

305. Seeing that seven witnesses succeeded Johnston before the adjournment took place, do you not think it absurd to say that the adjournment took place on account of Johnston's excitable condition?—

306. *Hon. Mr. Fisher.*] I wish to put in a telegram from Selwyn Mays, as follows: "*Re T. H. Johnston's petition: I had several interviews with Johnston at Waihi, and on last occasion when he gave evidence he became very strange in witness-box, and I had to get Court adjourned until he was fit to continue.*" In regard to the question put to Sergeant Wohlmann, subsection (2) of section 5 of the Act of 1911 says, "Unless in the opinion of the Magistrate there is sufficient reason to the contrary, one of the medical practitioners called to his assistance shall be the usual medical attendant of the person alleged to be mentally defective"?—If I might be permitted to say, there is a matter on which I think I gave a wrong impression, and that is in relation to my status in Waihi at the time. I spoke from a departmental point of view, but the Commissioner was in charge at the time. Inspector Wright was in charge most of the time during the strike, and above me was Sergeant McKinnon. I was in charge before the strike and after, but I was a subordinate officer and reported everything to my superiors, and did all I was told. There is one other matter, which negatives a suggestion that there is something improper about the motives of the doctors. The Waihi Hospital was controlled by Dr. Robertson; he left, and his practice was sold to Dr. Hyde. Dr. Craig objected to his patients going in and his having no control over them. Dr. Galligan, the other doctor, threw in his lot with Dr. Hyde. In consequence there was a strained feeling—in fact, I believe they did not speak except on official matters. Therefore, to suggest there was possible collusion between these two doctors and the police seems to me to be rather far-fetched. I instructed somebody to call in Dr. Craig and told him to get another doctor. I did not suggest Dr. Galligan, but he was got by the constable at the telephone as one that was most handy, and he was called in. There are but three doctors at Waihi, and the one who was not called is in charge of the hospital, where his duties render him somewhat adverse to attending to these matters, and it is sometimes difficult to get him.

307. *Mr. Brown.*] It has been suggested that the police were apparently wishing to get this man out of the road for certain reasons. The doctors must have been in collusion if there was anything of that sort?—I have already denied that.

308. Supposing there were no J.P.s in a small place like Waihi and a man suddenly became demented, under those circumstances the police would have to take some action?—Yes, we would.

309. *Mr. Payne.*] You stated that by the 14th December you had got all the evidence from Johnston and then committed him. You therefore considered Johnston quite capable of giving evidence on the 14th December?—He was capable of giving evidence on what he had seen and heard.

310. Right up to the day of the committal?—That is so.

#### THOMAS HENRY JOHNSTON sworn and examined. (No. 4.)

1. *The Chairman.*] What are you?—I am employed in the Waihi Gold-mine.

2. *Mr. Robertson.*] On what date did you go to Waihi?—I went to Waihi the last Saturday in September, 1912.

3. When did the mine reopen?—On the 2nd October.

4. Did you go to work then?—I was the first one that went to work.

5. The first man who signed on?—Yes.

6. During the strike, of course, there was a good deal of excitement?—Yes.

7. You were working in the mine when you met with an accident through an explosion?—Yes, that would be the first Monday or Tuesday the mine was working.

8. It was a week or so after you had gone to work?—Inside a week.

9. That shook you up a good deal?—Yes.

10. Will you describe the accident?—It was along No. 9 level, known as Richards's stope. There were four men working, and in the first pass they had put in a charge of gelignite. One of the shift bosses was with them, because they were not miners, but new-chums. It was just about knock-off time, and the shift boss came up to the junction of the two drives and sang out "Fire, fire!" It sounded like "Mick, Mick!" as Mick was the name of the man who was working with me about 3 chains up the drive. We then started to go out—I was in the lead and was hurrying. When I got practically within a yard of the chute I could smell powder. I stopped my pace and took a whiff, and then I saw the charge was burning. It then went off and I was rolled up in a heap. I struggled out as quick as I could, and found that the shock had affected me in the kidney, the side, and the upper part of the leg.

11. Notwithstanding your injuries you continued going to work in order to prevent any talk on the part of the strikers about new-chums handling explosives?—Yes.

12. And also that it would have frightened other men?—Yes, it would have done so, because it was circulated round town that there were spies in the mine.

13. That happened about the first week in October?—Yes, about the 7th or 8th October. The men were all in the chamber alongside the shaft.

14. You continued going out to work although suffering a good deal, and, of course, there was the usual excitement and the general "ructions" in connection with the strike and the worry?—Yes, I considered I had my share as well as any one. I consider I had as much to put up with as others who had the police stopping at their houses.

15. Now we come to the 14th November, the morning of the riots when the shooting took place?—That was on the Tuesday.