

471. How much good did you find to hold on to by investigation into Constable Bird's reports?—I did not hold on to them at all. I forwarded them to the Commissioner.

472. Now, these reports reflected seriously upon the conduct of the sergeant at the station, did they not?—In some respects they did.

473. Would you not think that the circular which has been read would apply to those reports?—No, not while the matter was under investigation. In my opinion, it would defeat the ends of justice if as soon as the thing was heard it was sent to the man and all information given. I have no doubt whatever that it would defeat the ends of justice. But I would give the man every opportunity later on.

474. Notwithstanding that circular?—I am of opinion that it does not apply to preliminary inquiries, because I have some idea of what caused the circular to be issued.

475. But the circular refers—you must take it as it is worded—to confidential reports?—Yes. My reports were not confidential. They were sent to the Commissioner in the ordinary way. Confidential reports are always marked "Confidential."

476. Well, then, these were not confidential reports?—No. They were ordinary reports.

477. Is it because they were ordinary reports that you say they did not come within the category of those referred to in the circular?—No. I have told you already that it was because it did not apply to anything under investigation.

478. That circular does not apply to anything under investigation?—That is my opinion.

479. But it says that before forwarding a report a man shall be afforded an opportunity of making an explanation, so that that explanation shall go on with the report?—Yes; but, as I said before—

480. But you gave it as your opinion that the circular would not apply to this case?—I do indeed. I have some idea of what led to the circular being issued.

481. You know pretty well by this time what Constable Williams's character is for veracity?—Yes.

482. What is your opinion now of the statements made by Constable Williams?—He undoubtedly contradicted himself at the inquiry.

483. Most seriously, did he not?—Yes.

484. Did he try in a most barefaced way to mislead the Commissioner who was holding the inquiry by producing a bogus entry?—That is so; an entry that he himself said was made at a certain date, but which was really made subsequently.

485. Was that not done with the intention of misleading the Commissioner?—No doubt, as far as that is concerned, but my opinion is that he did it simply to support what he said.

486. You sent Constable Williams to bring Remnant to you, did you not?—That is my opinion. I am not sure whether he went himself or whether some one else went.

487. Before the inquiry?—The Commissioner sent him, I think.

488. Did you at any time send Constable Williams to get Remnant?—I am not sure about that. I may have done so before that. Somebody went for him.

489. Knowing what you do now and what you knew then as to the veracity of Constable Bird and Constable Williams, would it have been safe for the Commissioner to inflict punishment upon any person if it rested upon those constables' evidence whether a man was innocent or guilty?—I answered that question in reply to the Commissioner. On their uncorroborated statement I do not think it would be safe to punish any person.

490. The Commissioner also asked you the question why you did not hold an inquiry under the regulations, and you said that your reason for not doing so was the great number of charges made, and knowing a good deal about the feeling in Nelson from a previous inquiry, that led you to think that some one else should hold the inquiry—an outside Magistrate or some independent person?—Yes.

491. What feeling did you refer to when you were answering the Commissioner?—When Sergeant Mackay was charged on a previous occasion with drunkenness and visiting hotels when on duty, and so forth. He got the summonses, as far as I remember, about 6 o'clock in the evening, and by, I should think, half-past 7 a gentleman called on me at the Masonic Hotel to say there were half a dozen running about to him already to start an agitation in favour of Sergeant Mackay. I concluded this must have come from Sergeant Mackay, because immediately after he got the summonses in the evening this took place.

492. Can you tell us who this man was who came to you?—I can indeed; it was the editor of the *Nelson Mail*.

493. Mr. Hanby?—That is the man. He mentioned a certain class of men who had been on to him already about the matter, and said that he would have what I may call flaming articles in his paper over it.

494. In favour of or against Sergeant Mackay?—In favour of Sergeant Mackay.

495. And yet he came to you and told you this?—Yes.

496. Was he complaining of the action taken?—He was not; but he wished to get information from me, and I was declining to give it, and he said he would kick up a terrible row in the paper. I concluded that this must have come from Sergeant Mackay.

497. *Hon. Mr. Hall-Jones.*] At what time was this?—About an hour and a half after Sergeant Mackay got the summonses.

498. *Mr. Maginnity.*] Had you any reason for coming to your conclusion that it was Sergeant Mackay?—My reason was that, so far as I knew, nobody else knew anything about it. Mr. Hanby knew the number of charges against Sergeant Mackay, and so forth.

499. Is that the feeling that you refer to?—That started a feeling there undoubtedly.

500. Among whom?—People there. I refer to these articles in the paper.