

19. Did you not see him going about the Courthouse with a stick and walking lame for some time before?—I know that he had a stick when I saw him.

20. You would not like to be definite as to how long Johnston was in the hospital, I take it?—No. He was there two or three weeks. It was not a serious wound. The bullet was taken out, and he made a very good recovery.

21. At the inquest Johnston was an important witness?—No, not very important. It was just by accident that he happened to be opposite the door when the shot was fired. He could speak with knowledge as to the actual shooting.

22. As having been opposite the door when the shot was fired he would be an important witness as to those responsible for the firing of the shot?—In that sense, yes.

23. Was there anything particularly noticeable about Johnston's demeanour when giving evidence at the inquest?—Yes. He was very highly strung. He was subjected to a lengthy and stringent cross-examination, and it was telling on him considerably.

24. Of course, you know that physically he had been in a weak condition?—I do not think he is a robust man.

25. At that time particularly, just having come from a hospital, he would probably be in a somewhat low physical condition?—It might have affected him a little, but he made a very good recovery and had been well treated in the hospital.

26. You know that some time prior to the rioting, when the shooting took place, Johnston met with an accident in the mine?—I was told of it, but I do not know anything about it of my own knowledge. I think he told me so himself.

27. Having met with that accident, and then the excitement and worry of the strike, and the shooting later, and being in the hospital, do you not think that all that combined at that time to account for his emotionalism and nervousness in the witness-box?—It would to some extent, added to his natural mental and physical condition.

28. You had other witnesses at that inquest who became excited also, I believe?—Yes.

29. Harvey, for instance?—He did.

30. He became very excited?—He did.

31. Harvey, as a matter of fact, was later, on trial for perjury?—He was.

32. And his excited condition at the time was cited as a defence—that he did not quite know what he was doing, and had no intention of misleading the jury?—That is so.

33. Did Johnston seem at any time to get excited to such a point that he would not be responsible for what he was saying?—There were occasions when he appeared to be on the point of breaking down. He was so highly strung that I and some others who were watching him and knew the circumstances—knew what had happened in the past—were expecting a breakdown.

34. A physical breakdown?—Combined with a mental breakdown.

35. You do not mean that you could judge accurately as to whether it was a mental condition that was produced or a physical condition?—The strain was a mental strain. It was the mental strain which would act on the body. If he collapsed in the witness-box it would be evidence that the strain on his mind was more than his body could stand.

36. This man was perfectly clear while he was answering questions?—He gave fairly clear evidence.

37. He was not excited to the extent that he was inclined to become hysterical and make irresponsible statements?—I do not remember any irresponsible statements that he made.

38. His evidence seemed to be quite clear, and he had a full knowledge of the responsibility attaching to him when he made the statements?—His evidence was fairly coherent. Nevertheless, he was obviously under a considerable strain.

39. In the police report there is a statement to the effect that on the 2nd December Johnston voluntarily went to the police-station at Waihi, and in your presence and in that of Detective-Sergeant Cooney made a certain statement. Was that statement taken down at the time?—The detective-sergeant made a report immediately afterwards.

40. To whom?—To the Inspector.

41. Which Inspector?—Inspector Wright.

42. The statement was not taken down at the time?—Not verbatim, no.

43. Johnston was never asked to sign the statement?—No.

44. Or look over it?—No.

45. The contents of that statement, dealing with certain incidents in Johnston's past, were known to you prior to his making that statement?—No, not in detail. I only knew that Dr. Craig, who was his private medical adviser, told me that in his opinion the man was of unsound mind. Johnston had consulted him privately, and he thought we ought to keep an eye on Johnston—he did not think he was safe to be at large.

46. Did not Detective-Sergeant Cooney tell you that Johnston had made a statement to him a day or two prior to that?—I have no recollection of that. I know that the detectives brought Johnston in, and he made his statement in front of both of us. To the best of my recollection that was the first I heard of the details.

47. In the course of the report it states that Johnston said his father was epileptic?—Yes; he said so.

48. He himself said that?—Yes.

49. Did Johnston seem to be excited or labouring under a strain when he made that statement?—His mind seemed to be full of his attempted crime, and he was evidently anxious to unburden himself. He ran through the whole thing with the greatest detail and minuteness, describing the conditions under which the act was attempted.

50. And he finished up by saying that he was sure others knew his secret?—He was afraid that under the anæsthetic he had allowed his secret to escape, and perhaps some of the hospital attendants had heard it.