

313. Would it not have been as well to have inquired into these cases at the same time as the others were inquired into—I mean these statutory offences?—I fancy so.

Commissioner Tunbridge : Here is the regulation bearing on the matter. [Produced.]

314. *Hon. Mr. Hall-Jones*.] It says, "Offences against the public, or where Magistrates have clear jurisdiction, will be always submitted to a local Magistrate or Bench of Magistrates." Was this matter submitted to Magistrates by the Commissioner or by any other person?—Not that I know of.

315. You say that you have some regulation which says that a policeman is always a policeman?—He is always supposed to be on duty if necessary.

316. I would ask the Commissioner to hand in a copy of the regulations.

317. With regard to the girl who got into trouble, you made some reference, I think, to telegrams?—Yes.

318. Do you know anything about telegrams in connection with the case?—I was informed at the time that I got the other information that telegrams passed between Durbridge and this girl when she was in Wellington. A lady in Nelson told me that she got a telegram from the girl, saying she had got quit of her trouble.

Mr. Maginnity : I would suggest that some effort be made to obtain those telegrams.

At this stage of the evidence further hearing was adjourned till 10.30 a.m. on the following morning, the Hon. Mr. McGowan intimating that he would call further witnesses, and asking permission for the Police Force to be represented by counsel, which was granted.

FRIDAY, 12TH SEPTEMBER, 1902.

Examination of Inspector MACDONELL continued. (No. 8.)

Mr. Skerrett : I ask your permission, Mr. Chairman, to represent the Police Department in this inquiry.

The Chairman : Very well. We are all ready, Mr. Tunbridge.

Commissioner Tunbridge : I would like to ask Inspector Macdonell a few questions.

Mr. Maginnity : May I be permitted to point out, sir, that Mr. Skerrett has just asked the permission of the Committee to appear for the police, but we have understood hitherto that the Commissioner was appearing for them. He is going to cross-examine on their behalf, I understand.

Commissioner Tunbridge : I do not think that is quite right. Perhaps I had better make my position clear. As a matter of fact, I appear for myself, I think. Of course, you will understand that the examination of this witness by the Hon. Mr. Hall-Jones yesterday was to the effect that the decision of the Cabinet to dismiss these men implied, I believe, that my decisions in the matters I inquired into were not commensurate with the nature of the offences. That, I take it, was the trend of Mr. Hall-Jones's examination of this witness yesterday. Under those circumstances I should be glad to put some questions to the witness, but I do not, as Mr. Maginnity says, stand here as representing the Police Force. I think I represent myself, as far as my action has been brought into conflict with the action of the Government. (To witness :) 1. You say, Inspector, that you first heard of the condition of things in Nelson that has been mentioned when you were there at the Jubilee time?—Yes, with the exception of the alleged immorality on the part of Durbridge.

2. From whom did you get this information with regard to the alleged assaults and frequenting of publichouses—the charges that were inquired into in Nelson by me?—I got it from different people.

3. Will you kindly name them?—Principally from the constables there.

4. Which constables?—Williams and Bird.

5. From any other persons?—Yes.

6. Who?—I would ask whether it is fair for me to give all the names. I think I mentioned in some of the reports where I got information from. Personally, I have no objection to giving the names.

Commissioner Tunbridge : I am entirely in the hands of the Committee. I think it is a proper question.

The Chairman : The Committee want to know all this.

Witness : Well, I got some information from Mr. Bannehr, part proprietor and editor of the *Colonist*. He gave me the names of a number of people in Nelson who had been assaulted by the police.

7. *Commissioner Tunbridge*.] Any one else?—Yes; but I would need to refer to my book to get the names.

8. I do not mean the statements you took; I want the names of the persons who first gave you information about the cases—the statements you afterwards took are on the file?—Yes. I heard of the publichouse case—that is, the one against Durbridge—from one of the constables.

9. That is, the Bush Inn case?—Yes. I got some information, at any rate, in connection with that case from Constable Williams, I think. At any rate, it was either him or Bird who referred me to a person. I saw that person and got some information from him.

10. Did you get any information from any other person?

Mr. Skerrett objected to this question, and the Commissioner said he would not press it any further.

11. You say, Inspector, that you received a good deal of information from Constables Bird and Williams?—Yes.