

10. Did you see Johnston again?—Yes.

11. What happened?—I spoke to Johnston. He was still walking up and down in an irritable condition, and he said it was enough to make a man end himself, as he was worried and had financial difficulties.

12. What did you do: did you make a medical examination of him?—Yes. I asked him all the questions I could think of, and took everything down to see whether it corresponded with what I had already heard from his wife.

13. And you made out the certificate?—Yes.

14. You state in your certificate that you detected signs in Johnston of *petit mal*?—Yes, I did, from the irritable way in which he was walking up and down and from the statements he made—that life was not worth living because of financial troubles and because he was poor.

15. Did you think, then, that he was in a dangerous condition?—Yes.

16. Do you think that if he had been allowed to go he might have been a source of danger to his wife or children?—Yes, because a person suffering from that disease might do it unconsciously and forget all about it. From the history, and taking all things into consideration, I thought it was advisable for him to be kept under restraint for some time.

17. Did any one ever suggest to you that Johnston had signs of *petit mal*?—No.

18. There was no suggestion by the police to that effect?—None whatsoever.

19. Was there any suggestion made to you by Dr. Craig when you went up to see Mrs. Johnston that he had *petit mal*?—No, not going up.

20. Coming down?—He may have.

21. That would be as a result of the conversation with Mrs. Johnston?—Yes; that indicated more the *petit mal* than anything else.

22. Did she describe any particular form of attack to which he was subject?—She said that he was sometimes in a humour when he would not speak and would keep rather quiet.

23. Then you signed the certificate for committal?—Yes.

24. If the same circumstances occurred again to-morrow would you sign that committal?—Certainly.

25. You think that the committal certificate which you signed was *bona fide* and warranted?—Yes, absolutely. Before I signed it I took a good deal of trouble to go out and see the wife so as to make sure that I should really sign it.

26. *Mr. Robertson.*] With regard to Johnston being epileptic, you were afraid that he might, in a fit of unconsciousness, make another attempt on his wife and children?—Yes.

27. Do you believe that the previous attempt he made on his wife was made in that way?—Yes.

28. Did you not test his memory as to what occurred on that occasion?—No, because he was not inclined to give much in the way of answer to me.

29. If he did remember clearly all that occurred when he made the attempt to shoot his wife it would be evidence that he was not seized with an epileptic seizure at the time?—That is very doubtful. I could not answer that. Sometimes they may remember and sometimes they may not.

30. Clouston says, with regard to the *petit mal* of epilepsy, that “The epileptic suddenly loses his normal consciousness, and does strange acts in a state of false consciousness, or commits crimes of violence, and after a few days, or in some cases in a minute or two, the normal consciousness returns”?—Yes.

31. That would indicate that he would lose consciousness?—Temporarily. In passing a fork up to his mouth he might let it fall and not know anything about it.

32. He would not be able to remember later what had occurred during that period of unconsciousness?—No.

33. If he did remember it he could not have been unconscious, and therefore not under an epileptic seizure?—After he was told about it he might have a faint recollection.

34. Were you in the hospital at Waihi when Johnston was operated on and the bullet taken from his knee?—Yes.

35. Were you there all the time?—I only visit when I am required.

36. Were you present during the operation?—Yes.

37. You were there during the whole operation?—Yes.

38. Did you hear him talking under the anæsthetic?—Yes.

39. Did you hear him describe this shooting incident?—I do not remember hearing it, because I generally give the anæsthetic and keep the mouth closed.

40. If you did hear him describe the incident you would keep it private?—Yes, what you hear there is strictly private.

41. Will you swear you did not hear him?—I could not swear that. He may have and he may not. I do not remember everything I hear.

42. You swear that you did not communicate it to any one if you did hear it?—Yes. I never tell anything I hear in the hospital.

43. You found Johnston in a very excited condition that day you went to the police-station to examine him?—Yes.

44. Did you know that Johnston had previously been examined by Dr. Craig?—No, not till afterwards.

45. If Johnston knew at that time that the intention was to commit him to Avondale, do you think that might have been the cause of his despondency?—I do not know about that.

46. Take a normal person, for instance, who is sane: suppose he suddenly finds himself in custody by an artifice?—I should think he would be cooler than Johnston.

47. You do not think that would produce a state of excitability?—He would not be so erratic as Johnston was.