

328. Very well, then ; no case of assault has been proved against them. Why did you not have the charges investigated ?—I have stated already that I did not wish to, owing to the state of matters in Nelson, and that I wished some outsider to hold an inquiry. If I had not been leaving the district I was going to make the suggestion, but as I was leaving the district I left it to the Commissioner.

329. But why did you not exercise the powers you had ? If you felt there ought to have been an inquiry, why did you not conduct it ?—For one reason, I was satisfied that improper motives would have been imputed to me, judging by my experience there.

330. What was your experience in Nelson to warrant you in saying that you should not carry out your statutory duty, but throw the onus on to the Commissioner ? What was the feeling ? Why should you be afraid of conducting the inquiry ?—I was not afraid. I am not afraid of any man.

331. Then, what was the feeling that you were afraid of in Nelson ?—I thought that in the interests of justice some outside person should hold the inquiry.

332. You were not even satisfied with the Magistrate at Nelson ?—Who told you ?

333. It is on record somewhere ?—Is it ?

334. Yes—that any inquiry should not be made by Mr. Robinson ?—No, I would not be satisfied. I do not think it would have been proper. I thought that an outsider should hold it, and, in view of the agitation that has gone on since, I think I was very correct in my judgment.

335. Do you mean the agitation about the Police Force ?—Yes.

336. Because the citizens took the matter up ?—Yes. I am judging by what I saw in the papers.

337. You mean the agitation that was got up after the constables were dismissed : is that what you mean ?—And before that, I think.

338. Was there any agitation before they were dismissed ?—I think so.

339. There was no agitation. A deputation waited on Commissioner Tunbridge—

*Commissioner Tunbridge* : I should be very glad to have it appear on the minutes at this point, so that the matter may not be disconnected. I do not know how much of Inspector Macdonell's statement appears in the minutes, but I wish to refer to my memorandum to the Minister of Justice dated the 24th March, 1902. It is on page 28 of the printed matter. In the fifth and sixth paragraphs the following appears : "The attached letter, dated 13th instant, received by me from the Mayor of Nelson, together with the fact that on the 18th instant a deputation consisting of Mr. Baigent, J.P., Mayor of Nelson, Mr. W. T. Bond, J.P., Mr. G. G. Rout, J.P., and Dr. Gibb waited on me at the Nelson Police-station while I was there engaged in holding the inquiry to express their high appreciation of the manner in which the police-work of Nelson had been carried out since Sergeant Mackay has been in charge at Nelson, and they trusted the sergeant would not be removed unless the inquiry disclosed offences against him which justified his removal. They went on to state that they feared the sergeant might be removed under any circumstances, as it was well known that a certain young man, the son of a Nelson resident who was supposed to have great influence with 'the powers that be,' had boasted in the hotels about Nelson that he would get the sergeant removed from Nelson. They pointed out how impossible it would be for the police to do their duty if it became suspected even that they could be removed at the will of persons such as those indicated. I gave the deputation no intimation as to what would be the probable outcome of the inquiry, and they did not seek to know. The deputation stated that they voiced a considerable section of the Nelson community, and I have reason to know that Mr. Graham, the member of the district, shares the opinion of the gentlemen forming the deputation." That is practically what took place between the deputation and myself.

*Mr. R. McKenzie* : Might I ask Commissioner Tunbridge, while on this point, whether the deputation asked to see him privately and asked him to get the Inspector to retire from the room ?

*Commissioner Tunbridge* : No, I do not think they did.

*Hon. Mr. Hall-Jones* : Was the Inspector asked to retire ?

*Commissioner Tunbridge* : No. The deputation asked to see me, and came into the room to see me. The inquiry was going on, and I simply adjourned it to see the deputation. I do not think the Inspector on the one side or the sergeant on the other were present in the room. I think the only persons present were the deputation and myself.

*Mr. R. McKenzie* : My reason for asking was that, in reply to Mr. Maginnity, the Inspector stated that he was put out of the room while the deputation waited on the Commissioner.

340. *Commissioner Tunbridge*.] When the deputation arrived there were present in the room the Inspector, the sergeant, a number of constables, and I am not sure whether Mr. Maginnity was not there also. He was appearing on behalf of some of the constables. At any rate, there was a roomful, and I adjourned the inquiry to see the deputation. I did not suppose the deputation desired to interview me in the presence of a dozen people, and therefore all the persons present, with the exception of myself, left the room. That is what took place. The Inspector was not alone with me. There were the sergeant and others in the room beside, and they all left. Is not that so, Inspector ?—I do not remember any but the sergeant and I being there at that particular time.

341. At any rate, I adjourned the inquiry ?—Yes. You said, "I am afraid I shall have to ask you to retire."

342. To all the persons in the room ?—I thought it was addressed to me.

*Commissioner Tunbridge* : I may say that the deputation never mentioned the Inspector's name. If any of the gentlemen comprising it had attempted to say anything which reflected in any way on the Inspector he would have been called in. Their object in calling was, as I read, "to