

154. What is your opinion in Johnston's case?—That his brain was not built to stand the strain, and he wanted rest, and change, and treatment; and then, he was dangerous. As a result of rest and change and treatment he may get better; but given the same strain he may commit the same crime again.

155. The certificate was made out principally on facts communicated to you by Johnston?—The certificate was made out on facts observed by myself, and these facts observed by myself were facts communicated by Johnston.

156. With regard to the your connection with the Waihi Mine Employees' Union, you are an honorary member of that organization?—I am.

157. Did you, as the Hon. Mr. Fisher suggested, on one occasion advise members of that union who were also members of the Federation Union, when attending a meeting to take whistles and blow them and you and others would rush the hall?—I have already denied that.

158. Do you remember sticking a wooden Union Jack up in the union office?—[The Chairman ruled this question out].

159. Were you in the Court at Waihi when Johnston was under cross-examination in any of the cases?—No.

160. You were there during the Barfoot case?—No.

161. You would hear something about his excitability in the witness-box?—No, I do not remember.

162. In regard to the method of committal, did a constable go to your residence to bring you to the police-station that day?—I do not remember. I do not think so. I think he rang me up and asked me to go to the police-station.

163. When you went there you found Johnston and Sergeant Wohlmann?—Yes.

164. You had a talk with Johnston?—Yes.

165. You told him he was going to a sanatorium?—I believe I did.

166. In your opinion is it a good plan to conceal?—Most decidedly; but I did not conceal. You are jumping at conclusions. I put it as nicely and as mildly as I could.

167. In your opinion there was no difference between telling a man he was going to a sanatorium and telling him it was a mental hospital he was going to?—I may have used the words "mental hospital"; I may not have used the word "sanatorium" at all; but I certainly would not think of telling a patient that he was going to an asylum. It is a very ugly word, and conveys only one meaning to a patient.

168. Would you say how you told him he was going to a sanatorium?—I believe I did tell him, either a sanatorium or a mental hospital.

169. Do you not think the use of that word "sanatorium" was calculated to conceal from Johnston his actual destination?—I suppose it was.

170. You believe, as a matter of fact, that it is a good plan to conceal it?—Most decidedly I think it is.

171. You in your time have given a certificate for the committal of many patients to mental hospitals, I presume?—A good few.

172. In regard to the procedure followed, is it not usual for the Magistrate, or the Justices acting on behalf of the Magistrate, to call the medical men to their assistance?—They do.

173. Did they in this case?—The police called me.

174. You do not know whether the Magistrate or the Justices instructed the police or not?—I could not tell you.

175. All you know is——?—That the police called me.

176. After your examination of Johnston you retired and Dr. Galligan came along?—Yes. I did not examine Johnston with Dr. Galligan. I do not know whether Dr. Galligan had seen him prior to me or not.

177. You were not present during Dr. Galligan's examination?—No.

178. Afterwards you and Dr. Galligan, with the sergeant present, met and discussed the result of your examination?—I could not tell you that at all. I remember this: I thought it would be a good plan to get a statement from Mrs. Johnston with regard to the shooting. The only time that Dr. Galligan and I examined together was when we went up and saw Mrs. Johnston together and asked her about the shooting, and got a circumstantial account of the shooting from her.

179. You got that account of the shooting from her?—Yes.

180. Did you make a statement at any time to the effect that it was on her initiative that you got him confined in the mental hospital?—No. I never made any such statement that I know of.

181. You remember Dr. Beattie writing you from Avondale about this case?—Yes.

182. You refused to give him any information?—No, not that I know of. The correspondence is here, is it not? I read his letters, and I suppose he read mine. You will see that at the end of Dr. Beattie's letter he says, "This closes the correspondence so far as I am concerned." He closed the correspondence; I did not.

183. This is his letter, dated 3rd January: "DEAR CRAIG.—I shall be glad if you will kindly let me know *re* Johnston, recently committed here from Waihi, how you learned that he was subject to *petit mal*. He himself and his wife deny it. I am anxious for any other information you can give me respecting his mental history. Personally I think he is not epileptic and not insane.—With kind regards, yours sincerely, R. M. BEATTIE." I will ask you to read your reply—you will read it more readily than I?—This is it (see Appendix A): "Waihi, 16 January, 1913. —MY DEAR BEATTIE,—Thanks for your letter. I am sorry to know that you have not been well. *Re* Johnston: The main points in your letter seem to me to be (1) the fact that you have seen no