 " "	164	5 0
527	Third-class Constable Arthur George Webb ...	15 Oct., "	76	14 9
52	First-class Constable William Bulford ...	12 Nov., "	164	5 0
233	" William Bell ...	31 Dec., "	164	5 0
218	" James Barry ...	31 Jan., 1893	164	5 0
305	Second-class Constable Richard Patterson ...	31 " "	155	2 6
74	First-class Sergeant J. F. Bulford ...	28 Feb., "	191	12 6
224	Acting-Sergeant Arthur Pickering ...	7 March, "	164	5 0
261	Third-class Constable James Cleary ...	30 April, "	146	0 0
257	Second-class Constable Benjamin Gray ...	9 May, "	155	2 6
223	Third-class Sergeant William Manning ...	20 " "	173	7 6
99A	First-class Sergeant Henry Cooke Lanauze ...	2 June, "	275	0 0
170	Second-class Constable John McIvor ...	7 " "	155	2 6
81	First-class Constable John Coyle ...	17 " "	164	5 0
464	Third-class Constable William Bethel ...	30 " "	99	13 9
98	First-class Constable Ralph Satchwell ...	30 " "	164	5 0
243	* " James Meehan ...	24 March, 1890	41	1 3
49	First-class Sergeant James Anderson ...	6 Feb., 1894	191	12 6
204	First-class Constable John Hawksworth ...	7 " "	164	5 0
313	Third-class Constable Thomas O'Brien ...	26 " "	146	0 0
37	First-class Sergeant Adam Bissett ...	21 April, "	191	12 6
159	First-class Constable John Buchanan ...	8 May, "	164	5 0
21	" James McKenna ...	15 " "	164	5 0
53	" Michael Quirke ...	31 Aug., "	164	5 0
78	Second-class Sergeant Hugh Nickle ...	15 Sept., "	182	10 0
360	Third-class Constable Joseph Kenny ...	22 Oct., "	146	0 0
56	Second-class Constable John Dunn ...	22 Dec., "	155	2 6
657	Third-class Constable William Patrick Lorrigan ...	11 Feb., 1895	10	12 11
200	First-class Constable Thomas Dyer Brown ...	28 March, "	164	5 0
384	Third-class Constable Thomas Leitch ...	31 " "	146	0 0
266	First-class Constable John Groves... ..	31 " "	164	5 0
376	Third-class Constable Edward S. Bullen ...	17 Sept., "	146	0 0
126	First-class Constable David Smart... ..	6 Nov., "	164	5 0
2	" David Lyster ...	31 Jan., 1896	164	5 0
236	" Patrick O'Farrell ...	25 " "	164	5 0
251	" William Watt ...	23 March, "	164	5 0
219	Third-class Constable J. D. Crockett ...	21 " "	146	0 0
499	First-class Constable A. A. Pennefather ...	31 " "	144	0 9
104	" John Hartnett ...	4 April, "	164	5 0
141	" Robert Rainier Jones ...	11 June, "	164	5 0
96	" William Streat ...	6 July, "	164	5 0
618	Third-class Constable Frederick Y. Watty ...	13 " "	48	1 11
191	† First-class Constable Thomas Nestor ...	22 Aug., 1895	164	5 0
31	Third-class Sergeant John Keating ...	2 Sept., 1896	173	7 6
457	Second-class Constable William Lewis ...	30 Nov., "	181	1 0
89	First-class Constable David Shaw ...	11 Jan., 1897	164	5 0
23	First-class Sergeant William Emerson ...	1 March, "	191	12 6
28	" Richard Gamble ...	6 Jan., "	191	12 6
206	Second-class Sergeant John McMahon ...	6 " "	182	10 0
156	First-class Detective Maurice O'Connor ...	6 Aug., "	264	12 6
323	Second-class Constable Thomas Potter Lister ...	23 " "	155	2 6
481	Native Constable Piri Raiti ...	30 Sept., "	50	0 0
40	Third-class Constable A. J. Sisam ...	15 Nov., "	146	0 0
47	First-class Constable Patrick Hendrick ...	16 " "	164	5 0
466	Third-class Sergeant E. Villars ...	18 " "	173	7 6
	Third-class Constable H. J. Stewart ...	11 Sept., 1891	†	
	Total ...	...	22,820	6 10

* Granted 28th October, 1893, on petition.

† Granted 15th July, 1896, on petition.

‡ 15s. per week.

EXHIBIT No. 71.

RETURN showing COMPASSIONATE ALLOWANCES GRANTED TO WIDOWS OF CHILDREN OF MEMBERS of the FORCE from the 1st April, 1888, to the 31st March, 1898.

To whom granted.		Date of Death.	Amount.		
			£	s.	d.
Widow of	First-class Constable B. Moroney	16 Dec., 1888	164	5	0
"	First-class Sergeant James Murphy	14 Aug., 1889	191	12	6
"	Third-class Constable Elijah Hewitt	7 June, 1890	47	1	6
"	John Cotter	4 July, "	146	0	0
"	First-class Constable Norman McLeod	29 " "	328	10	0
"	Third-class Constable John Maclean	18 " "	127	15	0
"	E. Barry	31 Dec., "	136	17	6
Children of	First-class Sergeant P. Finnegan	10 Feb., 1891	191	12	6
Widow of	John Price	9 June, "	191	12	6
"	First-class Constable R. Willis	15 Dec., "	164	5	6
"	Second-class Sergeant J. Barrett	30 April, 1892	182	10	0
"	Sergeant-Major J. Bevin	11 May, "	209	17	6
"	Second-class Constable Charles Hogg	16 Oct., 1893	155	2	6
"	James McAlister	2 Nov., "	155	2	6
"	Second-class Sergeant T. Neil	3 June, 1894	182	10	0
"	Third-class Constable J. A. Day	21 May, "	44	7	2
"	First-class Constable Martin Cashion	22 April, "	182	10	0
"	Second-class Constable Patrick Leahy	4 Dec., "	155	2	6
"	Henry Hallett	31 May, 1895	155	2	6
"	Third-class Constable Cecil R. Seymour	6 Aug., "	63	17	6
"	First-class Inspector J. B. Thomson	2 March, 1896	600	0	0
"	Third-class Constable George H. Brooking	21 May, "	205	6	3
"	Second-class Constable Arthur Reddell	30 Oct., "	155	2	6
"	Third-class Constable Thomas Stewart	14 Dec., "	73	0	0
Children of	First-class Sergeant S. C. W. Möller	*	287	8	9
"	Third-class Sergeant Florence O'Donovan	16 April, 1897	260	1	3
Widow of	Third-class Constable Alfred Stephenson	16 " "	191	12	6
"	Sergeant-Major Samuel Moore	28 " "	150	0	0
"	Third-class Inspector John Pratt	12 Sept., "	300	0	0
"	Acting Sergeant-Major M. Scanlan	14 " "	191	12	6
"	First-class Sergeant James Slattery	18 Nov., "	191	12	6
Total			5,781	10	5

* Committed to asylum 22nd December, 1896.

SUMMARY.

	£	s.	d.
Retiring allowances	22,820	6	10
Compassionate allowances to widows or children	5,781	10	5
Total	£28,601	17	3

EXHIBIT No. 72.

COPY of REGISTER of DEATH.—Certified Copy of Entry in the Registrar-General's Office.—District of Christchurch; Year, 1883.

No. 294.

When and where died: 22nd April, 1883; New Street.

Name and surname: Amy Dyson.

Sex and age: F.; 28.

Cause of death: Verdict of jury, inflammation of lungs (p.m.).

Name and surname of father: Unknown.

Rank or profession of father: Hotelkeeper.

When and where buried: 24th April, 1883; Christchurch Cemetery.

Name and religion of minister: Rev. E. A. Lingard; Church of England.

Where born, and how long in New Zealand: London; seven years.

Where, at what age, and to whom married: London; 20; George Dyson.

If issue living, state number and sex: One female; 5 years.

Signature, description, and residence of informant: John W. Howard, Coroner, Christchurch.

Signature of Registrar: J. W. Parkerson.

Date of registration: 27th April, 1883.

I, Edward John von Dadelszen, Registrar-General for the Colony of New Zealand, do hereby certify that the above is a true copy of the entry of the death of Amy Dyson in the records of my office.

Given under my hand, at Wellington, this 2nd day of March, 1898.

E. J. VON DADELSZEN,
Registrar-General.

EXHIBIT No. 75.

RETURN showing the NUMBER of PERSONS REMANDED for MEDICAL TREATMENT at AUCKLAND for the Year ended 31st May, 1898.

Charge arrested on.	Date of Arrest.	Date remanded from.	Remarks.
Drunkenness ...	9 July, 1897	10 July, 1897	Remanded for a week for medical treatment.
" ...	24 Nov., "	25 Nov., "	" "
" ...	30 " "	30 " "	" "
" ...	9 Dec., "	10 Dec., "	" "
" ...	25 March, 1898	26 March, 1898	" "

EXHIBIT No. 76.

NEW ZEALAND POLICE.—LONG-SERVICE PAY.

Number receiving long-service pay on the 22nd February, 1898, at 1s. per diem ... 280
Ditto, at 6d. per diem ... Nil.

EXHIBIT No. 77.

POLICE REWARD FUND.—RETURN showing RECEIPTS and EXPENDITURE in each Year from the 31st March, 1887, to the 31st March, 1898.

[Schedule referred to in "Disbursement" column not printed.]

<i>Receipts.</i>		£ s. d.	<i>Disbursements.</i>		£ s. d.
By Balance on 31st March, 1887 ..	..	115 0 6	To Amount invested in Government securities ..	..	77 10 2
Lodgments for year ended 31st March, 1888 ..	..	76 15 0	Amount paid for books and periodicals for libraries ..	..	49 11 2
Interest ..	..	29 6 3	Rewards paid as per schedule attached	..	80 10 0
			Public Trust Office commission ..	..	0 11 7
			Balance ..	..	12 18 10
Balance on 31st March, 1888 ..	..	12 18 10	Amount paid for books and periodicals for libraries ..	..	32 0 0
Lodgments for year ended 31st March, 1889 ..	..	86 18 7	Rewards paid as per schedule attached	..	46 13 0
Interest ..	..	63 10 9	Public Trust Office commission ..	..	1 7 3
			Balance ..	..	83 7 11
Balance on 31st March, 1889 ..	..	83 7 11	Amount paid for books and periodicals for libraries ..	..	8 0 0
Lodgments for year ended 31st March, 1890 ..	..	29 9 8	Rewards paid as per schedule attached	..	29 0 0
Proceeds of unclaimed property at police-stations ..	..	6 18 6	Public Trust Office commission ..	..	0 19 10
Interest ..	..	66 4 8	Balance ..	..	148 0 11
Balance on 31st March, 1890 ..	..	148 0 11	Rewards paid as per schedule attached	..	6 0 0
Lodgments for year ended 31st March, 1891 ..	..	19 5 10	Public Trust Office commission ..	..	0 16 4
Interest ..	..	68 16 4	Balance ..	..	229 6 9
Balance on 31st March, 1891 ..	..	229 6 9	Rewards paid as per schedule attached	..	30 10 0
Lodgments for year ended 31st March, 1892 ..	..	21 12 7	Amount paid for books and periodicals for libraries ..	..	44 0 0
Government securities realised ..	..	1,250 0 0	Public Trust Office commission ..	..	2 1 9
Interest ..	..	72 10 1	Balance ..	..	1,496 17 8
Balance on 31st March, 1892 ..	..	1,496 17 8	Rewards paid as per schedule attached	..	31 9 0
Lodgments for year ended 31st March, 1893 ..	..	17 15 0	Public Trust Office commission ..	..	0 3 6
Interest added in Public Trust Office ..	..	70 18 6	Balance ..	..	1,553 18 8
Balance on 31st March, 1893 ..	..	1,553 18 8	Rewards paid as per schedule attached	..	66 0 0
Lodgments for year ended 31st March, 1894 ..	..	31 0 3	Public Trust Office commission ..	..	0 7 4
Proceeds of sale of unclaimed property	..	0 14 0	Balance ..	..	1,589 14 7
Interest added in Public Trust Office ..	..	70 9 0			
Balance on 31st March, 1894 ..	..	1,589 14 7	Rewards paid as per schedule attached	..	57 10 0
Lodgments for year ended 31st March, 1895 ..	..	16 2 6	Refund of fine inflicted on Constable Gordon ..	..	1 0 0
Interest added in Public Trust Office ..	..	66 15 2	Public Trust Office commission ..	..	0 3 0
			Balance ..	..	1,613 19 3

EXHIBIT 77.—*continued.*POLICE REWARD FUND—RETURN showing RECEIPTS and EXPENDITURE &c.—*continued.*

<i>Receipts.</i>			<i>Disbursements.</i>		
	£	s. d.		£	s. d.
Balance on 31st March, 1895	1,613	19 3	Rewards paid as per schedule attached	60	0 0
Lodgments for year ended 31st March, 1896	28	7 0	Public Trust Office commission	0	5 8
			Balance	1,582	0 7
Balance on 31st March, 1896	1,582	0 7	Rewards paid as per schedule attached	37	0 0
Lodgments for year ended 31st March, 1897	12	7 6	Public Trust Office commission	0	2 3
Interest added in Public Trust Office ..	156	18 4	Balance	1,714	4 2
Balance on 31st March, 1897	1,714	4 2	Rewards paid as per schedule attached	105	0 0
Lodgments for year ended 31st March, 1898	12	2 6	Public Trust Office commission	0	2 8
Interest added in Public Trust Office ..	57	19 11	Balance	1,679	3 11
Balance on 1st April, 1898	1,679	3 11			

Approximate Cost of Paper.—Preparation, not given; printing (1,700 copies), £814.

By Authority: JOHN MACKAY, Government Printer.—1898.

Price 10s.